

Table 5.39

Mode of conviction in U.S. Sentencing Commission guideline cases

By primary offense, fiscal year 1995

Primary offense	Mode of conviction				
	Total cases	Plea of guilty		Trial	
		Number	Percent	Number	Percent
Total	38,325	35,208	91.9%	3,117	8.1%
Murder	84	57	67.9	27	32.1
Manslaughter	48	45	93.8	3	6.3
Kidnaping, hostage-taking	62	49	79.0	13	21.0
Sexual abuse	177	157	88.7	20	11.3
Assault	389	312	80.2	77	19.8
Robbery	1,600	1,437	89.8	163	10.2
Arson	96	84	87.5	12	12.5
Drug offenses					
Trafficking	14,164	12,652	89.3	1,512	10.7
Communication facility	332	326	98.2	6	1.8
Simple possession	770	751	97.5	19	2.5
Firearms	2,568	2,249	87.6	319	12.4
Burglary, breaking and entering	66	64	97.0	2	3.0
Auto theft	149	142	95.3	7	4.7
Larceny	2,490	2,385	95.8	105	4.2
Fraud	5,905	5,554	94.1	351	5.9
Embezzlement	815	799	88.0	16	2.0
Forgery, counterfeiting	790	756	95.7	34	4.3
Bribery	302	261	86.4	41	13.6
Tax	742	696	93.8	46	6.2
Money laundering	832	772	92.8	60	7.2
Racketeering, extortion	412	345	83.7	67	16.3
Gambling, lottery	217	212	97.7	5	2.3
Civil rights	102	93	91.2	9	8.8
Immigration	3,168	3,107	98.1	61	1.9
Pornography, prostitution	96	89	92.7	7	7.3
Prison offenses	373	347	93.0	26	7.0
Administration of justice offenses	722	677	93.8	45	6.2
Environmental, wildlife	127	121	95.3	6	4.7
National defense	35	28	80.0	7	20.0
Anti-trust	18	17	94.4	1	5.6
Food and drug	60	58	96.7	2	3.3
Other	614	566	92.2	48	7.8

Note: See Note, table 5.34. Of the 38,500 guideline cases, 175 cases were excluded due to one or both of the following conditions: missing primary offense category, 123; and missing information on mode of conviction, 57.

Source: U.S. Sentencing Commission, *Annual Report 1995* (Washington, DC: U.S. Sentencing Commission, 1996), p. 56.