

Table 60

**OFFENSE AND OFFENDER CHARACTERISTICS IN
ORIGINAL SENTENCE APPEALS CASES
Fiscal Year 2017**

OFFENSE AND DEFENDANT CHARACTERISTICS	APPELLATE COURT CASES ¹		DISTRICT COURT CASES ²	
	N	%	N	%
Race of Defendant				
White	891	26.3	14,203	21.5
Black	1,174	34.7	13,932	21.1
Hispanic	1,199	35.4	35,198	53.2
Other	121	3.6	2,783	4.2
TOTAL	3,385	100.0	66,116	100.0
Gender of Defendant				
Male	3,140	92.6	57,838	86.6
Female	252	7.4	8,916	13.4
TOTAL	3,392	100.0	66,754	100.0
Education of Defendant				
Less than High School	1,241	36.9	28,321	46.2
High School Graduate	1,182	35.1	18,802	30.7
Some College	651	19.3	10,407	17.0
College Graduate	291	8.6	3,745	6.1
TOTAL	3,365	100.0	61,275	100.0
Citizenship of Defendant				
U.S. Citizen	2,512	74.1	39,376	59.3
Non-U.S. Citizen	878	25.9	26,989	40.7
TOTAL	3,390	100.0	66,365	100.0
Criminal History Category				
Category I	1,132	33.4	29,631	44.8
Category II	322	9.5	9,235	14.0
Category III	490	14.5	11,117	16.8
Category IV	433	12.8	6,482	9.8
Category V	299	8.8	3,757	5.7
Category VI	709	20.9	5,909	8.9
TOTAL	3,385	100.0	66,131	100.0
Mandatory Minimum				
No Mandatory Minimum	2,093	61.7	53,069	79.4
Gun Mandatory Minimum	332	9.8	1,564	2.3
Drug Mandatory Minimum	567	16.7	8,688	13.0
Gun and Drug Mandatory Minimum	65	1.9	544	0.8
Other Mandatory Minimum	335	9.9	3,008	4.5
TOTAL	3,392	100.0	66,873	100.0

¹ Based on 4,907 appeals cases where the sentence imposed was at least one of the reasons for appeal. Of these 4,907 cases, 3,427 were appeals of the original sentence. These cases were merged with the U.S. Sentencing Commission's Monitoring Datafiles from 1989-2017 (MONFY89, MONFY90, USSCFY91-USSCFY17). Of the 3,427 cases, 35 could not be matched with its original case.

² All guideline cases sentenced in fiscal year 2017. 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.