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# Offenders Sentenced Under Federal Sentencing Guidelines in Texas, 1989-1993

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October 3, 1994

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Austin, Texas 78711  
(512) 463-1810

Tony Fabelo, Ph.D.  
Executive Director

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## Note from the Director

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This report analyzes the number and type of cases sentenced under the federal guideline system in the U.S. and Texas between 1989 and 1993. Data were provided by the U.S. Sentencing Commission. The federal government has jurisdiction over offenses specified in the United States Code (USC), offenses committed on federal lands or on American Indian reservations. Offenders that commit federal offenses after November 1, 1987 are sentenced under a mandatory sentencing guideline system that became effective on that date. In 1993 approximately 90% of all cases in the federal judicial system nationwide and almost all cases in Texas were sentenced under the guideline system.

In 1993 there were 118,919 state convictions and 53,607 state cases sentenced to prison compared to 4,149 and 3,525 respectively for the federal judicial system in Texas. Federal cases represented 3.4% of all state and federal cases convicted in the state and 6.2% of all state and federal cases sentenced to prison in Texas. The average federal prison sentence was 65 months compared to 117 months for state offenders. A federal offender with an average prison sentence will serve eleven months longer in prison than a state offender with an average prison sentence.

The number of offenders sentenced to prison in Texas by the federal government has not been a significant factor in the reduction of the state's Index Crime rate (Index Crimes are reported crimes used in calculating the state's crime rate). The Index Crime rate in Texas has decreased every year since 1989, with an overall reduction of 19% from 1989 to 1993. The number of offenders sentenced to prison by the federal government in Texas represents too small of a proportion of the total number of offenders sentenced to prison in the state for federal sentences to have a significant impact on the crime rate. Moreover, more than half of the federal cases in Texas were convictions for drug and immigration offenses. These offenses are not counted as Index Crimes.

The Index Crimes are Murder, Rape, Robbery, Aggravated Assault, Burglary, Larceny-Theft and Motor Vehicle Theft. The Index Crimes are the offenses used by the Texas Department of Public Safety in calculating the state's crime rate. Therefore, due to the low number of federal convictions in relation to state convictions and due to the fact that most federal convictions in the state were not for Index Crimes, it is reasonable to say that activities by the federal judicial system in Texas cannot be a significant factor contributing to the reduction of the state's crime rate. The federal judicial system and other federally funded initiatives, however, are important elements assisting the state in the areas of prevention and drug law enforcement.

Tony Fabelo, Ph.D.  
Executive Director

# Overview of the Federal Sentencing System

## Jurisdiction

- ◆ The federal government has jurisdiction over offenses specified in the United States Code (USC), offenses committed on federal lands or on American Indian reservations.
- ◆ Examples of federal offenses punishable under the USC are immigration offenses, bank robbery, postal crimes, embezzlement of federal funds, tax evasion and organized crime, among others.

## Size

### Personnel in the Federal Judicial System in the U.S. and Texas, 1993

	U.S.	Texas	Texas' % of U.S.
District Court Judges	812	47	5.8%
Assistant U.S. Attorneys	3,220	253	7.9%
Assistant Federal Defenders	651	80	12.3%
Probation Officers	3,269	314	9.6%
<b>Total</b>	<b>7,952</b>	<b>694</b>	<b>8.7%</b>

## Sentencing Guidelines

- ◆ The USSC was created under the sentencing reform provisions of the Comprehensive Crime Control Act of 1984 (Sentencing Reform Act) (Pub. L. No. 98-473), and was organized in October 1985 as an independent agency in the judicial branch of the federal government.
- ◆ The United States Sentencing Commission (USSC) is primarily responsible for the development and dissemination of policies and practices in the form of sentencing guidelines used by the federal courts in the sentencing of offenders convicted of federal crimes.
- ◆ The USSC submitted to the U.S. Congress its original sentencing guidelines in April, 1987.
- ◆ The guidelines became effective in November 1987.
- ◆ The guidelines are only applicable to offenses committed on or after November 1, 1987.
- ◆ Sentences are imposed based on where the offender falls on a "grid" of penalties that consider factors related to the severity of the offense and prior criminal history.
- ◆ The system abolished parole and required offenders sentenced to prison to serve a minimum of 90% of their sentence before release.
- ◆ The constitutionality of the federal sentencing guideline system was upheld by the U.S. Supreme Court in *Mistretta v. United States* (January, 1989).

## Definitions of Terms

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**Cases:** each case received by the United States Sentencing Commission (USSC) involves a single sentencing event for a single defendant. Multiple counts and multiple indictments are considered a single sentencing event if sentenced at the same time by the same judge. A single defendant may appear more than once if involved in more than one sentencing event. Multiple defendants in a single sentencing event are each counted as a separate case. Note that the number of cases for gender, race and number of cases sentenced to prison or probation differ from the total number of cases received by the USSC due to the exclusion of cases with missing data on gender, race, age, or sentencing.

**Probation:** this category includes cases that are listed by the USSC as "other cases" - cases that received a suspended prison term, economic sanctions only, or supervised release only.

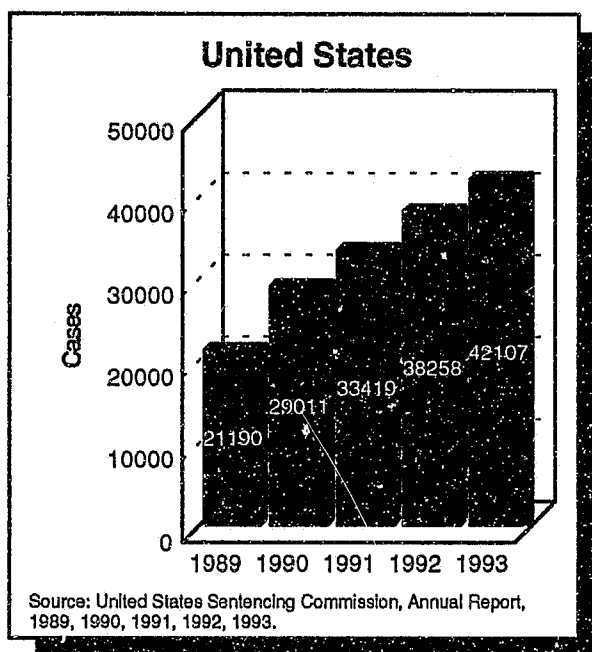
**Other (under race category):** this racial category includes Native American, Alaskan Native and Asian or Pacific Islander origin.

**Property crimes:** larceny, embezzlement, fraud and counterfeiting.

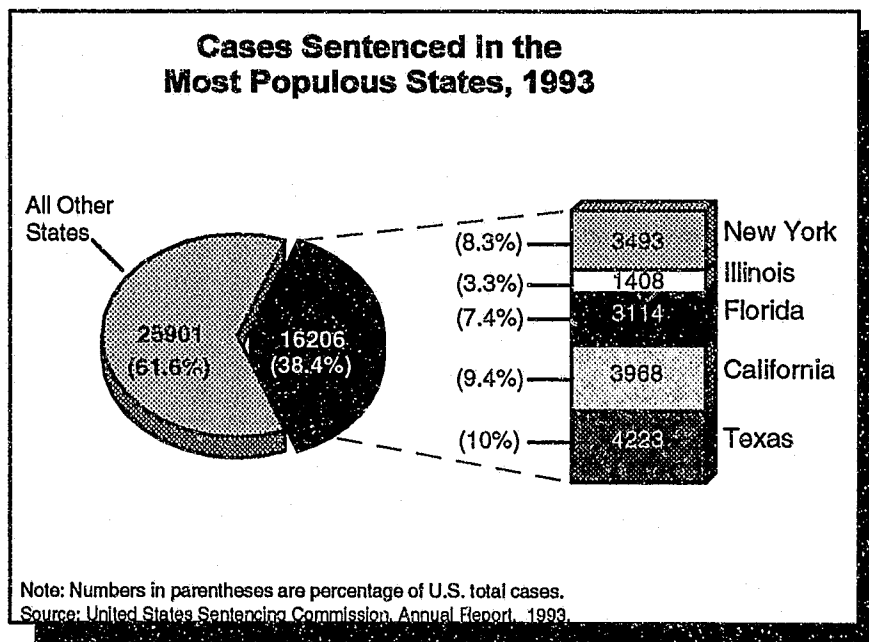
**Drug crimes:** drug trafficking, use of a communication facility and simple possession.

**Other crimes:** firearms violations, auto theft, bribery, tax offenses, money laundering, burglary / breaking and entry, murder, manslaughter, kidnapping / hostage, assault, arson, sexual abuse, extortion / racketeering, gambling / lottery, civil rights, pornography, prostitution, offenses in prisons, administration of justice (e.g., commission of an offense while on release), environmental / fish and wildlife, national defense, antitrust, food and drug (e.g., tampering with products), and other miscellaneous offenses.

## Cases Sentenced under Federal Sentencing Guidelines, 1989-1993

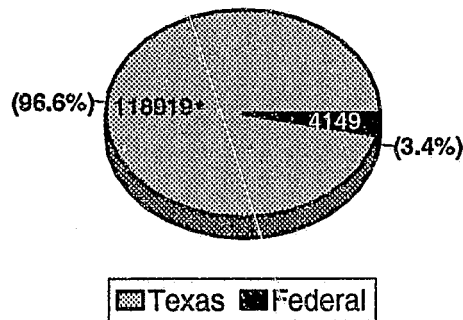


- ◆ The number of cases sentenced in the U.S. under the federal sentencing guidelines increased 99% over the five year period.
- ◆ In 1993 well over 90% of all cases sentenced in the U.S. were sentenced under the guideline system.
- ◆ Texas, California, Florida, Illinois and New York accounted for 38.4% of all cases sentenced under federal guidelines in the U.S. in 1993, with Texas comprising 10% of all cases in the U.S.



## Federal Cases Represent a Small Percentage of All Felony Convictions in Texas

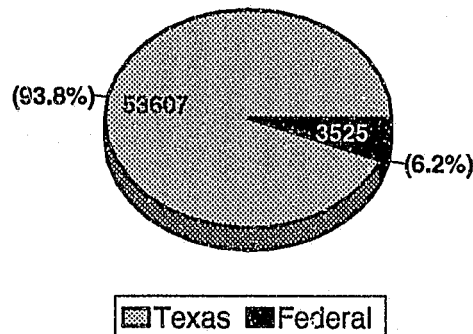
**Texas and Federal Felony Convictions, 1993**



\*Note: Includes deferred adjudication.

Sources: United States Sentencing Commission, Annual Report, 1993.  
Texas Judicial Council, Office of Court Administration, Texas  
Judicial System Annual Report, Fiscal Year 1993.

**Texas and Federal Felony Cases Sentenced to Prison, 1993**



Sources: United States Sentencing Commission, Annual Report, 1993.  
CJPC estimate of cases sentenced to prison, 1993.

## The Federal Judiciary in Texas Implemented the Sentencing Guideline System Faster than Other States

**U.S. and Selected States, Cases Sentenced under Federal Sentencing Guidelines, 1989-1993**

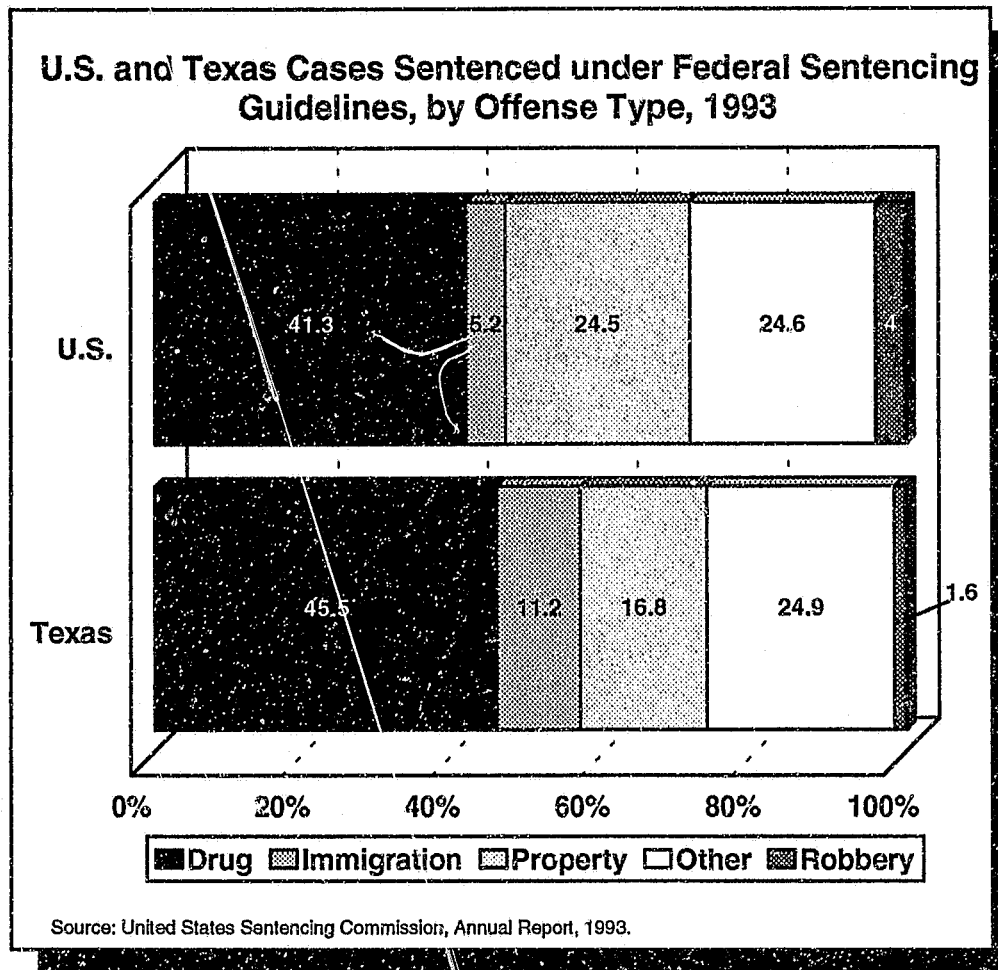
	U.S. Total	Texas	California	Florida	Illinois	New York
1989	21190	3669	2242	1604	459	1429
1990	29011	4601	2818	2299	759	1929
1991	33419	4580	3429	2477	897	2165
1992	38258	4360	3370	2704	1299	2870
1993	42107	4223	3968	3114	1408	3493

Source: United States Sentencing Commission, Annual Report, 1989, 1990, 1991, 1992, 1993.

- ◆ The federal judiciary in Texas implemented the guideline system more quickly than other states, where there were more operational challenges raised in the early years of implementation.
- ◆ The number of cases in California, Florida, Illinois and New York slowly increased through 1993.
- ◆ In Texas the number of cases increased significantly in 1990 and then stabilized and decreased slightly through 1993.
  - ✓ The decrease in cases sentenced under the guidelines was mostly due to policy changes related to the sentencing of drug offenders.
  - ✓ The federal District Attorney raised the threshold concerning the amount of drugs that have to be involved in a drug offense for the case to be prosecuted as a federal case, thus displacing a significant number of drug cases to the state courts.



## Drug and Immigration Offenses in Texas are a Larger Proportion of Cases Sentenced than the National Average



## Most Cases Sentenced under Federal Sentencing Guidelines in Texas were Sentenced to Prison

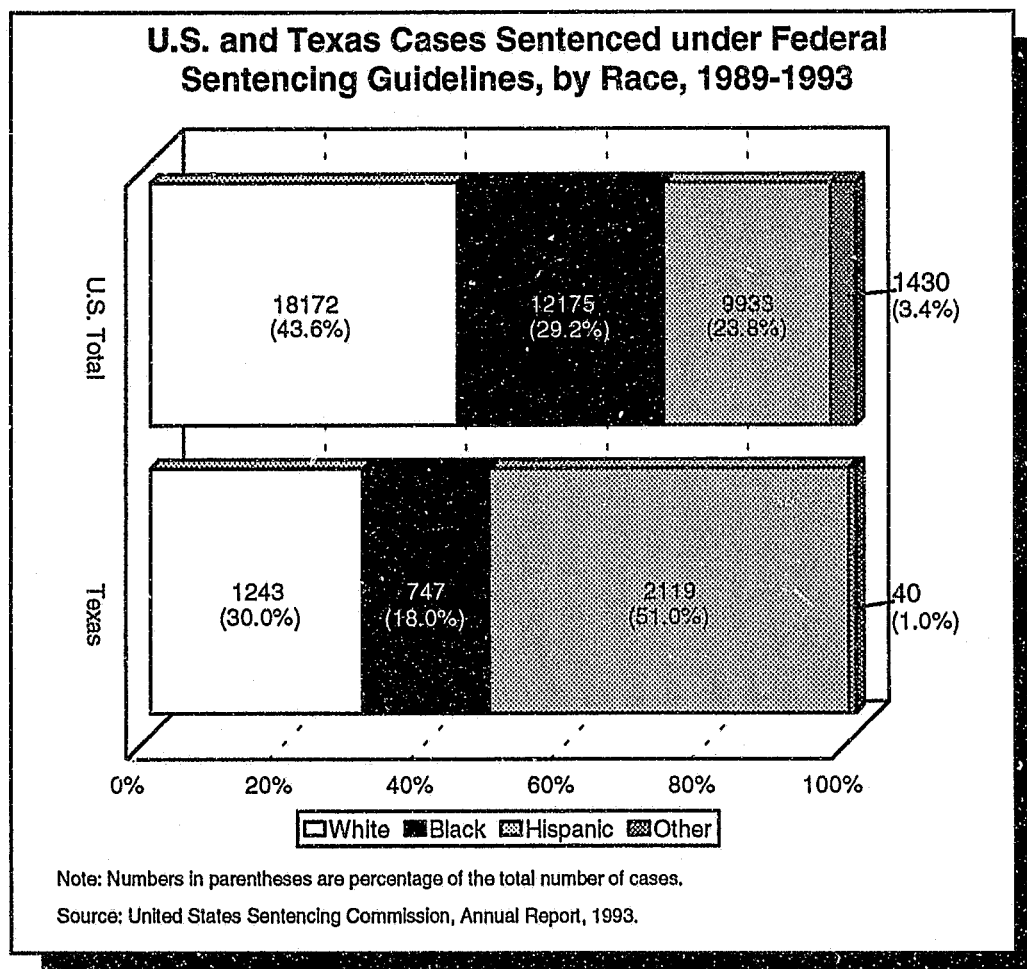
**Total Number of Cases and Cases Sentenced to Prison under Federal Sentencing Guidelines in Texas, 1993**

	Total Cases	Sentenced to Prison
Total	4195	3525
	100%	100%
Violent	64	64
	1.5%	1.8%
Property	707	430
	16.9%	12.2%
Drug	1910	1867
	45.5%	53.0%
Immigration	470	386
	11.2%	11.0%
Other	1044	778
	24.9%	22.0%

Source: United States Sentencing Commission, Annual Report, 1993.

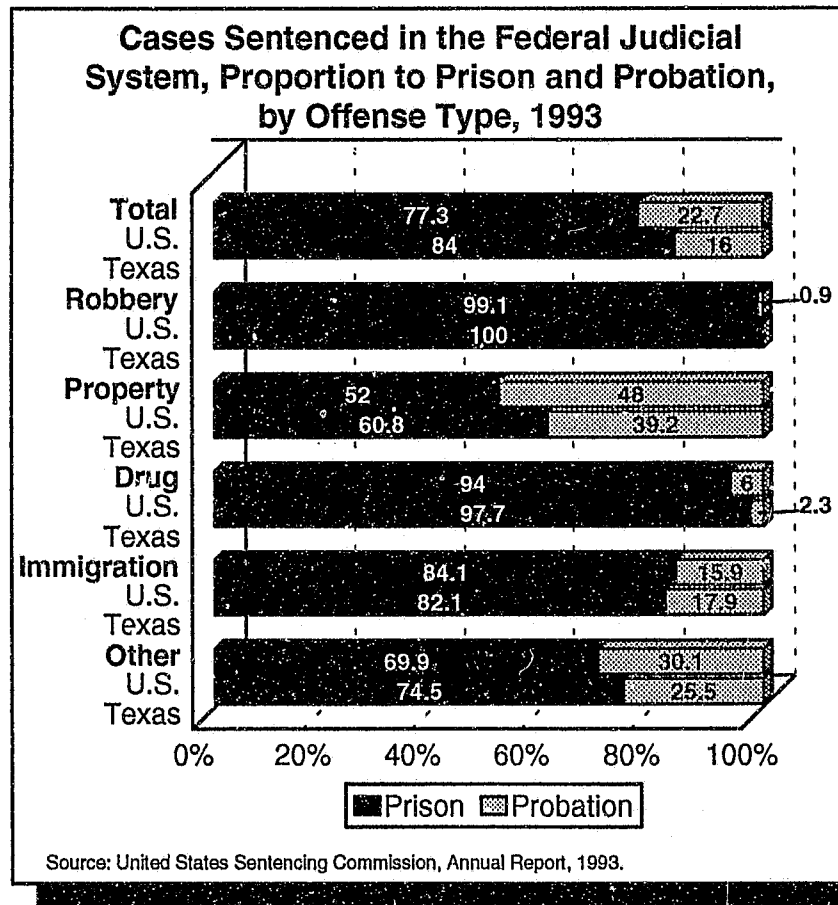
- ◆ More than half of all federal cases sentenced to prison in Texas are for drug and immigration offenses

## Most Offenders Sentenced in Texas under Federal Sentencing Guidelines are Hispanic



- ◆ In the U.S., Whites represented the largest group of offenders sentenced from 1989 to 1993 (45%), followed by Blacks (28%) and then Hispanics (24%).
  - ✓ In Texas, Hispanics comprised the largest group sentenced (56%) during the five years, followed by Whites (29%) and Blacks (14%).
  - ✓ The higher percentages of Hispanics sentenced in Texas can be explained by the higher proportion of Hispanic offenders involved in drug and immigration cases.

## The Federal Judiciary in Texas Sentenced Offenders to Prison at a Higher Rate than the National Average



- ◆ In 1993, Texas sentenced a higher proportion of cases to prison for all offense types, except for immigration cases.

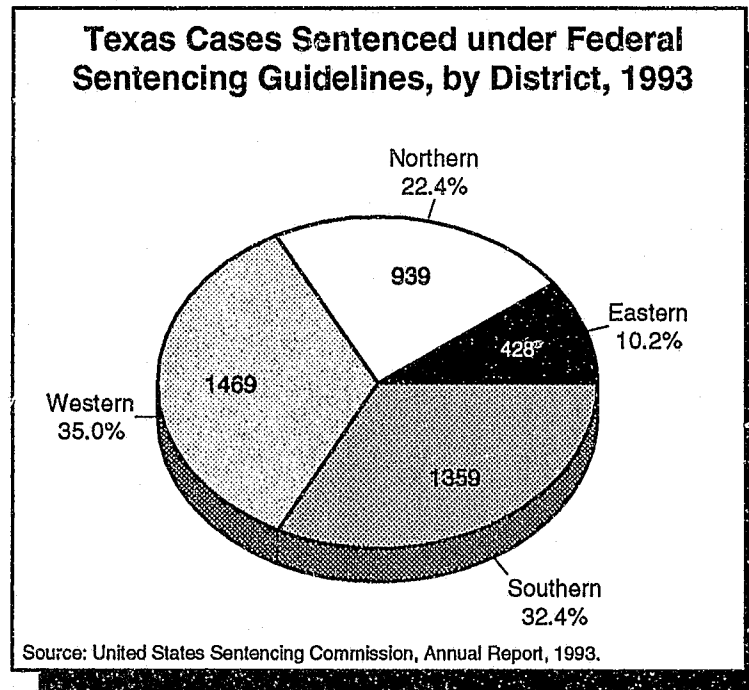
## The Average Federal Prison Sentence in Texas was Lower than the National Average

Average Prison Sentence Length (Months), U.S. and Texas Cases Sentenced in the Federal Judicial System, 1993		
	US Total	Texas
<b>Total</b>		
Average Sentence	66	65
Number of Cases	41590	4195
<b>Robbery</b>		
Average Sentence	114	180
Number of Cases	1647	64
<b>Property</b>		
Average Sentence	17	19
Number of Cases	10358	707
<b>Drug</b>		
Average Sentence	89	86
Number of Cases	17159	1910
<b>Immigration</b>		
Average Sentence	18	17
Number of Cases	2170	470
<b>Other</b>		
Average Sentence	53	57
Number of Cases	10256	1044

Source: United States Sentencing Commission, Annual Report, 1988, 1990, 1991, 1992, 1993.

- ◆ Sentence length is affected by various factors, such as the guideline sentence for the particular offense and the offender's prior criminal history.
- ◆ The average sentence in 1993 for offenders admitted to the Texas Department of Criminal Justice - Institutional Division was 117 months.

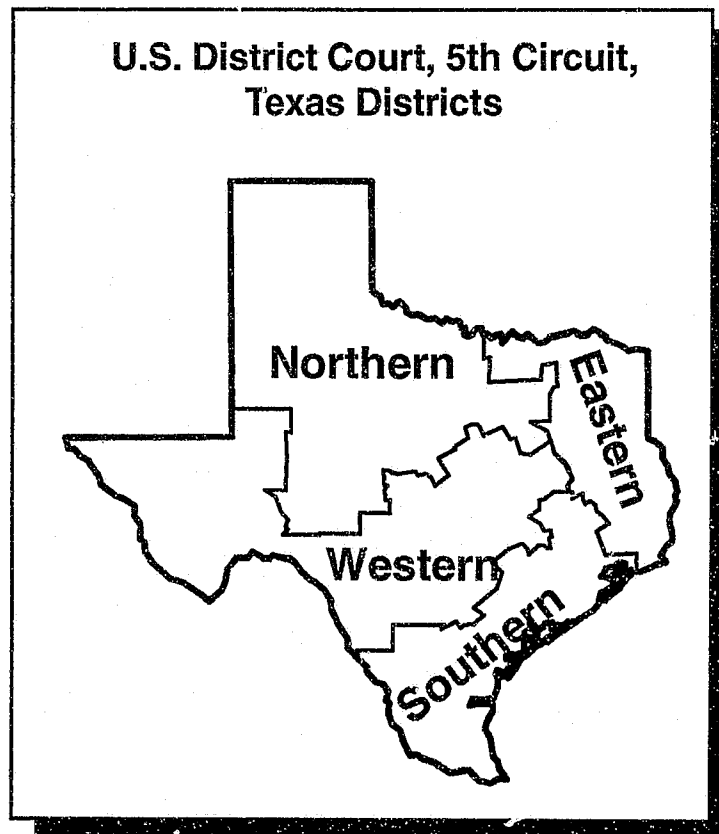
## Western and Southern Federal Judicial Districts Accounted for the Highest Volume of Cases



◆ The Western and Southern federal judicial districts contain Texas' border region.

✓ 79% of the state's federal drug cases were in the Western and Southern districts in 1993.

✓ Almost 88% of the state's immigration cases in 1993 were in these districts.



## Eastern and Northern Judicial Districts in Texas Imposed Longer Prison Sentences in 1993

**Average Sentence in Months, Texas Cases Sentenced  
under Federal Sentencing Guidelines, by District, 1993**

	Northern	Southern	Eastern	Western
<b>Total</b>				
Avg. Sentence	77	61	78	60
# of Cases	777	1169	320	1259
<b>Robbery</b>				
Avg. Sentence	198	67	121	151
# of Cases	49	4	5	6
<b>Property</b>				
Avg. Sentence	21	21	19	16
# of Cases	198	73	53	106
<b>Drug</b>				
Avg. Sentence	117	79	110	78
# of Cases	250	727	140	750
<b>Immigration</b>				
Avg. Sentence	21	10	23	21
# of Cases	40	151	8	187
<b>Other</b>				
Avg. Sentence	65	48	68	49
# of Cases	240	214	114	210

Source: United States Sentencing Commission, Annual Report, 1993.

- ◆ East Texas imposed the longest average sentence to prison, with 78 months, followed closely by North Texas with 77 months.
- ✓ The average sentence length for Texas as a whole in 1993 was 65 months.
- ◆ Sentence length is affected by various factors, such as the guideline sentence for the particular offense and the offender's prior criminal history.

# Appendix



## U.S. and Texas Cases Sentenced under Federal Sentencing Guidelines, by Gender, 1989-1993

	1989	1990	1991	1992	1993
<b>US Total</b>	19244	25330	27164	37421	41710
Male	16323 (84.8)	21263 (83.9)	22534 (83.0)	31347 (83.8)	35342 (84.7)
Female	2921 (15.2)	4067 (16.1)	4630 (17.0)	6074 (16.2)	6368 (15.3)
<b>Texas</b>	3427	3983	3522	4238	4149
Male	3033 (88.5)	3464 (87.0)	3113 (88.4)	3713 (87.6)	3637 (87.7)
Female	394 (11.5)	519 (13.0)	409 (11.6)	525 (12.4)	512 (12.3)

Note: Numbers in parentheses are percentage of the total number of cases.  
Source: United States Sentencing Commission, Annual Report, 1989, 1990, 1991, 1992, 1993.

## U.S. and Texas Cases Sentenced under Federal Sentencing Guidelines, by Offense Type, 1989-1993

US Total		1989	1990	1991	1992	1993
Total		19108	25940	32723	37725	41590
	Percent	100	100	100	100	100
Robbery		824	1059	1357	1624	1647
	Percent	4.3	4.1	4.2	4.3	4
Property		4215	6350	7757	9233	10358
	Percent	22.1	24.5	23.7	24.5	24.9
Drug		9530	12209	14592	16417	17159
	Percent	49.9	47.1	44.6	43.5	41.3
Immigration		1244	1613	2267	1914	2170
	Percent	6.5	6.2	6.9	5.1	5.2
Other		3295	4709	6750	8537	10256
	Percent	17.2	18.1	20.6	22.6	24.6
Texas						
Total		3383	4090	4524	4328	4195
	Percent	100	100	100	100	100
Robbery		28	36	50	88	64
	Percent	0.8	0.9	1.1	2	1.6
Property		469	640	504	641	707
	Percent	13.9	15.6	11.1	14.8	16.8
Drug		1889	2036	2243	2066	1910
	Percent	55.8	49.8	49.6	47.8	45.5
Immigration		542	740	823	511	470
	Percent	16	18.1	18.2	11.8	11.2
Other		455	638	904	1020	1044
	Percent	13.5	15.6	20	23.6	24.9

Source: United States Sentencing Commission, Annual Report, 1989, 1990, 1991, 1992, 1993.

## U.S. and Texas, Cases Sentenced to Prison and Probation\* under Federal Sentencing Guidelines, 1989-1993

	1989		1990		1991		1992		1993	
	Prison	Probat.	Prison	Probat.	Prison	Probat.	Prison	Probat.	Prison	Probat.
<b>US Total</b>										
Total	15375	3733	19961	5979	25020	7703	28754	8971	32140	9450
Percent	80.5	19.5	77	23	76.5	23.5	76.2	23.8	77.3	22.7
Robbery	818	6	1045	14	1352	5	1608	16	1633	14
Percent	99.3	0.7	98.7	1.3	99.6	0.4	99	1	99.1	0.9
Property	2168	2047	2941	3409	3727	4030	4478	4755	5384	4974
Percent	51.4	48.6	46.3	53.7	48	52	48.5	51.5	52	48
Drug	8851	679	11158	1051	13289	1303	14973	1444	16125	1034
Percent	92.9	7.1	91.4	8.6	91.1	8.9	91.2	8.8	94	6
Immig.	999	245	1350	263	1768	499	1540	374	1824	346
Percent	80.3	19.7	83.7	16.3	78	22	80.5	19.5	84.1	15.9
Other	2539	756	3467	1242	4884	1866	6155	2382	7174	3082
Percent	77.1	22.9	73.6	26.4	72.4	27.6	72.1	27.9	69.9	30.1
<b>Texas</b>										
Total	2921	462	3420	670	3699	825	3664	664	3525	670
Percent	86.3	13.7	83.6	16.4	81.8	18.2	84.7	15.3	84	16
Robbery	28	0	36	0	50	0	88	0	64	0
Percent	100	0	100	0	100	0	100	0	100	0
Property	290	179	346	294	285	219	418	223	430	277
Percent	61.8	38.2	54.1	45.9	56.5	43.5	65.2	34.8	60.8	39.2
Drug	1779	110	1920	116	2061	182	1961	105	1867	43
Percent	94.2	5.8	94.3	5.7	91.9	8.1	94.9	5.1	97.7	2.3
Immig.	442	100	596	144	593	230	391	120	386	84
Percent	81.5	18.5	80.5	19.5	72.1	27.9	76.5	23.5	82.1	17.9
Other	382	73	522	116	710	194	806	214	778	266
Percent	84	16	81.8	18.2	78.5	21.5	79	21	74.5	25.5

\*Note: Includes cases listed as "other cases;" these are cases that received a suspended prison term, economic sanctions only, or supervised release only.

Source: United States Sentencing Commission, Annual Report, 1989, 1990, 1991, 1992, 1993.

## Texas Cases Sentenced to Prison and Probation under Federal Sentencing Guidelines, by District, 1989-1993

	1989		1990		1991		1992		1993	
	Prison	Probab.	Prison	Probab.	Prison	Probab.	Prison	Probab.	Prison	Probab.
<b>Northern</b>										
Total	321	53	380	74	479	90	682	148	777	162
Percent	85.8	14.2	83.7	16.3	84.2	15.8	82.2	17.8	82.7	17.3
Robbery	11	0	22	0	23	0	39	2	49	0
Percent	100	0	100	0	100	0	95.1	4.9	100	0
Property	77	16	77	42	106	39	174	72	198	74
Percent	82.8	17.2	64.7	35.3	73.1	26.9	70.7	29.3	72.8	27.2
Drug	92	16	100	4	147	13	222	7	250	6
Percent	85.2	14.8	96.2	3.8	91.9	8.1	96.9	3.1	97.7	2.3
Immigration	52	11	48	9	40	8	35	9	40	10
Percent	82.5	17.5	84.2	15.8	83.3	16.7	79.5	20.5	80	20
Other	89	10	133	19	163	30	212	58	240	72
Percent	89.9	10.1	87.5	12.5	84.5	15.5	78.5	21.5	76.9	23.1
<b>Southern</b>										
Total	1455	214	1702	366	1678	386	1385	252	1169	190
Percent	87.2	12.8	82.3	17.7	81.3	18.7	84.6	15.4	86	14
Robbery	4	0	3	0	15	0	10	0	4	0
Percent	100	0	100	0	100	0	100	0	100	0
Property	94	57	106	105	65	55	60	32	73	62
Percent	62.3	37.7	50.2	49.8	54.2	45.8	65.2	34.8	54.1	45.9
Drug	914	66	966	77	985	128	875	63	727	23
Percent	93.3	6.7	92.6	7.4	88.5	11.5	93.3	6.7	96.9	3.1
Immigration	270	47	426	121	367	134	228	106	151	50
Percent	85.2	14.8	77.9	22.1	73.3	26.7	68.3	31.7	78.1	21.9
Other	173	44	201	63	246	69	212	51	214	55
Percent	79.7	20.3	76.1	23.9	78.1	21.9	80.6	19.4	79.6	20.4
<b>Eastern</b>										
Total	129	19	183	23	212	55	237	57	320	108
Percent	87.2	12.8	88.8	11.2	79.4	20.6	80.6	19.4	74.8	25.2
Robbery	2	0	2	0	6	0	15	0	5	0
Percent	100	0	100	0	100	0	100	0	100	0
Property	18	14	26	13	18	24	36	25	53	61
Percent	56.3	43.8	66.7	33.3	42.9	57.1	59	41	46.5	53.5
Drug	89	2	112	3	118	13	81	10	140	5
Percent	97.8	2.2	97.4	2.6	90.1	9.9	89	11	96.6	3.4
Immigration	0	0	1	0	0	0	0	0	8	0
Percent	0	0	100	0	0	0	0	0	100	0
Other	20	3	42	7	70	18	105	22	114	42
Percent	87	13	85.7	14.3	79.5	20.5	82.7	17.3	73.1	26.9
<b>Western</b>										
Total	1016	176	1155	207	1330	294	1360	207	1259	210
Percent	85.2	14.8	84.8	15.2	81.9	18.1	86.8	13.2	85.7	14.3
Robbery	11	0	9	0	6	0	24	0	6	0
Percent	100	0	100	0	100	0	100	0	100	0
Property	101	92	137	134	96	101	148	94	106	80
Percent	52.3	47.7	50.6	49.4	48.7	51.3	61.2	38.8	57	43
Drug	684	26	742	32	811	28	783	25	750	9
Percent	96.3	3.7	95.9	4.1	96.7	3.3	96.9	3.1	98.8	1.2
Immigration	120	42	121	14	186	38	128	5	187	24
Percent	74.1	25.9	89.6	10.4	67.9	32.1	96.2	3.8	88.6	11.4
Other	100	16	146	27	231	77	277	83	210	97
Percent	66.2	13.8	84.4	15.6	75	25	76.9	23.1	68.4	31.6

Source: United States Sentencing Commission, Annual Report, 1989, 1990, 1991, 1992, 1993.

## Average Sentence in Months, Texas Cases Sentenced under Federal Sentencing Guidelines, by District, 1989-1993

	1989	1990	1991	1992	1993
<b>Northern</b>					
Total	53	61	57	65	77
Robbery	92	84	95	149	198
Property	15	17	17	19	21
Drug	99	115	101	102	117
Immigration	8	8	12	13	21
Other	60	62	50	56	65
<b>Southern</b>					
Total	36	37	40	55	61
Robbery	54	123	146	96	67
Property	17	11	16	20	21
Drug	47	54	53	71	79
Immigration	8	7	8	7	10
Other	28	32	37	45	48
<b>Eastern</b>					
Total	46	65	68	85	78
Robbery	90	125	92	107	121
Property	25	21	16	16	19
Drug	52	77	89	138	110
Immigration	0	4	0	0	23
Other	33	59	44	65	68
<b>Western</b>					
Total	39	47	51	57	60
Robbery	70	105	103	126	151
Property	10	14	17	14	16
Drug	48	60	65	74	78
Immigration	10	11	12	20	21
Other	35	35	45	44	49

Source: United States Sentencing Commission, Annual Report, 1989, 1990, 1991, 1992, 1993.

## Selected States, Cases Sentenced to Prison and Probation by Offense Type, 1989-1993

	1989		1990		1991		1992		1993	
	Prison	Probab.	Prison	Probab.	Prison	Probab.	Prison	Probab.	Prison	Probab.
<b>California</b>										
Total	1686	397	1970	489	2508	563	2684	664	3211	723
Percent	80.9	19.1	80.1	19.9	81.7	18.3	80.2	19.8	81.6	18.4
Robbery	214	2	246	1	331	2	342	2	298	2
Percent	99.1	0.9	99.6	0.4	99.4	0.6	99.4	0.6	99.3	0.7
Property	232	187	266	258	303	289	333	347	450	367
Percent	55.4	44.6	50.8	49.2	51.2	48.8	49	51	55.1	44.9
Drug	80	80	946	87	1142	114	1236	136	1252	48
Percent	90.9	9.1	91.6	8.4	90.9	9.1	90.1	9.9	96.3	3.7
Immigration	258	53	282	32	420	39	398	41	555	46
Percent	83	17	89.8	10.2	91.5	8.5	90.7	9.3	92.3	7.7
Other	181	75	230	111	310	119	375	138	656	260
Percent	70.7	29.3	67.4	32.6	72.3	27.7	73.1	26.9	71.6	28.4
<b>Florida</b>										
Total	1351	161	1832	322	2088	335	2300	390	2708	368
Percent	89.4	10.6	85.1	14.9	86.2	13.8	85.5	14.5	87.5	12.5
Robbery	58	0	75	0	101	0	136	1	125	1
Percent	100	0	100	0	100	0	99.3	0.7	99.2	0.8
Property	146	101	274	214	272	208	308	223	372	228
Percent	59.1	40.9	56.1	43.9	56.7	43.3	58	42	62	38
Drug	917	26	1162	29	1309	53	1421	58	1684	31
Percent	97.2	2.8	97.6	2.4	96.1	3.9	96.1	3.9	98.2	1.8
Immigration	23	10	37	7	66	16	65	8	52	15
Percent	69.7	30.3	84.1	15.9	80.5	19.5	89	11	77.6	22.4
Other	207	24	284	72	340	58	370	100	475	113
Percent	89.6	10.4	79.8	20.2	85.4	14.6	78.7	21.3	80.8	19.2
<b>Illinois</b>										
Total	318	82	489	200	677	200	964	325	1027	370
Percent	79.5	20.5	71	29	77.2	22.8	74.8	25.2	73.5	26.5
Robbery	9	0	20	1	39	1	29	0	45	0
Percent	100	0	95.2	4.8	97.5	2.5	100	0	100	0
Property	47	51	89	139	124	136	186	206	211	269
Percent	48	52	39	61	47.7	52.3	47.4	52.6	44	56
Drug	213	11	308	29	372	29	535	15	517	19
Percent	95.1	4.9	91.4	8.6	92.8	7.2	97.3	2.7	96.5	3.5
Immigration	2	4	5	1	14	3	11	7	18	6
Percent	33.3	66.7	83.3	16.7	82.4	17.6	61.1	38.9	75	25
Other	47	16	67	30	128	31	203	97	236	76
Percent	74.6	25.4	69.1	30.9	80.5	19.5	67.7	32.3	75.6	24.4
<b>New York</b>										
Total	1064	194	1363	312	1680	645	2014	792	2375	1022
Percent	84.6	15.4	81.4	18.6	72.3	27.7	71.8	28.2	69.9	30.1
Robbery	21	0	32	0	57	0	59	2	76	2
Percent	100	0	100	0	100	0	96.7	3.3	97.4	2.6
Property	179	131	206	192	253	357	276	433	377	504
Percent	57.7	42.3	51.8	48.2	41.5	58.5	38.9	61.1	42.8	57.2
Drug	740	25	929	46	1069	103	1305	110	1385	119
Percent	96.7	3.3	95.3	4.7	91.2	8.8	92.2	7.8	92.1	7.9
Immigration	15	9	32	11	80	34	55	30	76	35
Percent	62.5	37.5	74.4	25.6	70.2	29.8	64.7	35.3	68.5	31.5
Other	109	29	164	63	221	151	319	217	461	362
Percent	79	21	72.2	27.8	59.4	40.6	59.5	40.5	56	44

Source: United States Sentencing Commission, Annual Report, 1989, 1990, 1991, 1992, 1993.

## Average Sentence in Months, Selected States, Cases Sentenced under Federal Sentencing Guidelines, 1989-1993

	1989	1990	1991	1992	1993
<b>California</b>					
Total	60	63	64	59	52
Robbery	71	92	103	100	102
Property	15	15	17	16	19
Drug	91	89	86	74	76
Immigration	12	15	16	19	21
Other	43	37	41	47	32
<b>Florida</b>					
Total	92	90	93	104	97
Robbery	68	108	120	110	135
Property	17	16	15	16	18
Drug	118	117	121	134	123
Immigration	9	11	13	15	18
Other	46	58	51	71	69
<b>Illinois</b>					
Total	72	65	73	76	72
Robbery	83	84	113	103	80
Property	22	16	21	16	18
Drug	83	87	96	93	101
Immigration	11	12	15	18	18
Other	71	27	52	82	62
<b>New York</b>					
Total	49	55	53	57	56
Robbery	69	75	96	92	101
Property	19	16	16	17	17
Drug	61	68	68	69	64
Immigration	8	9	9	15	18
Other	41	37	30	40	60

Source: United States Sentencing Commission, Annual Report, 1989, 1990, 1991, 1992, 1993.