

Sourcebook of criminal justice statistics Online

http://www.albany.edu/sourcebook/pdf/t5292008.pdf

Table 5.29.2008

Sentences imposed in U.S. District Courts under the U.S. Sentencing Commission guidelines

By primary offense and type of sentence, fiscal year 2008

| Primary offense | Total cases | Imprisonment | | | | | | Probation | | | | | |
|-------------------------------------|-------------|------------------------------|---------|-------------|---------|---|---------|---------------------------|---------|---------------------------|---------|----------------|---------|
| | | Total receiving imprisonment | | Prison only | | Prison/ community split sentence ^a | | Total receiving probation | | Probation and confinement | | Probation only | |
| | | Number | Percent | Number | Percent | Number | Percent | Number | Percent | Number | Percent | Number | Percent |
| Total | 75,657 | 67,354 | 89.0% | 65,376 | 86.4% | 1,978 | 2.6% | 8,303 | 11.0% | 2,707 | 3.6% | 5,596 | 7.4% |
| Murder | 69 | 69 | 100.0 | 68 | 98.6 | 1 | 1.4 | 0 | X | 0 | X | 0 | X |
| Manslaughter | 54 | 51 | 94.4 | 49 | 90.7 | 2 | 3.7 | 3 | 5.6 | 0 | X | 3 | 5.6 |
| Kidnaping, hostage-taking | 56 | 56 | 100.0 | 56 | 100.0 | 0 | X | 0 | X | 0 | X | 0 | X |
| Sexual abuse | 484 | 473 | 97.7 | 462 | 95.5 | 11 | 2.3 | 11 | 2.3 | 8 | 1.7 | 3 | 0.6 |
| Assault | 667 | 576 | 86.4 | 548 | 82.2 | 28 | 4.2 | 91 | 13.6 | 22 | 3.3 | 69 | 10.3 |
| Robbery | 1,051 | 1,024 | 97.4 | 1,002 | 95.3 | 22 | 2.1 | 27 | 2.6 | 8 | 0.8 | 19 | 1.8 |
| Arson | 60 | 58 | 96.7 | 57 | 95.0 | 1 | 1.7 | 2 | 3.3 | 0 | X | 2 | 3.3 |
| Drug offenses | | | | | | | | | | | | | |
| Trafficking | 24,282 | 23,460 | 96.6 | 22,939 | 94.5 | 521 | 2.1 | 822 | 3.4 | 376 | 1.5 | 446 | 1.8 |
| Communication facility ^b | 354 | 289 | 81.6 | 281 | 79.4 | 8 | 2.3 | 65 | 18.4 | 28 | 7.9 | 37 | 10.5 |
| Simple possession | 457 | 181 | 39.6 | 178 | 38.9 | 3 | 0.7 | 276 | 60.4 | 18 | 3.9 | 258 | 56.5 |
| Firearms | 8,235 | 7,759 | 94.2 | 7,577 | 92.0 | 182 | 2.2 | 476 | 5.8 | 224 | 2.7 | 252 | 3.1 |
| Burglary, breaking and entering | 45 | 40 | 88.9 | 36 | 80.0 | 4 | 8.9 | 5 | 11.1 | 5 | 11.1 | 0 | X |
| Motor vehicle theft | 60 | 51 | 85.0 | 49 | 81.7 | 2 | 3.3 | 9 | 15.0 | 4 | 6.7 | 5 | 8.3 |
| Larceny | 1,570 | 678 | 43.2 | 608 | 38.7 | 70 | 4.5 | 892 | 56.8 | 216 | 13.8 | 676 | 43.1 |
| Fraud | 7,445 | 5,573 | 74.9 | 5,082 | 68.3 | 491 | 6.6 | 1,872 | 25.1 | 706 | 9.5 | 1,166 | 15.7 |
| Embezzlement | 491 | 253 | 51.5 | 195 | 39.7 | 58 | 11.8 | 238 | 48.5 | 69 | 14.1 | 169 | 34.4 |
| Forgery, counterfeiting | 1,015 | 710 | 70.0 | 646 | 63.6 | 64 | 6.3 | 305 | 30.0 | 146 | 14.4 | 159 | 15.7 |
| Bribery | 219 | 165 | 75.3 | 155 | 70.8 | 10 | 4.6 | 54 | 24.7 | 29 | 13.2 | 25 | 11.4 |
| Tax | 585 | 344 | 58.8 | 295 | 50.4 | 49 | 8.4 | 241 | 41.2 | 123 | 21.0 | 118 | 20.2 |
| Money laundering | 889 | 691 | 77.7 | 660 | 74.2 | 31 | 3.5 | 198 | 22.3 | 72 | 8.1 | 126 | 14.2 |
| Racketeering, extortion | 738 | 670 | 90.8 | 648 | 87.8 | 22 | 3.0 | 68 | 9.2 | 27 | 3.7 | 41 | 5.6 |
| Gambling, lottery | 127 | 47 | 37.0 | 39 | 30.7 | 8 | 6.3 | 80 | 63.0 | 45 | 35.4 | 35 | 27.6 |
| Civil rights | 70 | 47 | 67.1 | 43 | 61.4 | 4 | 5.7 | 23 | 32.9 | 10 | 14.3 | 13 | 18.6 |
| Immigration | 21,404 | 20,660 | 96.5 | 20,419 | 95.4 | 241 | 1.1 | 744 | 3.5 | 196 | 0.9 | 548 | 2.6 |
| Pornography, prostitution | 1,656 | 1,624 | 98.1 | 1,604 | 96.9 | 20 | 1.2 | 32 | 1.9 | 16 | 1.0 | 16 | 1.0 |
| Prison offenses | 370 | 347 | 93.8 | 337 | 91.1 | 10 | 2.7 | 23 | 6.2 | 9 | 2.4 | 14 | 3.8 |
| Administration of justice offenses | 1,016 | 647 | 63.7 | 606 | 59.6 | 41 | 4.0 | 369 | 36.3 | 105 | 10.3 | 264 | 26.0 |
| Environmental, wildlife | 188 | 35 | 18.6 | 30 | 16.0 | 5 | 2.7 | 153 | 81.4 | 27 | 14.4 | 126 | 67.0 |
| National defense | 53 | 45 | 84.9 | 41 | 77.4 | 4 | 7.5 | 8 | 15.1 | 4 | 7.5 | 4 | 7.5 |
| Antitrust | 21 | 11 | 52.4 | 8 | 38.1 | 3 | 14.3 | 10 | 47.6 | 6 | 28.6 | 4 | 19.0 |
| Food and drug | 66 | 22 | 33.3 | 16 | 24.2 | 6 | 9.1 | 44 | 66.7 | 12 | 18.2 | 32 | 48.5 |
| Other | 1,860 | 698 | 37.5 | 642 | 34.5 | 56 | 3.0 | 1,162 | 62.5 | 196 | 10.5 | 966 | 51.9 |

Note: These data are from the U.S. Sentencing Commission's fiscal year 2008 Offender Dataset, which includes information on 76,478 cases sentenced under the Sentencing Reform Act (guideline cases) during fiscal year 2008 (Oct. 1, 2007 through Sept. 30, 2008) for which data were received by the Commission as of Feb. 10, 2009. Given the nature of the data file and reporting requirements, the following types of cases are not included in the data presented here: cases initiated but for which no convictions were obtained, defendants convicted for whom no sentences were yet issued, defendants sentenced but for whom no data were submitted to the Commission, and cases not sentenced under the Sentencing Reform Act (non-guideline cases).

A case or defendant is defined as a single sentencing event for an individual defendant (even if multiple indictments or multiple convictions are consolidated for sentencing). Multiple defendants in a single sentencing event are treated as separate cases. If an individual defendant is sentenced more than once during the fiscal year, each sentencing event is identified as a separate case. (Source, Appendix A.)

Of the 76,478 guideline cases, 821 cases were excluded due to one or more of the following conditions: missing primary offense category, 50; missing sentencing information, 102; or cases in which a defendant received no imprisonment or probation, 718.

^aA term of imprisonment followed by supervised release with a condition of community confinement, home detention, or intermittent confinement.

^bRefers to the use of a device, such as a telephone, in a drug trafficking offense.

Source: U.S. Sentencing Commission, *2008 Sourcebook of Federal Sentencing Statistics*, Table 12 [Online]. Available: <http://www.ussc.gov/ANNRPT/2008/table12.pdf> [Apr. 28, 2009].