

**Table 58**

**OFFENSE AND OFFENDER CHARACTERISTICS OF APPEALS DEFENDANTS<sup>1</sup>  
Fiscal Year 1998**

OFFENSE AND DEFENDANT CHARACTERISTICS	APPELLATE COURT CASES <sup>2</sup>		DISTRICT COURT CASES <sup>3</sup>	
	Number	Percent	Number	Percent
<b>Race of Defendant</b>	<b>3,024</b>	<b>100.0</b>	<b>50,018</b>	<b>100.0</b>
White	1,095	36.2	16,059	32.1
Black	1,165	38.5	13,251	26.5
Hispanic	656	21.7	18,465	36.9
Other	108	3.6	2,243	4.5
<b>Gender of Defendant</b>	<b>3,032</b>	<b>100.0</b>	<b>50,700</b>	<b>100.0</b>
Male	2,772	91.4	43,054	84.9
Female	260	8.6	7,646	15.1
<b>Education of Defendant</b>	<b>2,989</b>	<b>100.0</b>	<b>46,554</b>	<b>100.0</b>
Less than High School	1,138	38.1	20,230	43.5
High School Graduate	968	32.4	14,498	31.1
Some College	623	20.8	8,477	18.2
College Graduate	260	8.7	3,349	7.2
<b>Citizenship of Defendant</b>	<b>3,007</b>	<b>100.0</b>	<b>48,918</b>	<b>100.0</b>
U.S. Citizen	2,418	80.4	33,323	68.1
Non U.S. Citizen	589	19.6	15,595	31.9
<b>Criminal History Category</b>	<b>3,022</b>	<b>100.0</b>	<b>49,628</b>	<b>100.0</b>
Category I	1,363	45.1	27,154	54.7
Category II	305	10.1	5,361	10.8
Category III	435	14.4	6,609	13.3
Category IV	270	8.9	3,749	7.6
Category V	165	5.5	2,196	4.4
Category VI	484	16.0	4,559	9.2
<b>Mandatory Minimum</b>	<b>2,585</b>	<b>100.0</b>	<b>50,754</b>	<b>100.0</b>
No Mandatory Minimum	1,130	43.7	36,725	72.4
Gun Mandatory Minimum	156	6.0	781	1.5
Drug Mandatory Minimum	1,019	39.4	11,568	22.8
Gun and Drug Mandatory Minimum	280	10.8	1,680	3.3

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<sup>1</sup>Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup>Based on 3,654 appeals defendants with sentencing as at least one of the reasons for appeal. These cases were merged with the U.S. Sentencing Commission's Monitoring Datafiles from 1989-1998 (USSCFY89-USSCFY98).

<sup>3</sup>All guidelines cases sentenced in FY1998. Totals may vary slightly due to the different numbers of missing cases by specific variables.

SOURCE: U.S. Sentencing Commission, 1998 Appeals Datafile, APPFY98.