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Texas South Prosecutions for 2013

The latest available data from the Justice Department show that during the first eight months of FY 2013 the government reported 25,456 new prosecutions in the Southern District of Texas (Houston). If this activity continues at the same pace, the annual total of prosecutions will be 38,184 for this fiscal year. According to the case-by-case information analyzed by the Transactional Records Access Clearinghouse (TRAC), this estimate is up 28.5% over the past fiscal year when the number of prosecutions totaled 29,710.

Number Year-to-date	25,456
Percent Change from previous year	28.5
Percent Change from 5 years ago	39.2
Percent Change from 10 years ago	497
Percent Change from 20 years ago	1602

Table 1: Criminal Prosecutions

The comparisons of the number of defendants charged with offenses are based on case-by-case information obtained by TRAC under the Freedom of Information Act from the Executive Office for United States Attorneys (see Table 1).

Compared to five years ago when there were 27,428, the estimate of FY 2013 prosecutions of this type is up 39.2 percent. Prosecutions over the past year are much higher than they were ten years ago. Overall, the data show that prosecutions of this type are up 497 percent from the level of 6,398 reported in 2003 and up 1602 percent from the level of 2,244 reported in 1993.

The long term trend in prosecutions for these matters going back to FY 1993 is shown more clearly in Figure 1. The vertical bars in Figure 1 represent the number of prosecutions of this type recorded each fiscal year. Projected figures for the current fiscal year are shown. Each presidential administration is distinguished by the color of the bars. To view trends month-by-month rather than year-by-year, see [TRAC's monthly report series for the latest data](#).

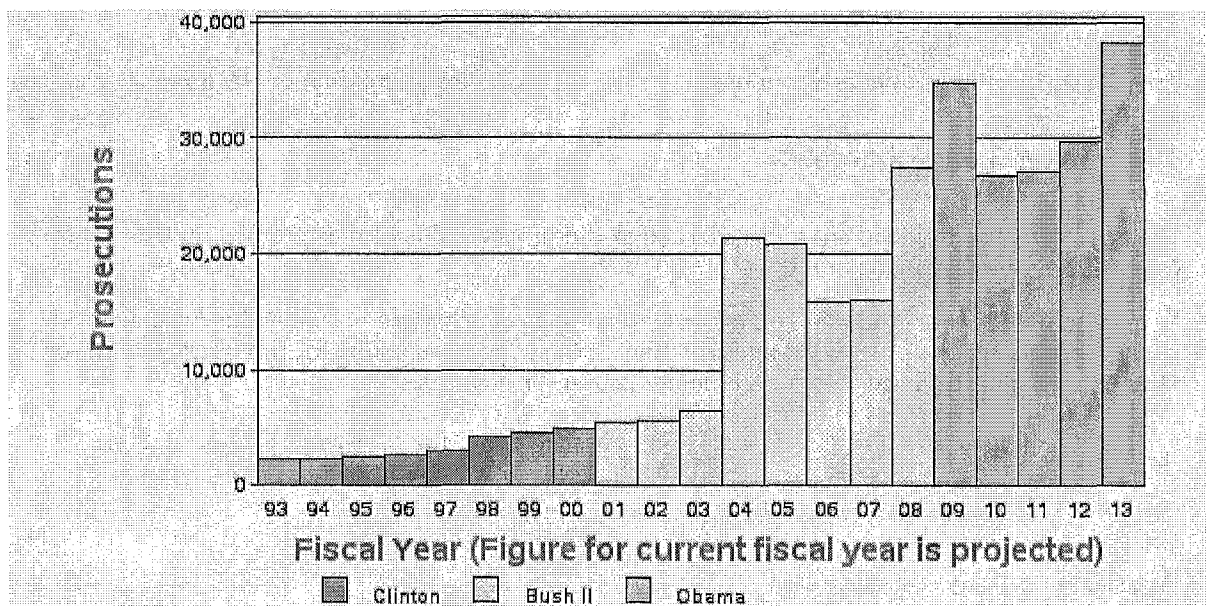


Figure 1: Criminal Prosecutions over the last 20 years

Leading Program Areas

Cases were classified by prosecutors into more specific types. The single largest number of prosecutions of these matters through May 2013 was for "Immigration", accounting for 92.7 percent of prosecutions.

The second largest number of matters were Prosecutions filed under the program area of "Narcotics/Drugs " (4.5%) .

[The Department of Justice is withholding the program area for 0.4% of the cases. These matters are also included in the "Other" category. TRAC, in ongoing litigation, has challenged the government's withholding of program category information, winning a substantial victory in September 2006 decision. The government, however, has filed a notice of appeal which has stayed the order requiring it to release program information.]

Leading Investigative Agencies

The lead investigative agency for prosecutions through May 2013 was "Homeland Security - Customs and Border Protection" accounting for 84.6 percent of prosecutions referred.

As shown in Figure 3, additional agencies with substantial numbers of referrals were: Homeland Security - Immigration and Customs Enforcement (8.6%), "Justice - Drug Enforcement Administration" (2.4%).

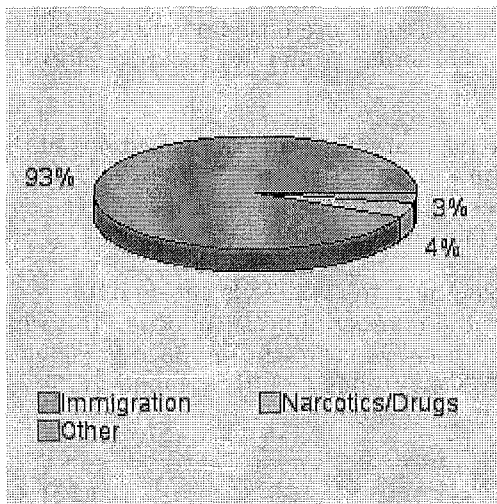


Figure 2: Specific types of prosecutions

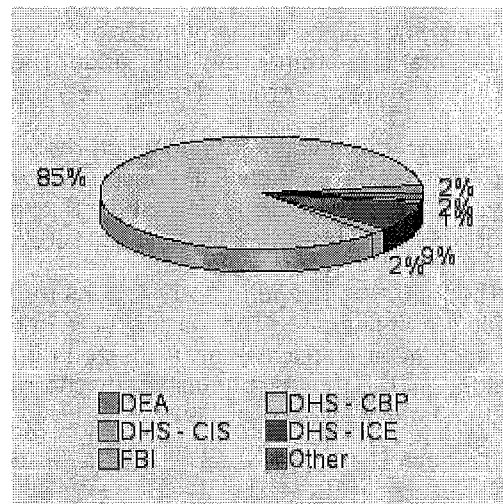


Figure 3: Prosecutions by Investigative Agency

Top Ranked Lead Charges

Table 2 shows the top lead charges recorded in the prosecutions of matters filed in U.S. District Court during the first eight months of FY 2013.

Note: There were an additional 161 other lead charges which were not individually ranked. [See latest monthly report](#) if you want all lead charges included in rankings for the latest month, or use TRACFED criminal analyzer tool for complete listing for any year.

Lead Charge	Count	Rank	1 yr ago	5 yrs ago	10 yrs ago	20 yrs ago	
08 USC 1325 - Entry of alien at improper time or place; etc.	19,624	1	1	1	1	4	5 More
08 USC 1326 - Reentry of deported alien	3,068	2	2	2	2	1	37 More
21 USC 841 - Drug Abuse Prevention & Control- Prohibited acts A	978	3	3	3	4	2	1 More
08 USC 1324 - Bringing in and harboring certain aliens	783	4	4	4	3	3	3 More
21 USC 846 - Attempt and conspiracy	163	5	5	7	6	5	2 More
18 USC 922 - Firearms; Unlawful acts	68	6	6	6	5	6	8 More
18 USC 2 - Aiding and Abetting	57	7	7	5	7	50	111 More

Lead Charge	Count	Rank	1 yr ago	5 yrs ago	10 yrs ago	20 yrs ago
18 USC 924 - Firearms; Penalties	54	8	8	31	24	12 More
18 USC 371 - Conspiracy to commit offense or to defraud US	34	9	40	14	36	9 More
18 USC 1544 - Misuse of passport	26	10	9	37	50	- More

Table 2: Top charges filed

- "Entry of alien at improper time or place; etc." (Title 8 U.S.C Section 1325) was the most frequent recorded lead charge. Title 8 U.S.C Section 1325 was ranked 1st a year ago, while it was the 1st most frequently invoked five years ago. It was ranked 4th ten years ago and 5th twenty years ago.
- Ranked 2nd in frequency was the lead charge "Reentry of deported alien" under Title 8 U.S.C Section 1326. Title 8 U.S.C Section 1326 was ranked 2nd a year ago, while it was the 2nd most frequently invoked five years ago. It was ranked 1st ten years ago and 37th twenty years ago.
- Ranked 3rd was "Drug Abuse Prevention & Control-Prohibited acts A" under Title 21 U.S.C Section 841. Title 21 U.S.C Section 841 was ranked 3rd a year ago, while it was the 4th most frequently invoked five years ago. It was ranked 2nd ten years ago and 1st twenty years ago.

Among these top ten lead charges, the one showing the greatest projected increase in prosecutions—up 629 percent—compared to one year ago was Title 18 U.S.C Section 371 that involves "Conspiracy to commit offense or to defraud US ". This was the same statute that had the largest projected increase—800%—when compared with five years ago.

Again among the top ten lead charges, the one showing the sharpest projected decline in prosecutions compared to one year ago—down 75.7 percent—was "Aiding and Abetting " (Title 18 U.S.C Section 2). This was the same statute that had the largest projected decrease—54.0%—when compared with five years ago.

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