

Table D-1

MANDATORY MINIMUM STATUS OF CASES IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2010

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum	
	Number	Percent	Number	Percent	Number	Percent
TOTAL	73,133	100.0	53,237	72.8	19,896	27.2
D.C. CIRCUIT	355	0.5	203	57.2	152	42.8
District of Columbia	355	0.5	203	57.2	152	42.8
FIRST CIRCUIT	1,752	2.4	896	51.1	856	48.9
Maine	166	0.2	98	59.0	68	41.0
Massachusetts	421	0.6	255	60.6	166	39.4
New Hampshire	228	0.3	153	67.1	75	32.9
Puerto Rico	780	1.1	289	37.1	491	62.9
Rhode Island	157	0.2	101	64.3	56	35.7
SECOND CIRCUIT	4,038	5.5	2,767	68.5	1,271	31.5
Connecticut	407	0.6	259	63.6	148	36.4
New York						
Eastern	1,097	1.5	746	68.0	351	32.0
Northern	439	0.6	319	72.7	120	27.3
Southern	1,332	1.8	872	65.5	460	34.5
Western	588	0.8	437	74.3	151	25.7
Vermont	175	0.2	134	76.6	41	23.4
THIRD CIRCUIT	2,811	3.8	1,898	67.5	913	32.5
Delaware	128	0.2	88	68.8	40	31.3
New Jersey	798	1.1	622	77.9	176	22.1
Pennsylvania						
Eastern	894	1.2	473	52.9	421	47.1
Middle	486	0.7	404	83.1	82	16.9
Western	435	0.6	258	59.3	177	40.7
Virgin Islands	70	0.1	53	75.7	17	24.3
FOURTH CIRCUIT	5,700	7.8	3,299	57.9	2,401	42.1
Maryland	660	0.9	378	57.3	282	42.7
North Carolina						
Eastern	698	1.0	348	49.9	350	50.1
Middle	547	0.7	303	55.4	244	44.6
Western	497	0.7	246	49.5	251	50.5
South Carolina	1,218	1.7	716	58.8	502	41.2
Virginia						
Eastern	1,234	1.7	763	61.8	471	38.2
Western	356	0.5	165	46.3	191	53.7
West Virginia						
Northern	255	0.3	201	78.8	54	21.2
Southern	235	0.3	179	76.2	56	23.8

Table D-1 (continued)

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum	
	Number	Percent	Number	Percent	Number	Percent
FIFTH CIRCUIT	17,976	24.6	14,798	82.3	3,178	17.7
Louisiana						
Eastern	394	0.5	275	69.8	119	30.2
Middle	196	0.3	155	79.1	41	20.9
Western	346	0.5	216	62.4	130	37.6
Mississippi						
Northern	165	0.2	108	65.5	57	34.5
Southern	311	0.4	225	72.3	86	27.7
Texas						
Eastern	835	1.1	530	63.5	305	36.5
Northern	896	1.2	646	72.1	250	27.9
Southern	8,260	11.3	7,131	86.3	1,129	13.7
Western	6,573	9.0	5,512	83.9	1,061	16.1
SIXTH CIRCUIT	5,200	7.1	3,474	66.8	1,726	33.2
Kentucky						
Eastern	606	0.8	434	71.6	172	28.4
Western	394	0.5	236	59.9	158	40.1
Michigan						
Eastern	725	1.0	525	72.4	200	27.6
Western	474	0.6	331	69.8	143	30.2
Ohio						
Northern	627	0.9	486	77.5	141	22.5
Southern	649	0.9	428	65.9	221	34.1
Tennessee						
Eastern	817	1.1	397	48.6	420	51.4
Middle	282	0.4	205	72.7	77	27.3
Western	626	0.9	432	69.0	194	31.0
SEVENTH CIRCUIT	2,887	3.9	1,801	62.4	1,086	37.6
Illinois						
Central	368	0.5	177	48.1	191	51.9
Northern	797	1.1	549	68.9	248	31.1
Southern	302	0.4	171	56.6	131	43.4
Indiana						
Northern	427	0.6	293	68.6	134	31.4
Southern	326	0.4	144	44.2	182	55.8
Wisconsin						
Eastern	467	0.6	318	68.1	149	31.9
Western	200	0.3	149	74.5	51	25.5
EIGHTH CIRCUIT	4,749	6.5	2,977	62.7	1,772	37.3
Arkansas						
Eastern	377	0.5	270	71.6	107	28.4
Western	255	0.3	209	82.0	46	18.0
Iowa						
Northern	343	0.5	178	51.9	165	48.1
Southern	419	0.6	192	45.8	227	54.2
Minnesota	481	0.7	220	45.7	261	54.3
Missouri						
Eastern	1,025	1.4	713	69.6	312	30.4
Western	635	0.9	395	62.2	240	37.8
Nebraska	568	0.8	288	50.7	280	49.3
North Dakota	248	0.3	185	74.6	63	25.4
South Dakota	398	0.5	327	82.2	71	17.8

Table D-1 (continued)

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum	
	Number	Percent	Number	Percent	Number	Percent
NINTH CIRCUIT	14,578	19.9	11,512	79.0	3,066	21.0
Alaska	128	0.2	81	63.3	47	36.7
Arizona	4,930	6.7	4,390	89.0	540	11.0
California						
Central	1,827	2.5	1,401	76.7	426	23.3
Eastern	966	1.3	724	74.9	242	25.1
Northern	688	0.9	515	74.9	173	25.1
Southern	3,021	4.1	2,311	76.5	710	23.5
Guam	50	0.1	38	76.0	12	24.0
Hawaii	158	0.2	76	48.1	82	51.9
Idaho	291	0.4	199	68.4	92	31.6
Montana	364	0.5	229	62.9	135	37.1
Nevada	589	0.8	473	80.3	116	19.7
Northern Mariana Islands	27	0.0	23	85.2	4	14.8
Oregon	507	0.7	341	67.3	166	32.7
Washington						
Eastern	376	0.5	263	69.9	113	30.1
Western	656	0.9	448	68.3	208	31.7
TENTH CIRCUIT	6,553	9.0	5,448	83.1	1,105	16.9
Colorado	505	0.7	433	85.7	72	14.3
Kansas	676	0.9	403	59.6	273	40.4
New Mexico	3,657	5.0	3,324	90.9	333	9.1
Oklahoma						
Eastern	111	0.2	73	65.8	38	34.2
Northern	155	0.2	121	78.1	34	21.9
Western	283	0.4	231	81.6	52	18.4
Utah	798	1.1	655	82.1	143	17.9
Wyoming	368	0.5	208	56.5	160	43.5
ELEVENTH CIRCUIT	6,534	8.9	4,164	63.7	2,370	36.3
Alabama						
Middle	241	0.3	153	63.5	88	36.5
Northern	405	0.6	242	59.8	163	40.2
Southern	298	0.4	178	59.7	120	40.3
Florida						
Middle	1,660	2.3	1,011	60.9	649	39.1
Northern	372	0.5	213	57.3	159	42.7
Southern	2,164	3.0	1,388	64.1	776	35.9
Georgia						
Middle	275	0.4	192	69.8	83	30.2
Northern	650	0.9	412	63.4	238	36.6
Southern	469	0.6	375	80.0	94	20.0

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 106 were excluded due to missing statutory information.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Table D-1A

MANDATORY MINIMUM STATUS OF CASES IN EACH CIRCUIT AND DISTRICT¹
Immigration Cases Excluded
Fiscal Year 2010

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum	
	Number	Percent	Number	Percent	Number	Percent
TOTAL	49,471	100.0	29,720	60.1	19,751	39.9
D.C. CIRCUIT	348	0.7	197	56.6	151	43.4
District of Columbia	348	0.7	197	56.6	151	43.4
FIRST CIRCUIT	1,573	3.2	722	45.9	851	54.1
Maine	146	0.3	78	53.4	68	46.6
Massachusetts	381	0.8	217	57.0	164	43.0
New Hampshire	224	0.5	149	66.5	75	33.5
Puerto Rico	687	1.4	199	29.0	488	71.0
Rhode Island	135	0.3	79	58.5	56	41.5
SECOND CIRCUIT	3,433	6.9	2,186	63.7	1,247	36.3
Connecticut	391	0.8	243	62.1	148	37.9
New York						
Eastern	949	1.9	613	64.6	336	35.4
Northern	314	0.6	198	63.1	116	36.9
Southern	1,139	2.3	680	59.7	459	40.3
Western	514	1.0	363	70.6	151	29.4
Vermont	126	0.3	89	70.6	37	29.4
THIRD CIRCUIT	2,588	5.2	1,679	64.9	909	35.1
Delaware	113	0.2	73	64.6	40	35.4
New Jersey	746	1.5	571	76.5	175	23.5
Pennsylvania						
Eastern	815	1.6	397	48.7	418	51.3
Middle	452	0.9	370	81.9	82	18.1
Western	401	0.8	224	55.9	177	44.1
Virgin Islands	61	0.1	44	72.1	17	27.9
FOURTH CIRCUIT	5,211	10.5	2,814	54.0	2,397	46.0
Maryland	611	1.2	329	53.8	282	46.2
North Carolina						
Eastern	665	1.3	316	47.5	349	52.5
Middle	484	1.0	242	50.0	242	50.0
Western	458	0.9	207	45.2	251	54.8
South Carolina	1,163	2.4	661	56.8	502	43.2
Virginia						
Eastern	1,008	2.0	538	53.4	470	46.6
Western	345	0.7	154	44.6	191	55.4
West Virginia						
Northern	245	0.5	191	78.0	54	22.0
Southern	232	0.5	176	75.9	56	24.1

Table D-1A (continued)

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum	
	Number	Percent	Number	Percent	Number	Percent
FIFTH CIRCUIT	7,918	16.0	4,755	60.1	3,163	39.9
Louisiana						
Eastern	356	0.7	237	66.6	119	33.4
Middle	173	0.3	132	76.3	41	23.7
Western	313	0.6	183	58.5	130	41.5
Mississippi						
Northern	162	0.3	105	64.8	57	35.2
Southern	294	0.6	208	70.7	86	29.3
Texas						
Eastern	738	1.5	433	58.7	305	41.3
Northern	724	1.5	474	65.5	250	34.5
Southern	2,174	4.4	1,056	48.6	1,118	51.4
Western	2,984	6.0	1,927	64.6	1,057	35.4
SIXTH CIRCUIT	4,779	9.7	3,057	64.0	1,722	36.0
Kentucky						
Eastern	581	1.2	409	70.4	172	29.6
Western	379	0.8	221	58.3	158	41.7
Michigan						
Eastern	683	1.4	484	70.9	199	29.1
Western	368	0.7	225	61.1	143	38.9
Ohio						
Northern	583	1.2	444	76.2	139	23.8
Southern	539	1.1	318	59.0	221	41.0
Tennessee						
Eastern	790	1.6	370	46.8	420	53.2
Middle	259	0.5	183	70.7	76	29.3
Western	597	1.2	403	67.5	194	32.5
SEVENTH CIRCUIT	2,645	5.3	1,559	58.9	1,086	41.1
Illinois						
Central	333	0.7	142	42.6	191	57.4
Northern	680	1.4	432	63.5	248	36.5
Southern	281	0.6	150	53.4	131	46.6
Indiana						
Northern	411	0.8	277	67.4	134	32.6
Southern	313	0.6	131	41.9	182	58.1
Wisconsin						
Eastern	446	0.9	297	66.6	149	33.4
Western	181	0.4	130	71.8	51	28.2
EIGHTH CIRCUIT	4,173	8.4	2,404	57.6	1,769	42.4
Arkansas						
Eastern	338	0.7	231	68.3	107	31.7
Western	152	0.3	106	69.7	46	30.3
Iowa						
Northern	283	0.6	119	42.0	164	58.0
Southern	374	0.8	147	39.3	227	60.7
Minnesota	454	0.9	194	42.7	260	57.3
Missouri						
Eastern	994	2.0	682	68.6	312	31.4
Western	601	1.2	362	60.2	239	39.8
Nebraska	479	1.0	199	41.5	280	58.5
North Dakota	151	0.3	88	58.3	63	41.7
South Dakota	347	0.7	276	79.5	71	20.5

Table D-1A (continued)

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum	
	Number	Percent	Number	Percent	Number	Percent
NINTH CIRCUIT	8,292	16.8	5,260	63.4	3,032	36.6
Alaska	120	0.2	74	61.7	46	38.3
Arizona	1,986	4.0	1,449	73.0	537	27.0
California						
Central	1,331	2.7	906	68.1	425	31.9
Eastern	625	1.3	383	61.3	242	38.7
Northern	531	1.1	359	67.6	172	32.4
Southern	1,310	2.6	627	47.9	683	52.1
Guam	48	0.1	36	75.0	12	25.0
Hawaii	153	0.3	71	46.4	82	53.6
Idaho	207	0.4	115	55.6	92	44.4
Montana	338	0.7	204	60.4	134	39.6
Nevada	392	0.8	276	70.4	116	29.6
Northern Mariana Islands	24	0.0	20	83.3	4	16.7
Oregon	441	0.9	275	62.4	166	37.6
Washington						
Eastern	233	0.5	120	51.5	113	48.5
Western	553	1.1	345	62.4	208	37.6
TENTH CIRCUIT	3,157	6.4	2,057	65.2	1,100	34.8
Colorado	359	0.7	287	79.9	72	20.1
Kansas	595	1.2	325	54.6	270	45.4
New Mexico	950	1.9	619	65.2	331	34.8
Oklahoma						
Eastern	111	0.2	73	65.8	38	34.2
Northern	145	0.3	111	76.6	34	23.4
Western	258	0.5	206	79.8	52	20.2
Utah	469	0.9	326	69.5	143	30.5
Wyoming	270	0.5	110	40.7	160	59.3
ELEVENTH CIRCUIT	5,354	10.8	3,030	56.6	2,324	43.4
Alabama						
Middle	226	0.5	138	61.1	88	38.9
Northern	384	0.8	222	57.8	162	42.2
Southern	290	0.6	170	58.6	120	41.4
Florida						
Middle	1,249	2.5	602	48.2	647	51.8
Northern	327	0.7	168	51.4	159	48.6
Southern	1,662	3.4	928	55.8	734	44.2
Georgia						
Middle	253	0.5	170	67.2	83	32.8
Northern	515	1.0	278	54.0	237	46.0
Southern	448	0.9	354	79.0	94	21.0

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 23,672 cases were excluded because the primary guideline was an immigration offense. Of the remaining 49,567 cases, 96 were excluded due to missing statutory information.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Table D-2

MANDATORY MINIMUM STATUS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2010

PRIMARY OFFENSE	Total		No Mandatory Minimum		Mandatory Minimum	
	Number	Percent	Number	Percent	Number	Percent
TOTAL	73,133	100.0	53,237	72.8	19,896	27.2
Murder	63	0.1	45	71.4	18	28.6
Manslaughter	64	0.1	62	96.9	2	3.1
Kidnapping/Hostage Taking	37	0.1	34	91.9	3	8.1
Sexual Abuse	372	0.5	243	65.3	129	34.7
Assault	530	0.7	527	99.4	3	0.6
Robbery	1,049	1.4	1,036	98.8	13	1.2
Arson	74	0.1	27	36.5	47	63.5
Drugs - Trafficking	22,670	31.0	7,314	32.3	15,356	67.7
Drugs - Communication Facility	489	0.7	489	100.0	0	0.0
Drugs - Simple Possession	215	0.3	180	83.7	35	16.3
Firearms	7,738	10.6	5,373	69.4	2,365	30.6
Burglary/B&E	32	0.0	31	96.9	1	3.1
Auto Theft	87	0.1	86	98.9	1	1.1
Larceny	1,271	1.7	1,225	96.4	46	3.6
Fraud	6,561	9.0	5,927	90.3	634	9.7
Embezzlement	401	0.5	400	99.8	1	0.2
Forgery/Counterfeiting	845	1.2	834	98.7	11	1.3
Bribery	214	0.3	213	99.5	1	0.5
Tax	636	0.9	633	99.5	3	0.5
Money Laundering	738	1.0	735	99.6	3	0.4
Racketeering/Extortion	614	0.8	595	96.9	19	3.1
Gambling/Lottery	75	0.1	75	100.0	0	0.0
Civil Rights	55	0.1	55	100.0	0	0.0
Immigration	23,662	32.4	23,517	99.4	145	0.6
Pornography/Prostitution	1,834	2.5	840	45.8	994	54.2
Prison Offenses	388	0.5	388	100.0	0	0.0
Administration of Justice Offenses	1,064	1.5	1,056	99.2	8	0.8
Environmental/Wildlife	118	0.2	118	100.0	0	0.0
National Defense	68	0.1	68	100.0	0	0.0
Antitrust	11	0.0	11	100.0	0	0.0
Food & Drug	63	0.1	62	98.4	1	1.6
Other Miscellaneous Offenses	1,095	1.5	1,038	94.8	57	5.2

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 106 were excluded due to missing statutory information.

Table D-3**NUMBER OF CONVICTIONS AND AVERAGE SENTENCE
FOR MANDATORY MINIMUM STATUTES¹****Fiscal Year 2010**

Statute	Number	Percent	Average
TOTAL	28,261	100.0	119
21 U.S.C. § 846	9,258	32.8	103
21 U.S.C. § 841(b)(1)(B)	3,203	11.3	80
21 U.S.C. § 841(b)(1)(A)	2,685	9.5	120
18 U.S.C. § 924(c)(1)(A)(i)	1,547	5.5	143
18 U.S.C. § 1028A(a)(1)	1,008	3.6	52
18 U.S.C. § 924(c)(1)(A)(ii)	672	2.4	201
21 U.S.C. § 960	602	2.1	56
21 U.S.C. § 860	589	2.1	112
18 U.S.C. § 2252(a)(2)	460	1.6	171
21 U.S.C. § 963	453	1.6	87
21 U.S.C. § 841(b)(1)(A)(viii)	426	1.5	113
21 U.S.C. § 841(b)(1)(B)(vii)	415	1.5	48
18 U.S.C. § 924(e)(1)	401	1.4	193
18 U.S.C. § 2252A(a)(2)	395	1.4	133
21 U.S.C. § 841	375	1.3	97
21 U.S.C. § 841(b)(1)(A)(ii)	365	1.3	143
21 U.S.C. § 841(b)(1)(B)(iii)	363	1.3	101
18 U.S.C. § 2251(a)	313	1.1	340
21 U.S.C. § 851	308	1.1	214
21 U.S.C. § 841(b)(1)(A)(iii)	306	1.1	134
18 U.S.C. § 924(c)(1)(C)(i)	291	1.0	415
21 U.S.C. § 841(b)(1)(B)(viii)	273	1.0	92
21 U.S.C. § 841(b)(1)(B)(ii)	246	0.9	83
21 U.S.C. § 841(b)(1)(C)	194	0.7	122
18 U.S.C. § 1028A(c)	185	0.7	52

Table D-3 (continued)

**NUMBER OF CONVICTIONS AND AVERAGE SENTENCE
FOR MANDATORY MINIMUM STATUTES
Fiscal Year 2010**

Statute	Number	Percent	Average
18 U.S.C. § 924(c)(1)(A)(iii)	159	0.6	257
21 U.S.C. § 841(b)(1)(A)(vii)	152	0.5	95
18 U.S.C. § 2252A(b)(1)	147	0.5	168
21 U.S.C. § 960(b)(1)(B)(ii)	139	0.5	125
21 U.S.C. § 841(b)(1)	129	0.5	116
8 U.S.C. § 1324(a)(2)(B)(ii)	128	0.5	50
18 U.S.C. § 2252(b)(1)	127	0.5	159
18 U.S.C. § 2422(b)	117	0.4	161
21 U.S.C. § 841(b)(1)(A)(ii)(II)	107	0.4	85
21 U.S.C. § 860(a)	106	0.4	89
18 U.S.C. § 2251(e)	96	0.3	306
18 U.S.C. § 2252(a)(1)	96	0.3	149
18 U.S.C. § 2252A(a)(1)	95	0.3	170
21 U.S.C. § 841(b)(1)(B)(i)	89	0.3	69
18 U.S.C. § 924(c)	85	0.3	277
21 U.S.C. § 841(b)(1)(A)(i)	70	0.2	103
18 U.S.C. § 2251(d)(1)	63	0.2	244
18 U.S.C. § 2252A(a)(5)	58	0.2	220
18 U.S.C. § 844(i)	56	0.2	93
21 U.S.C. § 844(a)	51	0.2	49
21 U.S.C. § 841(b)(1)(B)(ii)(II)	49	0.2	76
18 U.S.C. § 2252(a)(4)	39	0.1	177
21 U.S.C. § 859	38	0.1	129
18 U.S.C. § 2423(a)	36	0.1	245
21 U.S.C. § 960(b)(1)(B)	36	0.1	118
21 U.S.C. § 960(b)(1)(H)	36	0.1	81

Table D-3 (continued)

**NUMBER OF CONVICTIONS AND AVERAGE SENTENCE
FOR MANDATORY MINIMUM STATUTES
Fiscal Year 2010**

Statute	Number	Percent	Average
21 U.S.C. § 960(b)(2)(G)	33	0.1	36
21 U.S.C. § 960(b)(2)(B)	29	0.1	40
21 U.S.C. § 960(b)(2)(B)(ii)	24	0.1	76
21 U.S.C. § 960(b)(1)(A)	23	0.1	64
18 U.S.C. § 2252A(b)(2)	22	0.1	199
21 U.S.C. § 848(e)(1)	22	0.1	411
18 U.S.C. § 924(c)(1)(C)(ii)	21	0.1	Life
21 U.S.C. § 841(c)	21	0.1	130
21 U.S.C. § 960(b)(2)(A)	21	0.1	37
18 U.S.C. § 844(h)	19	0.1	280
18 U.S.C. § 924	19	0.1	185
8 U.S.C. § 1324(a)(2)(B)(iii)	18	0.1	66
18 U.S.C. § 2252(b)(2)	18	0.1	193
21 U.S.C. § 960(b)(1)	17	0.1	105
18 U.S.C. § 924(c)(1)(B)(i)	16	0.1	163
18 U.S.C. § 1591(b)(2)	15	0.1	179
18 U.S.C. § 2113(e)	15	0.1	254
18 U.S.C. § 2241(c)	15	0.1	406
18 U.S.C. § 924(c)(1)(B)(ii)	14	0.1	355
18 U.S.C. § 2251(d)	14	0.1	374
18 U.S.C. § 924(j)(1)	13	0.1	448
18 U.S.C. § 1591(b)(1)	13	0.1	218
21 U.S.C. § 841(b)	13	0.1	195
18 U.S.C. § 1111(a)	12	0.0	452
21 U.S.C. § 848(a)	12	0.0	289
21 U.S.C. § 861(a)	12	0.0	77

Table D-3 (continued)**NUMBER OF CONVICTIONS AND AVERAGE SENTENCE
FOR MANDATORY MINIMUM STATUTES
Fiscal Year 2010**

Statute	Number	Percent	Average
18 U.S.C. § 1958(a)	11	0.0	428
18 U.S.C. § 844(n)	10	0.0	118
18 U.S.C. § 3559(c)	10	0.0	Life
21 U.S.C. § 861	10	0.0	142
18 U.S.C. § 1959(a)(1)	9	0.0	371
21 U.S.C. § 960(b)(2)	9	0.0	72
18 U.S.C. § 924(j)	8	0.0	367
21 U.S.C. § 841(b)(1)(B)(IV)	8	0.0	59
21 U.S.C. § 848(b)	7	0.0	392
18 U.S.C. § 2251(b)	6	0.0	273
21 U.S.C. § 848	6	0.0	269
18 U.S.C. § 844(f)	5	0.0	77
18 U.S.C. § 2252(a)	5	0.0	137
18 U.S.C. § 2260A	5	0.0	352
21 U.S.C. § 841(b)(1)(A)(iv)	5	0.0	39
18 U.S.C. § 1512(a)(1)	4	0.0	Life
18 U.S.C. § 2251(c)	4	0.0	258
21 U.S.C. § 960(b)(1)(B)(iii)	4	0.0	103
21 U.S.C. § 960(b)(1)(G)	4	0.0	98
18 U.S.C. § 1201(a)(1)	2	0.0	295
18 U.S.C. § 1201(g)(1)	2	0.0	415
18 U.S.C. § 3559(d)	2	0.0	415
18 U.S.C. § 3559(e)	2	0.0	Life
18 U.S.C. § 2252A(a)(3)	2	0.0	171
21 U.S.C. § 841(b)(1)(A)(v)	2	0.0	120
46 U.S.C. § 1903(j)	2	0.0	143

Table D-3 (continued)

**NUMBER OF CONVICTIONS AND AVERAGE SENTENCE
FOR MANDATORY MINIMUM STATUTES
Fiscal Year 2010**

Statute	Number	Percent	Average
8 U.S.C. § 1324(a)(2)(B)(i)	1	0.0	36
18 U.S.C. § 371	1	0.0	240
18 U.S.C. § 1512(a)(3)(A)	1	0.0	Life
18 U.S.C. § 1962(d)	1	0.0	Life
18 U.S.C. § 3559(f)	1	0.0	360
21 U.S.C. § 960(b)(1)(C)	1	0.0	50
21 U.S.C. § 960(b)(2)(B)(iii)	1	0.0	24
21 U.S.C. § 960(b)(2)(H)	1	0.0	21
46 U.S.C. § 1903(g)	1	0.0	151

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878 cases. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 53,237 cases (72.7 percent) did not involve a mandatory minimum sentence. Of the remaining 20,002 offenders, 106 were excluded due to missing sentence length information. In some instances, the offender was convicted of more than one mandatory minimum statute, thus the number of mandatory minimum statutes of conviction are greater than the number of offenders convicted of a mandatory minimum.

Life sentences are included in these calculations as 470 months. Average sentences that are 470 months or greater are designated as "Life" in the "Average" column.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Table D-4

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
21 U.S.C. § 846	9,258		103
	8671	2D1.1	101
	347	2D1.2	102
	183	2S1.1	163
	30	2A1.1	320
	6	2D1.11	147
	5	2K2.1	128
	3	2A1.2	280
	3	2A2.1	369
	3	2B3.1	166
	2	2B1.1	63
	1	2A1.5	306
	1	2D1.10	210
	1	2D1.5	324
	1	2G2.1	235
	1	2G2.2	185

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
21 U.S.C. § 841(b)(1)(B)	3,203		80
	3,073	2D1.1	78
	69	2D1.2	85
	25	2S1.1	179
	23	2K2.1	155
	3	2A2.1	373
	2	2A1.1	240
	2	2A4.1	88
	2	2D1.11	90
	1	2A1.5	306
	1	2B1.1	108
	1	2D1.10	210
	1	2G2.2	185
21 U.S.C. § 841(b)(1)(A)	2,685		120
	2,548	2D1.1	117
	66	2S1.1	205
	50	2D1.2	115
	9	2A1.1	Life
	8	2D1.11	102
	3	2A2.1	369
	1	2C1.1	135

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
18 U.S.C. § 924(c)(1)(A)(i)	1,547		143
	1,081	2D1.1	145
	194	N/A	75
	103	2K2.1	174
	91	2B3.1	203
	28	2D1.2	148
	9	2S1.1	215
	7	2A1.1	421
	6	2A1.5	184
	4	2A4.1	250
	3	2A2.1	108
	3	2X3.1	202
	2	2A1.2	359
	2	2A6.1	90
	2	2B3.2	101
	2	2D1.11	102
	2	2X1.1	57
	1	2A2.2	75
	1	2B1.1	34
	1	2E1.1	93
	1	2E1.4	300
	1	2H1.1	181
	1	2J1.4	0
	1	2K1.4	120
	1	2L1.2	150

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
18 U.S.C. § 1028A(a)(1)	1,008		52
	764	2B1.1	41
	107	N/A	24
	59	2L2.2	28
	26	2L2.1	48
	12	2L1.2	67
	11	2K2.1	76
	10	2D1.1	78
	6	2S1.1	138
	2	2T3.1	51
	2	2G2.2	140
	2	2T1.1	77
	1	2A2.2	133
	1	2A3.5	42
	1	2B5.1	34
	1	2D1.2	Life
	1	2J1.2	61
	1	2L1.1	30
	1	2T1.4	36

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹**

Fiscal Year 2010

Statute	Number	Guideline	Average
18 U.S.C. § 924(c)(1)(A)(ii)	672		201
	512	2B3.1	204
	60	N/A	156
	44	2D1.1	142
	21	2K2.1	278
	12	2A4.1	251
	7	2A1.1	306
	3	2A2.2	136
	2	2A1.5	Life
	2	2A2.1	427
	2	2A6.1	182
	2	2B3.2	122
	2	2S1.1	396
	1	2B1.1	34
	1	2D1.11	168
	1	2D1.2	Life
21 U.S.C. § 960	602		56
	600	2D1.1	56
	2	2D1.2	67
21 U.S.C. § 860	589		112
	561	2D1.2	110
	11	2K2.1	179
	9	2D1.1	51
	3	2B3.1	15
	3	2S1.1	373
	1	2A1.2	248
	1	2G2.1	235

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
18 U.S.C. § 2252(a)(2)	460		171
	445	2G2.2	169
	15	2G2.1	256
21 U.S.C. § 963	453		87
	441	2D1.1	84
	11	2S1.1	177
	1	2A1.1	Life
21 U.S.C. § 841(b)(1)(A)(viii)	426		113
	409	2D1.1	111
	9	2D1.2	115
	7	2S1.1	145
	1	2A1.1	Life
21 U.S.C. § 841(b)(1)(B)(vii)	415		48
	403	2D1.1	47
	8	2S1.1	100
	3	2K2.1	80
	1	2B1.1	5
18 U.S.C. § 924(e)(1)	401		193
	345	2K2.1	188
	35	2D1.1	220
	9	2B3.1	262
	5	N/A	182
	3	2A4.1	235
	2	2A2.1	125
	1	2A1.3	200
	1	2E1.4	300

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
18 U.S.C. § 2252A(a)(2)	395		133
	370	2G2.2	122
	24	2G2.1	303
	1	2X1.1	60
21 U.S.C. § 841	375		97
	364	2D1.1	96
	6	2D1.2	85
	4	2S1.1	211
	1	2K2.1	126
21 U.S.C. § 841(b)(1)(A)(ii)	365		143
	339	2D1.1	137
	20	2S1.1	216
	5	2A1.1	320
	1	2D1.2	17
21 U.S.C. § 841(b)(1)(B)(iii)	363		101
	349	2D1.1	100
	7	2D1.2	102
	5	2K2.1	133
	1	2A1.1	110
	1	2A2.1	360
18 U.S.C. § 2251(a)	313		340
	297	2G2.1	339
	16	2G2.2	354

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
21 U.S.C. § 851	308		214
	286	2D1.1	215
	11	2D1.2	202
	4	2K2.1	153
	3	2D2.1	20
	3	2S1.1	350
	1	2A1.1	Life
21 U.S.C. § 841(b)(1)(A)(iii)	306		134
	278	2D1.1	134
	23	2D1.2	119
	3	2S1.1	203
	2	2K2.1	191
18 U.S.C. § 924(c)(1)(C)(i)	291		415
	198	2B3.1	429
	19	2A4.1	Life
	19	2D1.1	249
	15	N/A	320
	12	2A2.1	463
	11	2A1.1	370
	7	2K2.1	417
	7	2S1.1	Life
	3	2A2.2	Life

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
21 U.S.C. § 841(b)(1)(B)(viii)	273		92
	262	2D1.1	89
	3	2D1.11	188
	3	2D1.2	137
	3	2S1.1	127
	1	2K2.1	188
	1	2L1.1	188
21 U.S.C. § 841(b)(1)(B)(ii)	246		83
	244	2D1.1	81
	1	2A1.1	Life
	1	2D1.2	151
21 U.S.C. § 841(b)(1)(C)	194		122
	109	2D1.1	152
	78	2D1.2	78
	5	2S1.1	163
	2	2K2.1	146
18 U.S.C. § 1028A(c)	185		52
	154	2B1.1	56
	12	2L2.2	29
	9	N/A	23
	4	2D1.1	57
	4	2L2.1	48
	1	2L1.2	36
	1	2T1.1	48

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
18 U.S.C. § 924(c)(1)(A)(iii)	159		257
	51	2B3.1	219
	32	2A1.1	402
	31	2D1.1	171
	13	2A2.1	338
	11	N/A	200
	8	2A2.2	213
	5	2K2.1	245
	2	2A4.1	272
	2	2B3.2	281
	2	2J1.2	118
	1	2A1.2	Life
	1	2A1.3	198
21 U.S.C. § 841(b)(1)(A)(vii)	152		95
	131	2D1.1	90
	13	2S1.1	134
	7	2D1.2	86
	1	2D1.5	324
18 U.S.C. § 2252A(b)(1)	147		168
	137	2G2.2	155
	10	2G2.1	290
21 U.S.C. § 960(b)(1)(B)(ii)	139	2D1.1	125
21 U.S.C. § 841(b)(1)	129		116
	121	2D1.1	96
	8	2S1.1	426

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
8 U.S.C. § 1324(a)(2)(B)(ii)	128		50
	122	2L1.1	45
	2	2A3.1	292
	2	2C1.1	86
	1	2D1.1	58
	1	2L1.2	51
18 U.S.C. § 2252(b)(1)	127		159
	124	2G2.2	155
	3	2G2.1	322
18 U.S.C. § 2422(b)	117		161
	90	2G1.3	142
	13	2G2.1	280
	13	2G2.2	177
	1	2G1.1	78
21 U.S.C. § 841(b)(1)(A)(ii)(II)	107		85
	105	2D1.1	85
	2	2S1.1	102
21 U.S.C. § 860(a)	106		89
	82	2D1.2	83
	18	2D1.1	104
	4	2K2.1	128
	2	2S1.1	154

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
18 U.S.C. § 2251(e)	96		306
	91	2G2.1	303
	5	2G2.2	345
18 U.S.C. § 2252(a)(1)	96		149
	90	2G2.2	141
	6	2G2.1	271
18 U.S.C. § 2252A(a)(1)	95		170
	86	2G2.2	160
	9	2G2.1	262
21 U.S.C. § 841(b)(1)(B)(i)	89	2D1.1	69
18 U.S.C. § 924(c)	85		277
	32	2B3.1	252
	15	2A1.1	428
	11	N/A	137
	9	2D1.1	186
	6	2A1.2	Life
	4	2K2.1	236
	3	2A2.1	357
	2	2A1.3	225
	1	2A4.1	420
	1	2L1.1	150
	1	2S1.1	42
21 U.S.C. § 841(b)(1)(A)(i)	70	2D1.1	103
18 U.S.C. § 2251(d)(1)	63		244
	61	2G2.2	242
	2	2G2.1	292

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹**

Fiscal Year 2010

Statute	Number	Guideline	Average
18 U.S.C. § 2252A(a)(5)	58		220
	53	2G2.2	214
	5	2G2.1	274
18 U.S.C. § 844(i)	56		93
	51	2K1.4	87
	2	2B1.1	162
	1	2A2.1	188
	1	2K2.1	78
	1	2M1.1	162
21 U.S.C. § 844(a)	51		49
	21	2D2.1	14
	19	2D1.1	70
	9	2K2.1	88
	1	2A2.2	36
	1	2A6.1	18
21 U.S.C. § 841(b)(1)(B)(ii)(II)	49	2D1.1	76
18 U.S.C. § 2252(a)(4)	39		177
	37	2G2.2	168
	2	2G2.1	345
21 U.S.C. § 859	38		129
	35	2D1.2	136
	3	2D1.1	68
18 U.S.C. § 2423(a)	36		245
	22	2G1.3	172
	9	2A3.1	366
	4	2G2.1	385
	1	2G1.1	180

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
21 U.S.C. § 960(b)(1)(B)	36	2D1.1	118
21 U.S.C. § 960(b)(1)(H)	36		81
	35	2D1.1	81
	1	2D1.2	75
21 U.S.C. § 960(b)(2)(G)	33	2D1.1	36
21 U.S.C. § 960(b)(2)(B)	29	2D1.1	40
21 U.S.C. § 960(b)(2)(B)(ii)	24	2D1.1	76
21 U.S.C. § 960(b)(1)(A)	23	2D1.1	64
18 U.S.C. § 2252A(b)(2)	22		199
	18	2G2.2	177
	4	2G2.1	298
21 U.S.C. § 848(e)(1)	22		411
	17	2A1.1	394
	5	2S1.1	Life
18 U.S.C. § 924(c)(1)(C)(ii)	21		Life
	13	2A1.1	Life
	8	2S1.1	Life
21 U.S.C. § 841(c)	21		130
	11	2D1.1	156
	7	2D1.11	104
	3	2D1.2	94
21 U.S.C. § 960(b)(2)(A)	21	2D1.1	37

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
18 U.S.C. § 844(h)	19		280
	7	2A1.1	Life
	7	2K1.4	179
	2	2K1.3	181
	1	2B1.1	150
	1	2B3.2	144
	1	2K2.1	120
18 U.S.C. § 924	19	2K2.1	185
8 U.S.C. § 1324(a)(2)(B)(iii)	18	2L1.1	66
18 U.S.C. § 2252(b)(2)	18		193
	17	2G2.2	177
	1	2G2.1	Life
21 U.S.C. § 960(b)(1)	17	2D1.1	105
18 U.S.C. § 924(c)(1)(B)(i)	16		163
	6	2D1.1	155
	5	2B3.1	146
	4	N/A	123
	1	2A1.1	Life
18 U.S.C. § 1591(b)(2)	15		179
	11	2G1.3	154
	2	2A3.1	287
	2	2G1.1	210
18 U.S.C. § 2113(e)	15		254
	14	2B3.1	238
	1	2K2.1	Life

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
18 U.S.C. § 2241(c)	15		406
	14	2A3.1	402
	1	2G2.2	456
18 U.S.C. § 924(c)(1)(B)(ii)	14		355
	5	2D1.1	264
	4	2B3.1	360
	1	N/A	360
	1	2A1.1	Life
	1	2A1.5	Life
	1	2K2.1	444
	1	2S1.1	Life
18 U.S.C. § 2251(d)	14		374
	12	2G2.1	404
	2	2G2.2	198
18 U.S.C. § 924(j)(1)	13		448
	6	2A1.1	452
	6	2A1.2	Life
	1	N/A	300
18 U.S.C. § 1591(b)(1)	13		218
	9	2G1.3	207
	2	2A3.1	292
	1	2G1.1	210
	1	2G2.1	180
21 U.S.C. § 841(b)	13	2D1.1	195

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
18 U.S.C. § 1111(a)	12		452
	9	2A1.1	Life
	2	2A1.2	360
	1	2S1.1	Life
21 U.S.C. § 848(a)	12		289
	7	2D1.5	216
	3	2S1.1	393
	2	2D1.1	385
21 U.S.C. § 861(a)	12		77
	11	2D1.2	67
	1	2D1.1	180
18 U.S.C. § 1958(a)	11		428
	9	2A1.1	419
	2	S21.1	Life
18 U.S.C. § 844(n)	10		118
	8	2K1.4	74
	1	2A1.1	Life
	1	2M5.3	112
18 U.S.C. § 3559(c)	10		Life
	7	2B3.1	Life
	3	2K2.1	Life
21 U.S.C. § 861	10		142
	8	2D1.2	61
	2	2S1.1	Life
18 U.S.C. § 1959(a)(1)	9	2A1.1	371

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
21 U.S.C. § 960(b)(2)	9		72
	8	2D1.1	48
	1	2G2.1	264
18 U.S.C. § 924(j)	8		367
	7	2A1.1	377
	1	2A1.3	300
21 U.S.C. § 841(b)(1)(B)(IV)	8	2D1.1	59
21 U.S.C. § 848(b)	7		392
	6	2S1.1	432
	1	2D1.5	156
18 U.S.C. § 2251(b)	6		273
	5	2G2.1	292
	1	2G2.2	180
21 U.S.C. § 848	6		269
	3	2D1.5	213
	3	2S1.1	324
18 U.S.C. § 844(f)	5		77
	2	2K1.4	72
	2	2K2.1	60
	1	2A2.1	120
18 U.S.C. § 2252(a)	5		137
	4	2G2.2	119
	1	2G2.1	210

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
18 U.S.C. § 2260A	5		352
	2	2G1.3	400
	1	2A3.1	300
	1	2A4.1	360
	1	2G2.2	300
21 U.S.C. § 841(b)(1)(A)(iv)	5	2D1.1	39
18 U.S.C. § 1512(a)(1)	4		Life
	3	2A1.1	Life
	1	2S1.1	Life
18 U.S.C. § 2251(c)	4	2G2.1	258
21 U.S.C. § 960(b)(1)(B)(iii)	4	2D1.1	103
21 U.S.C. § 960(b)(1)(G)	4		98
	3	2D1.1	109
	1	2S1.1	66
18 U.S.C. § 1201(a)(1)	2		295
	1	2A1.1	120
	1	2A4.1	Life
18 U.S.C. § 1201(g)(1)	2	2A4.1	415
18 U.S.C. § 3559(d)	2	2A1.3	415
18 U.S.C. § 3559(e)	2	2G2.1	Life
18 U.S.C. § 2252A(a)(3)	2	2G2.2	171
21 U.S.C. § 841(b)(1)(A)(v)	2	2D1.1	120
46 U.S.C. § 1903(j)	2	2D1.1	143
8 U.S.C. § 1324(a)(2)(B)(i)	1	2L1.1	36
18 U.S.C. § 371	1	2B3.1	240
18 U.S.C. § 1512(a)(3)(A)	1	2S1.1	Life

Table D-4 (continued)

**SPECIFIC GUIDELINE APPLIED AND AVERAGE SENTENCE BY GUIDELINE FOR
EACH MANDATORY MINIMUM STATUTE¹
Fiscal Year 2010**

Statute	Number	Guideline	Average
18 U.S.C. § 1962(d)	1	2A1.1	Life
18 U.S.C. § 3559(f)	1	2G2.1	360
21 U.S.C. § 960(b)(1)(C)	1	2D1.1	50
21 U.S.C. § 960(b)(2)(B)(iii)	1	2D1.1	24
21 U.S.C. § 960(b)(2)(H)	1	2D1.1	21
46 U.S.C. § 1903(g)	1	2D1.1	151

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878 cases. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 53,237 cases (72.7 percent) did not involve a mandatory minimum sentence. Of the remaining 20,002 offenders, 106 were excluded due to missing sentence length information. In some instances, the offender was convicted of more than one mandatory minimum statute, thus the number of mandatory minimum statutes of conviction are greater than the number of offenders convicted of a mandatory minimum.

Life sentences are included in these calculations as 470 months. Average sentences that are 470 months or greater are designated as "Life" in the "Average" column.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Table D-5

MANDATORY MINIMUM STATUS IN EACH CRIMINAL HISTORY CATEGORY¹
Fiscal Year 2010

CRIMINAL HISTORY CATEGORY	No Mandatory Minimum		Mandatory Minimum	
	Number	Percent	Number	Percent
TOTAL	53,237	100.0	19,813	100.0
Category I	22,390	42.1	9,702	49.0
Category II	6,861	12.9	2,219	11.2
Category III	9,460	17.8	2,674	13.5
Category IV	6,132	11.5	1,523	7.7
Category V	3,565	6.7	911	4.6
Category VI	4,829	9.1	2,784	14.1

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 189 were excluded due to missing values for one or both of the following reasons: missing criminal history category (83) or missing statutory information (106).

SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Table D-6

**MANDATORY MINIMUM STATUS FOR DRUG OFFENDERS
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2010**

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum		Drug Mandatory Minimum	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	73,133	100.0	53,237	72.8	19,896	27.2	15,783	21.6
D.C. CIRCUIT	355	0.5	203	57.2	152	42.8	123	34.6
District of Columbia	355	0.5	203	57.2	152	42.8	123	34.6
FIRST CIRCUIT	1,752	2.4	896	51.1	856	48.9	749	42.8
Maine	166	0.2	98	59.0	68	41.0	59	35.5
Massachusetts	421	0.6	255	60.6	166	39.4	128	30.4
New Hampshire	228	0.3	153	67.1	75	32.9	47	20.6
Puerto Rico	780	1.1	289	37.1	491	62.9	464	59.5
Rhode Island	157	0.2	101	64.3	56	35.7	51	32.5
SECOND CIRCUIT	4,038	5.5	2,767	68.5	1,271	31.5	1,019	25.2
Connecticut	407	0.6	259	63.6	148	36.4	137	33.7
New York								
Eastern	1,097	1.5	746	68.0	351	32.0	285	26.0
Northern	439	0.6	319	72.7	120	27.3	69	15.7
Southern	1,332	1.8	872	65.5	460	34.5	397	29.8
Western	588	0.8	437	74.3	151	25.7	106	18.0
Vermont	175	0.2	134	76.6	41	23.4	25	14.3
THIRD CIRCUIT	2,811	3.8	1,898	67.5	913	32.5	667	23.7
Delaware	128	0.2	88	68.8	40	31.3	33	25.8
New Jersey	798	1.1	622	77.9	176	22.1	147	18.4
Pennsylvania								
Eastern	894	1.2	473	52.9	421	47.1	261	29.2
Middle	486	0.7	404	83.1	82	16.9	62	12.8
Western	435	0.6	258	59.3	177	40.7	149	34.3
Virgin Islands	70	0.1	53	75.7	17	24.3	15	21.4
FOURTH CIRCUIT	5,700	7.8	3,299	57.9	2,401	42.1	1,708	30.0
Maryland	660	0.9	378	57.3	282	42.7	194	29.4
North Carolina								
Eastern	698	1.0	348	49.9	350	50.1	232	33.2
Middle	547	0.7	303	55.4	244	44.6	149	27.2
Western	497	0.7	246	49.5	251	50.5	180	36.2
South Carolina	1,218	1.7	716	58.8	502	41.2	393	32.3
Virginia								
Eastern	1,234	1.7	763	61.8	471	38.2	319	25.9
Western	356	0.5	165	46.3	191	53.7	153	43.0
West Virginia								
Northern	255	0.3	201	78.8	54	21.2	51	20.0
Southern	235	0.3	179	76.2	56	23.8	37	15.7

Table D-6 (continued)

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum		Drug Mandatory Minimum	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
FIFTH CIRCUIT	17,976	24.6	14,798	82.3	3,178	17.7	2,862	15.9
Louisiana								
Eastern	394	0.5	275	69.8	119	30.2	105	26.6
Middle	196	0.3	155	79.1	41	20.9	31	15.8
Western	346	0.5	216	62.4	130	37.6	115	33.2
Mississippi								
Northern	165	0.2	108	65.5	57	34.5	46	27.9
Southern	311	0.4	225	72.3	86	27.7	68	21.9
Texas								
Eastern	835	1.1	530	63.5	305	36.5	273	32.7
Northern	896	1.2	646	72.1	250	27.9	188	21.0
Southern	8,260	11.3	7,131	86.3	1,129	13.7	1,074	13.0
Western	6,573	9.0	5,512	83.9	1,061	16.1	962	14.6
SIXTH CIRCUIT	5,200	7.1	3,474	66.8	1,726	33.2	1,220	23.5
Kentucky								
Eastern	606	0.8	434	71.6	172	28.4	107	17.7
Western	394	0.5	236	59.9	158	40.1	127	32.2
Michigan								
Eastern	725	1.0	525	72.4	200	27.6	143	19.7
Western	474	0.6	331	69.8	143	30.2	102	21.5
Ohio								
Northern	627	0.9	486	77.5	141	22.5	91	14.5
Southern	649	0.9	428	65.9	221	34.1	163	25.1
Tennessee								
Eastern	817	1.1	397	48.6	420	51.4	330	40.4
Middle	282	0.4	205	72.7	77	27.3	39	13.8
Western	626	0.9	432	69.0	194	31.0	118	18.8
SEVENTH CIRCUIT	2,887	3.9	1,801	62.4	1,086	37.6	826	28.6
Illinois								
Central	368	0.5	177	48.1	191	51.9	149	40.5
Northern	797	1.1	549	68.9	248	31.1	199	25.0
Southern	302	0.4	171	56.6	131	43.4	112	37.1
Indiana								
Northern	427	0.6	293	68.6	134	31.4	89	20.8
Southern	326	0.4	144	44.2	182	55.8	127	39.0
Wisconsin								
Eastern	467	0.6	318	68.1	149	31.9	117	25.1
Western	200	0.3	149	74.5	51	25.5	33	16.5
EIGHTH CIRCUIT	4,749	6.5	2,977	62.7	1,772	37.3	1,463	30.8
Arkansas								
Eastern	377	0.5	270	71.6	107	28.4	89	23.6
Western	255	0.3	209	82.0	46	18.0	37	14.5
Iowa								
Northern	343	0.5	178	51.9	165	48.1	140	40.8
Southern	419	0.6	192	45.8	227	54.2	199	47.5
Minnesota	481	0.7	220	45.7	261	54.3	239	49.7
Missouri								
Eastern	1,025	1.4	713	69.6	312	30.4	224	21.9
Western	635	0.9	395	62.2	240	37.8	175	27.6
Nebraska	568	0.8	288	50.7	280	49.3	245	43.1
North Dakota	248	0.3	185	74.6	63	25.4	55	22.2
South Dakota	398	0.5	327	82.2	71	17.8	60	15.1

Table D-6 (continued)

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum		Drug Mandatory Minimum	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NINTH CIRCUIT	14,578	19.9	11,512	79.0	3,066	21.0	2,578	17.7
Alaska	128	0.2	81	63.3	47	36.7	42	32.8
Arizona	4,930	6.7	4,390	89.0	540	11.0	492	10.0
California								
Central	1,827	2.5	1,401	76.7	426	23.3	353	19.3
Eastern	966	1.3	724	74.9	242	25.1	169	17.5
Northern	688	0.9	515	74.9	173	25.1	133	19.3
Southern	3,021	4.1	2,311	76.5	710	23.5	666	22.0
Guam	50	0.1	38	76.0	12	24.0	11	22.0
Hawaii	158	0.2	76	48.1	82	51.9	71	44.9
Idaho	291	0.4	199	68.4	92	31.6	83	28.5
Montana	364	0.5	229	62.9	135	37.1	92	25.3
Nevada	589	0.8	473	80.3	116	19.7	78	13.2
Northern Mariana Islands	27	0.0	23	85.2	4	14.8	4	14.8
Oregon	507	0.7	341	67.3	166	32.7	135	26.6
Washington								
Eastern	376	0.5	263	69.9	113	30.1	99	26.3
Western	656	0.9	448	68.3	208	31.7	150	22.9
TENTH CIRCUIT	6,553	9.0	5,448	83.1	1,105	16.9	888	13.6
Colorado	505	0.7	433	85.7	72	14.3	61	12.1
Kansas	676	0.9	403	59.6	273	40.4	211	31.2
New Mexico	3,657	5.0	3,324	90.9	333	9.1	303	8.3
Oklahoma								
Eastern	111	0.2	73	65.8	38	34.2	28	25.2
Northern	155	0.2	121	78.1	34	21.9	20	12.9
Western	283	0.4	231	81.6	52	18.4	27	9.5
Utah	798	1.1	655	82.1	143	17.9	100	12.5
Wyoming	368	0.5	208	56.5	160	43.5	138	37.5
ELEVENTH CIRCUIT	6,534	8.9	4,164	63.7	2,370	36.3	1,680	25.7
Alabama								
Middle	241	0.3	153	63.5	88	36.5	66	27.4
Northern	405	0.6	242	59.8	163	40.2	89	22.0
Southern	298	0.4	178	59.7	120	40.3	86	28.9
Florida								
Middle	1,660	2.3	1,011	60.9	649	39.1	504	30.4
Northern	372	0.5	213	57.3	159	42.7	118	31.7
Southern	2,164	3.0	1,388	64.1	776	35.9	536	24.8
Georgia								
Middle	275	0.4	192	69.8	83	30.2	69	25.1
Northern	650	0.9	412	63.4	238	36.6	142	21.8
Southern	469	0.6	375	80.0	94	20.0	70	14.9

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 106 were excluded due to missing statutory information.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Table D-7

**MANDATORY MINIMUM STATUS AND AVERAGE SENTENCE BY DRUG TYPE
FOR DRUG OFFENDERS¹
Fiscal Year 2010**

DRUG TYPE	TOTAL	No Mandatory Minimum			Mandatory Minimum		
		Number	Percent	Mean Sentence (months)	Number	Percent	Mean Sentence (months)
TOTAL	23,687	7,874	33.2	33	15,813	66.8	93
Cocaine	5,557	1,110	20.0	38	4,447	80.0	92
Crack	4,743	838	17.7	61	3,905	82.3	118
Heroin	1,559	461	29.6	43	1,098	70.4	81
Marijuana	6,151	3,426	55.7	18	2,725	44.3	55
Methamphetamine	4,164	698	16.8	54	3,466	83.2	102
Other	1,513	1,341	88.6	37	172	11.4	94

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 23,964 (32.7 percent) involved a guideline under Chapter 2, Part D (Offenses involving Drugs and Narco-Terrorism). Of the 23,964 offenders, 277 were excluded due to missing values on one or both of the following reasons: missing statutory information (40) or missing drug type (237).

SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Table D-8

**APPLICATION OF SAFETY VALVE AND AVERAGE SENTENCE BY DRUG TYPE FOR DRUG
OFFENDERS CONVICTED OF AN OFFENSE CARRYING A DRUG MANDATORY MINIMUM¹
Fiscal Year 2010**

DRUG TYPE	TOTAL	SAFETY VALVE STATUS					
		NO SAFETY VALVE APPLIED			SAFETY VALVE APPLIED		
		Number	Percent	Mean	Number	Percent	Mean
TOTAL	15,805	10,249	64.8	120	5,556	35.2	45
Cocaine	4,443	2,536	57.1	122	1,907	42.9	52
Crack	3,904	3,449	88.3	129	455	11.7	37
Heroin	1,098	632	57.6	109	466	42.4	44
Marijuana	2,722	1,305	47.9	83	1,417	52.1	30
Methamphetamine	3,466	2,192	63.2	129	1,274	36.8	56
Other	172	135	78.5	109	37	21.5	40

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 23,964 (32.7 percent) involved a guideline under Chapter 2, Part D (Offenses involving Drugs and Narco-Terrorism). Of the 23,964 offenders, 15,831 were convicted of a statute carrying a mandatory minimum penalty. Of the remaining 15,831 offenders, 26 were excluded due to missing values for one or both of the following reasons: missing type of drug (18) or missing safety valve status (13).

Table D-9

**RACE OF OFFENDER BY LENGTH OF DRUG MANDATORY MINIMUM
FOR DRUG OFFENDERS¹
Fiscal Year 2010**

LENGTH OF MANDATORY MINIMUM	TOTAL	RACE OF OFFENDER							
		WHITE		BLACK		HISPANIC		OTHER	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	15,412	3,546	23.0	4,581	29.7	6,894	44.7	391	2.5
Less than One Year	23	11	47.8	8	34.8	2	8.7	2	8.7
One Year	143	32	22.4	60	42.0	50	35.0	1	0.7
Five Years	6,698	1,559	23.3	1,794	26.8	3,175	47.4	170	2.5
10 Years	7,702	1,731	22.5	2,247	29.2	3,519	45.7	205	2.7
20 Years	692	178	25.7	372	53.8	130	18.8	12	1.7
Life	153	34	22.2	100	65.4	18	11.8	1	0.7

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 23,964 (32.7 percent) involved a guideline under Chapter 2, Part D (Offenses involving Drugs and Narco-Terrorism). Of the 23,964 offenders, 15,831 were convicted of a statute carrying a mandatory minimum penalty. Of the remaining 15,831 offenders, 392 were convicted of a mandatory minimum other than one for a drug offense. Of the remaining 15,439 offenders, 27 were excluded due to missing information on the race of the offender. One case was excluded due to inconsistent guideline application.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Table D-10

**GENDER OF OFFENDER AND AVERAGE SENTENCE BY DRUG TYPE FOR DRUG OFFENDERS
CONVICTED OF AN OFFENSE CARRYING A DRUG MANDATORY MINIMUM¹
Fiscal Year 2010**

DRUG TYPE	TOTAL	GENDER OF OFFENDER					
		MALE			FEMALE		
		Number	Percent	Mean	Number	Percent	Mean
TOTAL	15,813	14,204	89.8	97	1,609	10.2	61
Cocaine	4,447	4,076	91.7	95	371	8.3	53
Crack	3,905	3,620	92.7	122	285	7.3	66
Heroin	1,098	966	88.0	85	132	12.0	53
Marijuana	2,725	2,551	93.6	56	174	6.4	38
Methamphetamine	3,466	2,839	81.9	109	627	18.1	72
Other	172	152	88.4	99	20	11.6	57

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 23,964 (32.7 percent) involved a guideline under Chapter 2, Part D (Offenses involving Drugs and Narco-Terrorism). Of the 23,964 offenders, 15,831 were convicted of a statute carrying a mandatory minimum penalty. Of the remaining 15,831 offenders, 18 were excluded due to missing information on type of drug.

Table D-11

**GENDER OF OFFENDER BY LENGTH OF DRUG MANDATORY MINIMUM
FOR DRUG OFFENDERS¹
Fiscal Year 2010**

LENGTH OF MANDATORY MINIMUM	TOTAL	GENDER OF OFFENDER			
		MALE		FEMALE	
		Number	Percent	Number	Percent
TOTAL	15,439	13,839	89.6	1,600	10.4
Less than One Year	23	19	82.6	4	17.4
One Year	143	122	85.3	21	14.7
Five Years	6,711	5,989	89.2	722	10.8
10 Years	7,716	6,914	89.6	802	10.4
20 Years	692	648	93.6	44	6.4
Life	153	146	95.4	7	4.6

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 23,964 (32.7 percent) involved a guideline under Chapter 2, Part D (Offenses involving Drugs and Narco-Terrorism). Of the 23,964 offenders, 15,831 were convicted of a statute carrying a mandatory minimum penalty. Of the 15,831 remaining offenders, 392 were convicted of a mandatory minimum other than one for a drug offense. One case was excluded due to inconsistent guideline application.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Table D-12

CITIZENSHIP OF OFFENDER AND AVERAGE SENTENCE BY DRUG TYPE FOR DRUG OFFENDERS CONVICTED OF AN OFFENSE CARRYING A DRUG MANDATORY MINIMUM¹
Fiscal Year 2010

DRUG TYPE	TOTAL	CITIZENSHIP STATUS					
		UNITED STATES CITIZEN			NON-UNITED STATES CITIZEN		
		Number	Percent	Mean	Number	Percent	Mean
TOTAL	15,809	11,063	70.0	100	4,746	30.0	78
Cocaine	4,445	2,597	58.4	96	1,848	41.6	85
Crack	3,905	3,796	97.2	119	109	2.8	98
Heroin	1,097	653	59.5	93	444	40.5	63
Marijuana	2,724	1,576	57.9	59	1,148	42.1	49
Methamphetamine	3,466	2,290	66.1	105	1,176	33.9	98
Other	172	151	87.8	98	21	12.2	72

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 23,964 (32.7 percent) involved a guideline under Chapter 2, Part D (Offenses involving Drugs and Narco-Terrorism). Of the 23,964 offenders, 15,831 were convicted of a statute carrying a mandatory minimum penalty. Of the remaining 15,831 offenders, 22 were excluded due to missing values for one or both of the following reasons: missing type of drug (18) or missing citizenship status of the offender (4).

Table D-13

**CITIZENSHIP OF OFFENDER BY LENGTH OF DRUG MANDATORY MINIMUM
FOR DRUG OFFENDERS¹
Fiscal Year 2010**

LENGTH OF MANDATORY MINIMUM	TOTAL	CITIZENSHIP OF OFFENDER			
		U.S. Citizen		Non-U.S. Citizen	
		Number	Percent	Number	Percent
TOTAL	15,435	10,726	69.5	4,709	30.5
Less than One Year	23	23	100.0	0	0.0
One Year	143	136	95.1	7	4.9
Five Years	6,708	4,754	70.9	1,954	29.1
10 Years	7,715	5,026	65.1	2,689	34.9
20 Years	692	638	92.2	54	7.8
Life	153	148	96.7	5	3.3

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 23,964 (32.7 percent) involved a guideline under Chapter 2, Part D (Offenses involving Drugs and Narco-Terrorism). Of the 23,964 offenders, 15,831 were convicted of a statute carrying a mandatory minimum penalty. Of the 15,831 remaining offenders, 392 were convicted of a mandatory minimum other than one for a drug offense. Of the remaining 15,439 offenders, four were excluded due to missing information on the citizenship status of the offender. One case was excluded due to inconsistent guideline application.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Table D-14

**MANDATORY MINIMUM STATUS FOR 18 U.S.C. § 924(c) OFFENDERS
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2010**

CIRCUIT District	Total		No Mandatory Minimum		All Mandatory Minimum		18 U.S.C. § 924(c)	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	73,133	100.0	53,237	72.8	19,896	27.2	2,294	3.1
D.C. CIRCUIT	355	0.5	203	57.2	152	42.8	14	3.9
District of Columbia	355	0.5	203	57.2	152	42.8	14	3.9
FIRST CIRCUIT	1,752	2.4	896	51.1	856	48.9	58	3.3
Maine	166	0.2	98	59.0	68	41.0	2	1.2
Massachusetts	421	0.6	255	60.6	166	39.4	2	0.5
New Hampshire	228	0.3	153	67.1	75	32.9	19	8.3
Puerto Rico	780	1.1	289	37.1	491	62.9	32	4.1
Rhode Island	157	0.2	101	64.3	56	35.7	3	1.9
SECOND CIRCUIT	4,038	5.5	2,767	68.5	1,271	31.5	158	3.9
Connecticut	407	0.6	259	63.6	148	36.4	5	1.2
New York								
Eastern	1,097	1.5	746	68.0	351	32.0	51	4.6
Northern	439	0.6	319	72.7	120	27.3	6	1.4
Southern	1,332	1.8	872	65.5	460	34.5	62	4.7
Western	588	0.8	437	74.3	151	25.7	29	4.9
Vermont	175	0.2	134	76.6	41	23.4	5	2.9
THIRD CIRCUIT	2,811	3.8	1,898	67.5	913	32.5	171	6.1
Delaware	128	0.2	88	68.8	40	31.3	2	1.6
New Jersey	798	1.1	622	77.9	176	22.1	14	1.8
Pennsylvania								
Eastern	894	1.2	473	52.9	421	47.1	134	15.0
Middle	486	0.7	404	83.1	82	16.9	8	1.6
Western	435	0.6	258	59.3	177	40.7	12	2.8
Virgin Islands	70	0.1	53	75.7	17	24.3	1	1.4
FOURTH CIRCUIT	5,700	7.8	3,299	57.9	2,401	42.1	520	9.1
Maryland	660	0.9	378	57.3	282	42.7	40	6.1
North Carolina								
Eastern	698	1.0	348	49.9	350	50.1	126	18.1
Middle	547	0.7	303	55.4	244	44.6	60	11.0
Western	497	0.7	246	49.5	251	50.5	47	9.5
South Carolina	1,218	1.7	716	58.8	502	41.2	104	8.5
Virginia								
Eastern	1,234	1.7	763	61.8	471	38.2	105	8.5
Western	356	0.5	165	46.3	191	53.7	31	8.7
West Virginia								
Northern	255	0.3	201	78.8	54	21.2	1	0.4
Southern	235	0.3	179	76.2	56	23.8	6	2.6

Table D-14 (continued)

CIRCUIT District	Total		No Mandatory Minimum		All Mandatory Minimum		18 U.S.C. § 924(c)	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
FIFTH CIRCUIT	17,976	24.6	14,798	82.3	3,178	17.7	173	1.0
Louisiana								
Eastern	394	0.5	275	69.8	119	30.2	16	4.1
Middle	196	0.3	155	79.1	41	20.9	9	4.6
Western	346	0.5	216	62.4	130	37.6	11	3.2
Mississippi								
Northern	165	0.2	108	65.5	57	34.5	10	6.1
Southern	311	0.4	225	72.3	86	27.7	5	1.6
Texas								
Eastern	835	1.1	530	63.5	305	36.5	20	2.4
Northern	896	1.2	646	72.1	250	27.9	35	3.9
Southern	8,260	11.3	7,131	86.3	1,129	13.7	16	0.2
Western	6,573	9.0	5,512	83.9	1,061	16.1	51	0.8
SIXTH CIRCUIT	5,200	7.1	3,474	66.8	1,726	33.2	263	5.1
Kentucky								
Eastern	606	0.8	434	71.6	172	28.4	40	6.6
Western	394	0.5	236	59.9	158	40.1	8	2.0
Michigan								
Eastern	725	1.0	525	72.4	200	27.6	18	2.5
Western	474	0.6	331	69.8	143	30.2	14	3.0
Ohio								
Northern	627	0.9	486	77.5	141	22.5	14	2.2
Southern	649	0.9	428	65.9	221	34.1	51	7.9
Tennessee								
Eastern	817	1.1	397	48.6	420	51.4	69	8.4
Middle	282	0.4	205	72.7	77	27.3	12	4.3
Western	626	0.9	432	69.0	194	31.0	37	5.9
SEVENTH CIRCUIT	2,887	3.9	1,801	62.4	1,086	37.6	130	4.5
Illinois								
Central	368	0.5	177	48.1	191	51.9	9	2.4
Northern	797	1.1	549	68.9	248	31.1	38	4.8
Southern	302	0.4	171	56.6	131	43.4	8	2.6
Indiana								
Northern	427	0.6	293	68.6	134	31.4	35	8.2
Southern	326	0.4	144	44.2	182	55.8	12	3.7
Wisconsin								
Eastern	467	0.6	318	68.1	149	31.9	18	3.9
Western	200	0.3	149	74.5	51	25.5	10	5.0
EIGHTH CIRCUIT	4,749	6.5	2,977	62.7	1,772	37.3	124	2.6
Arkansas								
Eastern	377	0.5	270	71.6	107	28.4	4	1.1
Western	255	0.3	209	82.0	46	18.0	2	0.8
Iowa								
Northern	343	0.5	178	51.9	165	48.1	1	0.3
Southern	419	0.6	192	45.8	227	54.2	20	4.8
Minnesota	481	0.7	220	45.7	261	54.3	7	1.5
Missouri								
Eastern	1,025	1.4	713	69.6	312	30.4	35	3.4
Western	635	0.9	395	62.2	240	37.8	29	4.6
Nebraska	568	0.8	288	50.7	280	49.3	16	2.8
North Dakota	248	0.3	185	74.6	63	25.4	4	1.6
South Dakota	398	0.5	327	82.2	71	17.8	6	1.5

Table D-14 (continued)

CIRCUIT District	Total		No Mandatory Minimum		All Mandatory Minimum		18 U.S.C. § 924(c)	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NINTH CIRCUIT	14,578	19.9	11,512	79.0	3,066	21.0	214	1.5
Alaska	128	0.2	81	63.3	47	36.7	7	5.5
Arizona	4,930	6.7	4,390	89.0	540	11.0	35	0.7
California								
Central	1,827	2.5	1,401	76.7	426	23.3	53	2.9
Eastern	966	1.3	724	74.9	242	25.1	37	3.8
Northern	688	0.9	515	74.9	173	25.1	21	3.1
Southern	3,021	4.1	2,311	76.5	710	23.5	3	0.1
Guam	50	0.1	38	76.0	12	24.0	1	2.0
Hawaii	158	0.2	76	48.1	82	51.9	3	1.9
Idaho	291	0.4	199	68.4	92	31.6	6	2.1
Montana	364	0.5	229	62.9	135	37.1	6	1.6
Nevada	589	0.8	473	80.3	116	19.7	12	2.0
Northern Mariana Islands	27	0.0	23	85.2	4	14.8	0	0.0
Oregon	507	0.7	341	67.3	166	32.7	5	1.0
Washington								
Eastern	376	0.5	263	69.9	113	30.1	5	1.3
Western	656	0.9	448	68.3	208	31.7	20	3.0
TENTH CIRCUIT	6,553	9.0	5,448	83.1	1,105	16.9	131	2.0
Colorado	505	0.7	433	85.7	72	14.3	6	1.2
Kansas	676	0.9	403	59.6	273	40.4	41	6.1
New Mexico	3,657	5.0	3,324	90.9	333	9.1	24	0.7
Oklahoma								
Eastern	111	0.2	73	65.8	38	34.2	6	5.4
Northern	155	0.2	121	78.1	34	21.9	8	5.2
Western	283	0.4	231	81.6	52	18.4	9	3.2
Utah	798	1.1	655	82.1	143	17.9	17	2.1
Wyoming	368	0.5	208	56.5	160	43.5	20	5.4
ELEVENTH CIRCUIT	6,534	8.9	4,164	63.7	2,370	36.3	338	5.2
Alabama								
Middle	241	0.3	153	63.5	88	36.5	17	7.1
Northern	405	0.6	242	59.8	163	40.2	35	8.6
Southern	298	0.4	178	59.7	120	40.3	17	5.7
Florida								
Middle	1,660	2.3	1,011	60.9	649	39.1	123	7.4
Northern	372	0.5	213	57.3	159	42.7	18	4.8
Southern	2,164	3.0	1,388	64.1	776	35.9	66	3.0
Georgia								
Middle	275	0.4	192	69.8	83	30.2	9	3.3
Northern	650	0.9	412	63.4	238	36.6	42	6.5
Southern	469	0.6	375	80.0	94	20.0	11	2.3

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 106 were excluded due to missing statutory information.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Table D-15

**MANDATORY MINIMUM STATUS FOR ARMED CAREER CRIMINAL OFFENDERS
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2010**

CIRCUIT District	Total		No Mandatory Minimum		All Mandatory Minimum		Armed Career Criminal	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	73,133	100.0	53,237	72.8	19,896	27.2	592	0.8
D.C. CIRCUIT	355	0.5	203	57.2	152	42.8	1	0.3
District of Columbia	355	0.5	203	57.2	152	42.8	1	0.3
FIRST CIRCUIT	1,752	2.4	896	51.1	856	48.9	16	0.9
Maine	166	0.2	98	59.0	68	41.0	1	0.6
Massachusetts	421	0.6	255	60.6	166	39.4	16	3.8
New Hampshire	228	0.3	153	67.1	75	32.9	0	0.0
Puerto Rico	780	1.1	289	37.1	491	62.9	0	0.0
Rhode Island	157	0.2	101	64.3	56	35.7	1	0.6
SECOND CIRCUIT	4,038	5.5	2,767	68.5	1,271	31.5	9	0.2
Connecticut	407	0.6	259	63.6	148	36.4	3	0.7
New York								
Eastern	1,097	1.5	746	68.0	351	32.0	1	0.1
Northern	439	0.6	319	72.7	120	27.3	1	0.2
Southern	1,332	1.8	872	65.5	460	34.5	2	0.2
Western	588	0.8	437	74.3	151	25.7	0	0.0
Vermont	175	0.2	134	76.6	41	23.4	2	1.1
THIRD CIRCUIT	2,811	3.8	1,898	67.5	913	32.5	35	1.2
Delaware	128	0.2	88	68.8	40	31.3	1	0.8
New Jersey	798	1.1	622	77.9	176	22.1	0	0.0
Pennsylvania								
Eastern	894	1.2	473	52.9	421	47.1	27	3.0
Middle	486	0.7	404	83.1	82	16.9	1	0.2
Western	435	0.6	258	59.3	177	40.7	6	1.4
Virgin Islands	70	0.1	53	75.7	17	24.3	0	0.0
FOURTH CIRCUIT	5,700	7.8	3,299	57.9	2,401	42.1	161	2.8
Maryland	660	0.9	378	57.3	282	42.7	26	3.9
North Carolina								
Eastern	698	1.0	348	49.9	350	50.1	17	2.4
Middle	547	0.7	303	55.4	244	44.6	40	7.3
Western	497	0.7	246	49.5	251	50.5	17	3.4
South Carolina	1,218	1.7	716	58.8	502	41.2	34	2.8
Virginia								
Eastern	1,234	1.7	763	61.8	471	38.2	12	1.0
Western	356	0.5	165	46.3	191	53.7	15	4.2
West Virginia								
Northern	255	0.3	201	78.8	54	21.2	0	0.0
Southern	235	0.3	179	76.2	56	23.8	0	0.0

Table D-15 (continued)

CIRCUIT District	Total		No Mandatory Minimum		All Mandatory Minimum		Armed Career Criminal	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
FIFTH CIRCUIT	17,976	24.6	14,798	82.3	3,178	17.7	21	0.1
Louisiana								
Eastern	394	0.5	275	69.8	119	30.2	2	0.5
Middle	196	0.3	155	79.1	41	20.9	3	1.5
Western	346	0.5	216	62.4	130	37.6	1	0.3
Mississippi								
Northern	165	0.2	108	65.5	57	34.5	0	0.0
Southern	311	0.4	225	72.3	86	27.7	1	0.3
Texas								
Eastern	835	1.1	530	63.5	305	36.5	3	0.4
Northern	896	1.2	646	72.1	250	27.9	5	0.6
Southern	8,260	11.3	7,131	86.3	1,129	13.7	3	0.0
Western	6,573	9.0	5,512	83.9	1,061	16.1	3	0.0
SIXTH CIRCUIT	5,200	7.1	3,474	66.8	1,726	33.2	92	1.8
Kentucky								
Eastern	606	0.8	434	71.6	172	28.4	5	0.8
Western	394	0.5	236	59.9	158	40.1	8	2.0
Michigan								
Eastern	725	1.0	525	72.4	200	27.6	7	1.0
Western	474	0.6	331	69.8	143	30.2	6	1.3
Ohio								
Northern	627	0.9	486	77.5	141	22.5	5	0.8
Southern	649	0.9	428	65.9	221	34.1	2	0.3
Tennessee								
Eastern	817	1.1	397	48.6	420	51.4	23	2.8
Middle	282	0.4	205	72.7	77	27.3	11	3.9
Western	626	0.9	432	69.0	194	31.0	25	4.0
SEVENTH CIRCUIT	2,887	3.9	1,801	62.4	1,086	37.6	39	1.4
Illinois								
Central	368	0.5	177	48.1	191	51.9	8	2.2
Northern	797	1.1	549	68.9	248	31.1	4	0.5
Southern	302	0.4	171	56.6	131	43.4	3	1.0
Indiana								
Northern	427	0.6	293	68.6	134	31.4	5	1.2
Southern	326	0.4	144	44.2	182	55.8	8	2.5
Wisconsin								
Eastern	467	0.6	318	68.1	149	31.9	6	1.3
Western	200	0.3	149	74.5	51	25.5	5	2.5
EIGHTH CIRCUIT	4,749	6.5	2,977	62.7	1,772	37.3	55	1.2
Arkansas								
Eastern	377	0.5	270	71.6	107	28.4	6	1.6
Western	255	0.3	209	82.0	46	18.0	1	0.4
Iowa								
Northern	343	0.5	178	51.9	165	48.1	3	0.9
Southern	419	0.6	192	45.8	227	54.2	1	0.2
Minnesota	481	0.7	220	45.7	261	54.3	5	1.0
Missouri								
Eastern	1,025	1.4	713	69.6	312	30.4	22	2.1
Western	635	0.9	395	62.2	240	37.8	11	1.7
Nebraska	568	0.8	288	50.7	280	49.3	4	0.7
North Dakota	248	0.3	185	74.6	63	25.4	2	0.8
South Dakota	398	0.5	327	82.2	71	17.8	0	0.0

Table D-15 (continued)

CIRCUIT District	Total		No Mandatory Minimum		All Mandatory Minimum		Armed Career Criminal	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NINTH CIRCUIT	14,578	19.9	11,512	79.0	3,066	21.0	12	0.1
Alaska	128	0.2	81	63.3	47	36.7	0	0.0
Arizona	4,930	6.7	4,390	89.0	540	11.0	1	0.0
California								
Central	1,827	2.5	1,401	76.7	426	23.3	0	0.0
Eastern	966	1.3	724	74.9	242	25.1	0	0.0
Northern	688	0.9	515	74.9	173	25.1	0	0.0
Southern	3,021	4.1	2,311	76.5	710	23.5	0	0.0
Guam	50	0.1	38	76.0	12	24.0	0	0.0
Hawaii	158	0.2	76	48.1	82	51.9	0	0.0
Idaho	291	0.4	199	68.4	92	31.6	0	0.0
Montana	364	0.5	229	62.9	135	37.1	1	0.3
Nevada	589	0.8	473	80.3	116	19.7	1	0.2
Northern Mariana Islands	27	0.0	23	85.2	4	14.8	0	0.0
Oregon	507	0.7	341	67.3	166	32.7	5	1.0
Washington								
Eastern	376	0.5	263	69.9	113	30.1	3	0.8
Western	656	0.9	448	68.3	208	31.7	1	0.2
TENTH CIRCUIT	6,553	9.0	5,448	83.1	1,105	16.9	30	0.5
Colorado	505	0.7	433	85.7	72	14.3	2	0.4
Kansas	676	0.9	403	59.6	273	40.4	6	0.9
New Mexico	3,657	5.0	3,324	90.9	333	9.1	5	0.1
Oklahoma								
Eastern	111	0.2	73	65.8	38	34.2	2	1.8
Northern	155	0.2	121	78.1	34	21.9	2	1.3
Western	283	0.4	231	81.6	52	18.4	9	3.2
Utah	798	1.1	655	82.1	143	17.9	0	0.0
Wyoming	368	0.5	208	56.5	160	43.5	4	1.1
ELEVENTH CIRCUIT	6,534	8.9	4,164	63.7	2,370	36.3	119	1.8
Alabama								
Middle	241	0.3	153	63.5	88	36.5	0	0.0
Northern	405	0.6	242	59.8	163	40.2	10	2.5
Southern	298	0.4	178	59.7	120	40.3	3	1.0
Florida								
Middle	1,660	2.3	1,011	60.9	649	39.1	35	2.1
Northern	372	0.5	213	57.3	159	42.7	10	2.7
Southern	2,164	3.0	1,388	64.1	776	35.9	30	1.4
Georgia								
Middle	275	0.4	192	69.8	83	30.2	2	0.7
Northern	650	0.9	412	63.4	238	36.6	21	3.2
Southern	469	0.6	375	80.0	94	20.0	8	1.7

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 106 were excluded due to missing statutory information.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Table D-16

**MANDATORY MINIMUM STATUS FOR SEXUAL ABUSE OFFENDERS
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2010**

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum		Sexual Abuse Mandatory Minimum	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	73,133	100.0	53,237	72.8	19,896	27.2	336	0.5
D.C. CIRCUIT	355	0.5	203	57.2	152	42.8	4	1.1
District of Columbia	355	0.5	203	57.2	152	42.8	4	1.1
FIRST CIRCUIT	1,752	2.4	896	51.1	856	48.9	10	0.6
Maine	166	0.2	98	59.0	68	41.0	1	0.6
Massachusetts	421	0.6	255	60.6	166	39.4	2	0.5
New Hampshire	228	0.3	153	67.1	75	32.9	1	0.4
Puerto Rico	780	1.1	289	37.1	491	62.9	6	0.8
Rhode Island	157	0.2	101	64.3	56	35.7	0	0.0
SECOND CIRCUIT	4,038	5.5	2,767	68.5	1,271	31.5	31	0.8
Connecticut	407	0.6	259	63.6	148	36.4	0	0.0
New York								
Eastern	1,097	1.5	746	68.0	351	32.0	6	0.5
Northern	439	0.6	319	72.7	120	27.3	11	2.5
Southern	1,332	1.8	872	65.5	460	34.5	7	0.5
Western	588	0.8	437	74.3	151	25.7	5	0.9
Vermont	175	0.2	134	76.6	41	23.4	2	1.1
THIRD CIRCUIT	2,811	3.8	1,898	67.5	913	32.5	9	0.3
Delaware	128	0.2	88	68.8	40	31.3	2	1.6
New Jersey	798	1.1	622	77.9	176	22.1	1	0.1
Pennsylvania								
Eastern	894	1.2	473	52.9	421	47.1	2	0.2
Middle	486	0.7	404	83.1	82	16.9	1	0.2
Western	435	0.6	258	59.3	177	40.7	3	0.7
Virgin Islands	70	0.1	53	75.7	17	24.3	0	0.0
FOURTH CIRCUIT	5,700	7.8	3,299	57.9	2,401	42.1	33	0.6
Maryland	660	0.9	378	57.3	282	42.7	9	1.4
North Carolina								
Eastern	698	1.0	348	49.9	350	50.1	6	0.9
Middle	547	0.7	303	55.4	244	44.6	1	0.2
Western	497	0.7	246	49.5	251	50.5	4	0.8
South Carolina	1,218	1.7	716	58.8	502	41.2	1	0.1
Virginia								
Eastern	1,234	1.7	763	61.8	471	38.2	8	0.6
Western	356	0.5	165	46.3	191	53.7	2	0.6
West Virginia								
Northern	255	0.3	201	78.8	54	21.2	1	0.4
Southern	235	0.3	179	76.2	56	23.8	1	0.4

Table D-16 (continued)

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum		Sexual Abuse Mandatory Minimum	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
FIFTH CIRCUIT	17,976	24.6	14,798	82.3	3,178	17.7	30	0.2
Louisiana								
Eastern	394	0.5	275	69.8	119	30.2	0	0.0
Middle	196	0.3	155	79.1	41	20.9	0	0.0
Western	346	0.5	216	62.4	130	37.6	6	1.7
Mississippi								
Northern	165	0.2	108	65.5	57	34.5	3	1.8
Southern	311	0.4	225	72.3	86	27.7	2	0.6
Texas								
Eastern	835	1.1	530	63.5	305	36.5	2	0.2
Northern	896	1.2	646	72.1	250	27.9	8	0.9
Southern	8,260	11.3	7,131	86.3	1,129	13.7	4	0.0
Western	6,573	9.0	5,512	83.9	1,061	16.1	5	0.1
SIXTH CIRCUIT	5,200	7.1	3,474	66.8	1,726	33.2	43	0.8
Kentucky								
Eastern	606	0.8	434	71.6	172	28.4	1	0.2
Western	394	0.5	236	59.9	158	40.1	7	1.8
Michigan								
Eastern	725	1.0	525	72.4	200	27.6	9	1.2
Western	474	0.6	331	69.8	143	30.2	8	1.7
Ohio								
Northern	627	0.9	486	77.5	141	22.5	3	0.5
Southern	649	0.9	428	65.9	221	34.1	5	0.8
Tennessee								
Eastern	817	1.1	397	48.6	420	51.4	5	0.6
Middle	282	0.4	205	72.7	77	27.3	0	0.0
Western	626	0.9	432	69.0	194	31.0	5	0.8
SEVENTH CIRCUIT	2,887	3.9	1,801	62.4	1,086	37.6	29	1.0
Illinois								
Central	368	0.5	177	48.1	191	51.9	9	2.4
Northern	797	1.1	549	68.9	248	31.1	4	0.5
Southern	302	0.4	171	56.6	131	43.4	2	0.7
Indiana								
Northern	427	0.6	293	68.6	134	31.4	3	0.7
Southern	326	0.4	144	44.2	182	55.8	6	1.8
Wisconsin								
Eastern	467	0.6	318	68.1	149	31.9	5	1.1
Western	200	0.3	149	74.5	51	25.5	0	0.0
EIGHTH CIRCUIT	4,749	6.5	2,977	62.7	1,772	37.3	38	0.8
Arkansas								
Eastern	377	0.5	270	71.6	107	28.4	3	0.8
Western	255	0.3	209	82.0	46	18.0	1	0.4
Iowa								
Northern	343	0.5	178	51.9	165	48.1	6	1.7
Southern	419	0.6	192	45.8	227	54.2	4	1.0
Minnesota	481	0.7	220	45.7	261	54.3	2	0.4
Missouri								
Eastern	1,025	1.4	713	69.6	312	30.4	8	0.8
Western	635	0.9	395	62.2	240	37.8	8	1.3
Nebraska	568	0.8	288	50.7	280	49.3	2	0.4
North Dakota	248	0.3	185	74.6	63	25.4	4	1.6
South Dakota	398	0.5	327	82.2	71	17.8	0	0.0

Table D-16 (continued)

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum		Sexual Abuse Mandatory Minimum	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NINTH CIRCUIT	14,578	19.9	11,512	79.0	3,066	21.0	43	0.3
Alaska	128	0.2	81	63.3	47	36.7	0	0.0
Arizona	4,930	6.7	4,390	89.0	540	11.0	1	0.0
California								
Central	1,827	2.5	1,401	76.7	426	23.3	4	0.2
Eastern	966	1.3	724	74.9	242	25.1	10	1.0
Northern	688	0.9	515	74.9	173	25.1	1	0.1
Southern	3,021	4.1	2,311	76.5	710	23.5	7	0.2
Guam	50	0.1	38	76.0	12	24.0	0	0.0
Hawaii	158	0.2	76	48.1	82	51.9	2	1.3
Idaho	291	0.4	199	68.4	92	31.6	2	0.7
Montana	364	0.5	229	62.9	135	37.1	5	1.4
Nevada	589	0.8	473	80.3	116	19.7	4	0.7
Northern Mariana Islands	27	0.0	23	85.2	4	14.8	0	0.0
Oregon	507	0.7	341	67.3	166	32.7	4	0.8
Washington								
Eastern	376	0.5	263	69.9	113	30.1	1	0.3
Western	656	0.9	448	68.3	208	31.7	2	0.3
TENTH CIRCUIT	6,553	9.0	5,448	83.1	1,105	16.9	16	0.2
Colorado	505	0.7	433	85.7	72	14.3	1	0.2
Kansas	676	0.9	403	59.6	273	40.4	3	0.4
New Mexico	3,657	5.0	3,324	90.9	333	9.1	0	0.0
Oklahoma								
Eastern	111	0.2	73	65.8	38	34.2	2	1.8
Northern	155	0.2	121	78.1	34	21.9	1	0.6
Western	283	0.4	231	81.6	52	18.4	2	0.7
Utah	798	1.1	655	82.1	143	17.9	4	0.5
Wyoming	368	0.5	208	56.5	160	43.5	3	0.8
ELEVENTH CIRCUIT	6,534	8.9	4,164	63.7	2,370	36.3	50	0.8
Alabama								
Middle	241	0.3	153	63.5	88	36.5	4	1.7
Northern	405	0.6	242	59.8	163	40.2	7	1.7
Southern	298	0.4	178	59.7	120	40.3	1	0.3
Florida								
Middle	1,660	2.3	1,011	60.9	649	39.1	8	0.5
Northern	372	0.5	213	57.3	159	42.7	3	0.8
Southern	2,164	3.0	1,388	64.1	776	35.9	16	0.7
Georgia								
Middle	275	0.4	192	69.8	83	30.2	1	0.4
Northern	650	0.9	412	63.4	238	36.6	10	1.5
Southern	469	0.6	375	80.0	94	20.0	0	0.0

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878 cases. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 106 were excluded due to missing statutory information.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Table D-17

**MANDATORY MINIMUM STATUS FOR CHILD PORNOGRAPHY OFFENDERS
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2010**

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum		Child Pornography Mandatory Minimum	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	73,133	100.0	53,237	72.8	19,896	27.2	840	1.1
D.C. CIRCUIT	355	0.5	203	57.2	152	42.8	9	2.5
District of Columbia	355	0.5	203	57.2	152	42.8	9	2.5
FIRST CIRCUIT	1,752	2.4	896	51.1	856	48.9	12	0.7
Maine	166	0.2	98	59.0	68	41.0	1	0.6
Massachusetts	421	0.6	255	60.6	166	39.4	7	1.7
New Hampshire	228	0.3	153	67.1	75	32.9	3	1.3
Puerto Rico	780	1.1	289	37.1	491	62.9	1	0.1
Rhode Island	157	0.2	101	64.3	56	35.7	0	0.0
SECOND CIRCUIT	4,038	5.5	2,767	68.5	1,271	31.5	59	1.5
Connecticut	407	0.6	259	63.6	148	36.4	1	0.2
New York								
Eastern	1,097	1.5	746	68.0	351	32.0	9	0.8
Northern	439	0.6	319	72.7	120	27.3	24	5.5
Southern	1,332	1.8	872	65.5	460	34.5	6	0.5
Western	588	0.8	437	74.3	151	25.7	15	2.6
Vermont	175	0.2	134	76.6	41	23.4	4	2.3
THIRD CIRCUIT	2,811	3.8	1,898	67.5	913	32.5	33	1.2
Delaware	128	0.2	88	68.8	40	31.3	1	0.8
New Jersey	798	1.1	622	77.9	176	22.1	5	0.6
Pennsylvania								
Eastern	894	1.2	473	52.9	421	47.1	3	0.3
Middle	486	0.7	404	83.1	82	16.9	11	2.3
Western	435	0.6	258	59.3	177	40.7	13	3.0
Virgin Islands	70	0.1	53	75.7	17	24.3	0	0.0
FOURTH CIRCUIT	5,700	7.8	3,299	57.9	2,401	42.1	83	1.5
Maryland	660	0.9	378	57.3	282	42.7	14	2.1
North Carolina								
Eastern	698	1.0	348	49.9	350	50.1	8	1.1
Middle	547	0.7	303	55.4	244	44.6	2	0.4
Western	497	0.7	246	49.5	251	50.5	8	1.6
South Carolina	1,218	1.7	716	58.8	502	41.2	3	0.2
Virginia								
Eastern	1,234	1.7	763	61.8	471	38.2	39	3.2
Western	356	0.5	165	46.3	191	53.7	3	0.8
West Virginia								
Northern	255	0.3	201	78.8	54	21.2	1	0.4
Southern	235	0.3	179	76.2	56	23.8	5	2.1

Table D-17 (continued)

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum		Child Pornography Mandatory Minimum	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
FIFTH CIRCUIT	17,976	24.6	14,798	82.3	3,178	17.7	75	0.4
Louisiana								
Eastern	394	0.5	275	69.8	119	30.2	5	1.3
Middle	196	0.3	155	79.1	41	20.9	2	1.0
Western	346	0.5	216	62.4	130	37.6	3	0.9
Mississippi								
Northern	165	0.2	108	65.5	57	34.5	2	1.2
Southern	311	0.4	225	72.3	86	27.7	2	0.6
Texas								
Eastern	835	1.1	530	63.5	305	36.5	3	0.4
Northern	896	1.2	646	72.1	250	27.9	20	2.2
Southern	8,260	11.3	7,131	86.3	1,129	13.7	11	0.1
Western	6,573	9.0	5,512	83.9	1,061	16.1	27	0.4
SIXTH CIRCUIT	5,200	7.1	3,474	66.8	1,726	33.2	118	2.3
Kentucky								
Eastern	606	0.8	434	71.6	172	28.4	16	2.6
Western	394	0.5	236	59.9	158	40.1	7	1.8
Michigan								
Eastern	725	1.0	525	72.4	200	27.6	21	2.9
Western	474	0.6	331	69.8	143	30.2	9	1.9
Ohio								
Northern	627	0.9	486	77.5	141	22.5	20	3.2
Southern	649	0.9	428	65.9	221	34.1	17	2.6
Tennessee								
Eastern	817	1.1	397	48.6	420	51.4	14	1.7
Middle	282	0.4	205	72.7	77	27.3	6	2.1
Western	626	0.9	432	69.0	194	31.0	8	1.3
SEVENTH CIRCUIT	2,887	3.9	1,801	62.4	1,086	37.6	73	2.5
Illinois								
Central	368	0.5	177	48.1	191	51.9	17	4.6
Northern	797	1.1	549	68.9	248	31.1	11	1.4
Southern	302	0.4	171	56.6	131	43.4	6	2.0
Indiana								
Northern	427	0.6	293	68.6	134	31.4	5	1.2
Southern	326	0.4	144	44.2	182	55.8	28	8.6
Wisconsin								
Eastern	467	0.6	318	68.1	149	31.9	5	1.1
Western	200	0.3	149	74.5	51	25.5	1	0.5
EIGHTH CIRCUIT	4,749	6.5	2,977	62.7	1,772	37.3	100	2.1
Arkansas								
Eastern	377	0.5	270	71.6	107	28.4	5	1.3
Western	255	0.3	209	82.0	46	18.0	6	2.4
Iowa								
Northern	343	0.5	178	51.9	165	48.1	7	2.0
Southern	419	0.6	192	45.8	227	54.2	12	2.9
Minnesota	481	0.7	220	45.7	261	54.3	5	1.0
Missouri								
Eastern	1,025	1.4	713	69.6	312	30.4	24	2.3
Western	635	0.9	395	62.2	240	37.8	19	3.0
Nebraska	568	0.8	288	50.7	280	49.3	16	2.8
North Dakota	248	0.3	185	74.6	63	25.4	2	0.8
South Dakota	398	0.5	327	82.2	71	17.8	4	1.0

Table D-17 (continued)

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum		Child Pornography Mandatory Minimum	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NINTH CIRCUIT	14,578	19.9	11,512	79.0	3,066	21.0	130	0.9
Alaska	128	0.2	81	63.3	47	36.7	2	1.6
Arizona	4,930	6.7	4,390	89.0	540	11.0	14	0.3
California								
Central	1,827	2.5	1,401	76.7	426	23.3	10	0.5
Eastern	966	1.3	724	74.9	242	25.1	24	2.5
Northern	688	0.9	515	74.9	173	25.1	8	1.2
Southern	3,021	4.1	2,311	76.5	710	23.5	8	0.3
Guam	50	0.1	38	76.0	12	24.0	0	0.0
Hawaii	158	0.2	76	48.1	82	51.9	1	0.6
Idaho	291	0.4	199	68.4	92	31.6	3	1.0
Montana	364	0.5	229	62.9	135	37.1	21	5.8
Nevada	589	0.8	473	80.3	116	19.7	15	2.5
Northern Mariana Islands	27	0.0	23	85.2	4	14.8	0	0.0
Oregon	507	0.7	341	67.3	166	32.7	7	1.4
Washington								
Eastern	376	0.5	263	69.9	113	30.1	7	1.9
Western	656	0.9	448	68.3	208	31.7	10	1.5
TENTH CIRCUIT	6,553	9.0	5,448	83.1	1,105	16.9	26	0.4
Colorado	505	0.7	433	85.7	72	14.3	1	0.2
Kansas	676	0.9	403	59.6	273	40.4	6	0.9
New Mexico	3,657	5.0	3,324	90.9	333	9.1	5	0.1
Oklahoma								
Eastern	111	0.2	73	65.8	38	34.2	0	0.0
Northern	155	0.2	121	78.1	34	21.9	2	1.3
Western	283	0.4	231	81.6	52	18.4	2	0.7
Utah	798	1.1	655	82.1	143	17.9	2	0.3
Wyoming	368	0.5	208	56.5	160	43.5	8	2.2
ELEVENTH CIRCUIT	6,534	8.9	4,164	63.7	2,370	36.3	122	1.9
Alabama								
Middle	241	0.3	153	63.5	88	36.5	6	2.5
Northern	405	0.6	242	59.8	163	40.2	16	4.0
Southern	298	0.4	178	59.7	120	40.3	5	1.7
Florida								
Middle	1,660	2.3	1,011	60.9	649	39.1	34	2.0
Northern	372	0.5	213	57.3	159	42.7	14	3.8
Southern	2,164	3.0	1,388	64.1	776	35.9	30	1.4
Georgia								
Middle	275	0.4	192	69.8	83	30.2	2	0.7
Northern	650	0.9	412	63.4	238	36.6	13	2.0
Southern	469	0.6	375	80.0	94	20.0	2	0.4

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878 cases. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 106 were excluded due to missing statutory information.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Table D-18

**MANDATORY MINIMUM STATUS FOR IDENTITY THEFT OFFENDERS
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2010**

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum		Identity Theft Mandatory Minimums	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	73,133	100.0	53,237	72.8	19,896	27.2	797	1.1
D.C. CIRCUIT	355	0.5	203	57.2	152	42.8	3	0.8
District of Columbia	355	0.5	203	57.2	152	42.8	3	0.8
FIRST CIRCUIT	1,752	2.4	896	51.1	856	48.9	35	2.0
Maine	166	0.2	98	59.0	68	41.0	3	1.8
Massachusetts	421	0.6	255	60.6	166	39.4	10	2.4
New Hampshire	228	0.3	153	67.1	75	32.9	7	3.1
Puerto Rico	780	1.1	289	37.1	491	62.9	12	1.5
Rhode Island	157	0.2	101	64.3	56	35.7	3	1.9
SECOND CIRCUIT	4,038	5.5	2,767	68.5	1,271	31.5	58	1.4
Connecticut	407	0.6	259	63.6	148	36.4	4	1.0
New York								
Eastern	1,097	1.5	746	68.0	351	32.0	16	1.5
Northern	439	0.6	319	72.7	120	27.3	8	1.8
Southern	1,332	1.8	872	65.5	460	34.5	27	2.0
Western	588	0.8	437	74.3	151	25.7	3	0.5
Vermont	175	0.2	134	76.6	41	23.4	0	0.0
THIRD CIRCUIT	2,811	3.8	1,898	67.5	913	32.5	51	1.8
Delaware	128	0.2	88	68.8	40	31.3	2	1.6
New Jersey	798	1.1	622	77.9	176	22.1	10	1.3
Pennsylvania								
Eastern	894	1.2	473	52.9	421	47.1	37	4.1
Middle	486	0.7	404	83.1	82	16.9	0	0.0
Western	435	0.6	258	59.3	177	40.7	1	0.2
Virgin Islands	70	0.1	53	75.7	17	24.3	1	1.4
FOURTH CIRCUIT	5,700	7.8	3,299	57.9	2,401	42.1	115	2.0
Maryland	660	0.9	378	57.3	282	42.7	19	2.9
North Carolina								
Eastern	698	1.0	348	49.9	350	50.1	8	1.1
Middle	547	0.7	303	55.4	244	44.6	17	3.1
Western	497	0.7	246	49.5	251	50.5	14	2.8
South Carolina	1,218	1.7	716	58.8	502	41.2	14	1.1
Virginia								
Eastern	1,234	1.7	763	61.8	471	38.2	30	2.4
Western	356	0.5	165	46.3	191	53.7	6	1.7
West Virginia								
Northern	255	0.3	201	78.8	54	21.2	0	0.0
Southern	235	0.3	179	76.2	56	23.8	7	3.0

Table D-18 (continued)

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum		Identity Theft Mandatory Minimums	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
FIFTH CIRCUIT	17,976	24.6	14,798	82.3	3,178	17.7	60	0.3
Louisiana								
Eastern	394	0.5	275	69.8	119	30.2	0	0.0
Middle	196	0.3	155	79.1	41	20.9	1	0.5
Western	346	0.5	216	62.4	130	37.6	1	0.3
Mississippi								
Northern	165	0.2	108	65.5	57	34.5	0	0.0
Southern	311	0.4	225	72.3	86	27.7	8	2.6
Texas								
Eastern	835	1.1	530	63.5	305	36.5	6	0.7
Northern	896	1.2	646	72.1	250	27.9	5	0.6
Southern	8,260	11.3	7,131	86.3	1,129	13.7	13	0.2
Western	6,573	9.0	5,512	83.9	1,061	16.1	26	0.4
SIXTH CIRCUIT	5,200	7.1	3,474	66.8	1,726	33.2	62	1.2
Kentucky								
Eastern	606	0.8	434	71.6	172	28.4	10	1.7
Western	394	0.5	236	59.9	158	40.1	5	1.3
Michigan								
Eastern	725	1.0	525	72.4	200	27.6	7	1.0
Western	474	0.6	331	69.8	143	30.2	5	1.1
Ohio								
Northern	627	0.9	486	77.5	141	22.5	9	1.4
Southern	649	0.9	428	65.9	221	34.1	5	0.8
Tennessee								
Eastern	817	1.1	397	48.6	420	51.4	6	0.7
Middle	282	0.4	205	72.7	77	27.3	8	2.8
Western	626	0.9	432	69.0	194	31.0	7	1.1
SEVENTH CIRCUIT	2,887	3.9	1,801	62.4	1,086	37.6	16	0.6
Illinois								
Central	368	0.5	177	48.1	191	51.9	1	0.3
Northern	797	1.1	549	68.9	248	31.1	2	0.3
Southern	302	0.4	171	56.6	131	43.4	3	1.0
Indiana								
Northern	427	0.6	293	68.6	134	31.4	3	0.7
Southern	326	0.4	144	44.2	182	55.8	2	0.6
Wisconsin								
Eastern	467	0.6	318	68.1	149	31.9	3	0.6
Western	200	0.3	149	74.5	51	25.5	2	1.0
EIGHTH CIRCUIT	4,749	6.5	2,977	62.7	1,772	37.3	31	0.7
Arkansas								
Eastern	377	0.5	270	71.6	107	28.4	2	1
Western	255	0.3	209	82.0	46	18.0	0	0.0
Iowa								
Northern	343	0.5	178	51.9	165	48.1	7	2.0
Southern	419	0.6	192	45.8	227	54.2	1	0.2
Minnesota	481	0.7	220	45.7	261	54.3	6	1.2
Missouri								
Eastern	1,025	1.4	713	69.6	312	30.4	3	0.3
Western	635	0.9	395	62.2	240	37.8	9	1.4
Nebraska	568	0.8	288	50.7	280	49.3	3	0.5
North Dakota	248	0.3	185	74.6	63	25.4	0	0.0
South Dakota	398	0.5	327	82.2	71	17.8	0	0.0

Table D-18 (continued)

CIRCUIT District	Total		No Mandatory Minimum		Mandatory Minimum		Identity Theft Mandatory Minimums	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
NINTH CIRCUIT	14,578	19.9	11,512	79.0	3,066	21.0	128	0.9
Alaska	128	0.2	81	63.3	47	36.7	2	1.6
Arizona	4,930	6.7	4,390	89.0	540	11.0	2	0.0
California								
Central	1,827	2.5	1,401	76.7	426	23.3	27	1.5
Eastern	966	1.3	724	74.9	242	25.1	7	0.7
Northern	688	0.9	515	74.9	173	25.1	13	1.9
Southern	3,021	4.1	2,311	76.5	710	23.5	5	0.2
Guam	50	0.1	38	76.0	12	24.0	1	2.0
Hawaii	158	0.2	76	48.1	82	51.9	8	5.1
Idaho	291	0.4	199	68.4	92	31.6	3	1.0
Montana	364	0.5	229	62.9	135	37.1	9	2.5
Nevada	589	0.8	473	80.3	116	19.7	11	1.9
Northern Mariana Islands	27	0.0	23	85.2	4	14.8	0	0.0
Oregon	507	0.7	341	67.3	166	32.7	11	2.2
Washington								
Eastern	376	0.5	263	69.9	113	30.1	1	0.3
Western	656	0.9	448	68.3	208	31.7	28	4.3
TENTH CIRCUIT	6,553	9.0	5,448	83.1	1,105	16.9	48	0.7
Colorado	505	0.7	433	85.7	72	14.3	2	0.4
Kansas	676	0.9	403	59.6	273	40.4	12	1.8
New Mexico	3,657	5.0	3,324	90.9	333	9.1	5	0.1
Oklahoma								
Eastern	111	0.2	73	65.8	38	34.2	0	0.0
Northern	155	0.2	121	78.1	34	21.9	1	0.6
Western	283	0.4	231	81.6	52	18.4	3	1.1
Utah	798	1.1	655	82.1	143	17.9	25	3.1
Wyoming	368	0.5	208	56.5	160	43.5	0	0.0
ELEVENTH CIRCUIT	6,534	8.9	4,164	63.7	2,370	36.3	190	2.9
Alabama								
Middle	241	0.3	153	63.5	88	36.5	2	0.8
Northern	405	0.6	242	59.8	163	40.2	20	4.9
Southern	298	0.4	178	59.7	120	40.3	12	4.0
Florida								
Middle	1,660	2.3	1,011	60.9	649	39.1	14	0.8
Northern	372	0.5	213	57.3	159	42.7	11	3.0
Southern	2,164	3.0	1,388	64.1	776	35.9	103	4.8
Georgia								
Middle	275	0.4	192	69.8	83	30.2	0	0.0
Northern	650	0.9	412	63.4	238	36.6	22	3.4
Southern	469	0.6	375	80.0	94	20.0	6	1.3

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 106 were excluded due to missing statutory information.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Table D-19

**AVERAGE SENTENCE BY GUIDELINE FOR IDENTITY THEFT OFFENDERS
CONVICTED OF 18 U.S.C. § 1028A¹
Fiscal Year 2010**

GUIDELINE	IDENTITY THEFT OFFENDERS		
	Number	Percent	Mean
TOTAL	797	100.0	48
§2B1.6 (Aggravated Identity Theft 18 U.S.C. § 1028A only)	107	13.4	24
§2A2.2 (Aggravated Assault)	1	0.1	NA
§2A3.5 (Failure to Register as a Sex Offender)	1	0.1	NA
§2A6.1 (Threatening or Harassing Communications)	0	0.0	NA
§2B1.1 (Fraud)	567	71.1	51
§2B5.1 (Offenses Involving Counterfeit Bearer Obligations)	1	0.1	NA
§2D1.1 (Drug Trafficking)	9	1.1	83
§2D1.2 (Drug Offenses Near Protected Locations)	1	0.1	NA
§2E4.1 (Unlawful Conduct Relating to Contraband Cigarettes)	0	0.0	NA
§2G2.2 (Trafficking in Material Involving the Sexual Exploitation of a Minor)	2	0.3	NA
§2J1.2 (Obstruction of Justice)	1	0.1	NA
§2J1.3 (Perjury)	0	0.0	NA
§2K2.1 (Unlawful Receipt, Possession or Transportation of Firearms)	11	1.4	76
§2L1.1 (Smuggling, Transporting or Harboring an Unlawful Alien)	1	0.1	NA
§2L1.2 (Unlawfully Entering or Remaining in the United States)	10	1.3	57
§2L2.1 (Trafficking in a Document Relating to Citizenship)	19	2.4	40
§2L2.2 (Fraudulently Acquiring Documents Relating to Citizenship)	56	7.0	29
§2S1.1 (Money Laundering)	6	0.8	138
§2T1.1 (Tax Evasion)	2	0.3	NA
§2T1.4 (Aiding, Assisting, Procuring, Counseling, or Advising Tax Fraud)	1	0.1	NA
§2T3.1 (Evading Import Duties or Restrictions (Smuggling); Receiving or Trafficking in Smuggled Property)	1	0.1	NA

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 797 (1.1 percent) involved identity theft.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Table D-20

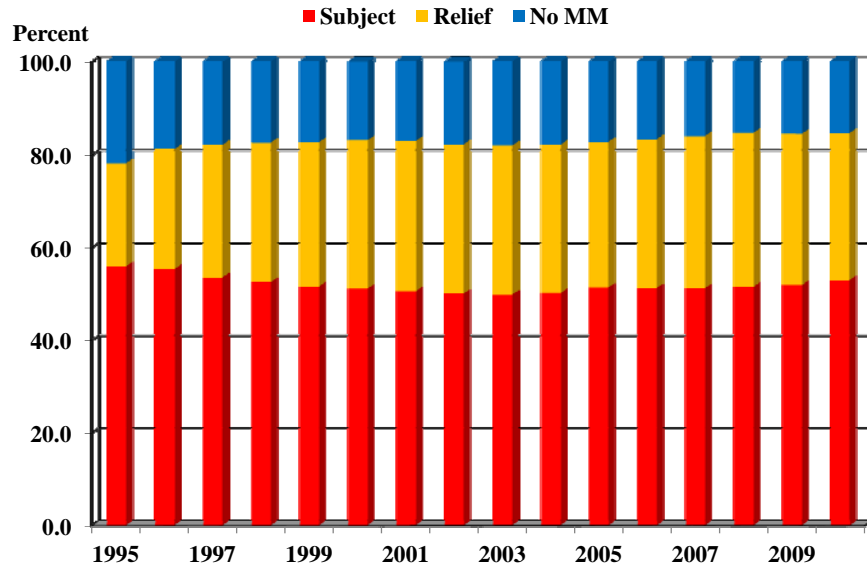
**OFFENDERS AFFECTED BY EXPANSION OF SAFETY VALVE TO
CRIMINAL HISTORY CATEGORY II BY RACE AND DRUG TYPE¹
Fiscal Year 2010**

DRUG TYPE	TOTAL	WHITE		BLACK		HISPANIC		OTHER	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	1,127	298	26.4	319	28.3	485	43.0	25	2.1
Powder Cocaine	301	50	16.6	95	31.5	154	51.2	2	0.7
Crack Cocaine	236	23	9.8	179	75.8	33	14.0	1	0.4
Heroin	62	8	12.9	15	24.2	39	62.9	0	0.0
Marijuana	206	52	25.2	15	7.3	130	63.1	9	4.4
Methamphetamine	305	160	52.5	7	2.3	126	41.3	12	3.9
Other	17	5	29.4	8	47.1	3	17.6	1	5.9

¹ Of the 83,946 cases sentenced in fiscal year 2010, the Commission received complete guideline information in 72,878. The Commission did not receive complete guideline information for another 254 cases in which the only statute of conviction was 18 U.S.C. § 924(c) and 107 cases in which an offender was sentenced under 18 U.S.C. § 1028A and the guidelines were not applied, but these cases are included in the analysis. Of the remaining 73,239 cases, 106 were excluded due to missing statutory information.

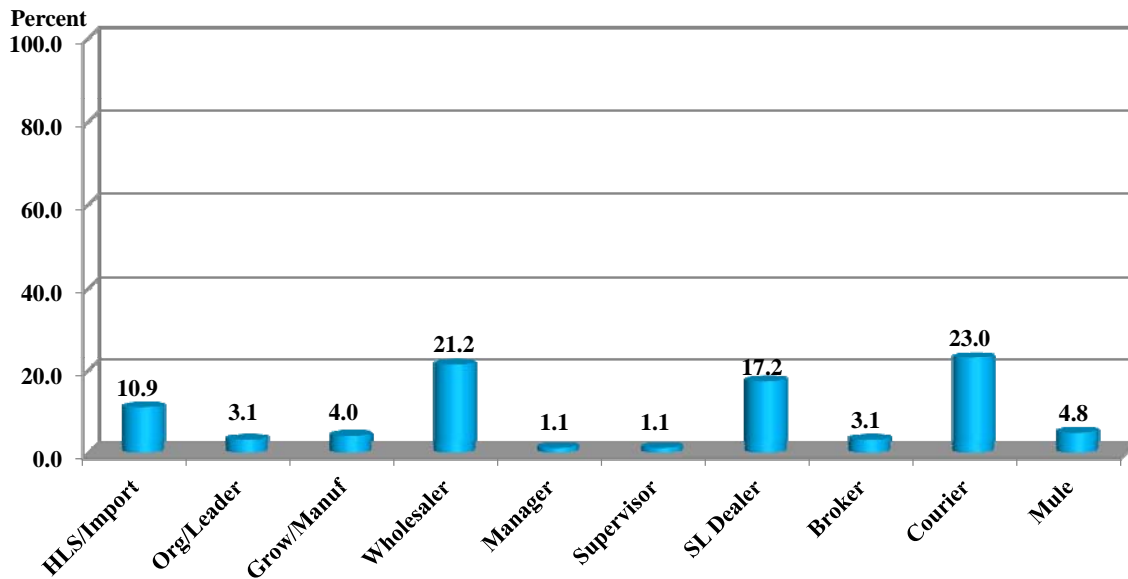
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-1
Percentage of Drug Offenders in Prison Not Convicted of an Offense Carrying a Mandatory Minimum, Convicted of an Offense Carrying a Mandatory Minimum Penalty, and Subject to a Mandatory Minimum Penalty at Sentencing 1995 - 2010



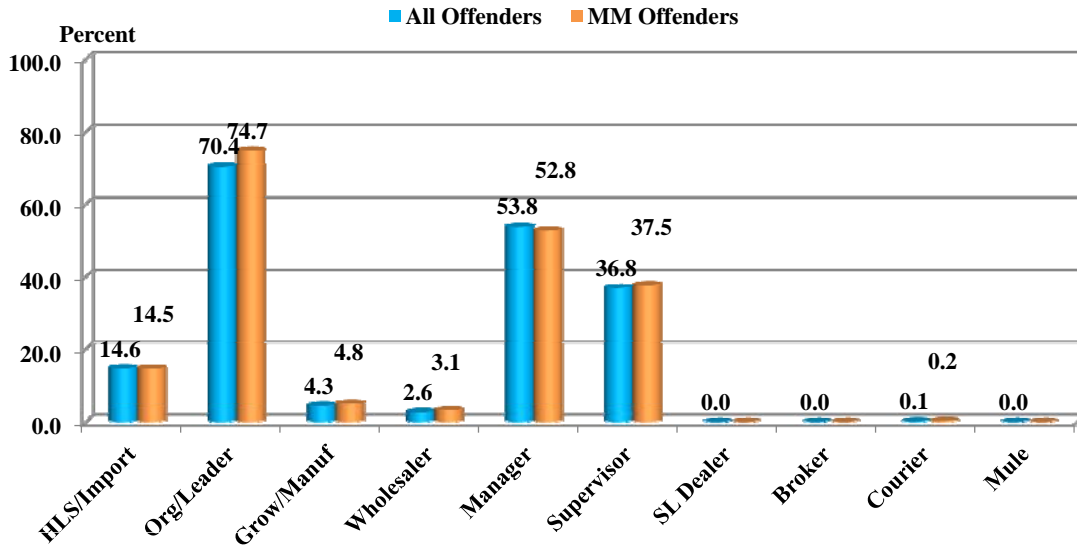
SOURCE: U.S. Sentencing Commission, and Bureau of Prisons Combined 1995 through 2010 Datafiles, USSCBOP.

Figure D-2
Distribution of Offender Function Fiscal Year 2009 Sample Data



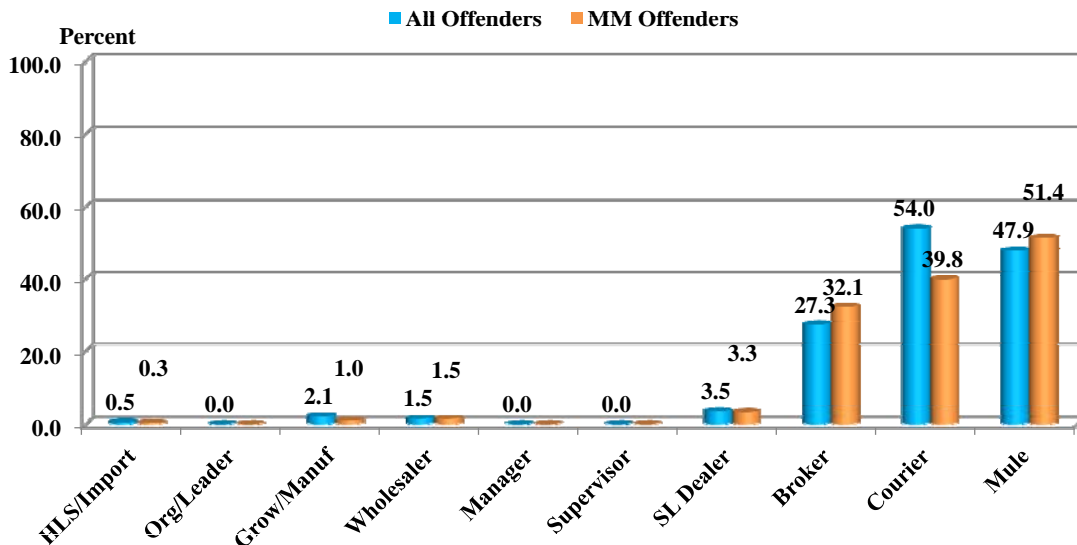
SOURCE: U.S. Sentencing Commission, 2009 Function Datafile.

Figure D-3
Percent of All Offenders In Which the Aggravating Role Adjustment Applied and
for Offenders Convicted of an Offense Carrying a Mandatory Minimum Penalty
by Offender Function
Fiscal Year 2009 Sample Data



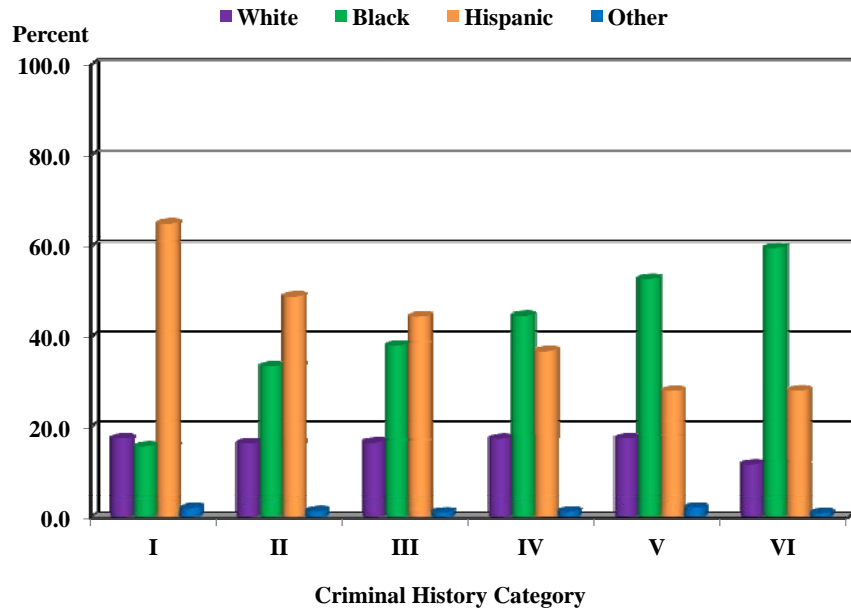
SOURCE: U.S. Sentencing Commission, 2009 Function Datafile.

Figure D-4
Percent of All Offenders In Which the Mitigating Role Adjustment Applied and
for Offenders Convicted of an Offense Carrying a Mandatory Minimum Penalty
by Offender Function
Fiscal Year 2009 Sample Data



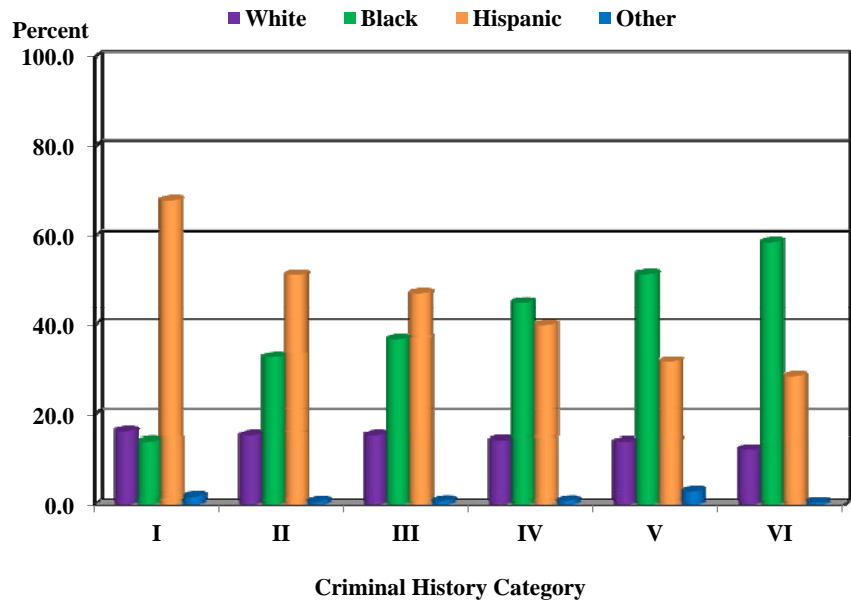
SOURCE: U.S. Sentencing Commission, 2009 Function Datafile.

Figure D-5
Race of All Powder Cocaine Offenders by Criminal History Category
Fiscal Year 2010



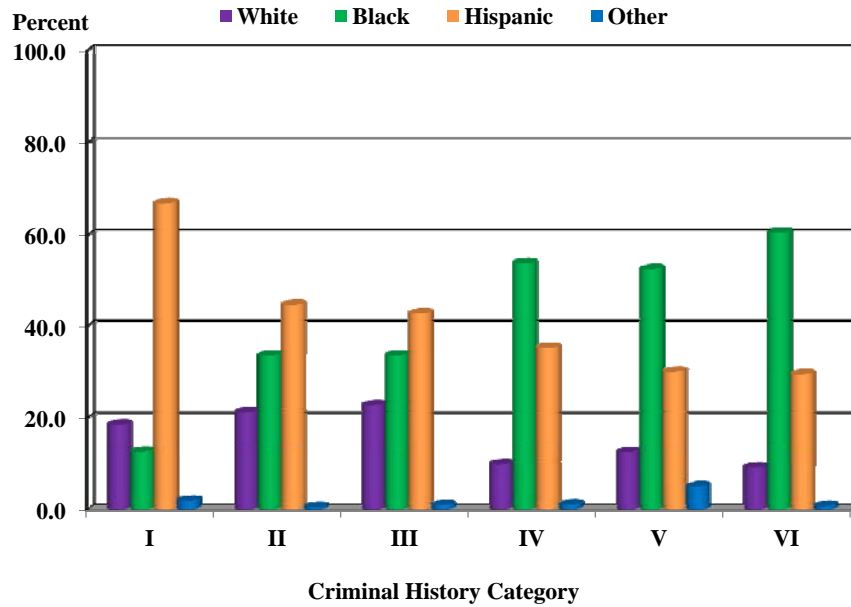
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-6
Race of Powder Cocaine Offenders Convicted of an Offense Carrying a
Drug Mandatory Minimum Penalty
by Criminal History Category
Fiscal Year 2010



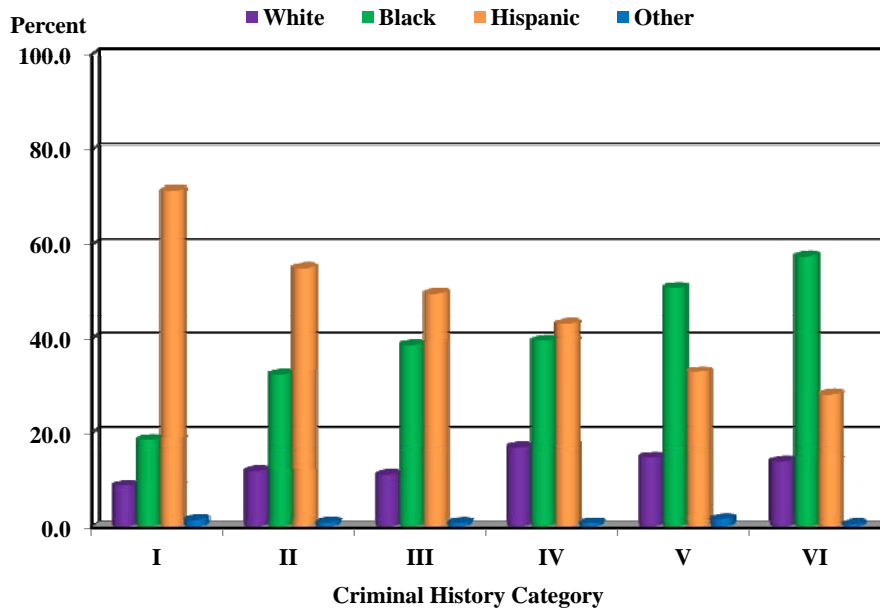
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-7
Race of Powder Cocaine Offenders Relieved from a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



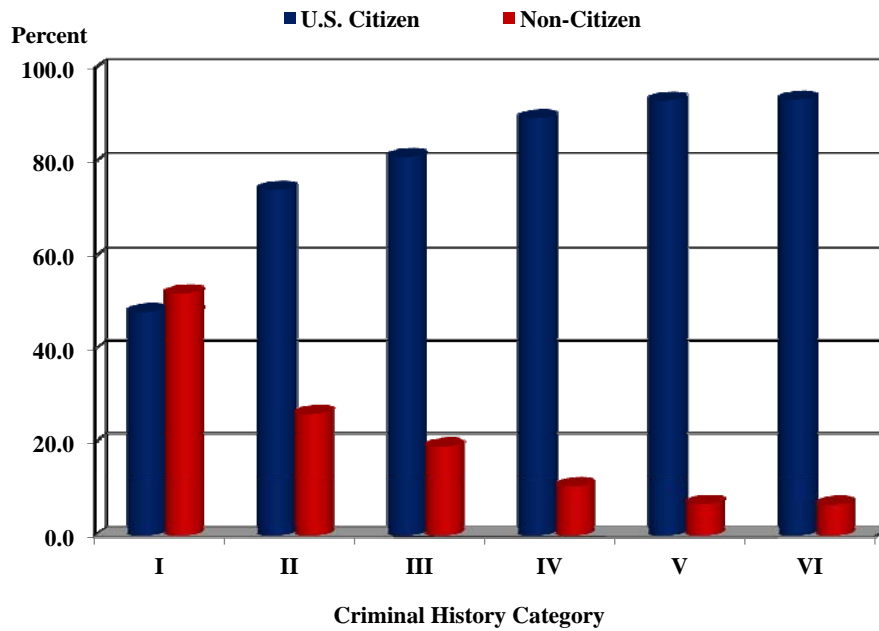
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-8
Race of Powder Cocaine Offenders Subject to a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



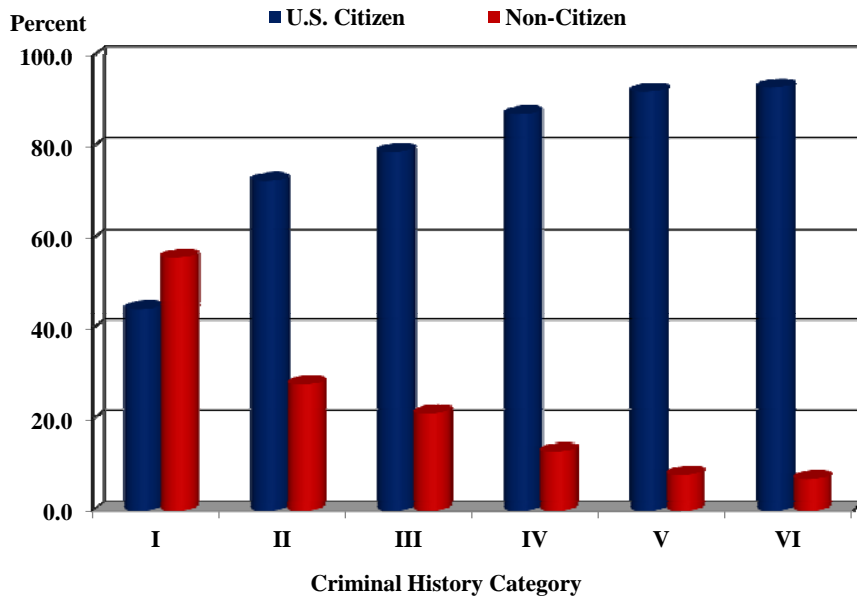
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-9
Citizenship of All Powder Cocaine Offenders by Criminal History Category
Fiscal Year 2010



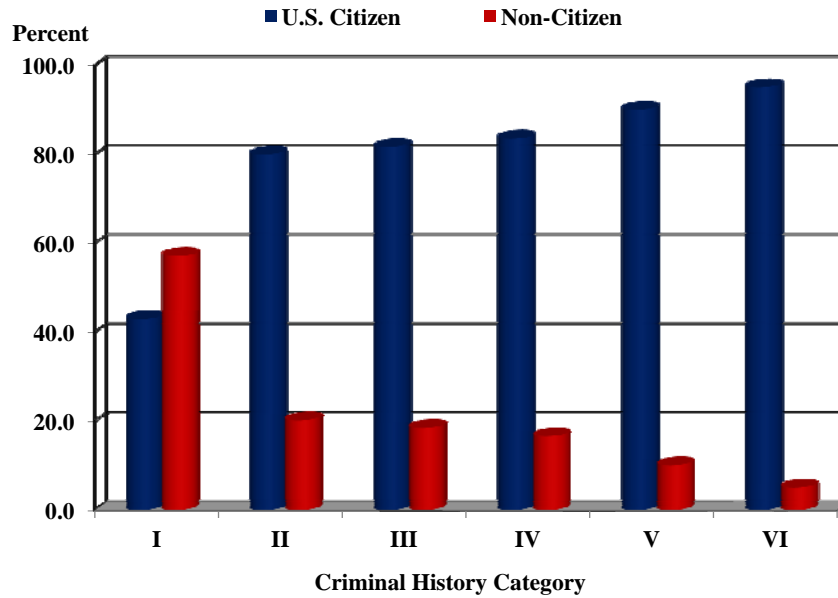
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-10
Citizenship of Powder Cocaine Offenders Convicted of an Offense Carrying a
Drug Mandatory Minimum Penalty
by Criminal History Category
Fiscal Year 2010



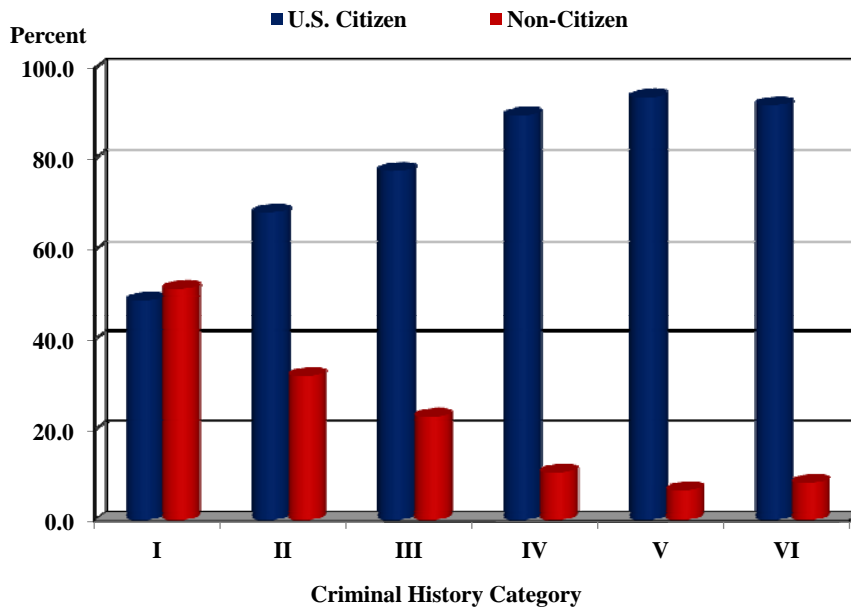
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-11
Citizenship of Powder Cocaine Offenders Relieved from a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



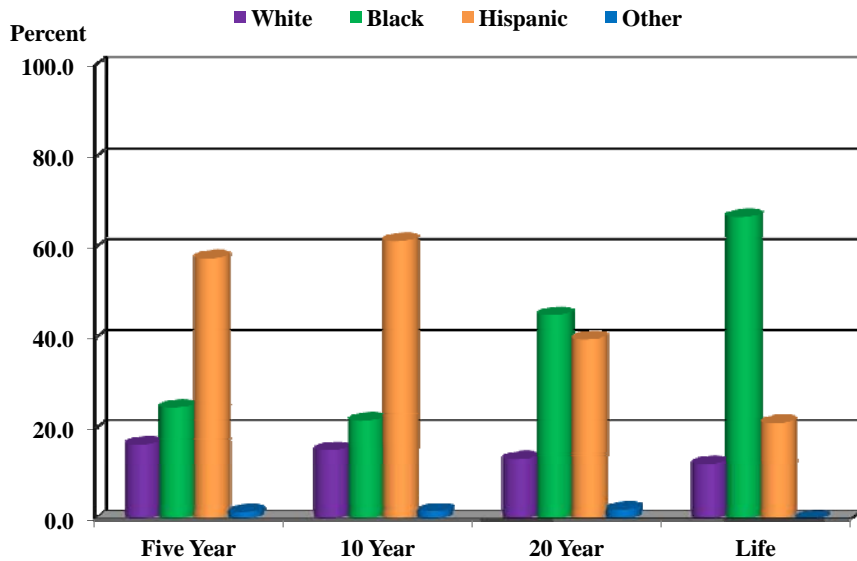
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-12
Citizenship of Powder Cocaine Offenders Subject to a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



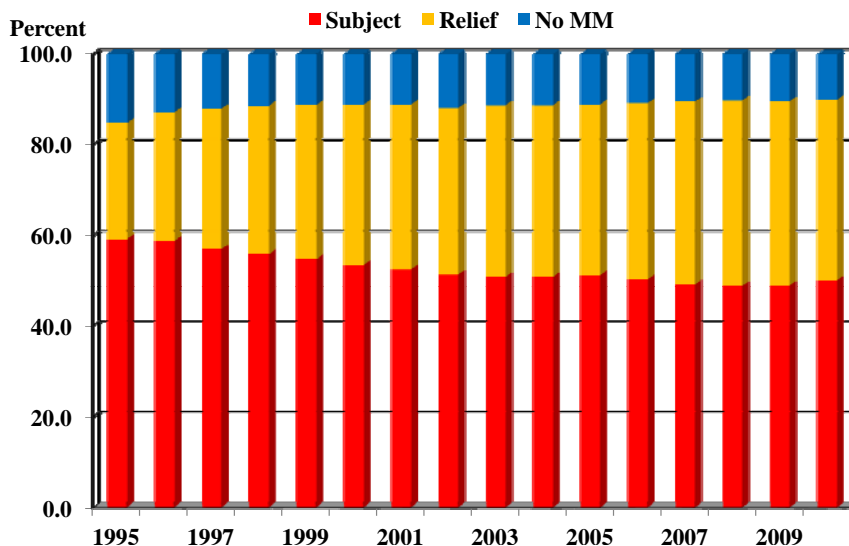
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-13
Race of Powder Cocaine Offenders by Length of Drug Mandatory Minimum Penalty
Fiscal Year 2010



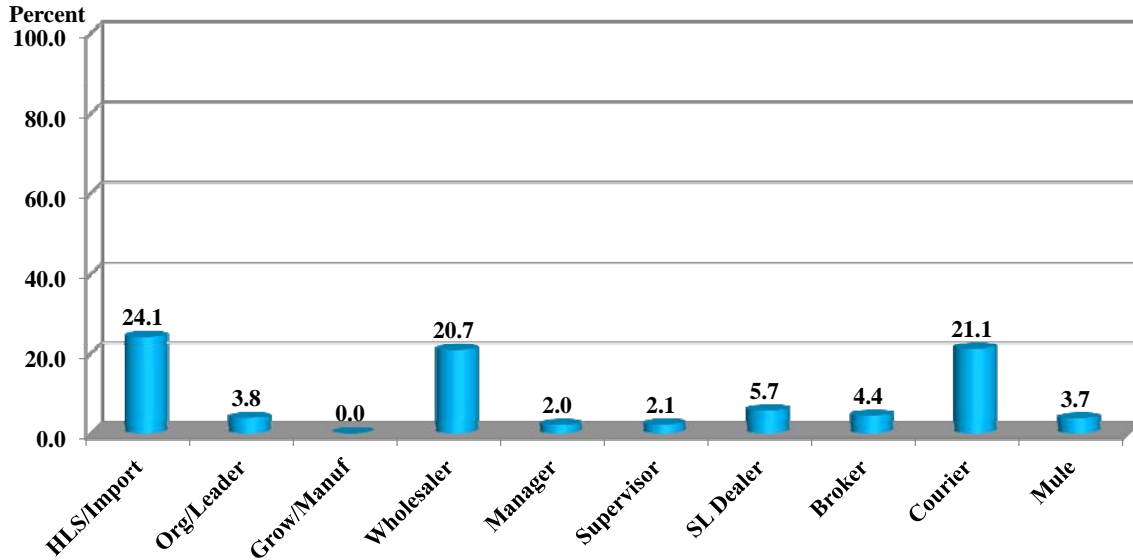
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-14
Percentage of Offenders in Prison Not Convicted of an Offense Carrying a Mandatory
Minimum, Convicted of an Offense Carrying a Mandatory
Minimum Penalty and Subject to a Mandatory Minimum Penalty at Sentencing
Powder Cocaine Offenders
1995 - 2010



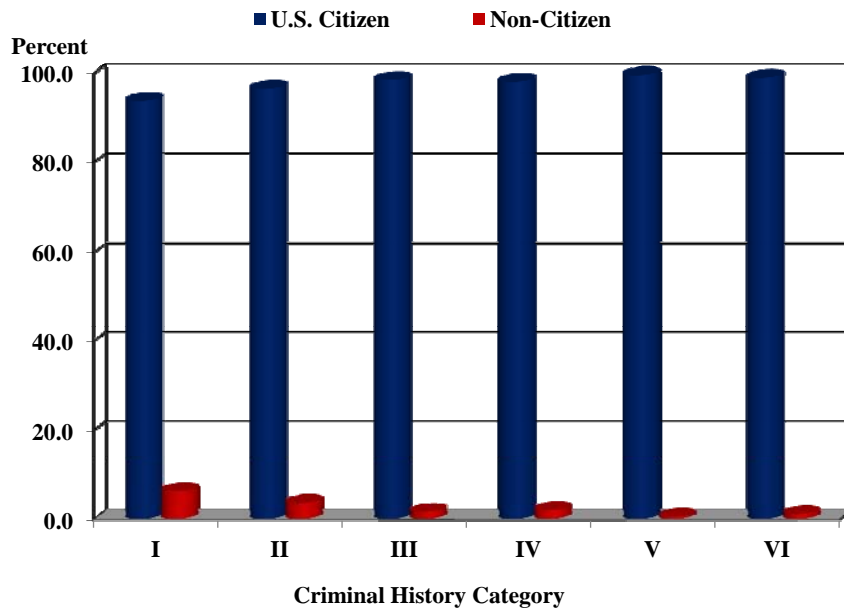
SOURCE: U.S. Sentencing Commission, and Bureau of Prisons Combined 1995 through 2010 Datafiles, USSCBOP.

Figure D-15
Distribution of Offender Function by Primary Drug Type
Powder Cocaine Offenders
Fiscal Year 2009 Sample Data



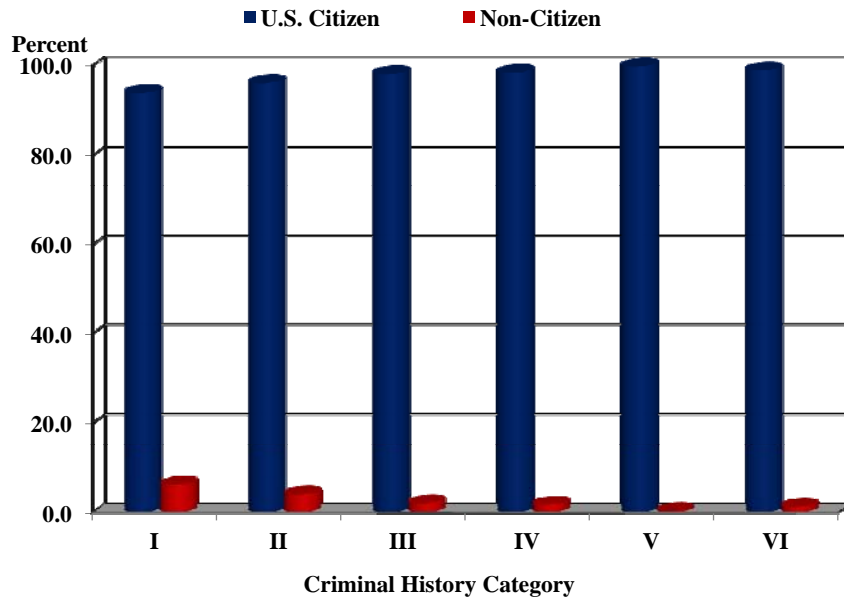
SOURCE: U.S. Sentencing Commission, 2009 Function Datafile.

Figure D-16
Citizenship of All Crack Cocaine Offenders by Criminal History Category
Fiscal Year 2010



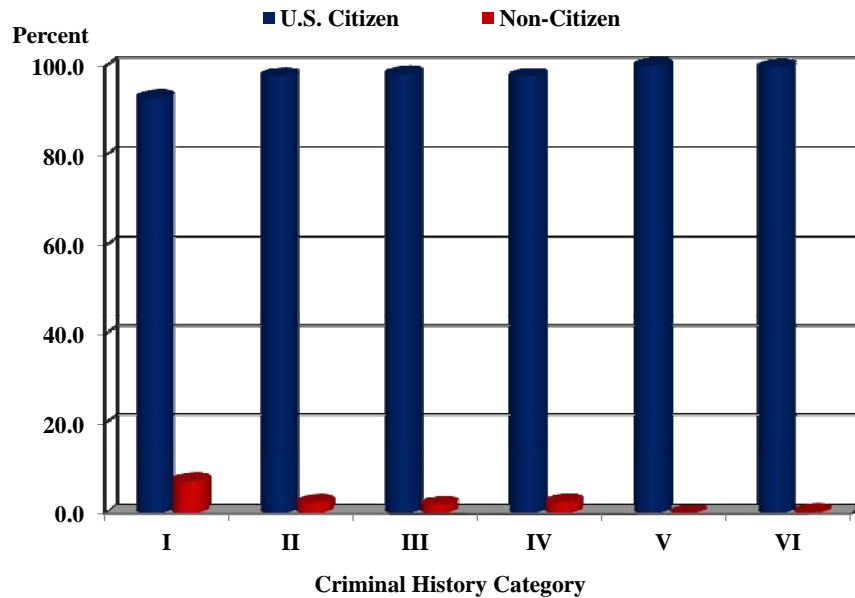
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-17
Citizenship of Crack Cocaine Offenders Convicted of an Offense Carrying a
Drug Mandatory Minimum Penalty
by Criminal History Category
Fiscal Year 2010



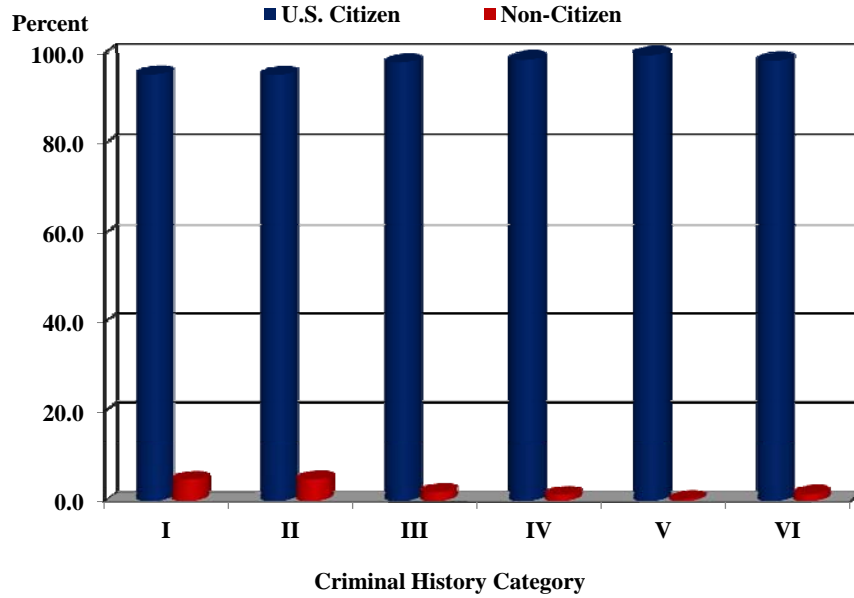
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-18
Citizenship of Crack Cocaine Offenders Relieved from a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



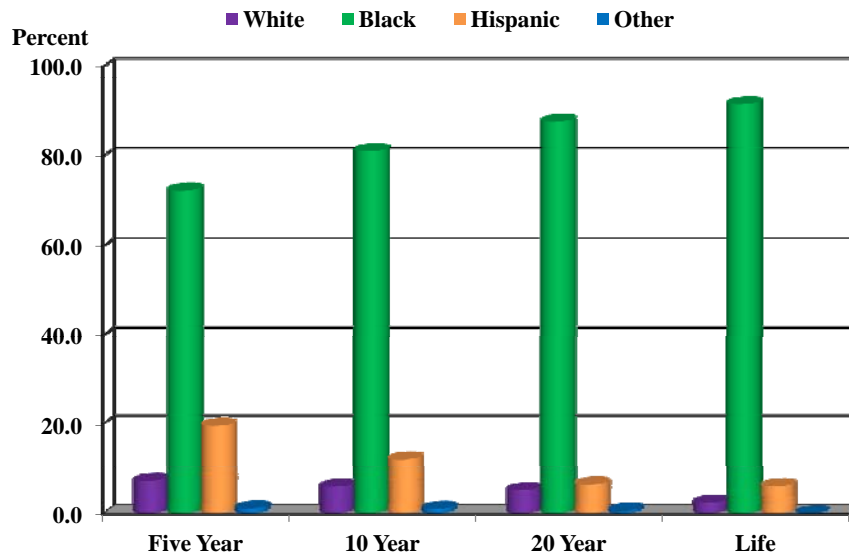
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-19
Citizenship of Crack Cocaine Offenders Subject to a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



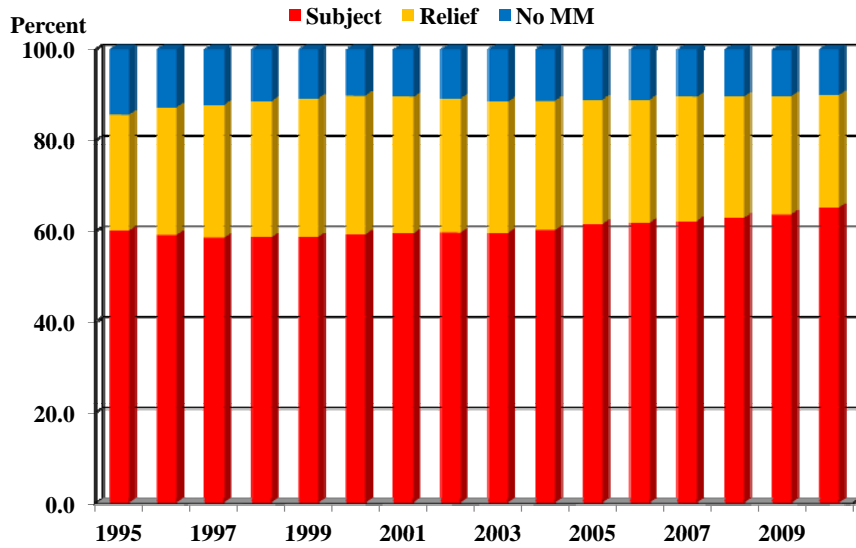
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-20
Race of Crack Cocaine Offenders by Length of Drug Mandatory Minimum Penalty
Fiscal Year 2010



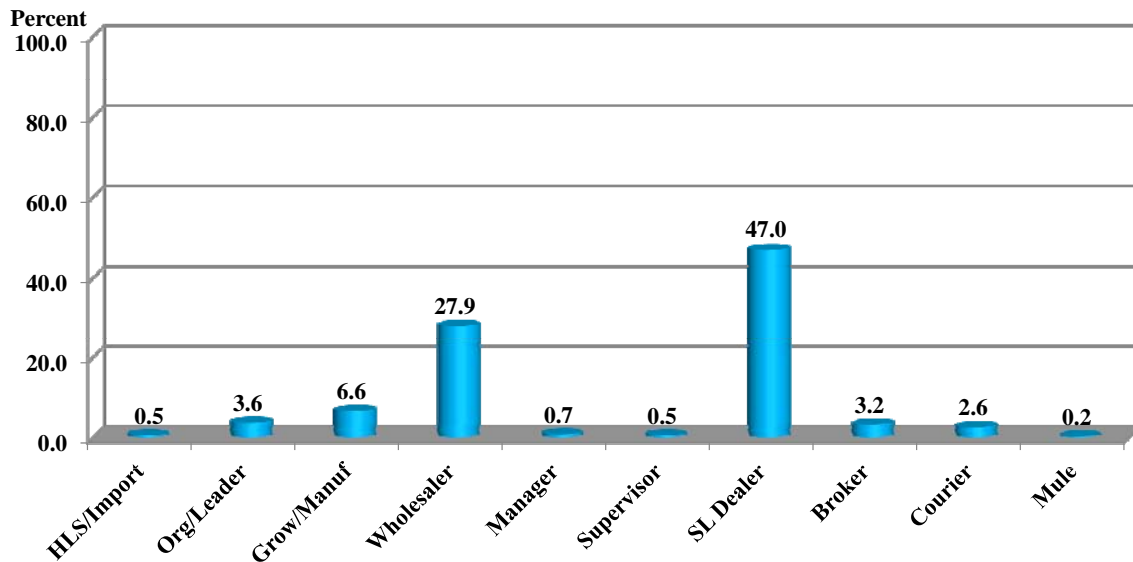
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-21
Percentage of Offenders in Prison Not Convicted of an Offense Carrying a Mandatory Minimum, Convicted of an Offense Carrying a Mandatory Minimum Penalty and Subject to a Mandatory Minimum Penalty at Sentencing
Crack Cocaine Offenders
1995 - 2010



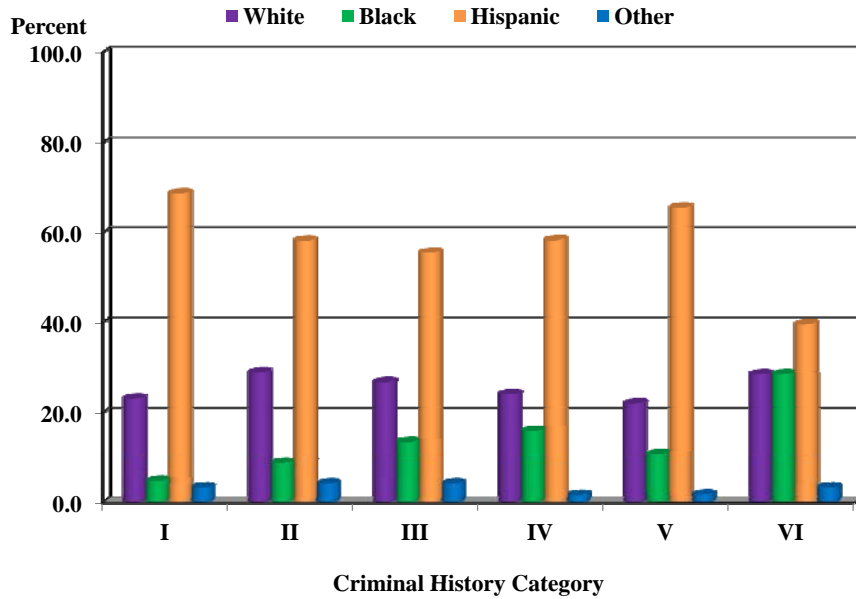
SOURCE: U.S. Sentencing Commission, and Bureau of Prisons Combined 1995 through 2010 Datafiles, USSCBOP.

Figure D-22
Distribution of Offender Function by Primary Drug Type
Crack Cocaine Offenders
Fiscal Year 2009 Sample Data



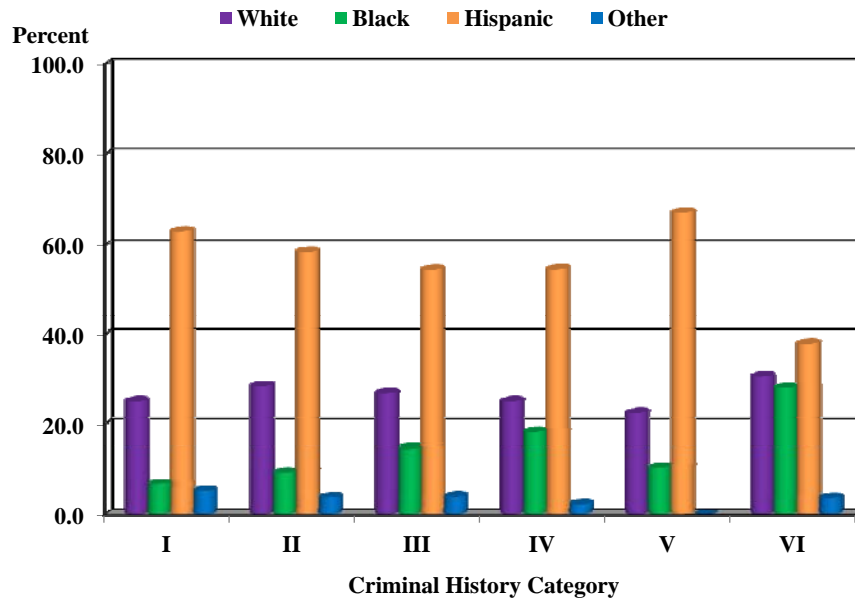
SOURCE: U.S. Sentencing Commission, 2009 Function Datafile.

Figure D-23
Race of All Marijuana Offenders by Criminal History Category
Fiscal Year 2010



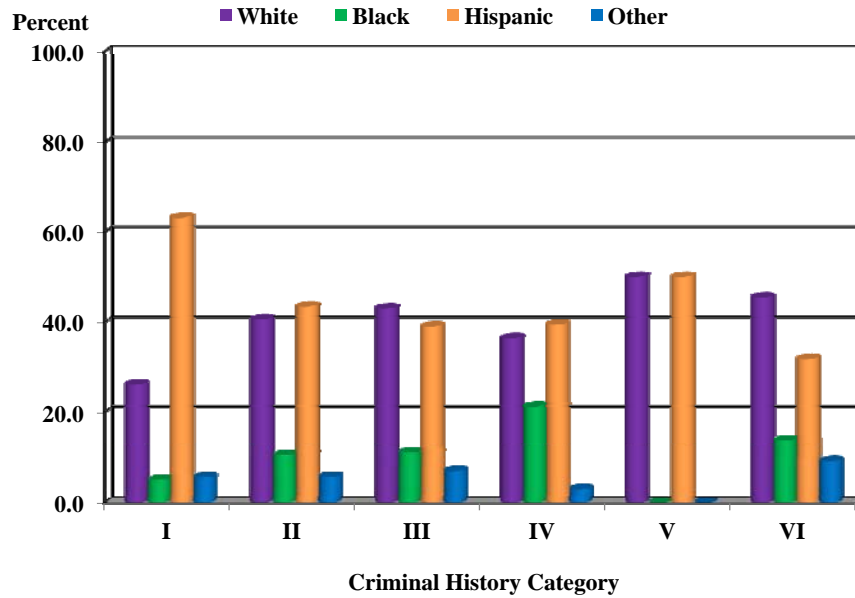
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-24
Race of Marijuana Offenders Convicted of an Offense Carrying a
Drug Mandatory Minimum Penalty
by Criminal History Category
Fiscal Year 2010



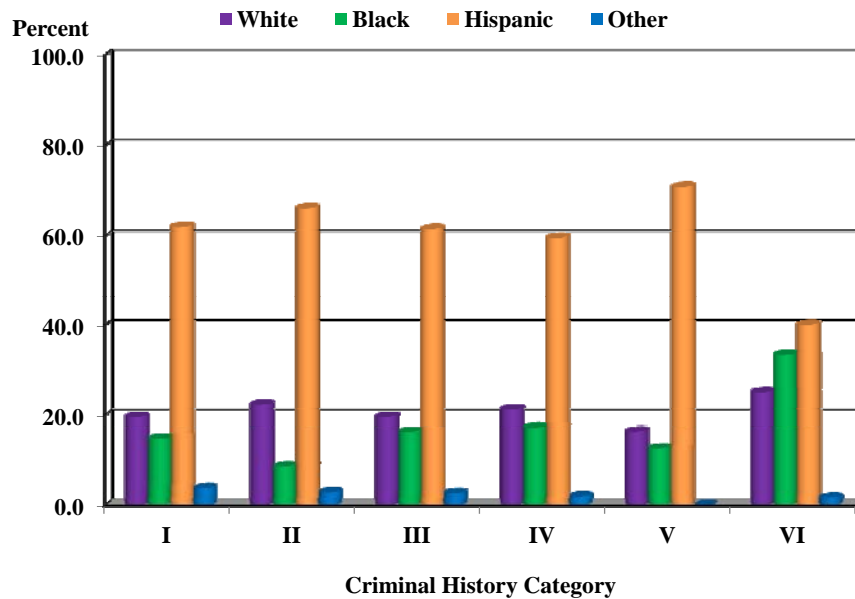
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-25
Race of Marijuana Offenders Relieved from a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



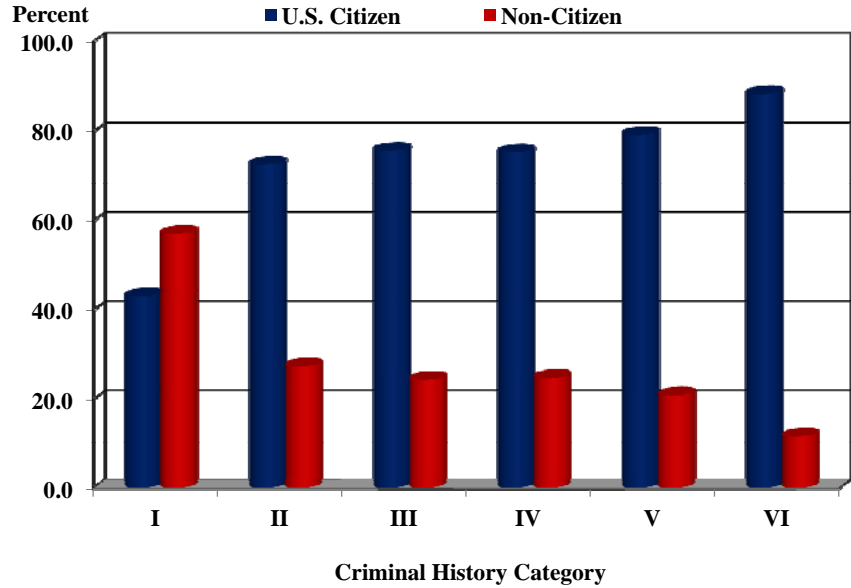
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-26
Race of Marijuana Offenders Subject to a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



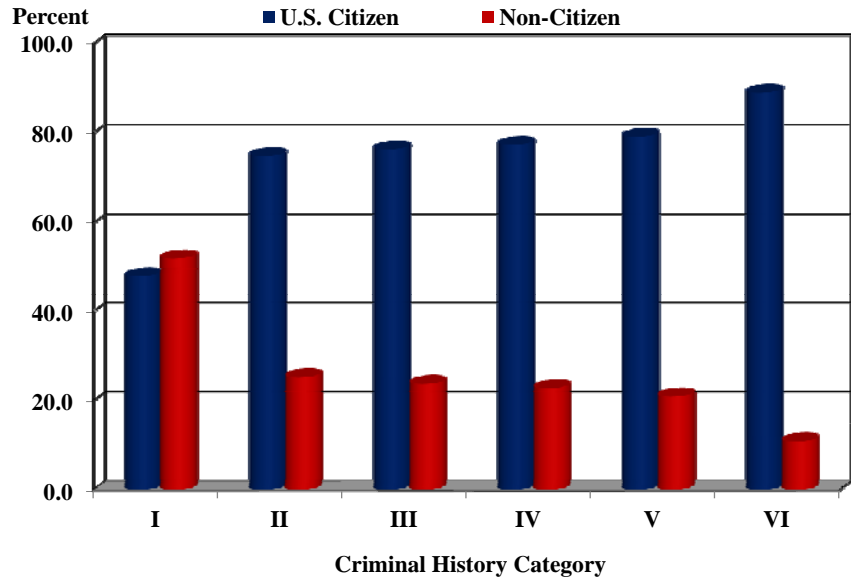
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-27
Citizenship of All Marijuana Offenders by Criminal History Category
Fiscal Year 2010



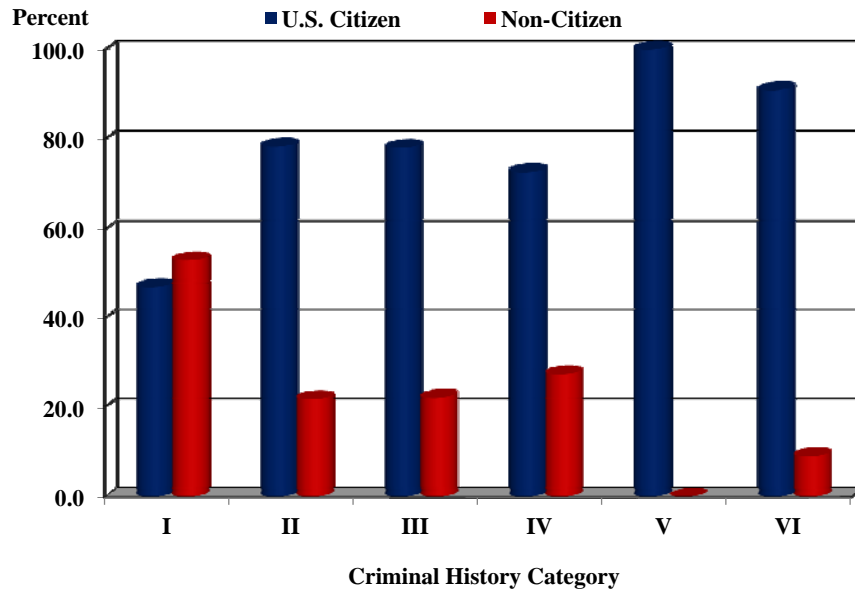
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-28
Citizenship of Marijuana Offenders Convicted of an Offense Carrying a
Drug Mandatory Minimum Penalty
by Criminal History Category
Fiscal Year 2010



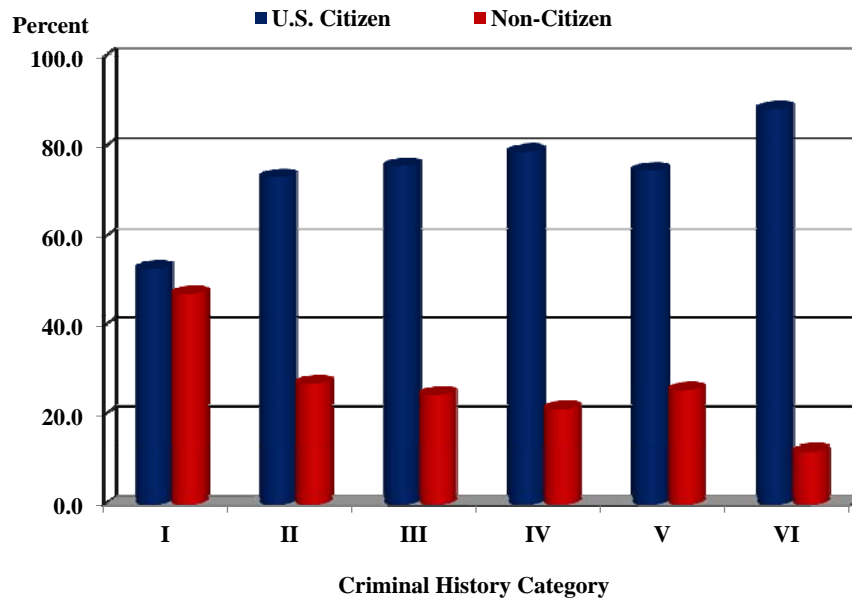
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-29
Citizenship of Marijuana Offenders Relieved from a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



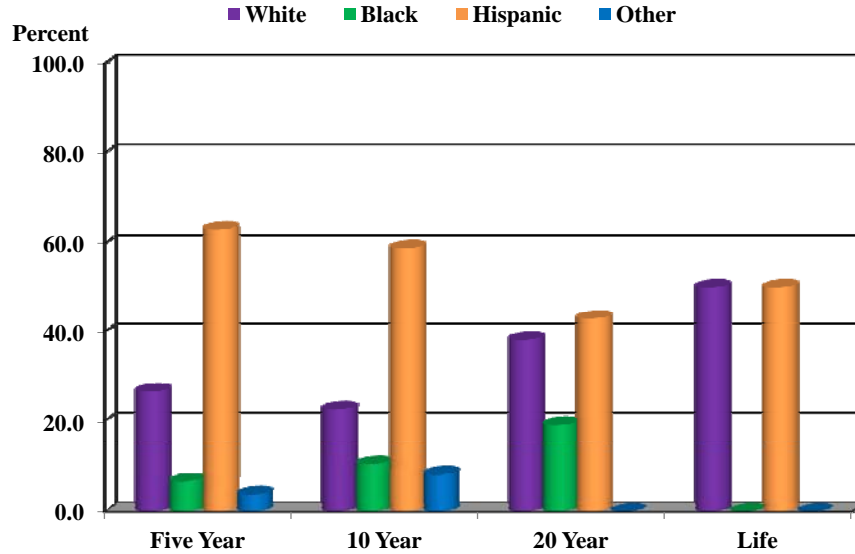
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-30
Citizenship of Marijuana Offenders Subject to a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



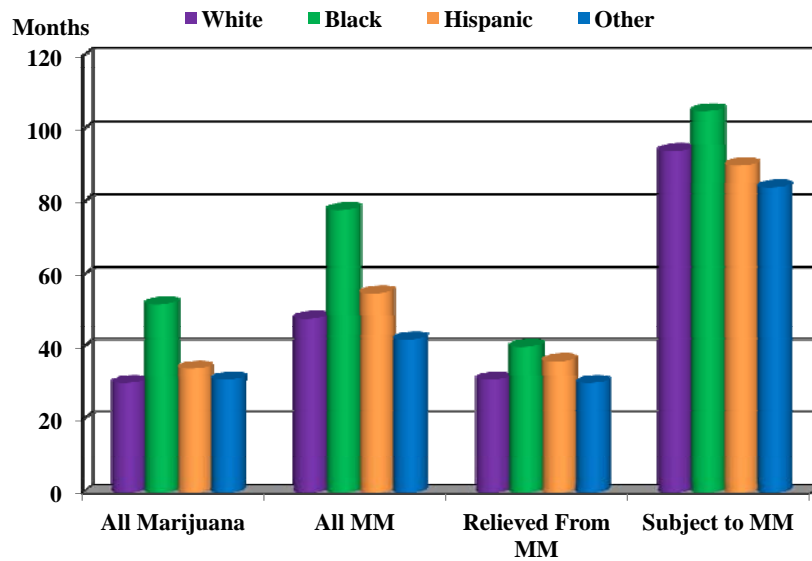
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-31
Race of Marijuana Offenders by Length of Drug Mandatory Minimum Penalty
Fiscal Year 2010



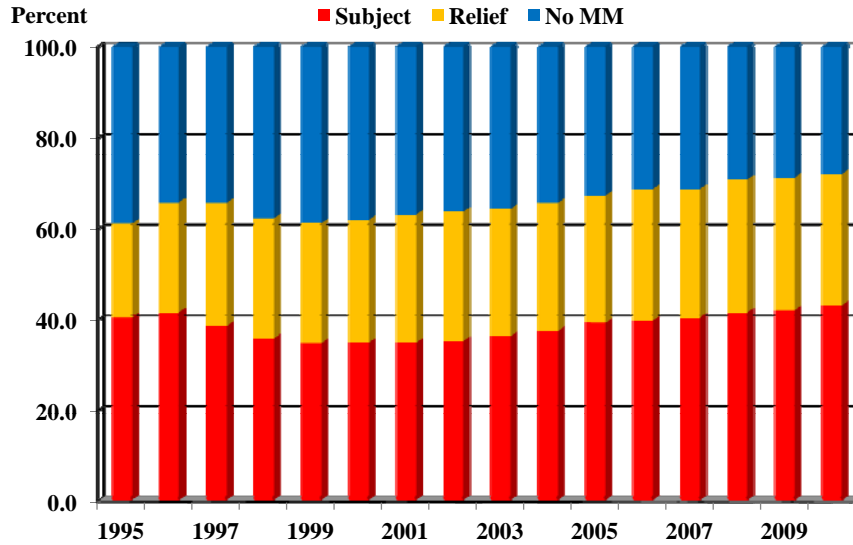
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-32
Average Sentence Length by Race of Marijuana Offenders Convicted of an Offense
Carrying a Drug Mandatory Minimum Penalty
Fiscal Year 2010



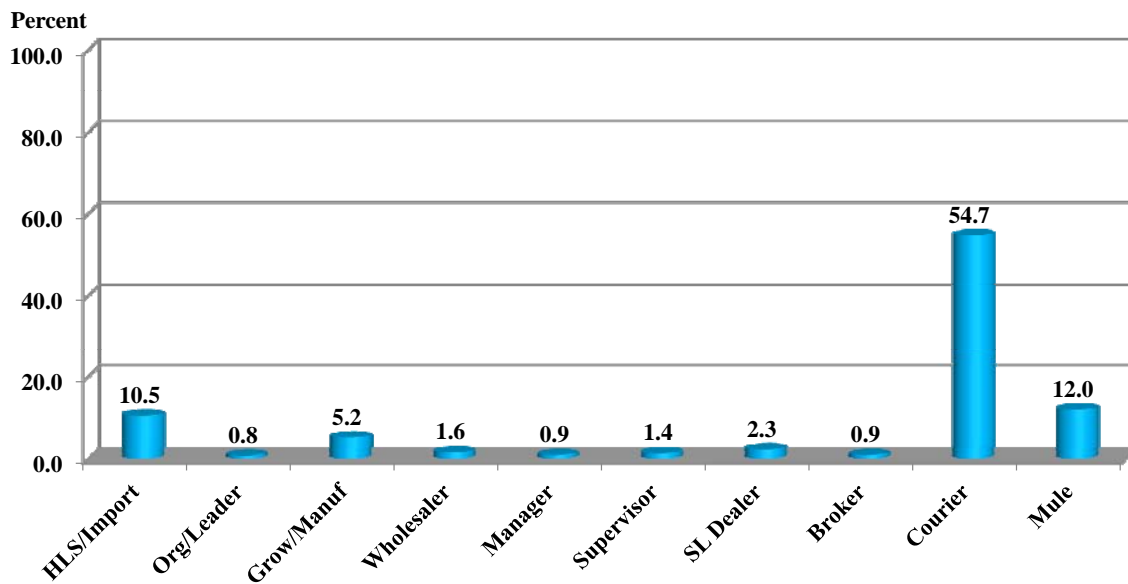
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-33
Percentage of Offenders in Prison Not Convicted of an Offense Carrying a Mandatory Minimum, Convicted of an Offense Carrying a Mandatory Minimum Penalty and Subject to a Mandatory Minimum Penalty at Sentencing Marijuana Offenders 1995 - 2010



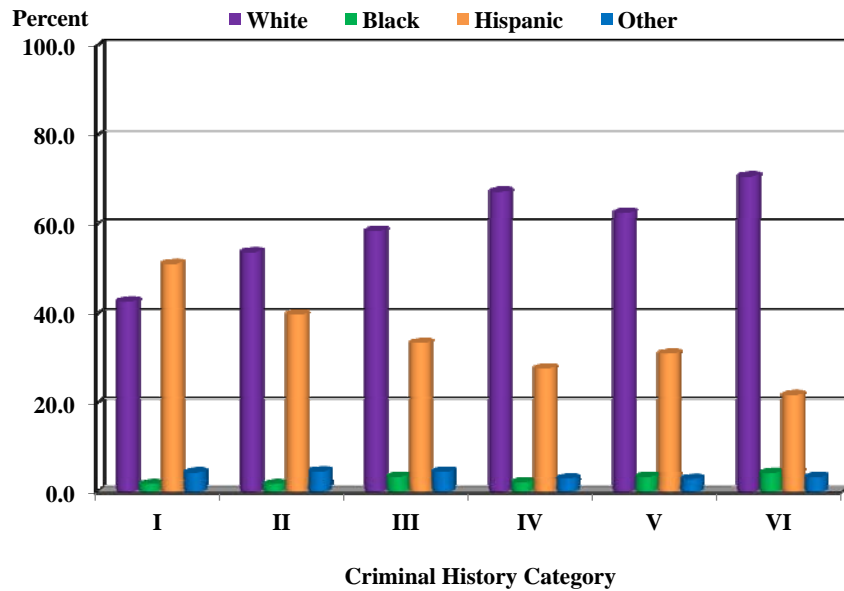
SOURCE: U.S. Sentencing Commission, and Bureau of Prisons Combined 1995 through 2010 Datafiles, USSCBOP.

Figure D-34
Distribution of Offender Function by Primary Drug Type Marijuana Offenders Fiscal Year 2009 Sample Data



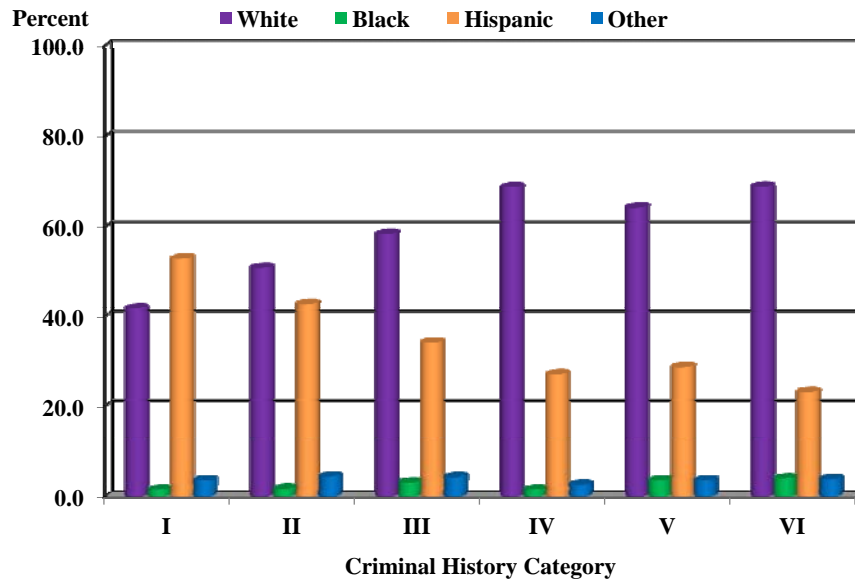
SOURCE: U.S. Sentencing Commission, 2009 Function Datafile.

Figure D-35
Race of All Methamphetamine Offenders by Criminal History Category
Fiscal Year 2010



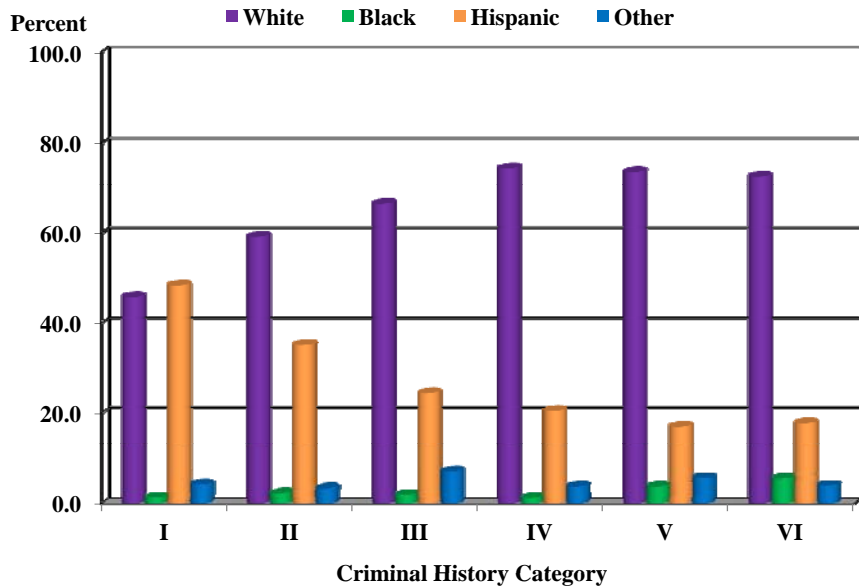
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-36
Race of Methamphetamine Offenders Convicted of an Offense Carrying a
Drug Mandatory Minimum Penalty
by Criminal History Category
Fiscal Year 2010



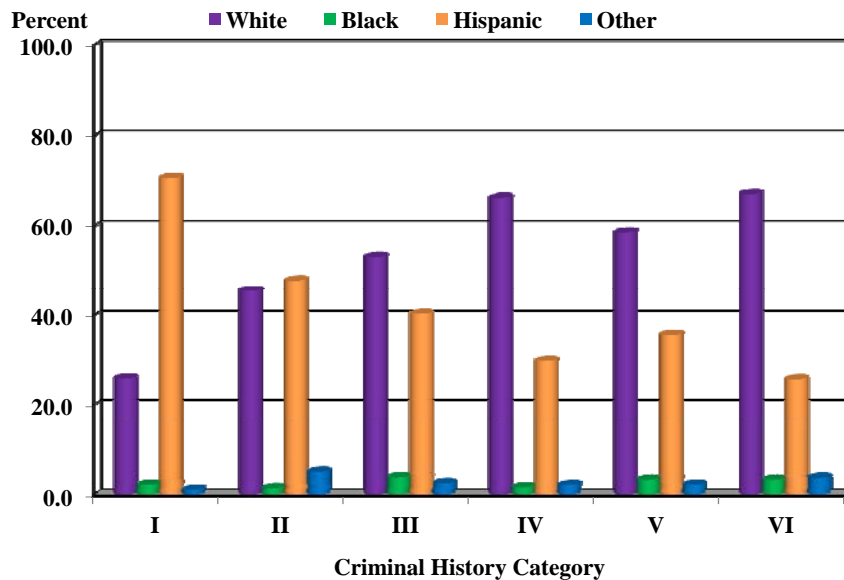
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-37
Race of Methamphetamine Offenders Relieved from a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



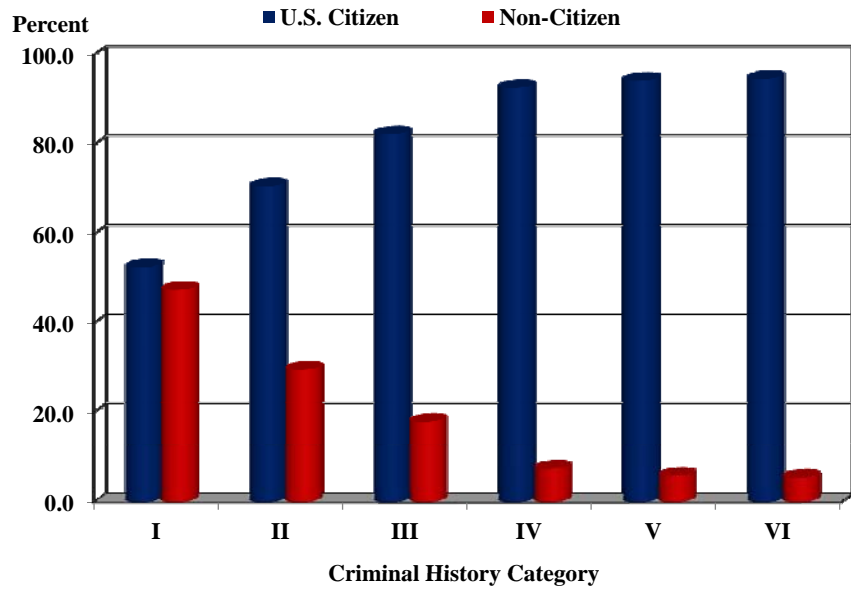
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-38
Race of Methamphetamine Offenders Subject to a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



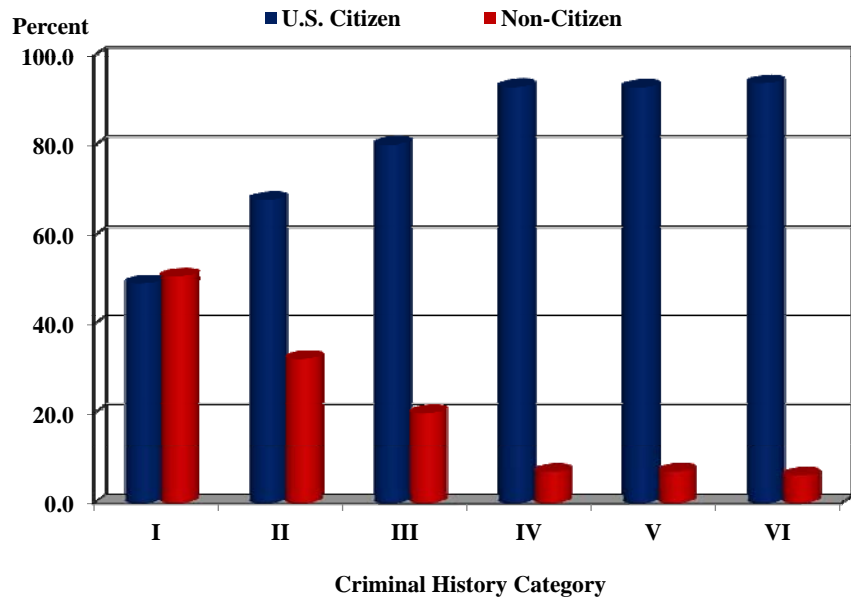
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-39
Citizenship of All Methamphetamine Offenders by Criminal History Category
Fiscal Year 2010



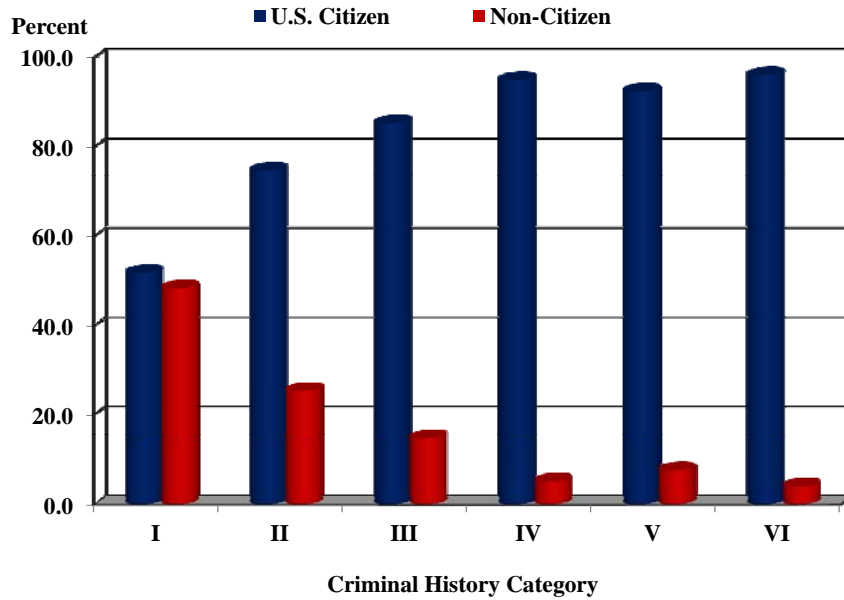
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-40
Citizenship of Methamphetamine Offenders Convicted of an Offense Carrying a
Drug Mandatory Minimum Penalty
by Criminal History Category
Fiscal Year 2010



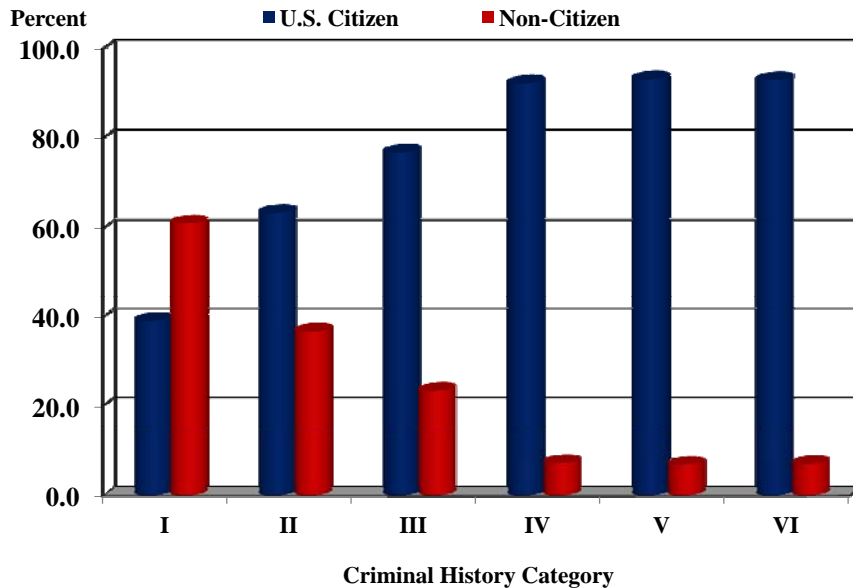
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-41
Citizenship of Methamphetamine Offenders Relieved from a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-42
Citizenship of Methamphetamine Offenders Subject to a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-43
Race of Methamphetamine Offenders by Length of Drug Mandatory Minimum Penalty
Fiscal Year 2010

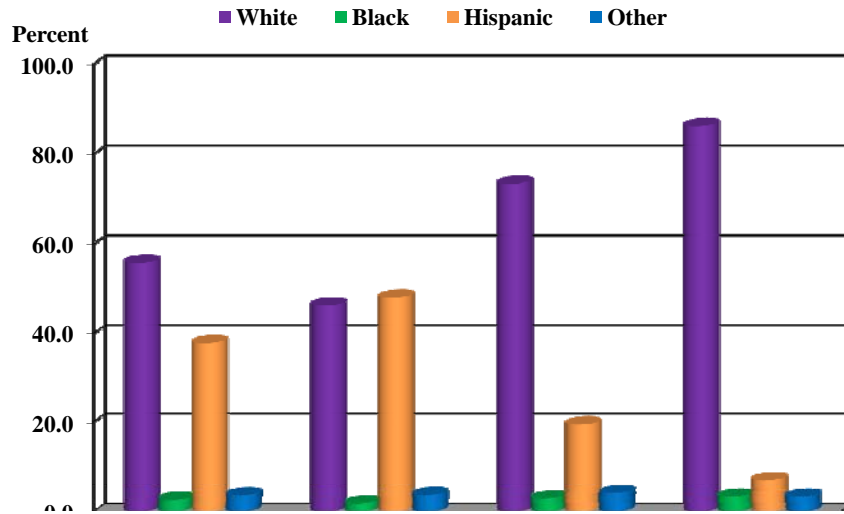
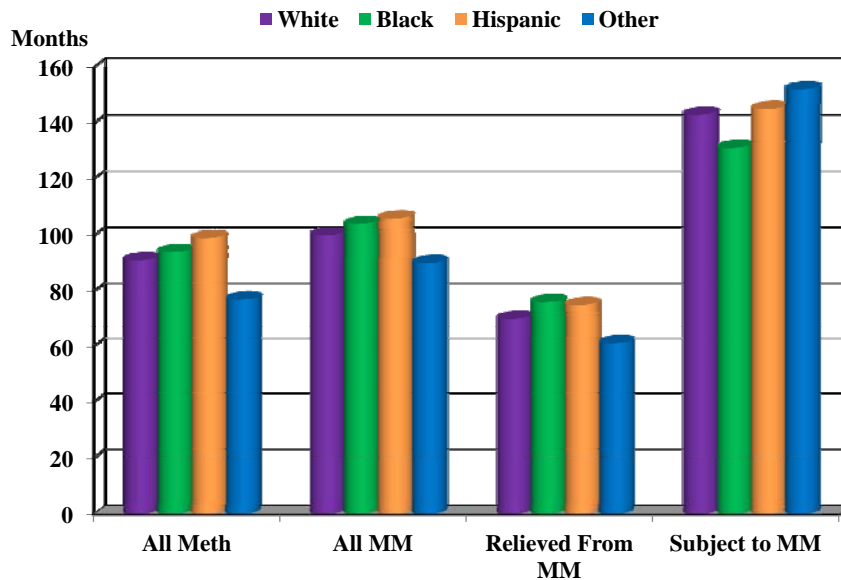
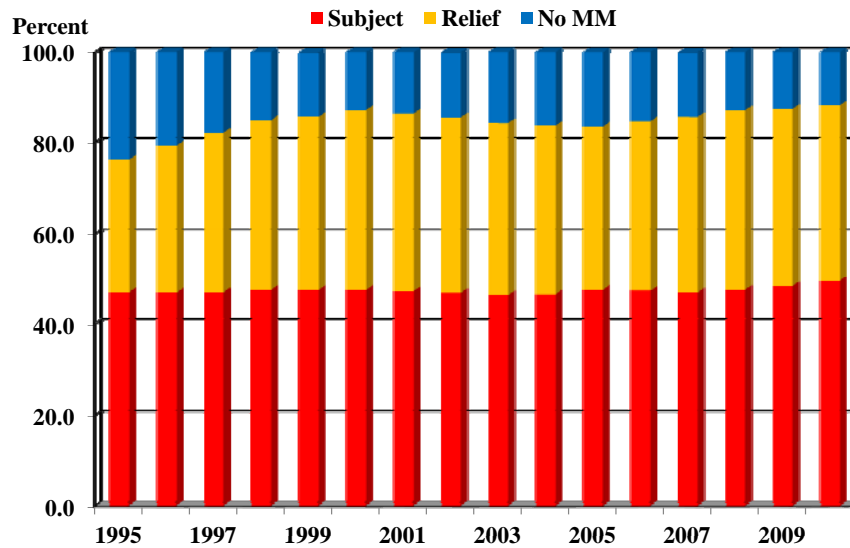


Figure D-44
Average Sentence Length by Race of Methamphetamine Offenders
Convicted of an Offense Carrying a Drug Mandatory Minimum Penalty
Fiscal Year 2010



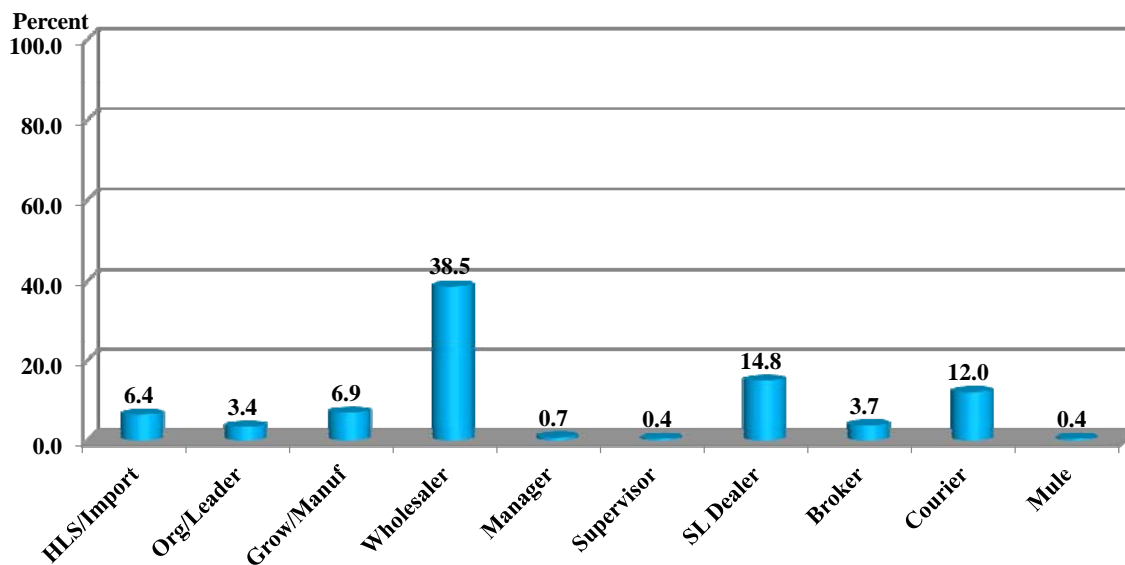
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-45
Percentage of Offenders in Prison Not Convicted of an Offense Carrying a Mandatory
Minimum, Convicted of an Offense Carrying a Mandatory
Minimum Penalty and Subject to a Mandatory Minimum Penalty at Sentencing
Methamphetamine Offenders
1995 - 2010



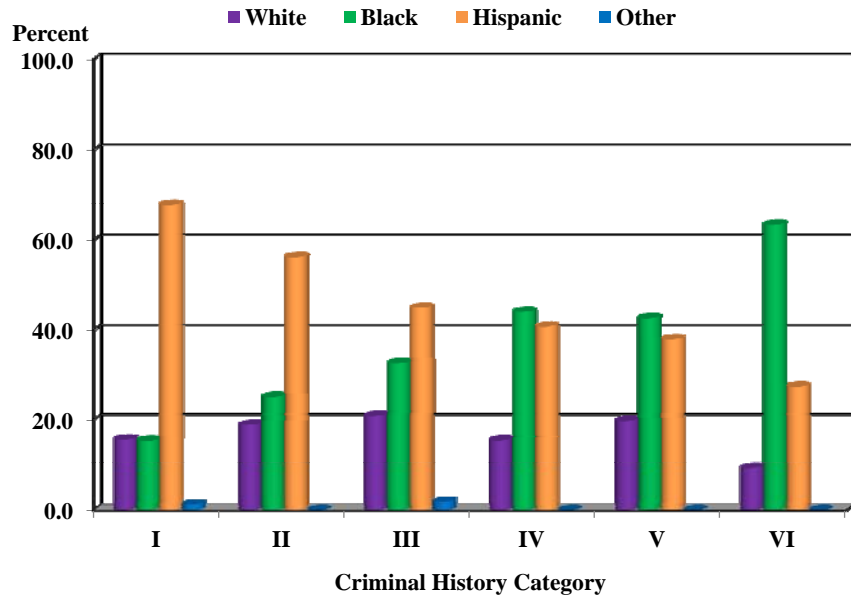
SOURCE: U.S. Sentencing Commission, and Bureau of Prisons Combined 1995 through 2010 Datafiles, USSCBOP.

Figure D-46
Distribution of Offender Function by Primary Drug Type
Methamphetamine Offenders
Fiscal Year 2009 Sample Data



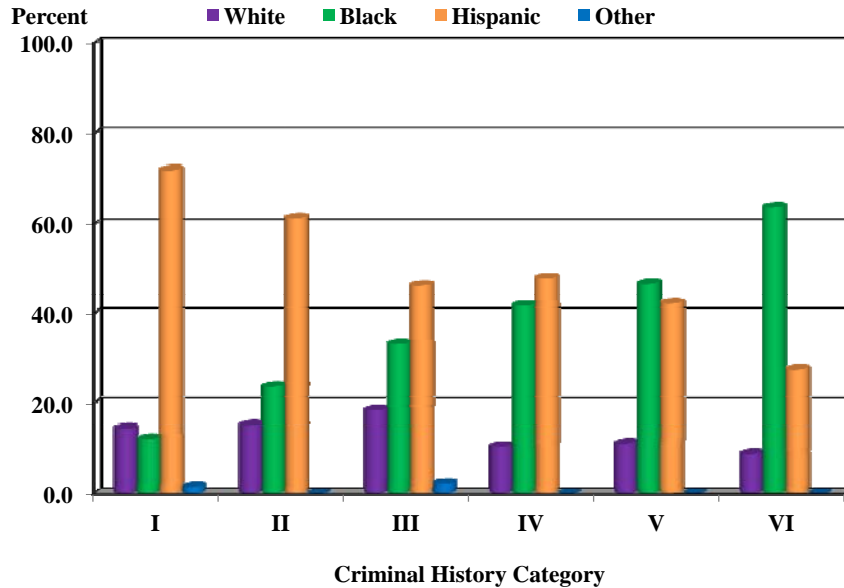
SOURCE: U.S. Sentencing Commission, 2009 Function Datafile.

Figure D-47
Race of All Heroin Offenders by Criminal History Category
Fiscal Year 2010



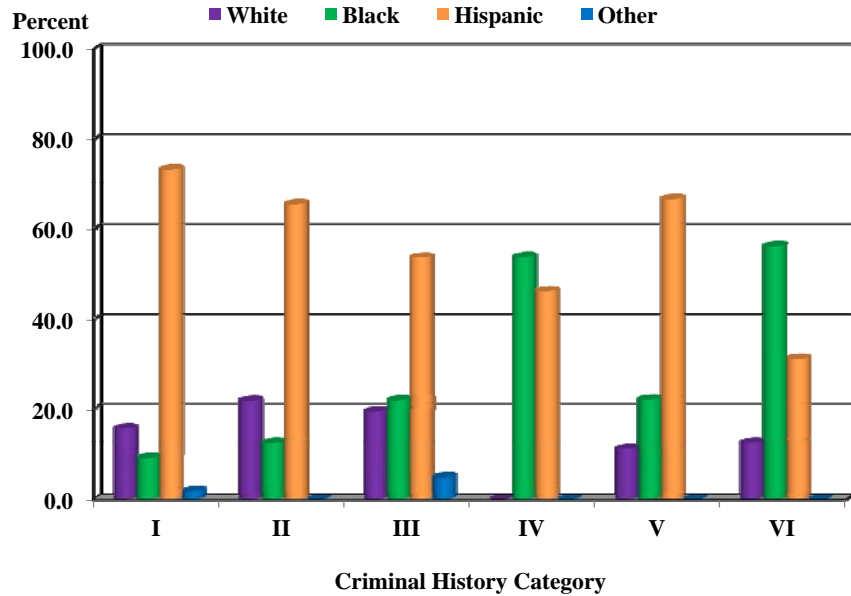
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-48
Race of Heroin Offenders Convicted of an Offense Carrying a
Drug Mandatory Minimum Penalty
by Criminal History Category
Fiscal Year 2010



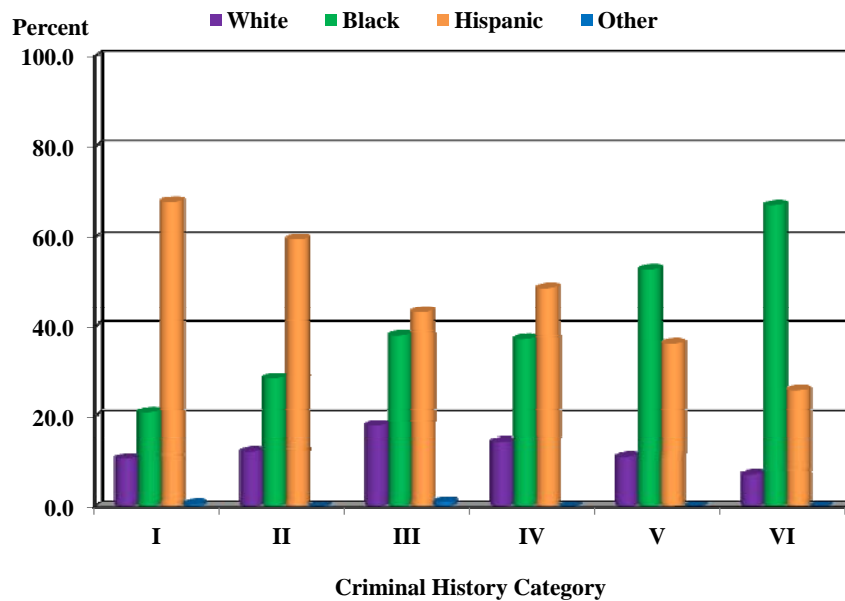
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-49
Race of Heroin Offenders Relieved from a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



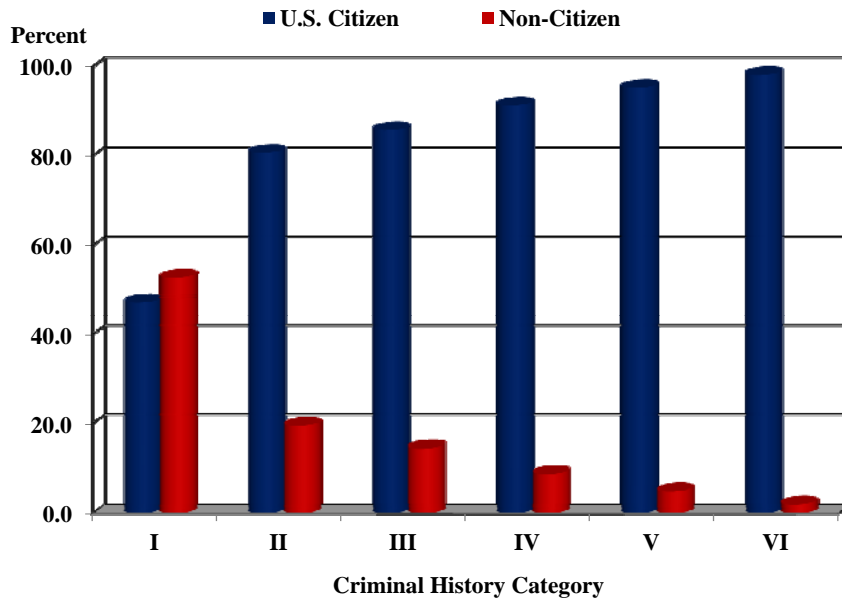
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-50
Race of Heroin Offenders Subject to a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



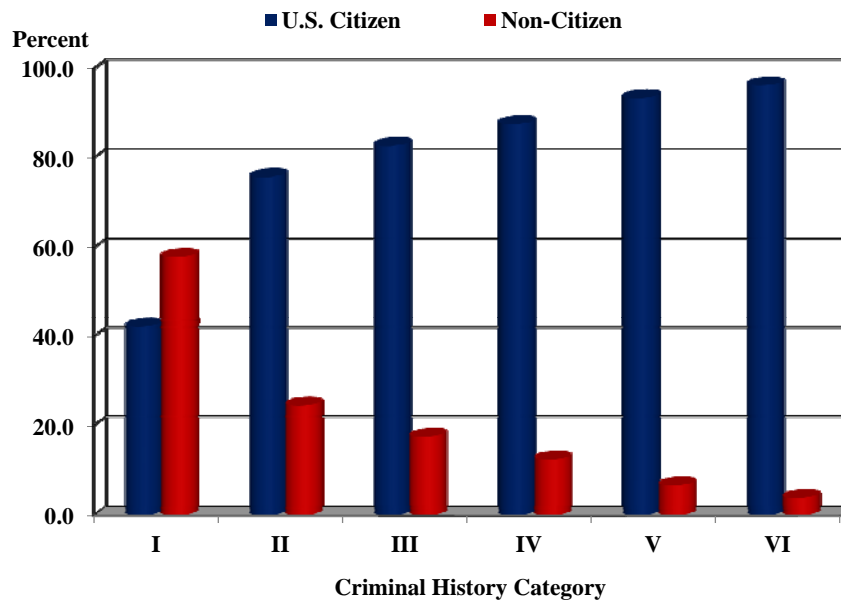
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-51
Citizenship of All Heroin Offenders by Criminal History Category
Fiscal Year 2010



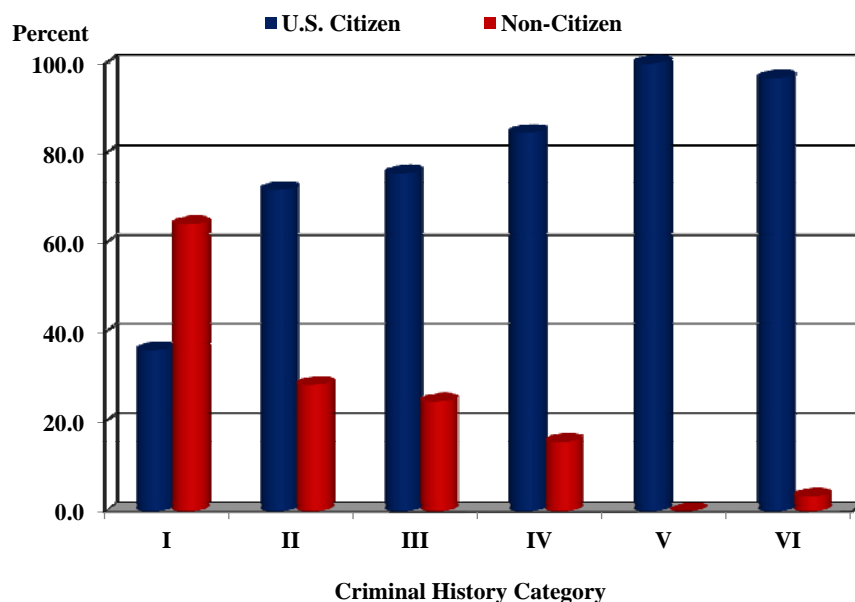
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-52
Citizenship of Heroin Offenders Convicted of an Offense Carrying a
Drug Mandatory Minimum Penalty
by Criminal History Category
Fiscal Year 2010



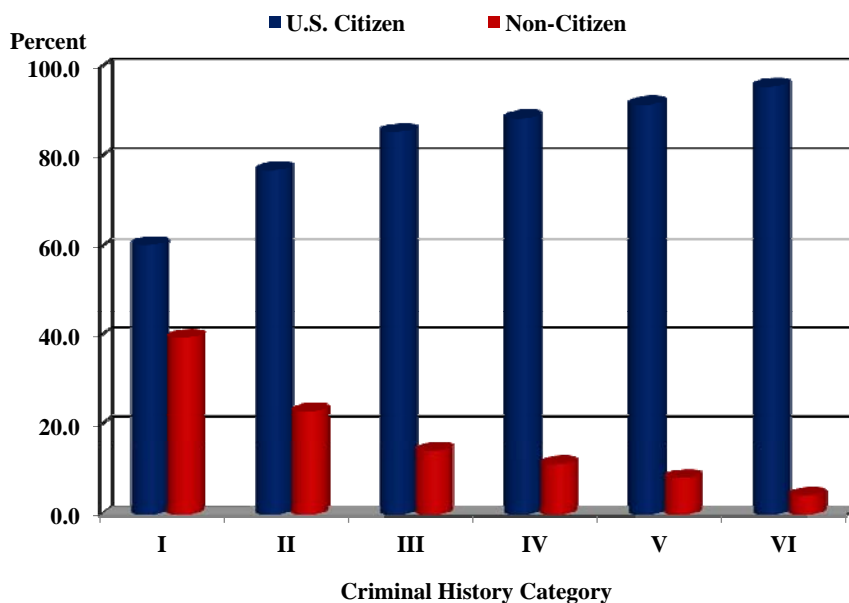
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-53
Citizenship of Heroin Offenders Relieved from a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



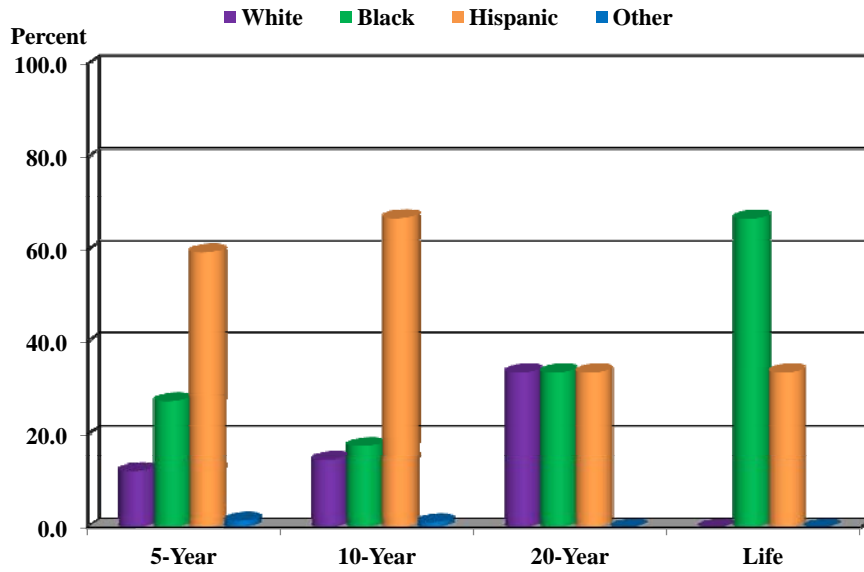
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-54
Citizenship of Heroin Offenders Subject to a
Drug Mandatory Minimum Penalty at Sentencing
by Criminal History Category
Fiscal Year 2010



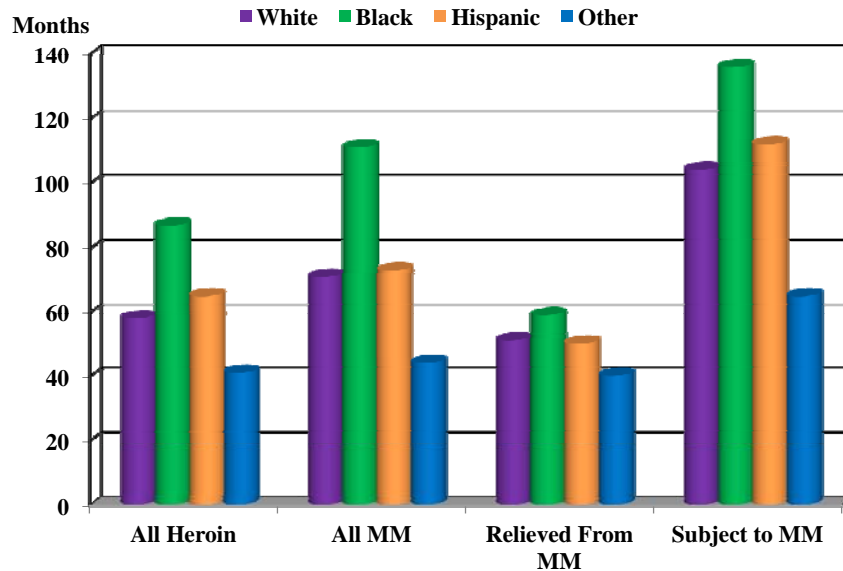
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-55
Race of Heroin Offenders by Length of Drug Mandatory Minimum Penalty
Fiscal Year 2010



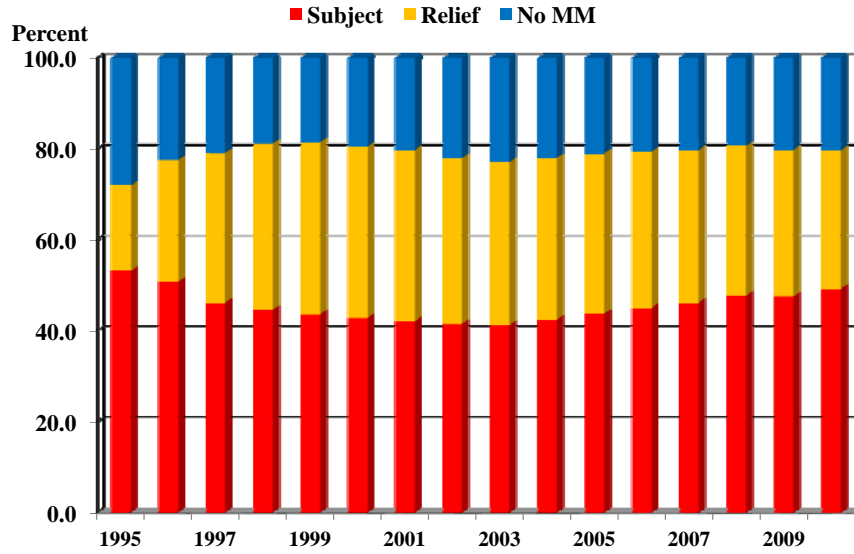
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-56
Average Sentence Length by Race of Heroin Offenders Convicted of an Offense
Carrying a Drug Mandatory Minimum Penalty
Fiscal Year 2010



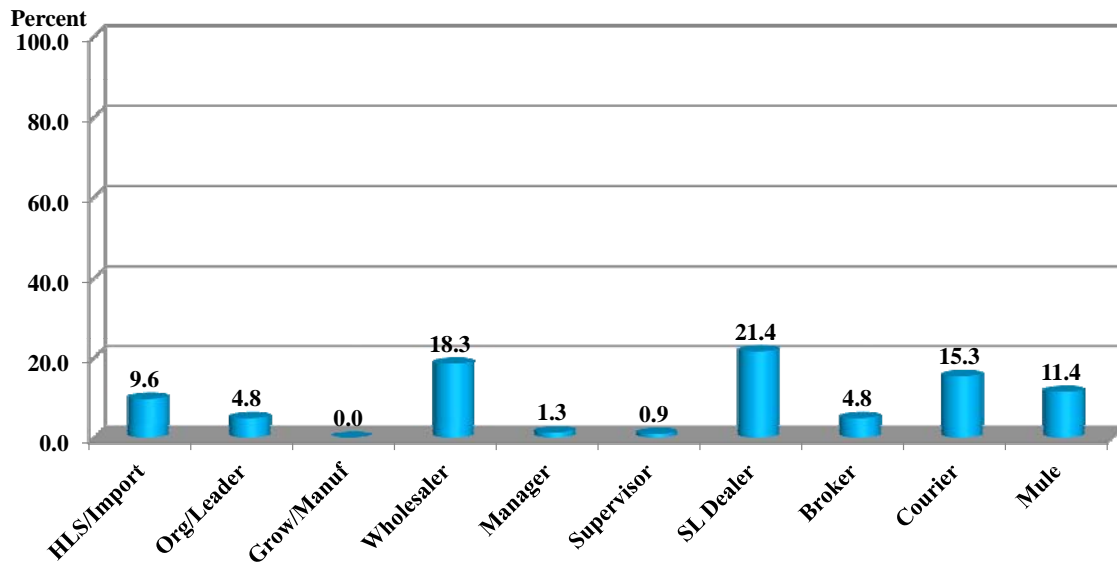
SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.

Figure D-57
Percentage of Offenders in Prison Not Convicted of an Offense Carrying a Mandatory Minimum, Convicted of an Offense Carrying a Mandatory Minimum Penalty and Subject to a Mandatory Minimum Penalty at Sentencing
Heroin Offenders
1995 - 2010



SOURCE: U.S. Sentencing Commission, and Bureau of Prisons Combined 1995 through 2010 Datafiles, USSCBOP.

Figure D-58
Distribution of Offender Function by Primary Drug Type
Heroin Offenders
Fiscal Year 2009 Sample Data



SOURCE: U.S. Sentencing Commission, 2009 Function Datafile.

