

**Sourcebook of criminal justice statistics Online**

<http://www.albany.edu/sourcebook/pdf/t5342010.pdf>

Table 5.34.2010

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

By primary offense, fiscal year 2010

Primary offense	Total cases	Mode of conviction			
		Plea of guilty		Trial	
		Number	Percent	Number	Percent
Total	83,941	81,217	96.8%	2,724	3.2%
Murder	66	45	68.2	21	31.8
Manslaughter	64	60	93.8	4	6.3
Kidnaping, hostage-taking	39	36	92.3	3	7.7
Sexual abuse	384	336	87.5	48	12.5
Assault	631	568	90.0	63	10.0
Robbery	1,081	1,040	96.2	41	3.8
Arson	75	65	86.7	10	13.3
<b>Drug offenses</b>					
Trafficking	23,506	22,649	96.4	857	3.6
Communication facility <sup>a</sup>	512	511	99.8	1	0.2
Simple possession	1,024	1,004	98.0	20	2.0
Firearms	7,986	7,485	93.7	501	6.3
Burglary, breaking and entering	36	36	100.0	0	X
Motor vehicle theft	91	89	97.8	2	2.2
Larceny	1,621	1,579	97.4	42	2.6
Fraud	8,067	7,675	95.1	392	4.9
Embezzlement	435	417	95.9	18	4.1
Forgery, counterfeiting	880	873	99.2	7	0.8
Bribery	224	204	91.1	20	8.9
Tax	665	602	90.5	63	9.5
Money laundering	806	750	93.1	56	6.9
Racketeering, extortion	675	623	92.3	52	7.7
Gambling, lottery	76	73	96.1	3	3.9
Civil rights	61	51	83.6	10	16.4
Immigration	28,504	28,321	99.4	183	0.6
Child pornography	1,886	1,801	95.5	85	4.5
Prison offenses	424	419	98.8	5	1.2
Administration of justice offenses	1,157	1,090	94.2	67	5.8
Environmental, wildlife	188	176	93.6	12	6.4
National defense	70	64	91.4	6	8.6
Antitrust	16	15	93.8	1	6.3
Food and drug	84	80	95.2	4	4.8
Other	2,607	2,480	95.1	127	4.9

Note: These data are from the U.S. Sentencing Commission's fiscal year 2010 Offender Dataset, which includes information on 83,946 cases sentenced under the Sentencing Reform Act (guideline cases) during fiscal year 2010 (Oct. 1, 2009 through Sept. 30, 2010) for which data were received by the Commission as of Feb. 14, 2011. 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 83,946 guideline cases, 5 cases were excluded due to missing information on mode of conviction.

<sup>a</sup>Refers to the use of a device, such as a telephone, in a drug trafficking offense.

Source: U.S. Sentencing Commission, *2010 Sourcebook of Federal Sentencing Statistics*, Table 11 [Online]. Available: [http://www.ussc.gov/Data\\_and\\_Statistics/Annual\\_Reports\\_and\\_Sourcebooks/2010/Table11.pdf](http://www.ussc.gov/Data_and_Statistics/Annual_Reports_and_Sourcebooks/2010/Table11.pdf) [May 26, 2011].