

Table 61
SENTENCE LENGTH FOR DEFENDANTS IN
APPEALS CASES IN EACH PRIMARY OFFENSE CATEGORY
Fiscal Year 2010

PRIMARY OFFENSE	APPELLATE COURT CASES ¹				DISTRICT COURT CASES ²			
	N	%	Mean (mths)	Median (mths)	N	%	Mean (mths)	Median (mths)
TOTAL	5,144	100.0	163	120	83,104	100.0	44	22
Murder	14	0.3	270	290	66	0.1	276	251
Manslaughter	4	0.1	123	128	64	0.1	72	44
Kidnaping/Hostage Taking	10	0.2	289	282	38	0.0	167	148
Sexual Abuse	64	1.2	214	180	383	0.5	109	96
Assault	48	0.9	107	55	622	0.7	38	24
Robbery	118	2.3	158	142	1,080	1.3	76	61
Arson	4	0.1	164	70	75	0.1	78	60
Drugs - Trafficking	2,289	44.5	215	188	23,497	28.3	75	60
Drugs - Communication Facility	9	0.2	64	48	512	0.6	34	32
Drugs - Simple Possession	11	0.2	111	120	987	1.2	3	3
Firearms	802	15.6	198	140	7,975	9.6	85	57
Burglary/B&E	2	0.0	27	27	36	0.0	16	12
Auto Theft	4	0.1	88	86	91	0.1	50	24
Larceny	29	0.6	46	36	1,502	1.8	7	0
Fraud	443	8.6	70	52	8,027	9.7	22	8
Embezzlement	8	0.2	57	45	423	0.5	7	0
Forgery/Counterfeiting	25	0.5	46	37	879	1.1	14	10
Bribery	13	0.3	68	48	223	0.3	18	12
Tax	36	0.7	38	36	661	0.8	15	6
Money Laundering	52	1.0	95	81	806	1.0	30	15
Racketeering/Extortion	71	1.4	236	168	674	0.8	76	44
Gambling/Lottery	4	0.1	22	22	76	0.1	4	0
Civil Rights	10	0.2	102	70	59	0.1	23	12
Immigration	743	14.4	52	48	28,492	34.3	17	10
Pornography/Prostitution ³	203	3.9	193	151	—	—	—	—
Child Pornography ⁴	13	0.3	143	108	1,886	2.3	118	80
Prison Offenses	17	0.3	56	33	423	0.5	15	12
Administration of Justice Offenses	45	0.9	69	48	1,137	1.4	18	12
Environmental/Wildlife	3	0.1	21	12	143	0.2	3	0
National Defense	2	0.0	—	—	69	0.1	53	34
Antitrust	0	0.0	—	—	15	0.0	6	7
Food & Drug	2	0.0	—	—	73	0.1	11	0
Other Miscellaneous Offenses	46	0.9	48	26	2,110	2.5	12	0

¹ Based on 5,269 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 1989-2010 (MONFY89, MONFY90, OPAFY91-OPAFY10). Of the 5,160 matched cases, 13 were excluded due missing information on sentence and three were excluded for missing information on type of offense. Descriptions of variables used in this table are provided in Appendix A.

² All guideline cases sentenced in FY2010.

³ The Pornography/Prostitution primary offense category was discontinued in Fiscal Year 2010.

⁴ The Child Pornography primary offense category was created in Fiscal Year 2010.