

Sourcebook of criminal justice statistics Online

<http://www.albany.edu/sourcebook/pdf/t5342008.pdf>

Table 5.34.2008

Mode of conviction in U.S. District Courts for U.S. Sentencing Commission guideline cases

By primary offense, fiscal year 2008

Primary offense	Total cases	Mode of conviction			
		Plea of guilty		Trial	
		Number	Percent	Number	Percent
Total	76,426	73,616	96.3%	2,810	3.7%
Murder	69	55	79.7	14	20.3
Manslaughter	54	50	92.6	4	7.4
Kidnaping, hostage-taking	56	45	80.4	11	19.6
Sexual abuse	486	429	88.3	57	11.7
Assault	676	601	88.9	75	11.1
Robbery	1,052	1,022	97.1	30	2.9
Arson	60	53	88.3	7	11.7
Drug offenses					
Trafficking	24,306	23,368	96.1	938	3.9
Communication facility ^a	355	352	99.2	3	0.8
Simple possession	515	503	97.7	12	2.3
Firearms	8,250	7,641	92.6	609	7.4
Burglary, breaking and entering	45	44	97.8	1	2.2
Motor vehicle theft	60	57	95	3	5
Larceny	1,683	1,636	97.2	47	2.8
Fraud	7,471	7,082	94.8	389	5.2
Embezzlement	495	483	97.6	12	2.4
Forgery, counterfeiting	1,018	1,001	98.3	17	1.7
Bribery	219	210	95.9	9	4.1
Tax	588	532	90.5	56	9.5
Money laundering	893	844	94.5	49	5.5
Racketeering, extortion	740	682	92.2	58	7.8
Gambling, lottery	127	123	96.9	4	3.1
Civil rights	70	59	84.3	11	15.7
Immigration	21,429	21,270	99.3	159	0.7
Pornography, prostitution	1,657	1,592	96.1	65	3.9
Prison offenses	371	363	97.8	8	2.2
Administration of justice offenses	1,039	984	94.7	55	5.3
Environmental, wildlife	204	195	95.6	9	4.4
National defense	54	49	90.7	5	9.3
Antitrust	24	23	95.8	1	4.2
Food and drug	76	73	96.1	3	3.9
Other	2,284	2,195	96.1	89	3.9

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, 52 cases were excluded due to one or both of the following conditions: missing primary offense category, 50; or missing information on mode of conviction, 51.

^a Refers 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 11 [Online]. Available: <http://www.ussc.gov/ANNRPT/2008/table11.pdf> [Apr. 28, 2009].