

Sourcebook of criminal justice statistics Online

<http://www.albany.edu/sourcebook/pdf/t5342009.pdf>

Table 5.34.2009

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

By primary offense, fiscal year 2009

Primary offense	Total cases	Mode of conviction			
		Plea of guilty		Trial	
		Number	Percent	Number	Percent
Total	81,370	78,398	96.3%	2,972	3.7%
Murder	93	68	73.1	25	26.9
Manslaughter	59	55	93.2	4	6.8
Kidnaping, hostage-taking	41	36	87.8	5	12.2
Sexual abuse	478	418	87.4	60	12.6
Assault	660	617	93.5	43	6.5
Robbery	1,011	970	95.9	41	4.1
Arson	60	54	90.0	6	10.0
Drug offenses					
Trafficking	23,938	22,968	95.9	970	4.1
Communication facility ^a	508	506	99.6	2	0.4
Simple possession	759	734	96.7	25	3.3
Firearms	8,243	7,649	92.8	594	7.2
Burglary, breaking and entering	36	34	94.4	2	5.6
Motor vehicle theft	77	76	98.7	1	1.3
Larceny	1,592	1,556	97.7	36	2.3
Fraud	7,618	7,231	94.9	387	5.1
Embezzlement	471	458	97.2	13	2.8
Forgery, counterfeiting	887	872	98.3	15	1.7
Bribery	171	161	94.2	10	5.8
Tax	633	562	88.8	71	11.2
Money laundering	812	759	93.5	53	6.5
Racketeering, extortion	635	557	87.7	78	12.3
Gambling, lottery	62	58	93.5	4	6.5
Civil rights	63	56	88.9	7	11.1
Immigration	25,927	25,734	99.3	193	0.7
Pornography, prostitution	1,969	1,859	94.4	110	5.6
Prison offenses	445	437	98.2	8	1.8
Administration of justice offenses	998	948	95.0	50	5.0
Environmental, wildlife	231	214	92.6	17	7.4
National defense	67	61	91.0	6	9.0
Antitrust	21	21	100.0	0	X
Food and drug	80	78	97.5	2	2.5
Other	2,725	2,591	95.1	134	4.9

Note: These data are from the U.S. Sentencing Commission's fiscal year 2009 Offender Dataset, which includes information on 81,372 cases sentenced under the Sentencing Reform Act (guideline cases) during fiscal year 2009 (Oct. 1, 2008 through Sept. 30, 2009) for which data were received by the Commission as of Feb. 3, 2010. 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 81,372 guideline cases, 2 cases were excluded due to missing information on mode of conviction.

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

Source: U.S. Sentencing Commission, *2009 Sourcebook of Federal Sentencing Statistics*, Table 11 [Online]. Available: <http://www.uscc.gov/ANNRPT/2009/table11.pdf> [May 28, 2010].