

Table 61
SENTENCE LENGTH FOR DEFENDANTS IN
APPEALS CASES IN EACH PRIMARY OFFENSE CATEGORY
Fiscal Year 2012

PRIMARY OFFENSE	APPELLATE COURT CASES ¹				DISTRICT COURT CASES ²			
	N	%	Mean (mths)	Median (mths)	N	%	Mean (mths)	Median (mths)
TOTAL	5,488	100.0	144	120	83,447	100.0	43	24
Murder	22	0.4	295	285	65	0.1	252	216
Manslaughter	4	0.1	57	60	50	0.1	60	46
Kidnaping/Hostage Taking	9	0.2	292	293	49	0.1	197	168
Sexual Abuse	65	1.2	191	168	428	0.5	125	120
Assault	60	1.1	74	56	705	0.8	32	21
Robbery	102	1.9	158	151	850	1.0	77	60
Arson	5	0.1	183	210	48	0.1	76	60
Drugs - Trafficking	2,156	39.3	188	160	24,729	29.6	68	51
Drugs - Communication Facility	12	0.2	53	48	373	0.4	33	35
Drugs - Simple Possession	9	0.2	62	60	1,402	1.7	4	5
Firearms	921	16.8	169	135	8,097	9.7	80	57
Burglary/B&E	1	0.0	—	—	42	0.1	19	18
Auto Theft	7	0.1	51	27	60	0.1	63	28
Larceny	28	0.5	33	28	1,292	1.5	8	0
Fraud	530	9.7	86	60	8,599	10.3	23	10
Embezzlement	11	0.2	20	15	318	0.4	7	0
Forgery/Counterfeiting	48	0.9	36	33	876	1.1	17	12
Bribery	15	0.3	50	42	228	0.3	17	12
Tax	55	1.0	53	46	605	0.7	15	6
Money Laundering	48	0.9	132	92	821	1.0	32	18
Racketeering/Extortion	75	1.4	176	130	910	1.1	87	57
Gambling/Lottery	3	0.1	15	12	45	0.1	3	0
Civil Rights	6	0.1	106	114	53	0.1	42	12
Immigration	864	15.7	49	46	26,532	31.8	16	10
Pornography/Prostitution ³	39	0.7	214	180	—	—	—	—
Child Pornography ⁴	233	4.2	201	180	2,013	2.4	122	90
Prison Offenses	13	0.2	28	30	429	0.5	14	12
Administration of Justice Offenses	67	1.2	51	36	1,327	1.6	18	12
Environmental/Wildlife	4	0.1	25	26	188	0.2	2	0
National Defense	13	0.2	69	46	114	0.1	50	36
Antitrust	1	0.0	—	—	20	0.0	15	14
Food & Drug	0	0.0	—	—	57	0.1	6	0
Other Miscellaneous Offenses	62	1.1	143	69	2,122	2.5	17	0

¹ 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). Of the 5,496 matched cases, five were excluded due to 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 FY2012.

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.