

Recent Caseload Statistics for U.S. District Courts: Criminal Defendants Charged by Type of Offense

September 26, 2023

The Administrative Office of U.S. Courts regularly compiles data related to the workload of the federal courts. This Insight provides an overview and analysis of data related to one measure of workload—the number and percentage of criminal defendants charged with various types of offenses in [U.S. district courts](#). Specifically, it provides information about (1) the percentage of defendants charged with certain types of offenses in U.S. district courts for the period 2001-2022; (2) the combined percentage of defendants, during this same period, charged with the three most common types of offenses—immigration, drugs (excluding marijuana), and firearms/explosives; and (3) the three most common types of offenses for which defendants were charged in each U.S. district court in 2022.

The data below include defendants charged with [felonies](#) or [Class A misdemeanors](#) (or, if the defendant was charged with a [petty offense](#), the case was assigned to a district court judge rather than a magistrate judge). Additionally, the data exclude defendants [transferred among district courts](#) and do not include defendants charged in U.S. [territorial district courts](#). This Insight does not provide legal analysis of the offenses discussed.

Percentage of Defendants Charged by Type of Offense (2001-2022)

Nationally, during the 2001-2022 period, immigration-related offenses were the most common for which defendants were charged during 13 (59%) of the 22 years. And as shown by **Figure 1**, since 2008 (with the exceptions of 2020 and 2021), immigration has been the most common type of offense for which defendants have been charged. The percentage of federal defendants charged with immigration-related offenses ranged from a low of 14.2% in 2001 to a high of 34.8% in 2019.

Examples of specific immigration-related offenses include (1) [improper reentry](#) by an [alien](#) after having been removed from the United States; (2) the [smuggling](#) of aliens into the United States, including arranging transportation or otherwise assisting unauthorized individuals to enter or remain in the United States; and (3) [fraud and misuse of visas or other documents](#). For additional information about statistics regarding immigration-related offenses, see.

Congressional Research Service

<https://crsreports.congress.gov>

IN12252

Drug-related offenses (excluding marijuana) were the most common offenses for which defendants were charged in 9 (41%) of the 22 years during this period, including a 7-year streak from 2001 to 2007. The percentage of defendants charged with drug-related offenses ranged from a low of 22.0% in 2010 to a high of 28.7% in 2020.

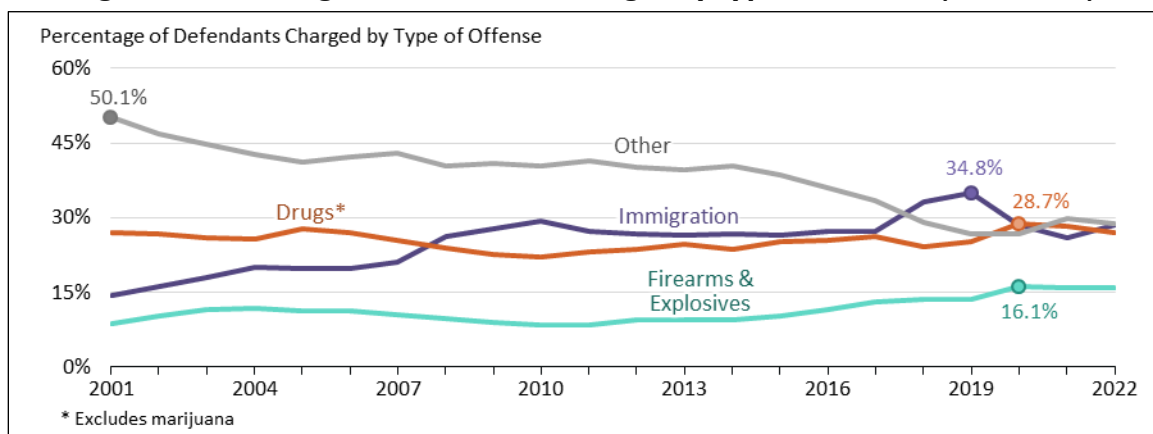
Examples of specific drug-related offenses include (1) [selling, distributing, or dispensing of controlled substances or regulated chemicals](#); (2) [manufacturing](#) such substances and chemicals; and (3) [possession](#) of such substances and chemicals.

The third most common type of offense for which defendants were charged are those related to firearms and explosives. The percentage of defendants charged with such offenses ranged from a low of 8.4% in 2010 to a high of 16.1% in 2020 (and has consistently been above 10.0% since 2015).

Examples of specific offenses related to firearms and explosives include (1) possession of a firearm or ammunition by [prohibited persons](#); (2) the use, carrying, or possession of a firearm in [furtherance of a drug felony or a federal crime of violence](#); and (3) to knowingly possess or manufacture [certain types of firearms or other devices](#).

Most recently, for 2022, 28.4% of all federal defendants were charged with an immigration-related offense, 27.0% were charged with a drug-related offense (excluding marijuana), and 15.7% were charged with an offense related to firearms and explosives.

Figure 1. Percentage of Defendants Charged by Type of Offense (2001-2022)

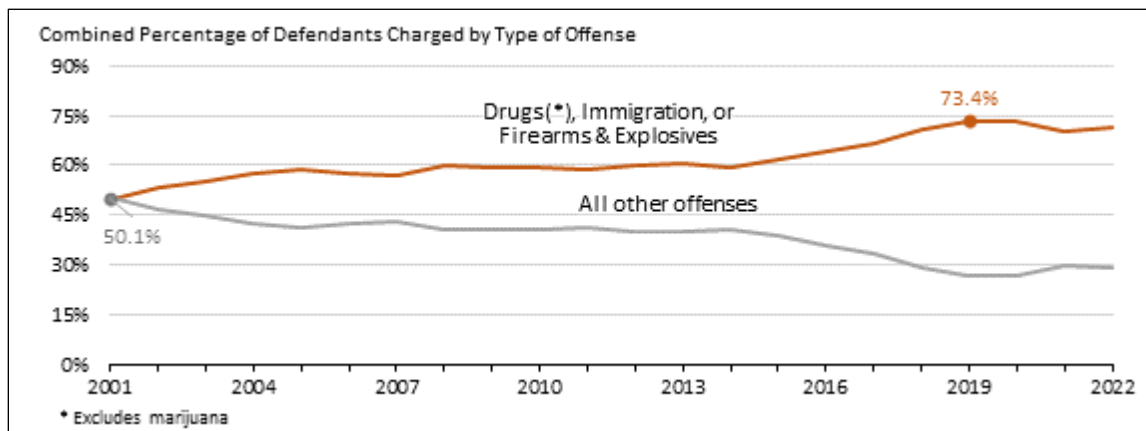


Source: CRS compilation of data provided by the [Administrative Office of U.S. Courts](#). Percentages included on figure reflect highest percentages for each category during the 2001-2022 period.

Combined Percentage of Defendants Charged by Type of Offense (2001-2022)

As shown by **Figure 2**, defendants charged for offenses related to immigration, drugs (excluding marijuana), or firearms/explosives represented, in combination, an increasing percentage of all defendants charged in U.S. district courts during the 2001-2022 period.

In 2001, the combined percentage of defendants charged with at least one of these types of offenses was 49.9%—representing nearly half of all defendants charged with a federal offense. In contrast, that percentage has been above 70.0% since 2018 (reaching a high point of 73.4% in 2019).

Figure 2. Combined Percentage of Defendants Charged by Type of Offense (2001-2022)

Source: CRS compilation of data provided by the [Administrative Office of U.S. Courts](#). Percentages included on figure reflect highest percentages for each category during the 2001-2022 period

Most Common Offenses Charged by U.S. District Court (2022)

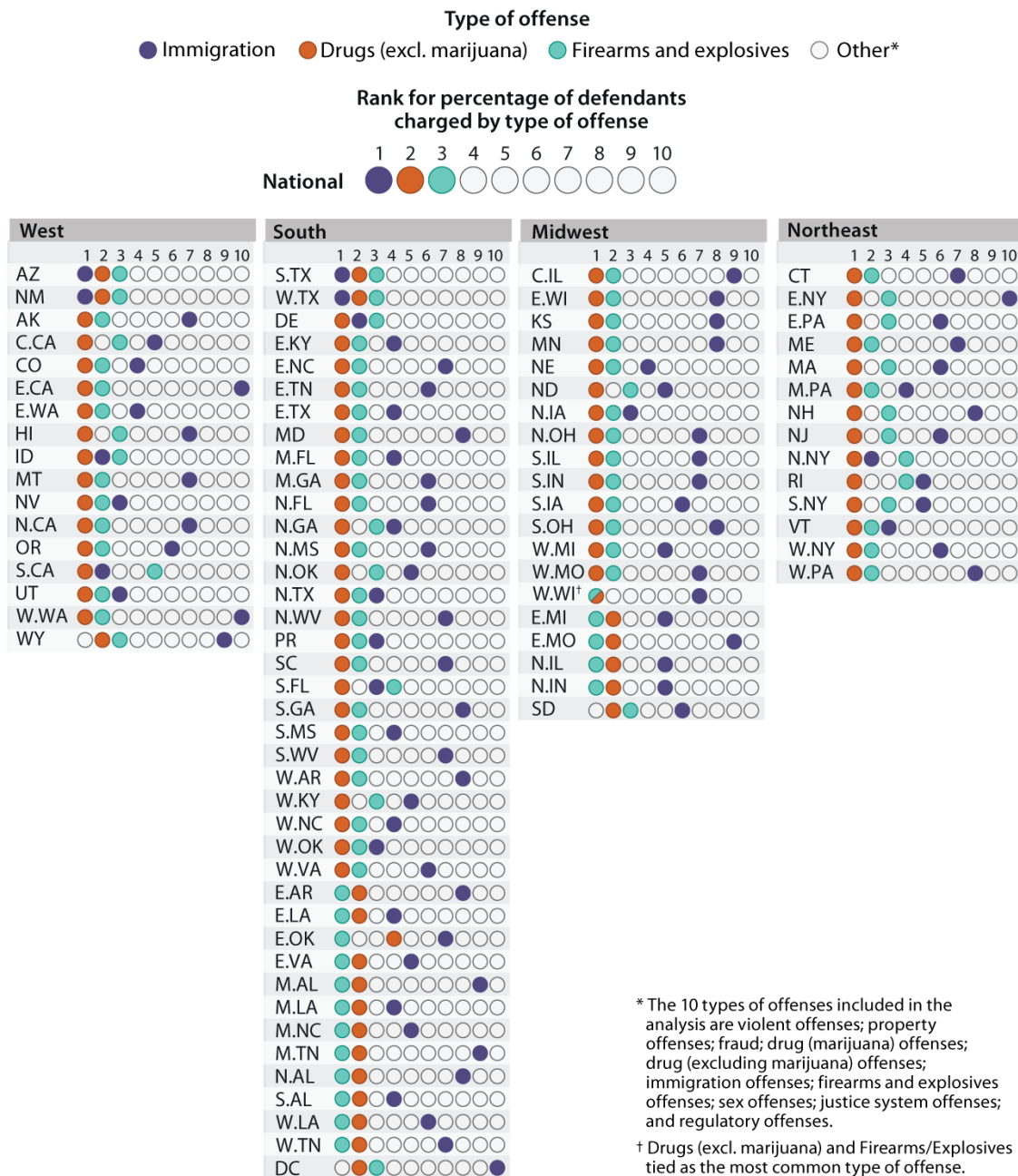
There is variation in the percentage of defendants charged with different types of offenses across the 91 U.S. district courts.

While defendants charged with immigration-related offenses represented a plurality (28.4%) of all defendants charged nationally in 2022, such charges, as shown by **Figure 3**, represented the greatest percentage of defendants charged in relatively few U.S. district courts in 2022—specifically, 4 (4.4%) of 91. Each of the four district courts is located in the West or South.

In 67 (73.6%) of 91 U.S. district courts, the most common type of offense for which defendants were charged was drug-related (excluding marijuana)—including each of the 14 district courts located in the Northeast and 14 of 17 district courts located in the West.

Offenses related to firearms and explosives were the most common offenses for which defendants were charged in 16 (17.6%) of 91 U.S. district courts. Of the 16 courts, 12 (75.0%) are located in the South, while the other four courts (25.0%) are located in the Midwest.

For three U.S. district courts, the most common type of offense for which defendants were charged was not one of the three types discussed above—these exceptions were the U.S. district courts for the District of Columbia (regulatory offenses), South Dakota (sex offenses), and Wyoming (violent offenses, including robberies and assaults).

Figure 3. Three Most Common Offenses for Which Defendants Were Charged (2022)

Source: CRS compilation of data provided by the [Administrative Office of U.S. Courts](#).

Author Information

Barry J. McMillion
Analyst in American National Government

Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.