

**Table 60**

**OFFENSE AND OFFENDER CHARACTERISTICS OF APPEALS DEFENDANTS<sup>1</sup>**  
**Fiscal Year 2003**

OFFENSE AND DEFENDANT CHARACTERISTICS	APPELLATE COURT CASES <sup>2</sup>		DISTRICT COURT CASES <sup>3</sup>	
	Number	Percent	Number	Percent
<b>Race of Defendant</b>	<b>3,779</b>	<b>100.0</b>	<b>67,731</b>	<b>100.0</b>
White	1,049	27.8	20,600	30.4
Black	1,187	31.4	15,714	23.2
Hispanic	1,418	37.5	29,061	42.9
Other	125	3.3	2,356	3.5
<b>Gender of Defendant</b>	<b>3,811</b>	<b>100.0</b>	<b>69,707</b>	<b>100.0</b>
Male	3,558	93.4	60,557	86.9
Female	253	6.6	9,150	13.1
<b>Education of Defendant</b>	<b>3,706</b>	<b>100.0</b>	<b>63,957</b>	<b>100.0</b>
Less than High School	1,748	47.2	30,533	47.7
High School Graduate	1,127	30.4	19,169	30.0
Some College	603	16.3	10,661	16.7
College Graduate	228	6.2	3,594	5.6
<b>Citizenship of Defendant</b>	<b>3,762</b>	<b>100.0</b>	<b>67,201</b>	<b>100.0</b>
U.S. Citizen	2,457	65.3	43,543	64.8
Non U.S. Citizen	1,305	34.7	23,658	35.2
<b>Criminal History Category</b>	<b>3,791</b>	<b>100.0</b>	<b>67,196</b>	<b>100.0</b>
Category I	1,196	31.5	32,744	48.7
Category II	402	10.6	7,758	11.5
Category III	605	16.0	10,276	15.3
Category IV	501	13.2	6,176	9.2
Category V	329	8.7	3,603	5.4
Category VI	758	20.0	6,639	9.9
<b>Mandatory Minimum</b>	<b>3,814</b>	<b>100.0</b>	<b>70,258</b>	<b>100.0</b>
No Mandatory Minimum	2,423	63.5	52,971	75.4
Gun Mandatory Minimum	147	3.9	1,367	1.9
Drug Mandatory Minimum	1,154	30.3	15,164	21.6
Gun and Drug Mandatory Minimum	90	2.4	756	1.1

<sup>1</sup>Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup>Based on 4,901 appeals defendants 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 1989-2003 (MONFY89, MONFY90, OPAFY91-OPAFY03).

<sup>3</sup>All guidelines cases sentenced in FY2003. Totals may vary slightly due to the different numbers of missing cases by specific variables.

SOURCE: U.S. Sentencing Commission, 2003 Appeals Datafile, APPFY03.