

**Table 60****OFFENSE AND OFFENDER CHARACTERISTICS OF APPEALS DEFENDANTS<sup>1</sup>  
Fiscal Year 2008**

<b>OFFENSE AND DEFENDANT CHARACTERISTICS</b>	<b>APPELLATE COURT CASES<sup>2</sup></b>		<b>DISTRICT COURT CASES<sup>3</sup></b>	
	Number	Percent	Number	Percent
<b>Race of Defendant</b>	<b>6,184</b>	<b>100.0</b>	<b>69,775</b>	<b>100.0</b>
White	1,633	26.4	20,761	29.8
Black	2,072	33.5	16,756	24.0
Hispanic	2,279	36.9	29,453	42.2
Other	200	3.2	2,805	4.0
<b>Gender of Defendant</b>	<b>6,200</b>	<b>100.0</b>	<b>72,785</b>	<b>100.0</b>
Male	5,815	93.8	63,489	87.2
Female	385	6.2	9,296	12.8
<b>Education of Defendant</b>	<b>6,081</b>	<b>100.0</b>	<b>67,527</b>	<b>100.0</b>
Less than High School	2,839	46.7	33,342	49.4
High School Graduate	1,943	32.0	20,013	29.6
Some College	924	15.2	10,501	15.6
College Graduate	375	6.2	3,671	5.4
<b>Citizenship of Defendant</b>	<b>6,163</b>	<b>100.0</b>	<b>73,142</b>	<b>100.0</b>
U.S. Citizen	4,135	67.1	43,504	59.5
Non U.S. Citizen	2,028	32.9	29,638	40.5
<b>Criminal History Category</b>	<b>6,190</b>	<b>100.0</b>	<b>74,199</b>	<b>100.0</b>
Category I	1,997	32.3	35,414	47.7
Category II	601	9.7	8,467	11.4
Category III	902	14.6	11,311	15.2
Category IV	751	12.1	7,018	9.5
Category V	515	8.3	4,322	5.8
Category VI	1,424	23.0	7,667	10.3
<b>Mandatory Minimum</b>	<b>6,214</b>	<b>100.0</b>	<b>76,436</b>	<b>100.0</b>
No Mandatory Minimum	3,736	60.1	57,680	75.5
Gun Mandatory Minimum	487	7.8	1,407	1.8
Drug Mandatory Minimum	1,737	28.0	16,262	21.3
Gun and Drug Mandatory Minimum	254	4.1	1,087	1.4

<sup>1</sup>Descriptions of variables used in this table are provided in Appendix A.<sup>2</sup>Based on 6,332 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 1989-2008 (MONFY89, MONFY90, OPAFY91-OPAFY08).<sup>3</sup>All guidelines cases sentenced in FY2008. Totals may vary slightly due to the different numbers of missing cases by specific variables.