

Table 61

**AVERAGE LENGTH OF IMPRISONMENT FOR DEFENDANTS IN
APPEALS CASES IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2009**

PRIMARY OFFENSE	APPELLATE COURT CASES ²				DISTRICT COURT CASES ³			
	N	%	Mean (mths)	Median (mths)	N	%	Mean (mths)	Median (mths)
TOTAL	6,274	100.0	167	121	80,549	100.0	47	24
Murder	15	0.2	330	384	93	0.1	274	270
Manslaughter	5	0.1	64	57	59	0.1	66	42
Kidnaping/Hostage-Taking	8	0.1	313	356	41	0.1	213	168
Sexual Abuse	58	0.9	186	135	478	0.6	92	57
Assault	51	0.8	83	60	650	0.8	37	24
Robbery	145	2.3	166	151	1,007	1.3	80	63
Arson	13	0.2	145	120	60	0.1	58	60
Drugs - Trafficking	3,096	49.3	214	188	23,928	29.7	78	60
Drugs - Communication Facility	10	0.2	47	48	508	0.6	32	30
Drugs - Simple Possession	9	0.1	89	92	705	0.9	4	0
Firearms	986	15.7	172	135	8,228	10.2	85	57
Burglary/B&E	2	0.0	40	40	36	0.0	23	24
Auto Theft	4	0.1	103	84	77	0.1	52	27
Larceny	34	0.5	37	28	1,484	1.8	7	0
Fraud	477	7.6	63	46	7,583	9.4	21	9
Embezzlement	8	0.1	26	28	459	0.6	8	0
Forgery/Counterfeiting	39	0.6	40	36	883	1.1	15	11
Bribery	12	0.2	49	57	171	0.2	20	12
Tax	46	0.7	49	39	632	0.8	14	6
Money Laundering	74	1.2	131	96	811	1.0	32	18
Racketeering/Extortion	82	1.3	177	108	634	0.8	94	51
Gambling/Lottery	1	0.0	6	—	62	0.1	5	0
Civil Rights	10	0.2	185	138	62	0.1	25	3
Immigration	762	12.1	52	46	25,914	32.2	17	12
Pornography/Prostitution	228	3.6	252	168	1,969	2.4	118	78
Prison Offenses	20	0.3	28	29	445	0.6	15	12
Administration of Justice Offenses	38	0.6	62	28	981	1.2	15	6
Environmental/Wildlife	4	0.1	26	20	206	0.3	4	0
National Defense	4	0.1	151	99	67	0.1	47	27
Antitrust	0	0.0	—	—	20	0.0	13	8
Food & Drug	0	0.0	—	—	76	0.1	3	0
Other Miscellaneous Offenses	33	0.5	38	21	2,220	2.8	7	0

¹Descriptions of variables used in this table are provided in Appendix A.

²Based on 6,507 appeals cases with sentencing as at least one of the reasons for appeal. These cases were merged with the U.S. Sentencing Commission's Monitoring Datafiles from 1989-2009 (MONFY89, MONFY90, OPAFY91-OPAFY09). Of the 6,293 matched cases, 17 were excluded due missing information on sentence and two were excluded for missing information on type of offense.

³All guideline cases sentenced in FY2009.

SOURCE: U.S. Sentencing Commission, 2009 Appeals Datafile, APPFY09.