

**Table D-5.
U.S. District Courts—Criminal Defendants Sentenced After Conviction, by Major Offense,
During the 12-Month Period Ending September 30, 2009**

	Total Defendants Sentenced	Type of Sentence																	
		Regular Sentences to Imprisonment ¹							Other Sentences to Imprisonment			Probation						Fine Only	
		Total Imprisoned	6 Months or Less	7 to 12 Months	13 to 35 Months	36 to 60 Months	More Than 60 Months	Average Sentence in Months ²	Life	Death	Other ³	Total	6 Months or Less	7 to 12 Months	13 to 35 Months	36 Months or More	Average Sentence in Months ⁴		Other ⁵
TOTAL	86,314	73,980	9,347	6,728	17,640	14,116	18,856	57.2	292	4	6,997	9,987	210	1,969	1,641	5,391	35.0	776	2,347
VIOLENT OFFENSES	2,553	2,345	82	82	382	554	1,131	95.7	43	1	70	180	6	42	27	91	33.0	14	28
HOMICIDE	125	121	1	6	16	15	65	151.2	16	1	1	4	-	-	-	3	52.0	1	-
ROBBERY, TOTAL	1,132	1,105	6	12	118	311	634	96.9	2	-	22	22	-	5	2	8	36.0	7	5
BANK OTHER ROBBERY OFFENSES	1,079	1,063	6	12	111	297	616	97.1	2	-	19	16	-	-	2	7	49.3	7	-
ASSAULT	53	42	-	-	7	14	18	91.8	-	-	3	6	-	5	-	1	16.0	-	5
KIDNAPPING	660	520	67	45	157	126	96	44.3	-	-	29	117	5	36	24	50	28.9	2	23
RACKETEERING—VIOLENT	64	63	-	1	5	5	45	197.4	5	-	2	1	-	-	-	1	60.0	-	-
CARJACKING	404	384	5	10	59	71	217	117.7	15	-	7	20	-	-	1	17	46.3	2	-
TERRORISM	68	67	-	-	1	4	55	198.3	3	-	4	1	-	-	-	1	60.0	-	-
OTHER VIOLENT OFFENSES	33	27	2	1	5	5	10	90.6	1	-	3	6	-	1	-	5	44.0	-	-
PROPERTY OFFENSES	67	58	1	7	21	17	9	68.3	1	-	2	9	1	-	-	6	35.1	2	-
PROPERTY OFFENSES	14,046	9,849	2,164	1,090	2,716	1,386	694	27.5	1	-	1,798	3,982	56	554	750	2,436	37.1	186	215
BURGLARY	38	33	1	8	17	5	2	25.0	-	-	-	5	-	-	1	4	41.2	-	-
LARCENY AND THEFT	1,804	655	178	121	177	60	25	19.3	-	-	94	976	27	192	189	551	35.0	17	173
BANK	82	29	9	3	7	5	4	28.6	-	-	1	51	-	1	8	41	41.3	1	2
POSTAL SERVICE	236	163	34	33	48	13	3	18.6	-	-	32	73	1	3	20	48	36.4	1	-
INTERSTATE SHIPMENTS	26	18	2	2	7	7	-	26.5	-	-	-	8	-	-	1	7	37.5	-	-
THEFT—U.S. PROPERTY	1,203	314	102	66	73	15	4	14.1	-	-	54	736	21	157	147	398	34.8	13	153
THEFT—MARITIME JURISDICTION	88	23	10	6	2	1	-	9.2	-	-	4	51	5	21	6	19	26.0	-	14
TRANSPORTATION, ETC., STOLEN PROPERTY	144	101	17	10	39	18	14	32.2	-	-	3	43	-	3	4	34	41.9	2	-
OTHER LARCENY AND THEFT	25	7	4	1	1	1	-	12.4	-	-	-	14	-	7	3	4	27.9	-	4

Table D-5. (September 30, 2009—Continued)

Nature of Offense	Total Defendants Sentenced	Type of Sentence																	
		Regular Sentences to Imprisonment ¹							Other Sentences to Imprisonment			Probation						Fine Only	
		Total Imprisoned	6 Months or Less	7 to 12 Months	13 to 35 Months	36 to 60 Months	More Than 60 Months	Average Sentence in Months ²	Life	Death	Other ³	Total	6 Months or Less	7 to 12 Months	13 to 35 Months	36 Months or More	Average Sentence in Months ⁴		Other ⁵
EMBEZZLEMENT, TOTAL	600	294	72	47	81	40	14	21.0	-	-	40	303	3	46	75	164	34.9		15
BANK	158	128	30	14	39	11	4	18.8	-	-	30	30	-	2	4	12	38.0	12	-
POSTAL SERVICE FINANCIAL INSTITUTIONS	229	33	18	7	3	2	-	10.0	-	-	3	193	2	35	55	100	32.0	1	3
OTHER EMBEZZLEMENT OFFENSES	32	27	6	6	6	4	2	20.8	-	-	3	5	-	-	-	3	60.0	2	-
FRAUD, TOTAL	10,667	8,230	1,828	828	2,181	1,197	609	28.5	1	-	1,586	2,410	23	285	430	1,532	38.3	140	27
TAX FINANCIAL INSTITUTIONS	597	382	81	67	153	51	15	22.9	-	-	15	215	3	32	39	138	37.1	3	-
SECURITIES AND EXCHANGE	739	638	74	63	221	104	72	33.8	-	-	104	101	-	8	11	61	41.6	21	-
MAIL	101	68	3	11	14	13	23	62.0	-	-	4	32	-	2	8	22	48.8	-	1
WIRE, RADIO, OR TELEVISION	599	453	28	59	170	85	83	45.3	-	-	28	143	1	6	21	111	43.1	4	3
BANKRUPTCY	568	454	29	41	152	100	108	48.8	-	-	24	114	-	2	23	84	42.7	5	-
SOCIAL SECURITY FALSE PERSONATION	58	30	7	7	6	7	-	19.4	-	-	3	28	-	1	5	20	41.5	2	-
CITIZENSHIP AND NATURALIZATION	388	267	44	36	42	26	7	22.1	-	-	112	117	-	13	23	70	39.2	11	4
PASSPORT IDENTIFICATION DOCUMENTS	36	13	3	7	2	-	-	11.9	-	-	1	21	1	4	6	9	28.2	1	2
AND INFORMATION	268	223	83	37	33	6	2	10.5	-	-	62	45	1	3	2	27	47.7	12	-
FALSE CLAIMS AND SERVICES—	494	452	80	48	38	6	5	12.5	-	-	275	42	-	7	7	18	36.0	10	-
GOVERNMENT FALSE STATEMENTS	2,507	2,365	978	68	434	231	43	16.4	-	-	611	139	1	32	37	45	28.9	24	3
CONSPIRACY TO DEFRAUD THE UNITED STATES	244	129	20	21	47	27	8	29.0	-	-	6	114	2	6	11	93	47.1	2	1
	697	411	137	58	59	29	6	14.3	-	-	122	284	4	44	61	170	35.2	5	2
	1,837	1,213	159	162	470	243	54	28.7	-	-	125	619	7	65	112	409	37.4	26	5

Table D-5. (September 30, 2009—Continued)

Nature of Offense	Total Defendants Sentenced	Type of Sentence																	
		Regular Sentences to Imprisonment ¹							Other Sentences to Imprisonment			Probation						Fine Only	
		Total Imprisoned	6 Months or Less	7 to 12 Months	13 to 35 Months	36 to 60 Months	More Than 60 Months	Average Sentence in Months ²	Life	Death	Other ³	Total	6 Months or Less	7 to 12 Months	13 to 35 Months	36 Months or More	Average Sentence in Months ⁴		Other ⁵
FRAUD (CONTINUED)																			
UNAUTHORIZED ACCESS DEVICES	555	435	41	69	138	99	47	35.1	-	-	41	120	-	3	17	93	41.4	7	-
COMPUTER HEALTH CARE ATTEMPT AND CONSPIRACY TO DEFRAUD OTHER FRAUD OFFENSES	294	216	20	29	63	66	32	37.9	-	-	6	77	-	4	12	60	44.2	1	1
	477	407	26	29	117	99	102	53.8	-	-	34	69	-	1	12	52	42.1	4	1
	111	34	10	10	6	-	-	11.1	1	-	7	77	2	40	12	23	24.1	-	-
FORGERY AND COUNTERFEITING	810	566	71	81	240	69	36	26.7	-	-	69	241	2	21	45	161	38.6	12	3
AUTO THEFT	46	38	4	2	11	9	8	40.9	-	-	4	8	-	-	2	4	39.8	2	-
OTHER PROPERTY OFFENSES	81	33	10	3	9	6	-	18.5	-	-	5	39	1	10	8	20	30.2	-	9
DRUG OFFENSES, TOTAL	26,612	24,929	1,048	1,256	4,150	5,822	11,120	83.7	183	-	1,350	1,621	13	309	241	857	36.2	201	62
MARIJUANA, TOTAL	5,860	5,186	737	729	1,706	943	610	33.8	4	-	457	628	8	217	77	267	31.2	59	46
SELL, DISTRIBUTE, OR DISPENSE IMPORT/EXPORT MANUFACTURE POSSESSION	3,160	2,956	168	275	1,088	788	531	43.6	3	-	103	204	1	15	38	113	38.7	37	-
	1,808	1,681	335	424	523	82	31	17.0	-	-	286	127	1	-	4	115	50.6	7	-
	304	270	23	22	95	72	48	43.3	1	-	9	34	-	1	5	23	52.1	5	-
	588	279	211	8	-	1	-	2.6	-	-	59	263	6	201	30	16	14.7	10	46
ALL OTHER DRUGS	20,656	19,664	307	526	2,436	4,869	10,470	96.1	170	-	886	976	4	90	158	584	39.7	140	16
SELL, DISTRIBUTE, OR DISPENSE IMPORT/EXPORT MANUFACTURE POSSESSION OTHER DRUG OFFENSES	18,811	18,046	251	463	2,181	4,357	9,900	98.2	161	-	733	762	1	24	112	503	42.9	122	3
	992	942	16	32	179	370	249	61.8	2	-	94	44	-	16	2	18	30.0	8	6
	579	546	4	9	67	134	310	97.5	7	-	15	33	-	-	3	27	50.0	3	-
	274	130	36	22	9	8	11	23.8	-	-	44	137	3	50	41	36	24.2	7	7
	96	79	4	1	8	10	40	162.1	9	-	7	17	1	2	6	6	28.4	2	-

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		Regular Sentences to Imprisonment ¹							Other Sentences to Imprisonment			Probation						Fine Only	
		Total Imprisoned	6 Months or Less	7 to 12 Months	13 to 35 Months	36 to 60 Months	More Than 60 Months	Average Sentence in Months ²	Life	Death	Other ³	Total	6 Months or Less	7 to 12 Months	13 to 35 Months	36 Months or More	Average Sentence in Months ⁴		Other ⁵
FIREARMS AND EXPLOSIVES OFFENSES	8,081	7,529	177	353	1,631	1,855	3,256	82.4	20	3	234	542	-	33	108	347	40.6		54
FIREARMS, TOTAL	7,941	7,409	170	344	1,611	1,818	3,218	82.3	20	3	225	522	-	33	104	331	40.5	54	10
POSSESSION BY PROHIBITED PERSONS	5,140	4,874	93	230	1,232	1,369	1,805	68.9	-	-	145	262	-	10	38	183	43.1	31	4
FURTHERANCE OF VIOLENT/DRUG-TRAFFICKING CRIMES	1,285	1,280	3	2	25	202	1,013	149.9	10	2	23	5	-	-	1	3	42.0	1	-
OTHER FIREARMS OFFENSES	1,516	1,255	74	112	354	247	400	65.0	10	1	57	255	-	23	65	145	37.9	22	6
EXPLOSIVES	140	120	7	9	20	37	38	89.9	-	-	9	20	-	-	4	16	42.3	-	-
SEX OFFENSES, TOTAL	2,560	2,458	24	60	351	537	1,415	111.9	22	-	49	102	-	4	12	71	46.9	15	-
SEXUAL ABUSE OF ADULTS	63	59	1	5	5	15	31	116.1	2	-	-	4	-	-	-	4	42.3	-	-
SEXUAL ABUSE OF MINORS	363	343	1	6	35	32	256	247.3	10	-	3	20	-	-	-	16	49.6	4	-
SEXUALLY EXPLICIT MATERIAL	1,658	1,615	10	26	158	428	962	92.1	7	-	24	43	-	-	1	36	56.9	6	-
TRANSPORTATION FOR ILLEGAL SEXUAL ACTIVITY	237	220	3	2	11	38	156	128.8	3	-	7	17	-	3	8	5	27.0	1	-
SEX OFFENDER REGISTRY	232	216	9	21	140	23	8	25.8	-	-	15	16	-	1	3	9	41.7	3	-
OTHER SEX OFFENSES	7	5	-	-	2	1	2	135.6	-	-	-	2	-	-	-	1	36.0	1	-
JUSTICE SYSTEM OFFENSES	1,239	910	157	201	309	83	49	24.0	4	-	107	320	1	42	65	202	35.5	10	9
AIDING, ABETTING, ACCESSORY, ETC.	552	310	42	49	116	29	6	21.1	-	-	68	239	-	30	55	149	34.9	5	3
OBSTRUCTION OF JUSTICE	185	130	9	13	39	21	37	58.7	4	-	7	54	1	7	7	38	37.7	1	1
ESCAPE FROM CUSTODY	299	293	59	92	106	18	-	14.9	-	-	18	6	-	-	1	3	39.0	2	-
FAILURE TO APPEAR	125	119	32	40	31	10	-	13.8	-	-	6	3	-	-	-	3	48.0	-	3
PERJURY	56	43	8	7	17	3	3	23.7	-	-	5	13	-	1	2	8	38.2	2	-
CONTEMPT	22	15	7	-	-	2	3	46.3	-	-	3	5	-	4	-	1	21.6	-	2

Table D-5. (September 30, 2009—Continued)

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		Regular Sentences to Imprisonment ¹							Other Sentences to Imprisonment			Probation						Other ⁵	Fine Only	
		Total Imprisoned	6 Months or Less	7 to 12 Months	13 to 35 Months	36 to 60 Months	More Than 60 Months	Average Sentence in Months ²	Life	Death	Other ³	Total	6 Months or Less	7 to 12 Months	13 to 35 Months	36 Months or More	Average Sentence in Months ⁴			
IMMIGRATION OFFENSES	25,072	23,849	5,399	3,456	7,625	3,520	772	21.2	-	-	3,077	1,209	21	63	102	757	43.0	266	14	
ALIEN SMUGGLING	3,618	3,290	417	652	1,610	258	63	19.4	-	-	290	323	10	14	41	243	38.9	15	5	
IMPROPER ENTRY BY ALIEN	1,679	1,546	507	142	606	112	2	19.0	-	-	177	127	3	37	41	37	27.3	9	6	
IMPROPER REENTRY BY ALIEN	18,347	17,727	3,815	2,577	5,362	3,130	698	22.6	-	-	2,145	620	6	3	7	391	50.1	213	-	
FRAUD AND MISUSE OF VISA/PERMIT	1,375	1,245	647	79	42	17	5	5.8	-	-	455	130	2	7	11	82	45.4	28	-	
OTHER IMMIGRATION OFFENSES	53	41	13	6	5	3	4	26.6	-	-	10	9	-	2	2	4	36.0	1	3	
GENERAL OFFENSES	1,890	1,281	87	111	332	279	368	68.3	16	-	88	393	13	58	64	250	38.5	8	216	
BRIBERY	122	88	13	17	32	12	12	33.7	-	-	2	34	-	4	9	20	33.5	1	-	
MONEY LAUNDERING RICO ⁶	743	624	27	51	171	146	184	63.8	1	-	44	118	-	3	19	93	46.6	3	1	
RACKETEERING— GENERAL	242	232	4	9	31	31	136	135.3	14	-	7	10	-	1	1	8	43.2	-	-	
EXTORTION AND THREATS	88	77	5	3	14	39	11	54.5	-	-	5	11	-	-	3	8	37.4	-	-	
GAMBLING AND LOTTERY	132	100	2	10	33	29	17	53.2	-	-	9	31	-	5	4	20	39.7	2	1	
FAILURE TO PAY CHILD SUPPORT	48	22	10	3	6	2	-	14.8	-	-	1	26	-	1	8	17	32.3	-	-	
OTHER GENERAL OFFENSES	80	21	6	3	10	-	-	14.1	-	-	2	59	-	-	2	57	57.2	-	-	
	435	117	20	15	35	20	8	28.0	1	-	18	104	13	44	18	27	21.1	2	214	
REGULATORY OFFENSES	1,612	586	120	101	137	76	51	30.1	3	-	98	786	29	219	197	322	28.4	19	240	
CIVIL RIGHTS	66	52	3	3	13	17	13	57.8	2	-	1	14	-	4	-	10	34.3	-	-	
FOOD AND DRUG HAZARDOUS WASTE TREATMENT, DISPOSAL, AND STORAGE	62	8	2	-	3	1	-	17.8	-	-	2	47	2	13	11	21	28.6	-	7	
	27	11	1	4	5	1	-	15.3	-	-	-	15	1	6	3	3	19.4	2	1	

Table D-5. (September 30, 2009—Continued)

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		Regular Sentences to Imprisonment ¹							Other Sentences to Imprisonment			Probation						Fine Only		
		Total Imprisoned	6 Months or Less	7 to 12 Months	13 to 35 Months	36 to 60 Months	More Than 60 Months	Average Sentence in Months ²	Life	Death	Other ³	Total	6 Months or Less	7 to 12 Months	13 to 35 Months	36 Months or More	Average Sentence in Months ⁴		Other ⁵	
REGULATORY OFFENSES (CONTINUED)																				
TELEGRAPH, TELEPHONE, AND RADIOGRAPH	17	8	3	-	2	1	-	15.5	-	-	2	8	-	1	2	5	36.0	-	1	
NATIONAL DEFENSE	28	16	-	-	2	5	5	69.3	-	-	4	10	-	2	4	4	28.8	-	2	
ANTITRUST	30	15	2	7	4	1	-	15.6	-	-	1	1	-	-	-	1	36.0	-	14	
LABOR	80	25	5	8	5	2	1	18.5	-	-	4	53	1	10	15	27	32.6	-	2	
GAME AND CONSERVATION	188	31	11	6	7	1	-	10.9	-	-	6	120	7	33	37	41	29.6	2	37	
NATIONAL PARKS	56	12	8	1	1	-	1	12.1	-	-	1	26	-	10	7	6	21.9	3	18	
CUSTOMS	102	72	10	19	16	11	6	29.8	-	-	10	29	1	7	7	12	29.0	2	1	
POSTAL SERVICE	123	16	10	2	-	1	-	6.5	-	-	3	103	4	30	38	31	25.0	-	4	
REPORTING OF MONETARY TRANSACTIONS	216	130	22	28	36	13	5	21.7	-	-	26	83	1	16	21	40	33.3	5	3	
MIGRATORY BIRD	76	1	1	-	-	-	-	2.0	-	-	-	43	1	22	11	7	19.1	2	32	
MARITIME AND SHIPPING	123	46	9	7	5	3	14	49.2	-	-	8	72	2	13	9	47	35.2	1	5	
AIRCRAFT REGULATIONS	51	21	4	1	7	2	1	56.8	-	-	6	30	1	7	4	18	33.8	-	-	
OTHER REGULATORY OFFENSES	367	122	29	15	31	17	5	27.5	1	-	24	132	8	45	28	49	24.2	2	113	
TRAFFIC OFFENSES	2,649	244	89	18	7	4	-	6.3	-	-	126	852	71	645	75	58	14.3	3	1,553	
DRUNK DRIVING	980	134	49	11	5	1	-	5.9	-	-	68	582	26	458	47	49	14.7	2	264	
OTHER TRAFFIC OFFENSES	1,669	110	40	7	2	3	-	6.8	-	-	58	270	45	187	28	9	13.4	1	1,289	

NOTE: This table includes defendants in all felony and Class A misdemeanor cases, but includes only those petty offense defendants whose cases have been assigned to district judges. Beginning in 2005, categories for criminal offenses were modified. Also beginning in 2005, defendants charged in two or more cases that were terminated during the reporting period are counted separately for each case. Previously, such defendants were counted only once. Therefore, data for 2005 and thereafter are not comparable to data published in previous years.

- ¹ Includes sentences of at least one month, which may be followed by terms of probation (mixed sentences).
- ² Excludes life sentences, death sentences, and other sentences defined in footnote 3.
- ³ Includes deportation, suspended sentences, sealed sentences, imprisonment of four days or less, and no sentence.
- ⁴ Excludes other probation defined in footnote 5.
- ⁵ Includes supervised release, probation of four days or less, suspended sentences, sealed sentences, and no sentence.