

Table 61

**AVERAGE LENGTH OF IMPRISONMENT FOR APPEALS DEFENDANTS  
IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
Fiscal Year 2005**

PRIMARY OFFENSE	APPELLATE COURT CASES <sup>2</sup>				DISTRICT COURT CASES <sup>3</sup>			
	N	Percent	Mean (mos)	Median (mos)	N	Percent	Mean (mos)	Median (mos)
<b>TOTAL</b>	<b>5,553</b>	<b>100.0</b>	<b>137</b>	<b>96</b>	<b>71,778</b>	<b>100.0</b>	<b>50</b>	<b>27</b>
Murder	14	0.3	322	403	91	0.1	216	144
Manslaughter	4	0.1	38	38	51	0.1	42	30
Kidnaping/Hostage-Taking	21	0.4	316	240	42	0.1	192	142
Sexual Abuse	46	0.8	158	135	335	0.5	86	57
Assault	41	0.7	98	71	595	0.8	34	27
Robbery	197	3.5	171	148	1,354	1.9	91	70
Arson	7	0.1	154	120	51	0.1	74	60
Drugs - Trafficking	2,258	40.7	188	151	24,289	33.8	80	60
Drugs - Communication Facility	11	0.2	45	48	384	0.5	35	36
Drugs - Simple Possession	7	0.1	50	18	981	1.4	6	2
Firearms	904	16.3	159	111	8,616	12.0	75	46
Burglary/B&E	2	0.0	20	20	38	0.1	16	14
Auto Theft	14	0.3	168	75	67	0.1	49	26
Larceny	68	1.2	36	24	1,797	2.5	8	0
Fraud	499	9.0	51	36	6,749	9.4	16	6
Embezzlement	19	0.3	21	16	558	0.8	6	0
Forgery/Counterfeiting	45	0.8	40	24	1,077	1.5	13	8
Bribery	8	0.1	33	30	198	0.3	12	5
Tax	39	0.7	35	27	599	0.8	11	5
Money Laundering	101	1.8	123	78	932	1.3	34	19
Racketeering/Extortion	107	1.9	198	156	712	1.0	77	48
Gambling/Lottery	1	0.0	15	—	105	0.1	3	0
Civil Rights	15	0.3	55	60	71	0.1	38	12
Immigration	877	15.8	50	46	17,680	24.6	22	18
Pornography/Prostitution	143	2.6	122	92	1,197	1.7	77	60
Prison Offenses	13	0.2	41	33	367	0.5	18	12
Administration of Justice Offenses	45	0.8	64	33	1,027	1.4	15	6
Environmental/Wildlife	7	0.1	52	37	166	0.2	3	0
National Defense	0	0.0	—	—	26	0.0	78	18
Antitrust	0	0.0	—	—	17	0.0	7	5
Food & Drug	2	0.0	204	204	70	0.1	7	0
Other Miscellaneous Offenses	38	0.7	43	27	1,536	2.1	7	0

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

<sup>2</sup>Based on 6,208 appeals defendants 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 1989-2005 (MONFY89, MONFY90, OPAFY91-OPAFY05). Of the 5,598 matched cases, 45 were excluded due to one or both of the following reasons: missing offense type information (1) or missing sentencing information (44).

<sup>3</sup>All guideline cases sentenced in FY2005.

SOURCE: U.S. Sentencing Commission, 2005 Appeals Datafile, APPFY05.