

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



**4<sup>th</sup> Quarter Release  
Preliminary Fiscal Year 2015 Data  
Through September 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.<sup>1</sup> Data is reported on an annual basis in the Commission's *Annual Report* and *Sourcebook of Federal Sentencing Statistics*.<sup>2</sup> 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 Congress<sup>3</sup> 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*,<sup>4</sup> 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

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<sup>1</sup> 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).

<sup>2</sup> Electronic copies of the 1995-2014 *Annual Report* and *Sourcebook of Federal Sentencing Statistics* are available at the Commission's website, [www.ussc.gov](http://www.ussc.gov).

<sup>3</sup> See [www.ussc.gov/bf.htm](http://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.

<sup>4</sup> See [www.ussc.gov/bf.htm](http://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.<sup>5</sup> 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.<sup>6</sup> 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*.**

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<sup>5</sup> 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.

<sup>6</sup> 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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**NATIONAL COMPARISON OF SENTENCE IMPOSED AND  
POSITION RELATIVE TO THE GUIDELINE RANGE<sup>1</sup>**  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)

	N	%
<b>TOTAL CASES</b>	<b>67,642</b>	<b>100.0</b>
<b>CASES SENTENCED WITHIN GUIDELINE RANGE</b>	<b>31,949</b>	<b>47.2</b>
<b>CASES SENTENCED ABOVE GUIDELINE RANGE</b>	<b>1,485</b>	<b>2.2</b>
<b>DEPARTURE ABOVE GUIDELINE RANGE</b>	<b>439</b>	<b>0.6</b>
Upward Departure From Guideline Range <sup>2</sup>	344	0.5
Upward Departure With <i>Booker</i> /18 U.S.C. § 3553 <sup>3</sup>	95	0.1
<b>OTHERWISE ABOVE GUIDELINE RANGE</b>	<b>1,046</b>	<b>1.5</b>
Above Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 <sup>4</sup>	985	1.5
All Remaining Cases Above Guideline Range <sup>5</sup>	61	0.1
<b>GOVERNMENT SPONSORED BELOW RANGE<sup>6</sup></b>	<b>19,831</b>	<b>29.3</b>
§5K1.1 Substantial Assistance Departure	8,381	12.4
§5K3.1 Early Disposition Program Departure	6,271	9.3
Other Government Sponsored Below Range	5,179	7.7
<b>NON-GOVERNMENT SPONSORED BELOW RANGE</b>	<b>14,377</b>	<b>21.3</b>
<b>DEPARTURE BELOW GUIDELINE RANGE</b>	<b>2,084</b>	<b>3.1</b>
Downward Departure From Guideline Range <sup>2</sup>	1,508	2.2
Downward Departure With <i>Booker</i> /18 U.S.C. § 3553 <sup>3</sup>	576	0.9
<b>OTHERWISE BELOW GUIDELINE RANGE</b>	<b>12,293</b>	<b>18.2</b>
Below Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 <sup>4</sup>	11,913	17.6
All Remaining Cases Below Guideline Range <sup>5</sup>	380	0.6

<sup>1</sup> This table reflects the 70,146 cases sentenced on or after October 1, 2014, with court documentation cumulatively received, coded, and edited at the U.S. Sentencing Commission by December 16, 2015. Of these, 2,504 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.

<sup>2</sup> 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*.

<sup>3</sup> 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.

<sup>4</sup> 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.

<sup>5</sup> 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.

<sup>6</sup> 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 September 30, 2015).

**SENTENCES RELATIVE TO THE GUIDELINE RANGE BY CIRCUIT AND DISTRICT<sup>1</sup>**  
**4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 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	%
<b>TOTAL</b>	<b>67,642</b>	<b>31,949</b>	<b>47.2</b>	<b>344</b>	<b>0.5</b>	<b>95</b>	<b>0.1</b>	<b>985</b>	<b>1.5</b>	<b>61</b>	<b>0.1</b>
<b>D.C. CIRCUIT</b>	<b>253</b>	<b>79</b>	<b>31.2</b>	<b>0</b>	<b>0.0</b>	<b>2</b>	<b>0.8</b>	<b>3</b>	<b>1.2</b>	<b>0</b>	<b>0.0</b>
District of Columbia	253	79	31.2	0	0.0	2	0.8	3	1.2	0	0.0
<b>FIRST CIRCUIT</b>	<b>2,402</b>	<b>1,269</b>	<b>52.8</b>	<b>15</b>	<b>0.6</b>	<b>4</b>	<b>0.2</b>	<b>93</b>	<b>3.9</b>	<b>6</b>	<b>0.2</b>
Maine	188	63	33.5	1	0.5	0	0.0	1	0.5	0	0.0
Massachusetts	515	127	24.7	3	0.6	2	0.4	11	2.1	0	0.0
New Hampshire	144	70	48.6	1	0.7	0	0.0	6	4.2	0	0.0
Puerto Rico	1,435	980	68.3	10	0.7	2	0.1	75	5.2	6	0.4
Rhode Island	120	29	24.2	0	0.0	0	0.0	0	0.0	0	0.0
<b>SECOND CIRCUIT</b>	<b>3,785</b>	<b>1,090</b>	<b>28.8</b>	<b>11</b>	<b>0.3</b>	<b>2</b>	<b>0.1</b>	<b>16</b>	<b>0.4</b>	<b>3</b>	<b>0.1</b>
Connecticut	332	90	27.1	2	0.6	0	0.0	0	0.0	1	0.3
New York											
Eastern	786	171	21.8	1	0.1	2	0.3	5	0.6	1	0.1
Northern	340	181	53.2	1	0.3	0	0.0	1	0.3	0	0.0
Southern	1,633	384	23.5	1	0.1	0	0.0	7	0.4	1	0.1
Western	519	230	44.3	5	1.0	0	0.0	2	0.4	0	0.0
Vermont	175	34	19.4	1	0.6	0	0.0	1	0.6	0	0.0
<b>THIRD CIRCUIT</b>	<b>2,397</b>	<b>877</b>	<b>36.6</b>	<b>4</b>	<b>0.2</b>	<b>0</b>	<b>0.0</b>	<b>28</b>	<b>1.2</b>	<b>1</b>	<b>0.0</b>
Delaware	90	26	28.9	0	0.0	0	0.0	0	0.0	0	0.0
New Jersey	693	254	36.7	2	0.3	0	0.0	3	0.4	0	0.0
Pennsylvania											
Eastern	705	198	28.1	1	0.1	0	0.0	10	1.4	0	0.0
Middle	381	172	45.1	1	0.3	0	0.0	4	1.0	0	0.0
Western	470	177	37.7	0	0.0	0	0.0	10	2.1	0	0.0
Virgin Islands	58	50	86.2	0	0.0	0	0.0	1	1.7	1	1.7
<b>FOURTH CIRCUIT</b>	<b>5,549</b>	<b>3,056</b>	<b>55.1</b>	<b>38</b>	<b>0.7</b>	<b>15</b>	<b>0.3</b>	<b>86</b>	<b>1.5</b>	<b>3</b>	<b>0.1</b>
Maryland	743	221	29.7	7	0.9	2	0.3	26	3.5	1	0.1
North Carolina											
Eastern	510	259	50.8	12	2.4	7	1.4	9	1.8	0	0.0
Middle	504	316	62.7	3	0.6	3	0.6	14	2.8	1	0.2
Western	690	361	52.3	1	0.1	2	0.3	5	0.7	0	0.0
South Carolina	635	353	55.6	6	0.9	0	0.0	6	0.9	0	0.0
Virginia											
Eastern	1,422	983	69.1	4	0.3	0	0.0	12	0.8	1	0.1
Western	371	159	42.9	5	1.3	1	0.3	10	2.7	0	0.0
West Virginia											
Northern	414	252	60.9	0	0.0	0	0.0	3	0.7	0	0.0
Southern	260	152	58.5	0	0.0	0	0.0	1	0.4	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	%
<b>TOTAL</b>	<b>8,381</b>	<b>12.4</b>	<b>6,271</b>	<b>9.3</b>	<b>5,179</b>	<b>7.7</b>	<b>1,508</b>	<b>2.2</b>	<b>576</b>	<b>0.9</b>	<b>11,913</b>	<b>17.6</b>	<b>380</b>	<b>0.6</b>
<b>D.C. CIRCUIT</b>	<b>76</b>	<b>30.0</b>	<b>3</b>	<b>1.2</b>	<b>24</b>	<b>9.5</b>	<b>8</b>	<b>3.2</b>	<b>11</b>	<b>4.3</b>	<b>44</b>	<b>17.4</b>	<b>3</b>	<b>1.2</b>
District of Columbia	76	30.0	3	1.2	24	9.5	8	3.2	11	4.3	44	17.4	3	1.2
<b>FIRST CIRCUIT</b>	<b>233</b>	<b>9.7</b>	<b>26</b>	<b>1.1</b>	<b>284</b>	<b>11.8</b>	<b>57</b>	<b>2.4</b>	<b>18</b>	<b>0.7</b>	<b>370</b>	<b>15.4</b>	<b>27</b>	<b>1.1</b>
Maine	42	22.3	0	0.0	6	3.2	6	3.2	3	1.6	66	35.1	0	0.0
Massachusetts	78	15.1	14	2.7	130	25.2	12	2.3	10	1.9	126	24.5	2	0.4
New Hampshire	14	9.7	0	0.0	16	11.1	9	6.3	2	1.4	26	18.1	0	0.0
Puerto Rico	87	6.1	12	0.8	88	6.1	30	2.1	3	0.2	117	8.2	25	1.7
Rhode Island	12	10.0	0	0.0	44	36.7	0	0.0	0	0.0	35	29.2	0	0.0
<b>SECOND CIRCUIT</b>	<b>828</b>	<b>21.9</b>	<b>77</b>	<b>2.0</b>	<b>147</b>	<b>3.9</b>	<b>99</b>	<b>2.6</b>	<b>64</b>	<b>1.7</b>	<b>1,424</b>	<b>37.6</b>	<b>24</b>	<b>0.6</b>
Connecticut	46	13.9	1	0.3	30	9.0	19	5.7	8	2.4	135	40.7	0	0.0
New York														
Eastern	187	23.8	44	5.6	47	6.0	45	5.7	25	3.2	250	31.8	8	1.0
Northern	70	20.6	2	0.6	6	1.8	3	0.9	5	1.5	70	20.6	1	0.3
Southern	338	20.7	30	1.8	14	0.9	26	1.6	19	1.2	801	49.1	12	0.7
Western	144	27.7	0	0.0	24	4.6	0	0.0	3	0.6	108	20.8	3	0.6
Vermont	43	24.6	0	0.0	26	14.9	6	3.4	4	2.3	60	34.3	0	0.0
<b>THIRD CIRCUIT</b>	<b>667</b>	<b>27.8</b>	<b>12</b>	<b>0.5</b>	<b>179</b>	<b>7.5</b>	<b>25</b>	<b>1.0</b>	<b>21</b>	<b>0.9</b>	<b>561</b>	<b>23.4</b>	<b>22</b>	<b>0.9</b>
Delaware	21	23.3	0	0.0	8	8.9	1	1.1	2	2.2	32	35.6	0	0.0
New Jersey	190	27.4	3	0.4	49	7.1	6	0.9	8	1.2	170	24.5	8	1.2
Pennsylvania														
Eastern	253	35.9	3	0.4	59	8.4	1	0.1	3	0.4	166	23.5	11	1.6
Middle	97	25.5	6	1.6	12	3.1	11	2.9	4	1.0	73	19.2	1	0.3
Western	101	21.5	0	0.0	51	10.9	6	1.3	4	0.9	119	25.3	2	0.4
Virgin Islands	5	8.6	0	0.0	0	0.0	0	0.0	0	0.0	1	1.7	0	0.0
<b>FOURTH CIRCUIT</b>	<b>856</b>	<b>15.4</b>	<b>13</b>	<b>0.2</b>	<b>369</b>	<b>6.6</b>	<b>79</b>	<b>1.4</b>	<b>37</b>	<b>0.7</b>	<b>963</b>	<b>17.4</b>	<b>34</b>	<b>0.6</b>
Maryland	193	26.0	1	0.1	140	18.8	13	1.7	14	1.9	121	16.3	4	0.5
North Carolina														
Eastern	149	29.2	0	0.0	4	0.8	4	0.8	3	0.6	61	12.0	2	0.4
Middle	68	13.5	0	0.0	7	1.4	3	0.6	1	0.2	88	17.5	0	0.0
Western	145	21.0	0	0.0	44	6.4	6	0.9	3	0.4	121	17.5	2	0.3
South Carolina	96	15.1	4	0.6	58	9.1	9	1.4	3	0.5	96	15.1	4	0.6
Virginia														
Eastern	54	3.8	4	0.3	36	2.5	34	2.4	3	0.2	272	19.1	19	1.3
Western	88	23.7	0	0.0	45	12.1	9	2.4	7	1.9	46	12.4	1	0.3
West Virginia														
Northern	36	8.7	2	0.5	30	7.2	0	0.0	2	0.5	88	21.3	1	0.2
Southern	27	10.4	2	0.8	5	1.9	1	0.4	1	0.4	70	26.9	1	0.4

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	%
<b>FIFTH CIRCUIT</b>	<b>15,875</b>	<b>10,132</b>	<b>63.8</b>	<b>104</b>	<b>0.7</b>	<b>25</b>	<b>0.2</b>	<b>267</b>	<b>1.7</b>	<b>13</b>	<b>0.1</b>
Louisiana											
Eastern	388	221	57.0	4	1.0	0	0.0	14	3.6	1	0.3
Middle	164	78	47.6	3	1.8	1	0.6	0	0.0	2	1.2
Western	207	129	62.3	3	1.4	0	0.0	7	3.4	2	1.0
Mississippi											
Northern	153	83	54.2	1	0.7	0	0.0	5	3.3	0	0.0
Southern	251	161	64.1	4	1.6	0	0.0	6	2.4	0	0.0
Texas											
Eastern	1,028	662	64.4	14	1.4	0	0.0	24	2.3	0	0.0
Northern	1,371	837	61.1	8	0.6	10	0.7	48	3.5	0	0.0
Southern	6,183	3,552	57.4	53	0.9	14	0.2	55	0.9	6	0.1
Western	6,130	4,409	71.9	14	0.2	0	0.0	108	1.8	2	0.0
<b>SIXTH CIRCUIT</b>	<b>4,655</b>	<b>2,009</b>	<b>43.2</b>	<b>15</b>	<b>0.3</b>	<b>5</b>	<b>0.1</b>	<b>65</b>	<b>1.4</b>	<b>0</b>	<b>0.0</b>
Kentucky											
Eastern	511	293	57.3	1	0.2	0	0.0	14	2.7	0	0.0
Western	267	119	44.6	3	1.1	0	0.0	2	0.7	0	0.0
Michigan											
Eastern	821	344	41.9	1	0.1	0	0.0	8	1.0	0	0.0
Western	389	222	57.1	4	1.0	2	0.5	10	2.6	0	0.0
Ohio											
Northern	674	280	41.5	0	0.0	0	0.0	9	1.3	0	0.0
Southern	586	157	26.8	1	0.2	0	0.0	5	0.9	0	0.0
Tennessee											
Eastern	666	340	51.1	2	0.3	0	0.0	8	1.2	0	0.0
Middle	254	70	27.6	1	0.4	0	0.0	4	1.6	0	0.0
Western	487	184	37.8	2	0.4	3	0.6	5	1.0	0	0.0
<b>SEVENTH CIRCUIT</b>	<b>2,457</b>	<b>930</b>	<b>37.9</b>	<b>2</b>	<b>0.1</b>	<b>9</b>	<b>0.4</b>	<b>45</b>	<b>1.8</b>	<b>3</b>	<b>0.1</b>
Illinois											
Central	327	134	41.0	0	0.0	1	0.3	12	3.7	0	0.0
Northern	718	195	27.2	0	0.0	3	0.4	6	0.8	1	0.1
Southern	398	253	63.6	1	0.3	5	1.3	4	1.0	1	0.3
Indiana											
Northern	271	123	45.4	0	0.0	0	0.0	5	1.8	0	0.0
Southern	371	135	36.4	0	0.0	0	0.0	12	3.2	1	0.3
Wisconsin											
Eastern	254	54	21.3	0	0.0	0	0.0	5	2.0	0	0.0
Western	118	36	30.5	1	0.8	0	0.0	1	0.8	0	0.0
<b>EIGHTH CIRCUIT</b>	<b>4,538</b>	<b>2,011</b>	<b>44.3</b>	<b>24</b>	<b>0.5</b>	<b>6</b>	<b>0.1</b>	<b>105</b>	<b>2.3</b>	<b>5</b>	<b>0.1</b>
Arkansas											
Eastern	340	174	51.2	0	0.0	0	0.0	10	2.9	1	0.3
Western	273	126	46.2	0	0.0	0	0.0	4	1.5	2	0.7
Iowa											
Northern	359	220	61.3	12	3.3	1	0.3	11	3.1	0	0.0
Southern	308	98	31.8	0	0.0	0	0.0	5	1.6	0	0.0
Minnesota	377	119	31.6	1	0.3	1	0.3	9	2.4	0	0.0
Missouri											
Eastern	554	220	39.7	0	0.0	1	0.2	8	1.4	0	0.0
Western	888	356	40.1	4	0.5	0	0.0	41	4.6	0	0.0
Nebraska	588	276	46.9	0	0.0	0	0.0	7	1.2	0	0.0
North Dakota	419	185	44.2	1	0.2	0	0.0	3	0.7	2	0.5
South Dakota	432	237	54.9	6	1.4	3	0.7	7	1.6	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	%
<b>FIFTH CIRCUIT</b>	<b>1,308</b>	<b>8.2</b>	<b>693</b>	<b>4.4</b>	<b>558</b>	<b>3.5</b>	<b>741</b>	<b>4.7</b>	<b>51</b>	<b>0.3</b>	<b>1,894</b>	<b>11.9</b>	<b>89</b>	<b>0.6</b>
Louisiana														
Eastern	48	12.4	1	0.3	7	1.8	5	1.3	2	0.5	81	20.9	4	1.0
Middle	24	14.6	1	0.6	1	0.6	0	0.0	0	0.0	53	32.3	1	0.6
Western	26	12.6	0	0.0	1	0.5	1	0.5	0	0.0	37	17.9	1	0.5
Mississippi														
Northern	30	19.6	1	0.7	7	4.6	0	0.0	0	0.0	26	17.0	0	0.0
Southern	40	15.9	0	0.0	2	0.8	0	0.0	0	0.0	38	15.1	0	0.0
Texas														
Eastern	76	7.4	7	0.7	172	16.7	6	0.6	4	0.4	61	5.9	2	0.2
Northern	188	13.7	0	0.0	34	2.5	9	0.7	6	0.4	230	16.8	1	0.1
Southern	445	7.2	509	8.2	192	3.1	574	9.3	24	0.4	757	12.2	2	0.0
Western	431	7.0	174	2.8	142	2.3	146	2.4	15	0.2	611	10.0	78	1.3
<b>SIXTH CIRCUIT</b>	<b>987</b>	<b>21.2</b>	<b>10</b>	<b>0.2</b>	<b>430</b>	<b>9.2</b>	<b>54</b>	<b>1.2</b>	<b>64</b>	<b>1.4</b>	<b>1,004</b>	<b>21.6</b>	<b>12</b>	<b>0.3</b>
Kentucky														
Eastern	63	12.3	0	0.0	22	4.3	3	0.6	1	0.2	114	22.3	0	0.0
Western	56	21.0	4	1.5	49	18.4	3	1.1	3	1.1	27	10.1	1	0.4
Michigan														
Eastern	143	17.4	0	0.0	44	5.4	9	1.1	6	0.7	265	32.3	1	0.1
Western	60	15.4	0	0.0	1	0.3	6	1.5	13	3.3	71	18.3	0	0.0
Ohio														
Northern	174	25.8	0	0.0	27	4.0	12	1.8	5	0.7	165	24.5	2	0.3
Southern	123	21.0	3	0.5	151	25.8	10	1.7	20	3.4	112	19.1	4	0.7
Tennessee														
Eastern	201	30.2	0	0.0	35	5.3	4	0.6	2	0.3	73	11.0	1	0.2
Middle	70	27.6	0	0.0	57	22.4	5	2.0	11	4.3	36	14.2	0	0.0
Western	97	19.9	3	0.6	44	9.0	2	0.4	3	0.6	141	29.0	3	0.6
<b>SEVENTH CIRCUIT</b>	<b>343</b>	<b>14.0</b>	<b>6</b>	<b>0.2</b>	<b>183</b>	<b>7.4</b>	<b>59</b>	<b>2.4</b>	<b>96</b>	<b>3.9</b>	<b>759</b>	<b>30.9</b>	<b>22</b>	<b>0.9</b>
Illinois														
Central	51	15.6	0	0.0	33	10.1	3	0.9	3	0.9	88	26.9	2	0.6
Northern	87	12.1	5	0.7	16	2.2	20	2.8	52	7.2	318	44.3	15	2.1
Southern	41	10.3	1	0.3	15	3.8	5	1.3	19	4.8	49	12.3	4	1.0
Indiana														
Northern	56	20.7	0	0.0	17	6.3	6	2.2	4	1.5	59	21.8	1	0.4
Southern	70	18.9	0	0.0	46	12.4	3	0.8	3	0.8	101	27.2	0	0.0
Wisconsin														
Eastern	35	13.8	0	0.0	51	20.1	1	0.4	0	0.0	108	42.5	0	0.0
Western	3	2.5	0	0.0	5	4.2	21	17.8	15	12.7	36	30.5	0	0.0
<b>EIGHTH CIRCUIT</b>	<b>691</b>	<b>15.2</b>	<b>96</b>	<b>2.1</b>	<b>366</b>	<b>8.1</b>	<b>49</b>	<b>1.1</b>	<b>30</b>	<b>0.7</b>	<b>1,134</b>	<b>25.0</b>	<b>21</b>	<b>0.5</b>
Arkansas														
Eastern	43	12.6	0	0.0	9	2.6	1	0.3	2	0.6	97	28.5	3	0.9
Western	41	15.0	4	1.5	9	3.3	0	0.0	1	0.4	85	31.1	1	0.4
Iowa														
Northern	70	19.5	0	0.0	3	0.8	1	0.3	0	0.0	40	11.1	1	0.3
Southern	56	18.2	3	1.0	61	19.8	2	0.6	2	0.6	80	26.0	1	0.3
Minnesota	54	14.3	1	0.3	8	2.1	8	2.1	5	1.3	169	44.8	2	0.5
Missouri														
Eastern	72	13.0	0	0.0	64	11.6	3	0.5	7	1.3	178	32.1	1	0.2
Western	193	21.7	0	0.0	77	8.7	2	0.2	3	0.3	210	23.6	2	0.2
Nebraska	33	5.6	61	10.4	64	10.9	8	1.4	3	0.5	129	21.9	7	1.2
North Dakota	114	27.2	23	5.5	25	6.0	5	1.2	5	1.2	53	12.6	3	0.7
South Dakota	15	3.5	4	0.9	46	10.6	19	4.4	2	0.5	93	21.5	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	%
<b>NINTH CIRCUIT</b>	<b>12,912</b>	<b>3,563</b>	<b>27.6</b>	<b>102</b>	<b>0.8</b>	<b>16</b>	<b>0.1</b>	<b>129</b>	<b>1.0</b>	<b>10</b>	<b>0.1</b>
Alaska	164	55	33.5	0	0.0	0	0.0	3	1.8	0	0.0
Arizona	4,153	1,188	28.6	73	1.8	7	0.2	28	0.7	6	0.1
California											
Central	1,066	277	26.0	5	0.5	1	0.1	8	0.8	0	0.0
Eastern	717	267	37.2	5	0.7	0	0.0	11	1.5	0	0.0
Northern	550	197	35.8	1	0.2	1	0.2	8	1.5	0	0.0
Southern	3,372	469	13.9	9	0.3	1	0.0	7	0.2	2	0.1
Guam	38	19	50.0	0	0.0	0	0.0	0	0.0	0	0.0
Hawaii	233	87	37.3	0	0.0	0	0.0	3	1.3	0	0.0
Idaho	263	100	38.0	1	0.4	1	0.4	4	1.5	0	0.0
Montana	361	150	41.6	0	0.0	0	0.0	5	1.4	1	0.3
Nevada	543	275	50.6	1	0.2	0	0.0	16	2.9	1	0.2
Northern Mariana Islands	13	11	84.6	0	0.0	0	0.0	0	0.0	0	0.0
Oregon	564	171	30.3	0	0.0	0	0.0	15	2.7	0	0.0
Washington											
Eastern	375	133	35.5	5	1.3	2	0.5	12	3.2	0	0.0
Western	500	164	32.8	2	0.4	3	0.6	9	1.8	0	0.0
<b>TENTH CIRCUIT</b>	<b>6,884</b>	<b>3,753</b>	<b>54.5</b>	<b>25</b>	<b>0.4</b>	<b>3</b>	<b>0.0</b>	<b>39</b>	<b>0.6</b>	<b>3</b>	<b>0.0</b>
Colorado	428	173	40.4	0	0.0	0	0.0	6	1.4	3	0.7
Kansas	569	223	39.2	1	0.2	0	0.0	14	2.5	0	0.0
New Mexico	4,414	2,786	63.1	7	0.2	2	0.0	4	0.1	0	0.0
Oklahoma											
Eastern	99	59	59.6	2	2.0	0	0.0	0	0.0	0	0.0
Northern	183	77	42.1	0	0.0	0	0.0	0	0.0	0	0.0
Western	333	170	51.1	0	0.0	0	0.0	4	1.2	0	0.0
Utah	608	176	28.9	14	2.3	1	0.2	7	1.2	0	0.0
Wyoming	250	89	35.6	1	0.4	0	0.0	4	1.6	0	0.0
<b>ELEVENTH CIRCUIT</b>	<b>5,935</b>	<b>3,180</b>	<b>53.6</b>	<b>4</b>	<b>0.1</b>	<b>8</b>	<b>0.1</b>	<b>109</b>	<b>1.8</b>	<b>14</b>	<b>0.2</b>
Alabama											
Middle	197	88	44.7	0	0.0	3	1.5	9	4.6	2	1.0
Northern	328	174	53.0	0	0.0	0	0.0	8	2.4	1	0.3
Southern	325	192	59.1	0	0.0	0	0.0	1	0.3	0	0.0
Florida											
Middle	1,362	605	44.4	0	0.0	0	0.0	22	1.6	7	0.5
Northern	245	119	48.6	0	0.0	2	0.8	5	2.0	0	0.0
Southern	2,148	1,282	59.7	2	0.1	1	0.0	34	1.6	4	0.2
Georgia											
Middle	354	248	70.1	0	0.0	0	0.0	10	2.8	0	0.0
Northern	560	184	32.9	2	0.4	1	0.2	14	2.5	0	0.0
Southern	416	288	69.2	0	0.0	1	0.2	6	1.4	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	%
<b>NINTH CIRCUIT</b>	<b>1,264</b>	<b>9.8</b>	<b>4,041</b>	<b>31.3</b>	<b>1,663</b>	<b>12.9</b>	<b>228</b>	<b>1.8</b>	<b>92</b>	<b>0.7</b>	<b>1,717</b>	<b>13.3</b>	<b>87</b>	<b>0.7</b>
Alaska	25	15.2	1	0.6	27	16.5	1	0.6	0	0.0	52	31.7	0	0.0
Arizona	165	4.0	1,716	41.3	494	11.9	30	0.7	10	0.2	431	10.4	5	0.1
California														
Central	175	16.4	87	8.2	159	14.9	61	5.7	34	3.2	226	21.2	33	3.1
Eastern	142	19.8	89	12.4	68	9.5	6	0.8	4	0.6	122	17.0	3	0.4
Northern	57	10.4	15	2.7	146	26.5	3	0.5	7	1.3	113	20.5	2	0.4
Southern	232	6.9	2,046	60.7	220	6.5	101	3.0	16	0.5	231	6.9	38	1.1
Guam	13	34.2	0	0.0	2	5.3	0	0.0	0	0.0	4	10.5	0	0.0
Hawaii	85	36.5	0	0.0	6	2.6	1	0.4	1	0.4	50	21.5	0	0.0
Idaho	82	31.2	16	6.1	4	1.5	6	2.3	1	0.4	47	17.9	1	0.4
Montana	62	17.2	0	0.0	19	5.3	0	0.0	0	0.0	124	34.3	0	0.0
Nevada	61	11.2	17	3.1	68	12.5	9	1.7	8	1.5	86	15.8	1	0.2
Northern Mariana Islands	2	15.4	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Oregon	100	17.7	5	0.9	169	30.0	2	0.4	4	0.7	96	17.0	2	0.4
Washington														
Eastern	35	9.3	26	6.9	99	26.4	5	1.3	4	1.1	52	13.9	2	0.5
Western	28	5.6	23	4.6	182	36.4	3	0.6	3	0.6	83	16.6	0	0.0
<b>TENTH CIRCUIT</b>	<b>403</b>	<b>5.9</b>	<b>1,262</b>	<b>18.3</b>	<b>596</b>	<b>8.7</b>	<b>47</b>	<b>0.7</b>	<b>38</b>	<b>0.6</b>	<b>696</b>	<b>10.1</b>	<b>19</b>	<b>0.3</b>
Colorado	70	16.4	32	7.5	53	12.4	2	0.5	5	1.2	83	19.4	1	0.2
Kansas	126	22.1	14	2.5	116	20.4	6	1.1	2	0.4	66	11.6	1	0.2
New Mexico	59	1.3	1,016	23.0	261	5.9	24	0.5	26	0.6	217	4.9	12	0.3
Oklahoma														
Eastern	18	18.2	0	0.0	10	10.1	0	0.0	0	0.0	10	10.1	0	0.0
Northern	31	16.9	0	0.0	14	7.7	5	2.7	1	0.5	55	30.1	0	0.0
Western	35	10.5	0	0.0	5	1.5	5	1.5	2	0.6	112	33.6	0	0.0
Utah	22	3.6	183	30.1	96	15.8	4	0.7	0	0.0	100	16.4	5	0.8
Wyoming	42	16.8	17	6.8	41	16.4	1	0.4	2	0.8	53	21.2	0	0.0
<b>ELEVENTH CIRCUIT</b>	<b>725</b>	<b>12.2</b>	<b>32</b>	<b>0.5</b>	<b>380</b>	<b>6.4</b>	<b>62</b>	<b>1.0</b>	<b>54</b>	<b>0.9</b>	<b>1,347</b>	<b>22.7</b>	<b>20</b>	<b>0.3</b>
Alabama														
Middle	37	18.8	0	0.0	17	8.6	5	2.5	1	0.5	35	17.8	0	0.0
Northern	71	21.6	0	0.0	8	2.4	2	0.6	1	0.3	62	18.9	1	0.3
Southern	36	11.1	1	0.3	3	0.9	4	1.2	1	0.3	87	26.8	0	0.0
Florida														
Middle	235	17.3	21	1.5	42	3.1	22	1.6	17	1.2	385	28.3	6	0.4
Northern	45	18.4	2	0.8	1	0.4	4	1.6	1	0.4	66	26.9	0	0.0
Southern	150	7.0	6	0.3	104	4.8	11	0.5	18	0.8	524	24.4	12	0.6
Georgia														
Middle	47	13.3	1	0.3	6	1.7	4	1.1	0	0.0	38	10.7	0	0.0
Northern	66	11.8	1	0.2	182	32.5	10	1.8	14	2.5	86	15.4	0	0.0
Southern	38	9.1	0	0.0	17	4.1	0	0.0	1	0.2	64	15.4	1	0.2

<sup>1</sup> Of the 70,146 cases, 2,504 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 (30.9%), Western Louisiana (12.7%), Eastern North Carolina (12.2%), and Southern West Virginia (6.1%). Descriptions of variables used in this table are provided in Appendix A.

Table 3

**SENTENCES RELATIVE TO THE GUIDELINE RANGE  
BY EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 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	%
<b>TOTAL</b>	<b>67,642</b>	<b>31,949</b>	<b>47.2</b>	<b>344</b>	<b>0.5</b>	<b>95</b>	<b>0.1</b>	<b>985</b>	<b>1.5</b>	<b>61</b>	<b>0.1</b>
Murder	91	47	51.6	3	3.3	0	0.0	2	2.2	0	0.0
Manslaughter	52	22	42.3	10	19.2	2	3.8	5	9.6	0	0.0
Kidnapping/Hostage Taking	42	18	42.9	0	0.0	1	2.4	1	2.4	2	4.8
Sexual Abuse	518	231	44.6	13	2.5	2	0.4	19	3.7	0	0.0
Assault	710	409	57.6	18	2.5	9	1.3	33	4.6	3	0.4
Robbery	733	347	47.3	13	1.8	5	0.7	28	3.8	0	0.0
Arson	55	20	36.4	1	1.8	0	0.0	6	10.9	0	0.0
Drugs - Trafficking	19,870	6,979	35.1	76	0.4	12	0.1	176	0.9	16	0.1
Drugs - Communication Facility	313	157	50.2	0	0.0	0	0.0	5	1.6	0	0.0
Drugs - Simple Possession	432	413	95.6	0	0.0	0	0.0	3	0.7	0	0.0
Firearms	6,992	3,684	52.7	64	0.9	18	0.3	248	3.5	15	0.2
Burglary/B&E	35	19	54.3	1	2.9	0	0.0	3	8.6	0	0.0
Auto Theft	61	36	59.0	0	0.0	0	0.0	4	6.6	0	0.0
Larceny	839	462	55.1	2	0.2	0	0.0	10	1.2	0	0.0
Fraud	6,980	2,806	40.2	30	0.4	6	0.1	95	1.4	8	0.1
Embezzlement	324	179	55.2	0	0.0	0	0.0	2	0.6	0	0.0
Forgery/Counterfeiting	502	294	58.6	1	0.2	0	0.0	12	2.4	1	0.2
Bribery	203	55	27.1	0	0.0	0	0.0	2	1.0	0	0.0
Tax	552	151	27.4	1	0.2	0	0.0	5	0.9	0	0.0
Money Laundering	659	197	29.9	2	0.3	0	0.0	1	0.2	1	0.2
Racketeering/Extortion	1,000	381	38.1	3	0.3	0	0.0	11	1.1	0	0.0
Gambling/Lottery	76	38	50.0	0	0.0	0	0.0	1	1.3	0	0.0
Civil Rights	48	15	31.3	1	2.1	0	0.0	1	2.1	0	0.0
Immigration	20,511	11,771	57.4	82	0.4	25	0.1	209	1.0	12	0.1
Child Pornography	1,881	580	30.8	3	0.2	5	0.3	27	1.4	0	0.0
Prison Offenses	462	319	69.0	0	0.0	1	0.2	12	2.6	0	0.0
Administration of Justice Offenses	1,143	621	54.3	11	1.0	5	0.4	32	2.8	1	0.1
Environmental/Wildlife	136	61	44.9	0	0.0	1	0.7	0	0.0	0	0.0
National Defense	97	28	28.9	0	0.0	0	0.0	2	2.1	0	0.0
Antitrust	15	1	6.7	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	138	89	64.5	3	2.2	0	0.0	4	2.9	0	0.0
Other Miscellaneous Offenses	2,172	1,519	69.9	6	0.3	3	0.1	26	1.2	2	0.1

Table 3 (cont.)

PRIMARY OFFENSE	§5K1.1		§5K3.1		OTHER		BELOW		DOWNWARD		BELOW		REMAINING	
	SUBSTANTIAL		EARLY		GOV'T		DOWNWARD		DEPARTURE		RANGE		BELOW	
	ASSISTANCE		DISPOSITION		SPONSORED		DEPARTURE		W/ BOOKER		W/ BOOKER		RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>8,381</b>	<b>12.4</b>	<b>6,271</b>	<b>9.3</b>	<b>5,179</b>	<b>7.7</b>	<b>1,508</b>	<b>2.2</b>	<b>576</b>	<b>0.9</b>	<b>11,913</b>	<b>17.6</b>	<b>380</b>	<b>0.6</b>
Murder	22	24.2	0	0.0	8	8.8	0	0.0	1	1.1	8	8.8	0	0.0
Manslaughter	1	1.9	0	0.0	3	5.8	0	0.0	0	0.0	8	15.4	1	1.9
Kidnapping/Hostage Taking	7	16.7	0	0.0	2	4.8	2	4.8	0	0.0	8	19.0	1	2.4
Sexual Abuse	47	9.1	0	0.0	93	18.0	4	0.8	5	1.0	104	20.1	0	0.0
Assault	5	0.7	4	0.6	96	13.5	10	1.4	7	1.0	106	14.9	10	1.4
Robbery	74	10.1	1	0.1	71	9.7	18	2.5	12	1.6	163	22.2	1	0.1
Arson	18	32.7	0	0.0	5	9.1	0	0.0	0	0.0	5	9.1	0	0.0
Drugs - Trafficking	4,880	24.6	1,217	6.1	2,045	10.3	336	1.7	219	1.1	3,834	19.3	80	0.4
Drugs - Communication Facility	35	11.2	4	1.3	27	8.6	1	0.3	3	1.0	76	24.3	5	1.6
Drugs - Simple Possession	1	0.2	2	0.5	4	0.9	0	0.0	0	0.0	7	1.6	2	0.5
Firearms	758	10.8	13	0.2	628	9.0	127	1.8	47	0.7	1,357	19.4	33	0.5
Burglary/B&E	2	5.7	0	0.0	0	0.0	0	0.0	0	0.0	9	25.7	1	2.9
Auto Theft	12	19.7	0	0.0	2	3.3	1	1.6	0	0.0	5	8.2	1	1.6
Larceny	54	6.4	0	0.0	70	8.3	20	2.4	13	1.5	194	23.1	14	1.7
Fraud	1,322	18.9	3	0.0	602	8.6	107	1.5	80	1.1	1,856	26.6	65	0.9
Embezzlement	15	4.6	1	0.3	27	8.3	13	4.0	0	0.0	85	26.2	2	0.6
Forgery/Counterfeiting	47	9.4	0	0.0	26	5.2	14	2.8	8	1.6	95	18.9	4	0.8
Bribery	66	32.5	1	0.5	16	7.9	3	1.5	5	2.5	55	27.1	0	0.0
Tax	78	14.1	0	0.0	45	8.2	17	3.1	15	2.7	234	42.4	6	1.1
Money Laundering	153	23.2	2	0.3	91	13.8	15	2.3	10	1.5	183	27.8	4	0.6
Racketeering/Extortion	218	21.8	0	0.0	133	13.3	15	1.5	12	1.2	217	21.7	10	1.0
Gambling/Lottery	13	17.1	1	1.3	9	11.8	1	1.3	0	0.0	13	17.1	0	0.0
Civil Rights	6	12.5	0	0.0	8	16.7	1	2.1	0	0.0	15	31.3	1	2.1
Immigration	250	1.2	5,014	24.4	440	2.1	717	3.5	78	0.4	1,817	8.9	96	0.5
Child Pornography	61	3.2	0	0.0	383	20.4	25	1.3	31	1.6	753	40.0	13	0.7
Prison Offenses	9	1.9	0	0.0	43	9.3	5	1.1	2	0.4	70	15.2	1	0.2
Administration of Justice Offenses	68	5.9	5	0.4	113	9.9	17	1.5	6	0.5	260	22.7	4	0.3
Environmental/Wildlife	23	16.9	0	0.0	12	8.8	5	3.7	1	0.7	30	22.1	3	2.2
National Defense	26	26.8	0	0.0	10	10.3	5	5.2	4	4.1	22	22.7	0	0.0
Antitrust	10	66.7	0	0.0	2	13.3	0	0.0	0	0.0	2	13.3	0	0.0
Food & Drug	9	6.5	0	0.0	8	5.8	5	3.6	4	2.9	15	10.9	1	0.7
Other Miscellaneous Offenses	91	4.2	3	0.1	157	7.2	24	1.1	13	0.6	307	14.1	21	1.0

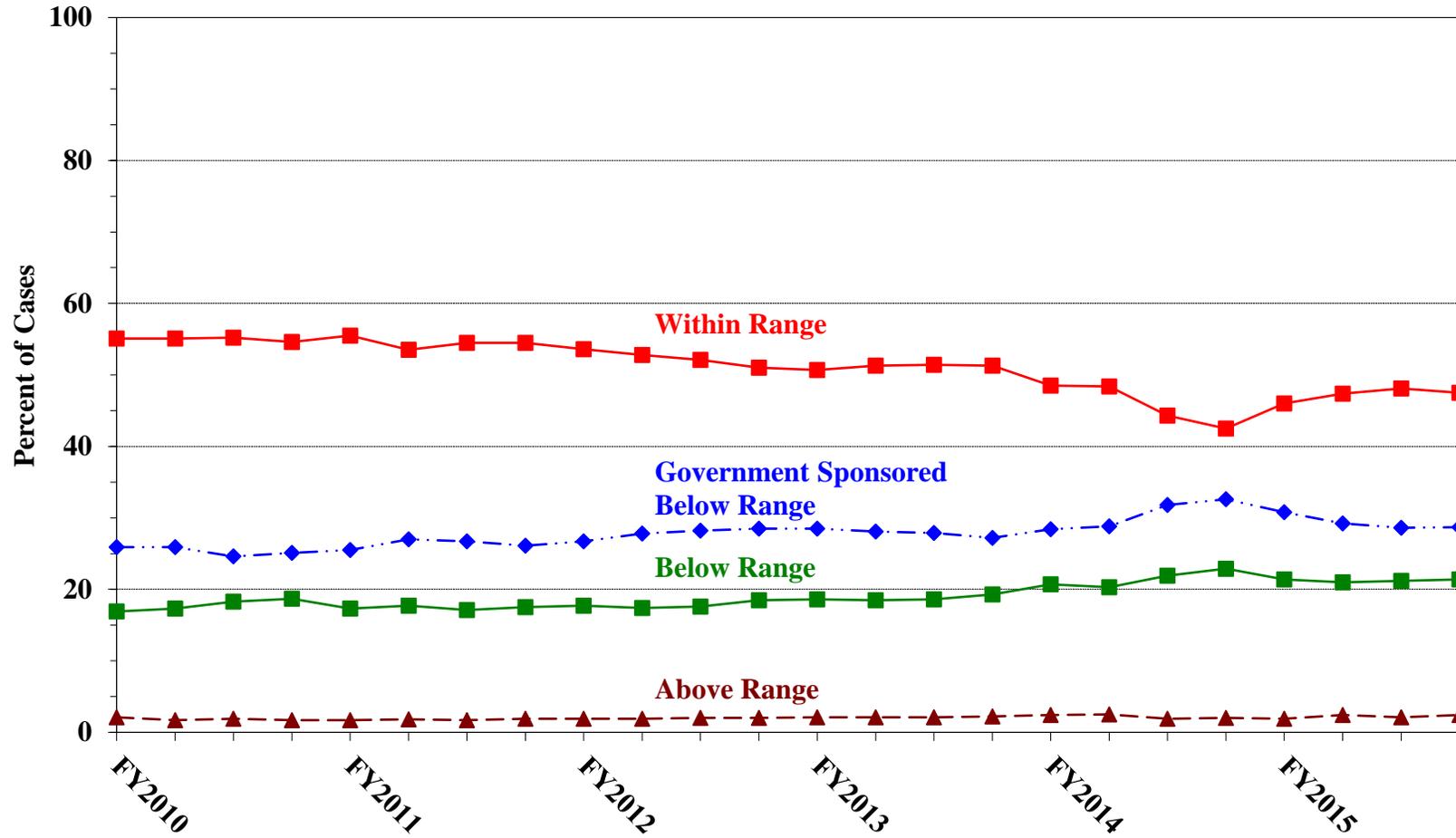
<sup>1</sup> Of the 70,146 cases, 2,504 were excluded due to information that was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

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

Figure A

QUARTERLY DATA FOR WITHIN RANGE AND OUT OF RANGE SENTENCES<sup>1</sup>

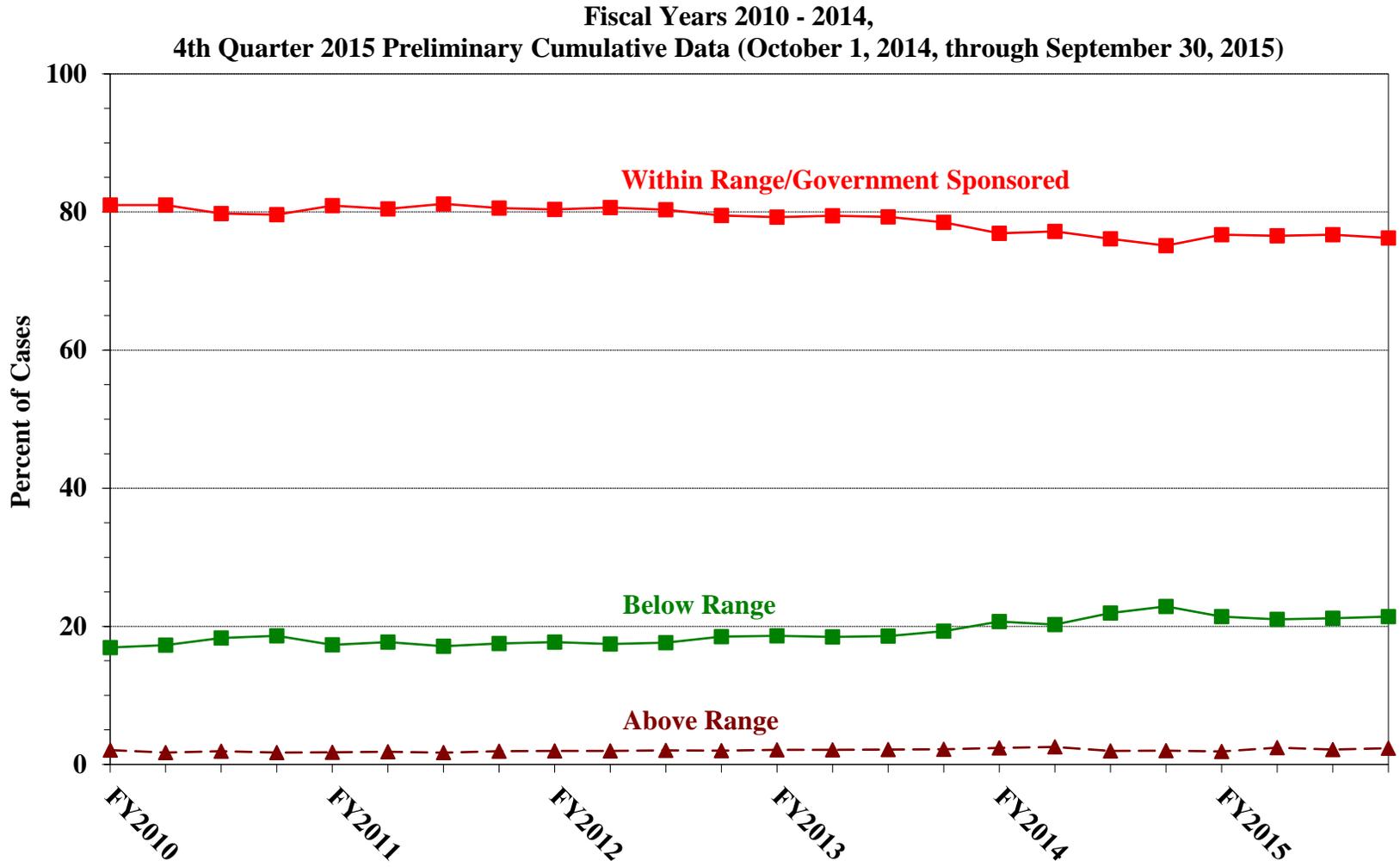
Fiscal Years 2010 - 2014,  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)



<sup>1</sup> 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 SENTENCES<sup>1</sup>**



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

Table 4

**QUARTERLY DATA FOR WITHIN RANGE AND OUT OF RANGE SENTENCES<sup>1</sup>**  
**Fiscal Years 2010 - 2014,**  
**4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

FISCAL YEAR	WITHIN GUIDELINE RANGE	GOVERNMENT SPONSORED BELOW RANGE	BELOW RANGE	ABOVE RANGE
Quarter	%	%	%	%
<b>FY2010</b>				
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
<b>FY2011</b>				
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
<b>FY2012</b>				
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
<b>FY2013</b>				
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
<b>FY2014</b>				
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
<b>FY2015</b>				
1st Quarter	46.0	30.8	21.4	1.9
2nd Quarter	47.4	29.2	21.0	2.4
3rd Quarter	48.1	28.6	21.2	2.1
4th Quarter	47.5	28.7	21.4	2.4

<sup>1</sup> 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	65	63	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	272	195	0	1	8	0	4	0	15	2	2	44	1
§2P1.2	112	79	0	0	3	0	3	0	13	1	0	13	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	28	5	0	0	0	0	6	0	7	2	0	8	0
§2Q1.3	30	8	0	0	0	0	2	0	3	2	0	15	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	101	41	0	0	0	0	23	0	9	2	1	23	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	1,046	265	3	0	7	0	341	2	151	17	14	240	6
§2S1.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2S1.3	210	84	0	0	0	0	24	1	31	6	1	61	2
§2S1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.1	457	129	0	0	4	0	74	0	36	11	13	185	5
§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	193	41	1	0	2	0	36	0	10	5	5	93	0
§2T1.5	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.6	44	9	0	0	1	0	3	0	4	1	1	24	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	15	5	0	0	0	0	2	0	3	1	0	4	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	21	12	0	0	1	0	3	0	2	0	0	2	1
§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	24	8	0	0	1	0	7	0	1	0	0	7	0
§2X2.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X3.1	123	49	0	0	2	0	20	0	21	0	1	30	0
§2X4.1	344	187	5	0	11	1	26	2	45	3	1	59	4
§2X5.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X5.2	176	158	0	0	6	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
<b>TOTAL</b>	<b>64,051</b>	<b>29,108</b>	<b>328</b>	<b>94</b>	<b>944</b>	<b>58</b>	<b>8,322</b>	<b>5,931</b>	<b>5,063</b>	<b>1,487</b>	<b>574</b>	<b>11,784</b>	<b>358</b>

<sup>1</sup> Of the 70,146 cases, 6,095 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 (2,504) or missing guideline applied (6,072). Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup> In 1,010 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 1,010 cases the conviction for this crime did not affect the guideline calculation for the underlying offense.

<sup>3</sup> In 2,155 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 2,155 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 RANGE<sup>1</sup>**  
**4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

	TOTAL CASES	Pursuant to a Plea Agreement									
		§5K1.1		§5K3.1		Binding Plea		Plea w/ Departure		Plea Agreement	
		Plea Agreement		Plea Agreement		Accepted by Court		Court	Finds Reasonable	States Gov't	Will Not Oppose
		N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>35,693</b>	<b>4,823</b>	<b>13.5</b>	<b>5,971</b>	<b>16.7</b>	<b>4,093</b>	<b>11.5</b>	<b>2,623</b>	<b>7.3</b>	<b>591</b>	<b>1.7</b>
<b>Above Range</b>	<b>1,485</b>	<b>4</b>	<b>0.3</b>	<b>9</b>	<b>0.6</b>	<b>338</b>	<b>22.8</b>	<b>146</b>	<b>9.8</b>	<b>3</b>	<b>0.2</b>
Upward Departure From Guideline Range	344	0	0.0	0	0.0	136	39.5	51	14.8	2	0.6
Upward Departure With <i>Booker</i> /18 U.S.C. § 3553	95	0	0.0	0	0.0	12	12.6	5	5.3	1	1.1
Above Guideline Range With <i>Booker</i> /18 U.S.C. § 3553	985	0	0.0	0	0.0	184	18.7	85	8.6	0	0.0
All Remaining Cases Above Guideline Range	61	4	6.6	9	14.8	6	9.8	5	8.2	0	0.0
<b>Government Sponsored Below Range</b>	<b>19,831</b>	<b>4,819</b>	<b>24.3</b>	<b>5,962</b>	<b>30.1</b>	<b>3,755</b>	<b>18.9</b>	<b>2,477</b>	<b>12.5</b>	<b>588</b>	<b>3.0</b>
§5K1.1 Substantial Assistance Departure	8,381	4,819	57.5	154	1.8	165	2.0	232	2.8	47	0.6
§5K3.1 Early Disposition Program Departure	6,271	0	0.0	5,808	92.6	1,378	22.0	705	11.2	111	1.8
Other Government Sponsored Below Range	5,179	0	0.0	0	0.0	2,212	42.7	1,540	29.7	430	8.3
<b>Non-Government Sponsored Below Range</b>	<b>14,377</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>
Downward Departure From Guideline Range	1,508	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	576	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	11,913	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
All Remaining Cases Below Guideline Range	380	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	%
<b>TOTAL</b>	<b>3,425</b>	<b>9.6</b>	<b>113</b>	<b>0.3</b>	<b>1,977</b>	<b>5.5</b>	<b>5,912</b>	<b>16.6</b>	<b>5,064</b>	<b>14.2</b>	<b>5,813</b>	<b>16.3</b>	<b>3,233</b>	<b>9.1</b>
<b>Above Range</b>	<b>3</b>	<b>0.2</b>	<b>1</b>	<b>0.1</b>	<b>233</b>	<b>15.7</b>	<b>18</b>	<b>1.2</b>	<b>10</b>	<b>0.7</b>	<b>628</b>	<b>42.3</b>	<b>212</b>	<b>14.3</b>
Upward Departure From Guideline Range	0	0.0	0	0.0	54	15.7	2	0.6	1	0.3	107	31.1	38	11.0
Upward Departure With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	31	32.6	2	2.1	2	2.1	52	54.7	4	4.2
Above Guideline Range With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	145	14.7	13	1.3	6	0.6	464	47.1	129	13.1
All Remaining Cases Above Guideline Range	3	4.9	1	1.6	3	4.9	1	1.6	1	1.6	5	8.2	41	67.2
<b>Government Sponsored Below Range</b>	<b>3,422</b>	<b>17.3</b>	<b>112</b>	<b>0.6</b>	<b>1,744</b>	<b>8.8</b>	<b>1,617</b>	<b>8.2</b>	<b>1,123</b>	<b>5.7</b>	<b>1,063</b>	<b>5.4</b>	<b>455</b>	<b>2.3</b>
§5K1.1 Substantial Assistance Departure	3,422	40.8	14	0.2	458	5.5	728	8.7	418	5.0	565	6.7	138	1.6
§5K3.1 Early Disposition Program Departure	0	0.0	98	1.6	153	2.4	313	5.0	453	7.2	179	2.9	178	2.8
Other Government Sponsored Below Range	0	0.0	0	0.0	1,133	21.9	576	11.1	252	4.9	319	6.2	139	2.7
<b>Non-Government Sponsored Below Range</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>4,277</b>	<b>29.7</b>	<b>3,931</b>	<b>27.3</b>	<b>4,122</b>	<b>28.7</b>	<b>2,566</b>	<b>17.8</b>
Downward Departure From Guideline Range	0	0.0	0	0.0	0	0.0	753	49.9	261	17.3	355	23.5	177	11.7
Downward Departure With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	0	0.0	170	29.5	206	35.8	218	37.8	84	14.6
Below Guideline Range With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	0	0.0	3,354	28.2	3,459	29.0	3,538	29.7	1,941	16.3
All Remaining Cases Below Guideline Range	0	0.0	0	0.0	0	0.0	0	0.0	5	1.3	11	2.9	364	95.8

<sup>1</sup> 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, 6,765 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 CATEGORY<sup>1</sup>**  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>Median Sentence in Months</b>	<b>Median Decrease in Months From Guideline Minimum</b>	<b>Median Percent Decrease From Guideline Minimum</b>
<b>TOTAL</b>	<b>7,990</b>	<b>32</b>	<b>30</b>	<b>50.3</b>
<b>Murder</b>	10	92	194	60.6
<b>Manslaughter</b>	1	--	--	--
<b>Kidnapping/Hostage Taking</b>	3	120	47	40.0
<b>Sexual Abuse</b>	45	72	60	47.5
<b>Assault</b>	5	48	18	35.3
<b>Robbery</b>	74	42	20	30.7
<b>Arson</b>	18	50	38	44.0
<b>Drugs - Trafficking</b>	4,652	42	40	48.3
<b>Drugs - Communication Facility</b>	35	7	24	82.8
<b>Drugs - Simple Possession</b>	1	--	--	--
<b>Firearms</b>	718	48	36	44.4
<b>Burglary/B&amp;E</b>	2	--	--	--
<b>Auto Theft</b>	11	2	29	80.0
<b>Larceny</b>	53	8	22	68.1
<b>Fraud</b>	1,271	12	21	73.8
<b>Embezzlement</b>	15	9	15	58.8
<b>Forgery/Counterfeiting</b>	46	10	11	57.8
<b>Bribery</b>	65	3	22	83.3
<b>Tax</b>	78	0	16	100.0
<b>Money Laundering</b>	152	12	24	72.0
<b>Racketeering/Extortion</b>	195	24	25	52.6
<b>Gambling/Lottery</b>	13	0	6	100.0
<b>Civil Rights</b>	6	11	56	86.5
<b>Immigration</b>	241	12	12	45.5
<b>Child Pornography</b>	58	120	72	39.1
<b>Prison Offenses</b>	9	8	8	33.7
<b>Administration of Justice Offenses</b>	66	0	12	100.0
<b>Environmental/Wildlife</b>	23	0	18	100.0
<b>National Defense</b>	23	23	33	59.9
<b>Antitrust</b>	6	15	16	52.3
<b>Food &amp; Drug</b>	9	0	18	100.0
<b>Other Miscellaneous Offenses</b>	86	0	18	100.0

<sup>1</sup> Of the 70,146 cases, 8,381 received a §5K1.1 substantial assistance departure. Of these, 8,079 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 82 cases were also excluded from this table. Furthermore, one case was excluded due to several logical criteria. Of the remaining 7,996 cases, six 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 CATEGORY<sup>1</sup>**  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>Median Sentence in Months</b>	<b>Median Decrease in Months From Guideline Minimum</b>	<b>Median Percent Decrease From Guideline Minimum</b>
<b>TOTAL</b>	<b>5,800</b>	<b>12</b>	<b>8</b>	<b>42.7</b>
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	0	--	--	--
Assault	3	6	21	78.6
Robbery	1	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	1,137	24	25	51.4
Drugs - Communication Facility	4	27	21	43.8
Drugs - Simple Possession	1	--	--	--
Firearms	13	30	13	36.7
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	0	--	--	--
Fraud	3	15	45	75.0
Embezzlement	1	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	1	--	--	--
Tax	0	--	--	--
Money Laundering	2	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	4,628	10	6	40.0
Child Pornography	0	--	--	--
Prison Offenses	0	--	--	--
Administration of Justice Offenses	5	5	2	21.3
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	1	--	--	--

<sup>1</sup> Of the 70,146 cases, 6,271 received a §5K3.1 early disposition program departure. Of these, 5,801 cases had complete guideline application information. One additional case 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 CATEGORY<sup>1</sup>**  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>Median Sentence in Months</b>	<b>Median Decrease in Months From Guideline Minimum</b>	<b>Median Percent Decrease From Guideline Minimum</b>
<b>TOTAL</b>	<b>4,931</b>	<b>36</b>	<b>20</b>	<b>40.9</b>
<b>Murder</b>	5	108	51	30.0
<b>Manslaughter</b>	3	66	4	5.7
<b>Kidnapping/Hostage Taking</b>	1	--	--	--
<b>Sexual Abuse</b>	82	96	55	40.0
<b>Assault</b>	88	12	15	56.0
<b>Robbery</b>	67	55	20	20.5
<b>Arson</b>	5	36	5	27.5
<b>Drugs - Trafficking</b>	1,974	60	29	36.2
<b>Drugs - Communication Facility</b>	24	12	23	57.8
<b>Drugs - Simple Possession</b>	2	--	--	--
<b>Firearms</b>	597	57	18	28.3
<b>Burglary/B&amp;E</b>	0	--	--	--
<b>Auto Theft</b>	2	--	--	--
<b>Larceny</b>	68	0	10	100.0
<b>Fraud</b>	575	13	12	58.3
<b>Embezzlement</b>	26	0	10	100.0
<b>Forgery/Counterfeiting</b>	23	6	12	71.4
<b>Bribery</b>	15	6	18	70.0
<b>Tax</b>	44	0	12	100.0
<b>Money Laundering</b>	84	12	18	66.9
<b>Racketeering/Extortion</b>	123	30	20	46.3
<b>Gambling/Lottery</b>	8	0	7	100.0
<b>Civil Rights</b>	7	24	33	37.8
<b>Immigration</b>	418	16	11	37.6
<b>Child Pornography</b>	379	67	56	42.6
<b>Prison Offenses</b>	31	12	6	37.5
<b>Administration of Justice Offenses</b>	109	7	12	73.5
<b>Environmental/Wildlife</b>	12	0	8	100.0
<b>National Defense</b>	8	15	18	65.7
<b>Antitrust</b>	1	--	--	--
<b>Food &amp; Drug</b>	7	0	12	100.0
<b>Other Miscellaneous Offenses</b>	143	0	10	100.0

<sup>1</sup> Of the 70,146 cases, 5,179 received an other government sponsored downward departure. Of these, 4,985 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 51 cases were also excluded from this table. Of the remaining 4,934 cases, three were excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**DOWNWARD DEPARTURES FROM GUIDELINE RANGE: DEGREE OF  
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>Median Sentence in Months</b>	<b>Median Decrease in Months From Guideline Minimum</b>	<b>Median Percent Decrease From Guideline Minimum</b>
<b>TOTAL</b>	<b>1,463</b>	<b>24</b>	<b>13</b>	<b>36.8</b>
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	2	--	--	--
Sexual Abuse	4	36	6	35.7
Assault	10	21	6	27.7
Robbery	18	32	14	25.8
Arson	0	--	--	--
Drugs - Trafficking	323	42	16	28.6
Drugs - Communication Facility	1	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	125	36	13	25.4
Burglary/B&E	0	--	--	--
Auto Theft	1	--	--	--
Larceny	19	0	10	100.0
Fraud	101	12	15	65.7
Embezzlement	13	4	12	77.8
Forgery/Counterfeiting	13	4	12	84.2
Bribery	3	0	12	100.0
Tax	17	0	18	100.0
Money Laundering	15	18	10	47.4
Racketeering/Extortion	15	33	12	32.4
Gambling/Lottery	1	--	--	--
Civil Rights	0	--	--	--
Immigration	699	23	12	37.5
Child Pornography	25	48	50	50.4
Prison Offenses	3	12	3	37.5
Administration of Justice Offenses	17	6	9	68.8
Environmental/Wildlife	5	0	10	100.0
National Defense	5	24	22	21.8
Antitrust	0	--	--	--
Food & Drug	5	0	12	100.0
Other Miscellaneous Offenses	23	0	10	100.0

<sup>1</sup> Of the 70,146 cases, 1,508 received a downward departure from the guideline range. Of these, 1,464 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 CATEGORY<sup>1</sup>  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
<b>TOTAL</b>	<b>558</b>	<b>24</b>	<b>22</b>	<b>47.4</b>
Murder	1	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	5	135	46	28.2
Assault	7	20	13	39.4
Robbery	12	59	26	29.9
Arson	0	--	--	--
Drugs - Trafficking	208	37	31	42.3
Drugs - Communication Facility	3	18	30	68.8
Drugs - Simple Possession	0	--	--	--
Firearms	47	48	19	31.3
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	13	0	10	100.0
Fraud	77	12	17	64.7
Embezzlement	0	--	--	--
Forgery/Counterfeiting	8	9	19	62.4
Bribery	5	18	33	60.3
Tax	14	0	16	100.0
Money Laundering	9	12	27	78.9
Racketeering/Extortion	11	60	33	43.7
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	78	18	16	47.0
Child Pornography	31	72	54	36.4
Prison Offenses	2	--	--	--
Administration of Justice Offenses	6	3	14	83.3
Environmental/Wildlife	1	--	--	--
National Defense	4	144	7	4.6
Antitrust	0	--	--	--
Food & Drug	4	4	36	93.3
Other Miscellaneous Offenses	12	0	18	100.0

<sup>1</sup> Of the 70,146 cases, 576 received a downward departure from the guideline range with *Booker*/18 U.S.C § 3553. Of these, 558 cases had complete guideline application information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

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

**BELOW GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE  
OF DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>Median Sentence in Months</b>	<b>Median Decrease in Months From Guideline Minimum</b>	<b>Median Percent Decrease From Guideline Minimum</b>
<b>TOTAL</b>	<b>11,533</b>	<b>24</b>	<b>15</b>	<b>36.8</b>
<b>Murder</b>	4	288	39	20.0
<b>Manslaughter</b>	8	17	22	34.8
<b>Kidnapping/Hostage Taking</b>	8	154	56	33.5
<b>Sexual Abuse</b>	96	120	35	28.6
<b>Assault</b>	101	12	10	52.9
<b>Robbery</b>	163	46	18	26.3
<b>Arson</b>	3	190	25	15.1
<b>Drugs - Trafficking</b>	3,703	43	19	31.0
<b>Drugs - Communication Facility</b>	75	12	15	50.0
<b>Drugs - Simple Possession</b>	3	3	6	66.7
<b>Firearms</b>	1,328	37	15	26.3
<b>Burglary/B&amp;E</b>	8	7	11	52.4
<b>Auto Theft</b>	5	40	10	20.0
<b>Larceny</b>	192	0	10	100.0
<b>Fraud</b>	1,812	15	12	50.0
<b>Embezzlement</b>	83	0	10	99.9
<b>Forgery/Counterfeiting</b>	93	3	11	83.3
<b>Bribery</b>	54	14	12	49.9
<b>Tax</b>	229	2	12	83.3
<b>Money Laundering</b>	178	17	18	52.6
<b>Racketeering/Extortion</b>	210	36	17	29.4
<b>Gambling/Lottery</b>	13	0	8	100.0
<b>Civil Rights</b>	15	3	12	82.8
<b>Immigration</b>	1,731	18	10	36.6
<b>Child Pornography</b>	741	78	60	41.0
<b>Prison Offenses</b>	61	11	6	33.3
<b>Administration of Justice Offenses</b>	259	6	10	61.1
<b>Environmental/Wildlife</b>	28	2	11	86.9
<b>National Defense</b>	22	30	28	43.0
<b>Antitrust</b>	2	--	--	--
<b>Food &amp; Drug</b>	14	8	14	77.8
<b>Other Miscellaneous Offenses</b>	291	0	10	99.8

<sup>1</sup> Of the 70,146 cases, 11,913 were sentenced below the guideline range with *Booker*/18 U.S.C § 3553. Of these, 11,586 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 50 cases were also excluded from this table. Of the remaining 11,536 cases, three were excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**ALL REMAINING BELOW GUIDELINE RANGE CASES: DEGREE OF  
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>Median Sentence in Months</b>	<b>Median Decrease in Months From Guideline Minimum</b>	<b>Median Percent Decrease From Guideline Minimum</b>
<b>TOTAL</b>	<b>335</b>	<b>5</b>	<b>8</b>	<b>65.2</b>
Murder	0	--	--	--
Manslaughter	1	--	--	--
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	0	--	--	--
Assault	8	3	6	75.0
Robbery	1	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	67	60	17	33.2
Drugs - Communication Facility	5	0	6	100.0
Drugs - Simple Possession	2	--	--	--
Firearms	28	46	10	23.9
Burglary/B&E	1	--	--	--
Auto Theft	1	--	--	--
Larceny	14	0	6	100.0
Fraud	64	0	8	100.0
Embezzlement	2	--	--	--
Forgery/Counterfeiting	4	17	5	18.2
Bribery	0	--	--	--
Tax	6	2	14	87.6
Money Laundering	4	0	6	100.0
Racketeering/Extortion	10	33	16	37.3
Gambling/Lottery	0	--	--	--
Civil Rights	1	--	--	--
Immigration	78	0	3	100.0
Child Pornography	12	120	84	37.6
Prison Offenses	1	--	--	--
Administration of Justice Offenses	4	0	4	100.0
Environmental/Wildlife	3	2	6	81.8
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	17	0	6	100.0

<sup>1</sup> Of the 70,146 cases, 380 were otherwise sentenced below the guideline range. Of these, 336 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.

**UPWARD DEPARTURES FROM GUIDELINE RANGE: DEGREE OF  
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>Median Sentence in Months</b>	<b>Median Increase in Months From Guideline Maximum</b>	<b>Median Percent Increase From Guideline Maximum</b>
<b>TOTAL</b>	<b>316</b>	<b>48</b>	<b>13</b>	<b>33.3</b>
Murder	2	--	--	--
Manslaughter	10	105	39	50.0
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	12	210	29	29.0
Assault	18	78	26	43.2
Robbery	13	96	23	24.8
Arson	1	--	--	--
Drugs - Trafficking	72	60	16	33.7
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	51	66	15	25.0
Burglary/B&E	1	--	--	--
Auto Theft	0	--	--	--
Larceny	2	--	--	--
Fraud	26	36	12	33.2
Embezzlement	0	--	--	--
Forgery/Counterfeiting	1	--	--	--
Bribery	0	--	--	--
Tax	1	--	--	--
Money Laundering	2	--	--	--
Racketeering/Extortion	2	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	1	--	--	--
Immigration	81	24	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	5	65	19	50.0

<sup>1</sup> Of the 70,146 cases, 344 received an upward departure from the guideline range. Of these, 320 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 CATEGORY<sup>1</sup>**  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
<b>TOTAL</b>	<b>91</b>	<b>60</b>	<b>14</b>	<b>44.0</b>
Murder	0	--	--	--
Manslaughter	2	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	1	--	--	--
Assault	8	95	25	61.6
Robbery	5	144	54	50.4
Arson	0	--	--	--
Drugs - Trafficking	12	63	15	36.6
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	18	90	15	29.8
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	0	--	--	--
Fraud	6	60	17	46.3
Embezzlement	0	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	25	30	8	37.5
Child Pornography	4	240	94	58.3
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	3	60	30	100.0

<sup>1</sup> Of the 70,146 cases, 95 received an upward departure from the guideline range with *Booker*/18 U.S.C § 3553. Of these, 93 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, one case was excluded due to several logical criteria. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**ABOVE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE  
OF INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
<b>TOTAL</b>	<b>896</b>	<b>60</b>	<b>14</b>	<b>37.9</b>
Murder	2	--	--	--
Manslaughter	5	90	23	36.1
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	18	111	29	44.6
Assault	30	60	14	46.3
Robbery	25	120	42	39.3
Arson	6	96	33	46.7
Drugs - Trafficking	165	78	18	26.8
Drugs - Communication Facility	4	45	15	74.1
Drugs - Simple Possession	2	--	--	--
Firearms	204	119	23	33.3
Burglary/B&E	3	54	21	21.2
Auto Theft	4	150	26	21.5
Larceny	9	33	12	80.4
Fraud	90	60	12	37.9
Embezzlement	1	--	--	--
Forgery/Counterfeiting	11	36	15	50.0
Bribery	1	--	--	--
Tax	4	42	6	15.4
Money Laundering	1	--	--	--
Racketeering/Extortion	7	156	22	14.3
Gambling/Lottery	1	--	--	--
Civil Rights	1	--	--	--
Immigration	205	20	6	48.1
Child Pornography	26	180	28	28.5
Prison Offenses	11	24	10	71.4
Administration of Justice Offenses	30	36	13	76.7
Environmental/Wildlife	0	--	--	--
National Defense	2	--	--	--
Antitrust	0	--	--	--
Food & Drug	3	48	7	17.1
Other Miscellaneous Offenses	24	67	31	85.7

<sup>1</sup> Of the 70,146 cases, 985 were sentenced above the guideline range with *Booker*/18 U.S.C § 3553. Of these, 922 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 six cases were also excluded from this table. Furthermore, 20 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 CATEGORY<sup>1</sup>**  
**4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>Median Sentence in Months</b>	<b>Median Increase in Months From Guideline Maximum</b>	<b>Median Percent Increase From Guideline Maximum</b>
<b>TOTAL</b>	<b>37</b>	<b>39</b>	<b>12</b>	<b>37.9</b>
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	0	--	--	--
Assault	2	--	--	--
Robbery	0	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	12	114	12	37.9
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	6	45	19	43.6
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	0	--	--	--
Fraud	3	20	9	100.0
Embezzlement	0	--	--	--
Forgery/Counterfeiting	1	--	--	--
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	12	30	6	38.0
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	--	--	--

<sup>1</sup> Of the 70,146 cases, 61 were otherwise sentenced above the guideline range. Of these, 53 cases had complete guideline application information. Furthermore, 16 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 September 30, 2015).

**OFFENDERS RECEIVING SENTENCING OPTIONS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

PRIMARY OFFENSE	TOTAL	TOTAL RECEIVING IMPRISONMENT		Prison Only		Prison/Community Split Sentence <sup>2</sup>		TOTAL RECEIVING PROBATION		Probation and Confinement		Probation Only	
		N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>69,600</b>	<b>62,832</b>	<b>90.3</b>	<b>60,813</b>	<b>87.4</b>	<b>2,019</b>	<b>2.9</b>	<b>6,768</b>	<b>9.7</b>	<b>1,815</b>	<b>2.6</b>	<b>4,953</b>	<b>7.1</b>
Murder	92	92	100.0	92	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Manslaughter	52	50	96.2	49	94.2	1	1.9	2	3.8	1	1.9	1	1.9
Kidnapping/Hostage Taking	42	41	97.6	40	95.2	1	2.4	1	2.4	0	0.0	1	2.4
Sexual Abuse	519	515	99.2	492	94.8	23	4.4	4	0.8	2	0.4	2	0.4
Assault	742	635	85.6	577	77.8	58	7.8	107	14.4	22	3.0	85	11.5
Robbery	734	716	97.5	681	92.8	35	4.8	18	2.5	5	0.7	13	1.8
Arson	55	53	96.4	51	92.7	2	3.6	2	3.6	0	0.0	2	3.6
Drugs - Trafficking	19,878	19,024	95.7	18,409	92.6	615	3.1	854	4.3	307	1.5	547	2.8
Drugs - Communication Facility	313	251	80.2	240	76.7	11	3.5	62	19.8	17	5.4	45	14.4
Drugs - Simple Possession	2,089	1,845	88.3	1,840	88.1	5	0.2	244	11.7	8	0.4	236	11.3
Firearms	6,995	6,688	95.6	6,491	92.8	197	2.8	307	4.4	116	1.7	191	2.7
Burglary/B&E	35	30	85.7	25	71.4	5	14.3	5	14.3	2	5.7	3	8.6
Auto Theft	61	53	86.9	50	82.0	3	4.9	8	13.1	3	4.9	5	8.2
Larceny	843	407	48.3	352	41.8	55	6.5	436	51.7	93	11.0	343	40.7
Fraud	7,293	5,685	78.0	5,257	72.1	428	5.9	1,608	22.0	536	7.3	1,072	14.7
Embezzlement	324	147	45.4	126	38.9	21	6.5	177	54.6	42	13.0	135	41.7
Forgery/Counterfeiting	499	394	79.0	349	69.9	45	9.0	105	21.0	38	7.6	67	13.4
Bribery	203	143	70.4	134	66.0	9	4.4	60	29.6	25	12.3	35	17.2
Tax	552	329	59.6	287	52.0	42	7.6	223	40.4	89	16.1	134	24.3
Money Laundering	660	498	75.5	456	69.1	42	6.4	162	24.5	61	9.2	101	15.3
Racketeering/Extortion	1,000	933	93.3	894	89.4	39	3.9	67	6.7	35	3.5	32	3.2
Gambling/Lottery	75	31	41.3	18	24.0	13	17.3	44	58.7	16	21.3	28	37.3
Civil Rights	49	36	73.5	33	67.3	3	6.1	13	26.5	3	6.1	10	20.4
Immigration	20,641	19,906	96.4	19,748	95.7	158	0.8	735	3.6	105	0.5	630	3.1
Child Pornography	1,881	1,855	98.6	1,827	97.1	28	1.5	26	1.4	7	0.4	19	1.0
Prison Offenses	475	459	96.6	436	91.8	23	4.8	16	3.4	3	0.6	13	2.7
Administration of Justice Offenses	1,141	856	75.0	787	69.0	69	6.0	285	25.0	71	6.2	214	18.8
Environmental/Wildlife	144	54	37.5	43	29.9	11	7.6	90	62.5	18	12.5	72	50.0
National Defense	97	85	87.6	85	87.6	0	0.0	12	12.4	5	5.2	7	7.2
Antitrust	15	13	86.7	13	86.7	0	0.0	2	13.3	0	0.0	2	13.3
Food & Drug	135	50	37.0	46	34.1	4	3.0	85	63.0	10	7.4	75	55.6
Other Miscellaneous Offenses	1,966	958	48.7	885	45.0	73	3.7	1,008	51.3	175	8.9	833	42.4

<sup>1</sup> Of the 70,146 cases, 546 were excluded due to one or both of the following reasons: the offender received neither imprisonment nor probation (541), or missing sentencing information (5). Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup> 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 CATEGORY<sup>1</sup>**  
**4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

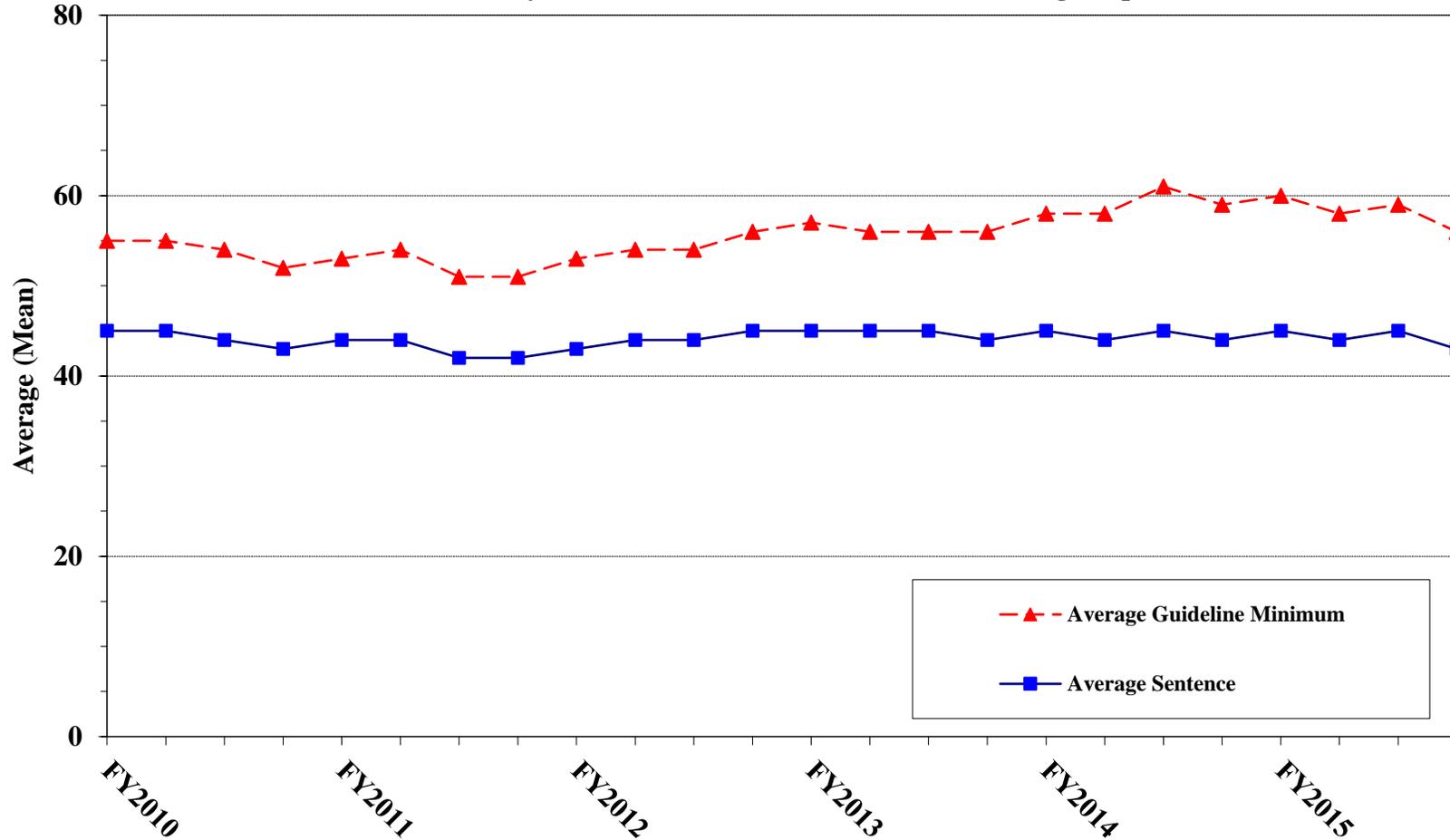
<b>PRIMARY OFFENSE</b>	<b>Mean Months</b>	<b>Median Months</b>	<b>N</b>
<b>TOTAL</b>	<b>44</b>	<b>21</b>	<b>70,143</b>
<b>Murder</b>	285	294	92
<b>Manslaughter</b>	78	60	52
<b>Kidnapping/Hostage Taking</b>	235	238	42
<b>Sexual Abuse</b>	128	120	519
<b>Assault</b>	30	16	747
<b>Robbery</b>	77	63	734
<b>Arson</b>	87	60	55
<b>Drugs - Trafficking</b>	67	51	19,878
<b>Drugs - Communication Facility</b>	29	24	313
<b>Drugs - Simple Possession</b>	5	6	2,131
<b>Firearms</b>	78	58	7,012
<b>Burglary/B&amp;E</b>	25	15	35
<b>Auto Theft</b>	85	42	61
<b>Larceny</b>	11	3	875
<b>Fraud</b>	27	14	7,318
<b>Embezzlement</b>	10	1	336
<b>Forgery/Counterfeiting</b>	16	12	502
<b>Bribery</b>	24	15	203
<b>Tax</b>	13	10	553
<b>Money Laundering</b>	29	18	661
<b>Racketeering/Extortion</b>	79	51	1,000
<b>Gambling/Lottery</b>	5	4	77
<b>Civil Rights</b>	33	12	50
<b>Immigration</b>	15	9	20,649
<b>Child Pornography</b>	154	96	1,881
<b>Prison Offenses</b>	13	12	475
<b>Administration of Justice Offenses</b>	17	12	1,149
<b>Environmental/Wildlife</b>	4	0	153
<b>National Defense</b>	60	36	98
<b>Antitrust</b>	42	15	15
<b>Food &amp; Drug</b>	6	0	144
<b>Other Miscellaneous Offenses</b>	16	0	2,333

<sup>1</sup> Of the 70,146 cases, three were excluded due to missing or indeterminable sentencing information. 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 CASES<sup>1</sup>**

**Fiscal Years 2010 - 2014,  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

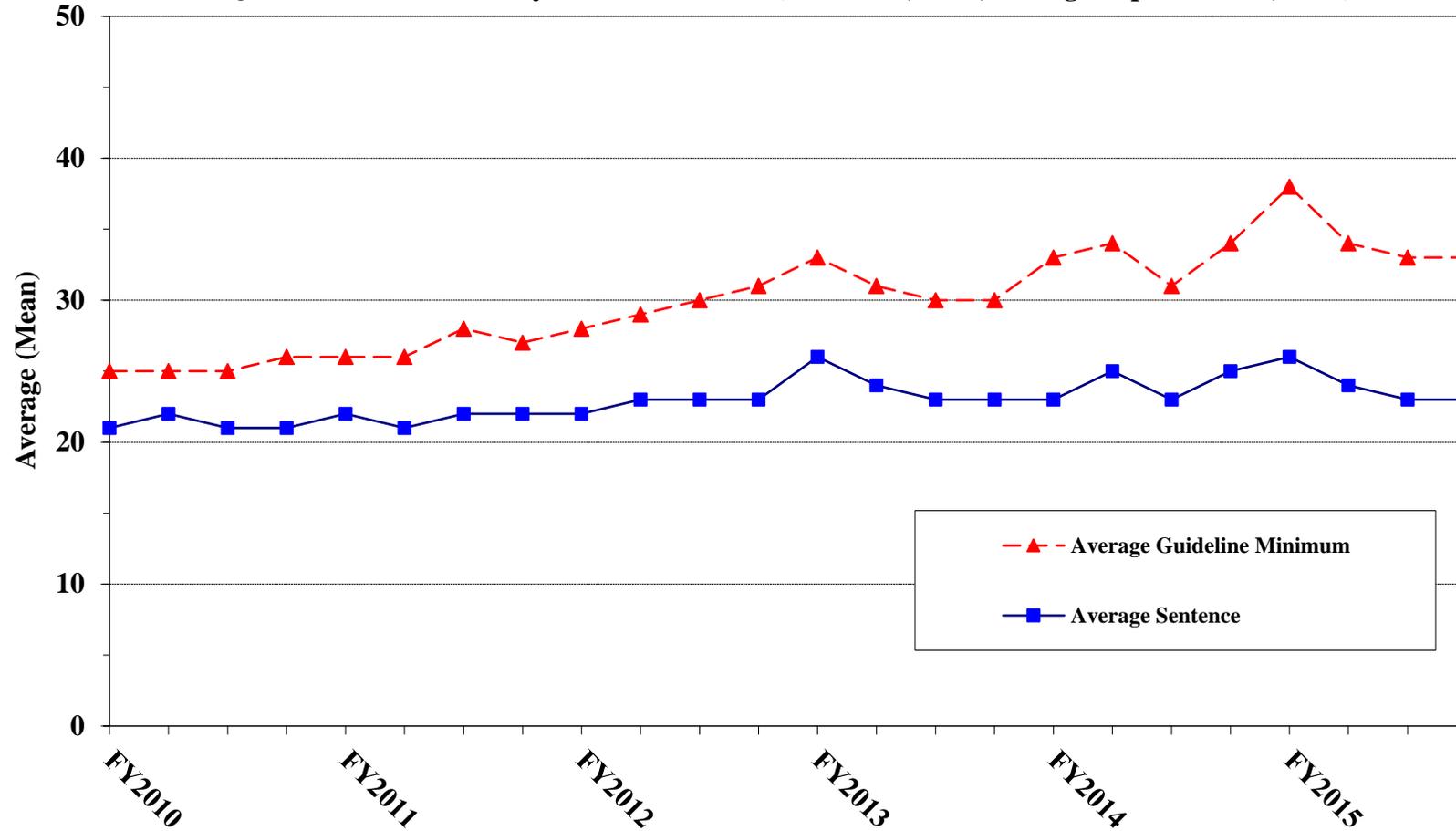


<sup>1</sup> Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations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

**Fiscal Years 2010 - 2014,  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

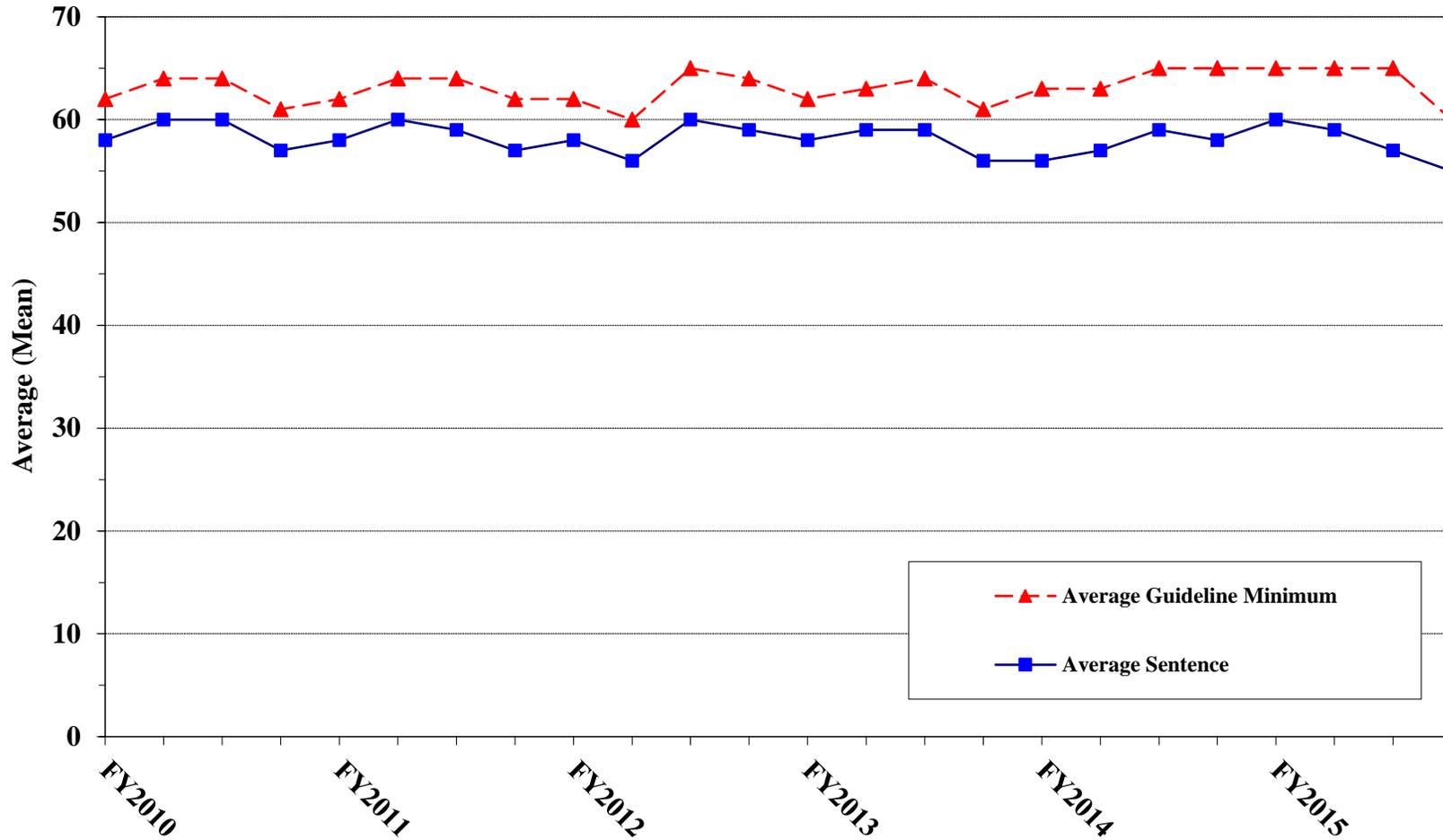


<sup>1</sup> Figure includes only cases with a primary sentencing guideline of USSG §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than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

**Fiscal Years 2010 - 2014,  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

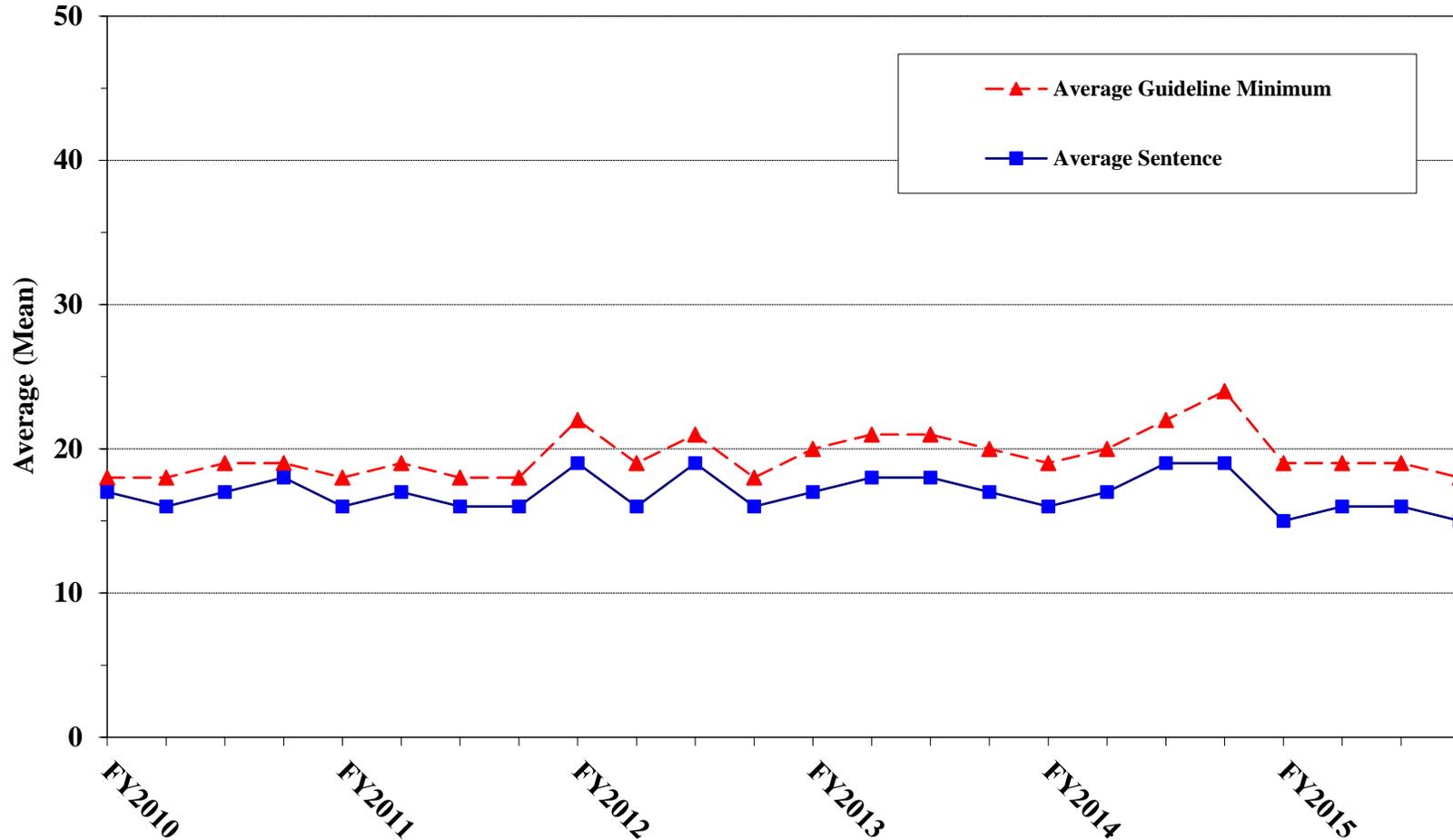


<sup>1</sup> Figure includes only cases with a primary sentencing guideline of USSG §2K2.1 (Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition; Prohibited Transactions Involving Firearms or Ammunition). Cases with guideline minimums of life or probation were included in the guideline 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)<sup>1</sup>**

**Fiscal Years 2010 - 2014,  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

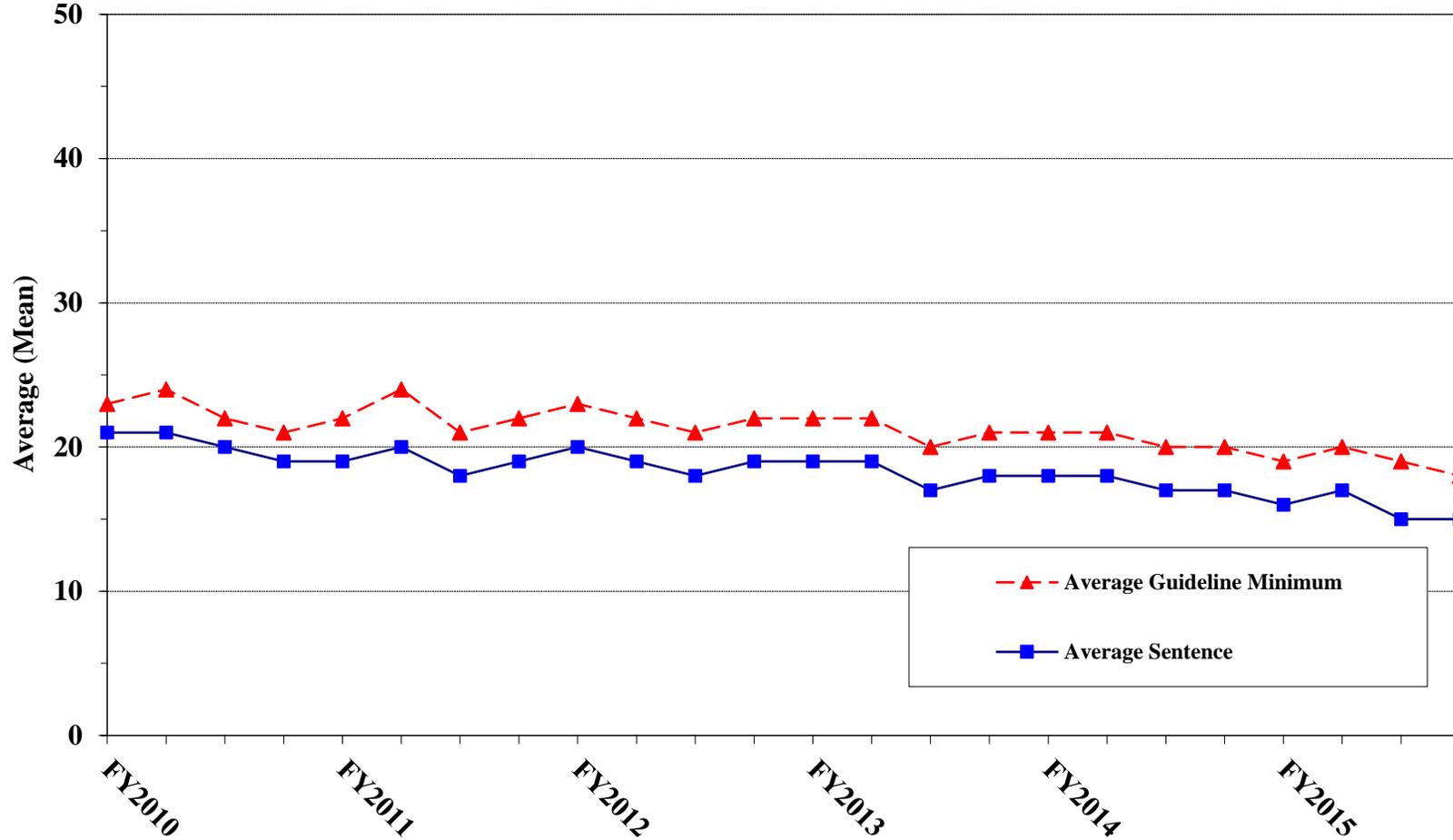


<sup>1</sup> Figure includes only cases with a primary sentencing guideline of USSG §2L1.1 (Smuggling, Transporting, or Harboring an Unlawful Alien). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. 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)<sup>1</sup>**

**Fiscal Years 2010 - 2014,  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

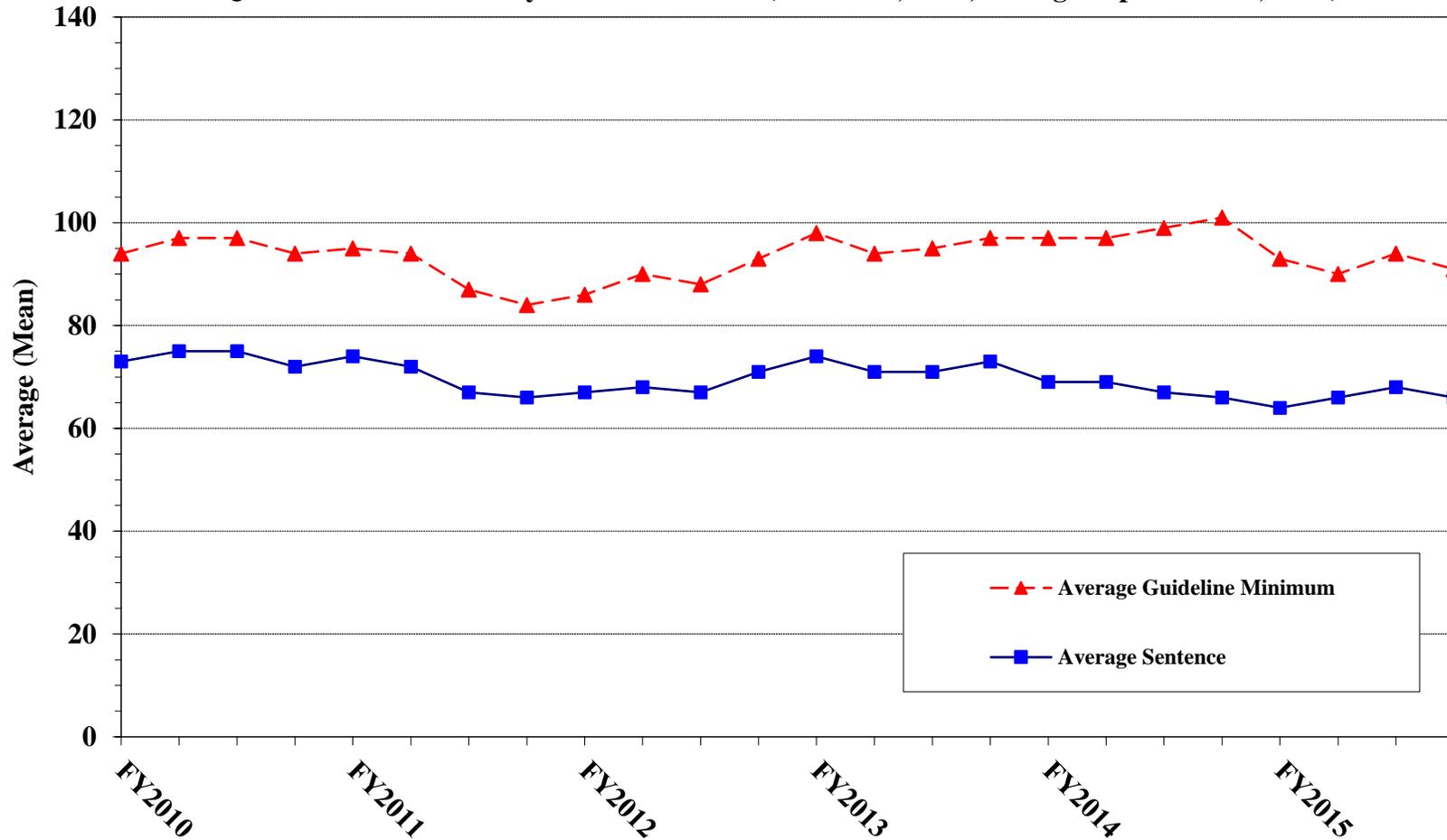


<sup>1</sup> Figure includes only cases with a primary sentencing guideline of USSG §2L1.2 (Unlawful Entering or Remaining in the United States). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. 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)<sup>1</sup>**

**Fiscal Years 2010 - 2014,  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

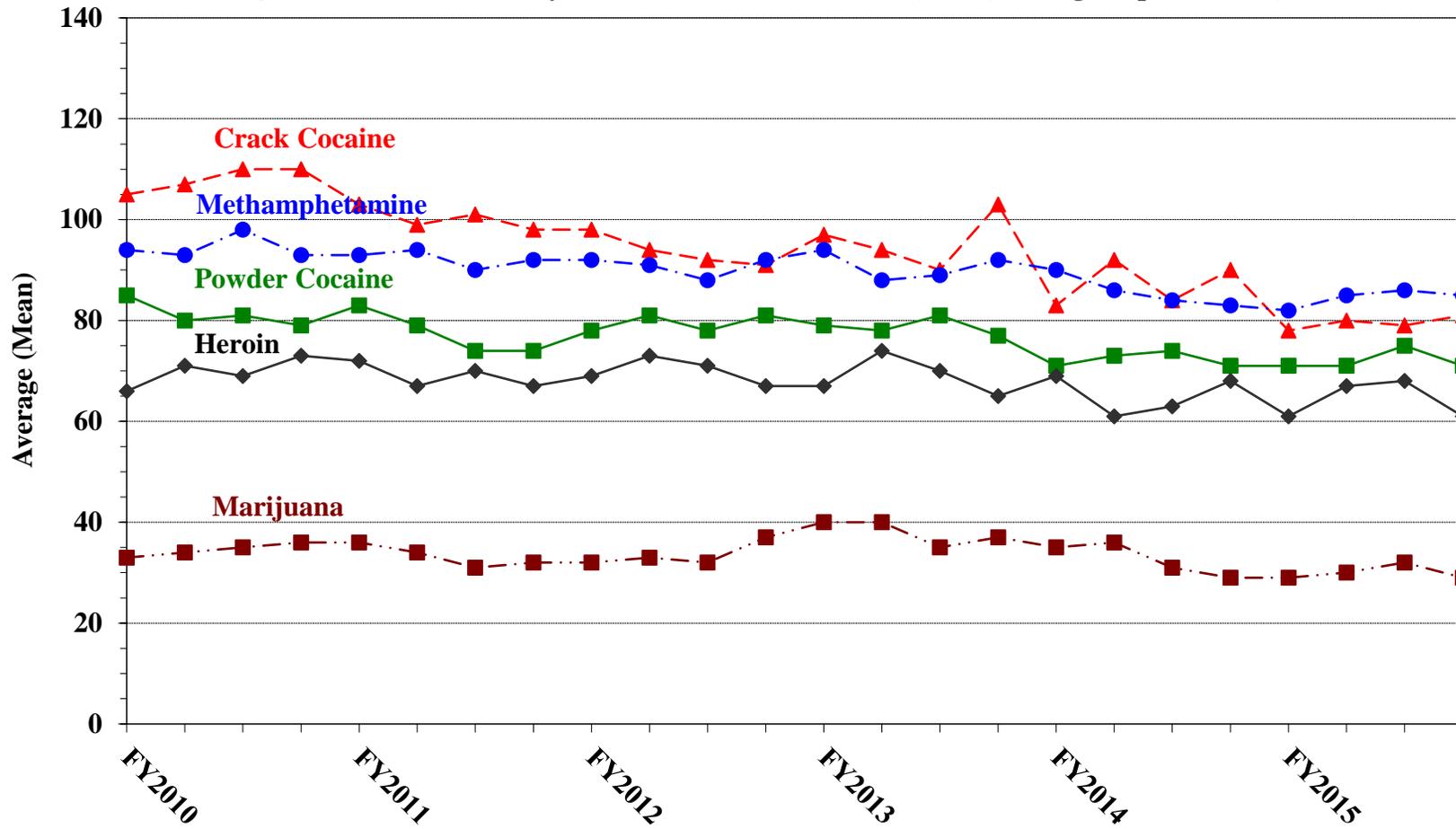


<sup>1</sup> Figure includes only cases with a primary sentencing guideline of USSG §2D1.1 (Unlawful Manufacturing, Importing, Exporting, or Trafficking (Including Possession with Intent to Commit These Offenses); Attempt or Conspiracy). Cases with guideline minimums of life or probation were included 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 TYPE<sup>1</sup>

Fiscal Years 2010 - 2014,  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)



<sup>1</sup> 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 CATEGORY<sup>1</sup>**  
**4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 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	%
<b>TOTAL</b>	<b>26,788</b>	<b>12,821</b>	<b>47.9</b>	<b>6,234</b>	<b>23.3</b>	<b>2,358</b>	<b>8.8</b>	<b>2,173</b>	<b>8.1</b>	<b>3,202</b>	<b>12.0</b>
Murder	27	9	33.3	7	25.9	2	7.4	3	11.1	6	22.2
Manslaughter	22	7	31.8	1	4.5	1	4.5	4	18.2	9	40.9
Kidnapping/Hostage Taking	12	6	50.0	6	50.0	0	0.0	0	0.0	0	0.0
Sexual Abuse	180	73	40.6	37	20.6	13	7.2	23	12.8	34	18.9
Assault	322	169	52.5	38	11.8	32	9.9	30	9.3	53	16.5
Robbery	330	138	41.8	67	20.3	27	8.2	41	12.4	57	17.3
Arson	9	1	11.1	3	33.3	3	33.3	0	0.0	2	22.2
Drugs - Trafficking	6,037	3,891	64.5	865	14.3	412	6.8	365	6.0	504	8.3
Drugs - Communication Facility	101	47	46.5	14	13.9	5	5.0	4	4.0	31	30.7
Drugs - Simple Possession	160	105	65.6	33	20.6	7	4.4	7	4.4	8	5.0
Firearms	3,167	1,709	54.0	421	13.3	328	10.4	237	7.5	472	14.9
Burglary/B&E	18	4	22.2	3	16.7	7	38.9	0	0.0	4	22.2
Auto Theft	34	14	41.2	7	20.6	3	8.8	5	14.7	5	14.7
Larceny	354	251	70.9	40	11.3	20	5.6	9	2.5	34	9.6
Fraud	2,477	1,404	56.7	405	16.4	195	7.9	175	7.1	298	12.0
Embezzlement	157	120	76.4	21	13.4	7	4.5	2	1.3	7	4.5
Forgery/Counterfeiting	274	128	46.7	37	13.5	27	9.9	22	8.0	60	21.9
Bribery	52	29	55.8	6	11.5	8	15.4	3	5.8	6	11.5
Tax	135	89	65.9	10	7.4	10	7.4	2	1.5	24	17.8
Money Laundering	182	109	59.9	25	13.7	16	8.8	12	6.6	20	11.0
Racketeering/Extortion	312	146	46.8	64	20.5	30	9.6	30	9.6	42	13.5
Gambling/Lottery	33	21	63.6	3	9.1	2	6.1	4	12.1	3	9.1
Civil Rights	11	6	54.5	1	9.1	0	0.0	1	9.1	3	27.3
Immigration	10,267	3,098	30.2	3,799	37.0	1,043	10.2	1,057	10.3	1,270	12.4
Child Pornography	442	248	56.1	59	13.3	20	4.5	42	9.5	73	16.5
Prison Offenses	282	115	40.8	70	24.8	38	13.5	29	10.3	30	10.6
Administration of Justice Offenses	558	313	56.1	70	12.5	53	9.5	30	5.4	92	16.5
Environmental/Wildlife	41	31	75.6	5	12.2	2	4.9	1	2.4	2	4.9
National Defense	24	16	66.7	4	16.7	1	4.2	1	4.2	2	8.3
Antitrust	1	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	77	64	83.1	4	5.2	4	5.2	3	3.9	2	2.6
Other Miscellaneous Offenses	690	459	66.5	109	15.8	42	6.1	31	4.5	49	7.1

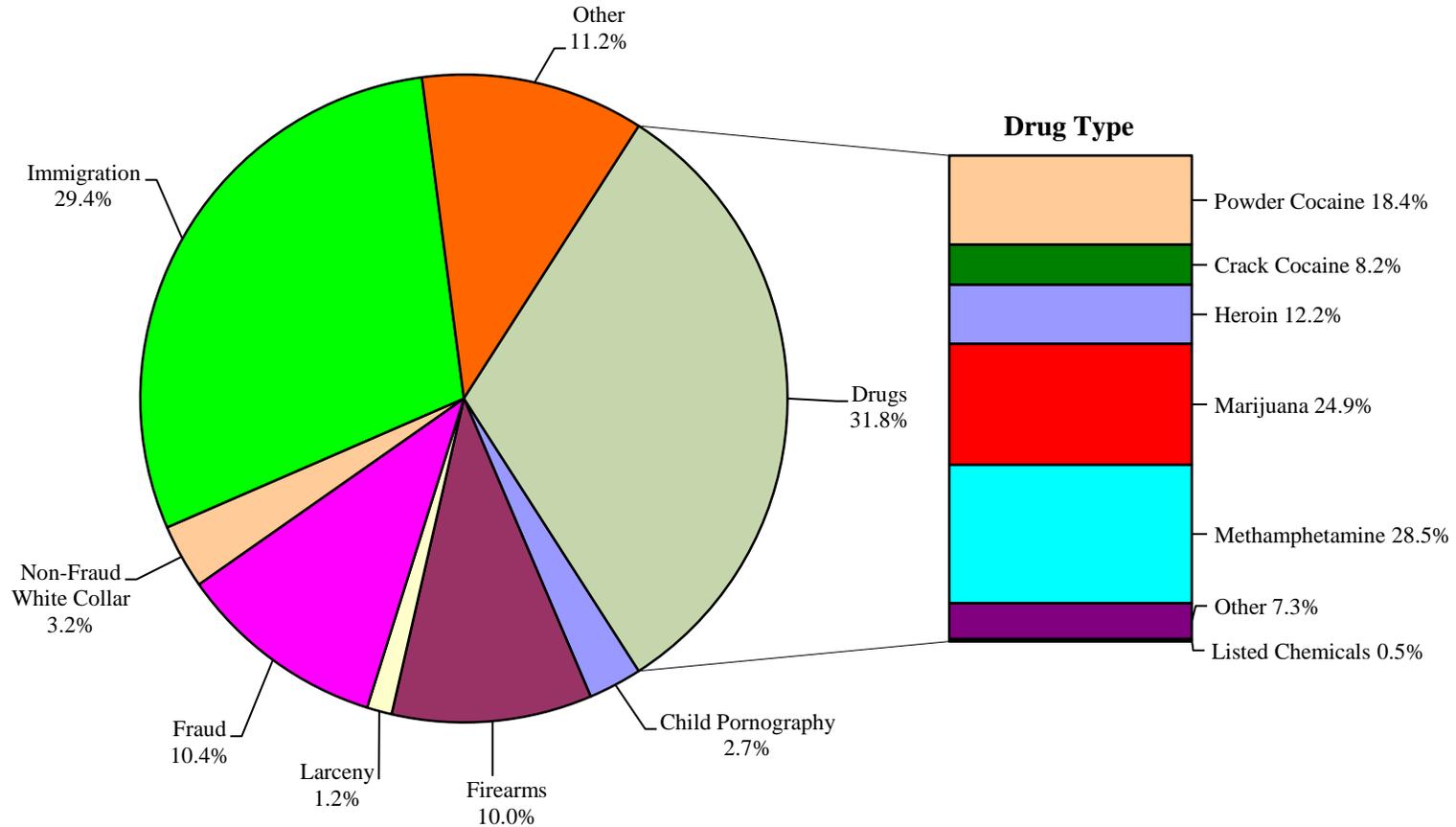
<sup>1</sup> Of the 70,146 cases, 31,949 were sentenced within the applicable guideline range. Of those, 28,685 cases had complete guideline application information. An additional 1,897 cases were excluded due to several logical criteria. Descriptions of variables used in this table are provided in Appendix A.

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

**Figure J**

**OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**

**4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**



<sup>1</sup> Of the 70,146 guideline cases, six 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.

Table 21

**GUIDELINE OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>%</b>
<b>TOTAL</b>	<b>70,146</b>	<b>100.0</b>
<b>Murder</b>	92	0.1
<b>Manslaughter</b>	52	0.1
<b>Kidnapping/Hostage Taking</b>	42	0.1
<b>Sexual Abuse</b>	519	0.7
<b>Assault</b>	747	1.1
<b>Robbery</b>	734	1.0
<b>Arson</b>	55	0.1
<b>Drugs - Trafficking</b>	19,879	28.3
<b>Drugs - Communication Facility</b>	313	0.4
<b>Drugs - Simple Possession</b>	2,132	3.0
<b>Firearms</b>	7,012	10.0
<b>Burglary/B&amp;E</b>	35	0.0
<b>Auto Theft</b>	61	0.1
<b>Larceny</b>	875	1.2
<b>Fraud</b>	7,318	10.4
<b>Embezzlement</b>	336	0.5
<b>Forgery/Counterfeiting</b>	502	0.7
<b>Bribery</b>	203	0.3
<b>Tax</b>	553	0.8
<b>Money Laundering</b>	661	0.9
<b>Racketeering/Extortion</b>	1,000	1.4
<b>Gambling/Lottery</b>	77	0.1
<b>Civil Rights</b>	50	0.1
<b>Immigration</b>	20,649	29.4
<b>Child Pornography</b>	1,881	2.7
<b>Prison Offenses</b>	475	0.7
<b>Administration of Justice Offenses</b>	1,150	1.6
<b>Environmental/Wildlife</b>	153	0.2
<b>National Defense</b>	98	0.1
<b>Antitrust</b>	15	0.0
<b>Food &amp; Drug</b>	144	0.2
<b>Other Miscellaneous Offenses</b>	2,333	3.3

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

Table 22

**GUILTY PLEAS AND TRIALS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

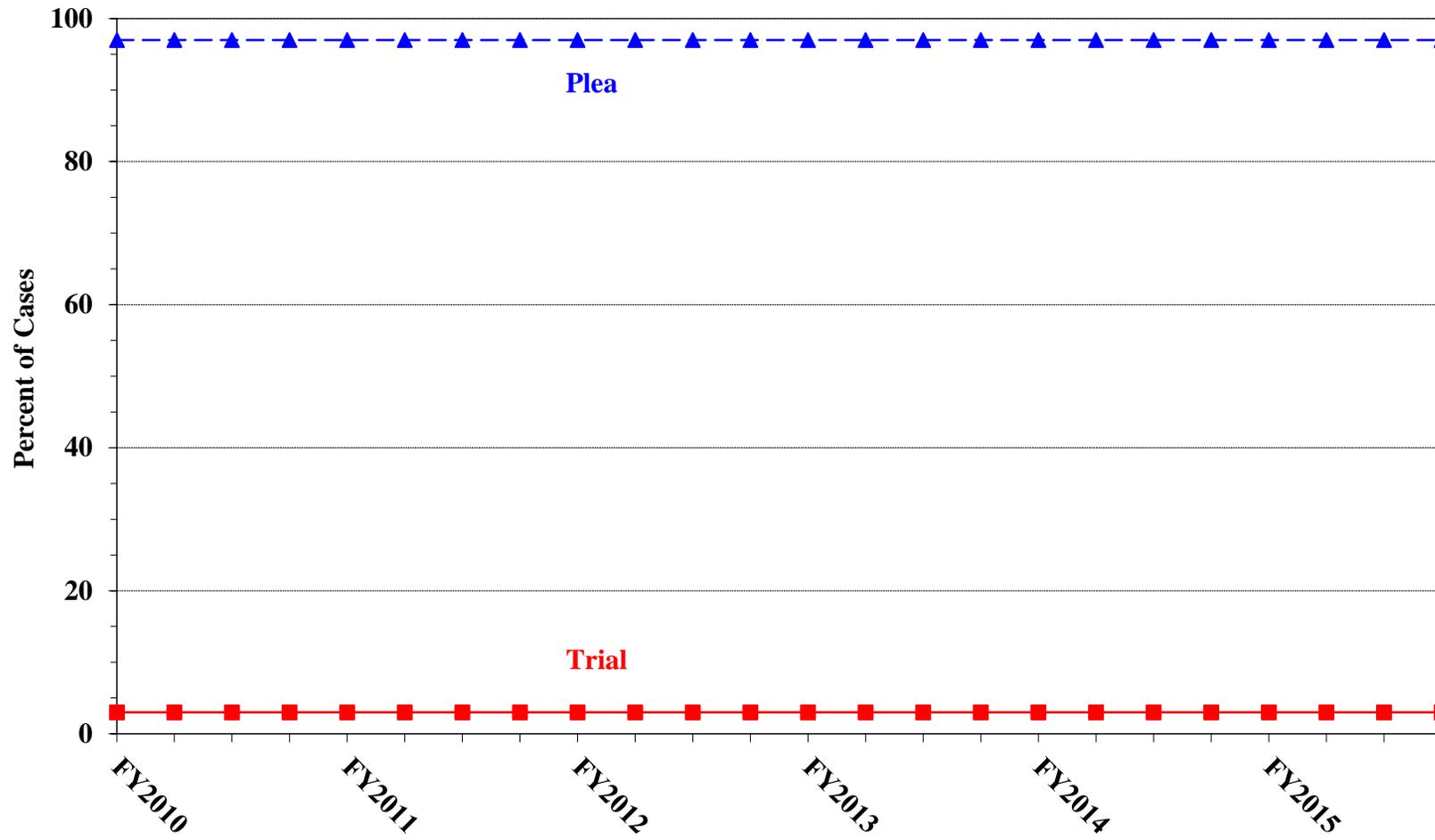
PRIMARY OFFENSE	TOTAL	PLEA		TRIAL	
		N	%	N	%
<b>TOTAL</b>	<b>70,146</b>	<b>68,087</b>	<b>97.1</b>	<b>2,059</b>	<b>2.9</b>
<b>Murder</b>	<b>92</b>	70	76.1	22	23.9
<b>Manslaughter</b>	<b>52</b>	47	90.4	5	9.6
<b>Kidnapping/Hostage Taking</b>	<b>42</b>	37	88.1	5	11.9
<b>Sexual Abuse</b>	<b>519</b>	466	89.8	53	10.2
<b>Assault</b>	<b>747</b>	699	93.6	48	6.4
<b>Robbery</b>	<b>734</b>	710	96.7	24	3.3
<b>Arson</b>	<b>55</b>	47	85.5	8	14.5
<b>Drugs - Trafficking</b>	<b>19,879</b>	19,324	97.2	555	2.8
<b>Drugs - Communication Facility</b>	<b>313</b>	313	100.0	0	0.0
<b>Drugs - Simple Possession</b>	<b>2,132</b>	2,128	99.8	4	0.2
<b>Firearms</b>	<b>7,012</b>	6,655	94.9	357	5.1
<b>Burglary/B&amp;E</b>	<b>35</b>	34	97.1	1	2.9
<b>Auto Theft</b>	<b>61</b>	57	93.4	4	6.6
<b>Larceny</b>	<b>875</b>	851	97.3	24	2.7
<b>Fraud</b>	<b>7,318</b>	6,861	93.8	457	6.2
<b>Embezzlement</b>	<b>336</b>	325	96.7	11	3.3
<b>Forgery/Counterfeiting</b>	<b>502</b>	494	98.4	8	1.6
<b>Bribery</b>	<b>203</b>	194	95.6	9	4.4
<b>Tax</b>	<b>553</b>	523	94.6	30	5.4
<b>Money Laundering</b>	<b>661</b>	627	94.9	34	5.1
<b>Racketeering/Extortion</b>	<b>1,000</b>	914	91.4	86	8.6
<b>Gambling/Lottery</b>	<b>77</b>	76	98.7	1	1.3
<b>Civil Rights</b>	<b>50</b>	43	86.0	7	14.0
<b>Immigration</b>	<b>20,649</b>	20,535	99.4	114	0.6
<b>Child Pornography</b>	<b>1,881</b>	1,815	96.5	66	3.5
<b>Prison Offenses</b>	<b>475</b>	468	98.5	7	1.5
<b>Administration of Justice Offenses</b>	<b>1,150</b>	1,107	96.3	43	3.7
<b>Environmental/Wildlife</b>	<b>153</b>	142	92.8	11	7.2
<b>National Defense</b>	<b>98</b>	89	90.8	9	9.2
<b>Antitrust</b>	<b>15</b>	12	80.0	3	20.0
<b>Food &amp; Drug</b>	<b>144</b>	143	99.3	1	0.7
<b>Other Miscellaneous Offenses</b>	<b>2,333</b>	2,281	97.8	52	2.2

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

Figure K

QUARTERLY DATA FOR GUILTY PLEAS AND TRIALS<sup>1</sup>

Fiscal Years 2010 - 2014,  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)



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

Table 23

**RACE OF OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

PRIMARY OFFENSE	TOTAL	WHITE		BLACK		HISPANIC		OTHER	
		N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>69,035</b>	<b>16,214</b>	<b>23.5</b>	<b>13,677</b>	<b>19.8</b>	<b>36,382</b>	<b>52.7</b>	<b>2,762</b>	<b>4.0</b>
Murder	92	17	18.5	19	20.7	28	30.4	28	30.4
Manslaughter	52	10	19.2	5	9.6	5	9.6	32	61.5
Kidnapping/Hostage Taking	42	7	16.7	5	11.9	26	61.9	4	9.5
Sexual Abuse	517	178	34.4	148	28.6	62	12.0	129	25.0
Assault	726	185	25.5	88	12.1	114	15.7	339	46.7
Robbery	730	310	42.5	305	41.8	77	10.5	38	5.2
Arson	55	28	50.9	13	23.6	7	12.7	7	12.7
Drugs - Trafficking	19,853	4,893	24.6	4,696	23.7	9,667	48.7	597	3.0
Drugs - Communication Facility	312	89	28.5	123	39.4	90	28.8	10	3.2
Drugs - Simple Possession	2,045	185	9.0	117	5.7	1,712	83.7	31	1.5
Firearms	6,989	1,807	25.9	3,322	47.5	1,654	23.7	206	2.9
Burglary/B&E	35	10	28.6	2	5.7	3	8.6	20	57.1
Auto Theft	61	19	31.1	13	21.3	24	39.3	5	8.2
Larceny	826	382	46.2	249	30.1	128	15.5	67	8.1
Fraud	7,269	3,034	41.7	2,207	30.4	1,602	22.0	426	5.9
Embezzlement	324	177	54.6	88	27.2	33	10.2	26	8.0
Forgery/Counterfeiting	496	205	41.3	184	37.1	87	17.5	20	4.0
Bribery	203	76	37.4	51	25.1	53	26.1	23	11.3
Tax	551	345	62.6	107	19.4	66	12.0	33	6.0
Money Laundering	659	263	39.9	116	17.6	230	34.9	50	7.6
Racketeering/Extortion	985	305	31.0	361	36.6	274	27.8	45	4.6
Gambling/Lottery	76	48	63.2	9	11.8	5	6.6	14	18.4
Civil Rights	50	24	48.0	13	26.0	10	20.0	3	6.0
Immigration	20,311	406	2.0	337	1.7	19,435	95.7	133	0.7
Child Pornography	1,878	1,526	81.3	92	4.9	219	11.7	41	2.2
Prison Offenses	468	106	22.6	177	37.8	129	27.6	56	12.0
Administration of Justice Offenses	1,138	443	38.9	281	24.7	270	23.7	144	12.7
Environmental/Wildlife	149	106	71.1	5	3.4	17	11.4	21	14.1
National Defense	98	39	39.8	6	6.1	34	34.7	19	19.4
Antitrust	14	4	28.6	3	21.4	0	0.0	7	50.0
Food & Drug	141	98	69.5	4	2.8	14	9.9	25	17.7
Other Miscellaneous Offenses	1,890	889	47.0	531	28.1	307	16.2	163	8.6

<sup>1</sup> Of the 70,146 cases, 1,111 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 CATEGORY<sup>1</sup>**  
**4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

PRIMARY OFFENSE	TOTAL	MALE		FEMALE	
		N	%	N	%
<b>TOTAL</b>	<b>69,873</b>	<b>60,328</b>	<b>86.3</b>	<b>9,545</b>	<b>13.7</b>
Murder	92	83	90.2	9	9.8
Manslaughter	52	43	82.7	9	17.3
Kidnapping/Hostage Taking	42	40	95.2	2	4.8
Sexual Abuse	519	474	91.3	45	8.7
Assault	741	638	86.1	103	13.9
Robbery	734	658	89.6	76	10.4
Arson	55	51	92.7	4	7.3
Drugs - Trafficking	19,877	16,915	85.1	2,962	14.9
Drugs - Communication Facility	312	243	77.9	69	22.1
Drugs - Simple Possession	2,098	1,901	90.6	197	9.4
Firearms	7,007	6,775	96.7	232	3.3
Burglary/B&E	35	33	94.3	2	5.7
Auto Theft	61	56	91.8	5	8.2
Larceny	863	513	59.4	350	40.6
Fraud	7,309	5,101	69.8	2,208	30.2
Embezzlement	336	146	43.5	190	56.5
Forgery/Counterfeiting	499	366	73.3	133	26.7
Bribery	203	159	78.3	44	21.7
Tax	553	407	73.6	146	26.4
Money Laundering	661	487	73.7	174	26.3
Racketeering/Extortion	998	868	87.0	130	13.0
Gambling/Lottery	77	64	83.1	13	16.9
Civil Rights	50	45	90.0	5	10.0
Immigration	20,565	19,142	93.1	1,423	6.9
Child Pornography	1,881	1,840	97.8	41	2.2
Prison Offenses	474	422	89.0	52	11.0
Administration of Justice Offenses	1,146	860	75.0	286	25.0
Environmental/Wildlife	152	141	92.8	11	7.2
National Defense	98	95	96.9	3	3.1
Antitrust	15	15	100.0	0	0.0
Food & Drug	144	102	70.8	42	29.2
Other Miscellaneous Offenses	2,224	1,645	74.0	579	26.0

<sup>1</sup> Of the 70,146 cases, 273 were excluded due to missing information on offender's gender. Descriptions of variables used in this table are provided in Appendix A.

Table 25

**AGE, RACE, AND GENDER OF OFFENDERS<sup>1</sup>**  
**4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

Gender and Age	White		Black		Hispanic		Other	
	N	%	N	%	N	%	N	%
<b>Males</b>	<b>12,942</b>	<b>100.0</b>	<b>11,682</b>	<b>100.0</b>	<b>32,809</b>	<b>100.0</b>	<b>2,175</b>	<b>100.0</b>
<b>Under 21</b>	136	1.1	258	2.2	1,429	4.4	60	2.8
<b>21 - 25</b>	1,008	7.8	1,777	15.2	4,927	15.0	304	14.0
<b>26 - 30</b>	1,714	13.2	2,349	20.1	6,221	19.0	355	16.3
<b>31 - 35</b>	1,988	15.4	2,335	20.0	6,473	19.7	347	16.0
<b>36 - 40</b>	1,796	13.9	1,871	16.0	5,314	16.2	301	13.8
<b>41 - 50</b>	3,027	23.4	2,067	17.7	6,147	18.7	460	21.1
<b>Over 50</b>	3,273	25.3	1,025	8.8	2,298	7.0	348	16.0
<b>Females</b>	<b>3,267</b>	<b>100.0</b>	<b>1,994</b>	<b>100.0</b>	<b>3,541</b>	<b>100.0</b>	<b>587</b>	<b>100.0</b>
<b>Under 21</b>	39	1.2	26	1.3	185	5.2	12	2.0
<b>21 - 25</b>	308	9.4	261	13.1	664	18.8	66	11.2
<b>26 - 30</b>	466	14.3	357	17.9	644	18.2	85	14.5
<b>31 - 35</b>	531	16.3	354	17.8	602	17.0	95	16.2
<b>36 - 40</b>	431	13.2	276	13.8	502	14.2	84	14.3
<b>41 - 50</b>	732	22.4	423	21.2	622	17.6	130	22.1
<b>Over 50</b>	760	23.3	297	14.9	322	9.1	115	19.6

<sup>1</sup> Of the 70,146 cases, 1,149 were excluded due to one or more of the following reasons: missing information on offender's race (1,111), missing information on offender's gender (273), or missing information on offender's age (115). 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 September 30, 2015).

Table 26

**CITIZENSHIP OF OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

PRIMARY OFFENSE	TOTAL	U.S. CITIZEN		NON-U.S. CITIZEN	
		N	%	N	%
<b>TOTAL</b>	<b>69,388</b>	<b>40,551</b>	<b>58.4</b>	<b>28,837</b>	<b>41.6</b>
Murder	91	76	83.5	15	16.5
Manslaughter	52	50	96.2	2	3.8
Kidnapping/Hostage Taking	42	22	52.4	20	47.6
Sexual Abuse	518	494	95.4	24	4.6
Assault	726	665	91.6	61	8.4
Robbery	733	718	98.0	15	2.0
Arson	55	52	94.5	3	5.5
Drugs - Trafficking	19,823	14,662	74.0	5,161	26.0
Drugs - Communication Facility	312	270	86.5	42	13.5
Drugs - Simple Possession	2,050	464	22.6	1,586	77.4
Firearms	6,991	6,574	94.0	417	6.0
Burglary/B&E	35	35	100.0	0	0.0
Auto Theft	61	50	82.0	11	18.0
Larceny	839	781	93.1	58	6.9
Fraud	7,255	5,900	81.3	1,355	18.7
Embezzlement	331	318	96.1	13	3.9
Forgery/Counterfeiting	497	457	92.0	40	8.0
Bribery	203	189	93.1	14	6.9
Tax	551	500	90.7	51	9.3
Money Laundering	655	499	76.2	156	23.8
Racketeering/Extortion	991	868	87.6	123	12.4
Gambling/Lottery	73	67	91.8	6	8.2
Civil Rights	49	45	91.8	4	8.2
Immigration	20,634	1,508	7.3	19,126	92.7
Child Pornography	1,881	1,803	95.9	78	4.1
Prison Offenses	464	442	95.3	22	4.7
Administration of Justice Offenses	1,137	984	86.5	153	13.5
Environmental/Wildlife	144	127	88.2	17	11.8
National Defense	98	50	51.0	48	49.0
Antitrust	14	7	50.0	7	50.0
Food & Drug	141	120	85.1	21	14.9
Other Miscellaneous Offenses	1,942	1,754	90.3	188	9.7

<sup>1</sup> Of the 70,146 cases, 758 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 DISTRICT<sup>1</sup>**  
**4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

CIRCUIT District	Number of Cases	Total Documents	J & C	Statement of Reasons	Plea Agreement <sup>2</sup>		Indictment/ Information	Presentence Report	
		Received	Received	Received	Received	No Written Plea/Trial	Received	Received	Waived
		N	N	N	N	N	N	N	N
<b>TOTAL</b>	<b>70,146</b>	<b>325,938</b>	<b>70,146</b>	<b>69,393</b>	<b>51,474</b>	<b>18,605</b>	<b>70,136</b>	<b>64,789</b>	<b>5,357</b>
<b>D.C. CIRCUIT</b>	<b>253</b>	<b>1,237</b>	<b>253</b>	<b>253</b>	<b>226</b>	<b>27</b>	<b>253</b>	<b>252</b>	<b>1</b>
District of Columbia	253	1,237	253	253	226	27	253	252	1
<b>FIRST CIRCUIT</b>	<b>2,413</b>	<b>11,539</b>	<b>2,413</b>	<b>2,411</b>	<b>1,934</b>	<b>479</b>	<b>2,412</b>	<b>2,369</b>	<b>44</b>
Maine	188	848	188	188	97	91	187	188	0
Massachusetts	519	2,355	519	517	302	217	519	498	21
New Hampshire	144	715	144	144	139	5	144	144	0
Puerto Rico	1,442	7,060	1,442	1,442	1,315	127	1,442	1,419	23
Rhode Island	120	561	120	120	81	39	120	120	0
<b>SECOND CIRCUIT</b>	<b>3,787</b>	<b>18,100</b>	<b>3,787</b>	<b>3,784</b>	<b>3,024</b>	<b>760</b>	<b>3,787</b>	<b>3,718</b>	<b>69</b>
Connecticut	333	1,647	333	332	316	17	333	333	0
New York									
Eastern	787	3,825	787	786	679	108	787	786	1
Northern	340	1,546	340	340	215	125	340	311	29
Southern	1,633	7,679	1,633	1,633	1,159	472	1,633	1,621	12
Western	519	2,543	519	518	490	28	519	497	22
Vermont	175	860	175	175	165	10	175	170	5
<b>THIRD CIRCUIT</b>	<b>2,405</b>	<b>11,545</b>	<b>2,405</b>	<b>2,395</b>	<b>1,977</b>	<b>427</b>	<b>2,405</b>	<b>2,363</b>	<b>42</b>
Delaware	90	442	90	90	83	7	90	89	1
New Jersey	697	3,391	697	690	616	81	697	691	6
Pennsylvania									
Eastern	707	3,368	707	705	546	160	707	703	4
Middle	382	1,853	382	382	328	54	382	379	3
Western	471	2,213	471	470	358	113	471	443	28
Virgin Islands	58	278	58	58	46	12	58	58	0
<b>FOURTH CIRCUIT</b>	<b>5,679</b>	<b>25,941</b>	<b>5,679</b>	<b>5,583</b>	<b>4,176</b>	<b>1,495</b>	<b>5,679</b>	<b>4,824</b>	<b>855</b>
Maryland	772	3,702	772	754	679	93	772	725	47
North Carolina									
Eastern	581	2,565	581	511	405	176	581	487	94
Middle	505	2,509	505	505	489	16	505	505	0
Western	690	3,292	690	690	532	158	690	690	0
South Carolina	638	2,938	638	634	396	242	638	632	6
Virginia									
Eastern	1,430	5,743	1,430	1,426	694	728	1,430	763	667
Western	372	1,831	372	372	345	27	372	370	2
West Virginia									
Northern	414	2,031	414	414	396	18	414	393	21
Southern	277	1,330	277	277	240	37	277	259	18

Table 27 (cont.)

CIRCUIT District	Number of Cases	Total Documents	J & C	Statement of Reasons	Plea Agreement <sup>2</sup>		Indictment/ Information	Presentence Report	
		Received N	Received N	Received N	Received N	No Written Plea/Trial N	Received N	Received N	Waived N
<b>FIFTH CIRCUIT</b>	<b>16,125</b>	<b>71,439</b>	<b>16,125</b>	<b>15,883</b>	<b>8,308</b>	<b>7,806</b>	<b>16,120</b>	<b>15,003</b>	<b>1,122</b>
Louisiana									
Eastern	388	1,804	388	387	257	130	387	385	3
Middle	166	771	166	164	112	54	166	163	3
Western	237	1,093	237	207	206	31	237	206	31
Mississippi									
Northern	155	768	155	155	151	4	155	152	3
Southern	259	1,248	259	252	229	30	258	250	9
Texas									
Eastern	1,029	5,063	1,029	1,029	963	66	1,029	1,013	16
Northern	1,373	6,467	1,373	1,372	983	390	1,373	1,366	7
Southern	6,188	27,695	6,188	6,184	3,184	3,000	6,188	5,951	237
Western	6,330	26,530	6,330	6,133	2,223	4,101	6,327	5,517	813
<b>SIXTH CIRCUIT</b>	<b>4,692</b>	<b>22,431</b>	<b>4,692</b>	<b>4,676</b>	<b>3,790</b>	<b>866</b>	<b>4,691</b>	<b>4,582</b>	<b>110</b>
Kentucky									
Eastern	511	2,480	511	511	442	69	511	505	6
Western	268	1,279	268	268	243	25	268	232	36
Michigan									
Eastern	834	3,976	834	833	663	170	833	813	21
Western	392	1,809	392	392	252	140	392	381	11
Ohio									
Northern	679	3,188	679	678	481	198	679	671	8
Southern	586	2,904	586	585	567	19	586	580	6
Tennessee									
Eastern	667	3,234	667	667	568	99	667	665	2
Middle	266	1,205	266	254	169	62	266	250	16
Western	489	2,356	489	488	405	84	489	485	4
<b>SEVENTH CIRCUIT</b>	<b>2,466</b>	<b>11,882</b>	<b>2,466</b>	<b>2,463</b>	<b>2,039</b>	<b>427</b>	<b>2,466</b>	<b>2,448</b>	<b>18</b>
Illinois									
Central	328	1,549	328	327	239	89	328	327	1
Northern	721	3,507	721	720	628	93	721	717	4
Southern	398	1,835	398	398	247	151	398	394	4
Indiana									
Northern	272	1,337	272	272	250	22	272	271	1
Southern	372	1,807	372	372	323	49	372	368	4
Wisconsin									
Eastern	257	1,270	257	256	247	10	257	253	4
Western	118	577	118	118	105	13	118	118	0
<b>EIGHTH CIRCUIT</b>	<b>4,550</b>	<b>21,816</b>	<b>4,550</b>	<b>4,535</b>	<b>3,653</b>	<b>895</b>	<b>4,550</b>	<b>4,528</b>	<b>22</b>
Arkansas									
Eastern	342	1,628	342	338	267	75	342	339	3
Western	277	1,348	277	274	248	29	277	272	5
Iowa									
Northern	359	1,654	359	359	218	141	359	359	0
Southern	308	1,450	308	308	218	90	308	308	0
Minnesota	377	1,851	377	377	344	33	377	376	1
Missouri									
Eastern	554	2,748	554	554	532	22	554	554	0
Western	891	4,258	891	887	700	191	891	889	2
Nebraska	589	2,775	589	586	424	165	589	587	2
North Dakota	420	1,960	420	419	287	131	420	414	6
South Dakota	433	2,144	433	433	415	18	433	430	3

Table 27 (cont.)

CIRCUIT District	Number of Cases	Total Documents	J & C	Statement of Reasons	Plea Agreement <sup>2</sup>		Indictment/ Information	Presentence Report	
		Received N	Received N	Received N	Received N	No Written Plea/Trial N	Received N	Received N	Waived N
<b>NINTH CIRCUIT</b>	<b>14,809</b>	<b>70,102</b>	<b>14,809</b>	<b>14,565</b>	<b>13,846</b>	<b>962</b>	<b>14,807</b>	<b>12,075</b>	<b>2,734</b>
Alaska	165	788	165	164	134	31	165	160	5
Arizona	6,014	27,766	6,014	5,797	5,849	165	6,013	4,093	1,921
California									
Central	1,068	5,159	1,068	1,068	918	150	1,068	1,037	31
Eastern	721	3,551	721	718	678	43	721	713	8
Northern	563	2,691	563	550	481	82	563	534	29
Southern	3,373	16,225	3,373	3,372	3,261	112	3,373	2,846	527
Guam	38	184	38	38	32	6	38	38	0
Hawaii	236	1,092	236	235	154	82	236	231	5
Idaho	264	1,287	264	263	232	32	264	264	0
Montana	361	1,708	361	361	268	93	361	357	4
Nevada	543	2,601	543	543	441	102	543	531	12
Northern Mariana Islands	13	65	13	13	13	0	13	13	0
Oregon	573	2,753	573	568	562	11	573	477	96
Washington									
Eastern	376	1,837	376	375	340	35	375	371	5
Western	501	2,395	501	500	483	18	501	410	91
<b>TENTH CIRCUIT</b>	<b>6,927</b>	<b>31,721</b>	<b>6,927</b>	<b>6,903</b>	<b>4,189</b>	<b>2,736</b>	<b>6,926</b>	<b>6,776</b>	<b>151</b>
Colorado	436	2,142	436	430	422	14	435	419	17
Kansas	594	2,849	594	590	514	79	594	557	37
New Mexico	4,419	19,747	4,419	4,414	2,081	2,338	4,419	4,414	5
Oklahoma									
Eastern	99	454	99	99	58	41	99	99	0
Northern	185	865	185	185	127	58	185	183	2
Western	333	1,462	333	333	181	151	333	282	51
Utah	611	3,001	611	610	588	23	611	581	30
Wyoming	250	1,201	250	242	218	32	250	241	9
<b>ELEVENTH CIRCUIT</b>	<b>6,040</b>	<b>28,185</b>	<b>6,040</b>	<b>5,942</b>	<b>4,312</b>	<b>1,725</b>	<b>6,040</b>	<b>5,851</b>	<b>189</b>
Alabama									
Middle	201	973	201	201	175	26	201	195	6
Northern	333	1,599	333	329	292	41	333	312	21
Southern	326	1,579	326	325	277	49	326	325	1
Florida									
Middle	1,365	6,325	1,365	1,362	871	494	1,365	1,362	3
Northern	254	1,192	254	244	194	60	254	246	8
Southern	2,189	10,120	2,189	2,145	1,459	728	2,189	2,138	51
Georgia									
Middle	370	1,665	370	357	227	143	370	341	29
Northern	586	2,821	586	563	528	58	586	558	28
Southern	416	1,911	416	416	289	126	416	374	42

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

<sup>2</sup> The figures presented in this table regarding Plea Agreement Submission exclude from the analysis 25 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  
4th Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through September 30, 2015)**

CIRCUIT District	Total	Form AO 245B <sup>1</sup>		Other Forms <sup>2</sup>		No Form Received	
		N	%	N	%	N	%
<b>TOTAL</b>	<b>70,146</b>	<b>66,711</b>	<b>95.1</b>	<b>2,698</b>	<b>3.8</b>	<b>737</b>	<b>1.1</b>
<b>D.C. CIRCUIT</b>	<b>253</b>	<b>252</b>	<b>99.6</b>	<b>1</b>	<b>0.4</b>	<b>0</b>	<b>0.0</b>
District of Columbia	253	252	99.6	1	0.4	0	0.0
<b>FIRST CIRCUIT</b>	<b>2,413</b>	<b>2,411</b>	<b>99.9</b>	<b>0</b>	<b>0.0</b>	<b>2</b>	<b>0.1</b>
Maine	188	188	100.0	0	0.0	0	0.0
Massachusetts	519	517	99.6	0	0.0	2	0.4
New Hampshire	144	144	100.0	0	0.0	0	0.0
Puerto Rico	1,442	1,442	100.0	0	0.0	0	0.0
Rhode Island	120	120	100.0	0	0.0	0	0.0
<b>SECOND CIRCUIT</b>	<b>3,787</b>	<b>3,751</b>	<b>99.0</b>	<b>33</b>	<b>0.9</b>	<b>3</b>	<b>0.1</b>
Connecticut	333	332	99.7	0	0.0	1	0.3
New York							
Eastern	787	754	95.8	32	4.1	1	0.1
Northern	340	340	100.0	0	0.0	0	0.0
Southern	1,633	1,632	99.9	1	0.1	0	0.0
Western	519	518	99.8	0	0.0	1	0.2
Vermont	175	175	100.0	0	0.0	0	0.0
<b>THIRD CIRCUIT</b>	<b>2,405</b>	<b>2,391</b>	<b>99.4</b>	<b>4</b>	<b>0.2</b>	<b>10</b>	<b>0.4</b>
Delaware	90	90	100.0	0	0.0	0	0.0
New Jersey	697	690	99.0	0	0.0	7	1.0
Pennsylvania							
Eastern	707	703	99.4	2	0.3	2	0.3
Middle	382	382	100.0	0	0.0	0	0.0
Western	471	468	99.4	2	0.4	1	0.2
Virgin Islands	58	58	100.0	0	0.0	0	0.0
<b>FOURTH CIRCUIT</b>	<b>5,679</b>	<b>5,522</b>	<b>97.2</b>	<b>73</b>	<b>1.3</b>	<b>84</b>	<b>1.5</b>
Maryland	772	764	99.0	2	0.3	6	0.8
North Carolina							
Eastern	581	511	88.0	0	0.0	70	12.0
Middle	505	505	100.0	0	0.0	0	0.0
Western	690	690	100.0	0	0.0	0	0.0
South Carolina	638	634	99.4	0	0.0	4	0.6
Virginia							
Eastern	1,430	1,355	94.8	71	5.0	4	0.3
Western	372	372	100.0	0	0.0	0	0.0
West Virginia							
Northern	414	414	100.0	0	0.0	0	0.0
Southern	277	277	100.0	0	0.0	0	0.0

Table 28 (cont.)

CIRCUIT District	Total	Form AO 245B <sup>1</sup>		Other Forms <sup>2</sup>		No Form Received	
		N	%	N	%	N	%
<b>FIFTH CIRCUIT</b>	<b>16,125</b>	<b>14,049</b>	<b>87.1</b>	<b>1,834</b>	<b>11.4</b>	<b>242</b>	<b>1.5</b>
Louisiana							
Eastern	388	385	99.2	2	0.5	1	0.3
Middle	166	164	98.8	0	0.0	2	1.2
Western	237	172	72.6	35	14.8	30	12.7
Mississippi							
Northern	155	155	100.0	0	0.0	0	0.0
Southern	259	252	97.3	0	0.0	7	2.7
Texas							
Eastern	1,029	1,028	99.9	1	0.1	0	0.0
Northern	1,373	1,370	99.8	2	0.1	1	0.1
Southern	6,188	6,183	99.9	1	0.0	4	0.1
Western	6,330	4,340	68.6	1,793	28.3	197	3.1
<b>SIXTH CIRCUIT</b>	<b>4,692</b>	<b>4,604</b>	<b>98.1</b>	<b>73</b>	<b>1.6</b>	<b>15</b>	<b>0.3</b>
Kentucky							
Eastern	511	511	100.0	0	0.0	0	0.0
Western	268	268	100.0	0	0.0	0	0.0
Michigan							
Eastern	834	834	100.0	0	0.0	0	0.0
Western	392	391	99.7	1	0.3	0	0.0
Ohio							
Northern	679	678	99.9	0	0.0	1	0.1
Southern	586	565	96.4	20	3.4	1	0.2
Tennessee							
Eastern	667	667	100.0	0	0.0	0	0.0
Middle	266	202	75.9	52	19.5	12	4.5
Western	489	488	99.8	0	0.0	1	0.2
<b>SEVENTH CIRCUIT</b>	<b>2,466</b>	<b>2,397</b>	<b>97.2</b>	<b>66</b>	<b>2.7</b>	<b>3</b>	<b>0.1</b>
Illinois							
Central	328	326	99.4	1	0.3	1	0.3
Northern	721	719	99.7	1	0.1	1	0.1
Southern	398	398	100.0	0	0.0	0	0.0
Indiana							
Northern	272	272	100.0	0	0.0	0	0.0
Southern	372	372	100.0	0	0.0	0	0.0
Wisconsin							
Eastern	257	192	74.7	64	24.9	1	0.4
Western	118	118	100.0	0	0.0	0	0.0
<b>EIGHTH CIRCUIT</b>	<b>4,550</b>	<b>4,525</b>	<b>99.5</b>	<b>10</b>	<b>0.2</b>	<b>15</b>	<b>0.3</b>
Arkansas							
Eastern	342	338	98.8	0	0.0	4	1.2
Western	277	274	98.9	0	0.0	3	1.1
Iowa							
Northern	359	359	100.0	0	0.0	0	0.0
Southern	308	308	100.0	0	0.0	0	0.0
Minnesota	377	368	97.6	9	2.4	0	0.0
Missouri							
Eastern	554	554	100.0	0	0.0	0	0.0
Western	891	887	99.6	0	0.0	4	0.4
Nebraska	589	585	99.3	1	0.2	3	0.5
North Dakota	420	419	99.8	0	0.0	1	0.2
South Dakota	433	433	100.0	0	0.0	0	0.0

Table 28 (cont.)

CIRCUIT District	Total	Form AO 245B <sup>1</sup>		Other Forms <sup>2</sup>		No Form Received	
		N	%	N	%	N	%
<b>NINTH CIRCUIT</b>	<b>14,809</b>	<b>13,997</b>	<b>94.5</b>	<b>568</b>	<b>3.8</b>	<b>244</b>	<b>1.6</b>
Alaska	165	164	99.4	0	0.0	1	0.6
Arizona	6,014	5,793	96.3	4	0.1	217	3.6
California							
Central	1,068	1,063	99.5	5	0.5	0	0.0
Eastern	721	718	99.6	0	0.0	3	0.4
Northern	563	550	97.7	0	0.0	13	2.3
Southern	3,373	3,371	99.9	1	0.0	1	0.0
Guam	38	38	100.0	0	0.0	0	0.0
Hawaii	236	231	97.9	4	1.7	1	0.4
Idaho	264	263	99.6	0	0.0	1	0.4
Montana	361	361	100.0	0	0.0	0	0.0
Nevada	543	543	100.0	0	0.0	0	0.0
Northern Mariana Islands	13	13	100.0	0	0.0	0	0.0
Oregon	573	14	2.4	554	96.7	5	0.9
Washington							
Eastern	376	375	99.7	0	0.0	1	0.3
Western	501	500	99.8	0	0.0	1	0.2
<b>TENTH CIRCUIT</b>	<b>6,927</b>	<b>6,893</b>	<b>99.5</b>	<b>13</b>	<b>0.2</b>	<b>21</b>	<b>0.3</b>
Colorado	436	430	98.6	0	0.0	6	1.4
Kansas	594	591	99.5	1	0.2	2	0.3
New Mexico	4,419	4,414	99.9	1	0.0	4	0.1
Oklahoma							
Eastern	99	99	100.0	0	0.0	0	0.0
Northern	185	185	100.0	0	0.0	0	0.0
Western	333	333	100.0	0	0.0	0	0.0
Utah	611	599	98.0	11	1.8	1	0.2
Wyoming	250	242	96.8	0	0.0	8	3.2
<b>ELEVENTH CIRCUIT</b>	<b>6,040</b>	<b>5,919</b>	<b>98.0</b>	<b>23</b>	<b>0.4</b>	<b>98</b>	<b>1.6</b>
Alabama							
Middle	201	201	100.0	0	0.0	0	0.0
Northern	333	329	98.8	0	0.0	4	1.2
Southern	326	318	97.5	7	2.1	1	0.3
Florida							
Middle	1,365	1,362	99.8	0	0.0	3	0.2
Northern	254	243	95.7	1	0.4	10	3.9
Southern	2,189	2,144	97.9	1	0.0	44	2.0
Georgia							
Middle	370	357	96.5	0	0.0	13	3.5
Northern	586	549	93.7	14	2.4	23	3.9
Southern	416	416	100.0	0	0.0	0	0.0

<sup>1</sup> 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.

<sup>2</sup> 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

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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

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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