

Table 61
SENTENCE LENGTH FOR DEFENDANTS IN
APPEALS CASES IN EACH PRIMARY OFFENSE CATEGORY
Fiscal Year 2011

PRIMARY OFFENSE	APPELLATE COURT CASES ¹				DISTRICT COURT CASES ²			
	N	%	Mean (mths)	Median (mths)	N	%	Mean (mths)	Median (mths)
TOTAL	5,720	100.0	143	108	85,437	100.0	42	21
Murder	12	0.2	241	206	74	0.1	237	210
Manslaughter	4	0.1	240	206	65	0.1	52	37
Kidnaping/Hostage Taking	11	0.2	258	240	69	0.1	226	188
Sexual Abuse	59	1.0	190	180	395	0.5	122	108
Assault	47	0.8	80	60	675	0.8	36	24
Robbery	123	2.2	173	151	957	1.1	83	63
Arson	7	0.1	148	72	54	0.1	61	60
Drugs - Trafficking	2,290	40.0	195	168	24,433	28.6	70	51
Drugs - Communication Facility	9	0.2	99	92	469	0.5	31	30
Drugs - Simple Possession	9	0.2	51	60	864	1.0	3	1
Firearms	942	16.5	156	120	7,845	9.2	80	57
Burglary/B&E	1	0.0	—	—	52	0.1	22	21
Auto Theft	6	0.1	273	300	85	0.1	52	13
Larceny	46	0.8	40	32	1,438	1.7	7	0
Fraud	511	8.9	78	60	8,298	9.7	22	8
Embezzlement	11	0.2	24	24	382	0.4	8	0
Forgery/Counterfeiting	46	0.8	40	31	940	1.1	16	12
Bribery	10	0.2	40	37	219	0.3	17	12
Tax	40	0.7	49	36	674	0.8	14	6
Money Laundering	45	0.8	111	78	841	1.0	28	15
Racketeering/Extortion	78	1.4	203	144	731	0.9	80	54
Gambling/Lottery	6	0.1	31	18	80	0.1	3	0
Civil Rights	3	0.1	86	108	58	0.1	29	8
Immigration	987	17.3	50	46	29,711	34.8	16	10
Pornography/Prostitution ³	99	1.7	184	151	—	—	—	—
Child Pornography ⁴	162	2.8	194	168	1,853	2.2	115	84
Prison Offenses	28	0.5	32	28	419	0.5	14	12
Administration of Justice Offenses	55	1.0	56	37	1,176	1.4	18	12
Environmental/Wildlife	7	0.1	31	21	186	0.2	3	0
National Defense	6	0.1	140	105	87	0.1	63	36
Antitrust	0	0.0	—	—	10	0.0	11	6
Food & Drug	3	0.1	152	51	52	0.1	10	0
Other Miscellaneous Offenses	57	1.0	94	60	2,245	2.6	13	0

¹ Based on 5,875 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 1989-2011 (MONFY89, MONFY90, OPAFY91-OPAFY11). Of the 5,726 matched cases, four were excluded due to missing information on sentence and two 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 FY2011.

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.