

**Table D-5.
U.S. District Courts—Criminal Defendants Sentenced After Conviction, by Offense,
During the 12-Month Period Ending September 30, 2010**

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
TOTAL	89,741	77,239	10,434	7,273	18,565	14,571	18,373	54.0	183	4	7,836	10,157	279	2,068	1,651	5,535	34.8	624	2,345
VIOLENT OFFENSES	2,707	2,453	75	103	411	530	1,196	96.6	24	2	112	237	14	59	42	115	32.5	7	17
HOMICIDE	121	117	1	4	20	17	66	174.8	2	2	5	4	-	-	1	1	30.0	2	-
ROBBERY, TOTAL	1,219	1,192	10	11	127	300	716	102.0	2	-	26	27	-	3	-	23	42.9	1	-
BANK	1,174	1,156	8	11	118	291	700	102.6	2	-	26	18	-	1	-	17	43.3	-	-
OTHER ROBBERY OFFENSES	45	36	2	-	9	9	16	82.3	-	-	-	9	-	2	-	6	42.0	1	-
ASSAULT	704	517	57	63	156	109	86	41.1	1	-	45	170	14	56	36	62	28.0	2	17
KIDNAPPING	73	71	1	-	3	8	52	181.3	3	-	4	2	-	-	-	2	60.0	-	-
RACKETEERING—VIOLENT	424	400	2	19	65	71	204	112.9	12	-	27	24	-	-	3	20	47.9	1	-
CARJACKING	54	54	-	1	1	8	39	160.0	3	-	2	-	-	-	-	-	-	-	-
TERRORISM	36	31	1	1	9	2	16	97.5	1	-	1	5	-	-	1	3	42.0	1	-
OTHER VIOLENT OFFENSES	76	71	3	4	30	15	17	54.0	-	-	2	5	-	-	1	4	40.8	-	-
PROPERTY OFFENSES	14,825	10,578	2,684	1,208	2,776	1,409	801	27.3	-	-	1,700	4,019	73	504	777	2,486	37.2	179	228
BURGLARY	32	24	2	4	12	2	3	28.6	-	-	1	7	-	1	-	6	46.3	-	1
LARCENY AND THEFT	1,779	619	141	135	179	66	19	21.6	-	-	79	1,003	48	223	157	554	33.7	21	157
BANK	71	25	9	6	4	1	3	29.0	-	-	2	46	-	6	14	22	34.7	4	-
POSTAL SERVICE	232	158	25	31	63	21	3	21.2	-	-	15	73	3	3	15	52	36.4	-	1
INTERSTATE SHIPMENTS	33	26	-	3	18	5	-	24.1	-	-	-	7	-	1	-	6	49.7	-	-
THEFT—U.S. PROPERTY	1,209	308	91	75	60	27	2	18.2	-	-	53	758	31	179	110	424	34.4	14	143
THEFT—MARITIME JURISDICTION	104	25	11	6	4	1	-	11.0	-	-	3	70	4	27	11	28	25.5	-	9
TRANSPORTATION, ETC., STOLEN PROPERTY	95	72	4	13	29	10	11	35.5	-	-	5	23	-	2	2	16	40.2	3	-
OTHER LARCENY AND THEFT	35	5	1	1	1	1	-	21.8	-	-	1	26	10	5	5	6	19.3	-	4

Table D-5. (September 30, 2010—Continued)

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	592	280	59	49	96	41	8	21.9	-	-	27	305	2	31	85	178	35.8		9
BANK	134	104	22	17	36	9	3	19.4	-	-	17	28	-	3	9	9	32.1	7	2
POSTAL SERVICE FINANCIAL INSTITUTIONS OTHER	224	33	17	4	5	3	-	13.2	-	-	4	187	1	20	54	110	34.5	2	4
EMBEZZLEMENT OFFENSES	21	20	4	3	6	3	-	21.2	-	-	4	1	-	-	-	1	36.0	-	-
	213	123	16	25	49	26	5	25.8	-	-	2	89	1	8	22	58	39.6	-	1
FRAUD, TOTAL	11,452	9,003	2,385	890	2,229	1,225	736	28.1	-	-	1,538	2,396	20	225	491	1,523	38.3	137	53
TAX FINANCIAL INSTITUTIONS SECURITIES AND EXCHANGE MAIL WIRE, RADIO, OR TELEVISION BANKRUPTCY SOCIAL SECURITY FALSE PERSONATION CITIZENSHIP AND NATURALIZATION PASSPORT IDENTIFICATION DOCUMENTS AND INFORMATION FALSE CLAIMS AND SERVICES— GOVERNMENT FALSE STATEMENTS CONSPIRACY TO DEFRAUD THE UNITED STATES	614	391	69	85	123	80	24	26.1	-	-	10	218	-	29	43	139	38.0	7	5
	968	760	92	102	238	108	91	35.4	-	-	129	207	1	18	21	128	39.3	39	1
	87	68	4	6	11	21	22	72.5	-	-	4	18	-	1	3	13	48.0	1	1
	597	456	32	58	145	93	103	49.9	-	-	25	141	1	1	18	114	44.1	7	-
	640	517	41	51	209	102	96	43.9	-	-	18	122	1	3	12	103	43.0	3	1
	59	33	8	5	11	7	-	22.6	-	-	2	26	-	2	3	21	42.0	-	-
	353	202	49	32	40	15	8	19.6	-	-	58	149	2	5	32	103	42.2	7	2
	39	11	2	1	5	2	-	21.7	-	-	1	27	-	9	6	11	29.0	1	1
	233	198	63	27	42	6	1	12.5	-	-	59	35	-	4	1	23	43.4	7	-
	803	745	221	76	74	9	12	11.4	-	-	353	58	-	7	10	37	40.0	4	-
	2,780	2,684	1,449	65	396	198	36	12.1	-	-	540	88	2	21	15	32	29.7	18	8
	179	117	17	19	39	23	14	32.1	-	-	5	61	1	4	13	42	39.6	1	1
	615	333	93	37	66	27	5	17.5	-	-	105	278	4	32	87	145	34.4	10	4
	1,757	1,192	125	203	427	273	50	28.9	-	-	114	542	4	31	130	359	38.1	18	23

Table D-5. (September 30, 2010—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
FRAUD (CONTINUED)																			
UNAUTHORIZED ACCESS DEVICES	556	420	46	59	140	75	69	37.2	-	-	31	136	-	4	26	100	43.8	6	-
COMPUTER HEALTH CARE ATTEMPT AND CONSPIRACY TO DEFRAUD OTHER FRAUD OFFENSES	83 325	29 224	3 25	6 15	13 76	3 53	- 44	20.0 42.9	- -	- -	4 11	50 101	1 1	20 4	12 32	17 61	26.0 37.4	- 3	4 -
FORGERY AND COUNTERFEITING	841	582	88	119	237	67	24	22.8	-	-	47	257	2	16	34	194	41.7	11	2
AUTO THEFT	46	30	1	4	11	6	6	38.4	-	-	2	16	1	-	3	11	38.3	1	-
OTHER PROPERTY OFFENSES	83	40	8	7	12	2	5	37.1	-	-	6	35	-	8	7	20	36.8	-	8
DRUG OFFENSES, TOTAL	26,491	24,832	1,227	1,161	4,542	5,961	10,511	78.8	114	-	1,316	1,592	26	341	236	865	34.8	124	67
MARIJUANA, TOTAL	6,559	5,885	901	614	2,135	1,130	658	34.1	2	-	445	622	16	246	81	262	28.9	17	52
SELL, DISTRIBUTE, OR DISPENSE IMPORT/EXPORT MANUFACTURE POSSESSION	4,055 1,231	3,864 1,151	157 209	313 270	1,674 387	948 87	581 34	41.5 19.9	2 -	- -	189 164	191 80	3 -	9 1	36 2	133 75	40.4 50.4	10 2	- -
ALL OTHER DRUGS	19,851	18,882	323	543	2,395	4,827	9,822	92.2	104	-	868	955	9	92	154	593	39.0	107	14
SELL, DISTRIBUTE, OR DISPENSE IMPORT/EXPORT MANUFACTURE POSSESSION OTHER DRUG OFFENSES	17,818 1,167 664 202	17,045 1,116 645 76	275 9 12 27	496 30 6 11	2,100 217 70 8	4,199 468 153 7	9,139 293 384 6	94.1 61.8 98.3 20.4	96 1 7 -	- - - -	740 98 13 17	773 46 19 117	7 2 - -	35 7 1 49	118 2 4 30	516 32 11 34	41.3 41.4 48.0 23.2	97 3 3 4	- 5 - 9
OTHER DRUG OFFENSES	81	65	3	4	12	4	31	141.5	8	-	3	15	1	3	1	10	38.0	-	1

Table D-5. (September 30, 2010—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
FIREARMS AND EXPLOSIVES OFFENSES	7,786	7,316	172	341	1,560	1,834	3,171	80.4	24	2	212	463	2	32	76	314	40.4	39	7
FIREARMS, TOTAL	7,642	7,188	164	337	1,545	1,796	3,111	80.3	24	2	209	449	2	29	74	306	40.5	38	5
POSSESSION BY PROHIBITED PERSONS	4,953	4,734	98	232	1,195	1,342	1,730	66.8	2	-	135	218	1	8	25	155	43.0	29	1
FURTHERANCE OF VIOLENT/DRUG-TRAFFICKING CRIMES	1,273	1,269	1	2	13	211	1,001	148.6	13	1	27	4	-	-	-	1	36.0	3	-
OTHER FIREARMS OFFENSES	1,416	1,185	65	103	337	243	380	61.0	9	1	47	227	1	21	49	150	38.4	6	4
EXPLOSIVES	144	128	8	4	15	38	60	84.1	-	-	3	14	-	3	2	8	35.1	1	2
SEX OFFENSES, TOTAL	2,698	2,619	38	69	388	561	1,500	111.2	7	-	56	79	-	2	3	51	53.1	23	-
SEXUAL ABUSE OF ADULTS	70	61	4	2	7	10	34	120.2	2	-	2	9	-	-	1	5	44.8	3	-
SEXUAL ABUSE OF MINORS	386	368	6	4	46	43	262	228.5	4	-	3	18	-	1	1	12	44.2	4	-
SEXUALLY EXPLICIT MATERIAL	1,775	1,733	19	28	168	451	1,036	95.4	-	-	31	42	-	-	-	28	62.6	14	-
TRANSPORTATION FOR ILLEGAL SEXUAL ACTIVITY	196	195	-	4	10	25	153	134.2	1	-	2	1	-	-	-	1	36.0	-	-
SEX OFFENDER REGISTRY	267	258	7	29	157	32	15	27.9	-	-	18	9	-	1	1	5	42.9	2	-
OTHER SEX OFFENSES	4	4	2	2	-	-	-	5.8	-	-	-	-	-	-	-	-	-	-	-
JUSTICE SYSTEM OFFENSES	1,162	849	134	176	302	80	52	28.6	4	-	101	303	8	42	66	173	34.8	14	10
AIDING, ABETTING, ACCESSORY, ETC.	483	251	30	48	100	19	5	19.8	-	-	49	230	3	34	51	136	33.9	6	2
OBSTRUCTION OF JUSTICE	192	149	15	14	41	26	39	70.0	4	-	10	43	-	6	10	23	43.1	4	-
ESCAPE FROM CUSTODY	274	267	51	75	104	15	-	14.6	-	-	22	7	-	1	1	4	38.0	1	-
FAILURE TO APPEAR	141	131	26	34	40	10	5	25.3	-	-	16	3	-	1	-	1	24.0	1	7
PERJURY	44	34	9	5	12	6	1	20.9	-	-	1	10	-	-	3	5	36.0	2	-
CONTEMPT	28	17	3	-	5	4	2	48.5	-	-	3	10	5	-	1	4	20.5	-	1

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		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	
IMMIGRATION OFFENSES	27,756	26,471	5,813	3,980	8,117	3,827	780	20.8	-	-	3,954	1,273	26	79	79	903	45.9	186	12	
ALIEN SMUGGLING	3,145	2,807	404	531	1,284	230	53	19.4	-	-	305	338	7	11	42	258	41.3	20	-	
IMPROPER ENTRY																				
BY ALIEN	1,564	1,331	503	115	357	27	2	13.2	-	-	327	233	13	55	21	138	38.3	6	-	
IMPROPER REENTRY																				
BY ALIEN	21,585	21,058	4,331	3,240	6,402	3,545	716	22.0	-	-	2,824	527	5	5	6	364	52.2	147	-	
FRAUD AND MISUSE OF VISA/PERMIT	1,414	1,246	570	92	66	19	7	7.1	-	-	492	168	-	6	10	140	52.0	12	-	
OTHER IMMIGRATION OFFENSES	48	29	5	2	8	6	2	28.4	-	-	6	7	1	2	-	3	22.5	1	12	
GENERAL OFFENSES	1,808	1,210	82	99	287	293	314	62.4	8	-	127	400	18	66	72	230	36.5	14	198	
BRIBERY	147	100	9	16	36	14	9	29.9	-	-	16	45	1	5	14	25	33.3	-	2	
MONEY LAUNDERING	670	562	26	40	131	153	168	60.0	-	-	44	103	1	7	9	80	44.4	6	5	
RICO ⁶	237	207	3	6	33	36	97	125.9	8	-	24	29	-	1	6	21	41.4	1	1	
RACKETEERING—																				
GENERAL	93	77	4	3	16	41	9	49.7	-	-	4	16	-	1	5	10	37.5	-	-	
EXTORTION AND THREATS	111	86	5	8	15	26	19	50.8	-	-	13	25	-	2	1	19	43.6	3	-	
GAMBLING AND LOTTERY	40	12	3	5	3	1	-	13.8	-	-	-	28	1	3	13	11	31.5	-	-	
FAILURE TO PAY CHILD SUPPORT	59	15	1	3	9	-	-	19.0	-	-	2	44	-	1	1	42	56.2	-	-	
OTHER GENERAL OFFENSES	451	151	31	18	44	22	12	29.3	-	-	24	110	15	46	23	22	21.0	4	190	
REGULATORY OFFENSES	1,720	638	116	118	174	73	48	28.5	2	-	107	819	33	240	194	330	27.9	22	263	
CIVIL RIGHTS	84	65	5	9	20	9	20	65.3	1	-	1	19	1	2	3	13	33.6	-	-	
COPYRIGHT	77	20	8	3	5	4	-	18.3	-	-	-	56	-	23	15	16	25.1	2	1	
FOOD AND DRUG	85	17	3	5	3	2	-	16.2	-	-	4	59	3	20	9	24	25.5	3	9	
HAZARDOUS WASTE TREATMENT, DISPOSAL, AND STORAGE	40	14	-	3	9	1	-	21.2	-	-	1	24	-	1	10	12	34.5	1	2	

Table D-5. (September 30, 2010—Continued)

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		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	7	1	-	1	-	-	-	10.0	-	-	-	6	1	-	2	3	26.0	-	-
NATIONAL DEFENSE	29	11	-	-	2	4	1	41.6	1	-	3	13	-	6	2	5	25.8	-	5
ANTITRUST	22	8	-	6	2	-	-	11.0	-	-	-	9	-	-	3	3	42.0	3	5
LABOR	84	21	10	5	5	-	-	10.2	-	-	1	62	-	9	14	39	36.6	-	1
GAME AND CONSERVATION	156	30	10	9	4	-	-	8.8	-	-	7	82	-	29	25	24	27.8	4	44
NATIONAL PARKS	89	5	3	1	-	1	-	12.4	-	-	-	52	4	26	12	9	19.9	1	32
CUSTOMS	120	82	12	22	20	13	5	25.6	-	-	10	38	1	6	6	24	33.9	1	-
POSTAL SERVICE	144	15	5	1	5	1	-	15.8	-	-	3	123	5	45	40	32	23.3	1	6
REPORTING OF MONETARY TRANSACTIONS	300	208	35	34	68	16	4	20.0	-	-	51	91	1	18	18	52	33.1	2	1
MIGRATORY BIRD	107	1	-	-	-	-	-	-	-	-	1	42	6	18	12	4	17.5	2	64
MARITIME AND SHIPPING	93	39	9	5	7	2	9	42.5	-	-	7	48	1	6	11	30	35.2	-	6
AIRCRAFT REGULATIONS	49	24	8	2	9	3	-	18.9	-	-	2	23	-	8	4	11	27.4	-	2
OTHER REGULATORY OFFENSES	234	77	8	12	15	17	9	38.2	-	-	16	72	10	23	8	29	24.9	2	85
TRAFFIC OFFENSE	2,788	273	93	18	8	3	-	5.7	-	-	151	972	79	703	106	68	14.6	16	1,543
DRUNK DRIVING	941	129	50	15	3	1	-	5.8	-	-	60	622	38	456	70	53	15.0	5	190
OTHER TRAFFIC OFFENSES	1,847	144	43	3	5	2	-	5.7	-	-	91	350	41	247	36	15	13.8	11	1,353

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.