

**U.S. Sentencing Commission
Preliminary Quarterly Data Report**



**1st Quarter Release
Preliminary Fiscal Year 2014 Data
Through December 31, 2013**

Introduction

As part of its ongoing mission, the United States Sentencing Commission provides Congress, the judiciary, the executive branch, and the general public with data extracted and analyzed from sentencing documents submitted by courts to the Commission.¹ Data is reported on an annual basis in the Commission's *Annual Report* and *Sourcebook of Federal Sentencing Statistics*.² After the Supreme Court's decision in *United States v. Booker* on January 12, 2005, which rendered the sentencing guidelines advisory instead of mandatory, many people expressed an interest in knowing what changes, if any, in federal sentencing practices would result. The Commission responded by reconfiguring its data collection, analysis, and reporting efforts to provide real-time data reporting from the submitted documents.

The Commission first reported data on February 10, 2005 to Congress³ and began reporting data approximately monthly shortly thereafter. The types of data reported increased over time to accommodate various requests for the additional information. In March 2006, the Commission released a comprehensive report, *Final Report on the Impact of United States v. Booker on Federal Sentencing*,⁴ based on cases sentenced one year since the *Booker* decision. Because the report included additional analyses that had not been included in the monthly reports, not all the data presented in the report was comparable with the monthly releases, which made comparing data over time difficult.

In an effort to standardize the Commission's post-*Booker* analyses and to facilitate the identification of emerging trends going forward, the Commission began generating a new set of tables and charts on a quarterly basis for public release on the Commission's website beginning with the third quarter of fiscal year 2006. These quarterly data reports are similar in format and methodology to tables and figures produced in the *Sourcebook* or in the Commission's *Booker* report. Some of the figures include data from fiscal years before the *Booker* decision to facilitate analysis of sentencing trends over time. Other figures and all of the tables contain cumulative data (*i.e.*, data from the start of the fiscal year through the most current quarter). Appendix B cross-references the quarterly table numbers and figure letters as well as the corresponding number or letter in the *Sourcebook* (if it exists in the *Sourcebook*) so that the quarterly data can

¹ In each felony or Class A misdemeanor case sentenced in federal court, sentencing courts are required to submit the following documents to the Commission: the Judgment and Commitment Order, the Statement of Reasons, the plea agreement (if applicable), the indictment or other charging document, and the presentence report. See 28 U.S.C. § 994(w).

² Electronic copies of the 1995-2013 *Annual Report* and *Sourcebook of Federal Sentencing Statistics* are available at the Commission's website, www.ussc.gov.

³ See www.ussc.gov/bf.htm for an electronic copy of the prepared testimony of Ricardo H. Hinojosa, chair of the United States Sentencing Commission, before the Subcommittee on Crime, Terrorism, and Homeland Security, Committee on the Judiciary, United States House of Representatives, February 10, 2005.

⁴ See www.ussc.gov/bf.htm for an electronic copy of the Commission's *Final Report on the Impact of United States v. Booker on Federal Sentencing*.

be compared easily with data from prior fiscal years.⁵ In Appendix A are descriptions of datafile and variable definitions.

Users of the quarterly releases are cautioned that the quarterly data are preliminary only and subject to change as the Commission collects, analyzes, and reports on additional cases throughout the fiscal year. When data for each new quarter is made available, the Commission will update the previous preliminary quarterly totals in the most recent release until the release of the final fiscal year data in the Commission's *Sourcebook*. For example, the data reported in the initial release for the second quarter of the fiscal year may change as the Commission receives and analyzes documents during the remaining quarters for additional cases sentenced during the second quarter.⁶ Any subsequent changes in the quarterly data for the second quarter would be reflected initially in the subsequent quarterly releases and finally in the Commission's *Annual Report and Sourcebook of Federal Sentencing Statistics*. As a result, **quarterly data should not be considered final until publication of the Commission's *Annual Report and Sourcebook*.**

⁵ The Commission has tried to maintain the same table numbers and figure letters over the past several years but, due to slight differences in reporting categories between pre- and post-*Booker* time periods, the numbers and letters may not correspond exactly over time. Please refer to the table of contents for each of the prior *Sourcebook* years to determine the corresponding table number or figure letter.

⁶ The reasons for data changes in previous quarters is due to one or more of the following reasons: the courts have up to 30 days to submit court documents to the Commission; the Commission both extracts information from the documents and screens cases through the quality control procedures and does not include any case in a data release unless it has been fully entered and reviewed; some documents are sent in later than other documents and the datafiles are then updated with the new information; the Commission receives amended court documents and updates the datafile based on the new information; the Commission matches its datafile to datafiles from the Administrative Office of the United States Courts and requests any case documents not received - a process that can only be completed after the documents have been received and the information entered into the Commission's database. For all of the above reasons, data may be excluded/included or reported differently from one quarter to another.

CONTENTS

Information on Sentences Relative to the Guideline Range

Table 1: National Comparison of Sentence Imposed and Position Relative to the Guideline Range	1
Table 2: Sentences Relative to the Guideline Range by Circuit and District	2
Table 3: Sentences Relative to the Guideline Range by Each Primary Offense Category	8
Figure A: Quarterly Data for Within Range and Out of Range Sentences	10
Figure B: Quarterly Data for Within Range/Government Sponsored and Other Out of Range Sentences	11
Table 4: Quarterly Data for Within Range and Out of Range Sentences	12
Table 5: Sentences Relative to the Guideline Range by Each Primary Sentencing Guideline ..	13
Table 6: Attribution Category for Cases Outside of the Guideline Range	17
Table 7: §5K1.1 Substantial Assistance Departure Cases: Degree of Decrease for Offenders in Each Primary Offense Category	19
Table 8: §5K3.1 Early Disposition Program Departure Cases: Degree of Decrease for Offenders in Each Primary Offense Category	20
Table 9: Other Government Sponsored Below Range Cases: Degree of Decrease for Offenders in Each Primary Offense Category	21
Table 10: Downward Departures from Guideline Range: Degree of Decrease for Offenders in Each Primary Offense Category	22
Table 11: Downward Departures with <i>Booker</i> /18 U.S.C. § 3553: Degree of Decrease for Offenders in Each Primary Offense Category	23
Table 12: Below Guideline Range with <i>Booker</i> /18 U.S.C. § 3553: Degree of Decrease for Offenders in Each Primary Offense Category	24
Table 13: All Remaining Below Guideline Range Cases: Degree of Decrease for Offenders in Each Primary Offense Category	25

Table 14: Upward Departures from Guideline Range: Degree of Increase for Offenders in Each Primary Offense Category 26

Table 15: Upward Departures with *Booker*/18 U.S.C. § 3553: Degree of Increase for Offenders in Each Primary Offense Category 27

Table 16: Above Guideline Range with *Booker*/18 U.S.C. § 3553: Degree of Increase for Offenders in Each Primary Offense Category 28

Table 17: All Remaining Above Guideline Range Cases: Degree of Increase for Offenders in Each Primary Offense Category 29

Sentence Imposed Information

Table 18: Offenders Receiving Sentencing Options in Each Primary Offense Category 30

Table 19: Sentence Length in Each Primary Offense Category 31

Figure C: Average Sentence Length and Average Guideline Minimum Quarterly Data for All Offenders 32

Figure D: Average Sentence Length and Average Guideline Minimum Quarterly Data for §2B1.1 Offenders 33

Figure E: Average Sentence Length and Average Guideline Minimum Quarterly Data for §2K2.1 Offenders 34

Figure F: Average Sentence Length and Average Guideline Minimum Quarterly Data for §2L1.1 Offenders 35

Figure G: Average Sentence Length and Average Guideline Minimum Quarterly Data for §2L1.2 Offenders 36

Figure H: Average Sentence Length and Average Guideline Minimum Quarterly Data for §2D1.1 Offenders 37

Figure I: Average Sentence Length for Each Drug Type 38

Table 20: Within Range Cases: Position of Sentence for Offenders in Each Primary Offense Category 39

General Information (Primary Offenses, Mode of Conviction, and Document Submission)

Figure J: Offenders in Each Primary Offense Category 40

Table 21: Guideline Offenders in Each Primary Offense Category 41

Table 22: Guilty Pleas and Trials in Each Primary Offense Category	42
Figure K: Quarterly Data for Guilty Pleas and Trials	43
Table 23: Race of Offenders in Each Primary Offense Category	44
Table 24: Gender of Offenders in Each Primary Offense Category	45
Table 25: Age, Race, and Gender of Offenders	46
Table 26: Citizenship of Offenders in Each Primary Offense Category	47
Table 27: Document Submission by Each Circuit and District	48
Table 28: Rate of Submission of Statement of Reasons Form by Each Circuit and District ...	51

Appendices

Appendix A: Descriptions of Datafiles and Variables	A-1
Appendix B: List of Quarterly Report Tables and Figures and Comparable <i>Sourcebook</i> Number/Letter	B-1

**NATIONAL COMPARISON OF SENTENCE IMPOSED AND
POSITION RELATIVE TO THE GUIDELINE RANGE¹**
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

	N	%
TOTAL CASES	18,169	100.0
CASES SENTENCED WITHIN GUIDELINE RANGE	8,873	48.8
CASES SENTENCED ABOVE GUIDELINE RANGE	435	2.4
DEPARTURE ABOVE GUIDELINE RANGE	114	0.6
Upward Departure From Guideline Range ²	86	0.5
Upward Departure With <i>Booker</i> /18 U.S.C. § 3553 ³	28	0.2
OTHERWISE ABOVE GUIDELINE RANGE	321	1.8
Above Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 ⁴	287	1.6
All Remaining Cases Above Guideline Range ⁵	34	0.2
GOVERNMENT SPONSORED BELOW RANGE⁶	5,161	28.4
§5K1.1 Substantial Assistance Departure	2,344	12.9
§5K3.1 Early Disposition Program Departure	1,704	9.4
Other Government Sponsored Below Range	1,113	6.1
NON-GOVERNMENT SPONSORED BELOW RANGE	3,700	20.4
DEPARTURE BELOW GUIDELINE RANGE	665	3.7
Downward Departure From Guideline Range ²	489	2.7
Downward Departure With <i>Booker</i> /18 U.S.C. § 3553 ³	176	1.0
OTHERWISE BELOW GUIDELINE RANGE	3,035	16.7
Below Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 ⁴	2,890	15.9
All Remaining Cases Below Guideline Range ⁵	145	0.8

¹ This table reflects the 18,308 cases sentenced on or after October 1, 2013, with court documentation cumulatively received, coded, and edited at the U.S. Sentencing Commission by March 31, 2014. Of these, 139 cases were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

² All cases with departures in which the court did not indicate as a reason either *United States v. Booker*, 18 U.S.C. § 3553, or a factor or reason specifically prohibited in the provisions, policy statements, or commentary of the *Guidelines Manual*.

³ All cases sentenced outside of the guideline range in which the court indicated both a departure (see footnote 2) and a reference to either *United States v. Booker*, 18 U.S.C. § 3553, or related factors as a reason for sentencing outside of the guideline system.

⁴ All cases sentenced outside of the guideline range in which no departure was indicated and in which the court cited *United States v. Booker*, 18 U.S.C. § 3553, or related factors as one of the reasons for sentencing outside of the guideline system.

⁵ All cases sentenced outside of the guideline range that could not be classified into any of the three previous outside of the range categories. This category includes cases in which no reason was provided for a sentence outside of the guideline range.

⁶ Cases in which a reason for the sentence indicated that the prosecution initiated, proposed, or stipulated to a sentence outside of the guideline range, either pursuant to a plea agreement or as part of a non-plea negotiation with the defendant.

SENTENCES RELATIVE TO THE GUIDELINE RANGE BY CIRCUIT AND DISTRICT¹
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE		UPWARD DEPARTURE W/ BOOKER		ABOVE RANGE W/ BOOKER		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
TOTAL	18,169	8,873	48.8	86	0.5	28	0.2	287	1.6	34	0.2
D.C. CIRCUIT	93	30	32.3	0	0.0	0	0.0	1	1.1	0	0.0
District of Columbia	93	30	32.3	0	0.0	0	0.0	1	1.1	0	0.0
FIRST CIRCUIT	558	308	55.2	4	0.7	2	0.4	21	3.8	4	0.7
Maine	44	16	36.4	0	0.0	0	0.0	2	4.5	0	0.0
Massachusetts	116	29	25.0	0	0.0	0	0.0	1	0.9	0	0.0
New Hampshire	26	13	50.0	0	0.0	1	3.8	2	7.7	0	0.0
Puerto Rico	327	235	71.9	4	1.2	1	0.3	15	4.6	4	1.2
Rhode Island	45	15	33.3	0	0.0	0	0.0	1	2.2	0	0.0
SECOND CIRCUIT	787	263	33.4	2	0.3	3	0.4	6	0.8	1	0.1
Connecticut	99	39	39.4	0	0.0	0	0.0	2	2.0	0	0.0
New York											
Eastern	263	61	23.2	1	0.4	3	1.1	2	0.8	1	0.4
Northern	109	53	48.6	0	0.0	0	0.0	0	0.0	0	0.0
Southern	117	40	34.2	0	0.0	0	0.0	2	1.7	0	0.0
Western	143	60	42.0	1	0.7	0	0.0	0	0.0	0	0.0
Vermont	56	10	17.9	0	0.0	0	0.0	0	0.0	0	0.0
THIRD CIRCUIT	655	242	36.9	2	0.3	1	0.2	8	1.2	1	0.2
Delaware	23	11	47.8	0	0.0	0	0.0	2	8.7	0	0.0
New Jersey	178	69	38.8	1	0.6	0	0.0	0	0.0	0	0.0
Pennsylvania											
Eastern	236	59	25.0	0	0.0	1	0.4	3	1.3	1	0.4
Middle	83	42	50.6	0	0.0	0	0.0	0	0.0	0	0.0
Western	127	56	44.1	1	0.8	0	0.0	2	1.6	0	0.0
Virgin Islands	8	5	62.5	0	0.0	0	0.0	1	12.5	0	0.0
FOURTH CIRCUIT	1,467	794	54.1	6	0.4	4	0.3	19	1.3	2	0.1
Maryland	198	65	32.8	2	1.0	0	0.0	5	2.5	2	1.0
North Carolina											
Eastern	145	85	58.6	1	0.7	1	0.7	0	0.0	0	0.0
Middle	114	76	66.7	0	0.0	1	0.9	2	1.8	0	0.0
Western	161	83	51.6	0	0.0	0	0.0	3	1.9	0	0.0
South Carolina	190	107	56.3	1	0.5	1	0.5	2	1.1	0	0.0
Virginia											
Eastern	378	234	61.9	1	0.3	1	0.3	5	1.3	0	0.0
Western	104	48	46.2	0	0.0	0	0.0	2	1.9	0	0.0
West Virginia											
Northern	86	49	57.0	1	1.2	0	0.0	0	0.0	0	0.0
Southern	91	47	51.6	0	0.0	0	0.0	0	0.0	0	0.0

Table 2 (cont.)

CIRCUIT District	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE		DOWNWARD DEPARTURE W/ BOOKER		BELOW RANGE W/ BOOKER		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	2,344	12.9	1,704	9.4	1,113	6.1	489	2.7	176	1.0	2,890	15.9	145	0.8
D.C. CIRCUIT	21	22.6	0	0.0	8	8.6	4	4.3	9	9.7	18	19.4	2	2.2
District of Columbia	21	22.6	0	0.0	8	8.6	4	4.3	9	9.7	18	19.4	2	2.2
FIRST CIRCUIT	66	11.8	4	0.7	47	8.4	6	1.1	6	1.1	82	14.7	8	1.4
Maine	15	34.1	0	0.0	0	0.0	1	2.3	0	0.0	9	20.5	1	2.3
Massachusetts	20	17.2	1	0.9	25	21.6	4	3.4	3	2.6	31	26.7	2	1.7
New Hampshire	4	15.4	0	0.0	2	7.7	0	0.0	0	0.0	4	15.4	0	0.0
Puerto Rico	20	6.1	3	0.9	13	4.0	1	0.3	3	0.9	23	7.0	5	1.5
Rhode Island	7	15.6	0	0.0	7	15.6	0	0.0	0	0.0	15	33.3	0	0.0
SECOND CIRCUIT	180	22.9	31	3.9	48	6.1	28	3.6	10	1.3	213	27.1	2	0.3
Connecticut	16	16.2	0	0.0	4	4.0	9	9.1	0	0.0	28	28.3	1	1.0
New York														
Eastern	61	23.2	31	11.8	29	11.0	6	2.3	8	3.0	60	22.8	0	0.0
Northern	29	26.6	0	0.0	0	0.0	0	0.0	0	0.0	27	24.8	0	0.0
Southern	16	13.7	0	0.0	3	2.6	6	5.1	1	0.9	49	41.9	0	0.0
Western	42	29.4	0	0.0	4	2.8	0	0.0	0	0.0	35	24.5	1	0.7
Vermont	16	28.6	0	0.0	8	14.3	7	12.5	1	1.8	14	25.0	0	0.0
THIRD CIRCUIT	208	31.8	6	0.9	35	5.3	7	1.1	7	1.1	135	20.6	3	0.5
Delaware	4	17.4	0	0.0	1	4.3	0	0.0	0	0.0	4	17.4	1	4.3
New Jersey	59	33.1	3	1.7	10	5.6	0	0.0	4	2.2	32	18.0	0	0.0
Pennsylvania														
Eastern	106	44.9	1	0.4	7	3.0	2	0.8	2	0.8	53	22.5	1	0.4
Middle	18	21.7	2	2.4	10	12.0	0	0.0	0	0.0	11	13.3	0	0.0
Western	21	16.5	0	0.0	7	5.5	5	3.9	1	0.8	33	26.0	1	0.8
Virgin Islands	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2	25.0	0	0.0
FOURTH CIRCUIT	260	17.7	6	0.4	82	5.6	19	1.3	15	1.0	251	17.1	9	0.6
Maryland	63	31.8	1	0.5	27	13.6	2	1.0	3	1.5	28	14.1	0	0.0
North Carolina														
Eastern	38	26.2	0	0.0	0	0.0	1	0.7	1	0.7	16	11.0	2	1.4
Middle	19	16.7	0	0.0	1	0.9	0	0.0	0	0.0	15	13.2	0	0.0
Western	33	20.5	0	0.0	18	11.2	1	0.6	4	2.5	18	11.2	1	0.6
South Carolina	39	20.5	3	1.6	9	4.7	0	0.0	0	0.0	26	13.7	2	1.1
Virginia														
Eastern	18	4.8	1	0.3	9	2.4	14	3.7	5	1.3	86	22.8	4	1.1
Western	26	25.0	0	0.0	8	7.7	1	1.0	0	0.0	19	18.3	0	0.0
West Virginia														
Northern	11	12.8	1	1.2	9	10.5	0	0.0	0	0.0	15	17.4	0	0.0
Southern	13	14.3	0	0.0	1	1.1	0	0.0	2	2.2	28	30.8	0	0.0

Table 2 (cont.)

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE		UPWARD DEPARTURE W/ BOOKER		ABOVE RANGE W/ BOOKER		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	4,005	2,559	63.9	20	0.5	6	0.1	48	1.2	1	0.0
Louisiana											
Eastern	87	53	60.9	1	1.1	0	0.0	2	2.3	0	0.0
Middle	47	24	51.1	0	0.0	0	0.0	0	0.0	0	0.0
Western	92	62	67.4	1	1.1	1	1.1	1	1.1	0	0.0
Mississippi											
Northern	40	29	72.5	0	0.0	0	0.0	0	0.0	0	0.0
Southern	54	39	72.2	0	0.0	0	0.0	0	0.0	0	0.0
Texas											
Eastern	170	113	66.5	0	0.0	0	0.0	2	1.2	0	0.0
Northern	299	170	56.9	0	0.0	2	0.7	11	3.7	0	0.0
Southern	1,625	958	59.0	13	0.8	3	0.2	16	1.0	1	0.1
Western	1,591	1,111	69.8	5	0.3	0	0.0	16	1.0	0	0.0
SIXTH CIRCUIT	1,249	546	43.7	6	0.5	1	0.1	14	1.1	0	0.0
Kentucky											
Eastern	161	81	50.3	0	0.0	0	0.0	3	1.9	0	0.0
Western	76	41	53.9	0	0.0	0	0.0	0	0.0	0	0.0
Michigan											
Eastern	191	87	45.5	2	1.0	0	0.0	2	1.0	0	0.0
Western	97	52	53.6	1	1.0	0	0.0	1	1.0	0	0.0
Ohio											
Northern	196	91	46.4	0	0.0	0	0.0	2	1.0	0	0.0
Southern	145	35	24.1	0	0.0	1	0.7	3	2.1	0	0.0
Tennessee											
Eastern	181	85	47.0	0	0.0	0	0.0	2	1.1	0	0.0
Middle	78	25	32.1	3	3.8	0	0.0	0	0.0	0	0.0
Western	124	49	39.5	0	0.0	0	0.0	1	0.8	0	0.0
SEVENTH CIRCUIT	767	292	38.1	2	0.3	3	0.4	11	1.4	1	0.1
Illinois											
Central	89	32	36.0	0	0.0	0	0.0	2	2.2	0	0.0
Northern	249	70	28.1	1	0.4	0	0.0	3	1.2	0	0.0
Southern	105	64	61.0	0	0.0	2	1.9	1	1.0	0	0.0
Indiana											
Northern	100	47	47.0	0	0.0	0	0.0	1	1.0	0	0.0
Southern	111	49	44.1	1	0.9	1	0.9	3	2.7	0	0.0
Wisconsin											
Eastern	77	18	23.4	0	0.0	0	0.0	1	1.3	1	1.3
Western	36	12	33.3	0	0.0	0	0.0	0	0.0	0	0.0
EIGHTH CIRCUIT	1,237	632	51.1	7	0.6	3	0.2	25	2.0	0	0.0
Arkansas											
Eastern	110	66	60.0	1	0.9	1	0.9	3	2.7	0	0.0
Western	86	48	55.8	0	0.0	0	0.0	4	4.7	0	0.0
Iowa											
Northern	76	43	56.6	3	3.9	0	0.0	1	1.3	0	0.0
Southern	71	22	31.0	0	0.0	1	1.4	1	1.4	0	0.0
Minnesota	74	30	40.5	1	1.4	0	0.0	2	2.7	0	0.0
Missouri											
Eastern	197	93	47.2	0	0.0	1	0.5	4	2.0	0	0.0
Western	247	108	43.7	0	0.0	0	0.0	5	2.0	0	0.0
Nebraska	132	70	53.0	0	0.0	0	0.0	2	1.5	0	0.0
North Dakota	79	36	45.6	1	1.3	0	0.0	0	0.0	0	0.0
South Dakota	165	116	70.3	1	0.6	0	0.0	3	1.8	0	0.0

Table 2 (cont.)

CIRCUIT District	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE		DOWNWARD DEPARTURE W/ BOOKER		BELOW RANGE W/ BOOKER		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	364	9.1	132	3.3	125	3.1	234	5.8	21	0.5	450	11.2	45	1.1
Louisiana														
Eastern	10	11.5	0	0.0	1	1.1	4	4.6	1	1.1	15	17.2	0	0.0
Middle	9	19.1	3	6.4	0	0.0	0	0.0	0	0.0	11	23.4	0	0.0
Western	7	7.6	0	0.0	0	0.0	2	2.2	2	2.2	14	15.2	2	2.2
Mississippi														
Northern	7	17.5	0	0.0	1	2.5	0	0.0	0	0.0	3	7.5	0	0.0
Southern	5	9.3	0	0.0	0	0.0	1	1.9	1	1.9	8	14.8	0	0.0
Texas														
Eastern	12	7.1	0	0.0	34	20.0	2	1.2	0	0.0	7	4.1	0	0.0
Northern	53	17.7	0	0.0	8	2.7	4	1.3	1	0.3	48	16.1	2	0.7
Southern	126	7.8	99	6.1	24	1.5	165	10.2	13	0.8	200	12.3	7	0.4
Western	135	8.5	30	1.9	57	3.6	56	3.5	3	0.2	144	9.1	34	2.1
SIXTH CIRCUIT	306	24.5	6	0.5	86	6.9	20	1.6	12	1.0	240	19.2	12	1.0
Kentucky														
Eastern	25	15.5	0	0.0	11	6.8	3	1.9	1	0.6	36	22.4	1	0.6
Western	13	17.1	2	2.6	11	14.5	2	2.6	0	0.0	7	9.2	0	0.0
Michigan														
Eastern	30	15.7	1	0.5	7	3.7	3	1.6	2	1.0	56	29.3	1	0.5
Western	15	15.5	0	0.0	1	1.0	5	5.2	2	2.1	19	19.6	1	1.0
Ohio														
Northern	60	30.6	0	0.0	6	3.1	3	1.5	2	1.0	30	15.3	2	1.0
Southern	43	29.7	2	1.4	26	17.9	1	0.7	2	1.4	31	21.4	1	0.7
Tennessee														
Eastern	69	38.1	0	0.0	5	2.8	1	0.6	0	0.0	18	9.9	1	0.6
Middle	27	34.6	0	0.0	8	10.3	2	2.6	0	0.0	12	15.4	1	1.3
Western	24	19.4	1	0.8	11	8.9	0	0.0	3	2.4	31	25.0	4	3.2
SEVENTH CIRCUIT	120	15.6	2	0.3	49	6.4	26	3.4	45	5.9	206	26.9	10	1.3
Illinois														
Central	17	19.1	0	0.0	9	10.1	1	1.1	3	3.4	25	28.1	0	0.0
Northern	33	13.3	1	0.4	4	1.6	15	6.0	31	12.4	87	34.9	4	1.6
Southern	11	10.5	0	0.0	5	4.8	0	0.0	7	6.7	14	13.3	1	1.0
Indiana														
Northern	22	22.0	1	1.0	5	5.0	1	1.0	0	0.0	19	19.0	4	4.0
Southern	18	16.2	0	0.0	13	11.7	0	0.0	2	1.8	23	20.7	1	0.9
Wisconsin														
Eastern	17	22.1	0	0.0	13	16.9	2	2.6	1	1.3	24	31.2	0	0.0
Western	2	5.6	0	0.0	0	0.0	7	19.4	1	2.8	14	38.9	0	0.0
EIGHTH CIRCUIT	156	12.6	21	1.7	97	7.8	20	1.6	9	0.7	258	20.9	9	0.7
Arkansas														
Eastern	15	13.6	0	0.0	3	2.7	2	1.8	2	1.8	17	15.5	0	0.0
Western	11	12.8	0	0.0	3	3.5	1	1.2	0	0.0	17	19.8	2	2.3
Iowa														
Northern	18	23.7	0	0.0	1	1.3	0	0.0	0	0.0	10	13.2	0	0.0
Southern	12	16.9	1	1.4	9	12.7	0	0.0	0	0.0	25	35.2	0	0.0
Minnesota	12	16.2	3	4.1	4	5.4	2	2.7	1	1.4	19	25.7	0	0.0
Missouri														
Eastern	13	6.6	0	0.0	34	17.3	1	0.5	2	1.0	47	23.9	2	1.0
Western	46	18.6	0	0.0	26	10.5	2	0.8	0	0.0	57	23.1	3	1.2
Nebraska	4	3.0	11	8.3	9	6.8	3	2.3	1	0.8	32	24.2	0	0.0
North Dakota	21	26.6	5	6.3	3	3.8	2	2.5	1	1.3	9	11.4	1	1.3
South Dakota	4	2.4	1	0.6	5	3.0	7	4.2	2	1.2	25	15.2	1	0.6

Table 2 (cont.)

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE		UPWARD DEPARTURE W/ BOOKER		ABOVE RANGE W/ BOOKER		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	4,113	1,469	35.7	30	0.7	4	0.1	101	2.5	24	0.6
Alaska	39	17	43.6	0	0.0	0	0.0	0	0.0	0	0.0
Arizona	1,546	714	46.2	25	1.6	1	0.1	79	5.1	21	1.4
California											
Central	322	78	24.2	1	0.3	0	0.0	3	0.9	1	0.3
Eastern	212	75	35.4	0	0.0	0	0.0	3	1.4	0	0.0
Northern	157	60	38.2	0	0.0	0	0.0	1	0.6	0	0.0
Southern	1,060	200	18.9	2	0.2	2	0.2	6	0.6	1	0.1
Guam	17	16	94.1	0	0.0	0	0.0	0	0.0	0	0.0
Hawaii	66	21	31.8	0	0.0	0	0.0	0	0.0	0	0.0
Idaho	70	31	44.3	0	0.0	0	0.0	0	0.0	0	0.0
Montana	93	60	64.5	2	2.2	0	0.0	2	2.2	0	0.0
Nevada	134	71	53.0	0	0.0	0	0.0	3	2.2	0	0.0
Northern Mariana Islands	0	0	--	0	--	0	--	0	--	0	--
Oregon	134	46	34.3	0	0.0	0	0.0	1	0.7	1	0.7
Washington											
Eastern	87	37	42.5	0	0.0	0	0.0	2	2.3	0	0.0
Western	176	43	24.4	0	0.0	1	0.6	1	0.6	0	0.0
TENTH CIRCUIT	1,604	851	53.1	5	0.3	0	0.0	10	0.6	0	0.0
Colorado	122	41	33.6	0	0.0	0	0.0	1	0.8	0	0.0
Kansas	154	65	42.2	2	1.3	0	0.0	6	3.9	0	0.0
New Mexico	944	593	62.8	1	0.1	0	0.0	1	0.1	0	0.0
Oklahoma											
Eastern	19	10	52.6	0	0.0	0	0.0	0	0.0	0	0.0
Northern	50	19	38.0	0	0.0	0	0.0	0	0.0	0	0.0
Western	83	47	56.6	0	0.0	0	0.0	0	0.0	0	0.0
Utah	148	43	29.1	2	1.4	0	0.0	2	1.4	0	0.0
Wyoming	84	33	39.3	0	0.0	0	0.0	0	0.0	0	0.0
ELEVENTH CIRCUIT	1,634	887	54.3	2	0.1	1	0.1	23	1.4	0	0.0
Alabama											
Middle	63	19	30.2	0	0.0	0	0.0	0	0.0	0	0.0
Northern	115	66	57.4	1	0.9	0	0.0	3	2.6	0	0.0
Southern	93	58	62.4	0	0.0	0	0.0	1	1.1	0	0.0
Florida											
Middle	344	150	43.6	1	0.3	0	0.0	3	0.9	0	0.0
Northern	93	46	49.5	0	0.0	1	1.1	2	2.2	0	0.0
Southern	561	331	59.0	0	0.0	0	0.0	7	1.2	0	0.0
Georgia											
Middle	115	82	71.3	0	0.0	0	0.0	2	1.7	0	0.0
Northern	136	52	38.2	0	0.0	0	0.0	3	2.2	0	0.0
Southern	114	83	72.8	0	0.0	0	0.0	2	1.8	0	0.0

Table 2 (cont.)

CIRCUIT District	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE		DOWNWARD DEPARTURE W/ BOOKER		BELOW RANGE W/ BOOKER		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	335	8.1	1,197	29.1	352	8.6	83	2.0	20	0.5	470	11.4	28	0.7
Alaska	5	12.8	0	0.0	6	15.4	1	2.6	1	2.6	9	23.1	0	0.0
Arizona	46	3.0	459	29.7	71	4.6	12	0.8	3	0.2	111	7.2	4	0.3
California														
Central	47	14.6	50	15.5	43	13.4	14	4.3	7	2.2	71	22.0	7	2.2
Eastern	33	15.6	48	22.6	25	11.8	2	0.9	2	0.9	24	11.3	0	0.0
Northern	10	6.4	14	8.9	27	17.2	3	1.9	1	0.6	41	26.1	0	0.0
Southern	88	8.3	589	55.6	47	4.4	41	3.9	2	0.2	67	6.3	15	1.4
Guam	1	5.9	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Hawaii	22	33.3	0	0.0	2	3.0	0	0.0	0	0.0	20	30.3	1	1.5
Idaho	21	30.0	1	1.4	1	1.4	2	2.9	1	1.4	13	18.6	0	0.0
Montana	13	14.0	0	0.0	1	1.1	0	0.0	0	0.0	15	16.1	0	0.0
Nevada	12	9.0	9	6.7	12	9.0	7	5.2	0	0.0	20	14.9	0	0.0
Northern Mariana Islands	0	--	0	--	0	--	0	--	0	--	0	--	0	--
Oregon	16	11.9	2	1.5	37	27.6	0	0.0	0	0.0	30	22.4	1	0.7
Washington														
Eastern	13	14.9	6	6.9	12	13.8	1	1.1	2	2.3	14	16.1	0	0.0
Western	8	4.5	19	10.8	68	38.6	0	0.0	1	0.6	35	19.9	0	0.0
TENTH CIRCUIT	108	6.7	286	17.8	118	7.4	19	1.2	10	0.6	192	12.0	5	0.3
Colorado	30	24.6	23	18.9	1	0.8	1	0.8	1	0.8	23	18.9	1	0.8
Kansas	20	13.0	4	2.6	35	22.7	3	1.9	1	0.6	18	11.7	0	0.0
New Mexico	22	2.3	207	21.9	43	4.6	10	1.1	8	0.8	56	5.9	3	0.3
Oklahoma														
Eastern	6	31.6	0	0.0	0	0.0	1	5.3	0	0.0	2	10.5	0	0.0
Northern	11	22.0	1	2.0	1	2.0	0	0.0	0	0.0	18	36.0	0	0.0
Western	8	9.6	0	0.0	0	0.0	0	0.0	0	0.0	28	33.7	0	0.0
Utah	5	3.4	46	31.1	18	12.2	2	1.4	0	0.0	29	19.6	1	0.7
Wyoming	6	7.1	5	6.0	20	23.8	2	2.4	0	0.0	18	21.4	0	0.0
ELEVENTH CIRCUIT	220	13.5	13	0.8	66	4.0	23	1.4	12	0.7	375	22.9	12	0.7
Alabama														
Middle	28	44.4	1	1.6	4	6.3	0	0.0	0	0.0	11	17.5	0	0.0
Northern	23	20.0	0	0.0	6	5.2	0	0.0	1	0.9	14	12.2	1	0.9
Southern	8	8.6	0	0.0	0	0.0	0	0.0	0	0.0	25	26.9	1	1.1
Florida														
Middle	54	15.7	7	2.0	7	2.0	7	2.0	5	1.5	107	31.1	3	0.9
Northern	24	25.8	0	0.0	0	0.0	7	7.5	0	0.0	13	14.0	0	0.0
Southern	47	8.4	4	0.7	12	2.1	6	1.1	6	1.1	143	25.5	5	0.9
Georgia														
Middle	14	12.2	1	0.9	0	0.0	0	0.0	0	0.0	16	13.9	0	0.0
Northern	8	5.9	0	0.0	36	26.5	2	1.5	0	0.0	33	24.3	2	1.5
Southern	14	12.3	0	0.0	1	0.9	1	0.9	0	0.0	13	11.4	0	0.0

¹ Of the 18,308 cases, 139 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. The information needed to determine the relationship between the sentence imposed and the guideline range was missing in five percent or more of the cases received from: Eastern North Carolina (7.1%), and Western Louisiana (5.2%). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through December 31, 2013).

**SENTENCES RELATIVE TO THE GUIDELINE RANGE
BY EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)**

PRIMARY OFFENSE	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURES		UPWARD DEPARTURES W/ BOOKER		ABOVE RANGE W/ BOOKER		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
TOTAL	18,169	8,873	48.8	86	0.5	28	0.2	287	1.6	34	0.2
Murder	19	12	63.2	1	5.3	0	0.0	0	0.0	0	0.0
Manslaughter	9	6	66.7	1	11.1	0	0.0	0	0.0	0	0.0
Kidnapping/Hostage Taking	11	3	27.3	0	0.0	0	0.0	0	0.0	0	0.0
Sexual Abuse	122	63	51.6	2	1.6	0	0.0	2	1.6	1	0.8
Assault	207	115	55.6	3	1.4	0	0.0	13	6.3	0	0.0
Robbery	192	93	48.4	4	2.1	2	1.0	5	2.6	1	0.5
Arson	14	7	50.0	0	0.0	2	14.3	1	7.1	1	7.1
Drugs - Trafficking	5,140	1,830	35.6	15	0.3	1	0.0	23	0.4	1	0.0
Drugs - Communication Facility	93	36	38.7	0	0.0	0	0.0	0	0.0	0	0.0
Drugs - Simple Possession	514	415	80.7	1	0.2	0	0.0	73	14.2	20	3.9
Firearms	1,953	1,090	55.8	16	0.8	9	0.5	61	3.1	6	0.3
Burglary/B&E	12	9	75.0	0	0.0	0	0.0	0	0.0	0	0.0
Auto Theft	23	15	65.2	0	0.0	0	0.0	1	4.3	1	4.3
Larceny	304	191	62.8	2	0.7	1	0.3	1	0.3	0	0.0
Fraud	1,835	833	45.4	4	0.2	3	0.2	23	1.3	1	0.1
Embezzlement	77	48	62.3	0	0.0	0	0.0	0	0.0	0	0.0
Forgery/Counterfeiting	156	98	62.8	2	1.3	0	0.0	5	3.2	0	0.0
Bribery	62	21	33.9	0	0.0	0	0.0	0	0.0	0	0.0
Tax	171	64	37.4	0	0.0	0	0.0	1	0.6	0	0.0
Money Laundering	216	59	27.3	2	0.9	0	0.0	0	0.0	0	0.0
Racketeering/Extortion	235	98	41.7	1	0.4	0	0.0	3	1.3	0	0.0
Gambling/Lottery	21	6	28.6	0	0.0	0	0.0	0	0.0	0	0.0
Civil Rights	12	3	25.0	0	0.0	0	0.0	0	0.0	0	0.0
Immigration	5,380	3,010	55.9	21	0.4	7	0.1	51	0.9	2	0.0
Child Pornography	447	143	32.0	4	0.9	1	0.2	5	1.1	0	0.0
Prison Offenses	109	77	70.6	0	0.0	1	0.9	4	3.7	0	0.0
Administration of Justice Offenses	281	152	54.1	4	1.4	1	0.4	3	1.1	0	0.0
Environmental/Wildlife	56	36	64.3	0	0.0	0	0.0	1	1.8	0	0.0
National Defense	19	5	26.3	0	0.0	0	0.0	1	5.3	0	0.0
Antitrust	3	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	23	18	78.3	0	0.0	0	0.0	2	8.7	0	0.0
Other Miscellaneous Offenses	453	316	69.8	3	0.7	0	0.0	8	1.8	0	0.0

Table 3 (cont.)

PRIMARY OFFENSE	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		BELOW DOWNWARD DEPARTURE		DOWNWARD DEPARTURE W/ BOOKER		BELOW RANGE W/ BOOKER		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	2,344	12.9	1,704	9.4	1,113	6.1	489	2.7	176	1.0	2,890	15.9	145	0.8
Murder	3	15.8	0	0.0	3	15.8	0	0.0	0	0.0	0	0.0	0	0.0
Manslaughter	0	0.0	0	0.0	0	0.0	2	22.2	0	0.0	0	0.0	0	0.0
Kidnapping/Hostage Taking	5	45.5	0	0.0	3	27.3	0	0.0	0	0.0	0	0.0	0	0.0
Sexual Abuse	8	6.6	0	0.0	28	23.0	1	0.8	2	1.6	15	12.3	0	0.0
Assault	1	0.5	2	1.0	22	10.6	8	3.9	1	0.5	38	18.4	4	1.9
Robbery	21	10.9	0	0.0	21	10.9	6	3.1	5	2.6	31	16.1	3	1.6
Arson	0	0.0	0	0.0	2	14.3	0	0.0	0	0.0	1	7.1	0	0.0
Drugs - Trafficking	1,381	26.9	366	7.1	432	8.4	118	2.3	59	1.1	891	17.3	23	0.4
Drugs - Communication Facility	20	21.5	2	2.2	8	8.6	0	0.0	1	1.1	25	26.9	1	1.1
Drugs - Simple Possession	1	0.2	0	0.0	0	0.0	1	0.2	0	0.0	2	0.4	1	0.2
Firearms	198	10.1	5	0.3	142	7.3	34	1.7	18	0.9	359	18.4	15	0.8
Burglary/B&E	1	8.3	0	0.0	0	0.0	0	0.0	0	0.0	2	16.7	0	0.0
Auto Theft	3	13.0	0	0.0	1	4.3	0	0.0	0	0.0	2	8.7	0	0.0
Larceny	22	7.2	1	0.3	19	6.3	6	2.0	3	1.0	57	18.8	1	0.3
Fraud	367	20.0	0	0.0	115	6.3	41	2.2	22	1.2	412	22.5	14	0.8
Embezzlement	5	6.5	0	0.0	2	2.6	1	1.3	1	1.3	19	24.7	1	1.3
Forgery/Counterfeiting	15	9.6	0	0.0	6	3.8	1	0.6	2	1.3	26	16.7	1	0.6
Bribery	17	27.4	0	0.0	3	4.8	1	1.6	1	1.6	17	27.4	2	3.2
Tax	18	10.5	0	0.0	16	9.4	5	2.9	2	1.2	62	36.3	3	1.8
Money Laundering	54	25.0	1	0.5	36	16.7	5	2.3	2	0.9	55	25.5	2	0.9
Racketeering/Extortion	65	27.7	0	0.0	29	12.3	6	2.6	2	0.9	28	11.9	3	1.3
Gambling/Lottery	2	9.5	0	0.0	3	14.3	0	0.0	0	0.0	7	33.3	3	14.3
Civil Rights	1	8.3	0	0.0	2	16.7	0	0.0	2	16.7	4	33.3	0	0.0
Immigration	62	1.2	1,324	24.6	65	1.2	227	4.2	38	0.7	520	9.7	53	1.0
Child Pornography	17	3.8	0	0.0	81	18.1	12	2.7	9	2.0	172	38.5	3	0.7
Prison Offenses	3	2.8	1	0.9	5	4.6	2	1.8	0	0.0	15	13.8	1	0.9
Administration of Justice Offenses	22	7.8	1	0.4	26	9.3	5	1.8	3	1.1	62	22.1	2	0.7
Environmental/Wildlife	4	7.1	1	1.8	6	10.7	0	0.0	0	0.0	6	10.7	2	3.6
National Defense	7	36.8	0	0.0	1	5.3	0	0.0	1	5.3	4	21.1	0	0.0
Antitrust	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0	1	33.3	0	0.0
Food & Drug	0	0.0	0	0.0	1	4.3	0	0.0	0	0.0	2	8.7	0	0.0
Other Miscellaneous Offenses	20	4.4	0	0.0	35	7.7	7	1.5	2	0.4	55	12.1	7	1.5

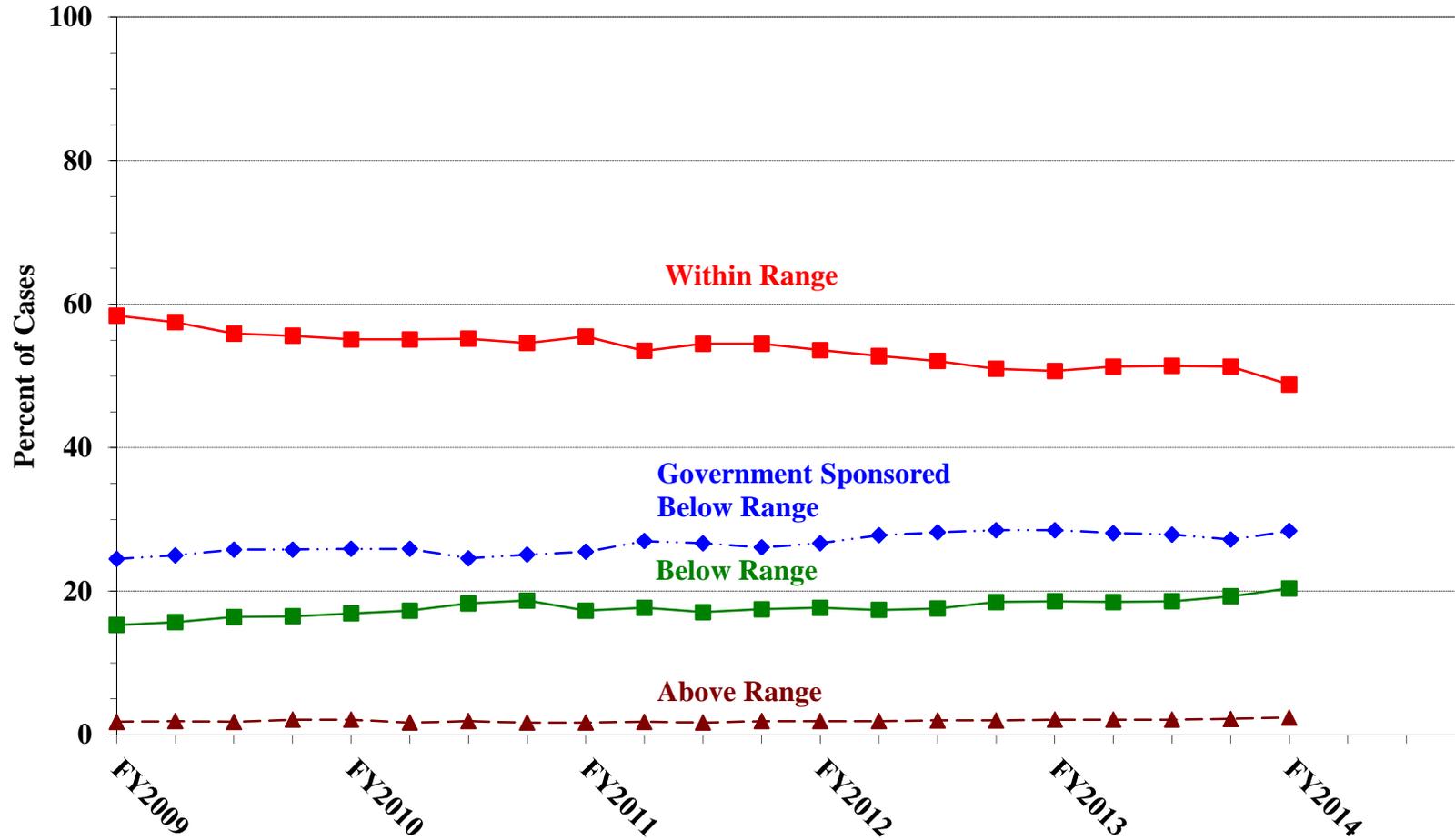
¹ Of the 18,308 cases, 139 were excluded due to information that was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through December 31, 2013).

Figure A

QUARTERLY DATA FOR WITHIN RANGE AND OUT OF RANGE SENTENCES¹

Fiscal Years 2009 - 2013,
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

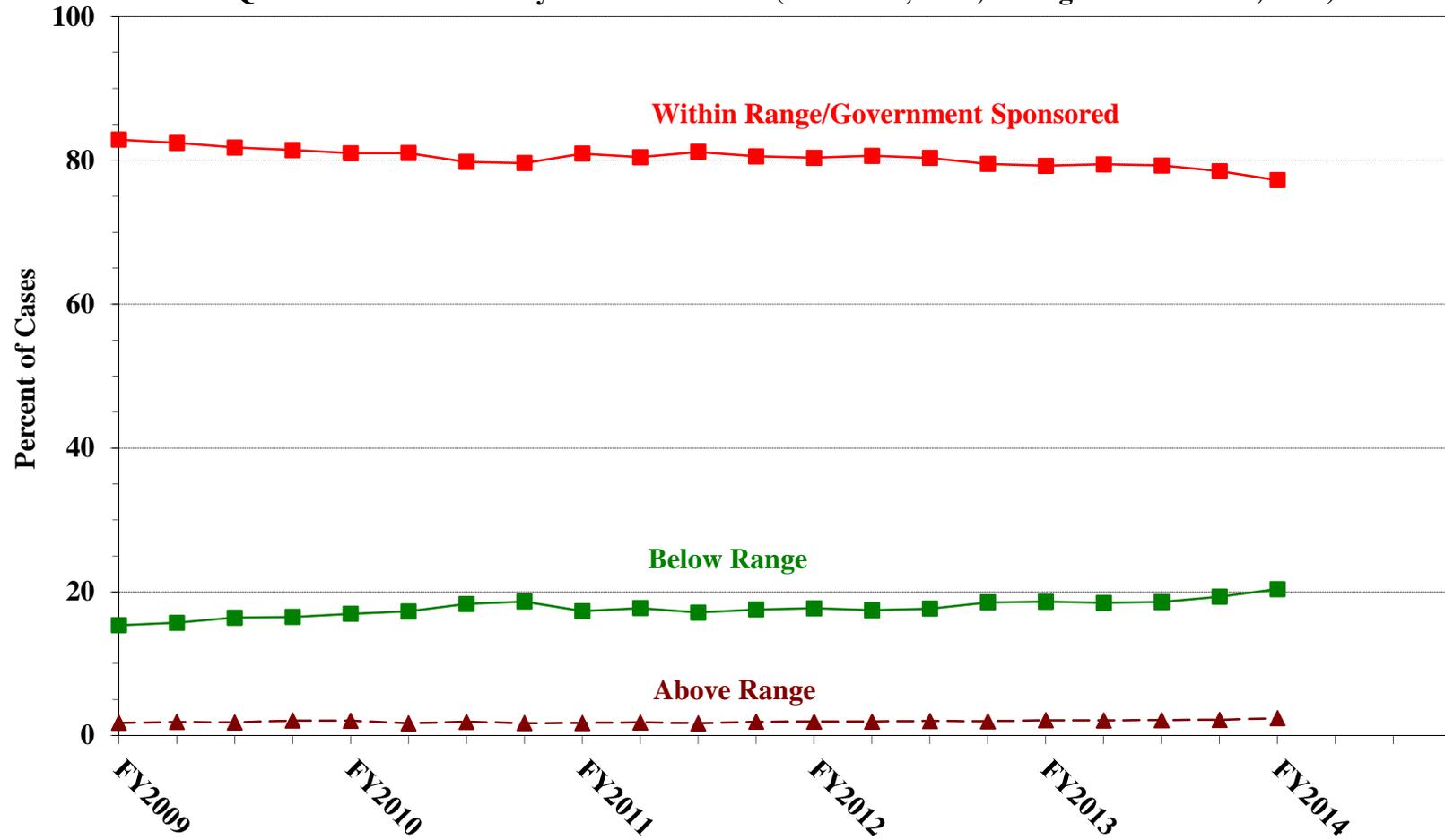


¹ Descriptions of variables used in this figure are provided in Appendix A.

Figure B

**QUARTERLY DATA FOR WITHIN RANGE/GOVERNMENT SPONSORED
AND OTHER OUT OF RANGE SENTENCES¹**

**Fiscal Years 2009 - 2013,
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)**



¹ Descriptions of variables used in this figure are provided in Appendix A.

Table 4

QUARTERLY DATA FOR WITHIN RANGE AND OUT OF RANGE SENTENCES¹
Fiscal Years 2009 - 2013,
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

FISCAL YEAR	WITHIN GUIDELINE RANGE	GOVERNMENT SPONSORED BELOW RANGE	BELOW RANGE	ABOVE RANGE
Quarter	%	%	%	%
FY2009				
1st Quarter	58.4	24.5	15.3	1.8
2ndQuarter	57.5	25.0	15.7	1.9
3rd Quarter	55.9	25.8	16.4	1.8
4th Quarter	55.6	25.8	16.5	2.1
FY2010				
1st Quarter	55.1	25.9	16.9	2.1
2ndQuarter	55.1	25.9	17.3	1.7
3rd Quarter	55.2	24.6	18.3	1.9
4th Quarter	54.6	25.1	18.7	1.7
FY2011				
1st Quarter	55.5	25.5	17.3	1.7
2ndQuarter	53.5	27.0	17.7	1.8
3rd Quarter	54.5	26.7	17.1	1.7
4th Quarter	54.5	26.1	17.5	1.9
FY2012				
1st Quarter	53.6	26.7	17.7	1.9
2ndQuarter	52.8	27.8	17.4	1.9
3rd Quarter	52.1	28.2	17.6	2.0
4th Quarter	51.0	28.5	18.5	2.0
FY2013				
1st Quarter	50.7	28.5	18.6	2.1
2ndQuarter	51.3	28.1	18.5	2.1
3rd Quarter	51.4	27.9	18.6	2.1
4th Quarter	51.3	27.2	19.3	2.2
FY2014				
1st Quarter	48.8	28.4	20.4	2.4
2ndQuarter	--	--	--	--
3rd Quarter	--	--	--	--
4th Quarter	--	--	--	--

¹ Descriptions of variables used in this table are provided in Appendix A.

Table 5 (cont.)

Guideline	Total	Within Guideline Range	Upward				Government Sponsored			Downward			
			Departure		Above Range		\$5K1.1	\$5K3.1	Other Gov't	Departure		Below Range	
		Gdline Only	with Booker	with Booker	All Others							Gdline Only	with Booker
§2N1.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2N2.1	18	18	0	0	0	0	0	0	0	0	0	0	0
§2N3.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2P1.1	46	34	0	1	3	0	2	0	0	1	0	5	0
§2P1.2	46	32	0	0	0	0	0	0	3	1	0	9	1
§2P1.3	1	1	0	0	0	0	0	0	0	0	0	0	0
§2P1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.2	9	5	0	0	0	0	0	0	1	0	0	3	0
§2Q1.3	8	2	0	0	0	0	1	0	0	0	0	3	2
§2Q1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.5	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.6	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q2.1	43	28	0	0	1	0	3	0	6	0	0	4	1
§2Q2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2R1.1	2	1	0	0	0	0	0	0	0	0	0	1	0
§2S1.1	335	79	0	1	2	0	91	1	54	10	3	92	2
§2S1.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2S1.3	70	30	3	0	0	0	9	0	18	1	0	8	1
§2S1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.1	160	54	0	0	1	0	22	0	14	4	3	60	2
§2T1.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.4	43	16	0	0	0	0	6	0	2	2	1	16	0
§2T1.5	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.6	4	2	0	0	0	0	0	0	0	0	0	1	1
§2T1.7	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.8	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.9	3	1	0	0	0	0	2	0	0	0	0	0	0
§2T2.1	1	1	0	0	0	0	0	0	0	0	0	0	0
§2T2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T3.1	4	2	0	0	0	0	1	0	1	0	0	0	0
§2T3.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T4.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X1.1	5	1	0	0	0	0	0	0	3	0	0	1	0
§2X2.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X3.1	13	3	0	0	0	0	4	0	1	1	1	3	0
§2X4.1	84	42	4	0	0	0	13	0	8	1	1	14	1
§2X5.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X5.2	41	36	0	0	0	0	0	0	1	1	0	1	2
§2X6.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X7.1	1	0	0	0	0	0	0	1	0	0	0	0	0
§2X7.2	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	16,614	7,644	80	25	198	13	2,327	1,593	1,088	485	175	2,851	135

¹ Of the 18,308 cases, 1,694 were excluded due to one or both of the following reasons: information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range (139) or missing guideline applied (1,686). Descriptions of variables used in this table are provided in Appendix A.

² In 219 cases, the defendant was convicted of one or more counts of violating 18 U.S.C. § 1028A. By statute, the punishment for this crime must be served consecutively to any other punishment; therefore, in these 219 cases the conviction for this crime did not affect the guideline calculation for the underlying offense.

³ In 554 cases, the defendant was convicted of one or more counts of violating 18 U.S.C. § 924(c). By statute, the punishment for this crime must be served consecutively to any other punishment; therefore, in these 554 cases the conviction for this crime did not affect the guideline calculation for the underlying offense.

ATTRIBUTION CATEGORY FOR CASES OUTSIDE OF THE GUIDELINE RANGE¹
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

	Pursuant to a Plea Agreement										
	TOTAL CASES	§5K1.1 Plea Agreement		§5K3.1 Plea Agreement		Binding Plea Accepted by Court		Plea w/ Departure Court Finds Reasonable		Plea Agreement States Gov't Will Not Oppose	
		N	%	N	%	N	%	N	%	N	%
TOTAL	9,296	1,475	15.9	1,612	17.3	895	9.6	612	6.6	76	0.8
Above Range	435	2	0.5	2	0.5	67	15.4	35	8.0	0	0.0
Upward Departure From Guideline Range	86	0	0.0	0	0.0	28	32.6	16	18.6	0	0.0
Upward Departure With <i>Booker</i> /18 U.S.C. § 3553	28	0	0.0	0	0.0	4	14.3	2	7.1	0	0.0
Above Guideline Range With <i>Booker</i> /18 U.S.C. § 3553	287	0	0.0	0	0.0	32	11.1	14	4.9	0	0.0
All Remaining Cases Above Guideline Range	34	2	5.9	2	5.9	3	8.8	3	8.8	0	0.0
Government Sponsored Below Range	5,161	1,473	28.5	1,610	31.2	828	16.0	577	11.2	76	1.5
§5K1.1 Substantial Assistance Departure	2,344	1,473	62.8	47	2.0	64	2.7	66	2.8	10	0.4
§5K3.1 Early Disposition Program Departure	1,704	0	0.0	1,563	91.7	320	18.8	167	9.8	5	0.3
Other Government Sponsored Below Range	1,113	0	0.0	0	0.0	444	39.9	344	30.9	61	5.5
Non-Government Sponsored Below Range	3,700	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Downward Departure From Guideline Range	489	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Downward Departure With <i>Booker</i> /18 U.S.C. § 3553	176	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Below Guideline Range With <i>Booker</i> /18 U.S.C. § 3553	2,890	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
All Remaining Cases Below Guideline Range	145	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

Table 6 (cont.)

	Pursuant to a Motion Not in a Plea Agreement													
	§5K1.1 Government Motion		§5K3.1 Government Motion		Other Government Motion		Defense Motion/ Government Did Not Object		Defense Motion/ Government Did Object		Other than a Plea/Motion by Parties		No Information Available	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	833	9.0	43	0.5	418	4.5	1,405	15.1	1,249	13.4	1,441	15.5	952	10.2
Above Range	2	0.5	0	0.0	56	12.9	2	0.5	2	0.5	150	34.5	141	32.4
Upward Departure From Guideline Range	0	0.0	0	0.0	12	14.0	0	0.0	0	0.0	31	36.0	7	8.1
Upward Departure With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	7	25.0	0	0.0	1	3.6	15	53.6	4	14.3
Above Guideline Range With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	36	12.5	2	0.7	1	0.3	103	35.9	103	35.9
All Remaining Cases Above Guideline Range	2	5.9	0	0.0	1	2.9	0	0.0	0	0.0	1	2.9	27	79.4
Government Sponsored Below Range	831	16.1	43	0.8	362	7.0	355	6.9	246	4.8	210	4.1	123	2.4
§5K1.1 Substantial Assistance Departure	831	35.5	2	0.1	75	3.2	175	7.5	96	4.1	117	5.0	32	1.4
§5K3.1 Early Disposition Program Departure	0	0.0	41	2.4	19	1.1	66	3.9	94	5.5	51	3.0	59	3.5
Other Government Sponsored Below Range	0	0.0	0	0.0	268	24.1	114	10.2	56	5.0	42	3.8	32	2.9
Non-Government Sponsored Below Range	0	0.0	0	0.0	0	0.0	1,048	28.3	1,001	27.1	1,081	29.2	688	18.6
Downward Departure From Guideline Range	0	0.0	0	0.0	0	0.0	227	46.4	71	14.5	148	30.3	55	11.2
Downward Departure With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	0	0.0	56	31.8	69	39.2	53	30.1	23	13.1
Below Guideline Range With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	0	0.0	764	26.4	860	29.8	876	30.3	471	16.3
All Remaining Cases Below Guideline Range	0	0.0	0	0.0	0	0.0	1	0.7	1	0.7	4	2.8	139	95.9

¹ Multiple attributions may be made on the SOR. Therefore, the numbers reported in this table may exceed the number of total cases. For example, among SORs with an attribution, 1,482 cases indicated more than one attribution. Note that only outside of the range cases are included in this table. Descriptions of variables used in this table are provided in Appendix A.

**§5K1.1 SUBSTANTIAL ASSISTANCE DEPARTURE CASES: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	2,242	36	33	50.0
Murder	3	200	160	44.4
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	5	112	96	38.4
Sexual Abuse	8	62	65	37.5
Assault	1	--	--	--
Robbery	20	64	22	38.0
Arson	0	--	--	--
Drugs - Trafficking	1,320	50	45	47.8
Drugs - Communication Facility	20	17	25	46.8
Drugs - Simple Possession	1	--	--	--
Firearms	187	57	33	44.7
Burglary/B&E	1	--	--	--
Auto Theft	3	0	30	100.0
Larceny	21	12	13	42.7
Fraud	352	12	21	62.4
Embezzlement	3	12	6	67.5
Forgery/Counterfeiting	15	1	8	95.9
Bribery	17	12	27	61.4
Tax	17	0	17	100.0
Money Laundering	53	10	25	80.1
Racketeering/Extortion	62	42	36	41.4
Gambling/Lottery	2	--	--	--
Civil Rights	1	--	--	--
Immigration	59	8	12	49.9
Child Pornography	17	120	72	27.2
Prison Offenses	3	12	6	20.0
Administration of Justice Offenses	22	2	12	92.1
Environmental/Wildlife	4	8	9	66.6
National Defense	6	32	14	30.4
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	19	15	11	50.0

¹ Of the 18,308 cases, 2,344 received a §5K1.1 substantial assistance departure. Of these, 2,256 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, an additional 14 cases were also excluded from this table. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through December 31, 2013).

**§5K3.1 EARLY DISPOSITION PROGRAM DEPARTURE CASES: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹**
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	1,540	15	9	40.0
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	0	--	--	--
Assault	2	--	--	--
Robbery	0	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	327	24	19	46.7
Drugs - Communication Facility	1	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	5	18	18	46.8
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	0	--	--	--
Fraud	0	--	--	--
Embezzlement	0	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	1	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	1,202	12	7	38.1
Child Pornography	0	--	--	--
Prison Offenses	0	--	--	--
Administration of Justice Offenses	1	--	--	--
Environmental/Wildlife	1	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	0	--	--	--

¹ Of the 18,308 cases, 1,704 received a §5K3.1 early disposition program departure. Of these, 1,540 cases had complete guideline application information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through December 31, 2013).

**OTHER GOVERNMENT SPONSORED BELOW RANGE CASES: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹**
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	1,051	42	22	40.0
Murder	2	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	3	168	120	35.9
Sexual Abuse	24	120	48	36.2
Assault	20	20	8	35.1
Robbery	21	57	29	23.9
Arson	2	--	--	--
Drugs - Trafficking	414	63	31	35.1
Drugs - Communication Facility	8	0	37	100.0
Drugs - Simple Possession	0	--	--	--
Firearms	138	52	18	28.6
Burglary/B&E	0	--	--	--
Auto Theft	1	--	--	--
Larceny	15	0	17	100.0
Fraud	107	12	16	75.8
Embezzlement	1	--	--	--
Forgery/Counterfeiting	6	16	5	29.1
Bribery	2	--	--	--
Tax	15	0	12	100.0
Money Laundering	35	12	16	61.7
Racketeering/Extortion	27	44	24	58.5
Gambling/Lottery	3	0	12	100.0
Civil Rights	1	--	--	--
Immigration	61	12	10	40.0
Child Pornography	79	84	55	40.4
Prison Offenses	3	12	25	67.6
Administration of Justice Offenses	26	10	12	57.8
Environmental/Wildlife	5	0	20	100.0
National Defense	1	--	--	--
Antitrust	0	--	--	--
Food & Drug	1	--	--	--
Other Miscellaneous Offenses	30	0	12	99.9

¹ Of the 18,308 cases, 1,113 received an other government sponsored downward departure. Of these, 1,058 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, an additional seven cases were also excluded from this table. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through December 31, 2013).

**DOWNWARD DEPARTURES FROM GUIDELINE RANGE: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹**
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	478	24	13	37.2
Murder	0	--	--	--
Manslaughter	2	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	0	--	--	--
Assault	7	24	10	41.5
Robbery	6	62	13	21.8
Arson	0	--	--	--
Drugs - Trafficking	116	40	18	32.4
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	1	--	--	--
Firearms	34	42	9	16.2
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	6	0	8	100.0
Fraud	41	15	12	44.4
Embezzlement	1	--	--	--
Forgery/Counterfeiting	1	--	--	--
Bribery	1	--	--	--
Tax	5	14	6	33.2
Money Laundering	5	21	6	18.2
Racketeering/Extortion	6	30	24	37.0
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	223	18	12	40.5
Child Pornography	11	84	27	36.4
Prison Offenses	2	--	--	--
Administration of Justice Offenses	4	15	12	44.9
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	6	0	15	100.0

¹ Of the 18,308 cases, 489 received a downward departure from the guideline range. Of these, 480 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, an additional two cases were also excluded from this table. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**DOWNWARD DEPARTURES WITH *BOOKER* /18 U.S.C. § 3553: DEGREE
OF DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	169	30	21	38.1
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	2	--	--	--
Assault	1	--	--	--
Robbery	5	60	21	26.3
Arson	0	--	--	--
Drugs - Trafficking	57	60	30	34.8
Drugs - Communication Facility	1	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	16	24	20	50.5
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	3	0	5	100.0
Fraud	20	24	16	37.9
Embezzlement	0	--	--	--
Forgery/Counterfeiting	2	--	--	--
Bribery	1	--	--	--
Tax	2	--	--	--
Money Laundering	2	--	--	--
Racketeering/Extortion	2	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	2	--	--	--
Immigration	38	19	20	49.4
Child Pornography	9	108	43	28.5
Prison Offenses	0	--	--	--
Administration of Justice Offenses	3	12	6	33.2
Environmental/Wildlife	0	--	--	--
National Defense	1	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	2	--	--	--

¹ Of the 18,308 cases, 176 received a downward departure from the guideline range with *Booker*/18 U.S.C. § 3553. Of these, 169 cases had complete guideline application information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through December 31, 2013).

**BELOW GUIDELINE RANGE WITH *BOOKER*/18 U.S.C. § 3553: DEGREE
OF DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	2,778	24	13	36.4
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	13	120	35	36.2
Assault	35	13	11	45.7
Robbery	30	41	15	20.1
Arson	1	--	--	--
Drugs - Trafficking	851	48	22	31.0
Drugs - Communication Facility	24	12	11	70.7
Drugs - Simple Possession	1	--	--	--
Firearms	355	36	13	25.5
Burglary/B&E	2	--	--	--
Auto Theft	2	--	--	--
Larceny	55	0	10	100.0
Fraud	400	12	12	52.7
Embezzlement	17	6	8	49.9
Forgery/Counterfeiting	25	12	9	40.0
Bribery	16	5	12	54.2
Tax	62	0	12	100.0
Money Laundering	55	20	21	51.4
Racketeering/Extortion	28	29	18	27.5
Gambling/Lottery	7	0	10	100.0
Civil Rights	3	24	17	41.5
Immigration	490	18	10	36.8
Child Pornography	171	72	48	38.1
Prison Offenses	13	11	5	26.7
Administration of Justice Offenses	57	7	9	54.5
Environmental/Wildlife	6	2	7	80.0
National Defense	4	27	29	44.3
Antitrust	1	--	--	--
Food & Drug	2	--	--	--
Other Miscellaneous Offenses	52	3	12	73.7

¹ Of the 18,308 cases, 2,890 were sentenced below the guideline range with *Booker*/18 U.S.C § 3553. Of these, 2,790 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, an additional nine cases were also excluded from this table. Of the remaining 2,781 cases, three were excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**ALL REMAINING BELOW GUIDELINE RANGE CASES: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹**
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	126	4	6	72.3
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	0	--	--	--
Assault	4	12	7	47.1
Robbery	3	48	13	28.3
Arson	0	--	--	--
Drugs - Trafficking	16	6	12	57.1
Drugs - Communication Facility	1	--	--	--
Drugs - Simple Possession	1	--	--	--
Firearms	13	40	8	25.9
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	1	--	--	--
Fraud	12	0	6	95.8
Embezzlement	1	--	--	--
Forgery/Counterfeiting	1	--	--	--
Bribery	2	--	--	--
Tax	3	0	6	100.0
Money Laundering	2	--	--	--
Racketeering/Extortion	2	--	--	--
Gambling/Lottery	3	0	6	100.0
Civil Rights	0	--	--	--
Immigration	47	0	5	100.0
Child Pornography	3	540	180	25.0
Prison Offenses	1	--	--	--
Administration of Justice Offenses	2	--	--	--
Environmental/Wildlife	1	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	7	0	6	100.0

¹ Of the 18,308 cases, 145 were otherwise sentenced below the guideline range. Of these, 126 cases had complete guideline application information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through December 31, 2013).

**UPWARD DEPARTURES FROM GUIDELINE RANGE: DEGREE OF
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹**
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	78	48	13	33.3
Murder	1	--	--	--
Manslaughter	1	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	2	--	--	--
Assault	3	120	42	53.8
Robbery	4	90	16	21.0
Arson	0	--	--	--
Drugs - Trafficking	14	41	8	23.3
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	1	--	--	--
Firearms	10	165	22	24.1
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	2	--	--	--
Fraud	4	72	10	47.3
Embezzlement	0	--	--	--
Forgery/Counterfeiting	2	--	--	--
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	2	--	--	--
Racketeering/Extortion	1	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	20	30	10	42.9
Child Pornography	4	120	31	40.1
Prison Offenses	0	--	--	--
Administration of Justice Offenses	4	36	9	33.3
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	3	16	4	33.3

¹ Of the 18,308 cases, 86 received an upward departure from the guideline range. Of these, 78 cases had complete guideline application information. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through December 31, 2013).

**UPWARD DEPARTURES WITH *BOOKER*/18 U.S.C. § 3553: DEGREE OF
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	24	66	14	48.2
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	0	--	--	--
Assault	0	--	--	--
Robbery	2	--	--	--
Arson	2	--	--	--
Drugs - Trafficking	0	--	--	--
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	8	87	19	37.6
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	1	--	--	--
Fraud	3	36	18	72.4
Embezzlement	0	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	5	24	10	71.4
Child Pornography	1	--	--	--
Prison Offenses	1	--	--	--
Administration of Justice Offenses	1	--	--	--
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	0	--	--	--

¹ Of the 18,308 cases, 28 received an upward departure from the guideline range with *Booker*/18 U.S.C § 3553. Of these, 25 cases had complete guideline application information. One additional case was excluded due to several logical criteria. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through December 31, 2013).

**ABOVE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE
OF INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	191	60	14	42.9
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	2	--	--	--
Assault	9	60	29	78.4
Robbery	5	140	27	42.9
Arson	1	--	--	--
Drugs - Trafficking	20	93	20	45.0
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	49	105	19	30.4
Burglary/B&E	0	--	--	--
Auto Theft	1	--	--	--
Larceny	1	--	--	--
Fraud	22	60	14	42.9
Embezzlement	0	--	--	--
Forgery/Counterfeiting	4	30	8	61.1
Bribery	0	--	--	--
Tax	1	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	3	240	52	27.7
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	49	24	8	50.0
Child Pornography	5	240	55	23.7
Prison Offenses	4	48	23	85.7
Administration of Justice Offenses	3	24	8	50.0
Environmental/Wildlife	1	--	--	--
National Defense	1	--	--	--
Antitrust	0	--	--	--
Food & Drug	2	--	--	--
Other Miscellaneous Offenses	8	66	20	52.7

¹ Of the 18,308 cases, 287 were sentenced above the guideline range with *Booker*/18 U.S.C § 3553. Of these, 195 cases had complete guideline application information. Four additional cases were excluded due to several logical criteria. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**ALL REMAINING ABOVE GUIDELINE RANGE CASES: DEGREE OF
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹**
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	11	120	45	33.3
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	1	--	--	--
Assault	0	--	--	--
Robbery	1	--	--	--
Arson	1	--	--	--
Drugs - Trafficking	1	--	--	--
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	4	102	33	36.4
Burglary/B&E	0	--	--	--
Auto Theft	1	--	--	--
Larceny	0	--	--	--
Fraud	1	--	--	--
Embezzlement	0	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	1	--	--	--
Child Pornography	0	--	--	--
Prison Offenses	0	--	--	--
Administration of Justice Offenses	0	--	--	--
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	0	--	--	--

¹ Of the 18,308 cases, 34 were otherwise sentenced above the guideline range. Of these, 12 cases had complete guideline application information. One additional case was excluded due to several logical criteria. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through December 31, 2013).

OFFENDERS RECEIVING SENTENCING OPTIONS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

PRIMARY OFFENSE	TOTAL	TOTAL RECEIVING IMPRISONMENT		Prison Only		Prison/Community Split Sentence ²		TOTAL RECEIVING PROBATION		Probation and Confinement		Probation Only	
		N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	18,172	16,353	90.0	15,815	87.0	538	3.0	1,819	10.0	541	3.0	1,278	7.0
Murder	19	19	100.0	18	94.7	1	5.3	0	0.0	0	0.0	0	0.0
Manslaughter	9	9	100.0	9	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Kidnapping/Hostage Taking	11	11	100.0	11	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Sexual Abuse	122	121	99.2	118	96.7	3	2.5	1	0.8	0	0.0	1	0.8
Assault	211	184	87.2	165	78.2	19	9.0	27	12.8	10	4.7	17	8.1
Robbery	194	191	98.5	189	97.4	2	1.0	3	1.5	1	0.5	2	1.0
Arson	14	13	92.9	13	92.9	0	0.0	1	7.1	1	7.1	0	0.0
Drugs - Trafficking	5,143	4,920	95.7	4,755	92.5	165	3.2	223	4.3	67	1.3	156	3.0
Drugs - Communication Facility	94	73	77.7	70	74.5	3	3.2	21	22.3	7	7.4	14	14.9
Drugs - Simple Possession	515	474	92.0	473	91.8	1	0.2	41	8.0	1	0.2	40	7.8
Firearms	1,953	1,840	94.2	1,783	91.3	57	2.9	113	5.8	44	2.3	69	3.5
Burglary/B&E	12	12	100.0	11	91.7	1	8.3	0	0.0	0	0.0	0	0.0
Auto Theft	23	21	91.3	21	91.3	0	0.0	2	8.7	2	8.7	0	0.0
Larceny	299	138	46.2	119	39.8	19	6.4	161	53.8	45	15.1	116	38.8
Fraud	1,865	1,444	77.4	1,336	71.6	108	5.8	421	22.6	167	9.0	254	13.6
Embezzlement	75	41	54.7	35	46.7	6	8.0	34	45.3	7	9.3	27	36.0
Forgery/Counterfeiting	155	127	81.9	115	74.2	12	7.7	28	18.1	12	7.7	16	10.3
Bribery	61	44	72.1	40	65.6	4	6.6	17	27.9	10	16.4	7	11.5
Tax	171	96	56.1	82	48.0	14	8.2	75	43.9	32	18.7	43	25.1
Money Laundering	216	161	74.5	146	67.6	15	6.9	55	25.5	15	6.9	40	18.5
Racketeering/Extortion	235	225	95.7	220	93.6	5	2.1	10	4.3	3	1.3	7	3.0
Gambling/Lottery	21	7	33.3	6	28.6	1	4.8	14	66.7	3	14.3	11	52.4
Civil Rights	12	7	58.3	7	58.3	0	0.0	5	41.7	3	25.0	2	16.7
Immigration	5,406	5,161	95.5	5,107	94.5	54	1.0	245	4.5	39	0.7	206	3.8
Child Pornography	449	445	99.1	435	96.9	10	2.2	4	0.9	2	0.4	2	0.4
Prison Offenses	110	104	94.5	100	90.9	4	3.6	6	5.5	1	0.9	5	4.5
Administration of Justice Offenses	280	227	81.1	213	76.1	14	5.0	53	18.9	18	6.4	35	12.5
Environmental/Wildlife	61	18	29.5	12	19.7	6	9.8	43	70.5	3	4.9	40	65.6
National Defense	19	19	100.0	19	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Antitrust	3	3	100.0	3	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	22	5	22.7	5	22.7	0	0.0	17	77.3	4	18.2	13	59.1
Other Miscellaneous Offenses	392	193	49.2	179	45.7	14	3.6	199	50.8	44	11.2	155	39.5

¹ Of the 18,308 cases, 136 were excluded due to one of the following reasons: the offender received neither imprisonment nor probation (135), or missing sentencing information (1). Descriptions of variables used in this table are provided in Appendix A.

² Prison/Community Split Sentence includes all cases in which offenders received prison and conditions of confinement as described in USSG §5C1.1.

Table 19

SENTENCE LENGTH IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

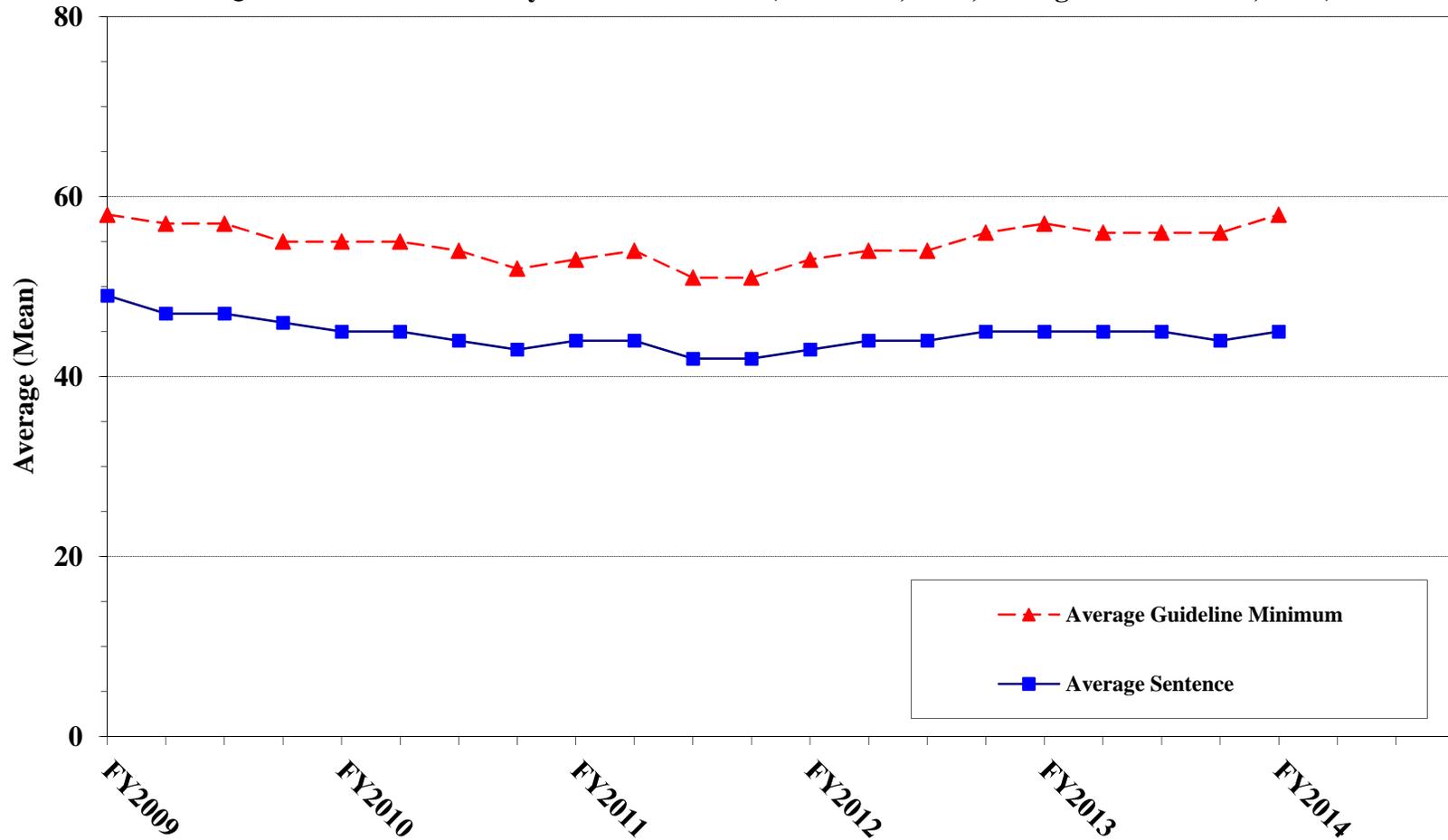
PRIMARY OFFENSE	Mean Months	Median Months	N
TOTAL	45	24	18,308
Murder	297	262	19
Manslaughter	45	33	9
Kidnapping/Hostage Taking	169	168	11
Sexual Abuse	118	120	122
Assault	37	24	213
Robbery	83	60	194
Arson	81	60	14
Drugs - Trafficking	70	57	5,143
Drugs - Communication Facility	28	24	94
Drugs - Simple Possession	5	6	527
Firearms	80	55	1,955
Burglary/B&E	20	21	12
Auto Theft	84	57	23
Larceny	10	3	317
Fraud	26	15	1,871
Embezzlement	11	6	77
Forgery/Counterfeiting	17	12	157
Bribery	20	15	62
Tax	14	10	172
Money Laundering	31	19	216
Racketeering/Extortion	106	60	235
Gambling/Lottery	4	0	21
Civil Rights	66	19	12
Immigration	15	10	5,410
Child Pornography	139	97	449
Prison Offenses	13	8	110
Administration of Justice Offenses	17	13	282
Environmental/Wildlife	3	0	62
National Defense	46	30	19
Antitrust	35	30	3
Food & Drug	20	0	25
Other Miscellaneous Offenses	18	0	472

¹ Sentences of probation only are included in this table as zero months of imprisonment. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

Figure C

**AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM
QUARTERLY DATA FOR ALL CASES¹**

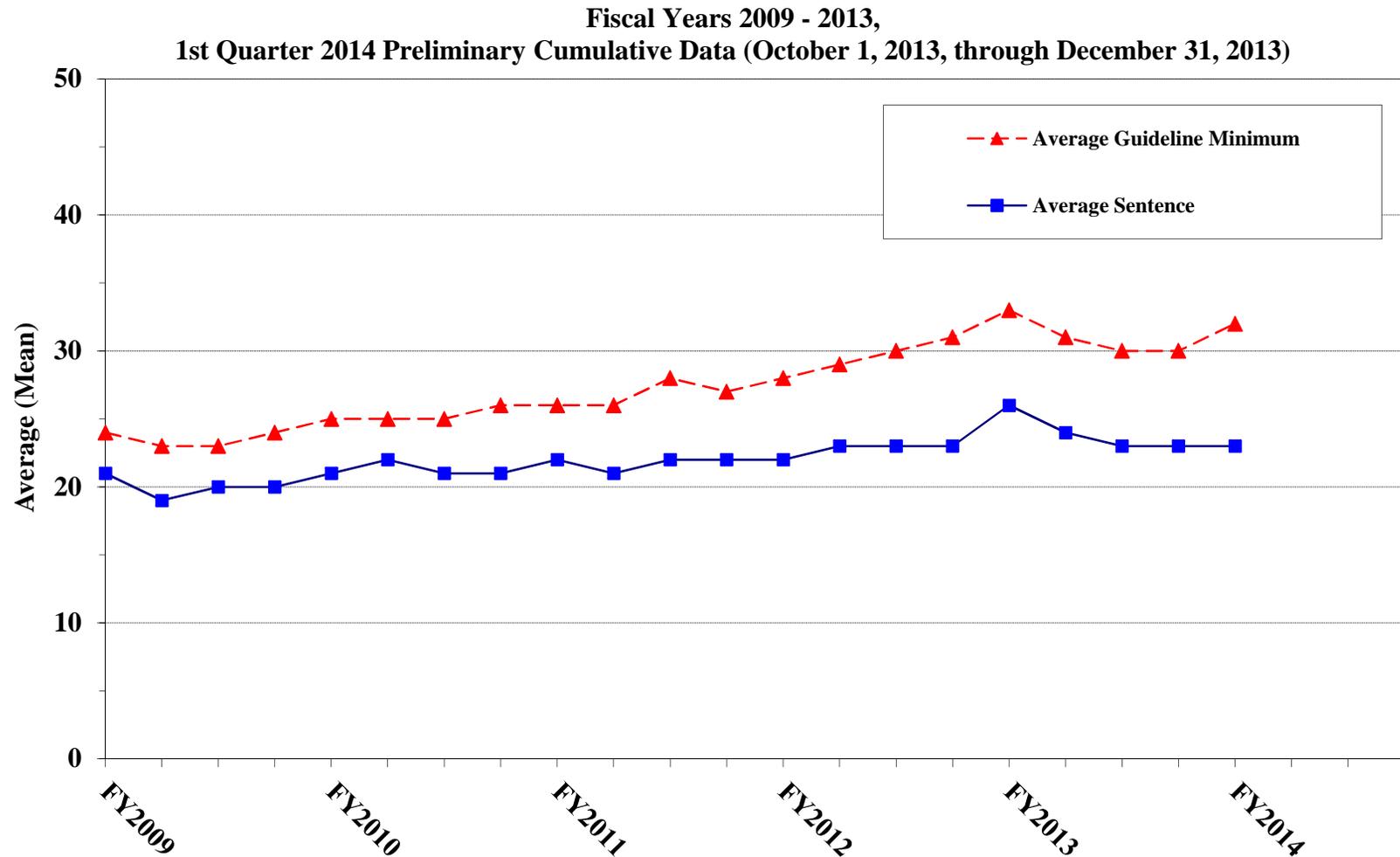
**Fiscal Years 2009 - 2013,
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)**



¹ Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure D

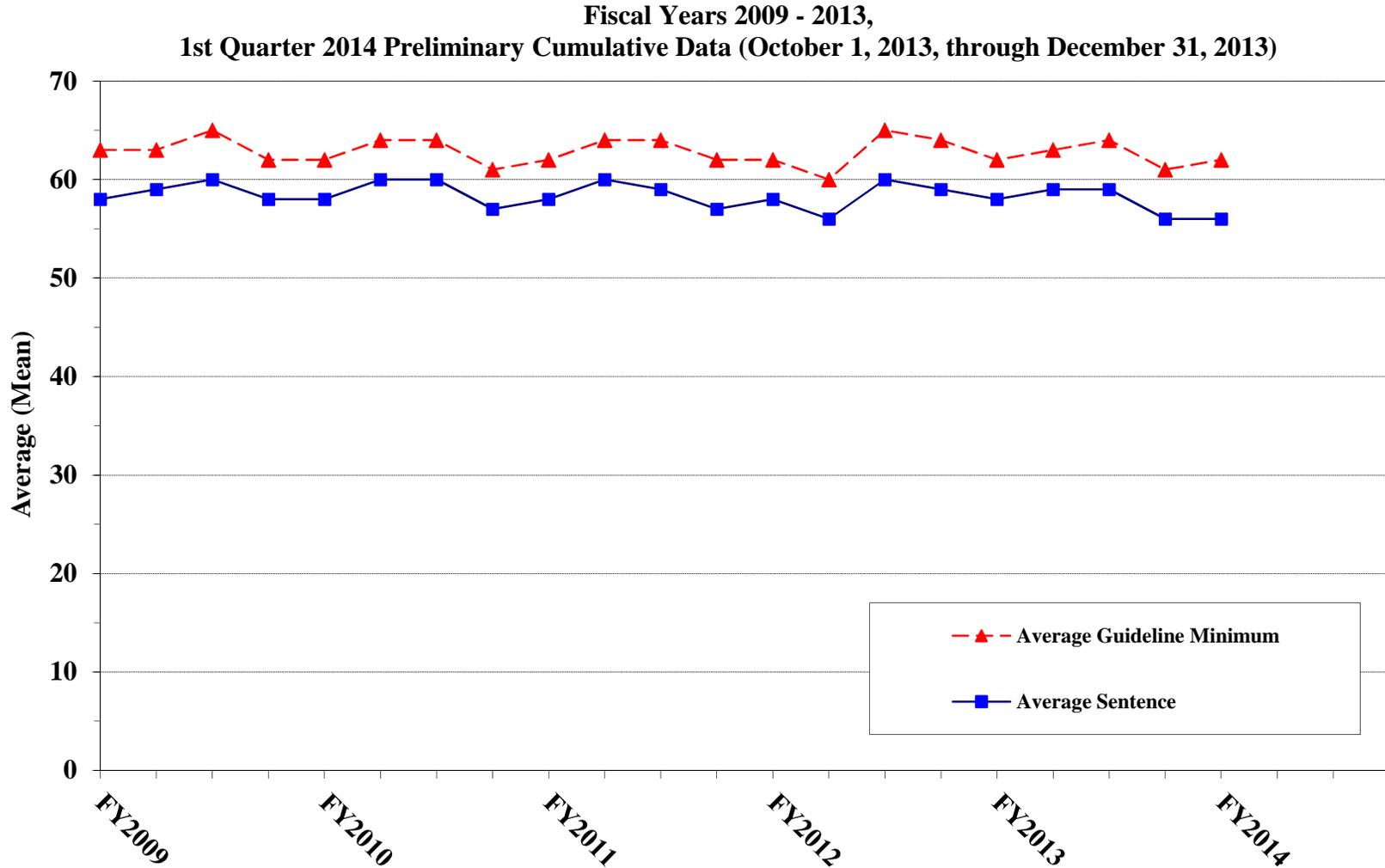
**AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM QUARTERLY
DATA FOR §2B1.1 OFFENDERS (THEFT, PROPERTY DESTRUCTION, AND FRAUD)¹**



¹ Figure includes only cases with a primary sentencing guideline of USSG §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit Bearer Obligation of the United States). Additionally, cases with an amendment year prior to 2001 were excluded from this figure because prior to this time fraud cases were reported separately as USSG §2F1.1. Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure E

AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM QUARTERLY DATA FOR §2K2.1 OFFENDERS (UNLAWFUL POSSESSION OF OR TRANSACTION IN FIREARMS)¹

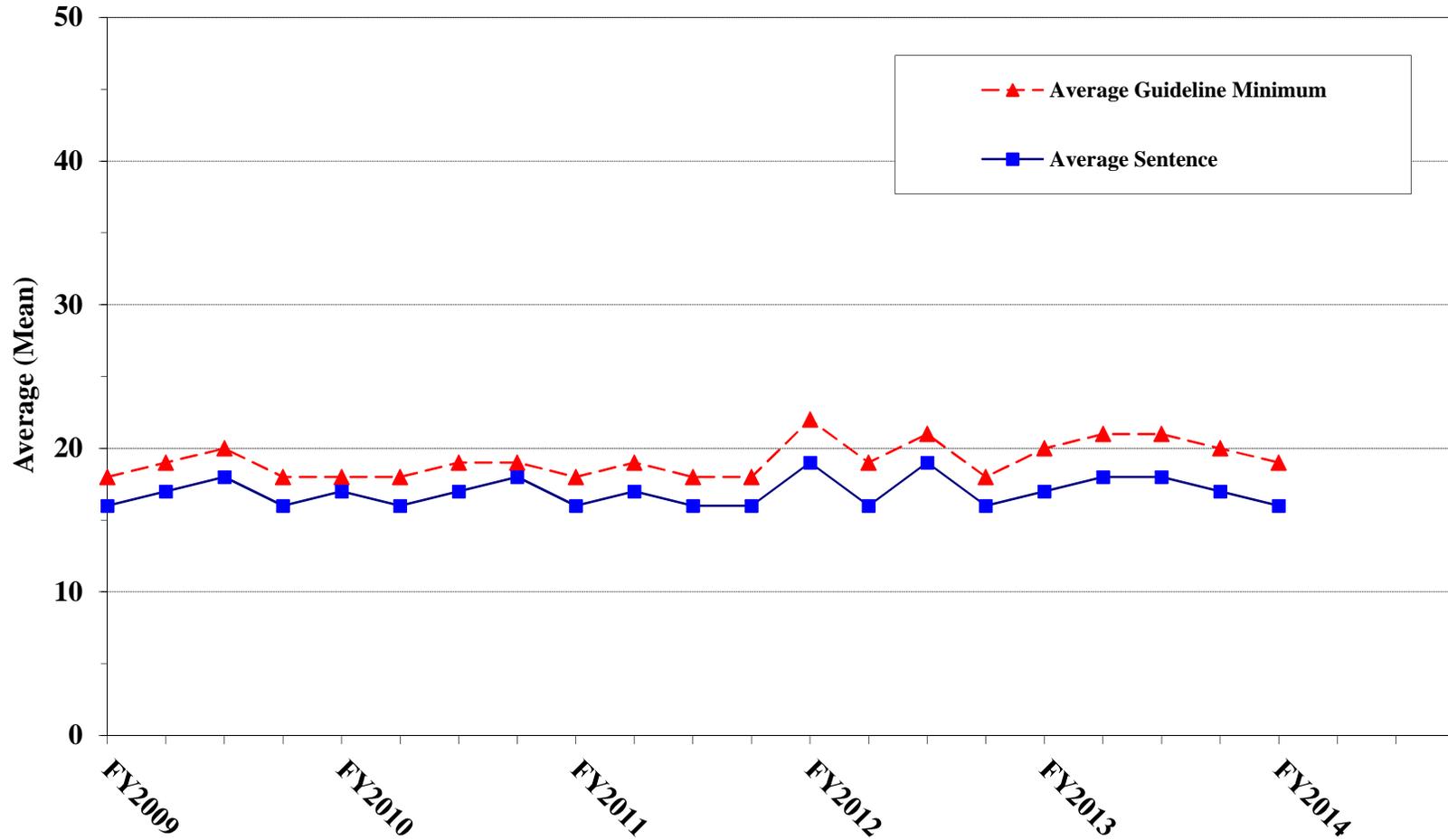


¹ Figure includes only cases with a primary sentencing guideline of USSG §2K2.1 (Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition; Prohibited Transactions Involving Firearms or Ammunition). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure F

**AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM
QUARTERLY DATA FOR §2L1.1 OFFENDERS (ALIEN SMUGGLING)¹**

**Fiscal Years 2009 - 2013,
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)**

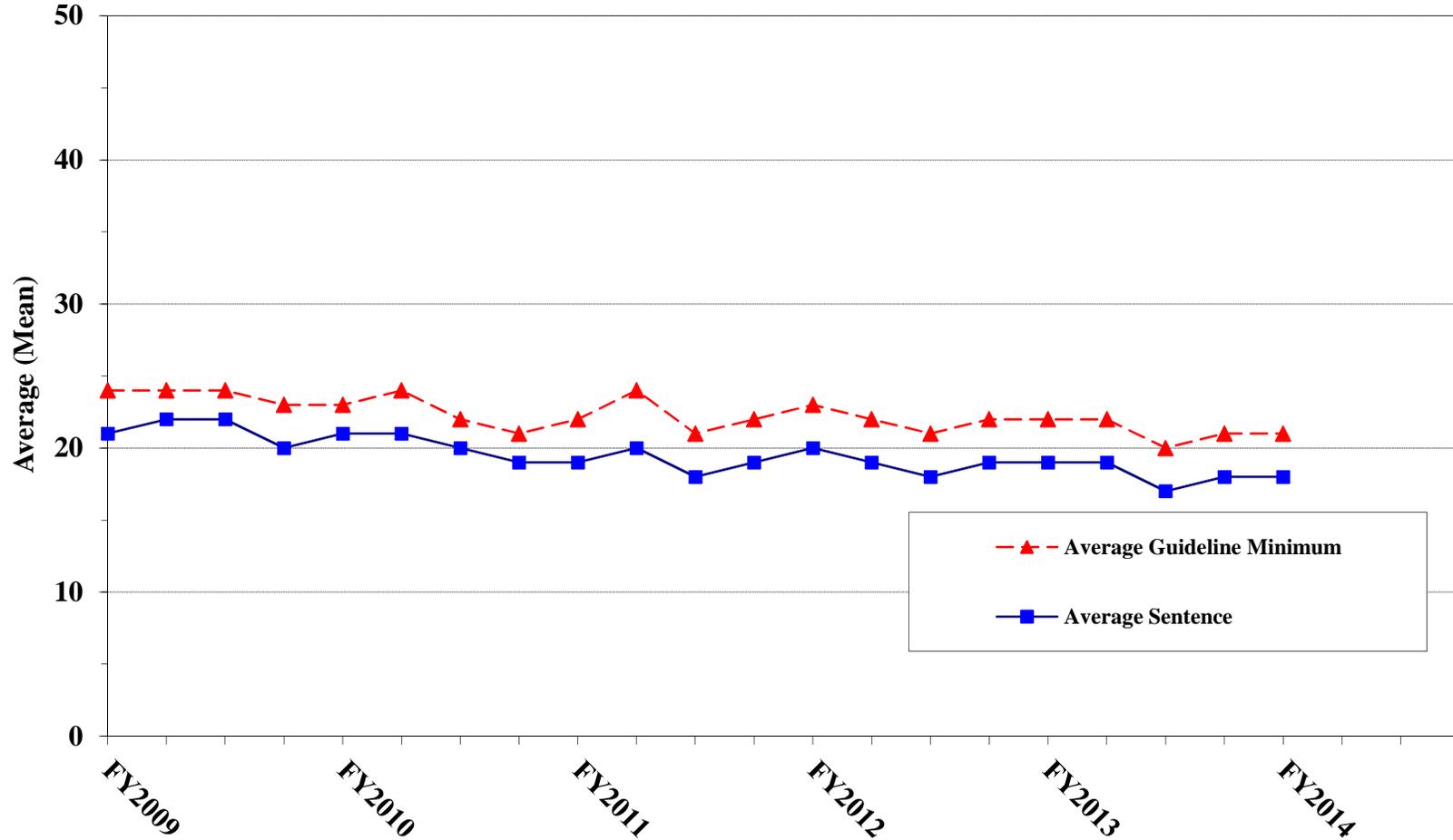


¹ Figure includes only cases with a primary sentencing guideline of USSG §2L1.1 (Smuggling, Transporting, or Harboring an Unlawful Alien). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure G

AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM QUARTERLY DATA FOR §2L1.2 OFFENDERS (UNLAWFUL ENTERING OR REMAINING IN THE UNITED STATES)¹

**Fiscal Years 2009 - 2013,
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)**

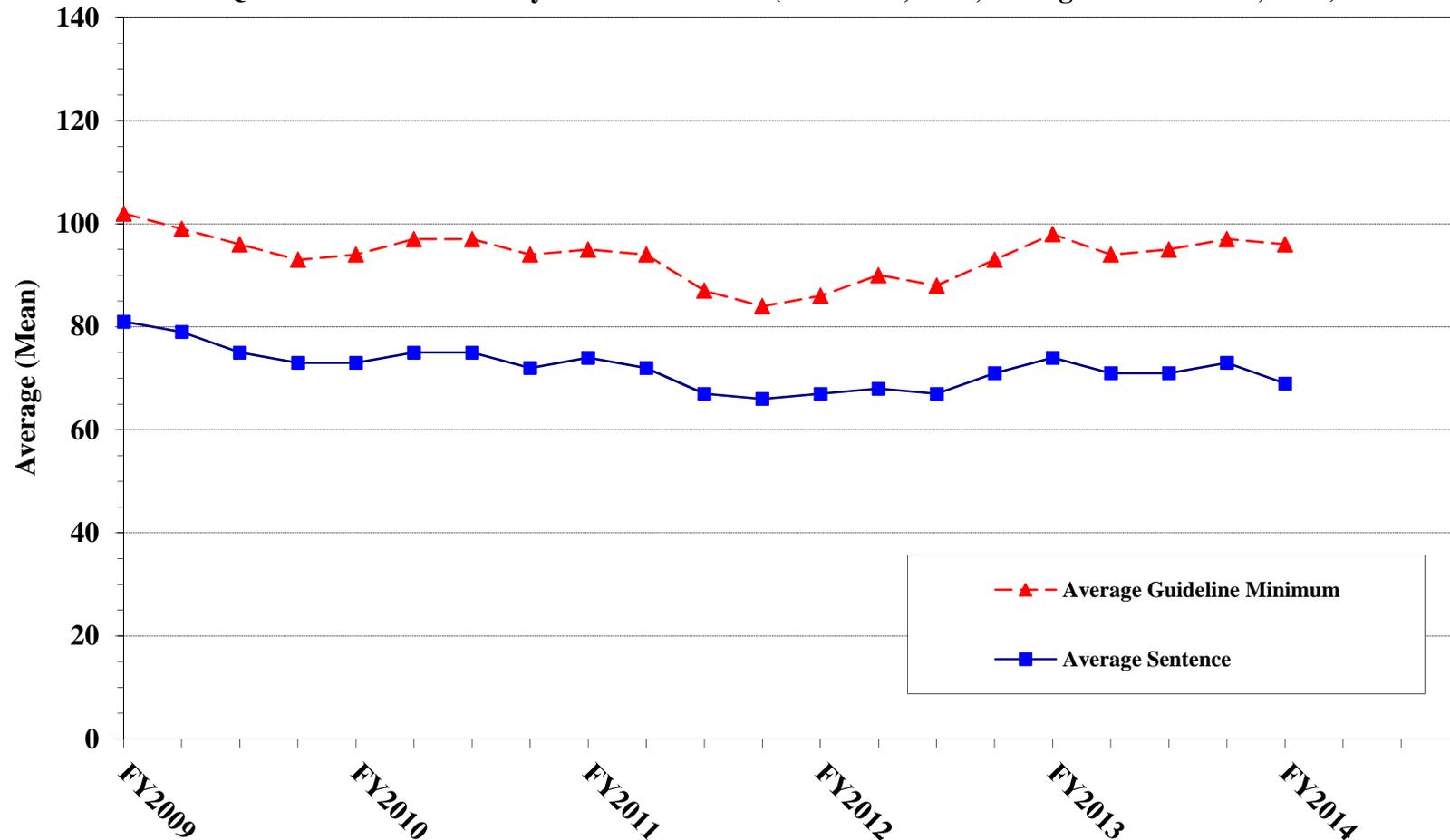


¹ Figure includes only cases with a primary sentencing guideline of USSG §2L1.2. Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure H

**AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM QUARTERLY
DATA FOR §2D1.1 OFFENDERS (UNLAWFUL DRUG TRAFFICKING OR MANUFACTURING)¹**

**Fiscal Years 2009 - 2013,
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)**

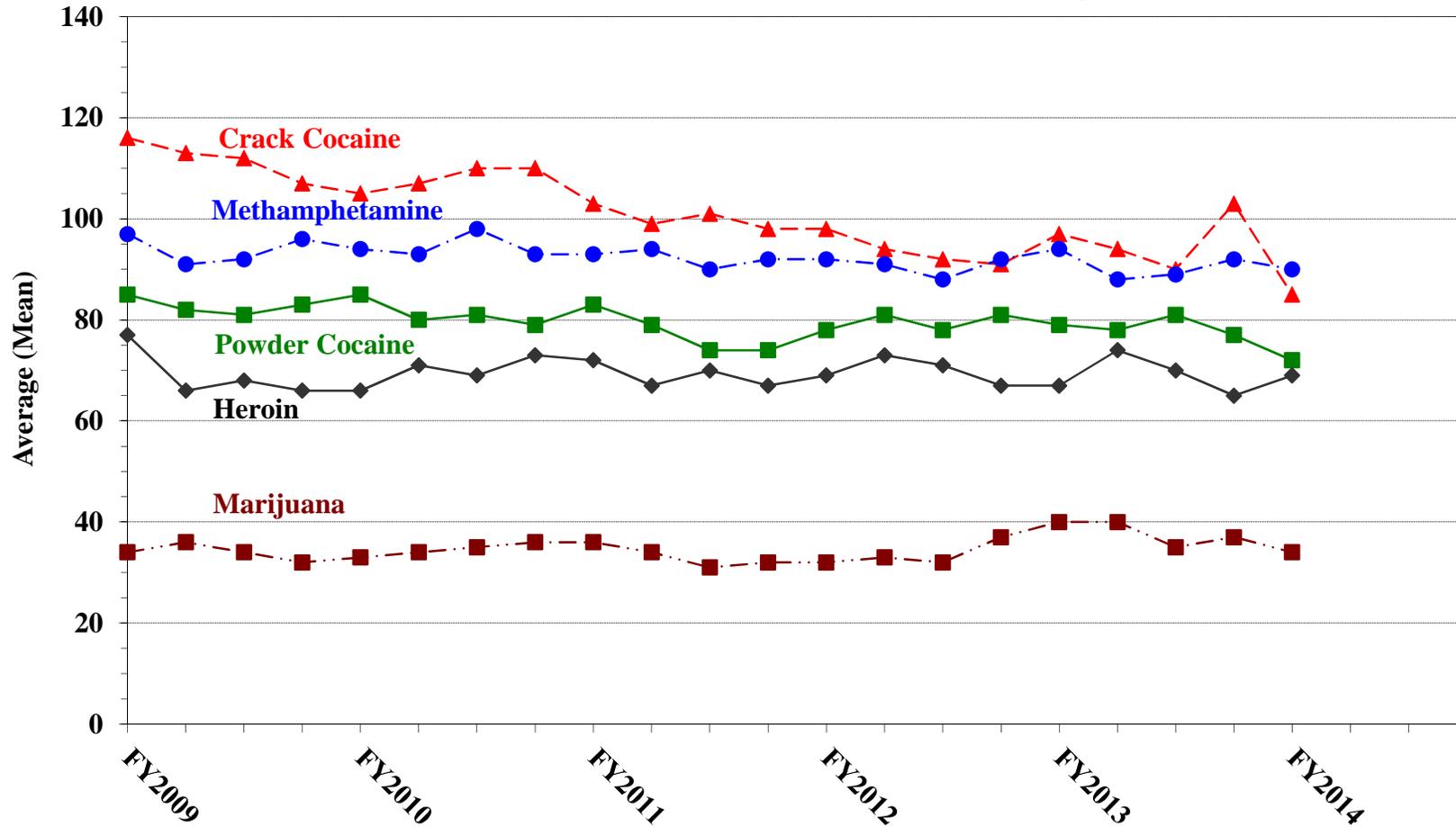


¹ Figure includes only cases with a primary sentencing guideline of USSG §2D1.1 (Unlawful Manufacturing, Importing, Exporting, or Trafficking (Including Possession with Intent to Commit These Offenses); Attempt or Conspiracy). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure I

AVERAGE SENTENCE LENGTH FOR EACH DRUG TYPE¹

Fiscal Years 2009 - 2013,
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)



¹ Only cases sentenced under USSG §§2D1.1 (Drug Trafficking), 2D1.2 (Protected Locations), 2D1.5 (Continuing Criminal Enterprise), 2D1.6 (Use of Communication Facility), 2D1.8 (Rent/Manage Drug Establishment), or 2D2.1 (Simple Possession) are depicted in this figure. Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

**WITHIN RANGE CASES: POSITION OF SENTENCE FOR OFFENDERS
IN EACH PRIMARY OFFENSE CATEGORY¹**
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

PRIMARY OFFENSE	TOTAL	Guideline Minimum		Lower Half of Range		Midpoint of Range		Upper Half of Range		Guideline Maximum	
		N	%	N	%	N	%	N	%	N	%
TOTAL	7,119	3,650	51.3	1,508	21.2	602	8.5	556	7.8	803	11.3
Murder	5	1	20.0	1	20.0	0	0.0	0	0.0	3	60.0
Manslaughter	6	2	33.3	1	16.7	1	16.7	0	0.0	2	33.3
Kidnapping/Hostage Taking	2	1	50.0	1	50.0	0	0.0	0	0.0	0	0.0
Sexual Abuse	45	21	46.7	6	13.3	3	6.7	6	13.3	9	20.0
Assault	98	46	46.9	10	10.2	9	9.2	13	13.3	20	20.4
Robbery	85	44	51.8	15	17.6	7	8.2	9	10.6	10	11.8
Arson	6	3	50.0	2	33.3	1	16.7	0	0.0	0	0.0
Drugs - Trafficking	1,662	1,140	68.6	226	13.6	102	6.1	75	4.5	119	7.2
Drugs - Communication Facility	18	11	61.1	1	5.6	1	5.6	2	11.1	3	16.7
Drugs - Simple Possession	22	13	59.1	3	13.6	1	4.5	1	4.5	4	18.2
Firearms	952	510	53.6	137	14.4	93	9.8	64	6.7	148	15.5
Burglary/B&E	9	2	22.2	1	11.1	1	11.1	0	0.0	5	55.6
Auto Theft	14	5	35.7	3	21.4	2	14.3	1	7.1	3	21.4
Larceny	155	99	63.9	17	11.0	8	5.2	8	5.2	23	14.8
Fraud	712	390	54.8	112	15.7	66	9.3	53	7.4	91	12.8
Embezzlement	43	34	79.1	3	7.0	1	2.3	2	4.7	3	7.0
Forgery/Counterfeiting	89	48	53.9	5	5.6	7	7.9	11	12.4	18	20.2
Bribery	20	15	75.0	1	5.0	0	0.0	1	5.0	3	15.0
Tax	59	43	72.9	6	10.2	2	3.4	1	1.7	7	11.9
Money Laundering	53	40	75.5	6	11.3	2	3.8	4	7.5	1	1.9
Racketeering/Extortion	61	28	45.9	10	16.4	6	9.8	4	6.6	13	21.3
Gambling/Lottery	6	6	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Civil Rights	3	2	66.7	0	0.0	0	0.0	1	33.3	0	0.0
Immigration	2,494	858	34.4	873	35.0	247	9.9	270	10.8	246	9.9
Child Pornography	113	68	60.2	13	11.5	6	5.3	11	9.7	15	13.3
Prison Offenses	60	27	45.0	9	15.0	6	10.0	8	13.3	10	16.7
Administration of Justice Offenses	136	65	47.8	20	14.7	17	12.5	6	4.4	28	20.6
Environmental/Wildlife	29	23	79.3	4	13.8	1	3.4	0	0.0	1	3.4
National Defense	3	1	33.3	0	0.0	0	0.0	0	0.0	2	66.7
Antitrust	1	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	17	16	94.1	1	5.9	0	0.0	0	0.0	0	0.0
Other Miscellaneous Offenses	141	87	61.7	21	14.9	12	8.5	5	3.5	16	11.3

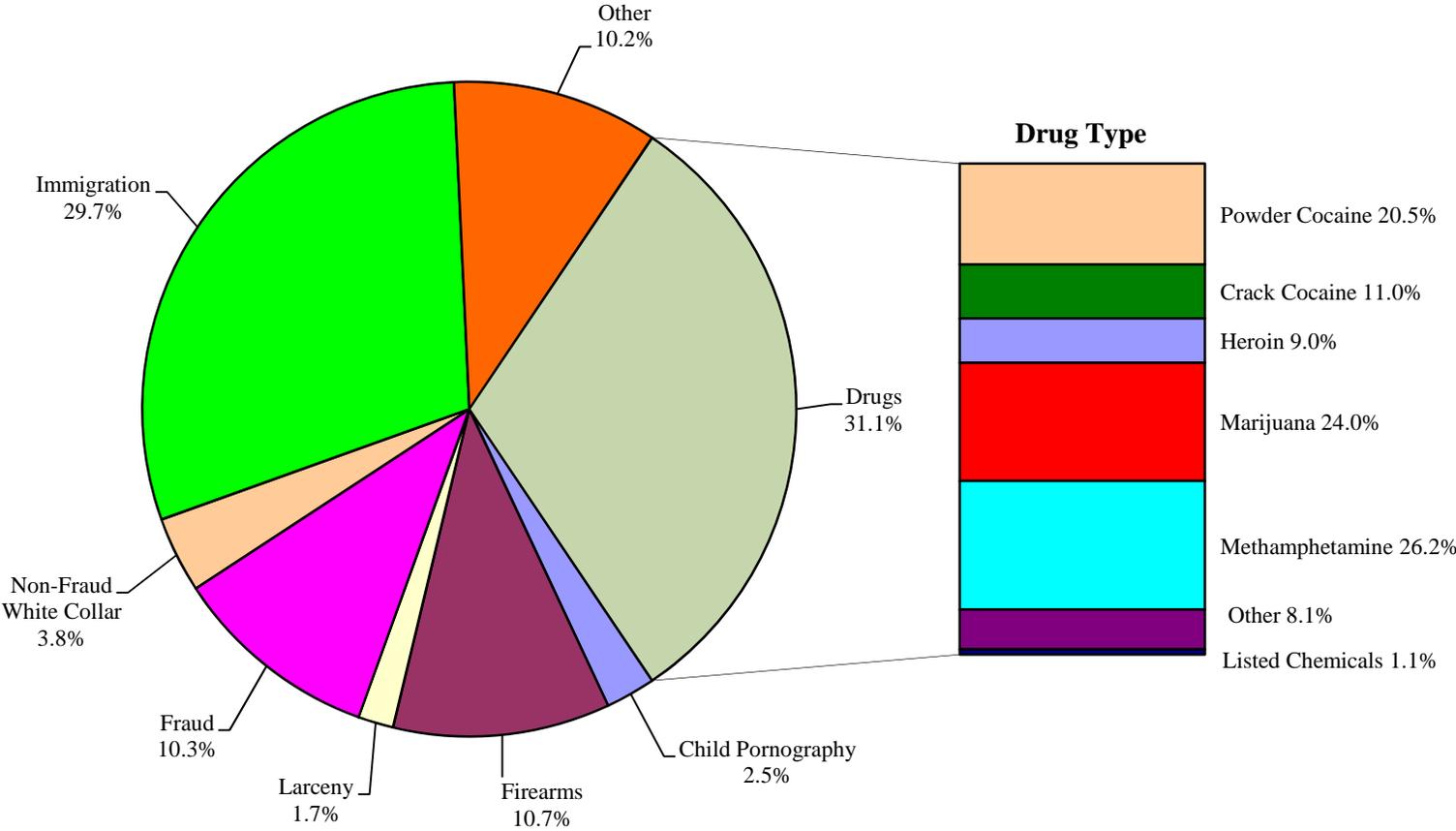
¹ Of the 18,308 cases, 8,873 were sentenced within the applicable guideline range. Of those, 7,518 cases had complete guideline application information. An additional 399 cases were excluded due to several logical criteria. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through December 31, 2013).

Figure J

OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹

1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)



¹ Of the 18,308 guideline cases, 100 drug cases were excluded from this figure due to cases missing drug type. The Drug category includes the following offense types: trafficking, use of a communication facility, and simple possession. Descriptions of variables used in this figure are provided in Appendix A.

² The Non-Fraud White Collar category includes the following offense types: embezzlement, forgery/counterfeiting, bribery, money laundering, and tax.

Table 21

GUIDELINE OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

PRIMARY OFFENSE	N	%
TOTAL	18,308	100.0
Murder	19	0.1
Manslaughter	9	0.0
Kidnapping/Hostage Taking	11	0.1
Sexual Abuse	122	0.7
Assault	213	1.2
Robbery	194	1.1
Arson	14	0.1
Drugs - Trafficking	5,143	28.1
Drugs - Communication Facility	94	0.5
Drugs - Simple Possession	527	2.9
Firearms	1,955	10.7
Burglary/B&E	12	0.1
Auto Theft	23	0.1
Larceny	317	1.7
Fraud	1,871	10.2
Embezzlement	77	0.4
Forgery/Counterfeiting	157	0.9
Bribery	62	0.3
Tax	172	0.9
Money Laundering	216	1.2
Racketeering/Extortion	235	1.3
Gambling/Lottery	21	0.1
Civil Rights	12	0.1
Immigration	5,410	29.5
Child Pornography	449	2.5
Prison Offenses	110	0.6
Administration of Justice Offenses	282	1.5
Environmental/Wildlife	62	0.3
National Defense	19	0.1
Antitrust	3	0.0
Food & Drug	25	0.1
Other Miscellaneous Offenses	472	2.6

¹ Descriptions of variables used in this table are provided in Appendix A.

Table 22

GUILTY PLEAS AND TRIALS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

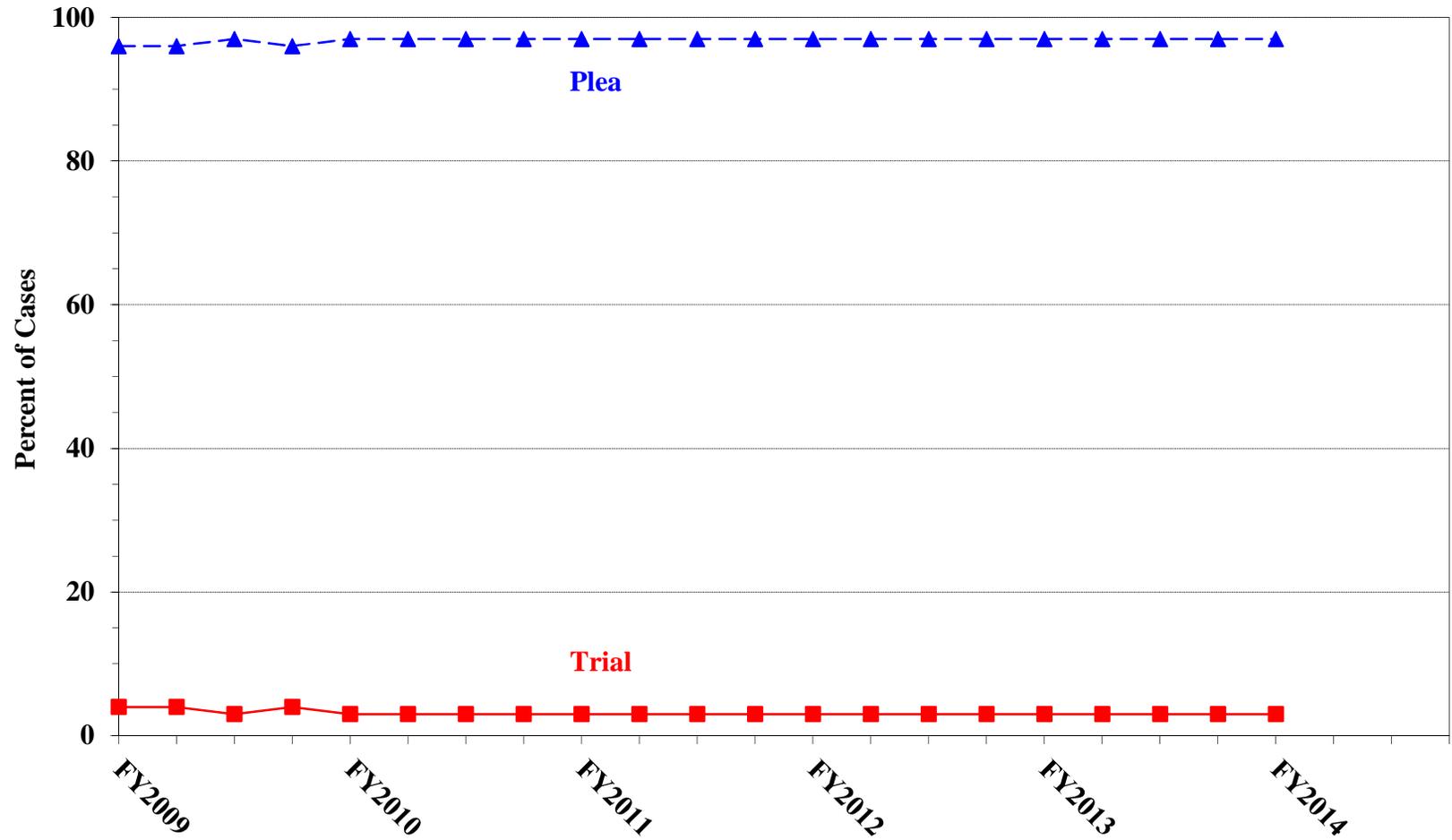
PRIMARY OFFENSE	TOTAL	PLEA		TRIAL	
		N	%	N	%
TOTAL	18,308	17,760	97.0	548	3.0
Murder	19	15	78.9	4	21.1
Manslaughter	9	8	88.9	1	11.1
Kidnapping/Hostage Taking	11	10	90.9	1	9.1
Sexual Abuse	122	102	83.6	20	16.4
Assault	213	195	91.5	18	8.5
Robbery	194	188	96.9	6	3.1
Arson	14	10	71.4	4	28.6
Drugs - Trafficking	5,143	5,018	97.6	125	2.4
Drugs - Communication Facility	94	94	100.0	0	0.0
Drugs - Simple Possession	527	527	100.0	0	0.0
Firearms	1,955	1,854	94.8	101	5.2
Burglary/B&E	12	12	100.0	0	0.0
Auto Theft	23	21	91.3	2	8.7
Larceny	317	310	97.8	7	2.2
Fraud	1,871	1,755	93.8	116	6.2
Embezzlement	77	76	98.7	1	1.3
Forgery/Counterfeiting	157	153	97.5	4	2.5
Bribery	62	61	98.4	1	1.6
Tax	172	161	93.6	11	6.4
Money Laundering	216	207	95.8	9	4.2
Racketeering/Extortion	235	211	89.8	24	10.2
Gambling/Lottery	21	18	85.7	3	14.3
Civil Rights	12	9	75.0	3	25.0
Immigration	5,410	5,359	99.1	51	0.9
Child Pornography	449	439	97.8	10	2.2
Prison Offenses	110	109	99.1	1	0.9
Administration of Justice Offenses	282	274	97.2	8	2.8
Environmental/Wildlife	62	61	98.4	1	1.6
National Defense	19	18	94.7	1	5.3
Antitrust	3	2	66.7	1	33.3
Food & Drug	25	25	100.0	0	0.0
Other Miscellaneous Offenses	472	458	97.0	14	3.0

¹ Descriptions of variables used in this table are provided in Appendix A.

Figure K

QUARTERLY DATA FOR GUILTY PLEAS AND TRIALS¹

**Fiscal Years 2009 - 2013,
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)**



¹ Descriptions of variables used in this figure are provided in Appendix A.

Table 23

RACE OF OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

PRIMARY OFFENSE	TOTAL	WHITE		BLACK		HISPANIC		OTHER	
		N	%	N	%	N	%	N	%
TOTAL	16,833	4,253	25.3	3,506	20.8	8,307	49.3	767	4.6
Murder	19	3	15.8	0	0.0	5	26.3	11	57.9
Manslaughter	9	0	0.0	0	0.0	0	0.0	9	100.0
Kidnapping/Hostage Taking	10	4	40.0	4	40.0	1	10.0	1	10.0
Sexual Abuse	122	34	27.9	32	26.2	15	12.3	41	33.6
Assault	193	45	23.3	24	12.4	28	14.5	96	49.7
Robbery	191	78	40.8	85	44.5	18	9.4	10	5.2
Arson	14	8	57.1	4	28.6	0	0.0	2	14.3
Drugs - Trafficking	5,105	1,376	27.0	1,237	24.2	2,307	45.2	185	3.6
Drugs - Communication Facility	91	30	33.0	28	30.8	31	34.1	2	2.2
Drugs - Simple Possession	52	18	34.6	7	13.5	23	44.2	4	7.7
Firearms	1,940	526	27.1	964	49.7	389	20.1	61	3.1
Burglary/B&E	12	2	16.7	1	8.3	1	8.3	8	66.7
Auto Theft	23	4	17.4	5	21.7	14	60.9	0	0.0
Larceny	275	124	45.1	91	33.1	36	13.1	24	8.7
Fraud	1,779	803	45.1	512	28.8	348	19.6	116	6.5
Embezzlement	70	42	60.0	11	15.7	7	10.0	10	14.3
Forgery/Counterfeiting	154	66	42.9	58	37.7	22	14.3	8	5.2
Bribery	62	23	37.1	17	27.4	17	27.4	5	8.1
Tax	170	102	60.0	33	19.4	15	8.8	20	11.8
Money Laundering	214	80	37.4	31	14.5	89	41.6	14	6.5
Racketeering/Extortion	233	63	27.0	78	33.5	83	35.6	9	3.9
Gambling/Lottery	21	15	71.4	0	0.0	0	0.0	6	28.6
Civil Rights	11	4	36.4	5	45.5	2	18.2	0	0.0
Immigration	4,864	94	1.9	111	2.3	4,637	95.3	22	0.5
Child Pornography	449	364	81.1	12	2.7	64	14.3	9	2.0
Prison Offenses	100	24	24.0	43	43.0	21	21.0	12	12.0
Administration of Justice Offenses	272	118	43.4	49	18.0	77	28.3	28	10.3
Environmental/Wildlife	48	30	62.5	4	8.3	3	6.3	11	22.9
National Defense	19	6	31.6	1	5.3	5	26.3	7	36.8
Antitrust	3	3	100.0	0	0.0	0	0.0	0	0.0
Food & Drug	22	12	54.5	1	4.5	1	4.5	8	36.4
Other Miscellaneous Offenses	286	152	53.1	58	20.3	48	16.8	28	9.8

¹ Of the 18,308 cases, 1,475 were excluded due to missing information on offender's race. Descriptions of variables used in this table are provided in Appendix A.

Table 24

GENDER OF OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

PRIMARY OFFENSE	TOTAL	MALE		FEMALE	
		N	%	N	%
TOTAL	17,775	15,289	86.0	2,486	14.0
Murder	19	16	84.2	3	15.8
Manslaughter	9	8	88.9	1	11.1
Kidnapping/Hostage Taking	11	9	81.8	2	18.2
Sexual Abuse	122	113	92.6	9	7.4
Assault	211	187	88.6	24	11.4
Robbery	194	174	89.7	20	10.3
Arson	14	12	85.7	2	14.3
Drugs - Trafficking	5,134	4,279	83.3	855	16.7
Drugs - Communication Facility	94	76	80.9	18	19.1
Drugs - Simple Possession	318	289	90.9	29	9.1
Firearms	1,953	1,873	95.9	80	4.1
Burglary/B&E	12	11	91.7	1	8.3
Auto Theft	23	22	95.7	1	4.3
Larceny	296	187	63.2	109	36.8
Fraud	1,866	1,354	72.6	512	27.4
Embezzlement	75	24	32.0	51	68.0
Forgery/Counterfeiting	156	112	71.8	44	28.2
Bribery	62	51	82.3	11	17.7
Tax	171	140	81.9	31	18.1
Money Laundering	216	151	69.9	65	30.1
Racketeering/Extortion	234	205	87.6	29	12.4
Gambling/Lottery	21	19	90.5	2	9.5
Civil Rights	11	11	100.0	0	0.0
Immigration	5,203	4,807	92.4	396	7.6
Child Pornography	449	443	98.7	6	1.3
Prison Offenses	107	91	85.0	16	15.0
Administration of Justice Offenses	279	221	79.2	58	20.8
Environmental/Wildlife	59	55	93.2	4	6.8
National Defense	19	18	94.7	1	5.3
Antitrust	3	3	100.0	0	0.0
Food & Drug	24	23	95.8	1	4.2
Other Miscellaneous Offenses	410	305	74.4	105	25.6

¹ Of the 18,308 cases, 533 were excluded due to missing information on offender's gender. Descriptions of variables used in this table are provided in Appendix A.

Table 25

AGE, RACE, AND GENDER OF OFFENDERS¹
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

Gender and Age	White		Black		Hispanic		Other	
	N	%	N	%	N	%	N	%
Males	3,412	100.0	3,021	100.0	7,439	100.0	603	100.0
Under 21	41	1.2	71	2.4	267	3.6	20	3.3
21 - 25	257	7.5	475	15.7	1,042	14.0	93	15.4
26 - 30	481	14.1	593	19.6	1,408	18.9	108	17.9
31 - 35	479	14.0	695	23.0	1,459	19.6	91	15.1
36 - 40	448	13.1	420	13.9	1,236	16.6	77	12.8
41 - 50	848	24.9	517	17.1	1,492	20.1	133	22.1
Over 50	858	25.1	250	8.3	535	7.2	81	13.4
Females	840	100.0	485	100.0	861	100.0	163	100.0
Under 21	8	1.0	6	1.2	53	6.2	6	3.7
21 - 25	83	9.9	64	13.2	144	16.7	13	8.0
26 - 30	140	16.7	84	17.3	121	14.1	24	14.7
31 - 35	132	15.7	87	17.9	153	17.8	33	20.2
36 - 40	108	12.9	76	15.7	137	15.9	24	14.7
41 - 50	201	23.9	93	19.2	173	20.1	41	25.2
Over 50	168	20.0	75	15.5	80	9.3	22	13.5

¹ Of the 18,308 cases, 1,484 were excluded due to one or more of the following reasons: missing information on offender's race (1,475), missing information on offender's gender (533), or missing information on offender's age (39). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through December 31, 2013).

Table 26

CITIZENSHIP OF OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

PRIMARY OFFENSE	TOTAL	U.S. CITIZEN		NON-U.S. CITIZEN	
		N	%	N	%
TOTAL	17,897	10,455	58.4	7,442	41.6
Murder	19	18	94.7	1	5.3
Manslaughter	9	9	100.0	0	0.0
Kidnapping/Hostage Taking	11	7	63.6	4	36.4
Sexual Abuse	122	114	93.4	8	6.6
Assault	198	184	92.9	14	7.1
Robbery	193	188	97.4	5	2.6
Arson	14	13	92.9	1	7.1
Drugs - Trafficking	5,120	3,901	76.2	1,219	23.8
Drugs - Communication Facility	92	77	83.7	15	16.3
Drugs - Simple Possession	446	48	10.8	398	89.2
Firearms	1,951	1,819	93.2	132	6.8
Burglary/B&E	12	12	100.0	0	0.0
Auto Theft	23	19	82.6	4	17.4
Larceny	283	268	94.7	15	5.3
Fraud	1,851	1,519	82.1	332	17.9
Embezzlement	71	71	100.0	0	0.0
Forgery/Counterfeiting	155	146	94.2	9	5.8
Bribery	62	59	95.2	3	4.8
Tax	170	162	95.3	8	4.7
Money Laundering	216	148	68.5	68	31.5
Racketeering/Extortion	234	207	88.5	27	11.5
Gambling/Lottery	21	20	95.2	1	4.8
Civil Rights	12	12	100.0	0	0.0
Immigration	5,382	335	6.2	5,047	93.8
Child Pornography	449	426	94.9	23	5.1
Prison Offenses	102	94	92.2	8	7.8
Administration of Justice Offenses	274	236	86.1	38	13.9
Environmental/Wildlife	49	44	89.8	5	10.2
National Defense	19	10	52.6	9	47.4
Antitrust	3	3	100.0	0	0.0
Food & Drug	22	21	95.5	1	4.5
Other Miscellaneous Offenses	312	265	84.9	47	15.1

¹ Of the 18,308 cases, 411 were excluded due to missing information on the offender's citizenship status. Descriptions of variables used in this table are provided in Appendix A.

Table 27

DOCUMENT SUBMISSION BY EACH CIRCUIT AND DISTRICT¹
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)

CIRCUIT District	Number of Cases	Total Documents	J & C	Statement of Reasons	Plea Agreement ²		Indictment/ Information	Presentence Report	
		Received	Received	Received	Received	No Written Plea/Trial	Received	Received	Waived
		N	N	N	N	N	N	N	N
TOTAL	18,308	85,405	18,308	18,172	13,796	4,478	18,304	16,825	1,483
D.C. CIRCUIT	93	458	93	93	87	6	93	92	1
District of Columbia	93	458	93	93	87	6	93	92	1
FIRST CIRCUIT	560	2,666	560	560	442	117	560	544	16
Maine	44	202	44	44	26	18	44	44	0
Massachusetts	117	520	117	117	55	61	117	114	3
New Hampshire	26	129	26	26	25	1	26	26	0
Puerto Rico	327	1,598	327	327	302	25	327	315	12
Rhode Island	46	217	46	46	34	12	46	45	1
SECOND CIRCUIT	787	3,801	787	787	678	108	787	762	25
Connecticut	99	490	99	99	94	5	99	99	0
New York									
Eastern	263	1,284	263	263	235	28	263	260	3
Northern	109	495	109	109	73	36	109	95	14
Southern	117	553	117	117	85	32	117	117	0
Western	143	702	143	143	137	5	143	136	7
Vermont	56	277	56	56	54	2	56	55	1
THIRD CIRCUIT	659	3,145	659	655	530	129	659	642	17
Delaware	23	114	23	23	22	1	23	23	0
New Jersey	179	881	179	178	168	11	179	177	2
Pennsylvania									
Eastern	238	1,123	238	236	176	62	238	235	3
Middle	84	401	84	83	67	17	84	83	1
Western	127	586	127	127	89	38	127	116	11
Virgin Islands	8	40	8	8	8	0	8	8	0
FOURTH CIRCUIT	1,485	6,834	1,485	1,467	1,082	403	1,485	1,315	170
Maryland	200	964	200	198	174	26	200	192	8
North Carolina									
Eastern	156	703	156	144	107	49	156	140	16
Middle	114	563	114	114	108	6	114	113	1
Western	161	761	161	161	117	44	161	161	0
South Carolina	190	889	190	190	129	61	190	190	0
Virginia									
Eastern	382	1,573	382	378	192	190	382	239	143
Western	104	508	104	104	92	12	104	104	0
West Virginia									
Northern	86	429	86	86	85	1	86	86	0
Southern	92	444	92	92	78	14	92	90	2

Table 27 (cont.)

CIRCUIT District	Number of Cases	Total Documents	J & C	Statement of Reasons	Plea Agreement ²		Indictment/ Information	Presentence Report	
		Received N	Received N	Received N	Received N	No Written Plea/Trial N	Received N	Received N	Waived N
FIFTH CIRCUIT	4,070	18,079	4,070	4,005	2,205	1,862	4,069	3,730	340
Louisiana									
Eastern	88	416	88	87	67	21	87	87	1
Middle	47	227	47	47	39	8	47	47	0
Western	97	463	97	92	86	11	97	91	6
Mississippi									
Northern	40	200	40	40	40	0	40	40	0
Southern	56	271	56	54	51	5	56	54	2
Texas									
Eastern	170	847	170	170	167	3	170	170	0
Northern	299	1,417	299	299	221	78	299	299	0
Southern	1,625	7,293	1,625	1,625	856	768	1,625	1,562	63
Western	1,648	6,945	1,648	1,591	678	968	1,648	1,380	268
SIXTH CIRCUIT	1,259	6,027	1,259	1,252	1,031	217	1,259	1,226	33
Kentucky									
Eastern	161	783	161	161	145	16	161	155	6
Western	76	359	76	76	68	8	76	63	13
Michigan									
Eastern	194	928	194	191	160	34	194	189	5
Western	98	451	98	98	61	37	98	96	2
Ohio									
Northern	198	934	198	198	144	54	198	196	2
Southern	145	718	145	145	139	6	145	144	1
Tennessee									
Eastern	182	886	182	181	160	22	182	181	1
Middle	81	374	81	78	56	14	81	78	3
Western	124	594	124	124	98	26	124	124	0
SEVENTH CIRCUIT	767	3,719	767	767	653	114	767	765	2
Illinois									
Central	89	419	89	89	63	26	89	89	0
Northern	249	1,213	249	249	217	32	249	249	0
Southern	105	494	105	105	74	31	105	105	0
Indiana									
Northern	100	488	100	100	88	12	100	100	0
Southern	111	544	111	111	101	10	111	110	1
Wisconsin									
Eastern	77	382	77	77	75	2	77	76	1
Western	36	179	36	36	35	1	36	36	0
EIGHTH CIRCUIT	1,238	5,968	1,238	1,237	1,026	212	1,238	1,229	9
Arkansas									
Eastern	110	530	110	110	90	20	110	110	0
Western	86	424	86	86	80	6	86	86	0
Iowa									
Northern	76	351	76	76	47	29	76	76	0
Southern	71	332	71	71	48	23	71	71	0
Minnesota	74	363	74	74	69	5	74	72	2
Missouri									
Eastern	197	978	197	197	191	6	197	196	1
Western	248	1,180	248	247	190	58	248	247	1
Nebraska	132	624	132	132	96	36	132	132	0
North Dakota	79	371	79	79	55	24	79	79	0
South Dakota	165	815	165	165	160	5	165	160	5

Table 27 (cont.)

CIRCUIT District	Number of Cases	Total Documents	J & C	Statement of Reasons	Plea Agreement ²		Indictment/ Information	Presentence Report	
		Received N	Received N	Received N	Received N	No Written Plea/Trial N	Received N	Received N	Waived N
NINTH CIRCUIT	4,139	19,555	4,139	4,114	3,809	314	4,137	3,356	783
Alaska	39	185	39	39	33	6	39	35	4
Arizona	1,565	7,198	1,565	1,545	1,484	81	1,565	1,039	526
California									
Central	323	1,583	323	322	294	29	323	321	2
Eastern	212	1,032	212	212	185	15	212	211	1
Northern	160	760	160	157	134	26	159	150	10
Southern	1,061	5,048	1,061	1,060	998	61	1,060	869	192
Guam	17	82	17	17	14	3	17	17	0
Hawaii	66	310	66	66	46	20	66	66	0
Idaho	70	343	70	70	63	7	70	70	0
Montana	93	446	93	93	74	19	93	93	0
Nevada	134	643	134	134	107	27	134	134	0
Northern Mariana Islands	0	0	0	0	0	0	0	0	0
Oregon	135	643	135	135	129	6	135	109	26
Washington									
Eastern	87	426	87	87	80	5	87	85	2
Western	177	856	177	177	168	9	177	157	20
TENTH CIRCUIT	1,608	7,424	1,608	1,602	1,044	563	1,608	1,562	46
Colorado	123	602	123	121	121	2	123	114	9
Kansas	156	759	156	155	143	13	156	149	7
New Mexico	945	4,245	945	942	469	475	945	944	1
Oklahoma									
Eastern	19	85	19	19	9	10	19	19	0
Northern	50	237	50	50	37	13	50	50	0
Western	83	371	83	83	48	35	83	74	9
Utah	148	712	148	148	139	9	148	129	19
Wyoming	84	413	84	84	78	6	84	83	1
ELEVENTH CIRCUIT	1,643	7,729	1,643	1,633	1,209	433	1,642	1,602	41
Alabama									
Middle	63	306	63	63	54	9	63	63	0
Northern	115	541	115	115	91	24	115	105	10
Southern	93	450	93	93	78	15	93	93	0
Florida									
Middle	345	1,591	345	344	215	130	345	342	3
Northern	93	447	93	93	77	16	93	91	2
Southern	567	2,650	567	560	397	169	567	559	8
Georgia									
Middle	115	553	115	115	95	20	115	113	2
Northern	138	667	138	136	120	18	137	136	2
Southern	114	524	114	114	82	32	114	100	14

¹ Descriptions of variables used in this table are provided in Appendix A.

² The figures presented in this table regarding Plea Agreement Submission exclude from the analysis zero cases for which the Commission was unable to determine definitively whether the defendant's guilty plea was entered pursuant to a written plea agreement.

Table 28

**RATE OF SUBMISSION OF STATEMENT OF REASONS FORM
BY EACH CIRCUIT AND DISTRICT
1st Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through December 31, 2013)**

CIRCUIT District	Total	Form AO 245B ¹		Other Forms ²		No Form Received	
		N	%	N	%	N	%
TOTAL	18,308	17,653	96.4	522	2.9	133	0.7
D.C. CIRCUIT	93	93	100.0	0	0.0	0	0.0
District of Columbia	93	93	100.0	0	0.0	0	0.0
FIRST CIRCUIT	560	560	100.0	0	0.0	0	0.0
Maine	44	44	100.0	0	0.0	0	0.0
Massachusetts	117	117	100.0	0	0.0	0	0.0
New Hampshire	26	26	100.0	0	0.0	0	0.0
Puerto Rico	327	327	100.0	0	0.0	0	0.0
Rhode Island	46	46	100.0	0	0.0	0	0.0
SECOND CIRCUIT	787	774	98.3	13	1.7	0	0.0
Connecticut	99	99	100.0	0	0.0	0	0.0
New York							
Eastern	263	251	95.4	12	4.6	0	0.0
Northern	109	109	100.0	0	0.0	0	0.0
Southern	117	117	100.0	0	0.0	0	0.0
Western	143	143	100.0	0	0.0	0	0.0
Vermont	56	55	98.2	1	1.8	0	0.0
THIRD CIRCUIT	659	655	99.4	0	0.0	4	0.6
Delaware	23	23	100.0	0	0.0	0	0.0
New Jersey	179	178	99.4	0	0.0	1	0.6
Pennsylvania							
Eastern	238	236	99.2	0	0.0	2	0.8
Middle	84	83	98.8	0	0.0	1	1.2
Western	127	127	100.0	0	0.0	0	0.0
Virgin Islands	8	8	100.0	0	0.0	0	0.0
FOURTH CIRCUIT	1,485	1,454	97.9	13	0.9	18	1.2
Maryland	200	198	99.0	0	0.0	2	1.0
North Carolina							
Eastern	156	144	92.3	0	0.0	12	7.7
Middle	114	114	100.0	0	0.0	0	0.0
Western	161	161	100.0	0	0.0	0	0.0
South Carolina	190	190	100.0	0	0.0	0	0.0
Virginia							
Eastern	382	365	95.5	13	3.4	4	1.0
Western	104	104	100.0	0	0.0	0	0.0
West Virginia							
Northern	86	86	100.0	0	0.0	0	0.0
Southern	92	92	100.0	0	0.0	0	0.0

Table 28 (cont.)

CIRCUIT District	Total	Form AO 245B ¹		Other Forms ²		No Form Received	
		N	%	N	%	N	%
FIFTH CIRCUIT	4,070	3,726	91.5	279	6.9	65	1.6
Louisiana							
Eastern	88	87	98.9	0	0.0	1	1.1
Middle	47	47	100.0	0	0.0	0	0.0
Western	97	76	78.4	16	16.5	5	5.2
Mississippi							
Northern	40	40	100.0	0	0.0	0	0.0
Southern	56	54	96.4	0	0.0	2	3.6
Texas							
Eastern	170	170	100.0	0	0.0	0	0.0
Northern	299	299	100.0	0	0.0	0	0.0
Southern	1,625	1,624	99.9	1	0.1	0	0.0
Western	1,648	1,329	80.6	262	15.9	57	3.5
SIXTH CIRCUIT	1,259	1,228	97.5	26	2.1	5	0.4
Kentucky							
Eastern	161	161	100.0	0	0.0	0	0.0
Western	76	76	100.0	0	0.0	0	0.0
Michigan							
Eastern	194	193	99.5	0	0.0	1	0.5
Western	98	98	100.0	0	0.0	0	0.0
Ohio							
Northern	198	198	100.0	0	0.0	0	0.0
Southern	145	138	95.2	7	4.8	0	0.0
Tennessee							
Eastern	182	181	99.5	0	0.0	1	0.5
Middle	81	59	72.8	19	23.5	3	3.7
Western	124	124	100.0	0	0.0	0	0.0
SEVENTH CIRCUIT	767	747	97.4	20	2.6	0	0.0
Illinois							
Central	89	89	100.0	0	0.0	0	0.0
Northern	249	249	100.0	0	0.0	0	0.0
Southern	105	105	100.0	0	0.0	0	0.0
Indiana							
Northern	100	99	99.0	1	1.0	0	0.0
Southern	111	111	100.0	0	0.0	0	0.0
Wisconsin							
Eastern	77	58	75.3	19	24.7	0	0.0
Western	36	36	100.0	0	0.0	0	0.0
EIGHTH CIRCUIT	1,238	1,222	98.7	15	1.2	1	0.1
Arkansas							
Eastern	110	103	93.6	7	6.4	0	0.0
Western	86	86	100.0	0	0.0	0	0.0
Iowa							
Northern	76	76	100.0	0	0.0	0	0.0
Southern	71	71	100.0	0	0.0	0	0.0
Minnesota	74	66	89.2	8	10.8	0	0.0
Missouri							
Eastern	197	197	100.0	0	0.0	0	0.0
Western	248	247	99.6	0	0.0	1	0.4
Nebraska	132	132	100.0	0	0.0	0	0.0
North Dakota	79	79	100.0	0	0.0	0	0.0
South Dakota	165	165	100.0	0	0.0	0	0.0

Table 28 (cont.)

CIRCUIT District	Total	Form AO 245B ¹		Other Forms ²		No Form Received	
		N	%	N	%	N	%
NINTH CIRCUIT	4,139	3,981	96.2	134	3.2	24	0.6
Alaska	39	39	100.0	0	0.0	0	0.0
Arizona	1,565	1,544	98.7	1	0.1	20	1.3
California							
Central	323	323	100.0	0	0.0	0	0.0
Eastern	212	212	100.0	0	0.0	0	0.0
Northern	160	157	98.1	0	0.0	3	1.9
Southern	1,061	1,060	99.9	0	0.0	1	0.1
Guam	17	17	100.0	0	0.0	0	0.0
Hawaii	66	66	100.0	0	0.0	0	0.0
Idaho	70	70	100.0	0	0.0	0	0.0
Montana	93	93	100.0	0	0.0	0	0.0
Nevada	134	134	100.0	0	0.0	0	0.0
Northern Mariana Islands	0	0	.	0	.	0	--
Oregon	135	2	1.5	133	98.5	0	0.0
Washington							
Eastern	87	87	100.0	0	0.0	0	0.0
Western	177	177	100.0	0	0.0	0	0.0
TENTH CIRCUIT	1,608	1,586	98.6	16	1.0	6	0.4
Colorado	123	121	98.4	0	0.0	2	1.6
Kansas	156	155	99.4	0	0.0	1	0.6
New Mexico	945	942	99.7	0	0.0	3	0.3
Oklahoma							
Eastern	19	19	100.0	0	0.0	0	0.0
Northern	50	50	100.0	0	0.0	0	0.0
Western	83	83	100.0	0	0.0	0	0.0
Utah	148	132	89.2	16	10.8	0	0.0
Wyoming	84	84	100.0	0	0.0	0	0.0
ELEVENTH CIRCUIT	1,643	1,627	99.0	6	0.4	10	0.6
Alabama							
Middle	63	63	100.0	0	0.0	0	0.0
Northern	115	115	100.0	0	0.0	0	0.0
Southern	93	93	100.0	0	0.0	0	0.0
Florida							
Middle	345	344	99.7	0	0.0	1	0.3
Northern	93	93	100.0	0	0.0	0	0.0
Southern	567	560	98.8	0	0.0	7	1.2
Georgia							
Middle	115	115	100.0	0	0.0	0	0.0
Northern	138	130	94.2	6	4.3	2	1.4
Southern	114	114	100.0	0	0.0	0	0.0

¹ Cases included in this category are those in which the court submitted Form AO 245B (Revision 06/05, 09/08, or 09/11) to the Commission. Only cases in which all required pages of this form were submitted with no deletions or substantive changes are included in this category. Form AO 245B was approved by the Executive Committee of the Judicial Conference of the United States in June 2005.

² Cases are included in this category for one or more of the following reasons: one or more of the required pages of Form AO 245B were missing; deletions or substantive changes were made in Form AO 245B that prevented the USSC from collecting the information required to be submitted by 18 U.S.C. §3553(c); an outdated version of Form AO 245B was submitted; or a unique, district created, or modified form was submitted.

Appendix A

Descriptions of Datafiles and Variables

Introduction

Federal courts are required to forward to the Commission sentencing documentation on all offenders sentenced under the Sentencing Reform Act of 1984 (SRA), except in cases that solely involve petty offenses. Standard information on each case is extracted from sentencing documents received and computerized for analysis.

Given the nature of the datafile and reporting requirements, the following are not included: cases initiated but for which no convictions were obtained, offenders convicted for whom no sentences were yet issued, and offenders sentenced but for whom no sentencing documents were submitted to the Commission. Because the Commission collects information only on cases sentenced under the guidelines, information on cases sentenced under prior law (pre-guidelines) during the current fiscal year is not available in this dataset. When cases are sentenced under both prior law and the guidelines, only the guideline relevant information is coded in the dataset. Cases in which a sentence of death was imposed also are not available in this dataset for this same reason.

Note that for all tables, total percentages may not add up to exactly 100 percent due to rounding.

Variables

The following section describes the variables used in this report.

Above Guideline Range with *Booker*/18 U.S.C. § 3553

Above Guideline Range with Booker/18 U.S.C. § 3553 consists of cases with a sentence above the guideline range with no departure indicated and that cite *U.S. v. Booker*, 18 U.S.C. § 3553, or related factors as one of the reasons for sentencing outside of the guideline system.

Age

The *Age* of the offender on the day of sentencing is calculated using the date of sentencing as reported in the Judgment and Commitment Order and the offender's date of birth as reported either in the Presentence Report or in the case submission information provided by the court when submitting the case to the Commission.

All Remaining Cases Above Guideline Range

All Remaining Cases Above Guideline Range consists of cases sentenced above the guideline range that cannot be classified into any of the other three above the range categories. This category includes, for example, cases in which no reason is provided for a sentence above the guideline range.

All Remaining Cases Below Guideline Range

All Remaining Cases Below Guideline Range consists of cases sentenced below the guideline range that cannot be classified into any of the other three below the range categories. This category includes, for example, cases in which no reason is provided for a sentence below the guideline range.

Below Guideline Range with *Booker*/18 U.S.C. § 3553

Below Guideline Range with Booker/18 U.S.C. § 3553 consists of cases with a sentence below the guideline range with no departure indicated and that cite *U.S. v. Booker*, 18 U.S.C. § 3553, or related factors as one of the reasons for sentencing outside of the guideline system.

Circuit

Information on judicial *Circuit* is generated by computer using the location of the judicial district in which the offender was sentenced.

Citizenship Status

Information on the *Citizenship Status* of offenders is obtained from the presentence report. Offenders are categorized as one of the following: “U.S. citizen,” “resident alien,” “illegal alien,” “extradited alien,” and “non-U.S. citizen, alien status unknown.” The latter four categories are collapsed into the category of “non-U.S. citizen.”

Degree of Decrease

Degree of Decrease is calculated based on the difference between the length of imprisonment (not including any months of alternative confinement as defined in USSG §5C1.1) and the guideline minimum for the following categories of below range cases: downward departure from guideline range, downward departure with *Booker*/18 U.S.C. § 3553, below guideline range with *Booker*/18 U.S.C. § 3553, all remaining cases below guideline range, USSG §5K1.1 substantial assistance cases, USSG §5K3.1 early disposition program cases, and other government sponsored cases. Life sentences and cases where the guideline minimum is zero months or life are all excluded from all degree of decrease calculations due to the logical difficulty in calculating a decrease from these values.

Degree of Increase

Degree of Increase is calculated based on the difference between the guideline maximum and the length of imprisonment (not including any months of alternative confinement as defined in USSG §5C1.1) for the following categories of above range cases: upward departure from guideline range, upward departure with *Booker*/18 U.S.C. § 3553, above guideline range with *Booker*/18 U.S.C. § 3553, all remaining cases above guideline range. Life sentences, sentences of probation, and cases where the guideline minimum is life are all excluded from all degree of increase calculations due to the logical difficulty in calculating an increase from these values.

District

Information on the judicial *District* in which sentencing occurred is obtained from the Judgment and Commitment Order.

Document Submission Rates

Five documents are represented in the document submission rate table: Judgment and Commitment Order (J&C), Presentence Report (PSR), Statement of Reasons (SOR), Indictment/Information (Ind), and Plea Agreements (Plea). The J&C and PSR generally are submitted in a standardized format. PSRs waived by the court are indicated in a separate column. Standardized forms for the Statement of Reasons are most frequently submitted; however, transcripts or partial transcripts from the sentencing hearing are also included as *Statement of Reasons Received*. Cases in which the Commission was unable to determine definitively whether the offender’s guilty plea was entered pursuant to a written agreement are excluded from the Plea Agreement totals. The total requested documents received column is derived from adding the total number of received documents from the Judgment and Commitment Order (J&C), Presentence Report (PSR), Statement of Reasons (SOR), Indictment/Information (Ind), and Plea Agreements (Plea). The total requested documents not received column is derived from adding the total number of not received documents from the Judgment and Commitment Order (J&C), Presentence Report (PSR), Statement of Reasons (SOR), Indictment/Information (Ind), and Plea Agreements (Plea). Cases where the PSR is waived, there is no written plea agreement/trial, and where the Commission was unable to definitively determine whether the offender’s guilty plea was entered pursuant to a written plea agreement are all excluded from the calculations for the total received documents column.

Downward Departure From Guideline Range

Downward Departure From Guideline Range consists of cases with departures below the guideline range that do not cite as a reason either *U.S. v. Booker*, 18 U.S.C. § 3553, or factors or reasons specifically prohibited in the provisions, policy statements, or commentary of the federal guidelines manual.

Downward Departures with *Booker*/18 U.S.C. § 3553

Downward Departures with Booker/18 U.S.C. § 3553 consists of cases with a sentence below the guideline range that include both a departure (see Downward Departure From Guideline Range) as well as a sentence outside the guideline system mentioning either *U.S. v. Booker*, 18 U.S.C. § 3553, or related factors as a reason for sentencing below the guideline range.

Drug Offense Guideline

Drug Offense Guideline information is obtained from the Presentence Report and is based on the guidelines in USSG Chapter Two, Part D. The six guidelines featured in the tables (USSG §2D1.1, §2D1.2, §2D1.5, §2D1.6, §2D1.8, and §2D2.1) represent the vast majority of drug cases.

Drug Type

Information on *Drug Type* is obtained from the Presentence Report, Judgment and Commitment Order or Plea Agreement. It is recorded only if at least one of the statutes of conviction recorded by the Commission is a title 21 U.S. Code offense or an offense under another title when the underlying conduct involves a controlled substance. Information about type of drug in the text and tables is derived from the primary drug type (*i.e.*, the type that produces the highest base offense level). The category *Marijuana* includes Hashish and Hashish oil. The category *Methamphetamine* includes pure (actual) methamphetamine, “ICE,” methamphetamine mixture, and methamphetamine precursors sentenced under any drug guideline other than USSG §2D1.11 (for example ephedrine and pseudoephedrine). The category *Listed Chemicals* includes any chemicals listed under USSG §2D1.11. All drug types not listed separately in this report are collapsed into the “other” drug category.

Education

Information on education of the offender is obtained from the Presentence Report and is collapsed into general categories. Technical, military, and vocational training as well as course work at community colleges is included in the *Some College* category. A general equivalency degree (GED) is included in the *High School Graduate* category.

Gender

Gender of the defendant is obtained from the Presentence Report.

Government Sponsored Below Range

Government sponsorship of a below range sentence is determined by a yearly case review by USSC staff of both the reasons for the below range sentence and the coding by USSC staff of any indication of government sponsorship as indicated on the Statement of Reasons for below range cases. The SOR form has specific check-boxes to indicate the origins of the departure, but cases that do not use this form may also indicate in writing the origins of the departure. Additionally, all cases with one or more of the following reasons were classified as being sponsored by the government regardless of whether the SOR indicated sponsorship: pursuant to a plea agreement (binding, non-binding, or unknown), fast track, savings to the government, early plea, deportation, waiver of indictment and/or appeal, other government motion, global disposition, due to stipulations, facilitated early release of a material witness, joint recommendation, and large number of immigration cases. Note that because the USSC reviews the reasons on a yearly basis, this list might be modified slightly from year to year. Unless otherwise broken out in the table or chart, this category also includes cases with USSG §5K3.1 Early Disposition Program (EDP) departures and USSG §5K1.1 substantial assistance departures.

Guideline Offenders Sentenced

Each *Guideline Offender Sentenced* or case, as recorded by the USSC, involves a single sentencing event for a single offender. Multiple counts, and even multiple indictments, are considered a single sentencing event if sentenced at the same time by the same judge. A single offender may appear in more than one case if involved in more than one sentencing event during the fiscal year. Co-offenders in the same sentencing will each appear as separate cases.

Guideline Sentencing Range

The *Guideline Sentencing Range* is taken from the Statement of Reasons provided by the sentencing court. Alternatively, if the Statement of Reasons is missing, then the information is taken from the presentence report.

For tables in this report, unless otherwise indicated, the guideline sentencing range does not take into account applicable statutory restrictions on either the maximum or the minimum of the range; therefore, it may differ from the available range, which does take into account the statutory restrictions.

Mode of Conviction

Information on *Mode of Conviction* is obtained from the Judgment and Commitment Order. Offenders sentenced subsequent to a plea of guilty or *nolo contendere* are included in the *Plea* category. Offenders sentenced subsequent to a trial by judge or jury are included in the *Trial* category. Rare cases involving both a plea and a trial are included in the *Trial* category.

Outside of the Range Attribution Categories

All categories replicate the list of checkboxes available on the SOR Form. Not all checkbox categories are available in both the departure section and sentences outside the guideline system section on this form and multiple checkboxes may be indicated in a single case so that totals in a table may exceed the total number of cases. USSC uses these checkboxes in determining government sponsorship: all cases in which one of the pursuant to a plea agreement boxes is indicated are attributed to the government. Additionally cases where a USSG §5K1.1, USSG §5K3.1, or other government motion checkbox was indicated in the pursuant to a motion not in a plea agreement section are also attributed to one of the government sponsored categories. Additionally, other types of SOR forms may indicate sponsorship in writing, and these attributions are also included in the appropriate category.

Position of Sentence

The *Position of Sentence* describes within-range guideline sentences in terms of their relative positions within their applicable guideline ranges. Only cases with complete information from the Statement of Reasons are used for this table. The *Position of Sentence* is determined by dividing the available range in half. This allows a sentence to fall into one of five distinct categories: the guideline minimum; the exact midpoint of the range; the guideline maximum; the lower-half of the range (when not at the guideline minimum); and the upper-half of the range (when not at the guideline maximum). The “available range” is the guideline range with applicable statutory restrictions on either the maximum or the minimum of the range taken into account. (For cases in which guideline USSG §5C1.2 was applied, in accordance with the provisions of the guideline, the statutory restrictions on the minimum of the range are removed according to 18 U.S.C. § 3553(f).) In cases in which the sentence is located outside the available sentencing range, departure information is provided as reported by the sentencing court. Differences in the number and percentage of cases in each range quarter may differ from other tables presented in this report; this is due to the exclusion of any case missing both complete information from the Statement of Reasons and information on statutory minima and maxima.

Primary Offense Category

Information on *Primary Offense Category* is obtained from the Judgment and Commitment Order. The “primary” offense for the case is determined to be the offense applicable to the count of conviction with the highest statutory maximum. If two or more counts are found to have the same statutory maximum, “primary” offense is selected according to which count of conviction has the highest statutory minimum. Finally, in the event of a small number of cases still tied, the offense type that best represented the nature of the criminal behavior is chosen.

For convenience in analysis, a summary variable describing “primary offense category” is derived. This is generated by grouping similar primary offenses into a smaller set of categories. Note that the primary offense categories differ between the individual and organizational offender datafiles. Listed below are the offense types that are grouped into each of the primary offense categories used in the individual datafile tables for this report:

Murder includes first degree murder, felony with death resulting, second degree murder, and conspiracy to murder (with death resulting).

Manslaughter includes both involuntary and voluntary manslaughter.

Kidnapping/Hostage Taking includes ransom taking and hostage/kidnapping.

Sexual Abuse includes sexual abuse of a minor, transportation of minor for sex, sexual abuse of a ward, criminal sexual abuse, and abusive sexual contact.

Assault includes attempt to commit murder, assault with intent to murder, threatening communication, aggravated assault, conspiracy with attempt to murder, obstructing or impeding officers, minor assault, and conspiracy that includes assault with attempt to murder.

Robbery includes bank robbery, aggravated bank robbery, Hobbs Act robbery, mail robbery, other robbery, and carjacking.

Arson also includes damage by explosives.

Drugs - Trafficking includes drug distribution/manufacture, drug distribution/manufacture – conspiracy, continuing criminal enterprise, drug distribution – employee under 21, drug distribution near school, drug import/export, drug distribution to person under 21, and establish/rent drug operation.

Drugs - Communication Facility includes use of a communication facility in a drug trafficking offense.

Drugs - Simple Possession includes distribution of a small amount of marijuana and simple possession.

Firearms includes unlawful possession/transportation of firearms or ammunition; possession of guns/explosives on aircraft; unlawful trafficking, etc. in explosives; possession of guns/explosives in federal facility/schools; use of fire or explosives to commit felony; and use of firearms or ammunition during crime.

Burglary/Breaking & Entering includes post office burglary, burglary of DEA premises (pharmacy), burglary of other structure, bank burglary, and burglary of a residence.

Auto Theft includes auto theft (including parts), receipt/possession of stolen auto or parts, and altered identification numbers/trafficking in altered (auto).

Larceny includes bank larceny, theft from benefit plans, other theft – mail/post office, receipt/possession of stolen property (not auto), other theft – property, larceny/theft-mail/post office, larceny/theft – property (not auto), and theft from labor union.

Fraud includes odometer laws and regulations, insider trading, and fraud and deceit.

Embezzlement includes embezzlement – property, embezzlement from labor unions, embezzlement – mail/post office, embezzlement from benefit plans, and bank embezzlement.

Forgery/Counterfeiting includes counterfeit bearer obligations and forgery/counterfeit (non-bearer obligations).

Bribery includes payment to obtain office, bribe involving officials, bribery – bank loan/commercial, loan or gratuity to bank examiner, etc., gratuity involving officials, and bribe or gratuity affecting employee plan.

Tax includes receipt/trafficking in smuggled property, aid, etc., in tax fraud; fraud – tax returns, statements, etc.; fraud, false statement – perjury; failure to file or pay; tax evasion; evading import duties (smuggling); failure to collect or account for taxes; regulatory offenses – taxes; failure to deposit taxes in trust account; non-payment of taxes; conspiracy to avoid taxes; and offenses relating to withholding statements.

Money Laundering includes laundering of monetary instruments, monetary transaction from unlawful activity, failure to file currency report, and failure to report monetary transactions.

Racketeering/Extortion includes extortionate extension of credit, blackmail, extortion by force or threat, Hobbs Act extortion, travel in aid of racketeering, crime relating to racketeering, and violent crimes in aid of racketeering.

Gambling/Lottery includes engaging in a gambling business, transmission of wagering information, obstruction to facilitate gambling, and interstate transportation of wagering paraphernalia.

Civil Rights includes interference with rights under color of law; force or threats to deny benefits or rights; obstructing an election or registration; manufacture, etc. – eavesdropping device; other deprivations/discrimination; obstructing correspondence; peonage, servitude, and slave trade; intercept communication or eavesdropping; and conspiracy to deprive individual of civil rights.

Immigration includes trafficking in U.S. passports; trafficking in entry documents; failure to surrender naturalization certificate; fraudulently acquiring U.S. passports; smuggling, etc.; unlawful alien; fraudulently acquiring entry documents; and unlawfully entering the U.S.

Pornography/Prostitution includes dealing in obscene matter, transportation of minor for prostitution, transportation for prostitution/sex (adult), sexual exploitation of minors, materials involving sexual exploitation of minors, obscene telephone or broadcasting, and selling or buying children for pornography. This primary offense category was discontinued in fiscal year 2010. Some of the offenses that were grouped into this primary offense category in prior fiscal years are grouped into the *Child Pornography* primary offense type. All other offenses that were grouped into this primary offense category in prior fiscal years are included in the *Other Miscellaneous Offenses* primary offense category.

Child Pornography includes the sale, distribution, transportation, shipment, receipt, or possession of materials involving the sexual exploitation of minors. This primary offense category was created in fiscal year 2010.

Prison Offenses includes contraband in prisons, riots in federal facilities, and escape.

Administration of Justice Offenses includes commission of offense while on release, bribery of a witness, failure to appear by offender, contempt, failure to appear by material witness, obstruction of justice, payment of witness, perjury or subornation of perjury, misprision of a felony, and accessory after the fact.

Environmental/Wildlife includes waste discharge, specially protected fish, wildlife, and plants (waste discharge is presented as a separate offense category in Tables 51 and 52).

National Defense includes evasion of export controls and exportation of arms, etc., without license.

Antitrust includes bid-rigging, price-fixing, and market allocation agreement.

Food & Drug includes false information or tampering with products, tampering to injure business, tampering with risk of death or injury, and violation of regulations involving food, drugs, etc.

Other Miscellaneous Offenses includes illegal use of regulatory number – drugs; illegal transfer of drugs; illegal regulatory number to get drugs; drug paraphernalia; forgery/fraud for drugs; dangerous devices to protect drugs; manufacture drugs against quota; endangering life while manufacturing drugs; operate carrier under drugs; endangerment from hazardous/toxic substances; mishandling substances, records, etc.; threat of tampering with public water system; hazardous devices on federal lands; mishandling other pollutants, records, etc.; improper storage of explosives; recordkeeping violation – explosives; possession of other weapon – on aircraft, in federal facility; failure to report theft of explosives; feloniously mailing injurious articles; transport of hazardous material in commerce; interference with flight crew, other offense – aboard aircraft; criminal infringement of copyright/trademark; conflict of interest; unauthorized payment; non-drug forfeiture; impersonation; false statement to Employee Act; reporting offenses – labor related; criminal infringement of trademark; unlawful conduct relating to control/cigarettes; trespass; destruction of property; destruction of mail; aircraft piracy; conspiracy to murder (no death, assault, or attempt); conspiracy to commit murder; and all other miscellaneous offenses not previously listed in any of the other categories.

Race

Information on *Race* of the offender is obtained from the Presentence Report in separate categories of race and ethnicity (*White, Black, Native American or Alaskan Native, Asian or Pacific Islander, Multiracial, and "Other"*). Ethnicity data indicate whether an offender is of Hispanic origin. (For purposes of this report, offenders whose ethnic background is designated as Hispanic are represented as Hispanic in all tables regardless of racial background.) The *Other* category includes offenders of Native American, Alaskan Native, Asian or Pacific Islander, Multiracial, and "Other" origin.

Sentence Length

Sentence Length reports the mean and median terms of the sentence imposed in months. This information is obtained from the Judgment and Commitment Order. Sentence lengths expressed in days are rounded to the nearest month.

Probation sentences are included as zero months. Any portion of a sentence which is an alternative confinement as described in USSG §5C1.1 is included. Cases in which a sentence is imposed, but where the length is indeterminable, are excluded. However, sentences in cases where the court imposed a sentence of time served but did not report the amount of time that was served are included as zero months.

In cases where the court imposes a sentence of life imprisonment, a numeric value is necessary to include these cases in any sentence length analysis. Accordingly, life sentences are reported as 470 months, a length consistent with the average life expectancy of federal criminal offenders given the average age of federal offenders. Also, sentences of greater than 470 months are also reported as 470 months for some analyses. The footnote in the relevant tables and figures indicates when this occurs.

Type of Guideline Sentence Imposed

Using sentencing information obtained from the Judgment and Commitment Order, the *Total Receiving Prison* column includes the number of offenders sentenced (and percent of *Total Cases*) who received a commitment to the Bureau of Prisons. This column is the sum of cases in *Prison* and the *Prison/Community Split Sentence* categories.

The *Prison* category includes offenders sentenced to a term of imprisonment only, with no additional conditions of community confinement, home detention or intermittent confinement.

The *Prison/Community Split Sentence* category includes all cases in which offenders received prison and conditions of alternative confinement as defined in USSG §5C1.1. This category includes, but is not limited to, Zone A, Zone B, or Zone C cases receiving prison with additional conditions of a term of community confinement, home detention, or intermittent confinement.

The *Total Receiving Probation* column includes the number of offenders sentenced (and the percent of *Total Cases*) who received a term of probation with or without a condition of community confinement, intermittent confinement, or home detention. This column also represents the total of the *Probation Only* and *Probation and Confinement* categories.

The *Probation Only* column includes the number of offenders who received a term of probation without a condition of community confinement, intermittent confinement, or home detention.

Probation and Confinement includes the number of offenders who received a term of probation with a condition of community confinement, intermittent confinement, or home detention.

Upward Departure From Guideline Range

Upward Departure From Guideline Range consists of cases with departures above the guideline range which do not cite as a reason either *U.S. v. Booker*, 18 U.S.C. § 3553, or factors or reasons specifically prohibited in the provisions, policy statements, or commentary of the federal guidelines manual.

Upward Departure with Booker/18 U.S.C. § 3553

Upward Departure with Booker/18 U.S.C. § 3553 consists of cases with a sentence above the guideline range that includes both a departure (see Upward Departure From Guideline Range) as well as a sentence outside the guideline system mentioning either *U.S. v. Booker*, 18 U.S.C. § 3553, or related factors as a reason for sentencing above the guideline system.

Year

Information on *Year* is obtained from the Judgment and Commitment Order. Unless otherwise indicated, the sentencing year is defined as the fiscal year in which the defendant was sentenced.

Zone

The *Sentencing Table* is categorized into sentencing *Zones*. Courts may impose various types of punishment as alternatives to imprisonment. Alternative types of punishment include probation, home detention, community confinement, and intermittent confinement. Imposition of alternative types of punishment is restricted to defendants within specific sentencing zones.

Zone A: a guideline range is in Zone A when the minimum term of imprisonment specified is zero months;

Zone B: a guideline range is in Zone B when the minimum term of imprisonment specified is at least one but not more than six months;

Zone C: a guideline range is in Zone C when the minimum term of imprisonment specified is eight months when criminal history category is four or less, and nine months if the criminal history category is greater than four;

Zone D: a guideline range is in Zone D when the minimum term of imprisonment specified is 12 months or more.

See Chapter 5 of the *Guidelines Manual* for a description of alternatives to imprisonment and the conditions under which they are applicable.

Appendix B:
List of Quarterly Report Tables and Figures
and Comparable FY13 *Sourcebook* Number/Letter

<u>Quarterly Report Tables/Figures</u>	<u>Comparable <i>Sourcebook</i> Tables/Figures</u>
Table 1	Table N
Table 2	Table 26
Table 3	Table 27
Figure A	N/A
Figure B	N/A
Table 4	N/A
Table 5	Table 28
Table 6	Table 28A
Table 7	Table 30
Table 8	Table 30A
Table 9	Table 31
Table 10	Table 31A
Table 11	Table 31B
Table 12	Table 31C
Table 13	Table 31D
Table 14	Table 32
Table 15	Table 32A
Table 16	Table 32B
Table 17	Table 32C
Table 18	Table 12
Table 19	Table 13
Figure C	N/A
Figure D	N/A
Figure E	N/A
Figure F	N/A
Figure G	N/A
Figure H	N/A
Figure I	N/A
Table 20	Table 29
Figure J	Figure A
Table 21	Table 3
Table 22	Table 11
Figure K	N/A

Table 23	Table 4
Table 24	Table 5
Table 25	Table 7
Table 26	Table 9
Table 27	Table 1
Table 28	N/A