

**Table 60**

**OFFENSE AND OFFENDER CHARACTERISTICS IN APPEALS CASES  
Fiscal Year 2013**

OFFENSE AND DEFENDANT CHARACTERISTICS	APPELLATE COURT CASES <sup>1</sup>		DISTRICT COURT CASES <sup>2</sup>	
	N	%	N	%
<b>Race of Defendant</b>	<b>5,016</b>	<b>100.0</b>	<b>72,171</b>	<b>100.0</b>
White	1,260	25.1	17,172	23.8
Black	2,066	41.2	14,895	20.6
Hispanic	1,536	30.6	37,173	51.5
Other	154	3.1	2,931	4.1
<b>Gender of Defendant</b>	<b>5,041</b>	<b>100.0</b>	<b>76,981</b>	<b>100.0</b>
Male	4,708	93.4	66,600	86.5
Female	333	6.6	10,381	13.5
<b>Education of Defendant</b>	<b>4,946</b>	<b>100.0</b>	<b>69,673</b>	<b>100.0</b>
Less than High School	2,043	41.3	32,857	47.2
High School Graduate	1,702	34.4	21,453	30.8
Some College	865	17.5	11,378	16.3
College Graduate	336	6.8	3,985	5.7
<b>Citizenship of Defendant</b>	<b>5,027</b>	<b>100.0</b>	<b>78,021</b>	<b>100.0</b>
U.S. Citizen	3,702	73.6	42,976	55.1
Non U.S. Citizen	1,325	26.4	35,045	44.9
<b>Criminal History Category</b>	<b>5,042</b>	<b>100.0</b>	<b>78,388</b>	<b>100.0</b>
Category I	1,510	29.9	36,758	46.9
Category II	549	10.9	10,713	13.7
Category III	825	16.4	13,027	16.6
Category IV	596	11.8	7,161	9.1
Category V	422	8.4	4,069	5.2
Category VI	1,140	22.6	6,660	8.5
<b>Mandatory Minimum</b>	<b>5,048</b>	<b>100.0</b>	<b>80,035</b>	<b>100.0</b>
No Mandatory Minimum	2,581	51.1	60,302	75.3
Gun Mandatory Minimum	391	7.7	1,666	2.1
Drug Mandatory Minimum	1,439	28.5	14,296	17.9
Gun and Drug Mandatory Minimum	205	4.1	656	0.8
Other Mandatory Minimum	432	8.6	3,115	3.9

<sup>1</sup> Based on 5,686 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 1989-2013 (MONFY89, MONFY90, OPAFY91-OPAFY13).

<sup>2</sup> All guidelines cases sentenced in FY2013. Totals may vary slightly due to the different numbers of missing cases by specific variables. Descriptions of variables used in this table are provided in Appendix A.