

Table 61

**AVERAGE LENGTH OF IMPRISONMENT FOR APPEALS DEFENDANTS
IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2004**

PRIMARY OFFENSE	APPELLATE COURT CASES ²				DISTRICT COURT CASES ³			
	N	Percent	Mean (mos)	Median (mos)	N	Percent	Mean (mos)	Median (mos)
TOTAL	4,206	100.0	124	78	68,922	100.0	49	27
Murder	11	0.3	315	360	72	0.1	237	168
Manslaughter	1	0.0	27	—	63	0.1	34	16
Kidnaping/Hostage-Taking	17	0.4	272	319	38	0.1	123	87
Sexual Abuse	29	0.7	134	135	276	0.4	91	78
Assault	30	0.7	90	62	614	0.9	30	21
Robbery	124	2.9	191	151	1,309	1.9	95	71
Arson	9	0.2	112	92	71	0.1	61	46
Drugs - Trafficking	1,701	40.4	184	151	23,417	34.0	79	60
Drugs - Communication Facility	12	0.3	65	46	345	0.5	41	48
Drugs - Simple Possession	3	0.1	72	7	1,231	1.8	5	1
Firearms	528	12.6	127	95	8,091	11.7	75	46
Burglary/B&E	1	0.0	30	—	63	0.1	22	24
Auto Theft	10	0.2	237	204	93	0.1	52	16
Larceny	46	1.1	33	24	2,027	2.9	8	0
Fraud	356	8.5	42	30	7,183	10.4	14	6
Embezzlement	11	0.3	34	30	616	0.9	5	0
Forgery/Counterfeiting	43	1.0	34	24	1,166	1.7	13	8
Bribery	11	0.3	101	87	166	0.2	10	0
Tax	20	0.5	20	18	507	0.7	12	5
Money Laundering	91	2.2	116	87	835	1.2	34	24
Racketeering/Extortion	56	1.3	155	131	617	0.9	84	51
Gambling/Lottery	1	0.0	28	—	98	0.1	3	0
Civil Rights	5	0.1	99	108	71	0.1	32	26
Immigration	908	21.6	52	48	15,634	22.7	23	18
Pornography/Prostitution	82	2.0	95	57	875	1.3	65	41
Prison Offenses	20	0.5	31	28	379	0.6	16	12
Administration of Justice Offenses	45	1.1	46	42	1,015	1.5	15	7
Environmental/Wildlife	6	0.1	11	5	137	0.2	4	0
National Defense	0	0.0	—	—	34	0.0	78	16
Antitrust	0	0.0	—	—	11	0.0	2	1
Food & Drug	3	0.1	120	0	72	0.1	6	0
Other Miscellaneous Offenses	26	0.6	32	21	1,796	2.6	7	0

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

²Based on 4,608 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 1989-2004 (MONFY89, MONFY90, OPAFY91-OPAFY04). Of the 4,238 matched cases, 32 were excluded due to one or both of the following reasons: missing offense type information (3) or missing sentencing information (29).

³All guideline cases sentenced in FY2004.

SOURCE: U.S. Sentencing Commission, 2004 Appeals Datafile, APPFY04.