

**Sourcebook of criminal justice statistics Online**

http://www.albany.edu/sourcebook/pdf/t5252010.pdf

Table 5.25.2010

**Criminal defendants sentenced in U.S. District Courts**

By offense, and type and length of sentence, fiscal year 2010

Offense	Total criminal defendants sentenced	Imprisonment							Average sentence in months <sup>b</sup>	Life	Death	Other <sup>c</sup>
		Regular sentences <sup>a</sup>										
		Total imprisonment	6 months or less	7 through 12 months	13 through 35 months	36 through 60 months	Over 60 months					
Total	89,741	77,239	10,434	7,273	18,565	14,571	18,373	54.0	183	4	7,836	
Violent offenses, total	2,707	2,453	75	103	411	530	1,196	96.6	24	2	112	
Homicide	121	117	1	4	20	17	66	174.8	2	2	5	
Robbery	1,219	1,192	10	11	127	300	716	102.0	2	0	26	
Bank	1,174	1,156	8	11	118	291	700	102.6	2	0	26	
Other	45	36	2	0	9	9	16	82.3	0	0	0	
Assault	704	517	57	63	156	109	86	41.1	1	0	45	
Kidnapping	73	71	1	0	3	8	52	181.3	3	0	4	
Racketeering, violent	424	400	2	19	65	71	204	112.9	12	0	27	
Carjacking	54	54	0	1	1	8	39	160.0	3	0	2	
Terrorism	36	31	1	1	9	2	16	97.5	1	0	1	
Other violent	76	71	3	4	30	15	17	54.0	0	0	2	
Property offenses, total	14,825	10,578	2,684	1,208	2,776	1,409	801	27.3	0	0	1,700	
Burglary	32	24	2	4	12	2	3	28.6	0	0	1	
Larceny and theft	1,779	619	141	135	179	66	19	21.6	0	0	79	
Bank	71	25	9	6	4	1	3	29.0	0	0	2	
Postal service	232	158	25	31	63	21	3	21.2	0	0	15	
Interstate shipments	33	26	0	3	18	5	0	24.1	0	0	0	
Theft, U.S. property	1,209	308	91	75	60	27	2	18.2	0	0	53	
Theft, maritime jurisdiction	104	25	11	6	4	1	0	11.0	0	0	3	
Transport stolen property	95	72	4	13	29	10	11	35.5	0	0	5	
Other	35	5	1	1	1	1	0	21.8	0	0	1	
Embezzlement	592	280	59	49	96	41	8	21.9	0	0	27	
Bank	134	104	22	17	36	9	3	19.4	0	0	17	
Postal service	224	33	17	4	5	3	0	13.2	0	0	4	
Financial institutions	21	20	4	3	6	3	0	21.2	0	0	4	
Other	213	123	16	25	49	26	5	25.8	0	0	2	
Fraud	11,452	9,003	2,385	890	2,229	1,225	736	28.1	0	0	1,538	
Tax	614	391	69	85	123	80	24	26.1	0	0	10	
Financial institutions	968	760	92	102	238	108	91	35.4	0	0	129	
Securities and Exchange	87	68	4	6	11	21	22	72.5	0	0	4	
Mail	597	456	32	58	145	93	103	49.9	0	0	25	
Wire, radio, television	640	517	41	51	209	102	96	43.9	0	0	18	
Bankruptcy	59	33	8	5	11	7	0	22.6	0	0	2	
Social Security	353	202	49	32	40	15	8	19.6	0	0	58	
False personation	39	11	2	1	5	2	0	21.7	0	0	1	
Citizenship and naturalization	233	198	63	27	42	6	1	12.5	0	0	59	
Passport	803	745	221	76	74	9	12	11.4	0	0	353	
Identification documents and information	2,780	2,684	1,449	65	396	198	36	12.1	0	0	540	
False claims and services, government	179	117	17	19	39	23	14	32.1	0	0	5	
False statements	615	333	93	37	66	27	5	17.5	0	0	105	
Conspiracy to defraud the United States	1,757	1,192	125	203	427	273	50	28.9	0	0	114	
Unauthorized access devices	556	420	46	59	140	75	69	37.2	0	0	31	
Computer	83	29	3	6	13	3	0	20.0	0	0	4	
Health care	325	224	25	15	76	53	44	42.9	0	0	11	
Attempt and conspiracy to defraud	711	593	39	37	166	129	160	57.1	0	0	62	
Other	53	30	7	6	8	1	1	16.7	0	0	7	
Forgery and counterfeiting	841	582	88	119	237	67	24	22.8	0	0	47	
Motor vehicle theft	46	30	1	4	11	6	6	38.4	0	0	2	
Other property	83	40	8	7	12	2	5	37.1	0	0	6	
Drug offenses, total	26,491	24,832	1,227	1,161	4,542	5,961	10,511	78.8	114	0	1,316	
Marijuana, total	6,559	5,885	901	614	2,135	1,130	658	34.1	2	0	445	
Sell, distribute, dispense	4,055	3,864	157	313	1,674	948	581	41.5	2	0	189	
Import, export	1,231	1,151	209	270	387	87	34	19.9	0	0	164	
Manufacture	310	280	20	28	74	93	43	44.9	0	0	22	
Possession	963	590	515	3	0	2	0	3.6	0	0	70	
All other drugs, total	19,851	18,882	323	543	2,395	4,827	9,822	92.2	104	0	868	
Sell, distribute, dispense	17,818	17,045	275	496	2,100	4,199	9,139	94.1	96	0	740	
Import, export	1,167	1,116	9	30	217	468	293	61.8	1	0	98	
Manufacture	664	645	12	6	70	153	384	98.3	7	0	13	
Possession	202	76	27	11	8	7	6	20.4	0	0	17	
Other drug	81	65	3	4	12	4	31	141.5	8	0	3	
Firearms and explosives offenses, total	7,786	7,316	172	341	1,560	1,834	3,171	80.4	24	2	212	
Firearms	7,642	7,188	164	337	1,545	1,796	3,111	80.3	24	2	209	
Possession by prohibited persons	4,953	4,734	98	232	1,195	1,342	1,730	66.8	2	0	135	
Furtherance of violent/drug trafficking crime	1,273	1,269	1	2	13	211	1,001	148.6	13	1	27	
Other	1,416	1,185	65	103	337	243	380	61.0	9	1	47	
Explosives	144	128	8	4	15	38	60	84.1	0	0	3	

See notes at end of table.

Table 5.25.2010

Criminal defendants sentenced in U.S. District Courts

By offense, and type and length of sentence, fiscal year 2010--Continued

Offense	Total	Probation				Average sentence in months <sup>d</sup>	Other <sup>e</sup>	Fine only
		6 months or less	7 through 12 months	13 through 35 months	36 months and over			
Total	10,157	279	2,068	1,651	5,535	34.8	624	2,345
Violent offenses, total	237	14	59	42	115	32.5	7	17
Homicide	4	0	0	1	1	30.0	2	0
Robbery	27	0	3	0	23	42.9	1	0
Bank	18	0	1	0	17	43.3	0	0
Other	9	0	2	0	6	42.0	1	0
Assault	170	14	56	36	62	28.0	2	17
Kidnapping	2	0	0	0	2	60.0	0	0
Racketeering, violent	24	0	0	3	20	47.9	1	0
Carjacking	0	X	X	X	X	X	X	X
Terrorism	5	0	0	1	3	42.0	1	0
Other violent	5	0	0	1	4	40.8	0	0
Property offenses, total	4,019	73	504	777	2,486	37.2	179	228
Burglary	7	0	1	0	6	46.3	0	1
Larceny and theft	1,003	48	223	157	554	33.7	21	157
Bank	46	0	6	14	22	34.7	4	0
Postal service	73	3	3	15	52	36.4	0	1
Interstate shipments	7	0	1	0	6	49.7	0	0
Theft, U.S. property	758	31	179	110	424	34.4	14	143
Theft, maritime jurisdiction	70	4	27	11	28	25.5	0	9
Transport stolen property	23	0	2	2	16	40.2	3	0
Other	26	10	5	5	6	19.3	0	4
Embezzlement	305	2	31	85	178	35.8	9	7
Bank	28	0	3	9	9	32.1	7	2
Postal service	187	1	20	54	110	34.5	2	4
Financial institutions	1	0	0	0	1	36.0	0	0
Other	89	1	8	22	58	39.6	0	1
Fraud	2,396	20	225	491	1,523	38.3	137	53
Tax	218	0	29	43	139	38.0	7	5
Financial institutions	207	1	18	21	128	39.3	39	1
Securities and Exchange	18	0	1	3	13	48.0	1	1
Mail	141	1	1	18	114	44.1	7	0
Wire, radio, television	122	1	3	12	103	43.0	3	1
Bankruptcy	26	0	2	3	21	42.0	0	0
Social Security	149	2	5	32	103	42.2	7	2
False personation	27	0	9	6	11	29.0	1	1
Citizenship and naturalization	35	0	4	1	23	43.4	7	0
Passport	58	0	7	10	37	40.0	4	0
Identification documents and information	88	2	21	15	32	29.7	18	8
False claims and services, government	61	1	4	13	42	39.6	1	1
False statements	278	4	32	87	145	34.4	10	4
Conspiracy to defraud the United States	542	4	31	130	359	38.1	18	23
Unauthorized access devices	136	0	4	26	100	43.8	6	0
Computer	50	1	20	12	17	26.0	0	4
Health care	101	1	4	32	61	37.4	3	0
Attempt and conspiracy to defraud	118	1	28	22	64	33.7	3	0
Other	21	1	2	5	11	34.7	2	2
Forgery and counterfeiting	257	2	16	34	194	41.7	11	2
Motor vehicle theft	16	1	0	3	11	38.3	1	0
Other property	35	0	8	7	20	36.8	0	8
Drug offenses, total	1,592	26	341	236	865	34.8	124	67
Marijuana, total	622	16	246	81	262	28.9	17	52
Sell, distribute, dispense	191	3	9	36	133	40.4	10	0
Import, export	80	0	1	2	75	50.4	2	0
Manufacture	30	0	2	4	22	44.1	2	0
Possession	321	13	234	39	32	15.7	3	52
All other drugs, total	955	9	92	154	593	39.0	107	14
Sell, distribute, dispense	773	7	35	118	516	41.3	97	0
Import, export	46	2	7	2	32	41.4	3	5
Manufacture	19	0	1	4	11	48.0	3	0
Possession	117	0	49	30	34	23.2	4	9
Other drug	15	1	3	1	10	38.0	0	1
Firearms and explosives offenses, total	463	2	32	76	314	40.4	39	7
Firearms	449	2	29	74	306	40.5	38	5
Possession by prohibited persons	218	1	8	25	155	43.0	29	1
Furtherance of violent/drug trafficking crime	4	0	0	0	1	36.0	3	0
Other	227	1	21	49	150	38.4	6	4
Explosives	14	0	3	2	8	35.1	1	2

See notes at end of table.

Table 5.25.2010

**Criminal defendants sentenced in U.S. District Courts**

By offense, and type and length of sentence, fiscal year 2010--Continued

Offense	Total criminal defendants sentenced	Imprisonment									Life	Death	Other <sup>c</sup>
		Total imprisonment	Regular sentences <sup>a</sup>							Average sentence in months <sup>b</sup>			
			6 months or less	7 through 12 months	13 through 35 months	36 through 60 months	Over 60 months						
Sex offenses, total	2,698	2,619	38	69	388	561	1,500	111.2	7	0	56		
Sexual abuse of adults	70	61	4	2	7	10	34	120.2	2	0	2		
Sexual abuse of minors	386	368	6	4	46	43	262	228.5	4	0	3		
Sexually explicit material	1,775	1,733	19	28	168	451	1,036	95.4	0	0	31		
Transportation for illegal sexual activity	196	195	0	4	10	25	153	134.2	1	0	2		
Sex offender registry	267	258	7	29	157	32	15	27.9	0	0	18		
Other sex offenses	4	4	2	2	0	0	0	5.8	0	0	0		
Justice system offenses, total	1,162	849	134	176	302	80	52	28.6	4	0	101		
Aiding, abetting, accessory, etc.	483	251	30	48	100	19	5	19.8	0	0	49		
Obstruction of justice	192	149	15	14	41	26	39	70.0	4	0	10		
Escape from custody	274	267	51	75	104	15	0	14.6	0	0	22		
Failure to appear	141	131	26	34	40	10	5	25.3	0	0	16		
Perjury	44	34	9	5	12	6	1	20.9	0	0	1		
Contempt	28	17	3	0	5	4	2	48.5	0	0	3		
Immigration offenses, total	27,756	26,471	5,813	3,980	8,117	3,827	780	20.8	0	0	3,954		
Alien smuggling	3,145	2,807	404	531	1,284	230	53	19.4	0	0	305		
Improper entry by alien	1,564	1,331	503	115	357	27	2	13.2	0	0	327		
Improper reentry by alien	21,585	21,058	4,331	3,240	6,402	3,545	716	22.0	0	0	2,824		
Fraud and misuse of visa/permit	1,414	1,246	570	92	66	19	7	7.1	0	0	492		
Other immigration offenses	48	29	5	2	8	6	2	28.4	0	0	6		
General offenses, total	1,808	1,210	82	99	287	293	314	62.4	8	0	127		
Bribery	147	100	9	16	36	14	9	29.9	0	0	16		
Money laundering	670	562	26	40	131	153	168	60.0	0	0	44		
RICO <sup>f</sup>	237	207	3	6	33	36	97	125.9	8	0	24		
Racketeering, general	93	77	4	3	16	41	9	49.7	0	0	4		
Extortion, threats	111	86	5	8	15	26	19	50.8	0	0	13		
Gambling and lottery	40	12	3	5	3	1	0	13.8	0	0	0		
Failure to pay child support	59	15	1	3	9	0	0	19.0	0	0	2		
Other	451	151	31	18	44	22	12	29.3	0	0	24		
Regulatory offenses, total	1,720	638	116	118	174	73	48	28.5	2	0	107		
Civil rights	84	65	5	9	20	9	20	65.3	1	0	1		
Copyright	77	20	8	3	5	4	0	18.3	0	0	0		
Food and Drug	85	17	3	5	3	2	0	16.2	0	0	4		
Hazardous waste treatment, disposal, storage	40	14	0	3	9	1	0	21.2	0	0	1		
Telegraph, telephone, radiograph	7	1	0	1	0	0	0	10.0	0	0	0		
National defense	29	11	0	0	2	4	1	41.6	1	0	3		
Antitrust	22	8	0	6	2	0	0	11.0	0	0	0		
Labor	84	21	10	5	5	0	0	10.2	0	0	1		
Game and conservation	156	30	10	9	4	0	0	8.8	0	0	7		
National parks	89	5	3	1	0	1	0	12.4	0	0	0		
Customs	120	82	12	22	20	13	5	25.6	0	0	10		
Postal service	144	15	5	1	5	1	0	15.8	0	0	3		
Reporting of monetary transactions	300	208	35	34	68	16	4	20.0	0	0	51		
Migratory bird	107	1	0	0	0	0	0	0	0	0	1		
Maritime and shipping	93	39	9	5	7	2	9	42.5	0	0	7		
Aircraft regulations	49	24	8	2	9	3	0	18.9	0	0	2		
Other	234	77	8	12	15	17	9	38.2	0	0	16		
Traffic offenses, total	2,788	273	93	18	8	3	0	5.7	0	0	151		
Drunk driving	941	129	50	15	3	1	0	5.8	0	0	60		
Other	1,847	144	43	3	5	2	0	5.7	0	0	91		

See notes at end of table.

Table 5.25.2010

Criminal defendants sentenced in U.S. District Courts

By offense, and type and length of sentence, fiscal year 2010--Continued

Offense	Total	Probation				Average sentence in months <sup>d</sup>	Other <sup>e</sup>	Fine only
		6 months or less	7 through 12 months	13 through 35 months	36 months and over			
Sex offenses, total	79	0	2	3	51	53.1	23	0
Sexual abuse of adults	9	0	0	1	5	44.8	3	0
Sexual abuse of minors	18	0	1	1	12	44.2	4	0
Sexually explicit material	42	0	0	0	28	62.6	14	0
Transportation for illegal sexual activity	1	0	0	0	1	36.0	0	0
Sex offender registry	9	0	1	1	5	42.9	2	0
Other sex offenses	0	X	X	X	X	X	X	X
Justice system offenses, total	303	8	42	66	173	34.8	14	10
Aiding, abetting, accessory, etc.	230	3	34	51	136	33.9	6	2
Obstruction of justice	43	0	6	10	23	43.1	4	0
Escape from custody	7	0	1	1	4	38.0	1	0
Failure to appear	3	0	1	0	1	24.0	1	7
Perjury	10	0	0	3	5	36.0	2	0
Contempt	10	5	0	1	4	20.5	0	1
Immigration offenses, total	1,273	26	79	79	903	45.9	186	12
Alien smuggling	338	7	11	42	258	41.3	20	0
Improper entry by alien	233	13	55	21	138	38.3	6	0
Improper reentry by alien	527	5	5	6	364	52.2	147	0
Fraud and misuse of visa/permit	168	0	6	10	140	52.0	12	0
Other immigration offenses	7	1	2	0	3	22.5	1	12
General offenses, total	400	18	66	72	230	36.5	14	198
Bribery	45	1	5	14	25	33.3	0	2
Money laundering	103	1	7	9	80	44.4	6	5
RICO <sup>f</sup>	29	0	1	6	21	41.4	1	1
Racketeering, general	16	0	1	5	10	37.5	0	0
Extortion, threats	25	0	2	1	19	43.6	3	0
Gambling and lottery	28	1	3	13	11	31.5	0	0
Failure to pay child support	44	0	1	1	42	56.2	0	0
Other	110	15	46	23	22	21.0	4	190
Regulatory offenses, total	819	33	240	194	330	27.9	22	263
Civil rights	19	1	2	3	13	33.6	0	0
Copyright	56	0	23	15	16	25.1	2	1
Food and Drug	59	3	20	9	24	25.5	3	9
Hazardous waste treatment, disposal, storage	24	0	1	10	12	34.5	1	2
Telegraph, telephone, radiograph	6	1	0	2	3	26.0	0	0
National defense	13	0	6	2	5	25.8	0	5
Antitrust	9	0	0	3	3	42.0	3	5
Labor	62	0	9	14	39	36.6	0	1
Game and conservation	82	0	29	25	24	27.8	4	44
National parks	52	4	26	12	9	19.9	1	32
Customs	38	1	6	6	24	33.9	1	0
Postal service	123	5	45	40	32	23.3	1	6
Reporting of monetary transactions	91	1	18	18	52	33.1	2	1
Migratory bird	42	6	18	12	4	17.5	2	64
Maritime and shipping	48	1	6	11	30	35.2	0	6
Aircraft regulations	23	0	8	4	11	27.4	0	2
Other	72	10	23	8	29	24.9	2	85
Traffic offenses, total	972	79	703	106	68	14.6	16	1,543
Drunk driving	622	38	456	70	53	15.0	5	190
Other	350	41	247	36	15	13.8	11	1,353

Note: Data include defendants in all felony and class A misdemeanor cases, but include only those petty offense defendants whose cases were assigned to district court judges. Defendants charged in two or more cases that were terminated during the year are counted separately. Prior to 2005, these defendants were counted only once. Therefore, data for 2005 and thereafter are not comparable to earlier years.

<sup>d</sup>Excludes supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence.

<sup>e</sup>Includes supervised release, probation of 4 days or less, suspended sentences, sealed sentences, and no sentence.

<sup>f</sup>Racketeer influenced and corrupt organizations.

<sup>a</sup>Includes sentences of at least 1 month that may be followed by a term of probation (mixed sentences).

<sup>b</sup>Excludes life sentences, death sentences, deportation, suspended sentences, sealed sentences, imprisonment of 4 days or less, and no sentence.

<sup>c</sup>Includes deportation, suspended sentences, sealed sentences, imprisonment of 4 days or less, and no sentence.

Source: Administrative Office of the United States Courts, *Judicial Business of the United States Courts: 2010 Annual Report of the Director* (Washington, DC: USGPO, 2011), pp. 246-251.