

**Table 60**

**OFFENSE AND OFFENDER CHARACTERISTICS IN APPEALS CASES<sup>1</sup>**  
**Fiscal Year 2012**

OFFENSE AND DEFENDANT CHARACTERISTICS	APPELLATE COURT CASES <sup>2</sup>		DISTRICT COURT CASES <sup>3</sup>	
	N	%	N	%
<b>Race of Defendant</b>	<b>5,464</b>	<b>100.0</b>	<b>75,894</b>	<b>100.0</b>
White	1,439	26.3	20,847	27.5
Black	2,242	41.0	15,516	20.4
Hispanic	1,636	29.9	36,713	48.4
Other	147	2.7	2,818	3.7
<b>Gender of Defendant</b>	<b>5,486</b>	<b>100.0</b>	<b>81,347</b>	<b>100.0</b>
Male	5,181	94.4	70,584	86.8
Female	305	5.6	10,763	13.2
<b>Education of Defendant</b>	<b>5,388</b>	<b>100.0</b>	<b>73,707</b>	<b>100.0</b>
Less than High School	2,253	41.8	36,800	49.9
High School Graduate	1,881	34.9	21,420	29.1
Some College	869	16.1	11,438	15.5
College Graduate	385	7.1	4,049	5.5
<b>Citizenship of Defendant</b>	<b>5,471</b>	<b>100.0</b>	<b>81,373</b>	<b>100.0</b>
U.S. Citizen	4,041	73.9	43,861	53.9
Non U.S. Citizen	1,430	26.1	37,512	46.1
<b>Criminal History Category</b>	<b>5,485</b>	<b>100.0</b>	<b>82,444</b>	<b>100.0</b>
Category I	1,672	30.5	38,965	47.3
Category II	552	10.1	11,267	13.7
Category III	827	15.1	13,789	16.7
Category IV	644	11.7	7,482	9.1
Category V	481	8.8	4,173	5.1
Category VI	1,309	23.9	6,768	8.2
<b>Mandatory Minimum</b>	<b>5,496</b>	<b>100.0</b>	<b>84,173</b>	<b>100.0</b>
No Mandatory Minimum	3,197	58.2	66,617	79.1
Gun Mandatory Minimum	442	8.0	1,602	1.9
Drug Mandatory Minimum	1,631	29.7	15,314	18.2
Gun and Drug Mandatory Minimum	226	4.1	640	0.8

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

<sup>2</sup> Based on 5,967 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 1989-2012 (MONFY89, MONFY90, OPAFY91-OPAFY12).

<sup>3</sup> All guidelines cases sentenced in FY2012. Totals may vary slightly due to the different numbers of missing cases by specific variables.