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Bureau of Justice Statistics Special Report

Federal Offenses and Offenders

White Collar Crime

During 1985, 10,733 defendants were convicted of Federal white collar crimes, an increase of 18% in the number of white collar convictions since 1980. The conviction rate for white collar defendants was 85%, compared to a rate of 78% for all other defendants in Federal criminal cases.

Other findings include the following:

- About 30% of suspects investigated by U.S. Attorneys in the 12 months prior to September 30, 1985, were suspected of involvement in white collar offenses; the majority of suspects were investigated for fraud.
- Criminal cases were filed by U.S. Attorneys against 55% of white collar suspects--the same filing rate as for nonwhite collar offenses. The filing rate for tax fraud was the highest (79%), followed by regulatory offenses (65%).
- About 40% of white collar offenders convicted in 1985 were sentenced to incarceration, compared to 54% for nonwhite collar offenders.
- Those convicted of white collar crimes received shorter average sentences of incarceration (29 months) than other Federal offenders (50 months).
- Those convicted of nonwhite collar crimes were more than twice as likely as white collar offenders to receive a sentence of more than 5 years; white collar offenders were more likely to be sentenced to probation or fined.
- Among white collar offenders, those convicted of counterfeiting were the

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This special report provides the Bureau's first analysis of Federal efforts to prosecute and punish white collar criminals--those who commit various forms of fraud, embezzlement, forgery, and other violations of Federal laws for financial gain. With this report as well as last year's report on white collar crime at the State level, Tracking Offenders: White-Collar Crime, BJS has attempted to provide a national overview of the treatment of white collar offenders by various criminal justice agencies.

This report should assist public officials, criminal justice practitioners, and researchers in their efforts to fight this often invisible but costly form of crime. The Bureau gratefully acknowledges the cooperation and assistance of the Executive Office for U.S. Attorneys, the Administrative Office of the U.S. Courts, and the U.S. Parole Commission, whose data made this report possible.

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Director

most likely to be sentenced to incarceration (59%). They received the longest average sentences (40 months) and were the most likely to be sentenced to more than 5 years.

- Although average sentence lengths for nonwhite collar crimes did not increase from 1980 to 1985, sentence lengths for white collar crime grew

20%. Among types of white collar crime, sentence lengths for tax fraud grew the most--86%.

- Those charged with a white collar crime were, on average, more likely than other types of defendants to be women, nonwhite, and over 40 and to have attended college.

Defining white collar crime

Although white collar offenses are less visible than crimes such as burglary and robbery, their overall economic impact may be considerably greater. Among the white collar cases filed by U.S. Attorneys in the year ending September 30, 1985, more than 140 persons were charged with offenses estimated to involve over \$1 million each, and 64 were charged with offenses valued at over \$10 million each. In comparison, losses from all bank robberies reported to police in 1985 were under \$19 million, and losses from all robberies reported to police in 1985 totaled about \$313 million.¹

The appropriate definition of white collar crime has long been a matter of dispute among criminologists and criminal justice practitioners. A particular point of contention is whether white collar crime is defined by the nature of the offense or by the status, profession, or skills of the defendant. The 1981 Dictionary of Criminal Justice Data Terminology defines white collar crime as "nonviolent crime for financial gain committed by means of deception by persons . . . having professional status or specialized technical skills."²

¹FBI, Crime in the United States, 1985, (1986).
²Second ed., BJS, NCJ-76939, 1981, p. 215.

Definitions of white collar crimes

Counterfeiting--the manufacture or attempted manufacture of a copy or imitation of a negotiable instrument with value set by law or convention, or possession of such a copy without authorization and with intent to defraud by claiming the genuineness of the copy. Federal laws prohibit counterfeiting U.S. coins, currency, and securities; foreign money; domestic or foreign stamps; and official seals and certificates of Federal departments or agencies.

Embezzlement--the misappropriation, misapplication, or illegal disposal of property entrusted to an individual with intent to defraud the legal owner or intended beneficiary. Embezzlement differs from fraud in that it involves a breach of trust that existed between the victim and the offender, for example, an army supply officer who sold Government property for personal profit.

Forgery--the alteration of something written by another person or writing something that purports to be either the act of another or to have been executed at a time or place other than was in fact the case.

Fraud--the intentional misrepresentation of fact to unlawfully deprive a person of his or her property or legal rights, without damage to property or actual or threatened injury to persons. Perjury--a false statement under oath--is not included in the category of fraud.

White collar regulatory offenses--the violation of Federal regulations and laws other than those listed above that meet the definition of white collar crime and that were typically classified by U.S. Attorneys as white collar offenses.

Source: Based on Dictionary of Criminal Justice Data Terminology, 2nd edition, BJS, NCJ-76939, 1981.

More recently, the November 1986 BJS Special Report Tracking Offenders: White-Collar Crime, which discusses processing of white collar offenders at the State level, adopts a definition focusing on the nature of the offense because data on the professional status or skills of offenders are not routinely available. It defines white collar crime as "nonviolent crime for financial gain committed by deception."³

To ensure maximum comparability among BJS Special Reports, this report also defines white collar crime on the basis of offense characteristics. Five categories of Federal offenses, which in general were consistently recorded as white collar crimes by U.S. Attorneys in their data records, are presented here: fraud, forgery, embezzlement, counterfeiting, and certain regulatory offenses. Each category of white collar crime includes a number of more specific Federal offenses. (See box for crime definitions and table 1 for a breakdown of white collar crime categories by convictions in 1985.)

With the exception of Federal offenses that do not have State-level counterparts, the crime categories presented here generally correspond to the categories used in the earlier BJS report.

Treatment of white collar crime

Investigations and case filings

Investigations and other activities requiring over 1 hour's attention by an Assistant U.S. Attorney are classified as "matters" by U.S. Attorneys.⁴ Almost one-third (30%) of all suspects in criminal matters investigated during the year ending September 30, 1985, were suspected of white collar crimes (table 2). Eighteen percent of all suspects investigated were suspected of fraud; 6% were suspected of embezzlement; 5%, of forgery or counterfeiting; and 2%, of white collar violations of Federal regulatory statutes.

³Tracking Offenders: White-Collar Crime, BJS Special Report, NCJ-102867, November 1986.

⁴The Executive Office of the U.S. Attorney reports that in fiscal year 1985 there were more than 26,600 "immediate declinations" that did not qualify as criminal matters, about a third involving white collar offenses.

Table 1. Federal white collar crime convictions, 1985

Offense	Convictions	
	Percent	Number
Fraud	100%	5,972
Tax	20	1,204
Lending and credit	9	540
Wire and mail	24	1,428
Other ^a	47	2,800
Embezzlement	100%	1,753
Bank	48	842
Government	10	173
U.S. Postal Service	18	313
Other ^b	24	425
Forgery	100%	2,014
U.S. Government documents	79	1,594
U.S. Postal Service	8	152
Securities	13	254
Other	1	14
Counterfeiting	100%	503
White collar regulatory offenses	100%	491
Import and export ^c	26	127
Antitrust	23	114
Transportation	23	113
Food and drug	17	84
Labor	8	37
Agriculture and agricultural materials	3	16
Total white collar convictions	100%	10,733

Note: Data include cases brought by U.S. Attorneys and the Criminal Division of the Department of Justice.

^aIncludes false claims and statements; Government program fraud; fraud concerning bankruptcy, commodities, securities, passports, or citizenship; and conspiracy to defraud.

^bIncludes labor organizations, Indian tribal organizations, and other federally protected victims.

^cIncludes customs violations and export of restricted defense materials and information; does not include drug offenses.

Criminal cases were filed against 55% of the suspects investigated in all white collar matters closed by U.S. Attorneys in the year ending September 30, 1985 (table 3). During the same period criminal cases against nonwhite collar suspects were filed at about the same rate. Cases were filed at the highest rates against those suspected of tax fraud (79%) and regulatory offenses (65%).

U.S. Attorneys declined prosecution of 40% of suspects in white collar criminal matters, compared to 26% of suspects in nonwhite collar matters during this period. At present it is not possible to track declined cases to determine whether they were subsequently prosecuted at the State or local level.

Criminal matters involving minor offenses or misdemeanors may also be referred to a U.S. Magistrate for disposition. During this same period, 5% of suspects in white collar matters were referred to U.S. Magistrates, in contrast to 20% of suspects in nonwhite collar matters. A major reason for this difference is that nonwhite collar crimes include a number of offenses, such as trespassing, that are routinely handled by magistrates.

Table 2. Suspects investigated in matters received by U.S. Attorneys, October 1, 1984, to September 30, 1985

Offense	Suspects investigated	
	Number	Percent
All offenses	80,949	100%
White collar	24,507	30%
Tax fraud	2,013	2
Lending and credit fraud	1,398	2
Wire fraud	3,919	5
Other fraud ^a	7,251	9
Embezzlement	4,921	6
Forgery/counterfeiting ^b	3,719	5
Regulatory offenses	1,286	2
Nonwhite collar	46,942	58%
Conspiracy and undifferentiated offenses ^c	9,500	12%

^aSee note a, table 1.
^bData do not permit separate classification of forgery and counterfeiting suspects.
^cCannot be classified as white collar or nonwhite collar.

Pretrial detention and release

According to the Bail Reform Act of 1984, offenders awaiting trial are released either on their own recognizance or on execution of an unsecured bond, unless it is determined that these measures will not reasonably assure their appearance at trial or will endanger the safety of the community. The act further requires that the individual be detained prior to trial if, at a formal hearing, a determination is made that his or her court appearance or the public safety cannot be assured through other means, such as posting bail.

The extent to which the act was fully implemented during calendar year 1985 is not clear. It appears, however, that pretrial detention was less likely for persons arrested for white collar offenses than for those arrested for other offenses. Among defendants interviewed by the Pretrial Services Agency in 1984 and 1985, 3% of those arrested

for white collar offenses were held without bail, compared to 9% of persons arrested on all other charges.⁵ Persons charged with white collar offenses were also less likely to be detained 2 or more days prior to trial (10%) than were defendants charged with nonwhite collar offenses (32%) (table 4).

Further, white collar defendants interviewed who were released prior to trial were substantially more likely than nonwhite collar defendants to be released on their own recognizance (31% vs. 18%); they were substantially less likely to be required to provide bail (13% vs. 37%).

⁵Except as noted, all years cited refer to calendar years.

Table 3. Disposition of suspects in matters closed by U.S. Attorneys, October 1, 1984, to September 30, 1985

Offense	Total	Percent of suspects in matters closed by U.S. Attorney		
		Case filed in U.S. District Court	Prosecution declined	Referred to U.S. Magistrate for disposition
All offenses	100%	55%	29%	16%
White collar	100%	55%	40%	5%
Tax fraud	100	79	20	2
Lending and credit fraud	100	43	56	1
Wire fraud	100	48	48	4
Other fraud*	100	49	47	4
Embezzlement	100	59	35	6
Forgery/counterfeiting	100	61	32	7
Regulatory offenses	100	65	27	8
Nonwhite collar	100%	54%	26%	20%

*See note a, table 1.

Table 4. Frequency and conditions of pretrial release for Federal defendants, 1984-85

Offense	Percent of defendants who were:			Percent of released defendants who were released on:			
	Total	Not detained ^a	Detained ^b	Total	Own recognizance	Unsecured bond	Financial conditions
All offenses	100%	75%	25%	100%	23%	49%	28%
White collar	100%	90%	10%	100%	31%	57%	13%
Tax fraud	100	96	4	100	35	55	10
Lending and credit fraud	100	96	4	100	31	56	13
Wire fraud	100	93	7	100	26	61	13
Other fraud ^c	100	91	9	100	30	54	16
Embezzlement	100	98	2	100	37	58	6
Forgery	100	81	19	100	28	58	14
Counterfeiting	100	69	31	100	22	51	27
Regulatory offenses	100	92	8	100	32	55	13
Nonwhite collar	100%	68%	32%	100%	18%	45%	37%

Note: Data describe defendants interviewed by the Pretrial Services Agency during calendar years 1984-85.
^aIncludes defendants never detained prior to trial or detained only 1 day.
^bDetained 2 or more days prior to trial.
^cSee note a, table 1.

Table 5. Nature of dispositions in Federal criminal cases, 1985

Offense	Percent of defendants in cases concluded in 1985 who were:						Number of defendants
	Convicted			Not convicted			
	Total	By plea	By trial	Total	Dismissed	Acquitted	
All offenses	80%	70%	10%	20%	17%	3%	50,749 ^a
White collar	85%	78%	7%	15%	12%	2%	12,516
Tax fraud	91	76	15	9	7	2	1,320
Lending and credit fraud	79	72	7	21	17	4	634
Wire fraud	81	71	10	19	15	3	1,754
Other fraud ^b	83	76	7	17	14	2	3,360
Embezzlement	89	85	4	11	10	2	1,973
Forgery	87	82	5	13	12	1	2,307
Counterfeiting	87	77	10	13	11	1	575
Regulatory offenses	83	76	7	17	12	5	593
Nonwhite collar	78%	68%	10%	22%	18%	3%	38,105

Note: See Note, table 1.

^aIncludes 128 defendants whose offense type was unknown.

^bSee note a, table 1.

Convictions

During 1985, 10,733 defendants were convicted of Federal white collar crimes--26% of all Federal defendants convicted for that year. The conviction rate for white collar cases terminated in 1985 was 85%, compared to a rate of 78% for nonwhite collar cases (table 5). In every category of white collar crime the conviction rate was higher than the total rate for nonwhite collar crimes. The highest conviction rate was for tax fraud (91%).

Overall, white collar defendants pled guilty to at least one of the charges against them at a higher rate than did nonwhite collar defendants (78% vs. 68%). Among white collar offenses, defendants in cases of embezzlement and forgery pled guilty at the highest rates.

About a third of all defendants in white collar cases who did not plead guilty were convicted, about the same proportion as nonwhite collar defendants (table 6). However, persons charged with counterfeiting and tax fraud who did not plead guilty were convicted at much higher rates (45% and 63%, respectively). The high rate of tax fraud convictions may reflect the priority given to cases that involve illegal earnings from drugs or other organized crime sources.

Among white collar crime defendants, 2% were acquitted in either judge or jury trials (table 5). Cases against 12% of white collar defendants were dismissed.

The dismissal of a case, however, does not necessarily mean that the defendant is free from further prosecution, because cases dismissed without prejudice may be refiled by the U.S. Attorney at a later date, on the same or similar charges. (Dismissal may also be a tactical procedure to separate codefendants in order to permit one to

Table 6. Convictions of Federal defendants who pled not guilty, 1985

Offense	Defendants who pled not guilty	
	Number	Percent convicted
All offenses	15,563 ^a	33%
White collar	2,929	34%
Tax fraud	340	63
Lending and credit fraud	188	25
Wire fraud	511	35
Other fraud ^b	824	30
Embezzlement	310	26
Forgery	418	29
Counterfeiting	139	45
Regulatory offenses	199	29
Nonwhite collar	12,601	32%

Note: See Note, table 1.

^aIncludes 33 defendants whose offense type was unknown.

^bSee note a, table 1.

testify against another, to correct technical problems, or to modify allegations in an indictment.) Defendants whose Federal cases have been dismissed may also be charged at the State level for similar activities.

Sentences

Offenders convicted of white collar crimes in cases terminated in 1985 were less likely to be sentenced to incarceration and more likely to be sentenced to probation than offenders convicted of nonwhite collar crimes (table 7). When sentenced to incarceration, white collar offenders were also more likely to receive a combined sentence that included probation than were other offenders.

Overall, 40% of white collar defendants convicted in 1985 were sentenced to incarceration, compared to 54% for offenders convicted of nonwhite collar offenses. The lower rate of incarceration held for all categories of white collar crime except counterfeiting. Those convicted of counterfeiting were sentenced to incarceration at a higher rate (58%) than those convicted of nonwhite collar crimes.

Table 7. Type of sentence imposed on convicted Federal offenders, 1985

Offense	Percent of convicted offenders sentenced to:				
	Total	Incarceration ^a			
		Incarceration only	Incarceration plus probation	Probation only ^a	Fine only
All offenses	50%	35%	16%	38%	12%
White collar	40%	20%	20%	56%	4%
Tax fraud	48	18	30	49	3
Lending and credit fraud	39	20	20	59	1
Wire fraud	50	21	29	48	2
Other fraud ^b	37	20	17	59	4
Embezzlement	28	9	19	71	2
Forgery	45	28	17	55	0
Counterfeiting	58	38	20	41	0
Regulatory offenses	17	5	12	48	35
Nonwhite collar	54%	40%	15%	31%	15%

Note: Numbers may not add to totals because of rounding.

^aMay include fines.

^bSee note a, table 1.

About 17% of defendants convicted of white collar regulatory offenses received incarceration sentences. Twice as many were sentenced to pay a fine. The use of fines rather than incarceration for this group may reflect, among other factors, the corporate nature of these defendants. Although some statutes permit incarceration of corporate officers or placement of a corporation on probation (conditioned on restitution or other public acts), such practices are rarely used.

In some white collar crime areas, the difference in incarceration rates may also be due to the tendency of white collar offenders to have significantly less serious prior records than non-white collar offenders convicted of similar crimes. For example, comparing fraud and embezzlement against the U.S. Government with simple theft from the Government (a nonwhite collar crime), nearly the same percentages of convicted offenders were sentenced to incarceration when one controls for their prior records (table 8).

The same was not true, however, for offenders convicted of similar crimes against lending and credit institutions. Higher percentages of offenders convicted of nonwhite collar theft were sentenced to incarceration regardless of prior record. Among offenders convicted of the various forms of theft from the U.S. Postal Service, the pattern was mixed.

The average length of incarceration sentences received by white collar defendants was 29 months (see table 12). This compares to an average of 50 months for offenders convicted of non-white collar offenses. During this period about 7% of white collar offenders received sentences in excess of 5 years, compared to 20% of nonwhite collar offenders (table 9). Those convicted of counterfeiting and forgery, however, were much more likely than other white collar offenders to receive sentences of more than 5 years.

Table 8. Percent of convicted Federal offenders sentenced to incarceration, by type of victim and prior record of offender, 1985

Prior record of offender	Percent of offenders sentenced to incarceration when victim was:					
	U.S. Government		Lending and credit institution		U.S. Postal Service	
	Theft or larceny	Embezzlement or fraud*	Theft or larceny	Embezzlement or fraud	Theft or larceny	Embezzlement or forgery
No prior convictions	15%	18%	44%	27%	20%	16%
Convicted but not incarcerated	39	32	81	44	51	34
Previously incarcerated	58	55	92	71	78	80

Note: Includes all sentences to incarceration. *Excludes tax fraud.

Table 9. Sentence lengths for convicted Federal offenders, 1985

Offense	Percent sentenced to incarceration for:				Number sentenced to incarceration
	Total	1 year or less	13 months to 5 years	Over 5 years	
All offenses	100%	45%	39%	16%	14,226 ^a
White collar	100%	49%	44%	7%	4,265
Tax fraud	100	62	33	5	571
Lending and credit fraud	100	48	49	4	216
Wire fraud	100	42	51	7	705
Other fraud ^b	100	51	44	5	1,016
Embezzlement	100	62	33	6	487
Forgery	100	40	49	11	897
Counterfeiting	100	34	52	14	289
Regulatory offenses	100	71	27	1	84
Nonwhite collar	100%	44%	37%	20%	9,915

Note: Percents may not total to 100% because of rounding. See Note, table 1. Includes all sentences to incarceration. ^aIncludes 46 offenders whose offense type was unknown. ^bSee note a, table 1.

Time served

Offenders actually serve only a portion of their initially imposed sentences due to time off for good behavior and parole. Among offenders sentenced to more than 1 year who were released from Federal prisons in 1985 and 1986, the median time served by white collar offenders was exactly the same as the median time served by all offenders sentenced to similar length terms. For all offenders sentenced to 1-2 years, median time served was 14 months; for sentences of 25 months to 5 years, median time served was 19 months; and for sentences of between 61 months and 10 years, median time served was 24 months.⁶

⁶See Methodology for a description of this calculation. For numerical values of the average length of prison time served by Federal offenders, see *Sentencing and Time Served*, BJS Special Report, NCJ-101043, June 1987, table 3.

Table 10. Convictions in Federal court for white collar and nonwhite collar offenses, 1980-85

Offense	Number of defendants convicted						Percent change 1980-85	Percent of all defendants convicted					
	1980	1981	1982	1983	1984	1985		1980	1981	1982	1983	1984	1985
All offenses	29,952	31,819	34,245	37,295	39,071 ^a	40,649 ^b	36%	100%	100%	100%	100%	100%	100%
White collar	9,121	9,572	10,591	10,877	10,611	10,733	18%	30%	30%	31%	29%	27%	26%
Tax fraud	1,366	1,189	1,099	973	1,163	1,204	-12	5	4	3	3	3	3
Lending and credit fraud	406	489	453	473	494	540	33	1	2	1	1	1	1
Wire fraud	1,048	1,199	1,221	1,348	1,692	1,428	36	3	4	4	4	4	4
Other fraud ^b	1,845	1,995	2,670	3,004	2,795	2,800	52	6	6	8	8	7	7
Embezzlement	1,626	1,780	2,029	1,998	1,767	1,753	8	5	6	6	5	5	4
Forgery	1,564	1,310	1,783	1,844	1,652	2,014	29	5	4	5	5	4	5
Counterfeiting	657	677	868	751	571	503	-23	2	2	3	2	1	1
Regulatory offenses	609	933	468	486	477	491	-19	2	3	1	1	1	1
Nonwhite collar	20,831	22,247	23,654	26,418	28,457	29,816	43%	70%	70%	69%	71%	73%	74%

Note: Percents may not add to totals because of rounding. See Note, table 1.
^aIncludes three offenders whose offense type was unknown.
^bIncludes 100 offenders whose offense type was unknown.
^cSee note a, table 1.

Trends

From 1980 to 1985 the number of persons convicted of Federal offenses increased at a nearly constant annual rate of 6.3% per year, for a total increase of 36% over the entire period (table 10). During this 6-year period the number of defendants convicted of white collar crime increased overall by 18%, with major increases occurring during the first 2 years. Among the types of white collar crimes, the greatest increase in convictions was for "other" frauds (including Government program fraud), which rose 52%. Next were wire fraud (36%), lending and credit fraud (33%), and forgery (29%).

With two exceptions the distribution of specific white collar crimes among all white collar crime convictions showed only minor changes over the period. Convictions for tax fraud decreased from 15% of all white collar convictions in 1980 to 11% in 1985. Offenses grouped in the category of other frauds increased from 20% of all white collar convictions in 1980 to 26% in 1985.

Sentences

Between 1980 and 1985, the proportion of convicted nonwhite collar Federal offenders who were sentenced to incarceration increased from 49% to 54% (table 11). The percent of convicted white collar defendants sentenced to incarceration increased only marginally during the 1980-85 period--from 39% to 40%--with a minor increase in 1982 (43%).

The use of incarceration for some specific categories of white collar offenders, however, did change more substantially over the period:

Table 11. Percent of convicted Federal offenders sentenced to incarceration, 1980-85

Offense	Percent of convicted offenders sentenced to incarceration					
	1980	1981	1982	1983	1984	1985
All offenses	46%	48%	51%	50%	49%	50%
White collar	39%	40%	43%	41%	38%	40%
Tax fraud	34	38	46	49	47	48
Lending and credit fraud	46	43	40	37	40	39
Wire fraud	53	59	56	50	39	50
Other fraud*	33	34	38	34	33	37
Embezzlement	28	28	29	30	28	28
Forgery	51	54	53	53	50	45
Counterfeiting	57	54	59	56	59	58
Regulatory offenses	19	22	23	20	19	17
Nonwhite collar	49%	51%	55%	54%	53%	54%

Note: Includes all sentences to incarceration.
^{*}See note a, table 1.

- The percent of convicted tax fraud offenders sentenced to incarceration increased from 34% in 1980 to 48% in 1985. As a result, the number of persons sentenced to incarceration for tax fraud was 22% higher in 1985 than it had been in 1980 despite the decrease in total convictions for tax fraud during the period.

- The rate of incarceration for offenders convicted of other frauds, which includes Government program fraud, increased from 33% in 1980 to 37% in 1985.

- Incarceration for defendants convicted of lending and credit fraud fell from 46% in 1980 to 39% in 1985.

Sentence length

Among Federal white collar offenders sentenced to incarceration, including sentences combined with probation, the length of the term imposed by the judge increased 20% (from 24 to 29 months) between 1980 and 1985 (table 12). The most significant increases were in sentences for tax fraud and

other fraud. Average sentence lengths for tax fraud increased from 11 months in 1980 to 21 months in 1985. Average sentences for other fraud increased from 19 months in 1980 to 26 months in 1985. The length of sentences imposed on defendants convicted of nonwhite collar crime was essentially unchanged over the same interval.⁷ Median sentence lengths were generally unchanged between 1980 and 1985 for both white collar and nonwhite collar offenders (table 13).

⁷Sentence lengths for selected Federal crimes, based on data supplied by the Administrative Office of the U.S. Courts, are presented in *Sentencing and Time Served*, BJS Special Report, NCJ-101043, June 1987, table 2. These calculations differ from those presented here because they are not based on the same calendar period or the same classification of offenses, and they exclude prison sentences combined with probation.

Defendant characteristics

Among Federal defendants who had Pretrial Services Agency interviews in 1984 and 1985, those charged with white collar crimes differed in several respects from those charged with non-white collar offenses. Moreover, among the white collar crime defendants who were interviewed, there were substantial differences. These data, however, do not reflect the substantial number of corporate defendants in white collar cases.

In general, defendants of all types were predominantly male, white, non-Hispanic, and younger than 40 and had not attended college (table 14). White collar defendants, however, included higher proportions of women, non-whites, and persons over 40 than did nonwhite collar defendants. White collar defendants were also less likely to be Hispanic, and they were more likely to have attended college.

With respect to specific white collar offenders, higher proportions of those

Table 12. Average length of sentences to incarceration for Federal offenders, 1980-85

Offense	Average sentence length						Percent change 1980-85
	1980	1981	1982	1983	1984	1985	
All offenses	42 mos.	44 mos.	44 mos.	41 mos.	44 mos.	44 mos.	5%
White collar	24	24	26	26	26	29	20%
Tax fraud	11	12	15	17	17	21	86
Lending and credit fraud	21	17	19	19	18	21	-2
Wire fraud	30	34	35	32	29	33	11
Other fraud*	19	23	23	23	24	26	33
Embezzlement	20	17	20	18	19	24	21
Forgery	31	28	31	34	32	36	15
Counterfeiting	34	33	31	35	40	40	18
Regulatory offenses	13	18	14	17	12	13	-1
Nonwhite collar	51	54	53	48	48	50	0%

Note: Includes all sentences to incarceration. *See note a, table 1.

charged with tax fraud (93%), lending and credit fraud (81%), counterfeiting (76%), and regulatory offenses (90%) were white than were other types of white collar and nonwhite collar defendants. Women were a larger propor-

tion of those charged with embezzlement (41%) and forgery (30%) than those charged with white collar crimes overall (26%) and those charged with other offenses (13%).

Two-thirds of those arrested for tax fraud were over 40, compared to one-third of white collar crime defendants in general and less than one-fourth of the defendants arrested for nonwhite collar offenses.

Those charged with tax fraud, lending and credit fraud, and embezzlement were substantially more likely to have attended college than were other types of defendants. In contrast, those charged with forgery were less likely to have attended college than all other defendants interviewed.

Methodology

The data tabulations in this report were developed from the BJS integrated Federal Justice Statistics data

Table 13. Median length of sentences to incarceration for Federal offenders, 1980-85

Offense	Median sentence length						Percent change 1980-85
	1980	1981	1982	1983	1984	1985	
All offenses	18 mos.	18 mos.	24 mos.	18 mos.	18 mos.	18 mos.	0%
White collar	12	12	12	12	12	15	25%
Tax fraud	6	6	6	10	12	12	100
Lending and credit fraud	18	12	12	12	6	12	-33
Wire fraud	24	24	24	24	18	24	0
Other fraud*	9	12	12	12	12	12	33
Embezzlement	6	6	6	6	6	6	0
Forgery	24	24	24	24	24	24	0
Counterfeiting	24	24	24	30	24	24	0
Regulatory offenses	6	4	4	5	6	6	0
Nonwhite collar	24	24	24	24	24	24	0%

Note: Includes all sentences to incarceration. *See note a, table 1.

Table 14. Characteristics of persons arrested for Federal crimes, 1984-85

Offense	Percent of persons arrested who were:									
	Sex		Race		Ethnicity		Age		Education	
	Male	Female	White	Non-white	Hispanic	Non-Hispanic	40 and under	Over 40	No college	Attended college
All offenses	84%	16%	72%	28%	21%	79%	75%	25%	74%	26%
White collar	74%	26%	66%	34%	10%	90%	66%	34%	67%	33%
Tax fraud	88	12	93	7	2	98	33	67	56	44
Lending and credit fraud	82	18	81	19	5	95	60	40	51	49
Wire fraud	83	17	69	31	5	95	59	41	58	42
Other fraud*	75	25	62	38	15	85	64	36	65	35
Embezzlement	59	41	68	32	10	90	74	26	60	40
Forgery	70	30	52	48	11	89	80	20	83	17
Counterfeiting	86	14	76	24	9	91	73	27	76	24
Regulatory offenses	92	8	90	10	11	89	50	50	65	35
Nonwhite collar	87%	13%	74%	26%	26%	74%	78%	22%	78%	22%

Note: Data describe 22,580 persons interviewed by the Pretrial Services Agency during calendar years 1984-85. See Note, table 1. *See note a, table 1.

base, maintained by Abt Associates, Inc. The source files for this report were provided by the Executive Office for U.S. Attorneys, the Administrative Office of the U.S. Courts, and the U.S. Parole Commission. Data on convictions and sentencing include Federal District Court cases brought by U.S. Attorneys and the Criminal Division of the Department of Justice. Except as noted, years cited refer to calendar years.

Data records in the integrated system are matched according to names, dates of court appearances, types of offenses, and other relevant information contained in the files. Using the integrated data files it is possible to combine information about all stages of the processing of a criminal matter or case, from before court filing through prosecution and, if the defendant is convicted, through probation or prison and parole. Federal law prohibits the use of the integrated files for any purposes other than research.

Offenses were classified as white collar crimes for this report based primarily on classifications by the U.S. Attorneys. Uniform categories of offenses were then developed using the Administrative Office of the U.S. Courts' offense codes that correspond to the offenses consistently labeled as white collar crimes by the U.S. Attorneys. With the exception of counterfeiting, offenses included as white collar crime were labeled as such in at least 90% of the U.S. Attorney records that had program classification data. Counterfeiting is composed of offenses that were recorded as white collar crimes in a substantial minority of the records categorized; it is included as a white collar offense to permit comparability with other BJS white collar crime analyses.

When data files were used that did not include the Administrative Office's offense codes, the category of offense was determined by linking the defendant's record to his or her Administrative Office record. Data records from the U.S. Attorneys' Docket and Reporting system that did not include the Administrative Office's offense code and did not have a matching Administrative Office record (for example, if the matter was not filed as a case in a Federal District Court) were categorized by converting the offense's U.S. Criminal Code Title and Section into corresponding Administrative Office offense codes. The categories of offenses in all the data tables are defined similarly, regardless of the source of data used to derive the tabulations.

The nonwhite collar crime category includes violent offenses, drug offenses, property offenses (such as burglary) that are generally not considered to be white collar crimes, and the following regulatory crimes, which are rarely categorized as white collar by the U.S. Attorneys: violations of game conservation acts, migratory bird laws, selective service acts, curfew or restricted access laws, obscene mail laws, civil rights acts, contempt statutes, postal laws, destroying Federal property, and explosives laws.

The length of time actually served by prison inmates is not included as a data item in any of the Federal agencies' files. For this report the length of time served was deduced by using the U.S. Parole Commission's decision hearing (PDH) file, which contains information about inmates sentenced for terms of 12 months or longer. The PDH file is continually updated; these calculations were based on a January 1987 copy of the file.

Each record in the PDH file describes the outcome of a single parole hearing, together with any regional or national appeals of the results of the hearing. Thus, a prison inmate may have multiple records of parole hearings involving a single offense in the file. If an inmate's last recorded parole hearing prior to January 1987 established a release date in 1985 or 1986, it was deduced that the inmate had actually been released at the date set at that hearing. This method does not entail the estimation of time served for any inmates.

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