

U.S. Sentencing Commission Preliminary Quarterly Data Report



**3rd Quarter Release
Preliminary Fiscal Year 2015 Data
Through June 30, 2015**

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 1995-2014 *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.

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Table 1

**NATIONAL COMPARISON OF SENTENCE IMPOSED AND
POSITION RELATIVE TO THE GUIDELINE RANGE¹**
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

	N	%
TOTAL CASES	51,230	100.0
CASES SENTENCED WITHIN GUIDELINE RANGE	24,207	47.3
CASES SENTENCED ABOVE GUIDELINE RANGE	1,095	2.1
DEPARTURE ABOVE GUIDELINE RANGE	329	0.6
Upward Departure From Guideline Range ²	260	0.5
Upward Departure With <i>Booker</i> /18 U.S.C. § 3553 ³	69	0.1
OTHERWISE ABOVE GUIDELINE RANGE	766	1.5
Above Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 ⁴	722	1.4
All Remaining Cases Above Guideline Range ⁵	44	0.1
GOVERNMENT SPONSORED BELOW RANGE⁶	15,071	29.4
§5K1.1 Substantial Assistance Departure	6,474	12.6
§5K3.1 Early Disposition Program Departure	4,673	9.1
Other Government Sponsored Below Range	3,924	7.7
NON-GOVERNMENT SPONSORED BELOW RANGE	10,857	21.2
DEPARTURE BELOW GUIDELINE RANGE	1,580	3.1
Downward Departure From Guideline Range ²	1,125	2.2
Downward Departure With <i>Booker</i> /18 U.S.C. § 3553 ³	455	0.9
OTHERWISE BELOW GUIDELINE RANGE	9,277	18.1
Below Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 ⁴	9,000	17.6
All Remaining Cases Below Guideline Range ⁵	277	0.5

¹ This table reflects the 52,668 cases sentenced on or after October 1, 2014, with court documentation cumulatively received, coded, and edited at the U.S. Sentencing Commission by September 11, 2015. Of these, 1,438 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.

SOURCE: U.S. Sentencing Commission, Preliminary 2015 Datafile, USSCFY15 (October 1, 2014, through June 30, 2015).

SENTENCES RELATIVE TO THE GUIDELINE RANGE BY CIRCUIT AND DISTRICT¹
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

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	51,230	24,207	47.3	260	0.5	69	0.1	722	1.4	44	0.1
D.C. CIRCUIT	179	53	29.6	0	0.0	1	0.6	2	1.1	0	0.0
District of Columbia	179	53	29.6	0	0.0	1	0.6	2	1.1	0	0.0
FIRST CIRCUIT	1,808	948	52.4	14	0.8	3	0.2	61	3.4	4	0.2
Maine	152	55	36.2	0	0.0	0	0.0	0	0.0	0	0.0
Massachusetts	409	98	24.0	3	0.7	1	0.2	9	2.2	0	0.0
New Hampshire	108	52	48.1	1	0.9	0	0.0	6	5.6	0	0.0
Puerto Rico	1,047	721	68.9	10	1.0	2	0.2	46	4.4	4	0.4
Rhode Island	92	22	23.9	0	0.0	0	0.0	0	0.0	0	0.0
SECOND CIRCUIT	2,903	833	28.7	10	0.3	0	0.0	10	0.3	4	0.1
Connecticut	267	73	27.3	2	0.7	0	0.0	0	0.0	1	0.4
New York											
Eastern	613	137	22.3	1	0.2	0	0.0	2	0.3	2	0.3
Northern	265	143	54.0	1	0.4	0	0.0	1	0.4	0	0.0
Southern	1,246	295	23.7	1	0.1	0	0.0	4	0.3	1	0.1
Western	386	164	42.5	4	1.0	0	0.0	2	0.5	0	0.0
Vermont	126	21	16.7	1	0.8	0	0.0	1	0.8	0	0.0
THIRD CIRCUIT	1,913	717	37.5	4	0.2	0	0.0	19	1.0	1	0.1
Delaware	77	22	28.6	0	0.0	0	0.0	0	0.0	0	0.0
New Jersey	568	218	38.4	2	0.4	0	0.0	3	0.5	0	0.0
Pennsylvania											
Eastern	550	164	29.8	1	0.2	0	0.0	7	1.3	0	0.0
Middle	302	140	46.4	1	0.3	0	0.0	4	1.3	0	0.0
Western	373	138	37.0	0	0.0	0	0.0	4	1.1	0	0.0
Virgin Islands	43	35	81.4	0	0.0	0	0.0	1	2.3	1	2.3
FOURTH CIRCUIT	4,264	2,310	54.2	29	0.7	11	0.3	67	1.6	2	0.0
Maryland	604	188	31.1	3	0.5	2	0.3	20	3.3	0	0.0
North Carolina											
Eastern	381	187	49.1	9	2.4	4	1.0	6	1.6	0	0.0
Middle	389	232	59.6	3	0.8	3	0.8	13	3.3	1	0.3
Western	529	288	54.4	1	0.2	1	0.2	4	0.8	0	0.0
South Carolina	481	263	54.7	6	1.2	0	0.0	5	1.0	0	0.0
Virginia											
Eastern	1,080	733	67.9	3	0.3	0	0.0	8	0.7	1	0.1
Western	291	126	43.3	4	1.4	1	0.3	7	2.4	0	0.0
West Virginia											
Northern	313	180	57.5	0	0.0	0	0.0	3	1.0	0	0.0
Southern	196	113	57.7	0	0.0	0	0.0	1	0.5	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	6,474	12.6	4,673	9.1	3,924	7.7	1,125	2.2	455	0.9	9,000	17.6	277	0.5
D.C. CIRCUIT	56	31.3	2	1.1	20	11.2	6	3.4	9	5.0	28	15.6	2	1.1
District of Columbia	56	31.3	2	1.1	20	11.2	6	3.4	9	5.0	28	15.6	2	1.1
FIRST CIRCUIT	176	9.7	19	1.1	224	12.4	47	2.6	17	0.9	273	15.1	22	1.2
Maine	33	21.7	0	0.0	6	3.9	6	3.9	3	2.0	49	32.2	0	0.0
Massachusetts	62	15.2	11	2.7	104	25.4	12	2.9	10	2.4	96	23.5	3	0.7
New Hampshire	12	11.1	0	0.0	11	10.2	7	6.5	2	1.9	17	15.7	0	0.0
Puerto Rico	62	5.9	8	0.8	64	6.1	22	2.1	2	0.2	87	8.3	19	1.8
Rhode Island	7	7.6	0	0.0	39	42.4	0	0.0	0	0.0	24	26.1	0	0.0
SECOND CIRCUIT	638	22.0	65	2.2	110	3.8	73	2.5	47	1.6	1,093	37.7	20	0.7
Connecticut	39	14.6	1	0.4	20	7.5	15	5.6	4	1.5	112	41.9	0	0.0
New York														
Eastern	139	22.7	39	6.4	38	6.2	32	5.2	16	2.6	201	32.8	6	1.0
Northern	58	21.9	2	0.8	5	1.9	1	0.4	5	1.9	48	18.1	1	0.4
Southern	265	21.3	23	1.8	12	1.0	22	1.8	17	1.4	596	47.8	10	0.8
Western	105	27.2	0	0.0	20	5.2	0	0.0	2	0.5	86	22.3	3	0.8
Vermont	32	25.4	0	0.0	15	11.9	3	2.4	3	2.4	50	39.7	0	0.0
THIRD CIRCUIT	523	27.3	11	0.6	133	7.0	20	1.0	19	1.0	450	23.5	16	0.8
Delaware	17	22.1	0	0.0	7	9.1	1	1.3	2	2.6	28	36.4	0	0.0
New Jersey	159	28.0	3	0.5	39	6.9	4	0.7	7	1.2	129	22.7	4	0.7
Pennsylvania														
Eastern	192	34.9	2	0.4	40	7.3	1	0.2	3	0.5	130	23.6	10	1.8
Middle	68	22.5	6	2.0	12	4.0	8	2.6	3	1.0	59	19.5	1	0.3
Western	82	22.0	0	0.0	35	9.4	6	1.6	4	1.1	103	27.6	1	0.3
Virgin Islands	5	11.6	0	0.0	0	0.0	0	0.0	0	0.0	1	2.3	0	0.0
FOURTH CIRCUIT	669	15.7	12	0.3	294	6.9	61	1.4	32	0.8	754	17.7	23	0.5
Maryland	160	26.5	1	0.2	109	18.0	10	1.7	11	1.8	98	16.2	2	0.3
North Carolina														
Eastern	113	29.7	0	0.0	4	1.0	3	0.8	3	0.8	50	13.1	2	0.5
Middle	56	14.4	0	0.0	6	1.5	2	0.5	1	0.3	72	18.5	0	0.0
Western	107	20.2	0	0.0	29	5.5	6	1.1	2	0.4	90	17.0	1	0.2
South Carolina	74	15.4	3	0.6	49	10.2	6	1.2	3	0.6	71	14.8	1	0.2
Virginia														
Eastern	41	3.8	4	0.4	34	3.1	26	2.4	3	0.3	212	19.6	15	1.4
Western	69	23.7	0	0.0	35	12.0	7	2.4	6	2.1	35	12.0	1	0.3
West Virginia														
Northern	29	9.3	2	0.6	26	8.3	0	0.0	2	0.6	71	22.7	0	0.0
Southern	20	10.2	2	1.0	2	1.0	1	0.5	1	0.5	55	28.1	1	0.5

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	11,893	7,561	63.6	75	0.6	19	0.2	196	1.6	9	0.1
Louisiana											
Eastern	306	176	57.5	4	1.3	0	0.0	12	3.9	1	0.3
Middle	118	55	46.6	1	0.8	1	0.8	0	0.0	1	0.8
Western	153	101	66.0	3	2.0	0	0.0	5	3.3	2	1.3
Mississippi											
Northern	118	63	53.4	1	0.8	0	0.0	3	2.5	0	0.0
Southern	193	123	63.7	4	2.1	0	0.0	4	2.1	0	0.0
Texas											
Eastern	789	504	63.9	10	1.3	0	0.0	16	2.0	0	0.0
Northern	1,051	628	59.8	7	0.7	7	0.7	32	3.0	0	0.0
Southern	4,574	2,606	57.0	38	0.8	11	0.2	36	0.8	4	0.1
Western	4,591	3,305	72.0	7	0.2	0	0.0	88	1.9	1	0.0
SIXTH CIRCUIT	3,584	1,579	44.1	12	0.3	2	0.1	47	1.3	0	0.0
Kentucky											
Eastern	429	246	57.3	0	0.0	0	0.0	10	2.3	0	0.0
Western	204	94	46.1	2	1.0	0	0.0	2	1.0	0	0.0
Michigan											
Eastern	616	273	44.3	1	0.2	0	0.0	6	1.0	0	0.0
Western	296	171	57.8	3	1.0	1	0.3	7	2.4	0	0.0
Ohio											
Northern	504	211	41.9	0	0.0	0	0.0	5	1.0	0	0.0
Southern	447	124	27.7	1	0.2	0	0.0	5	1.1	0	0.0
Tennessee											
Eastern	520	274	52.7	2	0.4	0	0.0	4	0.8	0	0.0
Middle	189	52	27.5	1	0.5	0	0.0	4	2.1	0	0.0
Western	379	134	35.4	2	0.5	1	0.3	4	1.1	0	0.0
SEVENTH CIRCUIT	1,885	717	38.0	2	0.1	7	0.4	38	2.0	3	0.2
Illinois											
Central	275	120	43.6	0	0.0	1	0.4	11	4.0	0	0.0
Northern	537	145	27.0	0	0.0	2	0.4	6	1.1	1	0.2
Southern	294	184	62.6	1	0.3	4	1.4	2	0.7	1	0.3
Indiana											
Northern	212	98	46.2	0	0.0	0	0.0	2	0.9	0	0.0
Southern	288	102	35.4	0	0.0	0	0.0	11	3.8	1	0.3
Wisconsin											
Eastern	194	40	20.6	0	0.0	0	0.0	5	2.6	0	0.0
Western	85	28	32.9	1	1.2	0	0.0	1	1.2	0	0.0
EIGHTH CIRCUIT	3,387	1,534	45.3	21	0.6	6	0.2	80	2.4	2	0.1
Arkansas											
Eastern	250	129	51.6	0	0.0	0	0.0	5	2.0	2	0.8
Western	248	117	47.2	0	0.0	0	0.0	4	1.6	0	0.0
Iowa											
Northern	264	162	61.4	10	3.8	1	0.4	10	3.8	0	0.0
Southern	221	69	31.2	0	0.0	0	0.0	3	1.4	0	0.0
Minnesota	251	79	31.5	1	0.4	1	0.4	8	3.2	0	0.0
Missouri											
Eastern	396	156	39.4	0	0.0	1	0.3	5	1.3	0	0.0
Western	679	289	42.6	3	0.4	0	0.0	30	4.4	0	0.0
Nebraska	439	209	47.6	0	0.0	0	0.0	6	1.4	0	0.0
North Dakota	312	145	46.5	1	0.3	0	0.0	3	1.0	0	0.0
South Dakota	327	179	54.7	6	1.8	3	0.9	6	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	1,031	8.7	518	4.4	422	3.5	539	4.5	42	0.4	1,407	11.8	74	0.6
Louisiana														
Eastern	40	13.1	1	0.3	4	1.3	4	1.3	2	0.7	58	19.0	4	1.3
Middle	19	16.1	1	0.8	1	0.8	0	0.0	0	0.0	38	32.2	1	0.8
Western	15	9.8	0	0.0	1	0.7	1	0.7	0	0.0	25	16.3	0	0.0
Mississippi														
Northern	24	20.3	1	0.8	4	3.4	0	0.0	0	0.0	22	18.6	0	0.0
Southern	30	15.5	0	0.0	2	1.0	0	0.0	0	0.0	30	15.5	0	0.0
Texas														
Eastern	58	7.4	6	0.8	135	17.1	4	0.5	3	0.4	50	6.3	3	0.4
Northern	152	14.5	0	0.0	27	2.6	7	0.7	4	0.4	186	17.7	1	0.1
Southern	356	7.8	397	8.7	145	3.2	411	9.0	21	0.5	548	12.0	1	0.0
Western	337	7.3	112	2.4	103	2.2	112	2.4	12	0.3	450	9.8	64	1.4
SIXTH CIRCUIT	731	20.4	9	0.3	331	9.2	39	1.1	52	1.5	770	21.5	12	0.3
Kentucky														
Eastern	55	12.8	0	0.0	18	4.2	1	0.2	1	0.2	98	22.8	0	0.0
Western	42	20.6	4	2.0	37	18.1	2	1.0	2	1.0	18	8.8	1	0.5
Michigan														
Eastern	101	16.4	0	0.0	36	5.8	6	1.0	5	0.8	187	30.4	1	0.2
Western	38	12.8	0	0.0	1	0.3	6	2.0	12	4.1	57	19.3	0	0.0
Ohio														
Northern	130	25.8	0	0.0	23	4.6	8	1.6	3	0.6	122	24.2	2	0.4
Southern	86	19.2	3	0.7	110	24.6	8	1.8	15	3.4	90	20.1	5	1.1
Tennessee														
Eastern	154	29.6	0	0.0	25	4.8	2	0.4	1	0.2	58	11.2	0	0.0
Middle	52	27.5	0	0.0	45	23.8	4	2.1	10	5.3	21	11.1	0	0.0
Western	73	19.3	2	0.5	36	9.5	2	0.5	3	0.8	119	31.4	3	0.8
SEVENTH CIRCUIT	278	14.7	6	0.3	133	7.1	47	2.5	74	3.9	563	29.9	17	0.9
Illinois														
Central	34	12.4	0	0.0	26	9.5	3	1.1	2	0.7	77	28.0	1	0.4
Northern	70	13.0	5	0.9	11	2.0	18	3.4	39	7.3	227	42.3	13	2.4
Southern	37	12.6	1	0.3	10	3.4	4	1.4	16	5.4	32	10.9	2	0.7
Indiana														
Northern	44	20.8	0	0.0	14	6.6	3	1.4	4	1.9	46	21.7	1	0.5
Southern	58	20.1	0	0.0	34	11.8	3	1.0	2	0.7	77	26.7	0	0.0
Wisconsin														
Eastern	33	17.0	0	0.0	35	18.0	0	0.0	0	0.0	81	41.8	0	0.0
Western	2	2.4	0	0.0	3	3.5	16	18.8	11	12.9	23	27.1	0	0.0
EIGHTH CIRCUIT	514	15.2	69	2.0	274	8.1	37	1.1	24	0.7	809	23.9	17	0.5
Arkansas														
Eastern	31	12.4	0	0.0	6	2.4	0	0.0	2	0.8	72	28.8	3	1.2
Western	39	15.7	3	1.2	9	3.6	0	0.0	1	0.4	74	29.8	1	0.4
Iowa														
Northern	52	19.7	0	0.0	2	0.8	1	0.4	0	0.0	25	9.5	1	0.4
Southern	47	21.3	1	0.5	42	19.0	0	0.0	2	0.9	56	25.3	1	0.5
Minnesota	32	12.7	0	0.0	5	2.0	6	2.4	3	1.2	114	45.4	2	0.8
Missouri														
Eastern	50	12.6	0	0.0	46	11.6	2	0.5	7	1.8	128	32.3	1	0.3
Western	148	21.8	0	0.0	64	9.4	2	0.3	1	0.1	142	20.9	0	0.0
Nebraska	26	5.9	45	10.3	47	10.7	8	1.8	2	0.5	90	20.5	6	1.4
North Dakota	77	24.7	17	5.4	21	6.7	4	1.3	4	1.3	38	12.2	2	0.6
South Dakota	12	3.7	3	0.9	32	9.8	14	4.3	2	0.6	70	21.4	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	%
NINTH CIRCUIT	9,783	2,725	27.9	68	0.7	11	0.1	89	0.9	7	0.1
Alaska	124	44	35.5	0	0.0	0	0.0	3	2.4	0	0.0
Arizona	3,070	884	28.8	49	1.6	4	0.1	16	0.5	5	0.2
California											
Central	833	218	26.2	5	0.6	1	0.1	5	0.6	0	0.0
Eastern	554	211	38.1	3	0.5	0	0.0	7	1.3	0	0.0
Northern	433	162	37.4	0	0.0	1	0.2	6	1.4	0	0.0
Southern	2,557	363	14.2	5	0.2	1	0.0	5	0.2	1	0.0
Guam	38	19	50.0	0	0.0	0	0.0	0	0.0	0	0.0
Hawaii	186	69	37.1	0	0.0	0	0.0	0	0.0	0	0.0
Idaho	205	78	38.0	0	0.0	1	0.5	1	0.5	0	0.0
Montana	277	110	39.7	0	0.0	0	0.0	4	1.4	0	0.0
Nevada	432	217	50.2	1	0.2	0	0.0	14	3.2	1	0.2
Northern Mariana Islands	10	8	80.0	0	0.0	0	0.0	0	0.0	0	0.0
Oregon	408	123	30.1	0	0.0	0	0.0	13	3.2	0	0.0
Washington											
Eastern	280	91	32.5	5	1.8	1	0.4	8	2.9	0	0.0
Western	376	128	34.0	0	0.0	2	0.5	7	1.9	0	0.0
TENTH CIRCUIT	5,126	2,793	54.5	21	0.4	2	0.0	27	0.5	2	0.0
Colorado	291	110	37.8	0	0.0	0	0.0	5	1.7	2	0.7
Kansas	446	177	39.7	1	0.2	0	0.0	8	1.8	0	0.0
New Mexico	3,289	2,071	63.0	7	0.2	1	0.0	3	0.1	0	0.0
Oklahoma											
Eastern	73	44	60.3	2	2.7	0	0.0	0	0.0	0	0.0
Northern	132	56	42.4	0	0.0	0	0.0	0	0.0	0	0.0
Western	246	129	52.4	0	0.0	0	0.0	4	1.6	0	0.0
Utah	460	140	30.4	10	2.2	1	0.2	4	0.9	0	0.0
Wyoming	189	66	34.9	1	0.5	0	0.0	3	1.6	0	0.0
ELEVENTH CIRCUIT	4,505	2,437	54.1	4	0.1	7	0.2	86	1.9	10	0.2
Alabama											
Middle	148	71	48.0	0	0.0	3	2.0	8	5.4	2	1.4
Northern	250	135	54.0	0	0.0	0	0.0	8	3.2	1	0.4
Southern	254	155	61.0	0	0.0	0	0.0	0	0.0	0	0.0
Florida											
Middle	984	424	43.1	0	0.0	0	0.0	16	1.6	2	0.2
Northern	183	90	49.2	0	0.0	2	1.1	3	1.6	0	0.0
Southern	1,612	961	59.6	2	0.1	1	0.1	27	1.7	5	0.3
Georgia											
Middle	279	204	73.1	0	0.0	0	0.0	9	3.2	0	0.0
Northern	451	157	34.8	2	0.4	1	0.2	11	2.4	0	0.0
Southern	344	240	69.8	0	0.0	0	0.0	4	1.2	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	1,005	10.3	2,992	30.6	1,275	13.0	167	1.7	75	0.8	1,319	13.5	50	0.5
Alaska	19	15.3	0	0.0	20	16.1	1	0.8	0	0.0	37	29.8	0	0.0
Arizona	127	4.1	1,212	39.5	386	12.6	22	0.7	9	0.3	353	11.5	3	0.1
California														
Central	147	17.6	67	8.0	125	15.0	47	5.6	29	3.5	165	19.8	24	2.9
Eastern	111	20.0	73	13.2	55	9.9	4	0.7	3	0.5	86	15.5	1	0.2
Northern	47	10.9	11	2.5	109	25.2	2	0.5	5	1.2	90	20.8	0	0.0
Southern	179	7.0	1,557	60.9	163	6.4	75	2.9	12	0.5	178	7.0	18	0.7
Guam	13	34.2	0	0.0	2	5.3	0	0.0	0	0.0	4	10.5	0	0.0
Hawaii	69	37.1	0	0.0	6	3.2	1	0.5	1	0.5	40	21.5	0	0.0
Idaho	66	32.2	13	6.3	3	1.5	4	2.0	0	0.0	38	18.5	1	0.5
Montana	53	19.1	0	0.0	16	5.8	0	0.0	0	0.0	94	33.9	0	0.0
Nevada	55	12.7	11	2.5	52	12.0	5	1.2	8	1.9	67	15.5	1	0.2
Northern Mariana Islands	2	20.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Oregon	70	17.2	5	1.2	125	30.6	2	0.5	2	0.5	67	16.4	1	0.2
Washington														
Eastern	25	8.9	24	8.6	79	28.2	4	1.4	4	1.4	38	13.6	1	0.4
Western	22	5.9	19	5.1	134	35.6	0	0.0	2	0.5	62	16.5	0	0.0
TENTH CIRCUIT	303	5.9	943	18.4	426	8.3	37	0.7	28	0.5	530	10.3	14	0.3
Colorado	50	17.2	24	8.2	36	12.4	1	0.3	3	1.0	59	20.3	1	0.3
Kansas	105	23.5	12	2.7	86	19.3	3	0.7	1	0.2	52	11.7	1	0.2
New Mexico	41	1.2	759	23.1	184	5.6	21	0.6	20	0.6	174	5.3	8	0.2
Oklahoma														
Eastern	12	16.4	0	0.0	8	11.0	0	0.0	0	0.0	7	9.6	0	0.0
Northern	22	16.7	0	0.0	10	7.6	4	3.0	1	0.8	39	29.5	0	0.0
Western	24	9.8	0	0.0	2	0.8	4	1.6	2	0.8	81	32.9	0	0.0
Utah	15	3.3	135	29.3	71	15.4	3	0.7	0	0.0	77	16.7	4	0.9
Wyoming	34	18.0	13	6.9	29	15.3	1	0.5	1	0.5	41	21.7	0	0.0
ELEVENTH CIRCUIT	550	12.2	27	0.6	282	6.3	52	1.2	36	0.8	1,004	22.3	10	0.2
Alabama														
Middle	26	17.6	0	0.0	9	6.1	4	2.7	0	0.0	25	16.9	0	0.0
Northern	56	22.4	0	0.0	5	2.0	1	0.4	1	0.4	43	17.2	0	0.0
Southern	25	9.8	1	0.4	2	0.8	4	1.6	0	0.0	67	26.4	0	0.0
Florida														
Middle	175	17.8	16	1.6	29	2.9	18	1.8	12	1.2	290	29.5	2	0.2
Northern	36	19.7	2	1.1	1	0.5	2	1.1	0	0.0	47	25.7	0	0.0
Southern	117	7.3	6	0.4	77	4.8	8	0.5	14	0.9	387	24.0	7	0.4
Georgia														
Middle	32	11.5	1	0.4	6	2.2	4	1.4	0	0.0	23	8.2	0	0.0
Northern	53	11.8	1	0.2	140	31.0	11	2.4	9	2.0	65	14.4	1	0.2
Southern	30	8.7	0	0.0	13	3.8	0	0.0	0	0.0	57	16.6	0	0.0

¹ Of the 52,668 cases, 1,438 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: Arizona (24.6%), Eastern North Carolina (11.8%), and Western Louisiana (7.8%). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2015 Datafile, USSCFY15 (October 1, 2014, through June 30, 2015).

Table 3

**SENTENCES RELATIVE TO THE GUIDELINE RANGE
BY EACH PRIMARY OFFENSE CATEGORY¹
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)**

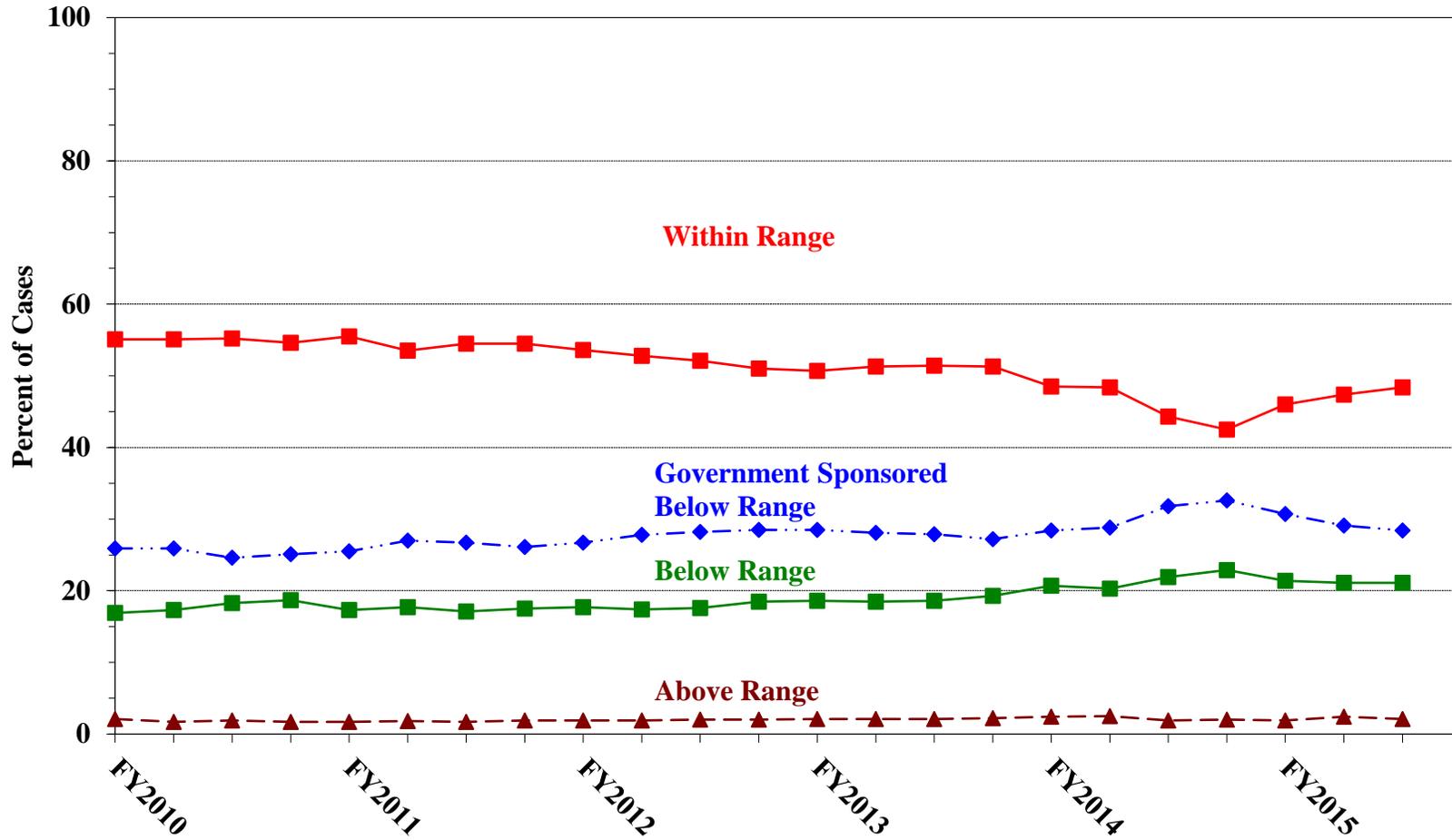
PRIMARY OFFENSE	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURES		UPWARD DEPARTURES W/ BOOKER		ABOVE RANGE W/ BOOKER		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
TOTAL	51,230	24,207	47.3	260	0.5	69	0.1	722	1.4	44	0.1
Murder	74	42	56.8	3	4.1	0	0.0	1	1.4	0	0.0
Manslaughter	41	17	41.5	8	19.5	1	2.4	5	12.2	0	0.0
Kidnapping/Hostage Taking	32	12	37.5	0	0.0	1	3.1	1	3.1	2	6.3
Sexual Abuse	382	175	45.8	8	2.1	1	0.3	13	3.4	0	0.0
Assault	544	302	55.5	15	2.8	6	1.1	27	5.0	1	0.2
Robbery	562	276	49.1	11	2.0	4	0.7	18	3.2	0	0.0
Arson	44	15	34.1	1	2.3	0	0.0	4	9.1	0	0.0
Drugs - Trafficking	15,149	5,283	34.9	46	0.3	11	0.1	134	0.9	9	0.1
Drugs - Communication Facility	241	120	49.8	0	0.0	0	0.0	5	2.1	0	0.0
Drugs - Simple Possession	332	314	94.6	0	0.0	0	0.0	3	0.9	0	0.0
Firearms	5,253	2,772	52.8	53	1.0	11	0.2	171	3.3	11	0.2
Burglary/B&E	22	8	36.4	1	4.5	0	0.0	3	13.6	0	0.0
Auto Theft	48	29	60.4	0	0.0	0	0.0	3	6.3	0	0.0
Larceny	628	352	56.1	2	0.3	0	0.0	8	1.3	1	0.2
Fraud	5,378	2,198	40.9	22	0.4	5	0.1	70	1.3	6	0.1
Embezzlement	240	130	54.2	0	0.0	0	0.0	1	0.4	0	0.0
Forgery/Counterfeiting	385	231	60.0	1	0.3	0	0.0	9	2.3	1	0.3
Bribery	136	40	29.4	0	0.0	0	0.0	1	0.7	0	0.0
Tax	433	119	27.5	1	0.2	0	0.0	3	0.7	0	0.0
Money Laundering	507	148	29.2	2	0.4	0	0.0	1	0.2	0	0.0
Racketeering/Extortion	774	281	36.3	2	0.3	0	0.0	8	1.0	0	0.0
Gambling/Lottery	65	34	52.3	0	0.0	0	0.0	1	1.5	0	0.0
Civil Rights	41	11	26.8	0	0.0	0	0.0	1	2.4	0	0.0
Immigration	15,319	8,828	57.6	62	0.4	17	0.1	147	1.0	7	0.0
Child Pornography	1,401	441	31.5	3	0.2	4	0.3	23	1.6	0	0.0
Prison Offenses	341	237	69.5	0	0.0	1	0.3	10	2.9	1	0.3
Administration of Justice Offenses	886	482	54.4	11	1.2	5	0.6	27	3.0	1	0.1
Environmental/Wildlife	102	39	38.2	0	0.0	1	1.0	0	0.0	0	0.0
National Defense	73	20	27.4	0	0.0	0	0.0	2	2.7	0	0.0
Antitrust	13	1	7.7	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	107	73	68.2	3	2.8	0	0.0	3	2.8	0	0.0
Other Miscellaneous Offenses	1,677	1,177	70.2	5	0.3	1	0.1	19	1.1	4	0.2

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	6,474	12.6	4,673	9.1	3,924	7.7	1,125	2.2	455	0.9	9,000	17.6	277	0.5
Murder	13	17.6	0	0.0	7	9.5	0	0.0	1	1.4	7	9.5	0	0.0
Manslaughter	0	0.0	0	0.0	3	7.3	0	0.0	0	0.0	7	17.1	0	0.0
Kidnapping/Hostage Taking	6	18.8	0	0.0	2	6.3	0	0.0	0	0.0	7	21.9	1	3.1
Sexual Abuse	35	9.2	0	0.0	67	17.5	4	1.0	3	0.8	76	19.9	0	0.0
Assault	5	0.9	3	0.6	84	15.4	7	1.3	7	1.3	81	14.9	6	1.1
Robbery	58	10.3	1	0.2	50	8.9	13	2.3	11	2.0	119	21.2	1	0.2
Arson	17	38.6	0	0.0	4	9.1	0	0.0	0	0.0	3	6.8	0	0.0
Drugs - Trafficking	3,781	25.0	916	6.0	1,578	10.4	246	1.6	175	1.2	2,905	19.2	65	0.4
Drugs - Communication Facility	27	11.2	1	0.4	24	10.0	1	0.4	3	1.2	55	22.8	5	2.1
Drugs - Simple Possession	1	0.3	2	0.6	4	1.2	0	0.0	0	0.0	6	1.8	2	0.6
Firearms	551	10.5	10	0.2	476	9.1	99	1.9	40	0.8	1,038	19.8	21	0.4
Burglary/B&E	2	9.1	0	0.0	0	0.0	0	0.0	0	0.0	8	36.4	0	0.0
Auto Theft	7	14.6	0	0.0	2	4.2	1	2.1	0	0.0	5	10.4	1	2.1
Larceny	38	6.1	0	0.0	50	8.0	16	2.5	10	1.6	146	23.2	5	0.8
Fraud	1,034	19.2	1	0.0	441	8.2	81	1.5	62	1.2	1,409	26.2	49	0.9
Embezzlement	12	5.0	1	0.4	20	8.3	11	4.6	0	0.0	63	26.3	2	0.8
Forgery/Counterfeiting	31	8.1	0	0.0	20	5.2	12	3.1	5	1.3	72	18.7	3	0.8
Bribery	40	29.4	1	0.7	12	8.8	3	2.2	2	1.5	37	27.2	0	0.0
Tax	61	14.1	0	0.0	35	8.1	13	3.0	13	3.0	182	42.0	6	1.4
Money Laundering	126	24.9	1	0.2	67	13.2	11	2.2	7	1.4	142	28.0	2	0.4
Racketeering/Extortion	177	22.9	0	0.0	108	14.0	12	1.6	9	1.2	170	22.0	7	0.9
Gambling/Lottery	8	12.3	1	1.5	7	10.8	0	0.0	0	0.0	14	21.5	0	0.0
Civil Rights	6	14.6	0	0.0	7	17.1	1	2.4	0	0.0	15	36.6	0	0.0
Immigration	192	1.3	3,729	24.3	320	2.1	528	3.4	58	0.4	1,361	8.9	70	0.5
Child Pornography	50	3.6	0	0.0	277	19.8	20	1.4	24	1.7	551	39.3	8	0.6
Prison Offenses	8	2.3	0	0.0	32	9.4	4	1.2	1	0.3	46	13.5	1	0.3
Administration of Justice Offenses	54	6.1	4	0.5	90	10.2	14	1.6	5	0.6	189	21.3	4	0.5
Environmental/Wildlife	19	18.6	0	0.0	9	8.8	3	2.9	1	1.0	28	27.5	2	2.0
National Defense	23	31.5	0	0.0	8	11.0	2	2.7	1	1.4	17	23.3	0	0.0
Antitrust	10	76.9	0	0.0	2	15.4	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	7	6.5	0	0.0	4	3.7	4	3.7	4	3.7	8	7.5	1	0.9
Other Miscellaneous Offenses	75	4.5	2	0.1	114	6.8	19	1.1	13	0.8	233	13.9	15	0.9

¹ Of the 52,668 cases, 1,438 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.

Figure A
QUARTERLY DATA FOR WITHIN RANGE AND OUT OF RANGE SENTENCES¹
Fiscal Years 2010 - 2014,
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

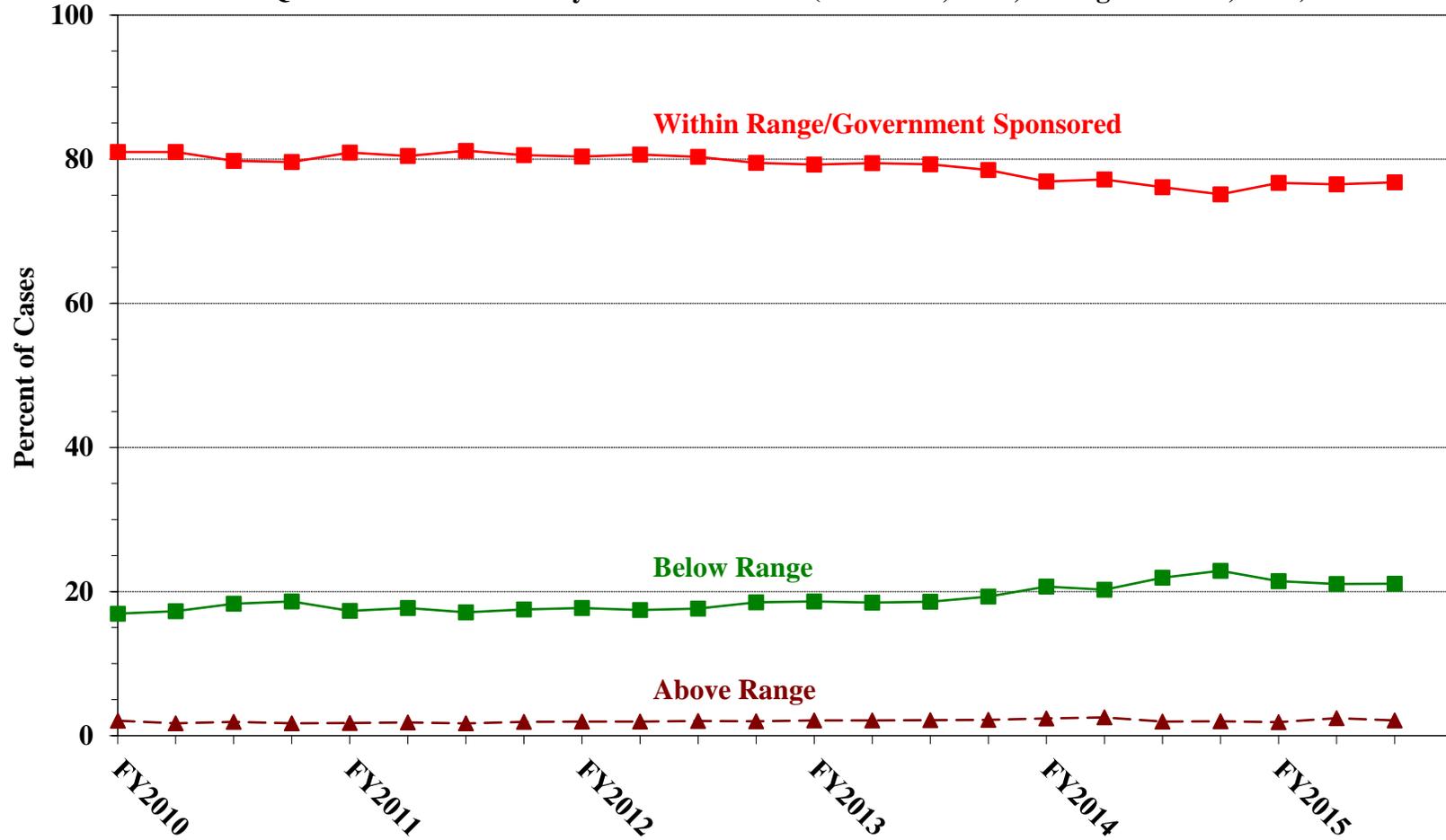


¹ Descriptions of variables used in this figure are provided in Appendix A.

Figure B

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

Fiscal Years 2010 - 2014,
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)



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 2010 - 2014,
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

FISCAL YEAR	WITHIN GUIDELINE RANGE	GOVERNMENT SPONSORED BELOW RANGE	BELOW RANGE	ABOVE RANGE
Quarter	%	%	%	%
FY2010				
1st Quarter	55.1	25.9	16.9	2.1
2nd Quarter	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
2nd Quarter	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
2nd Quarter	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
2nd Quarter	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	48.5	28.4	20.7	2.4
2nd Quarter	48.4	28.8	20.3	2.5
3rd Quarter	44.3	31.8	21.9	1.9
4th Quarter	42.5	32.6	22.9	2.0
FY2015				
1st Quarter	46.0	30.7	21.4	1.9
2nd Quarter	47.4	29.1	21.1	2.4
3rd Quarter	48.4	28.4	21.1	2.1
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		Below Range	
			Gdline Only	with Booker	Above Range with Booker	All Others	\$5K1.1	\$5K3.1	Other Gov't	Gdline Only	with Booker	with Booker	All Others
§2N1.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2N2.1	57	55	0	0	0	0	0	0	0	1	0	1	0
§2N3.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2P1.1	193	137	0	1	6	0	4	0	13	1	1	29	1
§2P1.2	90	66	0	0	3	0	2	0	8	1	0	10	0
§2P1.3	0	0	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	22	4	0	0	0	0	5	0	5	2	0	6	0
§2Q1.3	24	7	0	0	0	0	2	0	2	1	0	12	0
§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	76	25	0	0	0	0	18	0	7	1	1	22	2
§2Q2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2R1.1	5	0	0	0	0	0	5	0	0	0	0	0	0
§2S1.1	800	201	3	0	3	0	267	0	114	15	9	185	3
§2S1.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2S1.3	149	55	0	0	0	0	20	1	22	3	1	46	1
§2S1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.1	362	105	0	0	3	0	60	0	28	10	11	141	4
§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	150	35	1	0	2	0	32	0	9	3	3	65	0
§2T1.5	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.6	31	4	0	0	0	0	2	0	3	1	1	19	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	11	4	0	0	0	0	1	0	3	1	0	2	0
§2T2.1	5	2	0	0	0	0	1	0	1	0	0	1	0
§2T2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T3.1	14	8	0	0	1	0	2	0	2	0	0	1	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	21	6	0	0	1	0	7	0	1	0	0	6	0
§2X2.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X3.1	84	34	0	0	1	0	15	0	14	0	1	19	0
§2X4.1	272	145	5	0	10	1	18	2	39	3	1	45	3
§2X5.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X5.2	143	126	0	0	5	0	0	0	2	0	0	7	3
§2X6.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X7.1	2	2	0	0	0	0	0	0	0	0	0	0	0
§2X7.2	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	48,452	21,998	248	69	695	40	6,432	4,409	3,831	1,108	453	8,908	261

¹ Of the 52,668 cases, 4,216 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 (1,438) or missing guideline applied (4,199). Descriptions of variables used in this table are provided in Appendix A.

² In 784 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 784 cases the conviction for this crime did not affect the guideline calculation for the underlying offense.

³ In 1,638 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 1,638 cases the conviction for this crime did not affect the guideline calculation for the underlying offense.

Table 6

ATTRIBUTION CATEGORY FOR CASES OUTSIDE OF THE GUIDELINE RANGE¹
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

	TOTAL CASES	Pursuant to a Plea Agreement									
		§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	27,023	3,713	13.7	4,456	16.5	3,031	11.2	1,941	7.2	417	1.5
Above Range	1,095	2	0.2	6	0.5	248	22.6	102	9.3	1	0.1
Upward Departure From Guideline Range	260	0	0.0	0	0.0	100	38.5	34	13.1	1	0.4
Upward Departure With <i>Booker</i> /18 U.S.C. § 3553	69	0	0.0	0	0.0	9	13.0	4	5.8	0	0.0
Above Guideline Range With <i>Booker</i> /18 U.S.C. § 3553	722	0	0.0	0	0.0	135	18.7	61	8.4	0	0.0
All Remaining Cases Above Guideline Range	44	2	4.5	6	13.6	4	9.1	3	6.8	0	0.0
Government Sponsored Below Range	15,071	3,711	24.6	4,450	29.5	2,783	18.5	1,839	12.2	416	2.8
§5K1.1 Substantial Assistance Departure	6,474	3,711	57.3	118	1.8	132	2.0	173	2.7	39	0.6
§5K3.1 Early Disposition Program Departure	4,673	0	0.0	4,332	92.7	982	21.0	492	10.5	61	1.3
Other Government Sponsored Below Range	3,924	0	0.0	0	0.0	1,669	42.5	1,174	29.9	316	8.1
Non-Government Sponsored Below Range	10,857	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Downward Departure From Guideline Range	1,125	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	455	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	9,000	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
All Remaining Cases Below Guideline Range	277	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	2,662	9.9	87	0.3	1,553	5.7	4,503	16.7	3,768	13.9	4,391	16.2	2,440	9.0
Above Range	3	0.3	0	0.0	175	16.0	15	1.4	7	0.6	473	43.2	148	13.5
Upward Departure From Guideline Range	0	0.0	0	0.0	42	16.2	2	0.8	1	0.4	87	33.5	27	10.4
Upward Departure With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	23	33.3	1	1.4	2	2.9	40	58.0	1	1.4
Above Guideline Range With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	109	15.1	11	1.5	4	0.6	343	47.5	87	12.0
All Remaining Cases Above Guideline Range	3	6.8	0	0.0	1	2.3	1	2.3	0	0.0	3	6.8	33	75.0
Government Sponsored Below Range	2,659	17.6	87	0.6	1,378	9.1	1,223	8.1	840	5.6	795	5.3	344	2.3
§5K1.1 Substantial Assistance Departure	2,659	41.1	12	0.2	362	5.6	564	8.7	310	4.8	448	6.9	115	1.8
§5K3.1 Early Disposition Program Departure	0	0.0	75	1.6	117	2.5	239	5.1	332	7.1	116	2.5	132	2.8
Other Government Sponsored Below Range	0	0.0	0	0.0	899	22.9	420	10.7	198	5.0	231	5.9	97	2.5
Non-Government Sponsored Below Range	0	0.0	0	0.0	0	0.0	3,265	30.1	2,921	26.9	3,123	28.8	1,948	17.9
Downward Departure From Guideline Range	0	0.0	0	0.0	0	0.0	565	50.2	195	17.3	258	22.9	133	11.8
Downward Departure With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	0	0.0	142	31.2	157	34.5	174	38.2	64	14.1
Below Guideline Range With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	0	0.0	2,558	28.4	2,565	28.5	2,683	29.8	1,486	16.5
All Remaining Cases Below Guideline Range	0	0.0	0	0.0	0	0.0	0	0.0	4	1.4	8	2.9	265	95.7

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, 5,089 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**
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	6,146	32	30	50.0
Murder	7	140	180	50.0
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	3	120	47	40.0
Sexual Abuse	33	80	63	44.4
Assault	5	48	18	35.3
Robbery	58	44	21	30.7
Arson	17	51	40	46.7
Drugs - Trafficking	3,577	43	41	48.3
Drugs - Communication Facility	27	1	26	95.6
Drugs - Simple Possession	1	--	--	--
Firearms	525	48	33	44.4
Burglary/B&E	2	--	--	--
Auto Theft	6	1	27	93.6
Larceny	38	7	19	71.3
Fraud	994	10	21	76.4
Embezzlement	12	10	14	67.5
Forgery/Counterfeiting	31	12	12	49.9
Bribery	40	2	15	91.6
Tax	61	0	15	100.0
Money Laundering	124	12	25	72.4
Racketeering/Extortion	158	27	27	51.4
Gambling/Lottery	8	0	8	100.0
Civil Rights	6	11	56	86.5
Immigration	184	14	12	44.9
Child Pornography	47	144	72	36.2
Prison Offenses	8	9	7	33.5
Administration of Justice Offenses	52	0	12	99.9
Environmental/Wildlife	19	0	18	100.0
National Defense	20	19	33	63.3
Antitrust	6	15	16	52.3
Food & Drug	7	0	18	100.0
Other Miscellaneous Offenses	70	0	18	100.0

¹ Of the 52,668 cases, 6,474 received a §5K1.1 substantial assistance departure. Of these, 6,209 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 60 cases were also excluded from this table. Furthermore, one case was excluded due to several logical criteria. Of the remaining 6,148 cases, two 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.

**§5K3.1 EARLY DISPOSITION PROGRAM DEPARTURE CASES: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹**
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	4,290	12	8	42.7
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	0	--	--	--
Assault	3	6	21	78.6
Robbery	1	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	845	24	24	52.0
Drugs - Communication Facility	1	--	--	--
Drugs - Simple Possession	1	--	--	--
Firearms	10	32	16	35.0
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	0	--	--	--
Fraud	1	--	--	--
Embezzlement	1	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	1	--	--	--
Tax	0	--	--	--
Money Laundering	1	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	3,421	10	6	40.0
Child Pornography	0	--	--	--
Prison Offenses	0	--	--	--
Administration of Justice Offenses	4	5	3	22.8
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	0	--	--	--

¹ Of the 52,668 cases, 4,673 received a §5K3.1 early disposition program departure. Of these, 4,291 cases had complete guideline application information. Of these remaining cases, one was 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.

**OTHER GOVERNMENT SPONSORED BELOW RANGE CASES: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹**
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	3,724	36	20	40.5
Murder	5	108	51	30.0
Manslaughter	3	66	4	5.7
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	61	120	64	40.0
Assault	77	12	15	57.1
Robbery	45	57	18	23.0
Arson	4	30	5	26.8
Drugs - Trafficking	1,518	60	28	35.7
Drugs - Communication Facility	21	12	24	60.0
Drugs - Simple Possession	2	--	--	--
Firearms	452	54	17	28.2
Burglary/B&E	0	--	--	--
Auto Theft	2	--	--	--
Larceny	49	0	10	100.0
Fraud	422	12	13	58.1
Embezzlement	19	0	10	100.0
Forgery/Counterfeiting	17	6	15	80.0
Bribery	11	6	18	70.0
Tax	35	4	12	87.4
Money Laundering	61	6	18	75.0
Racketeering/Extortion	98	28	20	50.0
Gambling/Lottery	6	0	7	100.0
Civil Rights	6	17	21	43.9
Immigration	304	17	12	40.0
Child Pornography	274	70	51	42.3
Prison Offenses	22	12	6	36.7
Administration of Justice Offenses	86	7	12	73.4
Environmental/Wildlife	9	0	12	100.0
National Defense	8	15	18	65.7
Antitrust	1	--	--	--
Food & Drug	3	0	12	100.0
Other Miscellaneous Offenses	102	0	12	100.0

¹ Of the 52,668 cases, 3,924 received an other government sponsored downward departure. Of these, 3,764 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 38 cases were also excluded from this table. Of the remaining 3,726 cases, two 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.

**DOWNWARD DEPARTURES FROM GUIDELINE RANGE: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹**
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	1,089	24	13	36.8
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	4	36	6	35.7
Assault	7	24	6	22.1
Robbery	13	33	13	21.7
Arson	0	--	--	--
Drugs - Trafficking	237	48	16	28.6
Drugs - Communication Facility	1	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	98	36	13	24.7
Burglary/B&E	0	--	--	--
Auto Theft	1	--	--	--
Larceny	16	0	10	100.0
Fraud	79	15	15	65.7
Embezzlement	11	0	12	99.7
Forgery/Counterfeiting	11	4	12	84.2
Bribery	3	0	12	100.0
Tax	13	0	18	100.0
Money Laundering	11	24	10	35.1
Racketeering/Extortion	12	34	15	31.9
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	510	22	12	36.8
Child Pornography	20	35	55	62.2
Prison Offenses	2	--	--	--
Administration of Justice Offenses	13	4	9	70.0
Environmental/Wildlife	3	0	6	100.0
National Defense	2	--	--	--
Antitrust	0	--	--	--
Food & Drug	4	0	24	100.0
Other Miscellaneous Offenses	18	0	10	100.0

¹ Of the 52,668 cases, 1,125 received a downward departure from the guideline range. Of these, 1,090 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, one additional case was 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
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	437	27	22	46.7
Murder	1	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	3	180	46	23.4
Assault	7	20	13	39.4
Robbery	11	60	31	33.8
Arson	0	--	--	--
Drugs - Trafficking	161	46	31	40.5
Drugs - Communication Facility	3	18	30	68.8
Drugs - Simple Possession	0	--	--	--
Firearms	40	48	19	31.4
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	10	0	11	100.0
Fraud	60	12	16	64.1
Embezzlement	0	--	--	--
Forgery/Counterfeiting	5	4	20	83.3
Bribery	2	--	--	--
Tax	13	0	17	100.0
Money Laundering	7	12	19	78.9
Racketeering/Extortion	8	72	75	53.7
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	58	21	16	44.4
Child Pornography	24	71	54	32.9
Prison Offenses	1	--	--	--
Administration of Justice Offenses	5	1	12	97.1
Environmental/Wildlife	1	--	--	--
National Defense	1	--	--	--
Antitrust	0	--	--	--
Food & Drug	4	4	36	93.3
Other Miscellaneous Offenses	12	0	18	100.0

¹ Of the 52,668 cases, 455 received a downward departure from the guideline range with *Booker*/18 U.S.C § 3553. Of these, 437 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.

**BELOW GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE
OF DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	8,685	25	15	36.8
Murder	3	336	24	6.7
Manslaughter	7	18	30	40.0
Kidnapping/Hostage Taking	7	183	60	26.2
Sexual Abuse	71	120	36	28.6
Assault	77	12	10	50.0
Robbery	119	44	21	27.3
Arson	1	--	--	--
Drugs - Trafficking	2,784	45	19	30.6
Drugs - Communication Facility	53	13	17	50.0
Drugs - Simple Possession	3	3	6	66.7
Firearms	1,015	38	15	26.7
Burglary/B&E	7	7	9	33.3
Auto Theft	5	40	10	20.0
Larceny	144	0	10	100.0
Fraud	1,375	15	12	50.0
Embezzlement	61	0	10	100.0
Forgery/Counterfeiting	70	2	11	87.1
Bribery	35	12	12	51.7
Tax	179	3	12	80.0
Money Laundering	137	18	18	50.0
Racketeering/Extortion	162	36	17	29.4
Gambling/Lottery	13	0	8	100.0
Civil Rights	15	3	12	82.8
Immigration	1,297	18	10	35.1
Child Pornography	543	80	60	42.4
Prison Offenses	40	12	6	33.3
Administration of Justice Offenses	188	7	10	57.4
Environmental/Wildlife	26	2	11	83.5
National Defense	17	36	28	47.8
Antitrust	0	--	--	--
Food & Drug	7	6	9	85.4
Other Miscellaneous Offenses	224	0	10	99.7

¹ Of the 52,668 cases, 9,000 were sentenced below the guideline range with *Booker*/18 U.S.C § 3553. Of these, 8,729 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 42 cases were also excluded from this table. Of the remaining 8,687 cases, two 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
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	244	4	8	68.8
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	0	--	--	--
Assault	4	0	8	100.0
Robbery	1	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	55	60	24	33.2
Drugs - Communication Facility	5	0	6	100.0
Drugs - Simple Possession	2	--	--	--
Firearms	18	46	11	30.8
Burglary/B&E	0	--	--	--
Auto Theft	1	--	--	--
Larceny	5	0	6	100.0
Fraud	49	0	8	100.0
Embezzlement	2	--	--	--
Forgery/Counterfeiting	3	10	6	20.0
Bribery	0	--	--	--
Tax	6	2	14	87.6
Money Laundering	2	--	--	--
Racketeering/Extortion	7	24	15	33.2
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	57	0	3	100.0
Child Pornography	7	192	108	38.1
Prison Offenses	1	--	--	--
Administration of Justice Offenses	4	0	6	100.0
Environmental/Wildlife	2	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	12	0	8	100.0

¹ Of the 52,668 cases, 277 were otherwise sentenced below the guideline range. Of these, 246 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.

**UPWARD DEPARTURES FROM GUIDELINE RANGE: DEGREE OF
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹**
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	237	50	14	33.3
Murder	2	--	--	--
Manslaughter	8	96	44	69.2
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	8	240	38	29.0
Assault	15	70	20	40.0
Robbery	11	84	8	24.8
Arson	1	--	--	--
Drugs - Trafficking	43	65	17	47.4
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	42	72	17	27.2
Burglary/B&E	1	--	--	--
Auto Theft	0	--	--	--
Larceny	2	--	--	--
Fraud	18	36	12	33.2
Embezzlement	0	--	--	--
Forgery/Counterfeiting	1	--	--	--
Bribery	0	--	--	--
Tax	1	--	--	--
Money Laundering	2	--	--	--
Racketeering/Extortion	2	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	61	30	6	31.3
Child Pornography	3	84	24	40.0
Prison Offenses	0	--	--	--
Administration of Justice Offenses	11	36	15	60.0
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	1	--	--	--
Other Miscellaneous Offenses	4	54	15	54.3

¹ Of the 52,668 cases, 260 received an upward departure from the guideline range. Of these, 241 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a sentence of life, one additional case was also excluded from this table. Furthermore, three 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.

**UPWARD DEPARTURES WITH *BOOKER*/18 U.S.C. § 3553: DEGREE OF
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	67	60	15	42.9
Murder	0	--	--	--
Manslaughter	1	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	1	--	--	--
Assault	6	95	29	61.6
Robbery	4	126	39	46.3
Arson	0	--	--	--
Drugs - Trafficking	11	60	14	42.9
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	11	78	15	26.3
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	0	--	--	--
Fraud	5	60	14	46.3
Embezzlement	0	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	17	30	8	33.3
Child Pornography	3	300	120	66.7
Prison Offenses	1	--	--	--
Administration of Justice Offenses	5	60	44	275.0
Environmental/Wildlife	1	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	1	--	--	--

¹ Of the 52,668 cases, 69 received an upward departure from the guideline range with *Booker*/18 U.S.C § 3553. Of these, 68 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a sentence of life, one additional case was also excluded from this table. 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.

**ABOVE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE
OF INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	667	60	14	37.9
Murder	1	--	--	--
Manslaughter	5	90	23	36.1
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	12	108	24	31.6
Assault	26	60	14	45.2
Robbery	15	120	42	53.8
Arson	4	144	36	60.0
Drugs - Trafficking	128	77	18	30.4
Drugs - Communication Facility	4	45	15	74.1
Drugs - Simple Possession	2	--	--	--
Firearms	142	120	24	31.7
Burglary/B&E	3	54	21	21.2
Auto Theft	3	179	29	23.7
Larceny	7	24	12	83.3
Fraud	68	60	12	29.5
Embezzlement	1	--	--	--
Forgery/Counterfeiting	8	36	15	50.0
Bribery	0	--	--	--
Tax	2	--	--	--
Money Laundering	1	--	--	--
Racketeering/Extortion	6	168	23	15.4
Gambling/Lottery	1	--	--	--
Civil Rights	1	--	--	--
Immigration	147	20	5	42.9
Child Pornography	23	192	29	30.0
Prison Offenses	9	24	7	71.4
Administration of Justice Offenses	24	33	13	66.7
Environmental/Wildlife	0	--	--	--
National Defense	2	--	--	--
Antitrust	0	--	--	--
Food & Drug	3	48	7	17.1
Other Miscellaneous Offenses	18	63	31	100.0

¹ Of the 52,668 cases, 722 were sentenced above the guideline range with *Booker*/18 U.S.C § 3553. Of these, 684 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a sentence of life, an additional four cases were also excluded from this table. Furthermore, 13 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**
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	22	36	9	29.2
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	0	--	--	--
Assault	1	--	--	--
Robbery	0	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	5	72	12	20.0
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	4	41	11	36.9
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	1	--	--	--
Fraud	2	--	--	--
Embezzlement	0	--	--	--
Forgery/Counterfeiting	1	--	--	--
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	7	30	8	33.3
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 52,668 cases, 44 were otherwise sentenced above the guideline range. Of these, 35 cases had complete guideline application information. Furthermore, 13 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.

SOURCE: U.S. Sentencing Commission, Preliminary 2015 Datafile, USSCFY15 (October 1, 2014, through June 30, 2015).

OFFENDERS RECEIVING SENTENCING OPTIONS IN EACH PRIMARY OFFENSE CATEGORY¹
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

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	52,255	47,116	90.2	45,594	87.3	1,522	2.9	5,139	9.8	1,395	2.7	3,744	7.2
Murder	74	74	100.0	74	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Manslaughter	41	39	95.1	38	92.7	1	2.4	2	4.9	1	2.4	1	2.4
Kidnapping/Hostage Taking	32	32	100.0	32	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Sexual Abuse	382	379	99.2	366	95.8	13	3.4	3	0.8	2	0.5	1	0.3
Assault	566	480	84.8	442	78.1	38	6.7	86	15.2	18	3.2	68	12.0
Robbery	563	549	97.5	519	92.2	30	5.3	14	2.5	4	0.7	10	1.8
Arson	44	42	95.5	41	93.2	1	2.3	2	4.5	0	0.0	2	4.5
Drugs - Trafficking	15,154	14,523	95.8	14,051	92.7	472	3.1	631	4.2	217	1.4	414	2.7
Drugs - Communication Facility	241	190	78.8	182	75.5	8	3.3	51	21.2	15	6.2	36	14.9
Drugs - Simple Possession	1,232	1,055	85.6	1,050	85.2	5	0.4	177	14.4	8	0.6	169	13.7
Firearms	5,258	5,017	95.4	4,862	92.5	155	2.9	241	4.6	95	1.8	146	2.8
Burglary/B&E	22	18	81.8	16	72.7	2	9.1	4	18.2	1	4.5	3	13.6
Auto Theft	48	41	85.4	39	81.3	2	4.2	7	14.6	3	6.3	4	8.3
Larceny	629	304	48.3	263	41.8	41	6.5	325	51.7	71	11.3	254	40.4
Fraud	5,568	4,331	77.8	4,001	71.9	330	5.9	1,237	22.2	409	7.3	828	14.9
Embezzlement	239	102	42.7	84	35.1	18	7.5	137	57.3	33	13.8	104	43.5
Forgery/Counterfeiting	382	300	78.5	271	70.9	29	7.6	82	21.5	34	8.9	48	12.6
Bribery	136	90	66.2	85	62.5	5	3.7	46	33.8	19	14.0	27	19.9
Tax	433	256	59.1	222	51.3	34	7.9	177	40.9	71	16.4	106	24.5
Money Laundering	506	380	75.1	351	69.4	29	5.7	126	24.9	49	9.7	77	15.2
Racketeering/Extortion	774	723	93.4	686	88.6	37	4.8	51	6.6	25	3.2	26	3.4
Gambling/Lottery	66	28	42.4	15	22.7	13	19.7	38	57.6	14	21.2	24	36.4
Civil Rights	41	31	75.6	29	70.7	2	4.9	10	24.4	3	7.3	7	17.1
Immigration	15,401	14,850	96.4	14,754	95.8	96	0.6	551	3.6	81	0.5	470	3.1
Child Pornography	1,401	1,381	98.6	1,360	97.1	21	1.5	20	1.4	6	0.4	14	1.0
Prison Offenses	344	330	95.9	315	91.6	15	4.4	14	4.1	2	0.6	12	3.5
Administration of Justice Offenses	884	670	75.8	615	69.6	55	6.2	214	24.2	53	6.0	161	18.2
Environmental/Wildlife	106	42	39.6	34	32.1	8	7.5	64	60.4	10	9.4	54	50.9
National Defense	74	63	85.1	63	85.1	0	0.0	11	14.9	4	5.4	7	9.5
Antitrust	13	11	84.6	11	84.6	0	0.0	2	15.4	0	0.0	2	15.4
Food & Drug	104	33	31.7	30	28.8	3	2.9	71	68.3	8	7.7	63	60.6
Other Miscellaneous Offenses	1,497	752	50.2	693	46.3	59	3.9	745	49.8	139	9.3	606	40.5

¹ Of the 52,668 cases, 413 were excluded due to one or both of the following reasons: the offender received neither imprisonment nor probation (407), or missing sentencing information (6). 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
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

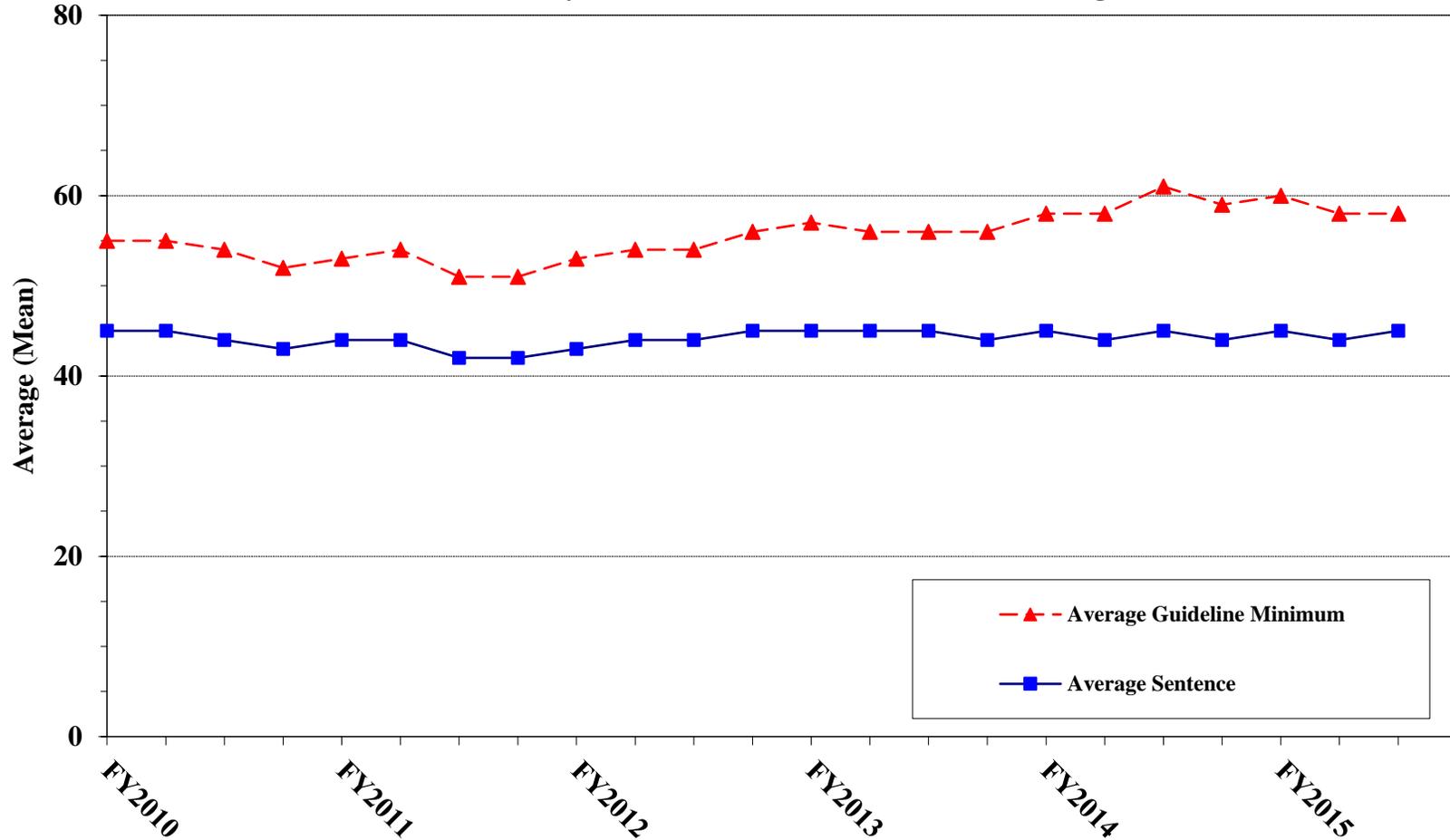
PRIMARY OFFENSE	Mean Months	Median Months	N
TOTAL	45	24	52,668
Murder	292	300	74
Manslaughter	83	66	41
Kidnapping/Hostage Taking	230	214	32
Sexual Abuse	130	120	382
Assault	30	16	571
Robbery	77	62	563
Arson	89	60	44
Drugs - Trafficking	67	51	15,154
Drugs - Communication Facility	28	24	241
Drugs - Simple Possession	5	6	1,266
Firearms	80	60	5,269
Burglary/B&E	28	14	22
Auto Theft	80	41	48
Larceny	11	3	653
Fraud	27	15	5,586
Embezzlement	9	1	247
Forgery/Counterfeiting	16	12	385
Bribery	22	12	136
Tax	13	10	434
Money Laundering	28	18	507
Racketeering/Extortion	77	51	774
Gambling/Lottery	5	5	66
Civil Rights	33	11	42
Immigration	15	9	15,408
Child Pornography	164	97	1,401
Prison Offenses	13	12	344
Administration of Justice Offenses	17	12	890
Environmental/Wildlife	5	0	112
National Defense	49	33	74
Antitrust	43	15	13
Food & Drug	6	0	113
Other Miscellaneous Offenses	17	0	1,776

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 2010 - 2014,
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)**

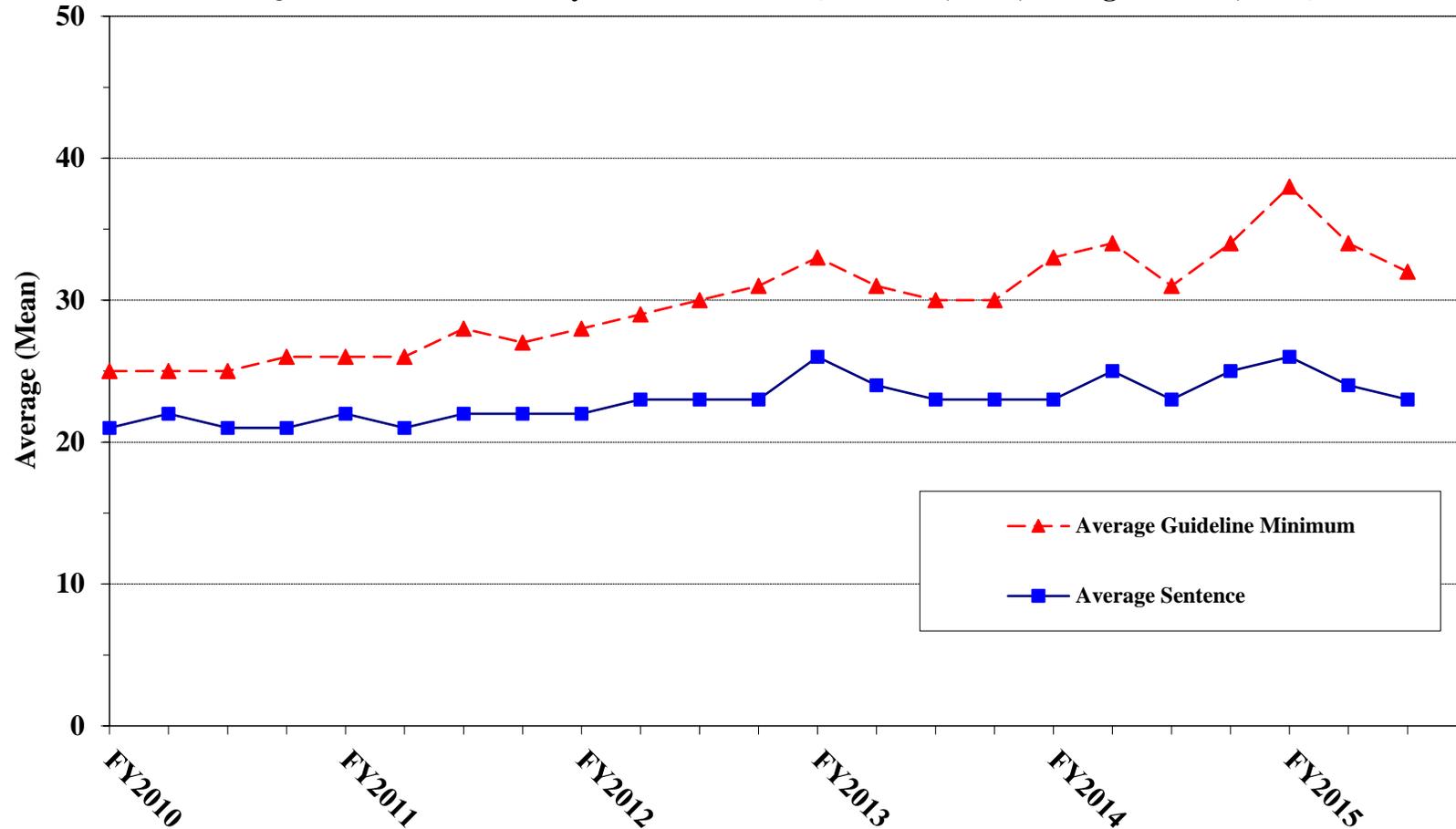


¹ Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 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**

**Fiscal Years 2010 - 2014,
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)**

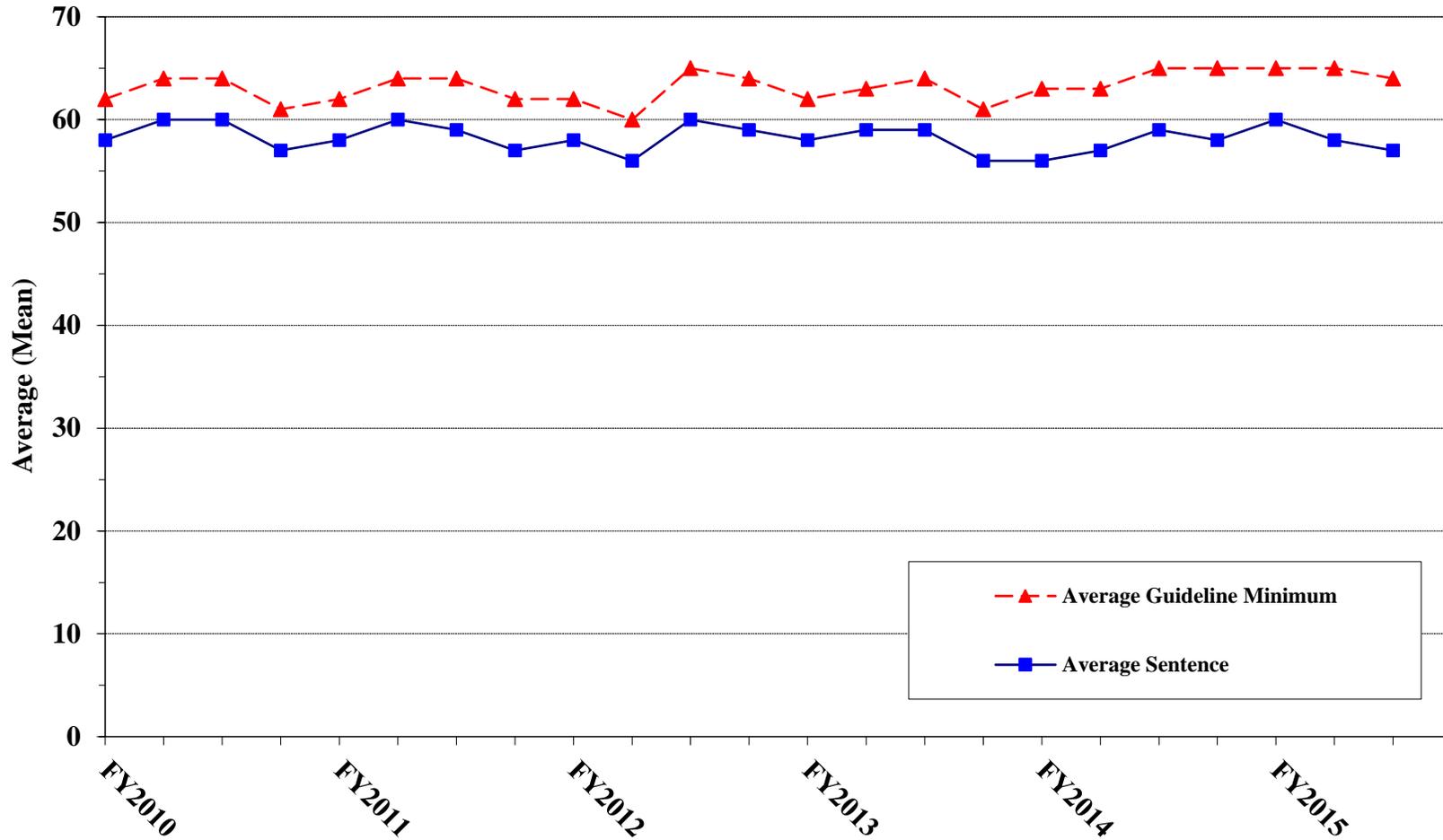


¹ Figure includes only cases with a primary sentencing guideline of USSG §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit 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

**Fiscal Years 2010 - 2014,
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)**

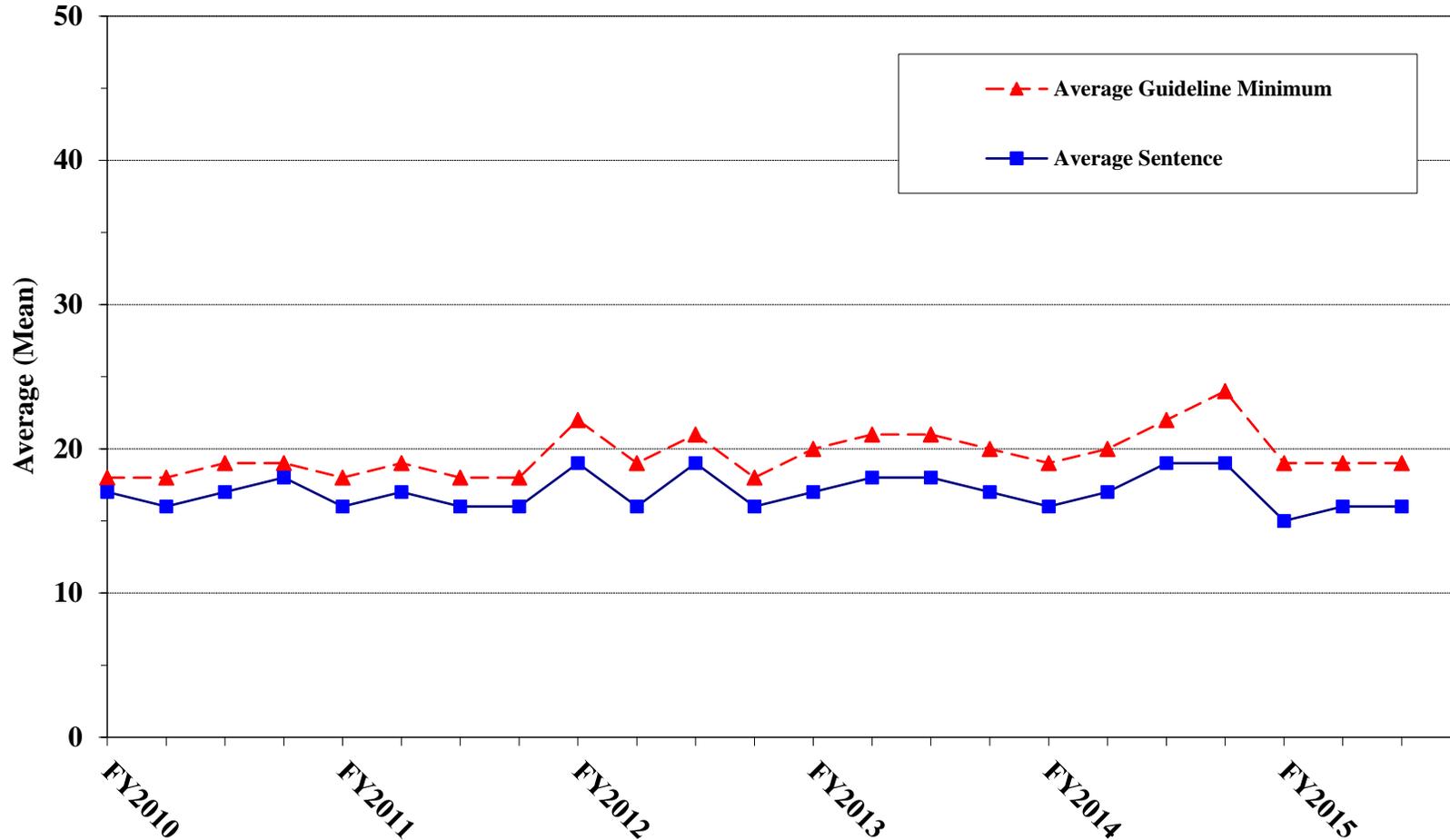


¹ Figure includes only cases with a primary sentencing guideline of USSG §2K2.1 (Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition; Prohibited Transactions Involving Firearms or Ammunition). Cases with guideline minimums of life or probation were included in the guideline minimum 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 2010 - 2014,
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)**

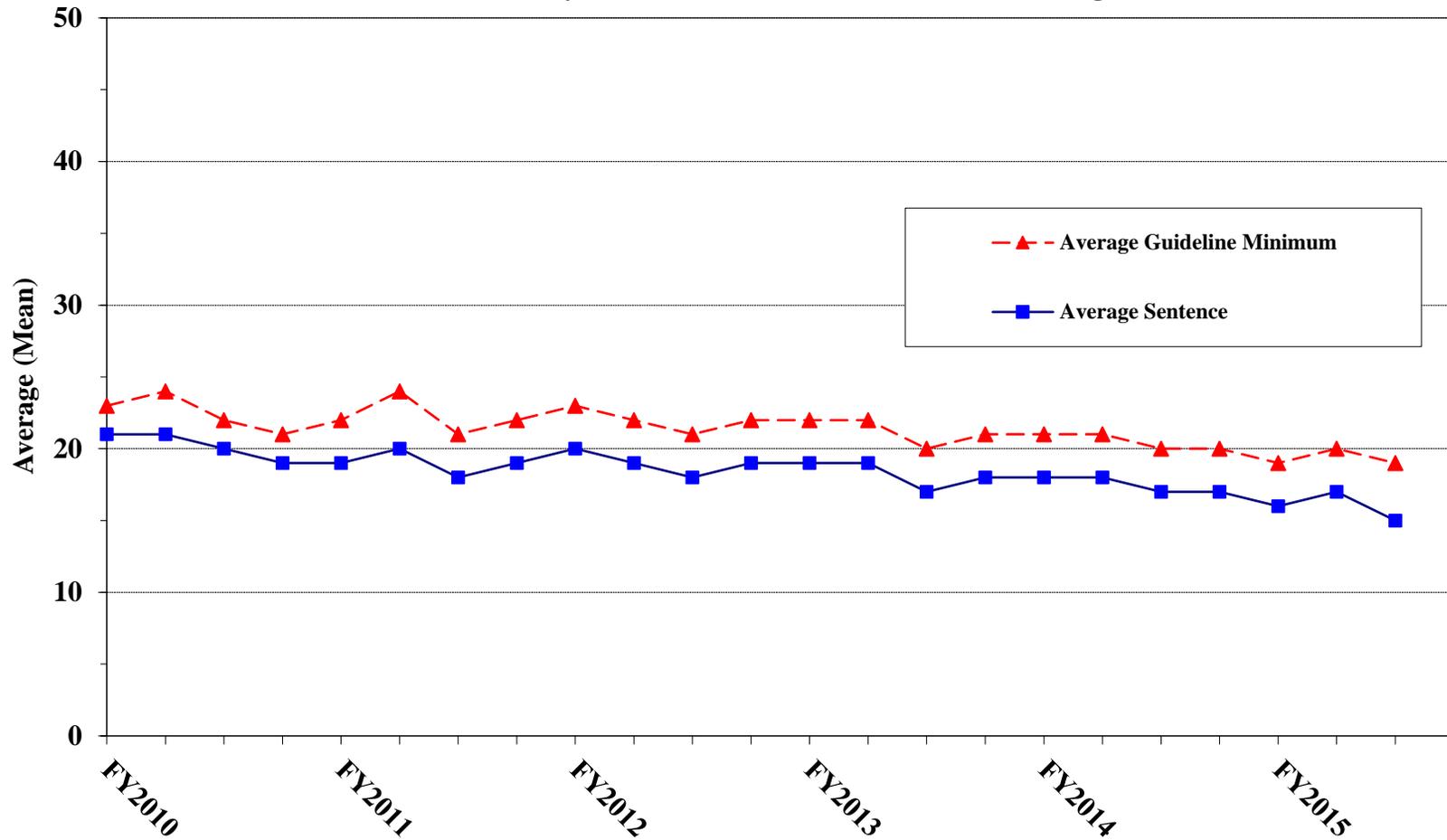


¹ Figure includes only cases with a primary sentencing guideline of USSG §2L1.1 (Smuggling, Transporting, or Harboring an Unlawful Alien). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, 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 2010 - 2014,
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)**

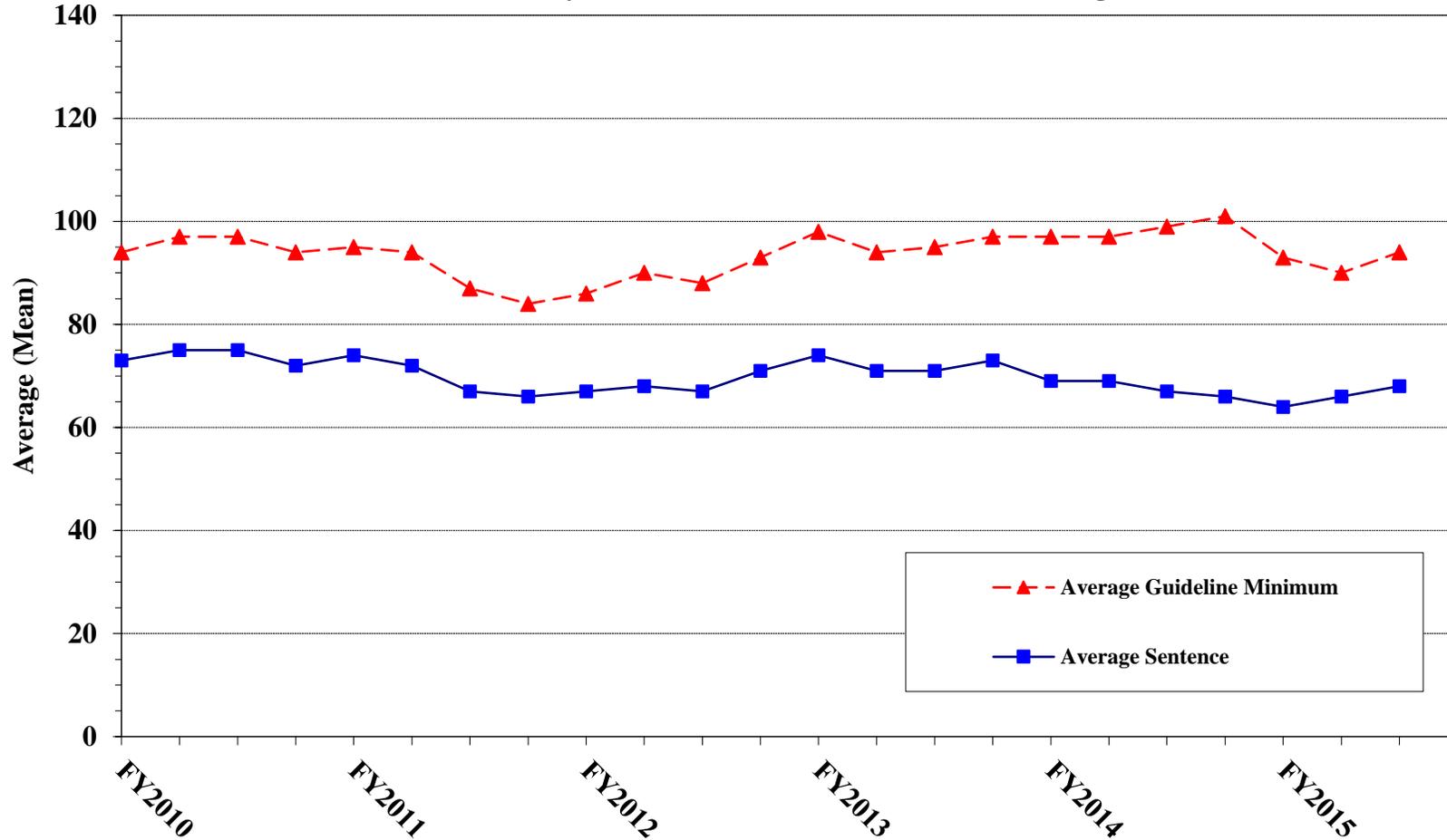


¹ Figure includes only cases with a primary sentencing guideline of USSG §2L1.2. Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including 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 2010 - 2014,
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)**

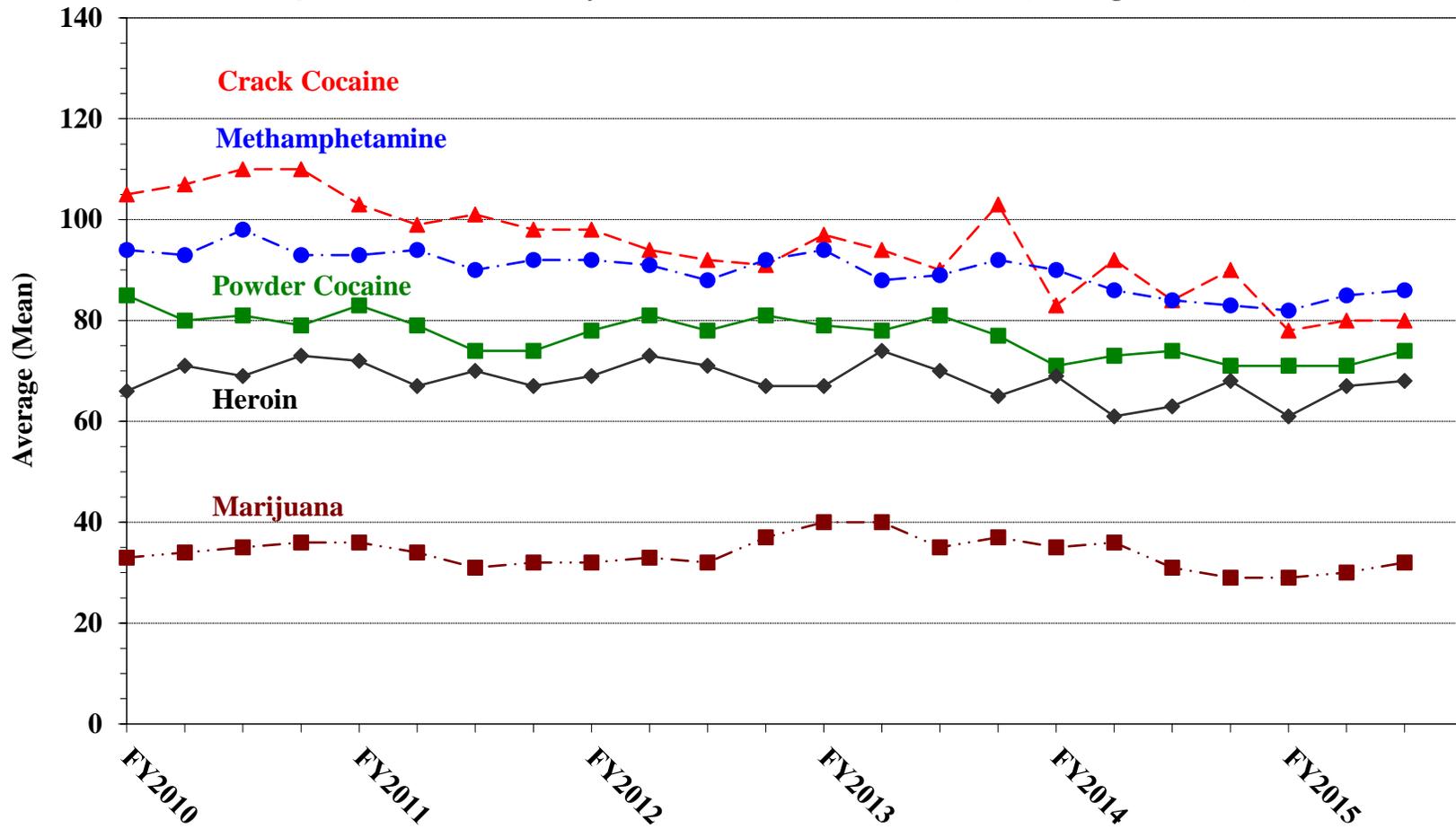


¹ Figure includes only cases with a primary sentencing guideline of USSG §2D1.1 (Unlawful Manufacturing, Importing, Exporting, or Trafficking (Including Possession with Intent to Commit These Offenses); Attempt or Conspiracy). Cases with guideline minimums of life or probation were included in the guideline 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 2010 - 2014,
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)



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.

Table 20

**WITHIN RANGE CASES: POSITION OF SENTENCE FOR OFFENDERS
IN EACH PRIMARY OFFENSE CATEGORY¹
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)**

PRIMARY OFFENSE	TOTAL	Guideline Minimum		Lower Half of Range		Midpoint of Range		Upper Half of Range		Guideline Maximum	
		N	%	N	%	N	%	N	%	N	%
TOTAL	20,200	9,700	48.0	4,656	23.0	1,785	8.8	1,642	8.1	2,417	12.0
Murder	24	8	33.3	5	20.8	3	12.5	2	8.3	6	25.0
Manslaughter	17	6	35.3	0	0.0	0	0.0	3	17.6	8	47.1
Kidnapping/Hostage Taking	7	3	42.9	4	57.1	0	0.0	0	0.0	0	0.0
Sexual Abuse	136	52	38.2	26	19.1	13	9.6	18	13.2	27	19.9
Assault	244	134	54.9	24	9.8	22	9.0	21	8.6	43	17.6
Robbery	263	113	43.0	57	21.7	16	6.1	33	12.5	44	16.7
Arson	9	1	11.1	3	33.3	3	33.3	0	0.0	2	22.2
Drugs - Trafficking	4,542	2,896	63.8	676	14.9	319	7.0	274	6.0	377	8.3
Drugs - Communication Facility	79	35	44.3	12	15.2	2	2.5	4	5.1	26	32.9
Drugs - Simple Possession	121	86	71.1	20	16.5	5	4.1	4	3.3	6	5.0
Firearms	2,377	1,285	54.1	327	13.8	250	10.5	179	7.5	336	14.1
Burglary/B&E	7	3	42.9	2	28.6	2	28.6	0	0.0	0	0.0
Auto Theft	27	12	44.4	6	22.2	3	11.1	2	7.4	4	14.8
Larceny	266	188	70.7	32	12.0	13	4.9	9	3.4	24	9.0
Fraud	1,935	1,105	57.1	316	16.3	142	7.3	136	7.0	236	12.2
Embezzlement	116	90	77.6	13	11.2	5	4.3	2	1.7	6	5.2
Forgery/Counterfeiting	217	98	45.2	32	14.7	23	10.6	19	8.8	45	20.7
Bribery	37	20	54.1	3	8.1	7	18.9	3	8.1	4	10.8
Tax	106	73	68.9	5	4.7	8	7.5	2	1.9	18	17.0
Money Laundering	135	79	58.5	18	13.3	11	8.1	11	8.1	16	11.9
Racketeering/Extortion	232	111	47.8	45	19.4	23	9.9	23	9.9	30	12.9
Gambling/Lottery	28	17	60.7	2	7.1	2	7.1	4	14.3	3	10.7
Civil Rights	8	4	50.0	1	12.5	0	0.0	1	12.5	2	25.0
Immigration	7,642	2,341	30.6	2,780	36.4	785	10.3	787	10.3	949	12.4
Child Pornography	333	190	57.1	42	12.6	17	5.1	25	7.5	59	17.7
Prison Offenses	211	81	38.4	55	26.1	28	13.3	24	11.4	23	10.9
Administration of Justice Offenses	443	242	54.6	54	12.2	44	9.9	26	5.9	77	17.4
Environmental/Wildlife	26	20	76.9	2	7.7	2	7.7	1	3.8	1	3.8
National Defense	18	12	66.7	3	16.7	1	5.6	1	5.6	1	5.6
Antitrust	1	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	64	51	79.7	4	6.3	4	6.3	3	4.7	2	3.1
Other Miscellaneous Offenses	529	343	64.8	87	16.4	32	6.0	25	4.7	42	7.9

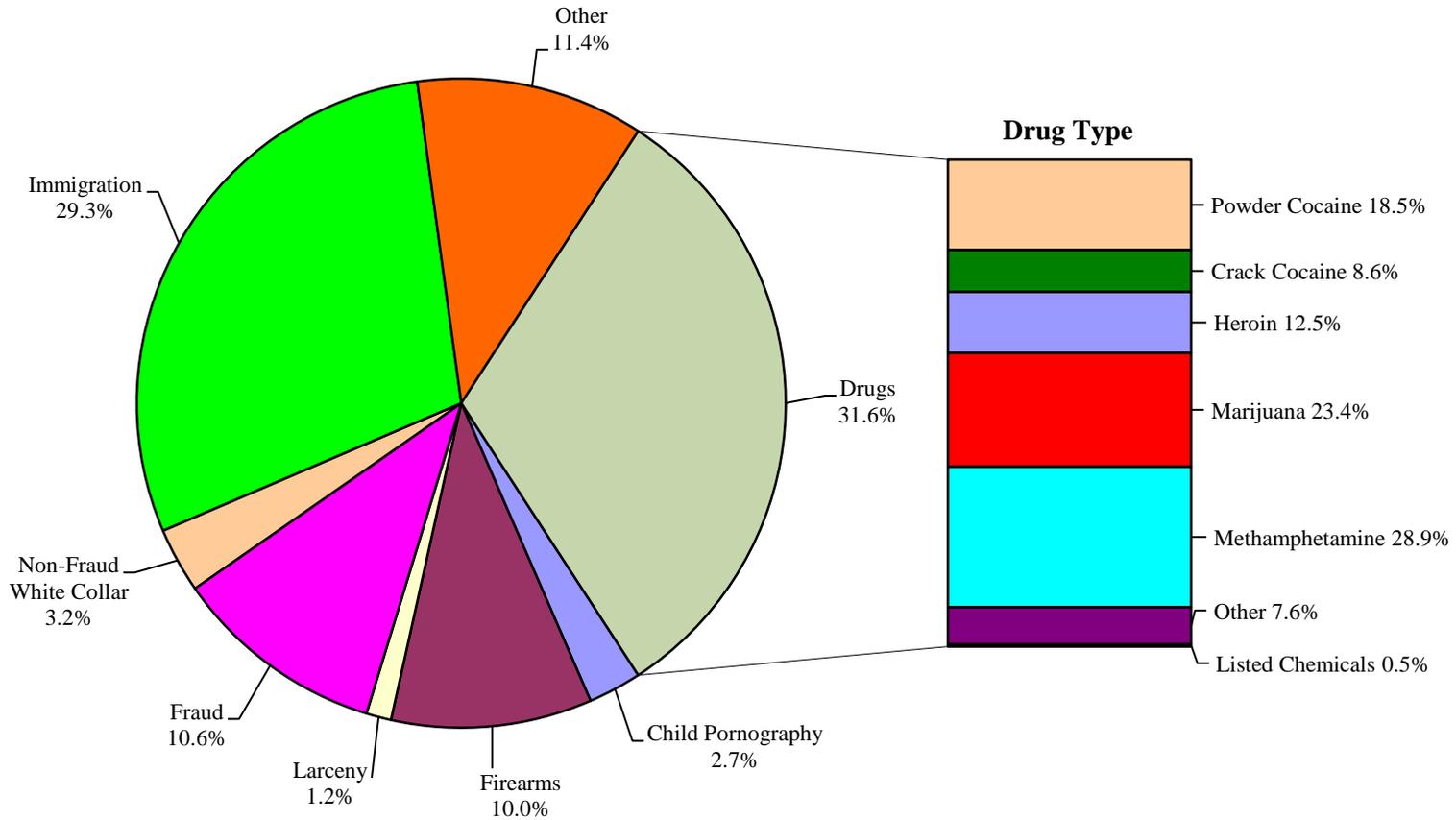
¹ Of the 52,668 cases, 24,207 were sentenced within the applicable guideline range. Of those, 21,621 cases had complete guideline application information. An additional 1,421 cases were excluded due to several logical criteria. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2015 Datafile, USSCFY15 (October 1, 2014, through June 30, 2015).

Figure J

OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹

3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)



¹ Of the 52,668 guideline cases, two drug cases were excluded from this figure due to missing information on drug type. The Drug category includes the following offense types: trafficking, use of a communication facility, and simple possession. The Non-Fraud White Collar category includes the following offense types: embezzlement, forgery/counterfeiting, bribery, money laundering, and tax. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2015 Datafile, USSCFY15 (October 1, 2014, through June 30, 2015).

Table 21

GUIDELINE OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

PRIMARY OFFENSE	N	%
TOTAL	52,668	100.0
Murder	74	0.1
Manslaughter	41	0.1
Kidnapping/Hostage Taking	32	0.1
Sexual Abuse	382	0.7
Assault	571	1.1
Robbery	563	1.1
Arson	44	0.1
Drugs - Trafficking	15,154	28.8
Drugs - Communication Facility	241	0.5
Drugs - Simple Possession	1,266	2.4
Firearms	5,269	10.0
Burglary/B&E	22	0.0
Auto Theft	48	0.1
Larceny	653	1.2
Fraud	5,586	10.6
Embezzlement	247	0.5
Forgery/Counterfeiting	385	0.7
Bribery	136	0.3
Tax	434	0.8
Money Laundering	507	1.0
Racketeering/Extortion	774	1.5
Gambling/Lottery	66	0.1
Civil Rights	42	0.1
Immigration	15,408	29.3
Child Pornography	1,401	2.7
Prison Offenses	344	0.7
Administration of Justice Offenses	890	1.7
Environmental/Wildlife	112	0.2
National Defense	74	0.1
Antitrust	13	0.0
Food & Drug	113	0.2
Other Miscellaneous Offenses	1,776	3.4

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

Table 22

GUILTY PLEAS AND TRIALS IN EACH PRIMARY OFFENSE CATEGORY¹
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

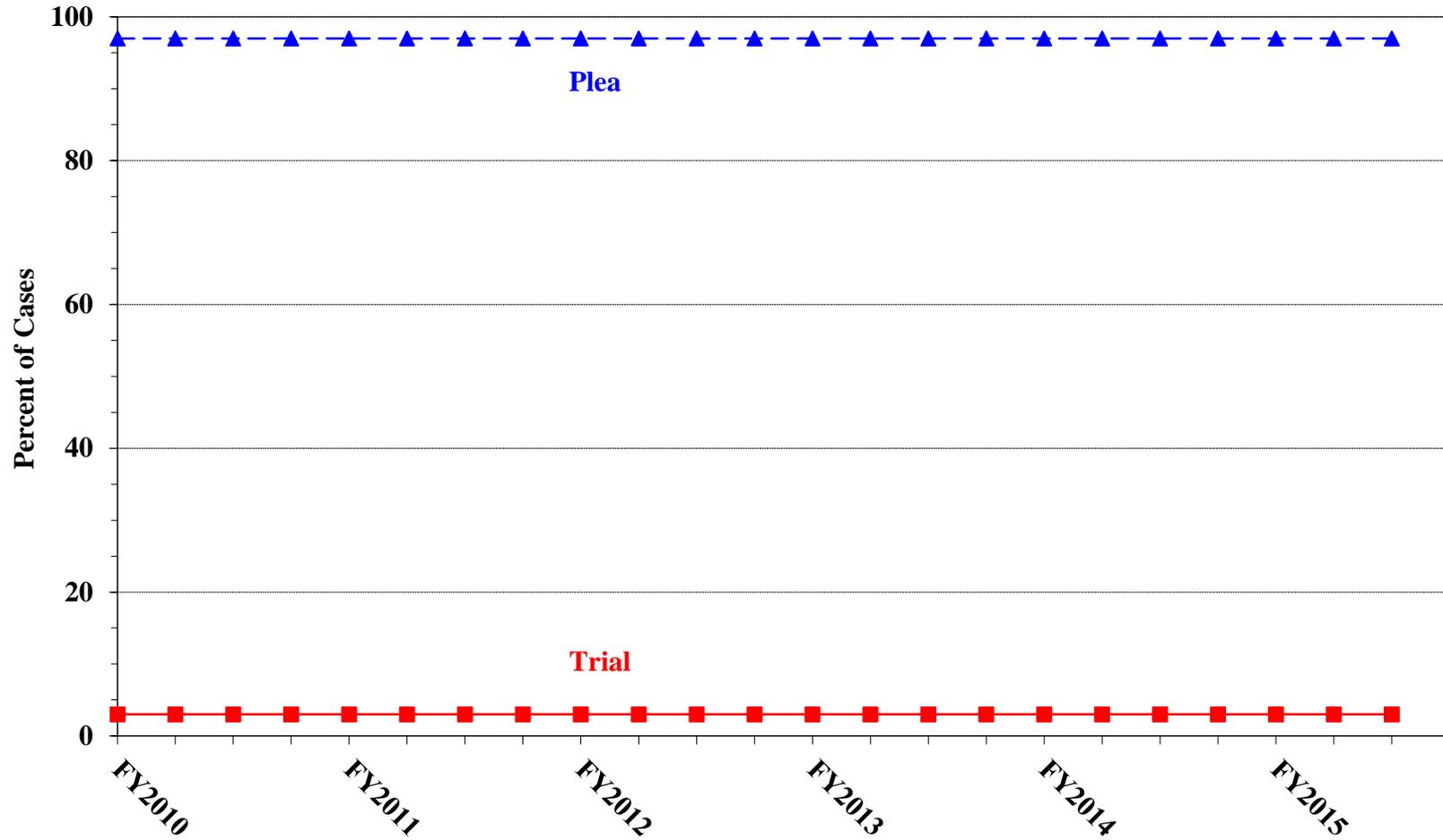
PRIMARY OFFENSE	TOTAL	PLEA		TRIAL	
		N	%	N	%
TOTAL	52,668	51,110	97.0	1,558	3.0
Murder	74	54	73.0	20	27.0
Manslaughter	41	36	87.8	5	12.2
Kidnapping/Hostage Taking	32	28	87.5	4	12.5
Sexual Abuse	382	343	89.8	39	10.2
Assault	571	535	93.7	36	6.3
Robbery	563	545	96.8	18	3.2
Arson	44	38	86.4	6	13.6
Drugs - Trafficking	15,154	14,734	97.2	420	2.8
Drugs - Communication Facility	241	241	100.0	0	0.0
Drugs - Simple Possession	1,266	1,263	99.8	3	0.2
Firearms	5,269	4,998	94.9	271	5.1
Burglary/B&E	22	21	95.5	1	4.5
Auto Theft	48	44	91.7	4	8.3
Larceny	653	637	97.5	16	2.5
Fraud	5,586	5,246	93.9	340	6.1
Embezzlement	247	239	96.8	8	3.2
Forgery/Counterfeiting	385	381	99.0	4	1.0
Bribery	136	130	95.6	6	4.4
Tax	434	411	94.7	23	5.3
Money Laundering	507	479	94.5	28	5.5
Racketeering/Extortion	774	710	91.7	64	8.3
Gambling/Lottery	66	65	98.5	1	1.5
Civil Rights	42	36	85.7	6	14.3
Immigration	15,408	15,319	99.4	89	0.6
Child Pornography	1,401	1,351	96.4	50	3.6
Prison Offenses	344	339	98.5	5	1.5
Administration of Justice Offenses	890	855	96.1	35	3.9
Environmental/Wildlife	112	102	91.1	10	8.9
National Defense	74	68	91.9	6	8.1
Antitrust	13	12	92.3	1	7.7
Food & Drug	113	112	99.1	1	0.9
Other Miscellaneous Offenses	1,776	1,738	97.9	38	2.1

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

Figure K

QUARTERLY DATA FOR GUILTY PLEAS AND TRIALS¹

Fiscal Years 2010 - 2014,
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)



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

Table 23

RACE OF OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

PRIMARY OFFENSE	TOTAL	WHITE		BLACK		HISPANIC		OTHER	
		N	%	N	%	N	%	N	%
TOTAL	51,784	12,349	23.8	10,430	20.1	26,880	51.9	2,125	4.1
Murder	74	13	17.6	17	23.0	22	29.7	22	29.7
Manslaughter	41	9	22.0	4	9.8	4	9.8	24	58.5
Kidnapping/Hostage Taking	32	6	18.8	5	15.6	17	53.1	4	12.5
Sexual Abuse	381	135	35.4	110	28.9	40	10.5	96	25.2
Assault	557	141	25.3	70	12.6	88	15.8	258	46.3
Robbery	560	241	43.0	225	40.2	64	11.4	30	5.4
Arson	44	26	59.1	6	13.6	6	13.6	6	13.6
Drugs - Trafficking	15,134	3,730	24.6	3,640	24.1	7,310	48.3	454	3.0
Drugs - Communication Facility	240	72	30.0	95	39.6	67	27.9	6	2.5
Drugs - Simple Possession	1,201	124	10.3	90	7.5	965	80.3	22	1.8
Firearms	5,257	1,362	25.9	2,509	47.7	1,231	23.4	155	2.9
Burglary/B&E	22	7	31.8	1	4.5	3	13.6	11	50.0
Auto Theft	48	16	33.3	9	18.8	18	37.5	5	10.4
Larceny	615	288	46.8	182	29.6	90	14.6	55	8.9
Fraud	5,548	2,346	42.3	1,683	30.3	1,183	21.3	336	6.1
Embezzlement	237	126	53.2	69	29.1	19	8.0	23	9.7
Forgery/Counterfeiting	379	154	40.6	141	37.2	68	17.9	16	4.2
Bribery	136	48	35.3	32	23.5	38	27.9	18	13.2
Tax	433	279	64.4	78	18.0	53	12.2	23	5.3
Money Laundering	505	211	41.8	86	17.0	172	34.1	36	7.1
Racketeering/Extortion	759	234	30.8	274	36.1	210	27.7	41	5.4
Gambling/Lottery	66	42	63.6	6	9.1	4	6.1	14	21.2
Civil Rights	42	19	45.2	11	26.2	10	23.8	2	4.8
Immigration	15,121	292	1.9	253	1.7	14,471	95.7	105	0.7
Child Pornography	1,398	1,151	82.3	73	5.2	141	10.1	33	2.4
Prison Offenses	341	80	23.5	124	36.4	96	28.2	41	12.0
Administration of Justice Offenses	884	344	38.9	217	24.5	215	24.3	108	12.2
Environmental/Wildlife	110	79	71.8	3	2.7	14	12.7	14	12.7
National Defense	74	29	39.2	4	5.4	25	33.8	16	21.6
Antitrust	12	2	16.7	3	25.0	0	0.0	7	58.3
Food & Drug	110	82	74.5	3	2.7	13	11.8	12	10.9
Other Miscellaneous Offenses	1,423	661	46.5	407	28.6	223	15.7	132	9.3

¹ Of the 52,668 cases, 884 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
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

PRIMARY OFFENSE	TOTAL	MALE		FEMALE	
		N	%	N	%
TOTAL	52,455	45,227	86.2	7,228	13.8
Murder	74	68	91.9	6	8.1
Manslaughter	41	33	80.5	8	19.5
Kidnapping/Hostage Taking	32	30	93.8	2	6.3
Sexual Abuse	382	352	92.1	30	7.9
Assault	568	495	87.1	73	12.9
Robbery	563	501	89.0	62	11.0
Arson	44	40	90.9	4	9.1
Drugs - Trafficking	15,153	12,885	85.0	2,268	15.0
Drugs - Communication Facility	240	188	78.3	52	21.7
Drugs - Simple Possession	1,241	1,126	90.7	115	9.3
Firearms	5,266	5,093	96.7	173	3.3
Burglary/B&E	22	21	95.5	1	4.5
Auto Theft	48	44	91.7	4	8.3
Larceny	646	380	58.8	266	41.2
Fraud	5,580	3,893	69.8	1,687	30.2
Embezzlement	247	101	40.9	146	59.1
Forgery/Counterfeiting	382	285	74.6	97	25.4
Bribery	136	108	79.4	28	20.6
Tax	434	321	74.0	113	26.0
Money Laundering	507	376	74.2	131	25.8
Racketeering/Extortion	772	675	87.4	97	12.6
Gambling/Lottery	66	54	81.8	12	18.2
Civil Rights	42	37	88.1	5	11.9
Immigration	15,335	14,253	92.9	1,082	7.1
Child Pornography	1,401	1,373	98.0	28	2.0
Prison Offenses	344	308	89.5	36	10.5
Administration of Justice Offenses	889	666	74.9	223	25.1
Environmental/Wildlife	112	103	92.0	9	8.0
National Defense	74	72	97.3	2	2.7
Antitrust	13	13	100.0	0	0.0
Food & Drug	113	80	70.8	33	29.2
Other Miscellaneous Offenses	1,688	1,253	74.2	435	25.8

¹ Of the 52,668 cases, 213 were excluded due 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
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

Gender and Age	White		Black		Hispanic		Other	
	N	%	N	%	N	%	N	%
Males	9,861	100.0	8,910	100.0	24,200	100.0	1,683	100.0
Under 21	102	1.0	199	2.2	1,005	4.2	46	2.7
21 - 25	777	7.9	1,335	15.0	3,572	14.8	228	13.5
26 - 30	1,295	13.1	1,790	20.1	4,640	19.2	274	16.3
31 - 35	1,506	15.3	1,802	20.2	4,810	19.9	275	16.3
36 - 40	1,351	13.7	1,430	16.0	3,896	16.1	243	14.4
41 - 50	2,320	23.5	1,561	17.5	4,562	18.9	352	20.9
Over 50	2,510	25.5	793	8.9	1,715	7.1	265	15.7
Females	2,484	100.0	1,520	100.0	2,655	100.0	442	100.0
Under 21	24	1.0	20	1.3	129	4.9	7	1.6
21 - 25	228	9.2	218	14.3	506	19.1	48	10.9
26 - 30	347	14.0	285	18.8	496	18.7	69	15.6
31 - 35	418	16.8	271	17.8	447	16.8	65	14.7
36 - 40	333	13.4	201	13.2	377	14.2	62	14.0
41 - 50	557	22.4	308	20.3	450	16.9	99	22.4
Over 50	577	23.2	217	14.3	250	9.4	92	20.8

¹ Of the 52,668 cases, 913 were excluded due to one or more of the following reasons: missing information on offender's race (884), missing information on offender's gender (213), or missing information on offender's age (76). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2015 Datafile, USSCFY15 (October 1, 2014, through June 30, 2015).

Table 26

CITIZENSHIP OF OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

PRIMARY OFFENSE	TOTAL	U.S. CITIZEN		NON-U.S. CITIZEN	
		N	%	N	%
TOTAL	52,095	30,742	59.0	21,353	41.0
Murder	73	61	83.6	12	16.4
Manslaughter	41	39	95.1	2	4.9
Kidnapping/Hostage Taking	32	19	59.4	13	40.6
Sexual Abuse	381	361	94.8	20	5.2
Assault	556	506	91.0	50	9.0
Robbery	562	549	97.7	13	2.3
Arson	44	42	95.5	2	4.5
Drugs - Trafficking	15,112	11,229	74.3	3,883	25.7
Drugs - Communication Facility	240	209	87.1	31	12.9
Drugs - Simple Possession	1,206	301	25.0	905	75.0
Firearms	5,256	4,933	93.9	323	6.1
Burglary/B&E	22	22	100.0	0	0.0
Auto Theft	48	38	79.2	10	20.8
Larceny	628	581	92.5	47	7.5
Fraud	5,542	4,546	82.0	996	18.0
Embezzlement	242	231	95.5	11	4.5
Forgery/Counterfeiting	380	348	91.6	32	8.4
Bribery	136	125	91.9	11	8.1
Tax	432	392	90.7	40	9.3
Money Laundering	504	384	76.2	120	23.8
Racketeering/Extortion	765	669	87.5	96	12.5
Gambling/Lottery	62	58	93.5	4	6.5
Civil Rights	42	39	92.9	3	7.1
Immigration	15,397	1,072	7.0	14,325	93.0
Child Pornography	1,401	1,353	96.6	48	3.4
Prison Offenses	338	321	95.0	17	5.0
Administration of Justice Offenses	886	758	85.6	128	14.4
Environmental/Wildlife	107	94	87.9	13	12.1
National Defense	74	37	50.0	37	50.0
Antitrust	12	5	41.7	7	58.3
Food & Drug	110	98	89.1	12	10.9
Other Miscellaneous Offenses	1,464	1,322	90.3	142	9.7

¹ Of the 52,668 cases, 573 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
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)

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	52,668	245,063	52,668	52,092	38,621	13,989	52,658	49,024	3,644
D.C. CIRCUIT	179	878	179	179	163	16	179	178	1
District of Columbia	179	878	179	179	163	16	179	178	1
FIRST CIRCUIT	1,818	8,684	1,818	1,816	1,451	366	1,815	1,784	34
Maine	152	684	152	152	77	75	151	152	0
Massachusetts	412	1,873	412	410	244	168	412	395	17
New Hampshire	108	535	108	108	103	5	108	108	0
Puerto Rico	1,054	5,163	1,054	1,054	966	87	1,052	1,037	17
Rhode Island	92	429	92	92	61	31	92	92	0
SECOND CIRCUIT	2,905	13,884	2,905	2,903	2,317	586	2,905	2,854	51
Connecticut	268	1,325	268	267	254	14	268	268	0
New York									
Eastern	614	2,979	614	613	525	89	614	613	1
Northern	265	1,213	265	265	175	90	265	243	22
Southern	1,246	5,857	1,246	1,246	880	365	1,246	1,239	7
Western	386	1,891	386	386	365	20	386	368	18
Vermont	126	619	126	126	118	8	126	123	3
THIRD CIRCUIT	1,918	9,207	1,918	1,910	1,574	344	1,918	1,887	31
Delaware	77	379	77	77	71	6	77	77	0
New Jersey	572	2,776	572	566	500	72	572	566	6
Pennsylvania									
Eastern	551	2,628	551	549	429	122	551	548	3
Middle	302	1,468	302	302	262	40	302	300	2
Western	373	1,751	373	373	279	94	373	353	20
Virgin Islands	43	205	43	43	33	10	43	43	0
FOURTH CIRCUIT	4,349	19,931	4,349	4,283	3,226	1,117	4,347	3,726	623
Maryland	621	2,997	621	611	554	67	621	590	31
North Carolina									
Eastern	432	1,917	432	382	306	126	432	365	67
Middle	389	1,930	389	389	374	15	389	389	0
Western	529	2,525	529	529	409	120	529	529	0
South Carolina	484	2,228	484	480	299	185	484	481	3
Virginia									
Eastern	1,083	4,369	1,083	1,081	536	541	1,081	588	495
Western	292	1,433	292	292	267	25	292	290	2
West Virginia									
Northern	313	1,538	313	313	300	13	313	299	14
Southern	206	994	206	206	181	25	206	195	11

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	12,074	53,460	12,074	11,895	6,224	5,840	12,072	11,195	879
Louisiana									
Eastern	306	1,418	306	305	198	107	306	303	3
Middle	118	552	118	118	81	37	118	117	1
Western	166	782	166	151	148	18	166	151	15
Mississippi									
Northern	120	595	120	120	118	2	120	117	3
Southern	199	951	199	192	170	29	199	191	8
Texas									
Eastern	790	3,887	790	790	737	53	790	780	10
Northern	1,053	4,946	1,053	1,052	740	313	1,053	1,048	5
Southern	4,578	20,522	4,578	4,575	2,396	2,178	4,577	4,396	182
Western	4,744	19,807	4,744	4,592	1,636	3,103	4,743	4,092	652
SIXTH CIRCUIT	3,602	17,250	3,602	3,596	2,931	642	3,601	3,520	82
Kentucky									
Eastern	429	2,084	429	429	374	55	429	423	6
Western	205	975	205	205	186	19	205	174	31
Michigan									
Eastern	624	2,980	624	623	501	123	623	609	15
Western	298	1,380	298	298	196	102	298	290	8
Ohio									
Northern	506	2,376	506	505	358	148	506	501	5
Southern	447	2,218	447	447	435	12	447	442	5
Tennessee									
Eastern	520	2,529	520	520	450	70	520	519	1
Middle	193	877	193	189	117	47	193	185	8
Western	380	1,831	380	380	314	66	380	377	3
SEVENTH CIRCUIT	1,891	9,107	1,891	1,888	1,554	337	1,891	1,883	8
Illinois									
Central	276	1,297	276	275	195	81	276	275	1
Northern	540	2,633	540	539	478	62	540	536	4
Southern	294	1,354	294	294	179	115	294	293	1
Indiana									
Northern	212	1,042	212	212	194	18	212	212	0
Southern	289	1,402	289	289	248	41	289	287	2
Wisconsin									
Eastern	195	965	195	194	186	9	195	195	0
Western	85	414	85	85	74	11	85	85	0
EIGHTH CIRCUIT	3,396	16,270	3,396	3,385	2,716	679	3,396	3,377	19
Arkansas									
Eastern	251	1,192	251	249	191	60	251	250	1
Western	252	1,224	252	249	224	28	252	247	5
Iowa									
Northern	264	1,219	264	264	163	101	264	264	0
Southern	221	1,040	221	221	156	65	221	221	0
Minnesota	251	1,227	251	251	224	27	251	250	1
Missouri									
Eastern	396	1,964	396	396	380	16	396	396	0
Western	680	3,261	680	678	544	136	680	679	1
Nebraska	440	2,072	440	437	317	123	440	438	2
North Dakota	313	1,450	313	312	205	107	313	307	6
South Dakota	328	1,621	328	328	312	16	328	325	3

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	10,811	51,427	10,811	10,592	10,073	736	10,810	9,141	1,670
Alaska	124	588	124	124	96	28	124	120	4
Arizona	4,069	18,972	4,069	3,871	3,941	127	4,068	3,023	1,046
California									
Central	835	4,037	835	835	723	112	835	809	26
Eastern	558	2,751	558	555	528	30	558	552	6
Northern	446	2,121	446	432	377	69	446	420	26
Southern	2,558	12,295	2,558	2,557	2,473	84	2,558	2,149	409
Guam	38	184	38	38	32	6	38	38	0
Hawaii	188	871	188	187	123	65	188	185	3
Idaho	206	1,011	206	206	187	19	206	206	0
Montana	277	1,318	277	277	210	67	277	277	0
Nevada	432	2,063	432	432	344	88	432	423	9
Northern Mariana Islands	10	50	10	10	10	0	10	10	0
Oregon	412	1,990	412	411	405	7	412	350	62
Washington									
Eastern	281	1,376	281	280	258	23	281	276	5
Western	377	1,800	377	377	366	11	377	303	74
TENTH CIRCUIT	5,154	23,594	5,154	5,140	3,106	2,046	5,154	5,040	114
Colorado	295	1,450	295	292	284	11	295	284	11
Kansas	462	2,220	462	458	402	59	462	436	26
New Mexico	3,294	14,718	3,294	3,290	1,550	1,744	3,294	3,290	4
Oklahoma									
Eastern	73	332	73	73	40	33	73	73	0
Northern	133	617	133	133	86	47	133	132	1
Western	246	1,079	246	246	132	113	246	209	37
Utah	462	2,265	462	462	443	19	462	436	26
Wyoming	189	913	189	186	169	20	189	180	9
ELEVENTH CIRCUIT	4,571	21,371	4,571	4,505	3,286	1,280	4,570	4,439	132
Alabama									
Middle	148	719	148	148	128	20	148	147	1
Northern	253	1,226	253	250	227	26	253	243	10
Southern	254	1,233	254	254	217	37	254	254	0
Florida									
Middle	986	4,579	986	983	640	345	986	984	2
Northern	191	896	191	183	147	44	191	184	7
Southern	1,640	7,579	1,640	1,610	1,087	551	1,639	1,603	37
Georgia									
Middle	290	1,306	290	280	179	111	290	267	23
Northern	465	2,255	465	453	422	42	465	450	15
Southern	344	1,578	344	344	239	104	344	307	37

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 18 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
3rd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through June 30, 2015)**

CIRCUIT District	Total	Form AO 245B ¹		Other Forms ²		No Form Received	
		N	%	N	%	N	%
TOTAL	52,668	49,983	94.9	2,123	4.0	562	1.1
D.C. CIRCUIT	179	179	100.0	0	0.0	0	0.0
District of Columbia	179	179	100.0	0	0.0	0	0.0
FIRST CIRCUIT	1,818	1,816	99.9	0	0.0	2	0.1
Maine	152	152	100.0	0	0.0	0	0.0
Massachusetts	412	410	99.5	0	0.0	2	0.5
New Hampshire	108	108	100.0	0	0.0	0	0.0
Puerto Rico	1,054	1,054	100.0	0	0.0	0	0.0
Rhode Island	92	92	100.0	0	0.0	0	0.0
SECOND CIRCUIT	2,905	2,884	99.3	19	0.7	2	0.1
Connecticut	268	267	99.6	0	0.0	1	0.4
New York							
Eastern	614	594	96.7	19	3.1	1	0.2
Northern	265	265	100.0	0	0.0	0	0.0
Southern	1,246	1,246	100.0	0	0.0	0	0.0
Western	386	386	100.0	0	0.0	0	0.0
Vermont	126	126	100.0	0	0.0	0	0.0
THIRD CIRCUIT	1,918	1,907	99.4	3	0.2	8	0.4
Delaware	77	77	100.0	0	0.0	0	0.0
New Jersey	572	566	99.0	0	0.0	6	1.0
Pennsylvania							
Eastern	551	548	99.5	1	0.2	2	0.4
Middle	302	302	100.0	0	0.0	0	0.0
Western	373	371	99.5	2	0.5	0	0.0
Virgin Islands	43	43	100.0	0	0.0	0	0.0
FOURTH CIRCUIT	4,349	4,242	97.5	50	1.1	57	1.3
Maryland	621	618	99.5	2	0.3	1	0.2
North Carolina							
Eastern	432	382	88.4	0	0.0	50	11.6
Middle	389	389	100.0	0	0.0	0	0.0
Western	529	529	100.0	0	0.0	0	0.0
South Carolina	484	480	99.2	0	0.0	4	0.8
Virginia							
Eastern	1,083	1,033	95.4	48	4.4	2	0.2
Western	292	292	100.0	0	0.0	0	0.0
West Virginia							
Northern	313	313	100.0	0	0.0	0	0.0
Southern	206	206	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	12,074	10,409	86.2	1,486	12.3	179	1.5
Louisiana							
Eastern	306	305	99.7	0	0.0	1	0.3
Middle	118	118	100.0	0	0.0	0	0.0
Western	166	123	74.1	28	16.9	15	9.0
Mississippi							
Northern	120	120	100.0	0	0.0	0	0.0
Southern	199	192	96.5	0	0.0	7	3.5
Texas							
Eastern	790	790	100.0	0	0.0	0	0.0
Northern	1,053	1,051	99.8	1	0.1	1	0.1
Southern	4,578	4,575	99.9	0	0.0	3	0.1
Western	4,744	3,135	66.1	1,457	30.7	152	3.2
SIXTH CIRCUIT	3,602	3,531	98.0	66	1.8	5	0.1
Kentucky							
Eastern	429	429	100.0	0	0.0	0	0.0
Western	205	205	100.0	0	0.0	0	0.0
Michigan							
Eastern	624	624	100.0	0	0.0	0	0.0
Western	298	297	99.7	1	0.3	0	0.0
Ohio							
Northern	506	505	99.8	0	0.0	1	0.2
Southern	447	428	95.7	19	4.3	0	0.0
Tennessee							
Eastern	520	520	100.0	0	0.0	0	0.0
Middle	193	143	74.1	46	23.8	4	2.1
Western	380	380	100.0	0	0.0	0	0.0
SEVENTH CIRCUIT	1,891	1,832	96.9	56	3.0	3	0.2
Illinois							
Central	276	274	99.3	1	0.4	1	0.4
Northern	540	539	99.8	0	0.0	1	0.2
Southern	294	294	100.0	0	0.0	0	0.0
Indiana							
Northern	212	212	100.0	0	0.0	0	0.0
Southern	289	289	100.0	0	0.0	0	0.0
Wisconsin							
Eastern	195	139	71.3	55	28.2	1	0.5
Western	85	85	100.0	0	0.0	0	0.0
EIGHTH CIRCUIT	3,396	3,376	99.4	9	0.3	11	0.3
Arkansas							
Eastern	251	249	99.2	0	0.0	2	0.8
Western	252	249	98.8	0	0.0	3	1.2
Iowa							
Northern	264	264	100.0	0	0.0	0	0.0
Southern	221	221	100.0	0	0.0	0	0.0
Minnesota	251	243	96.8	8	3.2	0	0.0
Missouri							
Eastern	396	396	100.0	0	0.0	0	0.0
Western	680	678	99.7	0	0.0	2	0.3
Nebraska	440	436	99.1	1	0.2	3	0.7
North Dakota	313	312	99.7	0	0.0	1	0.3
South Dakota	328	328	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	10,811	10,185	94.2	407	3.8	219	2.0
Alaska	124	124	100.0	0	0.0	0	0.0
Arizona	4,069	3,870	95.1	1	0.0	198	4.9
California							
Central	835	835	100.0	0	0.0	0	0.0
Eastern	558	555	99.5	0	0.0	3	0.5
Northern	446	432	96.9	0	0.0	14	3.1
Southern	2,558	2,556	99.9	1	0.0	1	0.0
Guam	38	38	100.0	0	0.0	0	0.0
Hawaii	188	185	98.4	2	1.1	1	0.5
Idaho	206	206	100.0	0	0.0	0	0.0
Montana	277	277	100.0	0	0.0	0	0.0
Nevada	432	432	100.0	0	0.0	0	0.0
Northern Mariana Islands	10	10	100.0	0	0.0	0	0.0
Oregon	412	8	1.9	403	97.8	1	0.2
Washington							
Eastern	281	280	99.6	0	0.0	1	0.4
Western	377	377	100.0	0	0.0	0	0.0
TENTH CIRCUIT	5,154	5,133	99.6	10	0.2	11	0.2
Colorado	295	292	99.0	0	0.0	3	1.0
Kansas	462	459	99.4	1	0.2	2	0.4
New Mexico	3,294	3,291	99.9	0	0.0	3	0.1
Oklahoma							
Eastern	73	73	100.0	0	0.0	0	0.0
Northern	133	133	100.0	0	0.0	0	0.0
Western	246	246	100.0	0	0.0	0	0.0
Utah	462	453	98.1	9	1.9	0	0.0
Wyoming	189	186	98.4	0	0.0	3	1.6
ELEVENTH CIRCUIT	4,571	4,489	98.2	17	0.4	65	1.4
Alabama							
Middle	148	148	100.0	0	0.0	0	0.0
Northern	253	250	98.8	0	0.0	3	1.2
Southern	254	252	99.2	2	0.8	0	0.0
Florida							
Middle	986	983	99.7	0	0.0	3	0.3
Northern	191	182	95.3	1	0.5	8	4.2
Southern	1,640	1,609	98.1	1	0.1	30	1.8
Georgia							
Middle	290	281	96.9	0	0.0	9	3.1
Northern	465	440	94.6	13	2.8	12	2.6
Southern	344	344	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.”

Starting in Fiscal Year 2014, for cases in which the Commission does not receive the PSR (most commonly when the court waives the preparation of the PSR), values for several demographic variables are taken from the Probation and Pretrial Services Automated Case Tracking System (PACTS) datafile created by the Probation and Pretrial Services Office at the Administrative Office of the U.S. Courts. Cases are matched using unique case identifiers and the demographic information which would otherwise be missing in these cases due to the lack of a PSR is imported from the PACTS datafile.

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.

Starting in Fiscal Year 2014, for cases in which the Commission does not receive the PSR (most commonly when the court waives the preparation of the PSR), values for several demographic variables are taken from the Probation and Pretrial Services Automated Case Tracking System (PACTS) datafile created by the Probation and Pretrial Services Office at the Administrative Office of the U.S. Courts. Cases are matched using unique case identifiers and the demographic information which would otherwise be missing in these cases due to the lack of a PSR is imported from the PACTS datafile.

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.

Starting in Fiscal Year 2014, for cases in which the Commission does not receive the PSR (most commonly when the court waives the preparation of the PSR), values for several demographic variables are taken from the Probation and Pretrial Services Automated Case Tracking System (PACTS) datafile created by the Probation and Pretrial Services Office at the Administrative Office of the U.S. Courts. Cases are matched using unique case identifiers and the demographic information which would otherwise be missing in these cases due to the lack of a PSR is imported from the PACTS datafile.

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 FY14 *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