

**Table 60**

**OFFENSE AND OFFENDER CHARACTERISTICS IN  
ORIGINAL SENTENCE APPEALS CASES  
Fiscal Year 2016**

OFFENSE AND DEFENDANT CHARACTERISTICS	APPELLATE COURT CASES <sup>1</sup>		DISTRICT COURT CASES <sup>2</sup>	
	N	%	N	%
<b>Race of Defendant</b>				
White	913	26.7	14,943	22.3
Black	1,084	31.7	13,638	20.4
Hispanic	1,284	37.5	35,675	53.3
Other	140	4.1	2,676	4.0
<b>TOTAL</b>	<b>3,421</b>	<b>100.0</b>	<b>66,932</b>	<b>100.0</b>
<b>Gender of Defendant</b>				
Male	3,201	93.4	58,249	86.2
Female	226	6.6	9,356	13.8
<b>TOTAL</b>	<b>3,427</b>	<b>100.0</b>	<b>67,605</b>	<b>100.0</b>
<b>Education of Defendant</b>				
Less than High School	1,268	37.6	28,755	46.7
High School Graduate	1,154	34.2	18,435	29.9
Some College	647	19.2	10,581	17.2
College Graduate	305	9.0	3,791	6.2
<b>TOTAL</b>	<b>3,374</b>	<b>100.0</b>	<b>61,562</b>	<b>100.0</b>
<b>Citizenship of Defendant</b>				
U.S. Citizen	2,425	70.9	39,192	58.3
Non-U.S. Citizen	997	29.1	28,010	41.7
<b>TOTAL</b>	<b>3,422</b>	<b>100.0</b>	<b>67,202</b>	<b>100.0</b>
<b>Criminal History Category</b>				
Category I	1,093	32.0	31,546	47.2
Category II	383	11.2	8,997	13.5
Category III	565	16.5	10,596	15.8
Category IV	404	11.8	6,182	9.2
Category V	272	8.0	3,522	5.3
Category VI	703	20.6	6,011	9.0
<b>TOTAL</b>	<b>3,420</b>	<b>100.0</b>	<b>66,854</b>	<b>100.0</b>
<b>Mandatory Minimum</b>				
No Mandatory Minimum	2,085	60.8	53,883	79.5
Gun Mandatory Minimum	337	9.8	1,481	2.2
Drug Mandatory Minimum	578	16.9	8,798	13.0
Gun and Drug Mandatory Minimum	88	2.6	528	0.8
Other Mandatory Minimum	339	9.9	3,052	4.5
<b>TOTAL</b>	<b>3,427</b>	<b>100.0</b>	<b>67,742</b>	<b>100.0</b>

<sup>1</sup> Based on 5,222 appeals cases where the sentence imposed was at least one of the reasons for appeal. Of these 5,222 cases, 3,447 were appeals of the original sentence. These cases were merged with the U.S. Sentencing Commission's Monitoring Datafiles from 1989-2016 (MONFY89, MONFY90, USSCFY91-USSCFY16). Of the 3,447 cases, 20 could not be matched with its original case.

<sup>2</sup> All guideline cases sentenced in fiscal year 2016. 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.