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**United States
Sentencing
Commission**

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Annual Report

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LETTER FROM THE CHAIRMAN

The President,
The Congress, and
The Judicial Conference
of the United States

I am pleased to transmit this report of the activities and accomplishments of the United States Sentencing Commission in 1992.

During the past few years, the Sentencing Commission has grown from an agency primarily focused on refining the sentencing guidelines to one with a multi-faceted responsibility to collect and analyze data and conduct substantive criminal justice research.

As we look to the future, the Commission is committed to fulfilling its statutory mandate to serve as a clearinghouse for federal sentencing information. We look forward to expanding our role as a primary resource to all branches of government in the development and implementation of sound federal sentencing practices.

Respectfully,

A handwritten signature in cursive script that reads "Billy Wilkins".

William W. Wilkins, Jr.
Judge, U.S. Court of Appeals
for the Fourth Circuit

UNITED STATES SENTENCING COMMISSION

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Commissioner

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Commissioner

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Introduction

The United States Sentencing Commission, an independent agency in the judicial branch of government, is responsible for developing and monitoring sentencing policies and practices for the federal courts. The Commission promulgates sentencing guidelines, subject to congressional review, that prescribe the appropriate form and severity of punishment for offenders convicted of federal crimes. The agency's activities are directed by seven voting members appointed by the President and confirmed by the Senate and two non-voting, *ex-officio* members. The sentencing reform provisions of the Comprehensive Crime Control Act, Pub. L. No. 98-473 (1984), established the Commission. Its authority and duties are set out in chapter 58 of title 28, United States Code, with procedures for implementing guideline sentencing prescribed in chapter 227 of title 18.

The Commission's sentencing guidelines, as specified in 28 U.S.C. § 991(b)(1), are designed:

- To effectuate the sentencing purposes enumerated in 18 U.S.C. § 3553(a)(2). In brief, those purposes are just punishment, deterrence, incapacitation, and rehabilitation;
- To provide certainty and fairness in meeting these purposes by avoiding unwarranted sentencing disparity among offenders with similar characteristics convicted of similar criminal conduct while permitting sufficient judicial flexibility to account for relevant aggravating and mitigating factors; and
- To reflect, to the extent practicable, advancement in the knowledge of human behavior as it relates to the criminal justice process.

In addition, the Commission is directed by 28 U.S.C. § 991(b)(2) to "develop means of measuring the degree to which the sentencing, penal, and correctional practices are effective in meeting the purposes of sentencing...."

Organized in October 1985, the Commission submitted to Congress on April 13, 1987, its initial Sentencing Guidelines and Policy Statements. Prior to this initial submission, the Commission held 13 public hearings, published two drafts for public comment, and received more than 1,000 letters and position papers from hundreds of individuals and organizations. The guidelines became effective November 1, 1987, following the requisite period of congressional review; they apply to all offenses committed on or after that date.

Shortly after implementation of the guidelines, defendants throughout the country challenged the constitutionality of the Commission and the Sentencing Reform Act on the basis of improper legislative delegation and violation of the separation of powers doctrine. The U.S. Supreme Court rejected these challenges in Mistretta v. United States, January 18, 1989, and upheld the constitutionality of the Commission as an independent judicial branch agency. This decision cleared the way for nationwide implementation of the guidelines.

Since Mistretta, the Commission has continued to address its significant ongoing responsibilities in the research, sentence monitoring, evaluation, and training areas, as well as serving as a clearinghouse of sentencing information for Congress, criminal justice practitioners, and the public. Since nationwide implementation in January 1989, federal judges have sentenced more than 123,000 defendants under the guidelines.

The Commission's comprehensive data collection system tracks application of the guidelines and provides support for other Commission activities. Staff members routinely extract, code, and enter data from judgment of conviction orders, presentence reports, statements of reasons, and written plea agreements for all cases sentenced under the guidelines. Research continues on such subjects as offense severity, plea practices, prison impact, recidivism, and just punishment. The Commission also responds to requests from the Congress and the courts for sentencing data and analyses. In 1992, the Commission arranged with the Government Printing Office to place copies of all basic Sentencing Commission publications in more than 50 depository libraries across the nation.

In 1992, the Commission began preparations for a research conference and a national symposium on drugs and violence in furtherance of the directive contained in 28 U.S.C. § 991(b)(2) that the Commission develop means of measuring the degree to which practices are effective in meeting the purposes of sentencing. The research conference will examine such topics as: (1) the role of empirical research in sentencing, (2) the methodology of sentencing research, (3) available sentencing data sources, and (4) the utilization of sentencing data for policy analysis and applied research by Congress, the courts, and the Commission. The Commission sees this conference as a useful first step in stimulating individual research efforts that will assist the Commission and policymakers in assessing the effectiveness of various sentencing and penal practices.

The national symposium will assemble policymakers from the highest levels of federal and state government to focus on the problems of drug abuse and violence in the United States. It will offer an exchange of information and ideas on

causation, prevention, and treatment of drug abuse and violence.

Chapter One

Commission Overview

The Sentencing Commission's seven voting members — three of whom must be federal judges — are appointed to staggered six-year terms by the President with the advice and consent of the Senate. By statute, Commissioners hold full-time positions until November 1, 1993, at which time all Commissioners except the Chairman convert to part-time status.

Organization

The Commission staff of approximately 100 employees, headed by a Staff Director, is organized into five main offices: General Counsel, Monitoring, Policy Analysis, Training and Technical Assistance, and Administration (see Figure A). The **Staff Director** is responsible for planning, coordinating, directing, and allocating resources for all staff activities and special projects. In addition, the Staff Director's office directs the public information functions of the Commission through the Office of Communications.

The **Office of General Counsel** provides support to the Commission on a variety of legal issues, including the formulation and application of guidelines and guideline amendments, legislative proposals, and statutory interpretations. Legal staff members monitor district and circuit court application and interpretation of the guidelines and advise Commissioners about statutes and legislation affecting the Commission's work. In addition, the legal staff operate a "hotline" on guideline application issues for assistant U.S. attorneys and defense attorneys.

In May 1992, the Commission reorganized its monitoring and research functions, consolidating

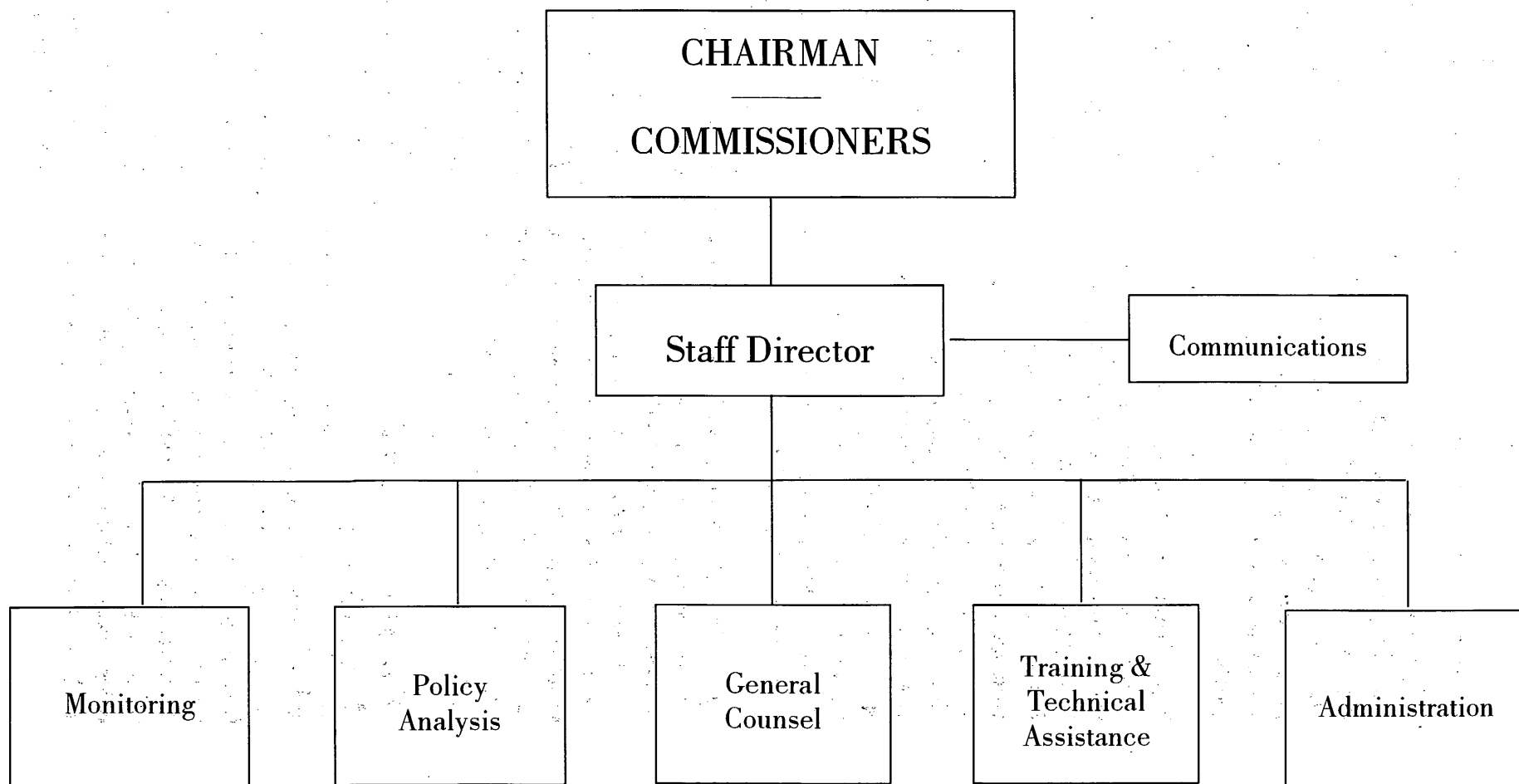
three offices into two. The staffs of the Research Studies and Evaluation Offices combined with analytical staff from the Monitoring Office to form a new Office of Policy Analysis. The result of this reorganization was a reduction in management positions and more effective use of research staff resources. The realignment allows the Office of Monitoring to concentrate its resources on the short- and long-term tasks associated with data-gathering and dissemination.

The **Office of Monitoring** maintains a comprehensive computerized data collection system to report on federal sentencing practices and track application of the guidelines for individual cases. The staff receive and input case data and produce periodic reports about guideline implementation. These data and reports provide significant information for Commission review as it monitors the national implementation process or considers amending individual guidelines. Additional applications under development include an appeals database, a real offense database, and a probation revocation/violation of supervised release database. The office updates a master file of guideline sentencing data, available to the public through the Inter-University Consortium for Political and Social Research at the University of Michigan. In addition, this staff provides the Commission with automated data processing support.

The **Office of Policy Analysis**, working with the Commission's comprehensive sentencing database, provides short- and long-term guideline and sentencing-related research support to the Commission. The offices's efforts focus on a variety of topics including broad criminal justice issues such as deterrence, recidivism, and just

Figure A

UNITED STATES SENTENCING COMMISSION



punishment; the effect of proposed guideline amendments on projections of the federal prison population; and sentencing practices related to organizational defendants. In addition, the office provides data and analyses on specific criminal justice issues at the request of Congress and the courts.

The Office of Training and Technical Assistance teaches guideline application to judges, probation officers, prosecuting and defense attorneys, and other criminal justice professionals. The staff develop training materials, participate in the sentencing guideline portions of training programs sponsored by other agencies, and provide substantive input in the amendment process by informing the Commission of current guideline application practices. In addition, the office operates a "hotline" to respond to guideline application questions from judges and probation officers.

The Office of Administration provides general administrative support to Commissioners and staff regarding budget and finance, contracting, personnel management, library, facilities, and a variety of other office services. The office provides support to the Staff Director and senior managers in accomplishing project planning and budget forecasting on a short- and long-term basis.

Management and Administration

During 1992, Commission staff devoted extensive time to planning and implementing the Commission's move from commercial office space to the new Thurgood Marshall Federal Judiciary Building. These efforts included identifying tasks and timelines; preparing individual office layouts and floor plans taking into account cabling, telephone, and electrical needs; design-

ing and installing a new computer network while protecting databases; acquiring and installing computer equipment, a telephone system, a high-density file system, furniture, and fixtures; sorting and inventorying files, publications, and library materials; coordinating with other agencies, tenants, and vendors about required services during or after the move; setting up procedures for administrative, facility, and office support services in the new environment; and inventorying and moving furniture, equipment, files, and library and other office materials.

The Commission improved employee benefits and the functioning of operations by (1) implementing a commuting subsidy program; (2) documenting equal employment opportunity, a new employee probationary period, and other personnel policies and procedures; (3) drafting guidelines for staff representing the Commission at meetings and conferences; and (4) increasing opportunities for staff participation in training outside the agency.

Staffing

During fiscal year 1992, the Commission used staff resources totaling 100 workyears. Approximately 32 percent of staff resources was spent in various aspects of sentence monitoring efforts, 16 percent in research and analysis, 10 percent in technical assistance and training, and 15 percent in legal activities. The Commissioners' offices, the Staff Director's office, the Communication's office, and the Administrative Office accounted for the remaining 27 percent of staff resources.

Budget and Expenditures

In fiscal year 1992, Public Law 102-140 provided 108 full-time permanent workyears and an appropriation of \$9,000,000 for the Commis-

sion's salaries and expenses. The Commission expended \$8,950,000 from its fiscal year 1992 appropriation. For fiscal year 1993, the Commission was granted 108 full-time permanent workyears and an appropriation of \$9,000,000

under Public Law 102-39 (see Table 1). Expenditure of remaining carryover funds from previous supplemental and startup appropriations is planned during fiscal years 1993 and 1994.

Table 1

BUDGET AUTHORITY AND OBLIGATIONS
(dollar amounts in thousands)

	<u>FY 1992</u>	<u>FY 1993</u>
New Budget Authority	\$9,000	\$9,000
Personnel Compensation	\$4,557	\$5,201
Personnel Benefits	\$ 993	\$1,328
Travel and Transportation	\$ 639	\$ 643
Communications, Utilities and Other Rent	\$1,158	\$ 735
Printing and Reproduction	\$ 200	\$ 210
Other Services	\$ 923	\$ 925
Supplies and Equipment	<u>\$ 480</u>	<u>\$ 434</u>
Total Obligations*	\$8,950	\$9,476

*Total obligation amounts include funds carried forward from previous "no-year" appropriations.

Chapter Two

Guideline Amendments

Legislation creating the Sentencing Commission envisioned that the guidelines would be modified and refined over time. Congress provided that "[t]he Commission periodically shall review and revise, in consideration of comments and data coming to its attention, the guidelines promulgated pursuant to the provisions of this section." 28 U.S.C. § 994(o).

The Commission adopted an iterative approach to guideline development, stating in the Guidelines Manual that the initial draft was "but the first step in an evolutionary process." Accordingly, the Commission refines and modifies the guidelines in light of district and appellate court consideration of the guidelines, research, congressional enactment of new statutes, and input from federal criminal justice practitioners.

Amendment Authority

By statute, the Commission may transmit amendments to the Congress annually on or after the beginning of a regular session of Congress but not later than the first day of May. Such guideline amendments become effective automatically after the expiration of a 180-day congressional review period, or at a later date set by the Commission, unless the Congress provides otherwise by enactment of law.

Amendments Promulgated

In 1992, the Commission continued its efforts to clarify and improve the Guidelines Manual, publishing proposed amendments for public comment in the Federal Register on January 2 and 22, 1992. The Commission received extensive written and oral comment on the proposed

amendments in connection with a public hearing held in Washington, D.C., February 25, 1992 (see Table 2). After review of this comment and hearing testimony, the Commission adopted 31 amendments to the sentencing guidelines, policy statements, and official commentary which, along with accompanying reasons, it reported to Congress on April 30, 1992. Congress took no action to delay or revise the amendments during the review period, and they became effective November 1, 1992. An additional eight amendments to clarify commentary to the guidelines did not require submission to Congress and also became effective at that time. Because some of the 31 amendments published in the Federal Register of May 11, 1992, and the eight in the Federal Register of September 16, 1992, were consolidated, the final number listed in the Guidelines Manual is 36.

A number of the amendments promulgated by the Commission in 1992 were substantive and derived primarily from work by interdisciplinary staff working groups. Most amendments were intended to clarify existing guidelines, policy statements, and commentary. Some of the more significant amendments involved the following guidelines:

- §1B1.3 (Relevant Conduct) — The amendment clarified and more fully illustrated the operation of this guideline. The amendment included a clearer statement of the principles and limits of accountability under this guideline, clarification of the scope of the defendant's accountability for the conduct of others, and definitions for "same course of conduct" and "common scheme or plan."

- §1B1.11 (Use of Guidelines Manual in Effect on Date of Sentencing) — This amendment created a new policy statement to address the use of the Guidelines Manual when it has been amended between the date the offense was committed and the date of sentencing.
- §2D1.8 (Renting or Managing a Drug Establishment) — The amendment to this section requires consideration of the scale of the underlying controlled substance offense in determining the offense level.
- §2L1.1 (Smuggling, Transporting, or Harboring an Unlawful Alien) — The amendment to this section provided a more direct measure of the scope of the offense through a table with various enhancements based on the number of aliens smuggled, transported, or harbored.
- §3E1.1 (Acceptance of Responsibility) — The amendment to this guideline provided that certain defendants with an offense level of 16 or above may qualify for an additional one-level downward adjustment.
- Chapter Five, Part A (Sentencing Table) — The amendment to this section expanded the number of offense level categories in Criminal History Category I of the Sentencing Table under which the court has discretion to impose a sentence without imprisonment or confinement conditions.
- §5C1.1 (Imposition of a Term of Imprisonment) — The amendment to this section removed the requirement for some offenders that a "split sentence" include a term of imprisonment of at least one-half the minimum of the guideline range. The revised guideline substituted a requirement that such term of imprisonment be at least one month.

Table 2

**WITNESS LIST: PUBLIC HEARING ON PROPOSED
AMENDMENTS TO THE SENTENCING GUIDELINES**

Washington, D.C. (February 25, 1992)

Judge Vincent Broderick & Judge Mark Wolf
Judicial Conference of the United States

Bob Edmunds, Jr. & Steve Easton
United States Attorneys, Department of Justice

Henriette Hoffman
Federal Public and Community Defenders

Steve Salky
American Bar Association

Franklin Kahn
New York Council of Defense Lawyers

Paul Kamenar
Washington Legal Foundation

Jeffrey Weiner & Marcia Shein
National Association of Criminal Defense Lawyers

Edward Burger, Jr.
Council for Court Excellence

Judge Frederic Smalkin
U.S. District Court, Maryland

Peter Vaira & George Cotsirolis
American College of Trial Lawyers

Jonathan Turley
The Project for Older Prisoners

Julie Stewart
Families Against Mandatory Minimums

Working Groups

In June 1992, the Commission convened interdisciplinary staff working groups to study specific guideline areas in detail for consideration during the 1992-93 amendment cycle. Issues for working group study included: money laundering, violent crimes, drugs and role in the offense, white collar offenses, environmental offenses, Sentencing Reform Act prison issues, and juvenile offenders.

Staff working groups typically study a specific guideline issue, profile relevant sentencing practices, identify areas of concern, and recommend options for Commission action. During the process, each group reviews the following information as it pertains to the respective guideline area under scrutiny: Technical Assistance Service and legal section reports of frequent questions ("hotline calls") from probation officers, judges, and attorneys about guideline application; monitoring data regarding sentencing practices and departures; case files of sentenced defendants; previously considered draft amendment proposals; relevant court decisions; public comment; and legislative history and recent legislative enactments. The groups also solicit input from the Commission's Judicial Working Group, the Probation Officers' Advisory Group, and subcommittees of the Practitioners' Advisory Group and the American Bar Association Sentencing Guidelines Committee.

Money Laundering

The primary issue addressed by the Money Laundering Working Group was whether the money laundering guidelines — particularly §§2S1.1 and 2S1.2 — appropriately reflect offense seriousness. Public comment submitted to the Commission suggested that because the statutory offense of conviction covered by §2S1.1 (18 U.S.C. § 1956) includes such a broad range

of conduct, it may label as "money laundering" conduct that is either directly related to or a part of the underlying crime. For example, a person who knowingly deposits in a bank account the profits of a fraudulent scheme could receive different sentences depending upon whether the conviction was for the underlying crime (fraud) or for the "money laundering" conduct (depositing the proceeds in a bank).

As part of its information gathering, the working group held numerous meetings with practitioners and analyzed computer data drawn from actual case files. The data indicated that offense levels for money laundering counts varied significantly from the offense levels for the underlying counts that formed the basis of the money laundering activity. Specifically, in 93.6 percent of the relevant cases (*i.e.*, in cases not involving sting operations in which there is no underlying conduct), defendants convicted of money laundering also were involved in the underlying crime (*i.e.*, paying off a drug supplier or depositing the proceeds of a white collar crime into a bank). This suggests that the money laundering conduct was incidental to the underlying conduct; however, the offense level for money laundering exceeded that for the underlying conduct 52.5 percent of the time in drug cases and 96.0 percent of the time in non-drug cases. The working group analyzed methods of aligning the money laundering guideline more closely with the underlying conduct.

Violent Crimes

During 1992, the Congress, the Attorney General, and the public expressed concern about violent crime. In response, the Commission directed this working group to examine relevant guidelines to determine if they adequately sanction violent crime. More specifically, the group's mandate was not only violent crimes, but also firearms and gang-related criminal activity. The

examination of violent crime and firearms focused on (1) whether or not present guideline penalties for these offense types were adequate and (2) specific application problems associated with these guidelines. The purpose of the gang activity study was to lay the groundwork for an examination of whether gang membership and gang crime should be incorporated into the guidelines as sentencing factors.

The working group conducted a systematic study of Chapter Two, Part A guidelines (Offenses Against the Person) and the revised firearm guidelines. The study included computer analyses of data drawn from case files, an analysis of published court opinions dealing with the Chapter Two, Part A guidelines and the revised firearm guidelines, an examination of emerging questions directed to the Commission's Technical Assistance Service, and a solicitation of input from practitioners and probation officers.

To lay the foundation for future research about gangs and gang-related crime, the working group: (1) conducted a literature review of academic and applied journal studies on gangs, (2) surveyed by telephone 21 state sentencing commissions or their counterparts, (3) reviewed pertinent case law, and (4) sought the expert assistance of Department of Justice personnel.

Drugs and Role in the Offense

In 1991, the Commission began an in-depth study of the drug guidelines, focusing primarily on the relationship between drug offenses and role in the offense. The Drugs and Role Working Group concentrated that year on guideline sentences for defendants who play a minimal or minor role in offenses involving large quantities of a controlled substance. The working group explored how the drug and/or role guidelines might be modified to reflect the lesser culpability of certain defendants while retaining higher sen-

tences up to and including life imprisonment for the most culpable defendants.

The 1992-93 Drug/Role Working Group built on these earlier efforts by broadening the examination of the quantity-driven drug guidelines. Its principal task was to explore alternative methods of distinguishing among drug offenses and offenders on bases other than drug quantity. In addition, the working group examined the language and legislative history of the 1986 and 1988 Anti-Drug Abuse Acts (which established many of the current mandatory minimum penalties for drug-trafficking offenses), conducted empirical research using the Commission's monitoring database, examined Technical Assistance Service (hotline) data, and reviewed methods used in state guideline systems in sentencing drug trafficking offenders.

In the summer of 1992, the Commission formed a Judicial Working Group composed of one Article III judge from each circuit and the Chairman of the Judicial Conference Committee on Criminal Law. This group's purpose was to examine the operation of the drug guidelines, determine if problems exist, and seek viable solutions given the reality of mandatory minimums. The Judicial Working Group met twice at the Sentencing Commission during 1992 to report on experiences with the sentencing of drug traffickers and to explore alternative guideline strategies. The meetings produced an array of comments for the Drug/Role Working Group to consider in developing proposals.

White Collar Crime

The White Collar Crime Working Group, formed to consider guideline issues governing various economic offenses, examined the guidelines for property (Chapter Two, Part B), fraud (Chapter Two, Part F), antitrust (Chapter Two, Part R), and tax (Chapter Two, Part T) offenses. The

United States Sentencing Commission

group omitted certain violent property offense guidelines but considered theft, fraud, and tax guidelines issues that had been raised and deferred during the previous amendment cycle as well as a number of new issues.

The group's research included an evaluation of monitoring data regarding economic offenses; analyses of pertinent case law, information from its coding of a sample of 191 fraud and theft cases, and hotline calls about the theft, fraud, and tax guidelines; and consideration of comment from outside groups such as the Probation Officers' Advisory Group.

The group focused principally on theft and fraud offense and on tax issues. The theft and fraud inquiry included reliance on loss as a primary determinant of offense severity, the guideline definition of loss, calibration of the loss tables, consolidation of the theft and fraud guidelines, enhancement for more than minimal planning, and the abuse of trust adjustment. The tax issues included: the impact of the expanded availability of non-prison sentences on tax offenses, simplification of the tax guidelines, tax offenses involving illegally derived income, and redefining "tax loss."

Environmental Offenses

The Advisory Working Group on Environmental Sanctions was formed in 1992 to assist the Commission with the development of sanctions for organizations convicted of environmental offenses. The group is composed of representatives from the Environmental Protection Agency, the Department of Justice, public interest environmental groups, corporations, the private defense bar, and academia. During 1992, the advisory working group conducted a series of informational meetings at which it heard presentations on theories of sentencing, the existing sanctions for organizations, environmental enforcement,

and other relevant topics. In late 1992, the working group began to draft a set of organizational guidelines for environmental offenses. The group plans to submit its final recommendations to the Commission in 1993.

SRA Prison Issues

The SRA Prison Issues Working Group was formed (1) to examine the penal and correctional provisions of the Sentencing Reform Act of 1984 and determine which provisions require or allow Commission action and (2) to develop and suggest appropriate methods for discharging these statutory obligations.

The working group identified three groups of statutory provisions that either specifically direct or authorize the Commission to take certain actions relating to penal or correctional matters:

(1) Several provisions authorize the Commission to draft policy statements regarding penal or correctional matters. *See* 18 U.S.C. §§3582(a), 3582(c)(1)(A), 3621(b)(5), 3622, and 28 U.S.C. § 944(a)(2)(F);

(2) Several provisions authorize or direct specific reports or recommendations to Congress for legislative action based on an analysis of the operation of the Bureau of Prisons and general correctional practices. *See* 28 U.S.C. §§ 994(g), 994(q), and 995(a)(20); and

(3) One provision establishes as a purpose of the Commission the development of "means of measuring the degree to which the sentencing, penal, and correctional practices are effective in meeting the purposes of sentencing." *See* 28 U.S.C. § 991(b)(2).

The working group consulted closely with the Federal Bureau of Prisons and, with its cooperation, studied the Bureau's goals, policies, and

practices regarding the areas in which Congress authorized or directed a Commission response. Specifically, the working group analyzed designation, classification, site, and population data from the Bureau to determine whether the Commission should promulgate policy statements or recommend that Congress undertake legislative action with respect to any of the Commission obligations under the Sentencing Reform Act. The group will continue to monitor these goals, policies, and practices, and will evaluate future corrections issues that impact Commission functions.

Juvenile Offenders

The Juvenile Offenders Working Group addressed the Commission's statutory directive at 28 U.S.C. § 995(a)(19) to "study the feasibility of developing guidelines for the disposition of juvenile delinquents." After completing a preliminary analysis of available data, the group began to gather and analyze source documents regarding current sentencing practices under the Juvenile Delinquency Act and initiated a review of literature on theories of juvenile sentencing. During the 1992 amendment cycle, the group prepared a memorandum for the Commission highlighting the significance of United States v. R.L.C., 112 S. Ct. 1329 (1992), and proposed a guideline that set forth the holding in the case.

Chapter Three

Legal Issues

Introduction

A large body of case law on federal sentencing has developed since the Supreme Court's 1989 decision rejecting constitutional challenges to the Sentencing Reform Act (SRA) and the creation of the U.S. Sentencing Commission.¹ In fiscal year 1991, the federal courts issued hundreds of opinions interpreting key provisions of the sentencing guidelines and the SRA. For example, the federal appellate courts explored the parameters of relevant conduct,² examined the significance of guideline commentary,³ discussed the interaction of the substantial assistance departure with 18 U.S.C. § 3553(e),⁴ and considered the application of the confrontation clause to sentencing.⁵ The following overview highlights a number of the most significant legal developments.

Supreme Court Review

In 1991, the Supreme Court issued its first opinions on guideline issues since Mistretta.⁶ In Chapman v. United States, 111 S. Ct. 1919 (1991), the Supreme Court held that the statutory construction of 21 U.S.C. § 841(b)(1)(B)(v) requires that the carrier weight be included in determining the

length of sentences for trafficking in LSD, and that this construction neither violates due process nor is unconstitutionally vague. In a 7-2 opinion, the Court concluded that "Congress knew how to indicate that the weight of the pure drug was to be used to determine the sentence, and did not make that distinction with respect to LSD."⁷

In Burns v. United States, 111 S. Ct. 2182 (1991), the Supreme Court, in a 5-4 decision, held that "before a district court can depart on a ground not identified as a ground for upward departure either in the presentence report or in a prehearing submission by the Government, Rule 32 requires that the district court give the parties reasonable notice that it is contemplating such a ruling." The Court left the timing of the notice to the lower courts, indicating that they are free to adopt appropriate local rules. Under Rule 32, both the defendant and the government enjoy equal procedural entitlements.

In Braxton v. United States, 111 S. Ct. 1854 (1991), the Supreme Court declined to resolve a conflict among the circuits over the meaning of U.S.S.C. §1B1.2 because the Sentencing Com-

1 United States v. Mistretta, 488 U.S. 361 (1989).

2 See, e.g., U.S. v. Wood, 924 F.2d 399 (1st Cir. 1991); U.S. v. Joyner, 924 F.2d 454 (2d Cir. 1991).

3 See, e.g., U.S. v. Anderson, 942 F.2d 606 (9th Cir. 1991) (*en banc*).

4 See, e.g., U.S. v. Keene, 933 F.2d 711 (9th Cir. 1991); U.S. v. Dumas, 921 F.2d 650 (6th Cir. 1990).

5 U.S. v. Cammisano, 917 F.2d 1057 (8th Cir. 1990).

6 The Supreme Court also granted certiorari in two cases involving the guidelines. U.S. v. RLC, 915 F.2d 320 (7th Cir. 1990), *cert. granted*, 111 S. Ct. 2850 (1991) (Whether the sentencing guidelines for adults limit the sentence for juveniles sentenced under the Federal Juvenile Delinquency Act); U.S. v. Williams, 910 F.2d 1574 (7th Cir. 1990), *cert. granted*, 111 S. Ct. 1305 (1991) (Whether a departure based on both proper and improper reasons can be upheld).

7 111 S. Ct. at 1924.

mission already had undertaken an amendment proceeding to eliminate the conflict. The Court observed that the initial and primary task of eliminating conflicts among the circuit courts with respect to the interpretation of the guidelines lies with the Commission. According to the Supreme Court, ". . . [I]n charging the Commission 'periodically [to] review and revise' the Guidelines, Congress necessarily contemplated that the Commission would periodically review the work of the courts, and would make whatever clarifying revisions to the Guidelines conflicting judicial decisions might suggest."⁸

Illegally Seized Evidence, Acquitted Conduct, Standard of Proof

Several circuits in 1991 approved the use of illegally seized evidence in calculating the defendant's sentence under the guidelines.⁹ In addition, several circuit courts joined the ranks of circuits that allow the use of acquitted conduct in calculating a guideline sentence.¹⁰ The Ninth Circuit has held, however, that acquitted conduct cannot be used as the basis for an upward departure.¹¹

By the end of 1990, all 12 circuits had held that a preponderance of the evidence is generally sufficient to support factual determinations un-

der the guidelines.¹² The Third Circuit, however, in *U.S. v. Kikumura*, 918 F.2d 1084 (3d Cir. 1990), held that "when the magnitude of a proposed departure dwarfs the guideline range applicable to the substantive offenses of conviction," the facts must be established by at least clear and convincing evidence.

Relevant Conduct

"Relevant Conduct" (U.S.S.G. §1B1.3) defines the scope of the "acts and omissions" of a defendant and his accomplices for which the defendant will be held accountable for sentencing purposes. The appellate courts have held that quantities of drugs possessed or distributed by co-conspirators in furtherance of jointly undertaken criminal activity that are known or reasonably foreseeable by the defendant may be included as relevant conduct, not just amounts in the offense of conviction or quantities charged in the indictment.¹³ However, if a defendant joins a conspiracy near its end for only one transaction, he cannot be held accountable for the entire quantity of drugs distributed during the conspiracy without the court first making a finding that the defendant knew or should have known of the quantities of drugs distributed before he joined the conspiracy.¹⁴ The Seventh Circuit has held

8 111 S. Ct. at 1857-58.

9 See *U.S. v. McCrory*, 930 F.2d 63 (D.C. Cir. 1991); *U.S. v. Torres*, 926 F.2d 321 (3d Cir. 1991); *U.S. v. Lynch*, 934 F.2d 1226 (11th Cir. 1991).

10 *U.S. v. Allibhai*, 939 F.2d 244 (5th Cir. 1991); *U.S. v. Moreno*, 933 F.2d 362 (6th Cir. 1991); *U.S. v. Averi*, 922 F.2d 765 (11th Cir. 1991).

11 See *U.S. v. Brady*, 928 F.2d 844 (9th Cir. 1991).

12 The Commission noted its agreement with the appropriateness of the preponderance of evidence standard in commentary effective November 1, 1991. See U.S.S.G. §6A1.3, App. C, Amend. No. 387.

13 See *U.S. v. Paulino*, 935 F.2d 739 (6th Cir. 1991); *U.S. v. Wood*, 924 F.2d 399 (1st Cir. 1991); *U.S. v. Joyner*, 924 F.2d 454 (2d Cir. 1991); *U.S. v. Richardson*, 939 F.2d 135 (4th Cir. 1991). But cf. *U.S. v. Davern*, 937 F.2d 1041 (6th Cir. 1991), vacated by order of court September 26, 1991, ("uncharged conduct that amounts to a conceptually different offense from the offense of conviction — in the instant case attempt to purchase 500 grams of cocaine was not charged and defendant was convicted of 85 grams — was not adequately considered by the Sentencing Commission and may only be used in sentencing via departure.")

that a district court must make an individualized determination of the quantities of cocaine to be distributed that was reasonably foreseeable by the defendant. The court held that it is erroneous to assume that because the total amount of drugs identified in the conspiracy exceeded a certain quantity that each defendant should be held accountable for that amount. The district court must determine the scope of each defendant's agreement as the guidelines require.¹⁵

Obstruction of Justice, Acceptance of Responsibility

The guidelines provide a two-level upward adjustment to the offense level if the defendant "willfully obstructed or impeded, or attempted to obstruct or impede the administration of justice during the investigation, prosecution, or sentencing of the instant offense."¹⁶ In 1991, the Fourth Circuit held that the rigidity of the guidelines' obstruction of justice adjustment for a disbelieved denial of guilt under oath places an intolerable burden upon the defendant's right to testify.¹⁷ Other circuits, however, have not found the adjustment to be so inflexible, holding that the obstruction of justice adjustment is not automatic when a defendant testifies and a jury finds him guilty.¹⁸ According to the First Circuit, the sentencing court must make factual findings on this

issue and is not required to apply the obstruction enhancement based solely on the fact that the jury's verdict is inconsistent with the defendant's trial testimony.¹⁹

The guidelines grant district courts broad discretion to make a two-level downward adjustment "[i]f the defendant clearly demonstrates a recognition and affirmative acceptance of personal responsibility for his criminal conduct."²⁰ In 1991, the appellate courts upheld denials of the acceptance of responsibility adjustment in several cases in which the defendant continued a course of illegal conduct after arrest.²¹ The denial of the adjustment for acceptance of responsibility also was upheld in a case in which the defendant was apprehended only after having "been chased down in the middle of a snowstorm with guns,"²² and in a case in which the defendant claimed she never had any criminal intent and blamed all her problems on other people.²³

Adequacy of Criminal History

Guideline 4A1.3 permits a departure if the court finds that "reliable information indicates that the criminal history category does not adequately reflect the seriousness of the defendant's past criminal conduct or the likelihood the defendant will commit future crimes." Several circuit courts

14 U.S. v. Miranda-Ortiz, 926 F.2d 172 (2d Cir. 1991).

15 U.S. v. Thompson, 944 F.2d 1331 (7th Cir. 1991).

16 U.S.S.G. §3C1.1.

17 See U.S. v. Dunnigan, 944 F.2d 178 (4th Cir. 1991).

18 See U.S. v. Lozoya-Morales, 931 F.2d 1216 (7th Cir. 1991); U.S. v. Martinez, 922 F.2d 914 (1st Cir. 1991).

19 See U.S. v. Martinez, *id.*

20 U.S.S.G. §3E1.1.

21 See, e.g., U.S. v. O'Neil, 936 F.2d 599 (1st Cir. 1991); U.S. v. Atterson, 926 F.2d 649 (7th Cir. 1991); U.S. v. Query, 928 F.2d 383 (11th Cir. 1991); U.S. v. Eberspacher, 936 F.2d 387 (8th Cir. 1991).

22 U.S. v. Casal, 915 F.2d 1225, 1230 (8th Cir. 1990).

23 U.S. v. Rhinehart, 917 F.2d 23 (4th Cir. 1990).

have upheld downward departures from the career offender guideline, finding that the career offender enhancement overstated the seriousness of the defendant's past conduct.²⁴ According to the Fourth Circuit, "At bottom, 'career offender' is a type of, not an alternative to, criminal history."²⁵ The Third Circuit, however, found that the circumstances relied upon by the district court in making a downward departure from the career offender guideline had been adequately considered by the Sentencing Commission.²⁶ The Ninth Circuit reversed an upward departure to the career offender guideline range in a case in which the defendant had not been convicted of the two required offenses. The appellate court distinguished a departure based on U.S.S.C. §4A1.3, which allows guided departures when other information provides a reliable substitute for a conviction, and the career offender guideline, which requires certain convictions before enactment. The court viewed the career offender provisions as too blunt an instrument to serve as an analogy for a §4A1.3 upward departure.²⁷

The Sixth Circuit found that an upward departure from Criminal History Category II to Criminal History Category VI was improper, stating that the degree of the departure was unjustified. Ac-

ording to the appellate court, the district court must "adequately link its departure to the structure of the guidelines" to ensure a reasonable degree of departure and to further the goal of uniformity.²⁸

Offender Characteristics

The guidelines provide that offender characteristics such as age,²⁹ education and vocational skills,³⁰ mental and emotional conditions,³¹ physical condition,³² previous employment record,³³ and family ties and responsibilities and community ties,³⁴ are not ordinarily relevant in determining whether to sentence outside of the guideline range. In 1991, several courts identified atypical circumstances and departed based on such offender characteristics. In one case, the circuit court affirmed a downward departure based on the defendant's "unique family responsibility" and other circumstances. The defendant was a single mother who provided the sole support for herself and her two-month-old child. She had been steadily employed for years and was providing financial support for her 16-year-old daughter, who herself was a single mother of a two-month-old child.³⁵ Similarly, the Sixth Circuit affirmed a downward departure in a case in which the defendant, the leader of an illegal

24 See, e.g., *U.S. v. Lawrence*, 916 F.2d 553 (9th Cir. 1990); *U.S. v. Adkins*, 937 F.2d 947 (4th Cir. 1991).

25 *U.S. v. Adkins*, 937 F.2d at 952.

26 *U.S. v. Shoupe*, 929 F.2d 116 (3d Cir. 1991).

27 *U.S. v. Faulkner*, 934 F.2d 190 (9th Cir. 1991).

28 *U.S. v. Lassiter*, 929 F.2d 267 (6th Cir. 1991).

29 U.S.S.C. §5H1.1.

30 U.S.S.C. §5H1.2.

31 U.S.S.C. §5H1.3.

32 U.S.S.C. §5H1.4.

33 U.S.S.C. §5H1.5.

34 U.S.S.C. §5H1.6.

35 *U.S. v. Pena*, 930 F.2d 1486 (10th Cir. 1991).

gambling operation, was considered "an exemplary citizen," and the extent of his involvement in civic and community activities "transform[ed] this case from an ordinary to an atypical one."³⁶ In other cases, the appellate courts have upheld downward departures based on a first offender's aberrant behavior,³⁷ a defendant's "youthful lack of guidance,"³⁸ a defendant's physical handicap,³⁹ and a determination that a defendant's diminished capacity was a contributing factor to the commission of the offense.⁴⁰

The appellate courts have reversed downward departures in cases in which the district court impermissibly considered the defendant's socio-economic status,⁴¹ the defendant's alcohol or drug abuse,⁴² and the defendant's post-arrest rehabilitation efforts.⁴³ The D.C. Circuit, however, remanded for resentencing a case in which the district court refused to make a downward departure on the basis of the defendant's personal background. The circuit court found that

the sentencing judge had defined "socio-economic status" too broadly and had incorrectly concluded that U.S.S.G. §5H1.10 left him no discretion to consider the defendant's special circumstances. According to the D.C. Circuit, "Violence among family members and its attendant dislocations do not follow class lines, nor should class lines determine whether a sentencing judge may consider them."⁴⁴

Substantial Assistance, Aggravating and Mitigating Factors

The guidelines allow a district court to depart downward in cases in which the defendant "has provided substantial assistance [to the government] in the investigation or prosecution of another person who has committed an offense."⁴⁵ However, the court may not depart under this provision unless the government makes the requisite motion.⁴⁶ The appellate courts have upheld the district court's determination not to review the government's refusal to make a motion

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- 36 U.S. v. Turner, 915 F.2d 1574 (6th Cir. 1990). The Commission has amended the guidelines to indicate that military, civic, charitable, or public service, employment-related contributions, and similar prior good works are not ordinarily relevant in determining whether a departure is appropriate. See U.S.S.G. §5H1.11, App. C, Amend. No. 386.
- 37 U.S. v. Dickey, 924 F.2d 836 (9th Cir. 1991); U.S. v. Takai, 941 F.2d 738 (9th Cir. 1991); U.S. v. Pena, 930 F.2d 1486 (10th Cir. 1991).
- 38 U.S. v. Floyd, 945 F.2d 1096 (9th Cir. 1991).
- 39 U.S. v. Greenwood, 928 F.2d 645 (4th Cir. 1991).
- 40 U.S. v. Lauzon, 938 F.2d 326 (1st Cir. 1991).
- 41 U.S. v. Hatchett, 923 F.2d 369 (5th Cir. 1991)(The district court erred in making an upward departure based on the defendant's socio-economic status, educational opportunities, and youthfulness).
- 42 See e.g., U.S. v. Rushby, 936 F.2d 41 (1st Cir. 1991).
- 43 See e.g., U.S. v. Sklar, 920 F.2d 107 (1st Cir. 1990); U.S. v. Pharr, 916 F.2d 129 (3d Cir. 1990).
- 44 U.S. v. Lopez, 938 F.2d 1293, 1298 (D.C. Cir. 1991). The circuit court also concluded that it lacked authority to review the adequacy of the Commission's statement of reasons in support of its conclusion that age is not ordinarily relevant to sentencing outside the guideline range. The circuit court stated, "That by subjecting the promulgation of the guidelines to . . . one section of the APA, Congress affirmed that the Commission's rulemaking was not subject to any other provision of the APA, including those for judicial review." *Id.* at 1297.
- 45 U.S.S.G. §5K1.1.
- 46 See e.g., U.S. v. Harrison, 918 F.2d 30 (5th Cir. 1990); U.S. v. Deases, 918 F.2d 118 (10th Cir. 1990); U.S. v. Santos, 932 F.2d 244 (3d Cir. 1991).

pursuant to U.S.S.G. §5K1.1 in cases in which the defendant failed to make an allegation of bad faith,⁴⁷ as well as the district court's refusal to make a departure for substantial assistance based on the defendant's motion.⁴⁸ The Second Circuit, however, has upheld a downward departure based on the defendant's "activities facilitating the proper administration of justice in the district court." Although the government did not make a motion for substantial assistance, the district court found that the defendant's decision to plead guilty and cooperate caused his two co-defendants to also plead guilty. The court determined that the defendants' cooperation helped alleviate the "seriously overlogged dockets of the District Courts of the United States." The appellate court found assistance in the administration of justice to be different from "substantial assistance to the authorities" and thus is a proper basis for a downward departure.⁴⁹ The Ninth Circuit held that once the government has filed a motion for a substantial assistance departure under U.S.S.G. §5K1.1, it is within the district court's authority to exercise its discretion in determining the appropriate sentence. The appellate court rejected the argument that a motion pursuant to U.S.S.G. §5K1.1 limits the extent of departure to a sentence below the guideline range and that the district court cannot depart below the statutory mandatory minimum absent

a government motion under 18 U.S.C. § 3553(e)⁵⁰ The Sixth Circuit, on the other hand, held that "section 5K1.1 does not apply to a sentence under section 924(c) since section 5K1.1 applies only to departures from guideline sentences, not from statutory mandatory sentences."⁵¹

The guidelines and the underlying statute allow a district court to impose a sentence outside the applicable range if the court finds an "aggravating or mitigating circumstance of a kind, or to a degree, not adequately taken into consideration by the Sentencing Commission in formulating the guidelines that should result in a sentence different from that described."⁵² In 1991, appellate courts continued to affirm upward departures in cases in which district courts found that the guideline sentence did not reflect the seriousness of the offense conduct. Examples include a defendant who assaulted a large number of victims,⁵³ the potential for tragic consequences and reckless endangerment of human lives in an illegal smuggling case,⁵⁴ and a local sheriff who caused a significant disruption of a government function by eroding public confidence in law enforcement by his conviction for mail fraud.⁵⁵

During the same period, appellate courts have reversed upward departures based on a high level of drug purity,⁵⁶ extreme psychological in-

47 See e.g., U.S. v. Khan, 920 F.2d 1100 (2d Cir. 1990).

48 See e.g., U.S. v. Wade, 936 F.2d 169 (4th Cir.), cert. granted, 112 S. Ct. 635 (1991).

49 U.S. v. Garcia, 926 F.2d 125 (2d Cir. 1991).

50 U.S. v. Keene, 933 F.2d 711 (9th Cir. 1991).

51 U.S. v. Dumas, 921 F.2d at 652.

52 U.S.S.G. §5K2.0, 18 U.S.C. § 3553(b).

53 U.S. v. Johnson, 931 F.2d 238 (3d Cir. 1991).

54 U.S. v. Reyes, 927 F.2d 48 (1st Cir. 1991).

55 U.S. v. Hatch, 926 F.2d 387 (5th Cir. 1991).

56 U.S. v. Contractor, 926 F.2d 128 (2d Cir. 1991); U.S. v. Martinez-Duran, 925 F.2d 453 (9th Cir. 1991).

jury to a murder victim's family,⁵⁷ and numerous falsehoods in the defendant's testimony.⁵⁸ In addition, the Ninth Circuit has held that charges dismissed or not charged as part of a plea bargain may not be the basis for an upward departure.⁵⁹ According to the Ninth Circuit, ". . . [T]o let the defendant plead to certain charges and then be penalized on charges that have, by agreement, been dismissed is not only unfair, it violates the spirit if not the letter of the agreement."⁶⁰

Appellate courts have reversed downward departures that were intended to equalize a perceived disparity between a defendant and his co-defendants.⁶¹ According to the Second Circuit, ". . . [T]he Congressional objective was to eliminate unwarranted disparities nationwide. An applicable guideline range may seem harsh (or lenient) when compared to that of a co-defendant, but it is the same range applicable throughout the country for all offenders with the same combination of offense conduct and prior record."⁶²

A categorization of the principal departure factors decided by the appellate courts during fiscal year 1991 is set forth below in Tables 3 to 6. Table 3 lists factors that appellate courts have determined warrant downward departure. Table 4, in contrast, lists factors that appellate courts have determined do not warrant downward departure. Tables 5 and 6 continue this pattern for upward departures.

57 See U.S. v. Hoyungawa, 930 F.2d 744 (9th Cir. 1991).

58 U.S. v. Goodrich, 919 F.2d 1365 (9th Cir. 1991).

59 See U.S. v. Castro-Cervantes, 927 F.2d 1079 (9th Cir. 1990); U.S. v. Faulkner, 934 F.2d 190 (9th Cir. 1991).

60 U.S. v. Castro-Cervantes, 927 F.2d at 1082.

61 See e.g., U.S. v. Wogan, 938 F.2d 1446 (1st Cir. 1991); U.S. v. Alba, 933 F.2d 1117 (2d Cir. 1991); U.S. v. Russell, 917 F.2d 512 (11th Cir.), *cert. denied*, 111 S. Ct. 1427 (1991).

62 U.S. v. Joyner, 924 F.2d at 460.

Table 3

**DOWNWARD DEPARTURE FACTORS APPROVED BY APPELLATE COURTS
(October 1, 1991 through September 30, 1992)**

FACTORS	CASES
Defendant's diminished capacity	<u>United States v. Glick</u> , 946 F.2d 335 (4th Cir. 1991)
Defendant's extraordinary parental responsibilities and family circumstances	<u>United States v. Johnson</u> , 964 F.2d 124 (2d Cir. 1992)
The losses resulting from fraudulently obtained loan were not caused solely by the defendant's misrepresentation.	<u>United States v. Gregorio</u> , 956 F.2d 341 (1st Cir. 1992)
Defendant's extraordinary post-offense restitution and other ameliorative conduct.	<u>United States v. Lieberman</u> , 971 F.2d 989 (3d Cir. 1992) <u>United States v. Garlich</u> , 951 F.2d 161 (8th Cir. 1991)
Drug-smuggling "mules" who are ineligible for §3B1.2 mitigating role adjustment	<u>United States v. Valdez-Gonzalez</u> , 957 F.2d 643 (9th Cir. 1992)
Career offender category overrepresents the seriousness of the defendant's prior criminal history	<u>United States v. Beckham</u> , 968 F.2d 47 (D.C. Cir. 1992)
Defendant's steady employment and ability to stop using drugs for more than a year prior to indictment.	<u>United States v. Ragan</u> , 952 F.2d 1049 (8th Cir. 1992)
Defendant's post-offense progress in drug rehabilitation program	<u>United States V. Maier</u> , 975 F.2d 944 (2d Cir. 1992)
Defendant's extraordinary acceptance of responsibility	<u>United States v. Rogers</u> , 972 F.2d 489 (2d Cir. 1992)

Table 4

**DOWNWARD DEPARTURE FACTORS DISAPPROVED BY APPELLATE COURTS
(October 1, 1991 through September 30, 1992)**

FACTORS	CASES
Court's dissatisfaction with career offender sentencing provisions	<u>United States v. LaSalle</u> , 948 F.2d 215 (6th Cir. 1991)
Defendant's suicidal tendencies; prison would impair ability to make restitution	<u>United States v. Harpst</u> , 949 F.2d 860 (6th Cir. 1991)
Defendant's employment record	<u>United States v. Porter</u> , 948 F.2d 1283 (4th Cir. 1991)
Defendant's age	<u>United States v. Guajardo</u> , 950 F.2d 203 (5th Cir. 1991) <i>cert. denied</i> , 112 S.Ct. 1773 (1992) <u>United States v. White</u> , 945 F.2d 100 (5th Cir. 1991)
Defendant's health	<u>United States v. Guajardo</u> , 950 F.2d 203 (5th Cir. 1991) <i>cert. denied</i> , 112 S.Ct. 1773 (1992)
Defendant's drug dependency	<u>United States v. Williams</u> , 948 F.2d 706 (11th Cir. 1991)
Defendant's work in the community; defendant's interest in providing for those who are less fortunate	<u>United States v. O'Brien</u> , 950 F.2d 969 (5th Cir. 1991) <i>cert. denied</i> , 113 S.Ct. 64 (1992)
Defendant's post-arrest rehabilitative conduct	<u>United States v. Desormeaux</u> , 952 F.2d 182 (8th Cir. 1991)
Defendant's low self-esteem resulting from abuse	<u>United States v. Desormeaux</u> , 952 F.2d 182 (8th Cir. 1991)
Government's use of an informant to make a "controlled buy"	<u>United States v. Martinez</u> , 951 F.2d 887 (8th Cir. 1991) <i>cert. denied</i> , 112 S.Ct. 1695 (1992)
Reduce sentencing disparity among co-defendants	<u>United States v. Minicone</u> , 960 F.2d 1099 (2d Cir.) <i>cert. denied</i> , 112 S.Ct. 1511 (1992) <u>United States v. Mejia</u> , 953 F.2d 461 (9th Cir. 1991) <i>cert. denied</i> , 112 S.Ct. 1983 (1992) <u>United States v. Vilchez</u> , 967 F.2d 1351 (9th Cir. 1992)
Defendant's mental and emotional condition	<u>United States v. Fairman</u> , 947 F.2d 1479 (11th Cir. 1991) <i>cert. denied</i> , 112 S.Ct. 1503 (1992)
Weakness of the government's case	<u>United States v. Brooks</u> , 966 F.2d 1500 (D.C. Cir. 1992)
Removal of case from state court to federal court by the prosecutor violated speedy trial act	<u>United States v. Dockery</u> , 965 F.2d 1112 (D.C. Cir. 1992)
Defendant shot by armed intruders and thus had been punished	<u>United States v. Mason</u> , 966 F.2d 1488 (D.C. Cir. 1992) <i>cert. denied</i> , 113 S.Ct. 829 (1992)
Defendant's parental and family responsibility	<u>United States v. Chestna</u> , 962 F.2d 103 (1st Cir.) <i>cert. denied</i> , 113 S.Ct. 334 (1992) <u>United States v. Cacho</u> , 951 F.2d 308 (11th Cir. 1992) <u>United States v. Mogel</u> , 956 F.2d 1555 (11th Cir.) <i>cert. denied</i> , 113 S.Ct. 167 (1992) <u>United States v. Berlier</u> , 948 F.2d 1093 (9th Cir. 1991)
Poor quality of marihuana	<u>United States v. Upthegrove</u> , 974 F.2d 55 (7th Cir. 1992)

Table 5

UPWARD DEPARTURE FACTORS APPROVED BY APPELLATE COURTS
(October 1, 1991 through September 30, 1992)

FACTORS	CASES
Prior similar adult conduct	<u>United States v. Tabares</u> , 951 F.2d 405 (1st Cir. 1991) <u>United States v. Lee</u> , 955 F.2d 14 (5th Cir.) <i>cert. denied</i> , 112 S.Ct. 3010 (1992) <u>United States v. Fawbush</u> , 946 F.2d 584 (8th Cir. 1991)
Defendant's intentional default on a forfeiture agreement	<u>United States v. Paccione</u> , 949 F.2d 1183 (2d Cir. 1991)
Adequacy of criminal history category	<u>United States v. Jones</u> , 948 F.2d 732 (D.C. Cir. 1991) <u>United States v. Madrid</u> , 946 F.2d 142 (1st Cir. 1991) <u>United States v. Tilley</u> , 964 F.2d 66 (1st Cir. 1992) <u>United States v. Campbell</u> , 967 F.2d 20 (2d Cir. 1992) <u>United States v. Jakobetz</u> , 955 F.2d 786 (2d Cir.) <i>cert. denied</i> , 113 S.Ct. 104 (1992) <u>United States v. Carpenter</u> , 963 F.2d 736 (5th Cir.) <i>cert. denied</i> , 113 S.Ct. 355 (1992) <u>United States v. Carter</u> , 953 F.2d 1449 (5th Cir.) <i>cert. denied</i> , 112 S.Ct. 2980 (1992) <u>United States v. Lambert</u> , 963 F.2d 711 (5th Cir. 1992) <u>United States v. Spears</u> , 965 F.2d 262 (7th Cir. 1992) <i>cert. denied</i> , 113 S.Ct. 502 (1992) <u>United States v. Lloyd</u> , 958 F.2d 804 (8th Cir. 1992) <u>United States v. Andrews</u> , 948 F.2d 448 (8th Cir. 1991) <u>United States v. Schubert</u> , 957 F.2d 694 (9th Cir. 1992)
Defendant's extreme conduct in abusing a four-year-old child	<u>United States v. Phillip</u> , 948 F.2d 241 (6th Cir. 1991) <i>cert. denied</i> , 112 S.Ct. 1994 (1992)
Pattern of uncharged conduct	<u>United States v. DeFelippis</u> , 950 F.2d 444 (7th Cir. 1991) <u>United States v. O'Dell</u> , 965 F.2d 937 (10th Cir. 1992)
Defendant's terroristic purpose; extreme conduct	<u>United States v. Johnson</u> , 952 F.2d 565 (1st Cir. 1991) <i>cert. denied</i> , 113 S.Ct. 58 (1992)
Remoteness of past convictions not included in defendant's criminal history score	<u>United States v. Fields</u> , 963 F.2d 105 (6th Cir. 1992)
Excessive criminal history points	<u>United States v. Lewis</u> , 954 F.2d 1386 (7th Cir. 1992) <u>United States v. Davila</u> , 964 F.2d 778 (8th Cir.) <i>cert. denied</i> , 113 S.Ct. 438 (1992)
Defendant's increasing the security risk of a prison by selling drugs while on duty	<u>United States v. Siciliano</u> , 953 F.2d 939 (5th Cir. 1992)
Defendant's continuous scheme of deceit, sexual and forced drug abuse, and "virtual enslavement" of the victim and defrauding her family	<u>United States v. Newman</u> , 965 F.2d 206 (7th Cir.) <i>cert. denied</i> , 113 S.Ct. 470 (1992)
Defendant's continuous course of criminal conduct; past leniency	<u>United States v. Saunders</u> , 957 F.2d 1488 (8th Cir.) <i>cert. denied</i> , 113 S.Ct. 256 (1992)
Large quantities of drugs involved	<u>United States v. St. Julian</u> , 966 F.2d 564 (10th Cir.) <i>cert. denied</i> , 113 S.Ct. 348 (1992)

FACTORS	CASES
Defendant's possession of drugs with intent to distribute while incarcerated	<u>United States v. Ponder</u> , 963 F.2d 1506 (11th Cir. 1992)
The indiscriminate and uniquely dangerous nature of weapons the defendant possessed	<u>United States v. Dempsey</u> , 957 F.2d 831 (11th Cir.) <i>cert. denied</i> , 113 S.Ct. 241 (1992)
Victim's death	<u>United States v. Ihegworu</u> , 959 F.2d 26 (5th Cir. 1992)
Defendant made death threats against co-defendant and family	<u>United States v. Wint</u> , 974 F.2d 961 (8th Cir. 1992) <i>cert. denied</i> , 61 U.S.L.W. 3479 (1993)
Drug-house guard facilitated management of drug house	<u>United States v. Thomas</u> , 956 F.2d 165 (7th Cir. 1992)
Defendant's extortionate acts disrupted city's public works bidding process	<u>United States v. Sarault</u> , 975 F.2d 17 (1st Cir. 1992)
Three-hour high-speed chase while transporting illegal aliens	<u>United States v. Hernandez-Rodriguez</u> , 975 F.2d 622 (9th Cir. 1992)

Table 6

**UPWARD DEPARTURE FACTORS DISAPPROVED BY APPELLATE COURTS
(October 1, 1991 through September 30, 1992)**

FACTORS	CASES
Defendant's juvenile convictions for dissimilar conduct; likelihood of recidivism; parole revocations	<u>United States v. Thomas</u> , 961 F.2d 1110 (3d Cir. 1992)
Concerns for national security where the defendant was convicted of violating the Arms Export Control Act	<u>United States v. Tsai</u> , 954 F.2d 934 (3d Cir.) <i>cert. denied</i> , 113 S.Ct. 93 (1992)
Defendant's "special skill" in manufacturing methamphetamine	<u>United States v. Eagan</u> , 965 F.2d 887 (10th Cir. 1992)

Chapter Four

Guideline Training and Education

In 1992, the Commission provided guideline application assistance in a variety of forms for those involved in the sentencing process:

Training. During the year, the Commission coordinated and participated in training sessions across the country on guideline application and sentencing-related matters for judges, probation officers, prosecutors, defense attorneys, and others.

Hotlines. Commission staff responded to telephone inquiries about application of the sentencing guidelines from judges and their staffs, probation officers, assistant U.S. attorneys, and defense attorneys.

Publications and Training Materials. During 1992, the Commission published resource materials and prepared a number of training and educational materials in response to requests from criminal justice practitioners.

Training

Congress authorized the Commission to "devise and conduct periodic training programs of instruction in sentencing techniques for judicial and probation personnel and other persons connected with the sentencing process." 28 U.S.C. § 995(a)(17) and (18). The Commission recognized that an evolving guideline system along with the steady influx of new practitioners creates a continuing need for effective training programs and materials. In 1992, the Commission provided training to 4,400 individuals at more

than 100 training sessions across the country. Participants included circuit and district court judges, probation officers, prosecuting and defense attorneys, investigative case agents, congressional staff members, law clerks, and other government agency personnel. The Commission continued its collaborative training efforts with The Federal Judicial Center and the Departments of Justice and the Treasury to develop and refine permanent, academy-based guideline education programs.

In early 1992, the Commission conducted two week-long national training seminars for probation officers, the first in San Diego, California, February 9-14, and the second in Tampa, Florida, March 8-13. In addition to the 200 attending probation officers, 16 district court judges participated.

At the seminars, Commission faculty provided intensive training on selected guidelines, guidelines for organizational defendants, and significant amendments. Participants also received instruction on developing case law and related sentencing issues, ASSYST (see discussion below), and policy statements for revocation of probation and supervised release. At the Commission's invitation, the Probation Division of the Administrative Office of the U.S. Courts presented a half-day seminar on preparing the presentence report for organizational defendants.

The Commission is grateful to the following probation officers who served as faculty for the Commission's training on organizational guidelines:

United States Sentencing Commission

JoAnn Coates	Eastern Wisconsin
Harold Greenberg	Southern New York
Renee Herriott	Southern California
Paul Larned	Eastern Michigan
Jay Meyer	Minnesota
Paul Michener	Eastern Pennsylvania
Craig Saigh	Nebraska
Kenneth Young	Northern California

In addition to Probation Division staff members Magdeline Jensen and Kim Whatley, the following probation officers served as faculty members presenting the presentence report material:

Michael Berg	Southern Florida
Michael Higgins	New Jersey
Kevin Lyons	Western New York
James Lyons	Southern Florida
Paul Michener	Eastern Pennsylvania

Court Personnel

The Commission continued to participate in The Federal Judicial Center's orientation program for newly appointed judges, providing two days of training to 68 judges at five programs.⁶³ In addition, Judges of the Second and Eighth Circuits discussed guideline sentencing issues with Commissioners and staff at a Sentencing Institute held in Lexington, Kentucky, in March 1992, sponsored by The Federal Judicial Center and the Federal Bureau of Prisons.

In 1992 the Commission presented three days of guideline application training to 550 new probation officers during six orientation programs at the National Probation and Pretrial Services Academy near Baltimore, Maryland. Additionally, a new one-day workshop on Chapter Seven of the Guidelines Manual (Violations of Probation

and Supervised Release), specifically designed for new officers, was offered during the program.

In conjunction with the Department of Justice's Advocacy Institute, the Commission in 1992 provided guideline training to approximately 350 newly appointed assistant U.S. attorneys at the Basic Criminal Trial Advocacy Program in Washington, D.C., and the Federal Practice Skills Seminars held in various cities across the country.

Working together, the Department of Justice and the Commission designed a 20-hour video series on advanced guideline application issues. Lectures and case scenarios highlighted the series, focusing on such issues as relevant conduct, multiple counts, and sentencing of organizations. The package of nine cassettes with accompanying training materials is distributed to U.S. Attorney offices throughout the country.

During 1992, the Commission responded to the need for increased defense attorney training by organizing an informal task force of representatives from the Commission, the Administrative Office of the U.S. Courts, and The Federal Judicial Center, and the Federal Defenders office. The task force goal is to enhance training opportunities for defense attorneys across the nation, particularly Criminal Justice Act panel attorneys.

Local Training

In 1992 the Commission responded to requests for training by conducting training programs in 40 localities with an approximate combined attendance of 1,700. A majority of the requests for training came from probation officers, but many

63 Two of these programs were held in Atlanta, Ga., two in Denver, Co., and one in Richmond, Va.

came from judges, defense attorneys, prosecutors, and appellate court staff attorneys. Throughout the year, Commissioners and staff lectured widely on sentencing issues at training sessions, academic seminars, judges' meetings, and professional conferences. In addition, Commission staff made eight presentations about the organizational sentencing guidelines to groups of prosecuting and defense attorneys and business officials.

Investigative Agents

The Commission responded to Treasury Department requests for guideline training of senior investigative agents from the Bureau of Alcohol, Tobacco, and Firearms conducted at the Federal Law Enforcement Training Center (FLETC) in Glynco, Georgia. A collaborative program with the Financial Fraud Institute provided additional training for case agents. In the fall of 1992, the Commission staff and FLETC representatives successfully transferred this training responsibility to several experienced U.S. probation officers:

Robert C. Hughes, Jr.	Georgia Middle
Robert P. Longshore	Alabama Middle
Jay Meyer	Minnesota
Paul Michener	Eastern Pennsylvania
Michael A. Nissen	Western Michigan
Franklin J. Olvera	Western Texas
Oscar Stephenson, Jr.	Northern Alabama
Thomas N. Whiteside	South Carolina

Hotlines

The Commission's judge and probation officer hotline and attorney hotline continued to assist federal judges, probation officers, assistant U.S. attorneys, and defense attorneys with guideline application. Initially envisioned as temporary

services, the hotlines have become invaluable sources of continuing education for both practitioners and Commission staff and prompted the decision to make them permanent components of the Commission's guideline education and training efforts. The hotlines are open to callers Monday through Friday between 8:30 a.m. and 5:30 p.m., EST.

In an advisory capacity, the hotlines assist callers in applying the sentencing guidelines. Subject to the caution given all callers that hotline advice is neither binding on the court nor to be represented as the official position of the Sentencing Commission, staff answer questions not involving subjective judgments. Those questions involving a subjective determination by the judge, such as whether a defendant should receive an adjustment for acceptance of responsibility, are answered by reference to pertinent guidelines, commentary, or policy statements. For debatable questions or interpretations of correct application, staff assist the caller in understanding alternative approaches, emphasizing that such decisions are left to the courts.

Calls Received in 1992

The judge and probation officer hotline responded to 2,036 questions in 1992, an average of 170 questions per month. Since its inception, this hotline has responded to more than 10,000 questions from probation officers, judges, and law clerks.

Table 7 organizes by guideline section the questions received by this hotline in 1992. The greatest number of questions (200) related to the criminal history guidelines. Inquiries regarding probation and supervised release violations and questions regarding drugs ranked second, each with 136, followed by multiple counts (124), relevant conduct (112), and career offenders and armed career criminals (110).

Table 7

HOTLINE CALLS BY GUIDELINE SECTION*
(October 1, 1991 through September 30, 1992)

CHAPTER 1: INTRODUCTION AND APPLICATION PRINCIPLES	
Application	47
Relevant Conduct	112
Other Information to be Used	2
Interpretation of Cross References	2
Use of Certain Information	11
CHAPTER 2: OFFENSE CONDUCT	
Offenses Against the Person	33
Offenses Involving Property	68
Offenses Involving Public Officials	11
Offenses Involving Drugs	136
Offenses Involving Criminal Enterprise and Racketeering	12
Offenses Involving Fraud or Deceit	64
Offenses Involving Prostitution, Sexual Exploitation of Minors, and Obscenity	10
Offenses Involving Individual Rights	8
Offenses Involving Administration of Justice	38
Offenses Involving Public Safety	111
Offenses Involving Immigration, Naturalization, and Passports	27
Offenses Involving National Defense	2
Offenses Involving Food, Drugs, Agricultural Products	5
Offenses Involving Prisons and Correctional Facilities	12
Offenses Involving the Environment	11
Antitrust Offenses	1
Money Laundering and Monetary Transaction Reporting	11
Offenses Involving Taxation	48
Other Offenses	40
CHAPTER 3: ADJUSTMENTS	
Victim-Related Adjustments	18
Role in the Offense	53
Obstruction	46
Multiple Counts	124
Acceptance of Responsibility	19
CHAPTER 4: CRIMINAL HISTORY AND CRIMINAL LIVELIHOOD	
Criminal History	200
Career Offender and Armed Career Criminal	110
Criminal Livelihood	3
CHAPTER 5: DETERMINING THE SENTENCE	
Sentencing Table	4
Probation	12
Imprisonment/Sentencing Options	32
Supervised Release	20
Restitution, Fines, Assessments, Forfeitures	46
Implementing the Total Sentence of Imprisonment	84
Specific Offender Characteristics	9
Departures	46

CHAPTER 6: SENTENCING PROCEDURES AND PLEA AGREEMENTS	
Sentencing Procedures	3
Plea Agreements	10
CHAPTER 7: VIOLATIONS OF PROBATION AND SUPERVISED RELEASE	
Introduction to Chapter Seven	10
Probation and Supervised Release Violations	136
CHAPTER 8: SENTENCING OF ORGANIZATIONS	20
OTHER QUESTIONS	
Amendments	42
Miscellaneous	22
Old Law/New Law	33
PSR	9
Statutory/Legal	59
Juvenile	6
Monitoring	8
Statement of Reasons	3
ASSYST	2
Other Questions	25
TOTAL QUESTIONS	2,036

*Judge and Probation Officer Hotline only.

Table 8 shows the number of calls made from each district to the judge and probation officer hotline in 1992. The table provides a national breakdown of hotline use by probation offices; it should not be interpreted as indicating any district's level of guideline application proficiency.

During 1992, the attorney hotline responded to several hundred guideline application questions from assistant U.S. attorneys and defense attorneys.

Hotline Quality Control

In the process of responding to hotline questions, Commission training and legal staff regularly consult with each other to ensure that questions are fully researched and accurately answered. To assist with quality control, staff maintain a log of calls received and the responses provided. The Commission began this log in 1988 using a computer program specifically developed to document hotline calls. The program provides an easily accessible database that allows staff to check whether a similar question has been asked previously, thereby speeding research efforts and enabling more consistent and accurate responses.

In response to requests from probation officers, the Commission developed a similar computer program for use in probation offices across the nation. Called "SC_HELP" (Sentencing Commission Hotline Extended Library Program), the program was field tested in 1991 and distributed early in 1992. SC_HELP allows probation officers to develop their own database of questions and answers on a variety of topics (e.g., guideline application, procedural issues, local rules). The program also includes Volume V of the Commission's Most Frequently Asked Questions About the Sentencing Guidelines.

Temporary Assignment Program

The Commission's temporary assignment program for probation officers, assistant U.S. attorneys, and assistant federal defenders has proven successful in promoting guideline application training and in providing a link between the Commission and practitioners. Temporary duty for probation officers consists of a six-week assignment. The average attorney detail lasts six months. While at the Commission, participants help staff the hotlines, become involved in the amendment process, and assist with various projects. The Commission bears the cost of the participants's travel, per diem, and living expenses during the temporary assignment.

Twenty-one probation officers representing 16 districts and 20 different offices participated in the Commission's temporary assignment program in 1992. The home districts of these officers represent a diverse geographical constituency and provide the Commission with broad insight into sentencing practices in various regions. Since the program's inception, 79 officers representing 39 districts have participated. Probation officers from nine additional districts have been scheduled for 1993-94. Since it began in 1988, five assistant federal defenders and seven assistant U.S. attorneys have participated in the visiting attorney temporary assignment program.

Both those on temporary assignment and the Commission benefit from this program. During their tenure at the Commission, program participants become proficient in guideline application and gain exposure to the many different types of cases sentenced in the federal system. They also acquire a broader perspective of the criminal justice system through observation of Commission operations and guideline development and refinement. These probation officers and attorneys return to their districts as valuable resource

Table 8

HOTLINE CALLS BY DISTRICT*
(October 1, 1991 through September 30, 1992)

District	Number	District	Number
Alabama		Missouri	
Northern	12	Eastern	41
Middle	5	Western	15
Southern	5	Montana	44
Alaska	15	Nebraska	10
Arizona	23	Nevada	8
Arkansas		New Hampshire	0
Eastern	15	New Jersey	34
Western	12	New Mexico	42
California		New York	
Northern	50	Northern	12
Eastern	11	Eastern	7
Central	26	Southern	25
Southern	13	Western	18
Colorado	18	North Carolina	
Connecticut	20	Eastern	36
Delaware	40	Middle	22
District of Columbia	6	Western	18
Florida		North Dakota	12
Northern	16	Ohio	
Middle	19	Northern	14
Southern	95	Southern	34
Georgia		Oklahoma	
Northern	18	Northern	8
Middle	6	Eastern	7
Southern	9	Western	12
Guam	5	Oregon	11
Hawaii	19	Pennsylvania	
Idaho	13	Eastern	58
Illinois		Middle	25
Northern	60	Western	8
Central	16	Puerto Rico	44
Southern	9	Rhode Island	18
Indiana		South Carolina	6
Northern	34	South Dakota	21
Southern	12	Tennessee	
Iowa		Eastern	16
Northern	9	Middle	15
Southern	15	Western	35
Kansas	41	Texas	
Kentucky		Northern	17
Eastern	5	Eastern	22
Western	13	Southern	45
Louisiana		Western	37
Western	52	Utah	28
Eastern	22	Vermont	18
Middle	5	Virgin Islands	4
Maine	16	Virginia	
Maryland	29	Eastern	79
Massachusetts	6	Western	17
Michigan		Washington	
Eastern	21	Eastern	1
Western	6	Western	17
Minnesota	9	West Virginia	
Mississippi		Northern	21
Northern	12	Southern	16
Southern	20	Wisconsin	
		Eastern	18
		Western	18
		Wyoming	9

*Judge and probation officer hotline only.

persons. Through interaction with officers and attorneys who apply the guidelines on a regular basis, the Commission benefits by acquiring a

better understanding of the practical concerns confronting practitioners.

The following probation officers participated in the Commission's temporary assignment program in 1992:

<u>Probation Officer</u>	<u>City (District)</u>
Todd Sanders	Seattle, WA (Western Washington)
Shari McCoy	Washington, DC (Washington, DC)
Rodger Brisko	Houston, TX (Southern Texas)
Belinda English	Detroit, MI (Eastern Michigan)
Dee Howard	Austin, TX (Western Texas)
Julie Belt	Minneapolis, MN (Minnesota)
Henry Enrique Saldana	McAllen, TX (Southern Texas)
Billy Maples	Shreveport, LA (Western Louisiana)
Kristine Disney	Oklahoma, OK (Western Oklahoma)
Phillip L. Kirk	Durant, OK (Eastern Oklahoma)
Beth Ault	Richmond, VA (Eastern Virginia)
Gloria Garber	Miami, FL (Southern Florida)
Mike Pascarella	Philadelphia, PA (Eastern Pennsylvania)
Frank Olvera	San Antonio, TX (Western Texas)
Ed Cottrell	Alexandria, VA (Eastern Virginia)
Tom Goleman	Shreveport, LA (Western Louisiana)
Mary Frances Barnes	Anchorage, AK (Alaska)
Bill Cazales	Corpus Christi, TX (Southern Texas)
Jim Schloetter	San Francisco, CA (Northern California)
Donna Bailey	Honolulu, HI (Hawaii)
Jim Dier	Wichita, KS (Kansas)

The following assistant U.S. attorneys and assistant federal public defenders participated in the Commission's temporary assignment program in 1992:

<u>Assist. U.S. Attorney</u>	<u>City (District)</u>
Dan Bach	Madison, WI (Western Wisconsin)
Deborah Dealy-Browning	Eugene, OR (Oregon)

<u>Assist. Federal Defender</u>	<u>City (District)</u>
Michael Dwyer	East St. Louis, IL (Eastern Missouri, Western Illinois)
Jackie Rubin	Miami, FL (Southern Florida)

Publications and Training Materials

The Commission published in March 1992 Volume V of Most Frequently Asked Questions About the Sentencing Guidelines, which comprises 125 questions and answers that address substantive areas of concern in guideline application identified through hotline calls and Commission training seminars. The Commission also publishes annually a summary entitled Amendment Highlights, which offers a synopsis of new substantive and clarifying amendments. The Commission's bi-annual Selected Guideline Application Decisions, organized by pertinent guideline section and judicial circuit, summarizes selected cases involving application of the guidelines or related sentencing issues.

ASSYST

The Commission coordinated improvements and modifications to the ASSYST software used by probation officers and others as an aid to guideline application. In its most recent version (ASSYST 1.3), improvements included the incorporation of guideline amendments, 42 months of applicable case law by individual guideline section, and several additional elements for the presentence report "shell." In addition, function keys were updated to include 1992 guideline text and commentary. This version of ASSYST incorporates four editions of the Guidelines Manual to assist with ex post facto considerations. The updated software was made available during the fall to U.S. probation offices, the Executive Office of U.S. Attorneys, federal public defenders, the American Bar Association, and the National Association of Criminal Defense Lawyers.

Chapter Five

Research

A. MONITORING

Background and Data Collection Activities

Statutory Requirements

The Commission collects, prepares, and analyzes data on guideline sentences to support its varied activities. As authorized by Congress, the Commission has numerous research responsibilities, including:

- the establishment of a research and development program to serve as a clearinghouse and information center for the collection, preparation, and dissemination of information on federal sentencing practices (28 U.S.C. § 995(a)(12));
- the publication of data concerning the sentencing process (28 U.S.C. § 995(a)(14));
- the systematic collection and dissemination of information concerning sentences actually imposed and the relationship of such sentences to the factors set forth in section 3553(a) of title 18, United States Code (28 U.S.C. § 995(a)(15)); and
- the systematic collection and dissemination of information regarding the effectiveness of sentences imposed (28 U.S.C. § 995(a)(16)).

In large part, the Commission's systematic collection and reporting of information on guideline cases drives the agency's research mission. As required by Congress:

The appropriate judge or officer shall submit to the Commission in connection with each sentence imposed (other than a sentence imposed for a petty offense, as defined in title 18, for which there is no applicable sentencing guideline) a written report of the sentence, the offense for which it is imposed, the age, race, and gender of the offender, information regarding factors made relevant by the guidelines, and such other information as the Commission finds appropriate. The Commission shall submit to Congress at least annually an analysis of these reports and any recommendations for legislation that the Commission concludes is warranted by that analysis (28 U.S.C. § 994(w)).

Pursuant to its authority under 28 U.S.C. §§ 994(w) and 995(a)(8), and after discussions with the Judicial Conference Committee on Criminal Law and the Administrative Office of the U.S. Courts (AO), the Commission requested that probation offices in each judicial district submit the following documents on every defendant sentenced under the guidelines:

- Presentence Report (PSR)
- Guideline Worksheets
- Report on the Sentencing Hearing (statement of reasons for imposing sentence as required by 18 U.S.C. § 3553(e))
- Written Plea Agreement (if applicable)
- Judgment of Conviction

USSC Data Collection

Throughout fiscal year 1992 (October 1, 1991, through September 30, 1992, hereinafter "1992"), the Commission continued to expand the scope of its computerized data file on defen-

dants sentenced under the guidelines. On an ongoing basis, the Commission collects data in three major modules:

Module I, Receipt Control, is a document control system that provides a mechanism for identifying cases. **Module II, Basic Sentencing Information**, collects sentencing information on each defendant as documented in the Judgment of Conviction order, as well as statutory and guideline provisions from the Presentence Report and Report on the Sentencing Hearing. **Module III, Guideline Application and Departures**, captures the complete range of guideline decisions made by the court and departure information on each case.

A fourth data collection module, the **Probation and Supervised Release Violation Module**, monitors court decisions regarding probation and supervised release violations; however, due to conflicting interpretations of the statute, some circuits do not use the Commission's Chapter Seven policy statements on revocations, biasing current data collection efforts.

A new data collection system to track appeals has been developed and pretested, and work is progressing on additional modules that will record real offense factors, detailed criminal history characteristics, and sentencing data for organizational defendants.

The Monitoring data file for 1992 provides the Commission and the public with frequencies and descriptive statistics on all guideline cases sentenced within the past fiscal year. This file, with individual identifiers deleted, is available through the Inter-University Consortium for Po-

litical and Social Research at the University of Michigan. The Commission makes additional datasets available to the Consortium on a regular basis.

Data Collection Issues

The Commission received documentation on 38,258 cases sentenced under the Sentencing Reform Act between October 1, 1991, and September 30, 1992.⁶⁴ As used in this report, a "case" is defined as a single sentencing event for a single defendant (even if it includes multiple indictments or multiple convictions consolidated for sentencing).

With the elimination of sentencing factors from the AO's Federal Probation Sentencing and Supervision Information System (FPSSIS) data entry system, the Commission has no direct way to ascertain the ratio of guideline to pre-guideline cases or the rate in which guideline cases are reported to the Commission. Despite possible reporting problems experienced by the Monitoring data system, however, differences in general characteristics or descriptive statistics about the national population of defendants sentenced pursuant to the guidelines are expected to be minor. However, reporting problems specific to individual districts or offices may result in more substantial difficulties if generalizations are made to the actual district populations. It is important to note that all data collected and analyzed by the Commission reflect only reported populations (i.e., cases in which appropriate documentation was forwarded to the Commission).

While the degree of potential non-reporting is estimated to be small, further study would be

⁶⁴ Reported figures exclude cases involving solely petty offenses, organizational defendants, or diversionary sentences. The USSC Monitoring data file used for this report, MONFY92, includes defendants sentenced during fiscal year 1992 for which information was received by the Commission as of January 26, 1993.

required to uncover any biases associated with non-reporting. For example, one known reporting bias arising from fewer reported magistrate cases is the potential for slightly higher rates of imprisonment, longer average prison terms, and fewer cases among less serious crimes. Other unknown reporting biases could enhance or counteract these biases.

As noted previously, the Commission should receive up to five documents on each case sentenced pursuant to the guidelines. In 1992, the Commission received Presentence Reports (PSR) for 97.1 percent of the cases (in an additional 1.5% of the cases the PSR was known to have been waived) and Judgment of Conviction Orders for 99.4 percent of the cases.

The submission rate for the Report on the Sentencing Hearing (statement of reasons) has increased significantly during the past five years, rising to 94.0 percent for cases sentenced in FY1992 compared to 92.4 percent in FY1991, 79.1 percent in FY1990, 65.0 percent in 1989, and 40.0 percent in 1988. The incorporation of the Report on the Sentencing Hearing within the Judgment of Conviction Order (AO 245 S, Rev. 7/90) has enhanced both the submission and uniformity of this information. See Table 9 for the submission rate of documents by circuit and district. Guideline Worksheets were received for 85.9 percent of the cases, and Written Plea Agreements or other comparable documents for 62.3 percent of the cases.⁶⁵

65 Table 9 does not report the submission rate of written plea agreements by circuit and district. Because the Commission cannot always determine the applicability of a written plea agreement in a particular case, it is difficult to establish a baseline of what should be received. Table 9 also does not include the submission rate of worksheets.

Table 9

DOCUMENT SUBMISSION RATE BY CIRCUIT AND DISTRICT*
(October 1, 1991 through September 30, 1992)

CIRCUIT	Number of Cases	Judgment of Conviction Order				Presentence Report						Report on the Sentencing Hearing			
		Received		Not Received		Received		Not Received		Waived		Received		Not Received	
District		n	%	n	%	n	%	n	%	n	%	n	%	n	%
TOTAL	38,258	38,033	99.4	225	0.6	37,157	97.1	520	1.4	581	1.5	35,958	94.0	2,300	6.0
D.C. CIRCUIT	522	516	98.9	6	1.2	521	99.8	1	0.2	0	0.0	520	99.6	2	0.4
District of Columbia	522	516	98.9	6	1.2	521	99.8	1	0.2	0	0.0	520	99.6	2	0.4
FIRST CIRCUIT	1,077	1,072	99.5	5	0.5	1,057	98.1	20	1.9	0	0.0	1,054	97.9	23	2.1
Maine	136	136	100.0	0	0.0	136	100.0	0	0.0	0	0.0	135	99.3	1	0.7
Massachusetts	332	330	99.4	2	0.6	313	94.3	19	5.7	0	0.0	316	95.2	16	4.8
New Hampshire	88	88	100.0	0	0.0	87	98.9	1	1.1	0	0.0	88	100.0	0	0.0
Puerto Rico	335	332	99.1	3	0.9	335	100.0	0	0.0	0	0.0	329	98.2	6	1.8
Rhode Island	186	186	100.0	0	0.0	186	100.0	0	0.0	0	0.0	186	100.0	0	0.0
SECOND CIRCUIT	3,250	3,204	98.6	46	1.4	3,177	97.8	30	0.9	43	1.3	2,999	92.3	251	7.7
Connecticut	244	244	100.0	0	0.0	243	99.6	1	0.4	0	0.0	239	98.0	5	2.1
New York															
Eastern	1,382	1,379	99.8	3	0.2	1,365	98.8	17	1.2	0	0.0	1,333	96.5	49	3.6
Northern	298	257	86.2	41	13.8	253	84.9	6	2.0	39	13.1	294	98.7	4	1.3
Southern	992	990	99.8	2	0.2	985	99.3	6	0.6	1	0.1	800	80.7	192	19.4
Western	198	198	100.0	0	0.0	195	98.5	0	0.0	3	1.5	197	99.5	1	0.5
Vermont	136	136	100.0	0	0.0	136	100.0	0	0.0	0	0.0	136	100.0	0	0.0
THIRD CIRCUIT	2,232	2,231	100.0	1	0.0	2,203	98.7	12	0.5	17	0.8	2,223	99.6	9	0.4
Delaware	115	115	100.0	0	0.0	114	99.1	0	0.0	1	0.9	113	98.3	2	1.7
New Jersey	640	639	99.8	1	0.2	640	100.0	0	0.0	0	0.0	639	99.8	1	0.2
Pennsylvania															
Eastern	865	865	100.0	0	0.0	848	98.0	4	0.5	13	1.5	862	99.7	3	0.4
Middle	261	261	100.0	0	0.0	261	100.0	0	0.0	0	0.0	260	99.6	1	0.4
Western	258	258	100.0	0	0.0	249	96.5	6	2.3	3	1.2	256	99.2	2	0.8
Virgin Islands	93	93	100.0	0	0.0	91	97.9	2	2.2	0	0.0	93	100.0	0	0.0
FOURTH CIRCUIT	4,267	4,245	99.5	22	0.5	4,099	96.1	30	0.7	138	3.2	4,038	94.6	229	5.4
Maryland	371	371	100.0	0	0.0	364	98.1	7	1.9	0	0.0	361	97.3	10	2.7
North Carolina															
Eastern	402	399	99.3	3	0.8	347	86.3	2	0.5	53	13.2	388	96.5	14	3.5
Middle	319	319	100.0	0	0.0	319	100.0	0	0.0	0	0.0	318	99.7	1	0.3
Western	547	543	99.3	4	0.7	534	97.6	6	1.1	7	1.3	533	97.4	14	2.6
South Carolina	528	527	99.8	1	0.2	523	99.1	1	0.2	4	0.8	520	98.5	8	1.5
Virginia															
Eastern	1,110	1,101	99.2	9	0.8	1,031	92.9	11	1.0	68	6.1	943	85.0	167	15.1
Western	410	409	99.8	1	0.2	404	98.5	0	0.0	6	1.5	401	97.8	9	2.2
West Virginia															
Northern	189	188	99.5	1	0.5	187	98.9	2	1.1	0	0.0	187	98.9	2	1.1
Southern	391	388	99.2	3	0.8	390	99.7	1	0.3	0	0.0	387	99.0	4	1.0
FIFTH CIRCUIT	5,456	5,439	99.7	17	0.3	5,325	97.6	38	0.7	93	1.7	5,314	97.4	142	2.6
Louisiana															
Eastern	481	477	99.2	4	0.8	458	95.2	23	4.8	0	0.0	478	99.4	3	0.6
Middle	38	38	100.0	0	0.0	38	100.0	0	0.0	0	0.0	38	100.0	0	0.0
Western	231	231	100.0	0	0.0	229	99.1	1	0.4	1	0.4	225	97.4	6	2.6
Mississippi															
Northern	135	135	100.0	0	0.0	135	100.0	0	0.0	0	0.0	135	100.0	0	0.0
Southern	211	210	99.5	1	0.5	211	100.0	0	0.0	0	0.0	211	100.0	0	0.0
Texas															
Eastern	296	294	99.3	2	0.7	296	100.0	0	0.0	0	0.0	295	99.7	1	0.3
Northern	837	835	99.8	2	0.2	836	99.9	1	0.1	0	0.0	835	99.8	2	0.2
Southern	1,646	1,642	99.8	4	0.2	1,606	97.6	5	0.3	35	2.1	1,579	95.9	67	4.1
Western	1,581	1,577	99.8	4	0.3	1,516	95.9	8	0.5	57	3.6	1,518	96.0	63	4.0

CIRCUIT	District	Number of Cases	Judgment of Conviction Order				Presentence Report						Report on the Sentencing Hearing			
			Received		Not Received		Received		Not Received		Waived		Received		Not Received	
			n	%	n	%	n	%	n	%	n	%	n	%	n	%
SIXTH CIRCUIT		3,808	3,777	99.2	31	0.8	3,710	97.4	71	1.9	27	0.7	3,653	95.9	155	4.1
Kentucky																
Eastern	312	312	100.0	0	0.0	311	99.7	0	0.0	1	0.3	311	99.7	1	0.3	
Western	417	415	99.5	2	0.5	347	83.2	64	15.4	6	1.4	402	96.4	15	3.6	
Michigan																
Eastern	792	789	99.6	3	0.4	790	99.8	0	0.0	2	0.3	785	99.1	7	0.9	
Western	175	175	100.0	0	0.0	175	100.0	0	0.0	0	0.0	172	98.3	3	1.7	
Ohio																
Northern	466	466	100.0	0	0.0	466	100.0	0	0.0	0	0.0	460	98.7	6	1.3	
Southern	541	538	99.5	3	0.6	540	99.8	0	0.0	1	0.2	531	98.2	10	1.9	
Tennessee																
Eastern	379	358	94.5	21	5.5	368	97.1	1	0.3	10	2.6	357	94.2	22	5.8	
Middle	260	260	100.0	0	0.0	248	95.4	6	2.3	6	2.3	192	73.9	68	26.2	
Western	466	464	99.6	2	0.4	465	99.8	0	0.0	1	0.2	443	95.1	23	4.9	
SEVENTH CIRCUIT		2,098	2,093	99.8	5	0.2	2,030	96.8	48	2.3	20	1.0	1,966	93.7	132	6.3
Illinois																
Central	288	288	100.0	0	0.0	276	95.8	7	2.4	5	1.7	284	98.6	4	1.4	
Northern	814	812	99.8	2	0.3	783	96.2	31	3.8	0	0.0	695	85.4	119	14.6	
Southern	197	196	99.5	1	0.5	188	95.4	4	2.0	5	2.5	197	100.0	0	0.0	
Indiana																
Northern	180	178	98.9	2	1.1	177	98.3	3	1.7	0	0.0	178	98.9	2	1.1	
Southern	209	209	100.0	0	0.0	204	97.6	1	0.5	4	1.9	208	99.5	1	0.5	
Wisconsin																
Eastern	306	306	100.0	0	0.0	298	97.4	2	0.7	6	2.0	303	99.0	3	1.0	
Western	104	104	100.0	0	0.0	104	100.0	0	0.0	0	0.0	101	97.1	3	2.9	
EIGHTH CIRCUIT		2,084	2,080	99.8	4	0.2	2,027	97.3	45	2.2	12	0.6	2,036	97.7	48	2.3
Arkansas																
Eastern	267	266	99.6	1	0.4	239	89.5	26	9.7	2	0.8	266	99.6	1	0.4	
Western	110	110	100.0	0	0.0	110	100.0	0	0.0	0	0.0	110	100.0	0	0.0	
Iowa																
Northern	114	114	100.0	0	0.0	114	100.0	0	0.0	0	0.0	110	96.5	4	3.5	
Southern	140	140	100.0	0	0.0	140	100.0	0	0.0	0	0.0	140	100.0	0	0.0	
Minnesota	355	355	100.0	0	0.0	352	99.2	0	0.0	3	0.9	355	100.0	0	0.0	
Missouri																
Eastern	267	266	99.6	1	0.4	261	97.8	6	2.3	0	0.0	229	85.8	38	14.2	
Western	322	321	99.7	1	0.3	321	99.7	1	0.3	0	0.0	321	99.7	1	0.3	
Nebraska	180	179	99.4	1	0.6	168	93.3	12	6.7	0	0.0	177	98.3	3	1.7	
North Dakota	128	128	100.0	0	0.0	121	94.5	0	0.0	7	5.5	127	99.2	1	0.8	
South Dakota	201	201	100.0	0	0.0	201	100.0	0	0.0	0	0.0	201	100.0	0	0.0	
NINTH CIRCUIT		6,830	6,779	99.3	51	0.8	6,413	93.9	193	2.8	224	3.3	5,678	83.1	1,152	16.9
Alaska	183	169	92.4	14	7.7	165	90.2	15	8.2	3	1.6	128	70.0	55	30.1	
Arizona	1,090	1,081	99.2	9	0.8	1,007	92.4	82	7.5	1	0.1	1,058	97.1	32	2.9	
California																
Central	1,173	1,173	100.0	0	0.0	1,167	99.5	5	0.4	1	0.1	498	42.5	675	57.5	
Eastern	565	563	99.7	2	0.4	515	91.2	1	0.2	49	8.7	544	96.3	21	3.7	
Northern	249	245	98.4	4	1.6	248	99.6	1	0.4	0	0.0	204	81.9	45	18.1	
Southern	1,383	1,382	99.9	1	0.1	1,377	99.6	6	0.4	0	0.0	1,105	79.9	278	20.1	
Guam	70	70	100.0	0	0.0	69	98.6	1	1.4	0	0.0	68	97.1	2	2.9	
Hawaii	214	214	100.0	0	0.0	111	51.9	71	33.2	32	15.0	214	100.0	0	0.0	
Idaho	68	68	100.0	0	0.0	68	100.0	0	0.0	0	0.0	67	98.5	1	1.5	
Montana	210	210	100.0	0	0.0	185	88.1	0	0.0	25	11.9	209	99.5	1	0.5	
Nevada	384	365	95.1	19	5.0	383	99.7	1	0.3	0	0.0	369	96.1	15	3.9	
Northern Mariana Islands	1	1	100.0	0	0.0	1	100.0	0	0.0	0	0.0	1	100.0	0	0.0	
Oregon	579	578	99.8	1	0.2	577	99.7	1	0.2	1	0.2	568	98.1	11	1.9	
Washington																
Eastern	292	292	100.0	0	0.0	172	58.9	8	2.7	112	38.4	277	94.9	15	5.1	
Western	369	368	99.7	1	0.3	368	99.7	1	0.3	0	0.0	368	99.7	1	0.3	

CIRCUIT	Number of Cases	Judgment of Conviction Order				Presentence Report						Report on the Sentencing Hearing			
		Received		Not Received		Received		Not Received		Waived		Received		Not Received	
		n	%	n	%	n	%	n	%	n	%	n	%	n	%
TENTH CIRCUIT	1,951	1,944	99.6	7	0.4	1,946	99.7	3	0.2	2	0.1	1,900	97.4	51	2.6
Colorado	368	366	99.5	2	0.5	368	100.0	0	0.0	0	0.0	335	91.0	33	9.0
Kansas	228	228	100.0	0	0.0	227	99.6	0	0.0	1	0.4	227	99.6	1	0.4
New Mexico	564	562	99.7	2	0.4	562	99.7	2	0.4	0	0.0	557	98.8	7	1.2
Oklahoma															
Eastern	62	62	100.0	0	0.0	62	100.0	0	0.0	0	0.0	62	100.0	0	0.0
Northern	167	166	99.4	1	0.6	167	100.0	0	0.0	0	0.0	165	98.8	2	1.2
Western	229	229	100.0	0	0.0	228	99.6	0	0.0	1	0.4	224	97.8	5	2.2
Utah	252	251	99.6	1	0.4	251	99.6	1	0.4	0	0.0	251	99.6	1	0.4
Wyoming	81	80	98.8	1	1.2	81	100.0	0	0.0	0	0.0	79	97.5	2	2.5
ELEVENTH CIRCUIT	4,683	4,653	99.4	30	0.6	4,649	99.3	29	0.6	5	0.1	4,577	97.7	106	2.3
Alabama															
Middle	304	304	100.0	0	0.0	304	100.0	0	0.0	0	0.0	304	100.0	0	0.0
Northern	311	306	98.4	5	1.6	309	99.4	2	0.6	0	0.0	308	99.0	3	1.0
Southern	311	310	99.7	1	0.3	310	99.7	1	0.3	0	0.0	310	99.7	1	0.3
Florida															
Middle	1,025	1,025	100.0	0	0.0	1,016	99.1	5	0.5	4	0.4	1,017	99.2	8	0.8
Northern	320	320	100.0	0	0.0	320	100.0	0	0.0	0	0.0	320	100.0	0	0.0
Southern	1,359	1,356	99.8	3	0.2	1,359	100.0	0	0.0	0	0.0	1,358	99.9	1	0.1
Georgia															
Middle	308	308	100.0	0	0.0	308	100.0	0	0.0	0	0.0	304	98.7	4	1.3
Northern	483	465	96.3	18	3.7	480	99.4	3	0.6	0	0.0	397	82.2	86	17.8
Southern	262	259	98.9	3	1.2	243	92.8	18	6.9	1	0.4	259	98.9	3	1.2

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

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Descriptive Statistics

Implementation of the Guidelines

By statute, the Commission receives information only on defendants sentenced pursuant to the Sentencing Reform Act of 1984 (SRA).⁶⁶ Information about defendants sentenced under pre-guideline law is reported through the AO's data collection systems.

As stated earlier, the Commission received 38,258 cases sentenced under the SRA in 1992. Seven districts (with more than 1,100 cases each) were responsible for 25.2 percent of the cases received: Southern Texas, Western Texas, Southern California, Eastern New York, Southern Florida, Central California, and Eastern Virginia. The Fifth and Ninth Circuits accounted for 32.2 percent of all guideline cases. Table 10 depicts the distribution of guideline cases across the 94 judicial districts and 12 judicial circuits.

Primary Offense and Demographic Characteristics

Primary Offense Type

Forty-four percent of all defendants sentenced under the guidelines in 1992 were convicted of drug offenses (*i.e.*, either drug trafficking, use of a communication facility in a drug offense, or simple possession). Of the drug violations, the largest number involved cocaine, followed by marijuana and crack cocaine. Other frequent offenses of conviction included fraud (11.8% of

all cases), firearms (8.2%), larceny (7.2%), and immigration (5.1%). Figure B and Table 11 display the distribution and frequency of guideline cases across the primary offense categories. Figure B also displays the primary drug type involved for the 16,746 defendants convicted of drug offenses for which such information was available.

Race and Ethnicity

As Table 12 illustrates, 45.4 percent of all defendants sentenced under the guidelines in 1992 were identified as White, 28.3 percent as Black, 22.9 percent as Hispanic, and 3.4 percent as Other (Native American, Alaskan Native, Asian or Pacific Islander).⁶⁷ Table 12 also displays the distribution of these racial and ethnic groups within primary offense categories. In offense categories such as arson, gambling, civil rights, pornography and antitrust violations, Whites constituted more than 80 percent of the offender population. Black defendants were proportionately overrepresented in robbery, larceny, and firearms violations (more than 35% in each of these categories), while Hispanics were overrepresented in immigration and national defense violations. In drug trafficking offenses, White defendants were underrepresented, Black defendants slightly overrepresented, and Hispanic defendants significantly overrepresented compared to their proportions in the overall defendant population.

66 A "case" or "defendant" as discussed in this report is defined in the USSC data collection system as a single sentencing event for a single defendant. Multiple defendants in a single sentencing event are treated as separate cases. If an individual defendant is sentenced more than once during the time period of interest, each sentencing event is identified as a separate case.

67 While "Black," "White," and "Other" refer to race categories, "Hispanic" refers to ethnic origin irrespective of race.

Table 10

GUIDELINE DEFENDANTS BY CIRCUIT AND DISTRICT*
(October 1, 1991 through September 30, 1992)

CIRCUIT			CIRCUIT		
District	Number	Percent	District	Number	Percent
TOTAL	38,258	100.0			
D.C. CIRCUIT	522	1.4	FIFTH CIRCUIT	5,456	14.3
District of Columbia	522	1.4	Louisiana		
FIRST CIRCUIT	1,077	2.8	Eastern	481	1.3
Maine	136	0.4	Middle	38	0.1
Massachusetts	332	0.9	Western	231	0.6
New Hampshire	88	0.2	Mississippi		
Puerto Rico	335	0.9	Northern	135	0.4
Rhode Island	186	0.5	Southern	211	0.6
SECOND CIRCUIT	3,250	8.5	Texas		
Connecticut	244	0.6	Eastern	296	0.8
New York			Northern	837	2.2
Eastern	1,382	3.6	Southern	1,646	4.3
Northern	298	0.8	Western	1,581	4.1
Southern	992	2.6	SIXTH CIRCUIT	3,808	1.0
Western	198	0.5	Kentucky		
Vermont	136	0.4	Eastern	312	0.8
THIRD CIRCUIT	2,232	5.8	Western	417	1.1
Delaware	115	0.3	Michigan		
New Jersey	640	1.7	Eastern	792	2.1
Pennsylvania			Western	175	0.5
Eastern	865	2.3	Ohio		
Middle	261	0.7	Northern	466	1.2
Western	258	0.7	Southern	541	1.4
Virgin Islands	93	0.2	Tennessee		
FOURTH CIRCUIT	4,267	11.2	Eastern	379	1.0
Maryland	371	1.0	Middle	260	0.7
North Carolina			Western	466	1.2
Eastern	402	1.1	SEVENTH CIRCUIT	2,098	5.5
Middle	319	0.8	Illinois		
Western	547	1.4	Central	288	0.8
South Carolina	528	1.4	Northern	814	2.1
Virginia			Southern	197	0.5
Eastern	1,110	2.9	Indiana		
Western	410	1.1	Northern	180	0.5
West Virginia			Southern	209	0.6
Northern	189	0.5	Wisconsin		
Southern	391	1.0	Eastern	306	0.8
			Western	104	0.3

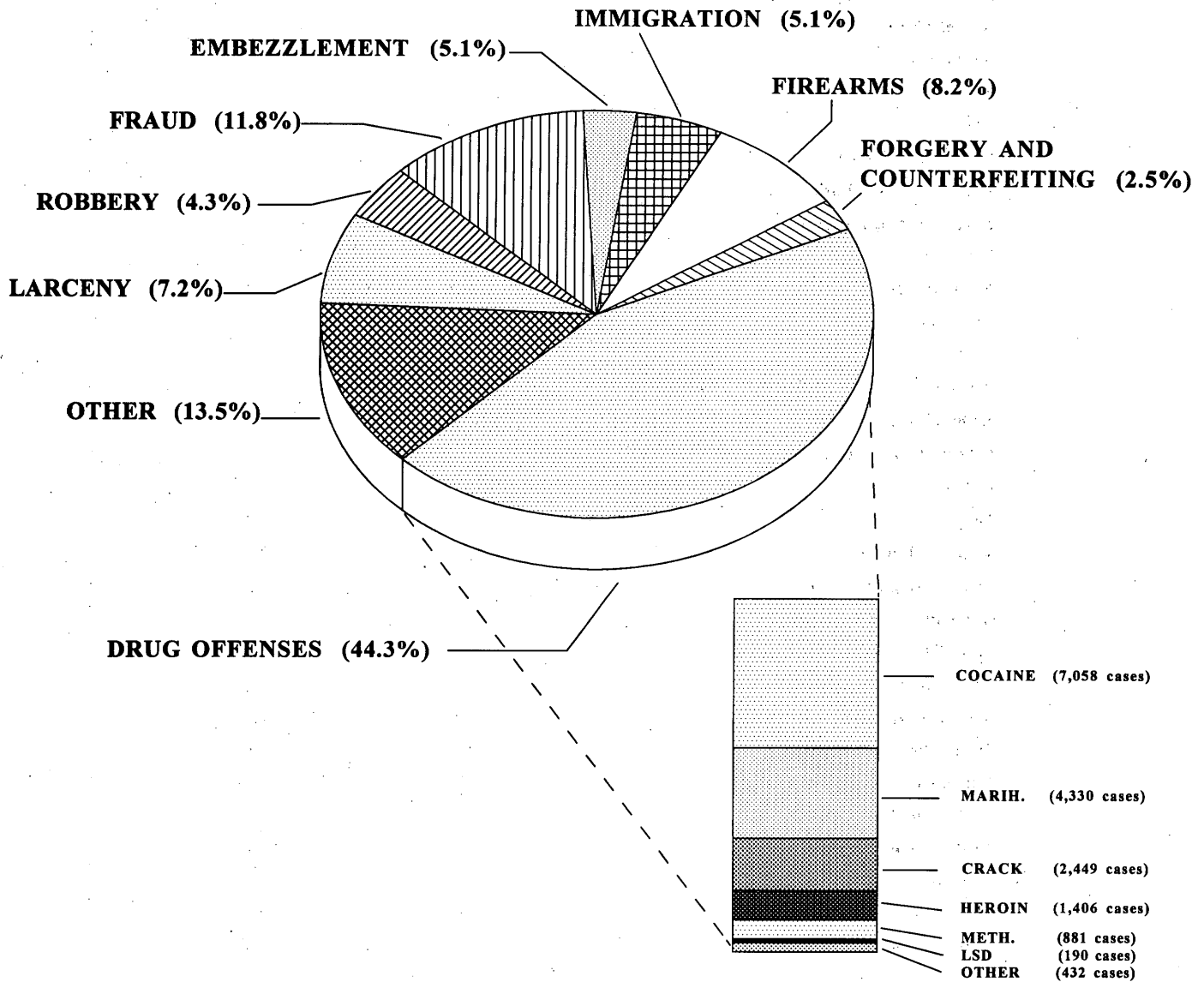
CIRCUIT			CIRCUIT		
District	Number	Percent	District	Number	Percent
EIGHTH CIRCUIT	2,084	5.5	TENTH CIRCUIT	1,951	5.1
Arkansas			Colorado	368	1.0
Eastern	267	0.7	Kansas	228	0.6
Western	110	0.3	New Mexico	564	1.5
Iowa			Oklahoma		
Northern	114	0.3	Eastern	62	0.2
Southern	140	0.4	Northern	167	0.4
Minnesota	355	0.9	Western	229	0.6
Missouri			Utah	252	0.7
Eastern	267	0.7	Wyoming	81	0.2
Western	322	0.8			
Nebraska	180	0.5	ELEVENTH CIRCUIT	4,683	12.2
North Dakota	128	0.3	Alabama		
South Dakota	201	0.5	Middle	304	0.8
			Northern	311	0.8
NINTH CIRCUIT	6,830	17.9	Southern	311	0.8
Alaska	183	0.5	Florida		
Arizona	1,090	2.9	Middle	1,025	2.7
California			Northern	320	0.8
Central	1,173	3.1	Southern	1,359	3.6
Eastern	565	1.5	Georgia		
Northern	249	0.7	Middle	308	0.8
Southern	1,383	3.6	Northern	483	1.3
Guam	70	0.2	Southern	262	0.7
Hawaii	214	0.6			
Idaho	68	0.2			
Montana	210	0.6			
Nevada	384	1.0			
Northern Mariana Islands	1	0.1			
Oregon	579	1.5			
Washington					
Eastern	292	0.8			
Western	369	1.0			

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

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Figure B

**DISTRIBUTION OF GUIDELINE DEFENDANTS
SENTENCED BY PRIMARY OFFENSE CATEGORY*
(October 1, 1991 through September 30, 1992)**



*Of the 38,258 guideline cases, 177 were excluded due to missing primary offense category. The number of cases in each category is reflected in Table 11. Of the 16,834 drug cases (including trafficking, use of a communication facility, and simple possession), 88 cases were excluded from the bar chart due to missing drug type. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 11

**DISTRIBUTION OF GUIDELINE DEFENDANTS SENTENCED
BY PRIMARY OFFENSE CATEGORY*
(October 1, 1991 through September 30, 1992)**

PRIMARY OFFENSE	Number	Percent
TOTAL	38,081	100.0
Murder	60	0.2
Manslaughter	51	0.1
Kidnapping/Hostage-Taking	53	0.1
Sexual Abuse	169	0.4
Assault	358	0.9
Robbery	1,629	4.3
Arson	79	0.2
Drugs - Trafficking	15,643	41.1
Drugs - Communication Facility	290	0.8
Drugs - Simple Possession	901	2.4
Firearms	3,128	8.2
Burglary/B&E	72	0.2
Auto Theft	226	0.6
Larceny	2,749	7.2
Fraud	4,490	11.8
Embezzlement	1,186	3.1
Forgery/Counterfeiting	943	2.5
Bribery	273	0.7
Tax	654	1.7
Money Laundering	674	1.8
Racketeering/Extortion	320	0.8
Gambling/Lottery	197	0.5
Civil Rights	126	0.3
Immigration	1,928	5.1
Pornography/Prostitution	139	0.4
Prison Offenses	222	0.6
Administration of Justice Offenses	561	1.5
Environmental/Wildlife	125	0.3
National Defense	46	0.1
Antitrust	20	0.1
Food & Drug	48	0.1
Other Miscellaneous Offenses	721	1.9

*Of the 38,258 guideline cases, 177 cases were excluded due to missing information on primary offense category. Descriptions of variables used in this table are provided in Appendix A.

Table 12

RACE OF DEFENDANT BY PRIMARY OFFENSE CATEGORY*
(October 1, 1991 through September 30, 1992)

PRIMARY OFFENSE	TOTAL	WHITE		BLACK		HISPANIC		OTHER	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	37,506	17,022	45.4	10,621	28.3	8,598	22.9	1,265	3.4
Murder	59	21	35.6	7	11.9	5	8.5	26	44.1
Manslaughter	50	3	6.0	4	8.0	2	4.0	41	82.0
Kidnapping/Hostage-Taking	53	25	47.2	13	24.5	8	15.1	7	13.2
Sexual Abuse	168	29	17.3	14	8.3	5	3.0	120	71.4
Assault	351	136	38.8	94	26.8	36	10.3	85	24.2
Robbery	1,615	894	55.4	578	35.8	120	7.4	23	1.4
Arson	79	70	88.6	6	7.6	1	1.3	2	2.5
Drugs - Trafficking	15,559	5,612	36.1	4,800	30.8	4,900	31.5	247	1.6
Drugs - Communication Facility	287	138	48.1	46	16.0	94	32.8	9	3.1
Drugs - Simple Possession	878	369	42.0	194	22.1	301	34.3	14	1.6
Firearms	3,102	1,489	48.0	1,202	38.8	337	10.9	74	2.4
Burglary/B&E	71	33	46.5	18	25.4	4	5.6	16	22.5
Auto Theft	223	171	76.7	37	16.6	14	6.3	1	0.4
Larceny	2,574	1,380	53.6	928	36.0	166	6.4	100	3.9
Fraud	4,443	2,674	60.2	1,252	28.2	365	8.2	152	3.4
Embezzlement	1,176	786	66.8	283	24.1	56	4.8	51	4.3
Forgery/Counterfeiting	935	492	52.6	298	31.9	125	13.4	20	2.1
Bribery	272	132	48.5	58	21.3	34	12.5	48	17.6
Tax	649	509	78.4	72	11.1	46	7.1	22	3.4
Money Laundering	664	326	49.1	148	22.3	164	24.7	26	3.9
Racketeering/Extortion	318	204	64.2	75	23.6	27	8.5	12	3.8
Gambling/Lottery	197	161	81.7	24	12.2	1	0.5	11	5.6
Civil Rights	126	104	82.5	17	13.5	4	3.2	1	0.8
Immigration	1,873	158	8.4	130	6.9	1,521	81.2	64	3.4
Pornography/Prostitution	138	112	81.2	21	15.2	3	2.2	2	1.4
Prison Offenses	216	111	51.4	63	29.2	40	18.5	2	0.9
Administration of Justice Offenses	547	284	51.9	114	20.8	130	23.8	19	3.5
Environmental/Wildlife	110	79	71.8	1	0.9	16	14.6	14	12.7
National Defense	46	16	34.8	2	4.4	26	56.5	2	4.4
Antitrust	20	20	100.0	0	0.0	0	0.0	0	0.0
Food & Drug	45	34	75.6	5	11.1	3	6.7	3	6.7
Other Miscellaneous Offenses	662	450	68.0	117	17.7	44	6.6	51	7.7

*Of the 38,258 guideline cases, 752 cases were excluded due to one or both of the following conditions: missing primary offense category (177) or missing race (636). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Gender

Males comprised 83.6 percent of all defendants sentenced under the guidelines, while females comprised the remaining 16.4 percent. Table 13 displays the distribution of cases by gender within each primary offense category, with most offenses predominantly male. Examining gender within the primary offense categories shows less dramatic differences between the rate of male and female defendants within embezzlement (in which 58.6% of those sentenced were female), larceny (32.8% female), fraud (26.2% female), and use of a communication facility in a drug offense (25.5% female).

Age

The average age for all defendants sentenced under the guidelines in 1992 (as measured by the mean and median) was 34.5 and 33 years, respectively (see Table 14). Defendants sentenced within the following offense categories were most likely to be 25 years of age or younger: burglary (48.5% of defendants 25 years old or younger), murder (46.6%), simple possession of drugs (36.9%), manslaughter (35.2%), and kidnapping (34.0%). In contrast, more than 50 percent of all defendants sentenced for gambling and lottery offenses, tax offenses, bribery, pornography or prostitution, antitrust, and food and drug offenses were 41 years of age or older. Table 14 displays the distribution of cases by defendant's age for each primary offense category.

Table 15 provides a demographic profile of all defendants sentenced in 1992 by age, race, and gender.

Citizenship

Seventy-eight percent of defendants sentenced under the guidelines in 1992 were citizens of the United States, while nearly one-fourth (21.6%) were not.⁶⁸ As reported in Table 16, this percentage varied considerably by primary offense type, with the highest rate of non-citizens sentenced for immigration (87.5%), national defense (63.0%), money laundering (30.6%), simple possession of drugs (28.9%), and drug trafficking (28.2%).

Table 17 lists the country of citizenship for non-U.S. citizens sentenced under the guidelines in 1992. Mexican citizens comprised 45.5 percent of the total population of non-U.S. citizens sentenced under the guidelines in 1992.

68 Note that this "non-U.S. citizen" figure includes both legal and illegal aliens.

Table 13

GENDER OF DEFENDANT BY PRIMARY OFFENSE CATEGORY*
(October 1, 1991 through September 30, 1992)

PRIMARY OFFENSE	TOTAL	MALE		FEMALE	
		Number	Percent	Number	Percent
TOTAL	38,078	31,853	83.6	6,225	16.4
Murder	60	53	88.3	7	11.7
Manslaughter	51	40	78.4	11	21.6
Kidnapping/Hostage-Taking	53	51	96.2	2	3.8
Sexual Abuse	169	166	98.2	3	1.8
Assault	358	325	90.8	33	9.2
Robbery	1,629	1,539	94.5	90	5.5
Arson	79	73	92.4	6	7.6
Drugs - Trafficking	15,642	13,779	88.1	1,863	11.9
Drugs - Communication Facility	290	216	74.5	74	25.5
Drugs - Simple Possession	901	711	78.9	190	21.1
Firearms	3,128	3,001	95.9	127	4.1
Burglary/B&E	72	69	95.9	3	4.1
Auto Theft	226	219	96.9	7	3.1
Larceny	2,748	1,846	67.2	902	32.8
Fraud	4,490	3,314	73.8	1,176	26.2
Embezzlement	1,186	491	41.4	695	58.6
Forgery/Counterfeiting	943	722	76.6	221	23.4
Bribery	273	232	85.0	41	15.0
Tax	654	561	85.8	93	14.2
Money Laundering	674	531	78.8	143	21.2
Racketeering/Extortion	320	288	90.0	32	10.0
Gambling/Lottery	197	177	89.8	20	10.2
Civil Rights	126	107	84.9	19	15.1
Immigration	1,928	1,766	91.6	162	8.4
Pornography/Prostitution	139	130	93.5	9	6.5
Prison Offenses	222	206	92.8	16	7.2
Administration of Justice Offenses	561	418	74.5	143	25.5
Environmental/Wildlife	125	124	99.2	1	0.8
National Defense	46	45	97.8	1	2.2
Antitrust	20	20	100.0	0	0.0
Food & Drug	48	43	89.6	5	10.4
Other Miscellaneous Offenses	720	590	81.9	130	18.1

*Of the 38,258 guideline cases, 180 cases were excluded due to one or both of the following conditions: missing primary offense category (177) or missing gender (9). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 14

AGE OF DEFENDANT BY PRIMARY OFFENSE CATEGORY*
(October 1, 1991 through September 30, 1992)

PRIMARY OFFENSE	TOTAL	Under 21		21 to 25		26 to 30		31 to 35		36 to 40		41 to 50		Over 50		Mean	Median
		n	%	n	%	n	%	n	%	n	%	n	%	n	%		
TOTAL	37,809	1,885	5.0	6,349	16.8	7,389	19.5	7,005	18.5	5,450	14.4	6,533	17.3	3,198	8.5	34.5	33.0
Murder	60	8	13.3	20	33.3	10	16.7	8	13.3	5	8.3	9	15.0	0	0.0	29.2	26.5
Manslaughter	51	4	7.8	14	27.4	16	31.4	7	13.7	3	5.9	5	9.8	2	3.9	30.2	28.0
Kidnapping/Hostage-Taking	53	3	5.7	15	28.3	9	17.0	11	20.8	7	13.2	8	15.1	0	0.0	31.0	30.0
Sexual Abuse	167	9	5.4	34	20.4	35	21.0	31	18.6	26	15.6	23	13.8	9	5.4	32.6	31.0
Assault	355	30	8.4	75	21.1	69	19.4	61	17.2	47	13.2	48	13.5	25	7.0	32.7	31.0
Robbery	1,621	90	5.6	330	20.4	357	22.0	332	20.5	229	14.1	214	13.2	69	4.3	32.2	31.0
Arson	79	5	6.3	14	17.7	9	11.4	14	17.7	10	12.7	16	20.2	11	13.9	36.2	35.0
Drugs - Trafficking	15,616	820	5.2	2,934	18.8	3,238	20.7	3,034	19.4	2,281	14.6	2,433	15.6	876	5.6	33.2	32.0
Drugs - Communication Facility	290	7	2.4	53	18.3	60	20.7	59	20.3	38	13.1	52	17.9	21	7.2	34.3	32.5
Drugs - Simple Possession	880	88	10.0	237	26.9	186	21.1	165	18.8	111	12.6	72	8.2	21	2.4	30.0	29.0
Firearms	3,125	181	5.8	580	18.6	701	22.4	609	19.5	456	14.6	438	14.0	160	5.1	32.8	31.0
Burglary/B&E	70	12	17.1	22	31.4	13	18.6	18	25.7	4	5.7	1	1.4	0	0.0	26.7	26.0
Auto Theft	225	13	5.8	41	18.2	46	20.4	42	18.7	28	12.4	34	15.1	21	9.3	33.7	32.0
Larceny	2,731	238	8.7	428	15.7	485	17.8	445	16.3	348	12.7	454	16.6	333	12.2	35.0	33.0
Fraud	4,460	98	2.2	471	10.6	735	16.5	790	17.7	676	15.2	1,098	24.6	592	13.3	37.8	36.5
Embezzlement	1,184	38	3.2	195	16.5	237	20.0	215	18.2	178	15.0	235	19.8	86	7.3	34.8	33.0
Forgery/Counterfeiting	942	50	5.3	180	19.1	193	20.5	169	17.9	117	12.4	148	15.7	85	9.0	34.0	32.0
Bribery	273	2	0.7	11	4.0	26	9.5	44	16.1	43	15.8	89	32.6	58	21.2	42.2	42.0
Tax	652	5	0.8	14	2.2	39	6.0	80	12.3	97	14.9	205	31.4	212	32.5	45.1	45.0
Money Laundering	672	18	2.7	61	9.1	100	14.9	121	18.0	97	14.4	167	24.8	108	16.1	38.6	37.0
Racketeering/Extortion	320	14	4.4	20	6.2	37	11.6	31	9.7	64	20.0	86	26.9	68	21.2	41.0	40.0
Gambling/Lottery	197	0	0.0	0	0.0	5	2.5	17	8.6	25	12.7	67	34.0	83	42.1	49.0	48.0
Civil Rights	126	3	2.4	13	10.3	17	13.5	22	17.5	24	19.0	29	23.0	18	14.3	37.9	37.0
Immigration	1,792	95	5.3	387	21.6	498	27.8	330	18.4	219	12.2	195	10.9	68	3.8	31.4	30.0
Pornography/Prostitution	139	1	0.7	6	4.3	9	6.5	16	11.5	34	24.5	47	33.8	26	18.7	41.9	41.0
Prison Offenses	222	3	1.4	22	9.9	31	14.0	69	31.1	29	13.1	50	22.5	18	8.1	36.2	34.0
Administration of Justice Offenses	560	18	3.2	70	12.5	99	17.7	108	19.3	91	16.2	110	19.6	64	11.4	36.4	35.0
Environmental/Wildlife	122	2	1.6	9	7.4	20	16.4	17	13.9	17	13.9	32	26.2	25	20.5	40.6	40.0
National Defense	45	2	4.4	5	11.1	2	4.4	7	15.6	8	17.8	10	22.2	11	24.4	40.4	39.0
Antitrust	20	0	0.0	0	0.0	0	0.0	1	5.0	1	5.0	8	40.0	10	50.0	53.2	51.5
Food & Drug	45	0	0.0	1	2.2	5	11.1	5	11.1	8	17.8	13	28.9	13	28.9	44.3	44.0
Other Miscellaneous Offenses	715	28	3.9	87	12.2	102	14.3	127	17.8	129	18.0	137	19.2	105	14.7	37.5	36.0

*Of the 38,258 guideline cases, 449 cases were excluded due to one or both of the following conditions: missing primary offense category (177) or missing date of birth (348). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 15

AGE, RACE, AND GENDER OF GUIDELINE DEFENDANTS*
(October 1, 1991 through September 30, 1992)

AGE	TOTAL		WHITE		BLACK		HISPANIC		OTHER	
	Number	Percent	Male	Female	Male	Female	Male	Female	Male	Female
Under 18	13	0.0	0	0	8	2	3	0	0	0
18	210	0.6	39	8	74	7	66	3	13	0
19	667	1.8	152	42	234	38	162	9	24	6
20	958	2.6	234	60	356	56	198	17	30	7
21	1,171	3.1	284	81	429	64	237	22	50	4
22	1,179	3.2	282	68	410	83	272	31	28	5
23	1,323	3.5	332	81	403	86	360	32	22	7
24	1,262	3.4	298	81	406	95	317	29	29	7
25	1,349	3.6	358	77	411	100	330	30	34	9
26	1,398	3.7	372	90	413	92	356	27	35	13
27	1,474	3.9	423	129	381	99	345	46	46	5
28	1,488	4.0	466	112	383	100	349	42	29	7
29	1,467	3.9	468	109	352	96	362	33	32	15
30	1,487	4.0	500	114	362	91	328	40	44	8
31	1,431	3.8	471	106	338	90	343	33	40	10
32	1,492	4.0	526	129	354	90	297	38	44	14
33	1,445	3.9	548	119	327	79	283	37	41	11
34	1,289	3.4	478	111	283	68	277	31	35	6
35	1,291	3.4	521	99	248	76	276	35	31	5
36	1,182	3.2	464	93	242	63	253	30	31	6
37	1,214	3.2	516	76	228	54	255	36	37	12
38	1,038	2.8	430	85	212	57	196	26	28	4
39	992	2.6	438	94	166	53	183	23	29	6
40	975	2.6	420	85	170	53	177	28	32	10
41	874	2.3	389	72	154	30	176	23	22	8
42	859	2.3	401	59	157	37	142	28	29	6
43	843	2.2	393	68	153	34	145	23	22	5
44	763	2.0	402	64	111	36	105	12	23	10
45	717	1.9	360	70	118	16	120	14	17	2
46	554	1.5	314	41	84	16	72	15	9	3
47	545	1.5	304	51	70	17	69	12	18	4
48	469	1.2	256	40	59	13	68	14	14	5
49	471	1.3	236	46	68	21	72	13	12	3
50	374	1.0	220	30	39	18	47	9	6	5
51	341	0.9	177	37	44	12	49	9	10	3
52	341	0.9	196	28	40	14	44	6	11	2
53	325	0.9	172	29	42	16	55	2	5	4
54	268	0.7	147	30	40	8	34	3	3	3
55	231	0.6	127	20	31	11	31	4	6	1
56	189	0.5	112	16	28	3	21	3	5	1
57	212	0.6	139	14	29	6	18	2	2	2
58	162	0.4	104	13	16	11	14	2	1	1
59	158	0.4	98	19	14	7	13	1	4	2
60	121	0.3	72	12	13	5	12	3	4	0
61	115	0.3	72	16	12	3	11	0	1	0
62	120	0.3	81	13	10	6	6	2	2	0
63	126	0.3	77	6	16	2	20	1	3	1
64	93	0.2	54	7	17	4	8	1	1	1
65	47	0.1	31	3	7	1	2	0	2	1
Over 65	308	0.8	202	36	28	9	17	3	9	4
TOTAL	37,421	100.0	14,156	2,889	8,590	2,048	7,596	883	1,005	254
Percent		100.0	37.8	7.7	23.0	5.5	20.3	2.4	2.7	0.7
Race Column Total			17,045 (45.6)		10,638 (28.5)		8,479 (22.7)		1,259 (3.4)	

*Of the 38,258 guideline cases, 837 cases were excluded due to one or more of the following conditions: missing age (348), missing race (636), or missing gender (9). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 16

CITIZENSHIP STATUS OF DEFENDANT BY PRIMARY OFFENSE CATEGORY*
(October 1, 1991 through September 30, 1992)

PRIMARY OFFENSE	TOTAL	United States Citizen		Non-U.S. Citizen	
		Number	Percent	Number	Percent
TOTAL	37,129	29,120	78.4	8,009	21.6
Murder	58	53	91.4	5	8.6
Manslaughter	50	48	96.0	2	4.0
Kidnapping/Hostage-Taking	53	45	84.9	8	15.1
Sexual Abuse	168	167	99.4	1	0.6
Assault	348	316	90.8	32	9.2
Robbery	1,606	1,553	96.7	53	3.3
Arson	79	76	96.2	3	3.8
Drugs - Trafficking	15,479	11,106	71.8	4,373	28.2
Drugs - Communication Facility	286	221	77.3	65	22.7
Drugs - Simple Possession	848	603	71.1	245	28.9
Firearms	3,083	2,831	91.8	252	8.2
Burglary/B&E	68	66	97.1	2	2.9
Auto Theft	222	211	95.0	11	5.0
Larceny	2,545	2,413	94.8	132	5.2
Fraud	4,408	3,863	87.6	545	12.4
Embezzlement	1,174	1,129	96.2	45	3.8
Forgery/Counterfeiting	929	795	85.6	134	14.4
Bribery	270	218	80.7	52	19.3
Tax	646	596	92.3	50	7.7
Money Laundering	663	460	69.4	203	30.6
Racketeering/Extortion	317	286	90.2	31	9.8
Gambling/Lottery	197	190	96.4	7	3.6
Civil Rights	123	119	96.8	4	3.2
Immigration	1,740	218	12.5	1,522	87.5
Pornography/Prostitution	136	131	96.3	5	3.7
Prison Offenses	218	190	87.2	28	12.8
Administration of Justice Offenses	547	461	84.3	86	15.7
Environmental/Wildlife	105	91	86.7	14	13.3
National Defense	46	17	37.0	29	63.0
Antitrust	20	20	100.0	0	0.0
Food & Drug	42	35	83.3	7	16.7
Other Miscellaneous Offenses	655	592	90.4	63	9.6

*Of the 38,258 guideline cases, 1,129 cases were excluded due to one or both of the following conditions: missing primary offense category (177) or missing citizenship information (1,019). Descriptions of variables used in this table are provided in Appendix A.

Table 17**COUNTRY OF CITIZENSHIP FOR NON-U.S. CITIZENS***
(October 1, 1991 through September 30, 1992)

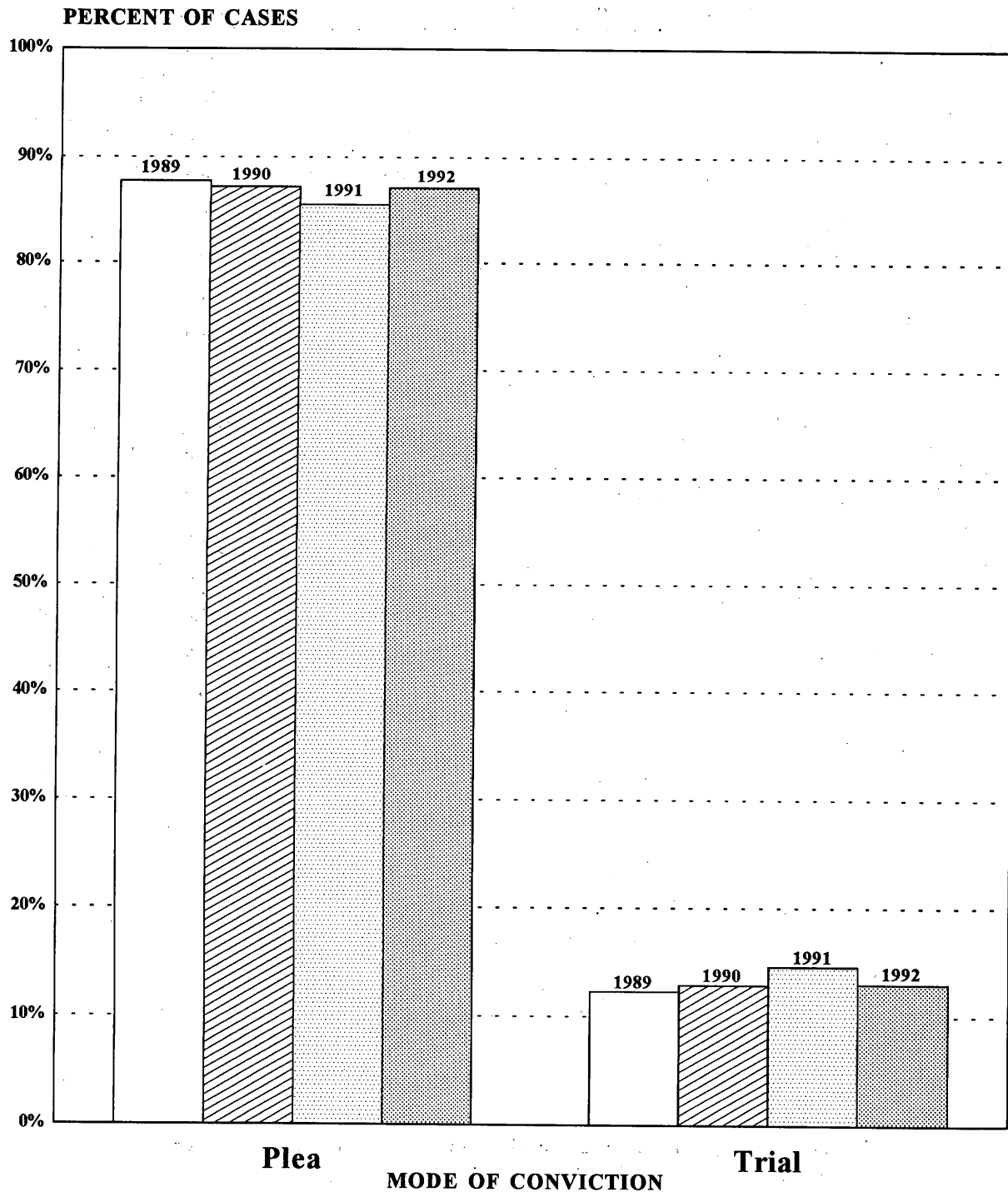
COUNTRY OF CITIZENSHIP	Number	Percent
TOTAL	7,974	100.0
Mexico	3,625	45.5
Colombia	880	11.0
Dominican Republic	495	6.2
Nigeria	443	5.6
Cuba	398	5.0
Jamaica	343	4.3
Canada	157	2.0
Ghana	86	1.1
El Salvador	79	1.0
Honduras	65	0.8
Great Britain	63	0.8
Haiti	64	0.8
Panama	61	0.8
Guatemala	60	0.8
Philippines	58	0.7
Peru	57	0.7
China	57	0.7
Other	983	12.3

*Only countries with 50 or more cases are listed here. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Figure C

MODE OF CONVICTION BY SENTENCING YEAR*
(January 19, 1989 through September 30, 1992)



*Information provided through August 1990 is imported from the AO's FPSSIS Data Files. Information provided after August 1990 is derived from the Commission's Monitoring Data Files. Additionally, information presented from 1989 is based on a calendar year (1/19/89 - 12/31/89). The Commission changed reporting practices to a fiscal year format beginning in 1990. This change in reporting practice results in an overlap of case reporting from October 1989 through December 1989. Descriptions of variables used in this figure are provided in Appendix A.

Source: U.S. Sentencing Commission, Monitoring Data Files.

Mode of Conviction

Monitoring data show that 87.0 percent of all defendants sentenced under the guidelines in 1992 pleaded guilty, while 13.0 percent were convicted at trial. During the past four years of guideline application (since the *Mistretta* decision in January 1989), the plea/trial rate has remained relatively constant at between 85-89 percent pleas to 11-15 percent trials. Figure C displays the national plea/trial rates under the guidelines since January 1989. Table 18 shows the rates of conviction by plea and trial in 1992 for guideline defendants by circuit and district.

Considerable variation exists in the rate of guilty pleas versus trials from district to district. The District of Columbia, Idaho, and the Middle District of North Carolina reported the highest trial rates (30.8%, 30.3%, and 28.6% respectively), while Colorado, Eastern Louisiana, and Eastern California reported the highest plea rates (95.1%, 95.0%, and 94.5% respectively). Case load, offense type and seriousness, and policies of individual U.S. attorney's offices might explain some of this variation.

Excluding the District of Columbia Circuit, the Second Circuit reported the highest guilty plea rate of any circuit at 90.9 percent of all guideline cases. Conversely, the Eleventh Circuit reported the highest trial rate — more than double the Second Circuit's — at 20.3 percent of all cases. It is interesting to note that the Eleventh Circuit sentenced 1,472 more defendants in 1992 than the Second Circuit.

An analysis of the mode of conviction by primary offense category (see Table 19) indicates that in certain offense categories, such as murder, kidnapping, arson, or racketeering, defendants were substantially more likely to go to trial than the national average for all offenses, no doubt due to the severe penalties accompanying convictions

for these offenses. The trial rate for drug trafficking offenses, which constitute 41 percent of all guideline cases sentenced in 1992, is more than five percent higher than the national average for all offenses (18.7% trial rate for drug trafficking compared to the national rate of 13.0% for all offenses). Note that the trial rates for less serious drug offenses — use of a communication facility and simple possession — are significantly below the national average. Offense categories such as burglary, use of a communication facility in drug trafficking, embezzlement, or auto theft had the lowest trial rates. At least in the case of use of a communication facility, the count of conviction may represent a plea agreement reducing charges or the scope of relevant conduct (e.g., lesser drug amounts).

Sentencing Information on Guideline Cases

Type of Sentence

More than three-fourths of all guideline defendants sentenced in 1992 received a sentence that included a term of incarceration (see Table 20 and Figure D). The majority of all defendants (71.2%) received a sentence of imprisonment followed by a term of supervised release. Another 1.9 percent received imprisonment with no post-release supervision. Approximately 3.1 percent received the "prison/community split sentence" option under the guidelines (a term of imprisonment followed by supervised release with a condition of community confinement or home detention). The rate of imprisonment has remained virtually the same for the past three years: 76.9% in 1990, 76.5% in 1991, and 76.2% in 1992.

Conversely, almost one-quarter of all guideline defendants sentenced in 1992 received a sentence of probation. Probation with a condition of community confinement, intermittent confine-

ment, or home detention was imposed in 9.8 percent of the cases, while 14.0 percent of guideline defendants received sentences of "straight" probation (*i.e.*, no confinement conditions).

Table 20 shows the distribution of type of sentence imposed within primary offense categories. Predictably, the type of sentence most frequently imposed by the court varied by offense type. Defendants convicted of murder, kidnapping, sexual abuse, arson, robbery, burglary, drug trafficking, national defense, and prison offenses were imprisoned at the highest rates (all more than 90%). Defendants convicted of simple drug possession, larceny, embezzlement, tax offenses, bribery, gambling and lottery, civil rights, anti-trust, environmental, or food and drug violations were least likely to receive sentences of imprisonment — the majority of defendants in these categories received probation or probation with some form of confinement.

Table 18

MODE OF CONVICTION BY CIRCUIT AND DISTRICT*
(October 1, 1991 through September 30, 1992)

CIRCUIT District	TOTAL	PLEA		TRIAL	
		Number	Percent	Number	Percent
TOTAL	37,998	33,048	87.0	4,950	13.0
D.C. CIRCUIT	522	361	69.2	161	30.8
District of Columbia	522	361	69.2	161	30.8
FIRST CIRCUIT	1,074	920	85.7	154	14.3
Maine	134	123	91.8	11	8.2
Massachusetts	331	281	84.9	50	15.1
New Hampshire	88	73	83.0	15	17.1
Puerto Rico	335	299	89.3	36	10.8
Rhode Island	186	144	77.4	42	22.6
SECOND CIRCUIT	3,203	2,911	90.9	292	9.1
Connecticut	244	214	87.7	30	12.3
New York					
Eastern	1,377	1,245	90.4	132	9.6
Northern	257	241	93.8	16	6.2
Southern	991	902	91.0	89	9.0
Western	198	185	93.4	13	6.6
Vermont	136	124	91.2	12	8.8
THIRD CIRCUIT	2,226	1,955	87.8	271	12.2
Delaware	113	101	89.4	12	10.6
New Jersey	638	592	92.8	46	7.2
Pennsylvania					
Eastern	863	739	85.6	124	14.4
Middle	261	235	90.0	26	10.0
Western	258	210	81.4	48	18.6
Virgin Islands	93	78	83.9	15	16.1
FOURTH CIRCUIT	4,245	3,730	87.9	515	12.1
Maryland	369	318	86.2	51	13.8
North Carolina					
Eastern	398	349	87.7	49	12.3
Middle	315	225	71.4	90	28.6
Western	545	499	91.6	46	8.4
South Carolina	526	494	93.9	32	6.1
Virginia					
Eastern	1,103	959	86.9	144	13.1
Western	409	359	87.8	50	12.2
West Virginia					
Northern	189	167	88.4	22	11.6
Southern	391	360	92.1	31	7.9

CIRCUIT District	TOTAL	PLEA		TRIAL	
		Number	Percent	Number	Percent
FIFTH CIRCUIT	5,445	4,848	89.0	597	11.0
Louisiana					
Eastern	480	456	95.0	24	5.0
Middle	38	35	92.1	3	7.9
Western	229	211	92.1	18	7.9
Mississippi					
Northern	135	102	75.6	33	24.4
Southern	211	179	84.8	32	15.2
Texas					
Eastern	296	246	83.1	50	16.9
Northern	835	744	89.1	91	10.9
Southern	1,642	1,463	89.1	179	10.9
Western	1,579	1,412	89.4	167	10.6
SIXTH CIRCUIT	3,798	3,331	87.7	467	12.3
Kentucky					
Eastern	311	252	81.0	59	19.0
Western	414	382	92.3	32	7.7
Michigan					
Eastern	792	654	82.6	138	17.4
Western	174	157	90.2	17	9.8
Ohio					
Northern	466	440	94.4	26	5.6
Southern	541	480	88.7	61	11.3
Tennessee					
Eastern	377	343	91.0	34	9.0
Middle	257	224	87.2	33	12.8
Western	466	399	85.6	67	14.4
SEVENTH CIRCUIT	2,092	1,770	84.6	322	15.4
Illinois					
Central	288	255	88.5	33	11.5
Northern	812	674	83.0	138	17.0
Southern	196	154	78.6	42	21.4
Indiana					
Northern	179	160	89.4	19	10.6
Southern	208	194	93.3	14	6.7
Wisconsin					
Eastern	305	239	78.4	66	21.6
Western	104	94	90.4	10	9.6
EIGHTH CIRCUIT	2,080	1,785	85.8	295	14.2
Arkansas					
Eastern	267	232	86.9	35	13.1
Western	110	103	93.6	7	6.4
Iowa					
Northern	114	98	86.0	16	14.0
Southern	138	115	83.3	23	16.7
Minnesota	355	288	81.1	67	18.9
Missouri					
Eastern	267	222	83.2	45	16.9
Western	321	277	86.3	44	13.7
Nebraska	180	161	89.4	19	10.6
North Dakota	128	111	86.7	17	13.3
South Dakota	200	178	89.0	22	11.0

CIRCUIT District	TOTAL	PLEA		TRIAL	
		Number	Percent	Number	Percent
NINTH CIRCUIT	6,731	6,039	89.7	692	10.3
Alaska	183	168	91.8	15	8.2
Arizona	1,027	917	89.3	110	10.7
California					
Central	1,164	1,003	86.2	161	13.8
Eastern	565	534	94.5	31	5.5
Northern	232	213	91.8	19	8.2
Southern	1,382	1,291	93.4	91	6.6
Guam	70	61	87.1	9	12.9
Hawaii	213	179	84.0	34	16.0
Idaho	66	46	69.7	20	30.3
Montana	209	192	91.9	17	8.1
Nevada	381	327	85.8	54	14.2
Northern Mariana Islands	0	0	--	0	--
Oregon	578	531	91.9	47	8.1
Washington					
Eastern	292	258	88.4	34	11.6
Western	369	319	86.5	50	13.6
TENTH CIRCUIT	1,907	1,674	87.8	233	12.2
Colorado	366	348	95.1	18	4.9
Kansas	227	184	81.1	43	18.9
New Mexico	546	485	88.8	61	11.2
Oklahoma					
Eastern	62	49	79.0	13	21.0
Northern	165	131	79.4	34	20.6
Western	229	203	88.7	26	11.4
Utah	231	201	87.0	30	13.0
Wyoming	81	73	90.1	8	9.9
ELEVENTH CIRCUIT	4,675	3,724	79.7	951	20.3
Alabama					
Middle	302	235	77.8	67	22.2
Northern	311	267	85.9	44	14.2
Southern	311	243	78.1	68	21.9
Florida					
Middle	1,024	868	84.8	156	15.2
Northern	320	235	73.4	85	26.6
Southern	1,356	1,031	76.0	325	24.0
Georgia					
Middle	307	258	84.0	49	16.0
Northern	482	393	81.5	89	18.5
Southern	262	194	74.1	68	26.0

*Of the 38,258 guideline cases, 260 cases with missing information on mode of conviction were excluded. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 19

MODE OF CONVICTION BY PRIMARY OFFENSE CATEGORY*
(October 1, 1991 through September 30, 1992)

PRIMARY OFFENSE	TOTAL	PLEA		TRIAL	
		Number	Percent	Number	Percent
TOTAL	37,870	32,939	87.0	4,931	13.0
Murder	60	33	55.0	27	45.0
Manslaughter	51	44	86.3	7	13.7
Kidnapping/Hostage-Taking	53	35	66.0	18	34.0
Sexual Abuse	166	136	81.9	30	18.1
Assault	357	288	80.7	69	19.3
Robbery	1,614	1,418	87.9	196	12.1
Arson	78	48	61.5	30	38.5
Drugs - Trafficking	15,545	12,644	81.3	2,901	18.7
Drugs - Communication Facility	290	285	98.3	5	1.7
Drugs - Simple Possession	893	843	94.4	50	5.6
Firearms	3,114	2,656	85.3	458	14.7
Burglary/B&E	71	70	98.6	1	1.4
Auto Theft	226	218	96.5	8	3.5
Larceny	2,743	2,597	94.7	146	5.3
Fraud	4,474	4,161	93.0	313	7.0
Embezzlement	1,182	1,155	97.7	27	2.3
Forgery/Counterfeiting	939	882	93.9	57	6.1
Bribery	272	244	89.7	28	10.3
Tax	652	572	87.7	80	12.3
Money Laundering	673	568	84.4	105	15.6
Racketeering/Extortion	319	239	74.9	80	25.1
Gambling/Lottery	197	189	95.9	8	4.1
Civil Rights	126	101	80.2	25	19.8
Immigration	1,912	1,833	95.9	79	4.1
Pornography/Prostitution	136	113	83.1	23	16.9
Prison Offenses	221	201	91.0	20	9.1
Administration of Justice Offenses	553	491	88.8	62	11.2
Environmental/Wildlife	125	119	95.2	6	4.8
National Defense	44	38	86.4	6	13.6
Antitrust	20	17	85.0	3	15.0
Food & Drug	48	46	95.8	2	4.2
Other Miscellaneous Offenses	716	655	91.5	61	8.5

*Of the 38,258 guideline cases, 388 cases were excluded due to one or both of the following conditions: missing primary offense category (177) or missing information on mode of conviction (260).

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 20

TYPE OF SENTENCE IMPOSED BY PRIMARY OFFENSE CATEGORY*
(October 1, 1991 through September 30, 1992)

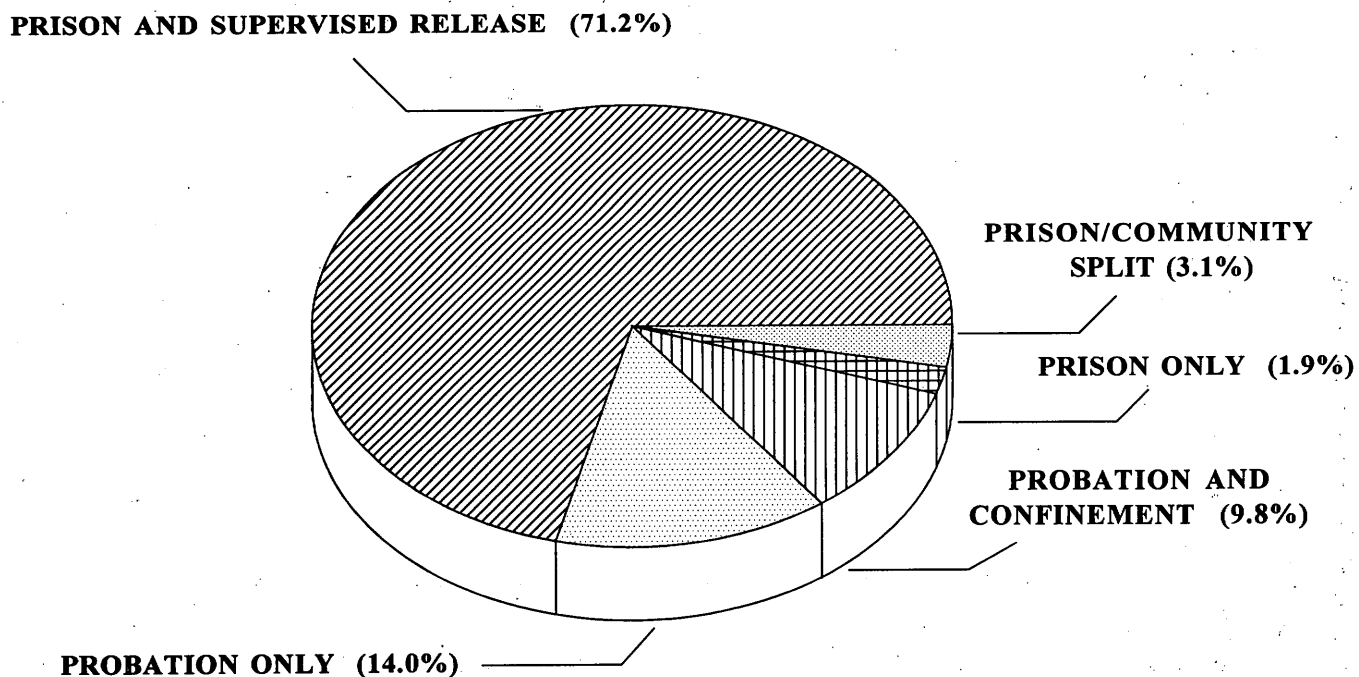
PRIMARY OFFENSE	TOTAL	IMPRISONMENT								PROBATION					
		TOTAL RECEIVING IMPRISONMENT		Prison and Supervised Release		Prison Only		Prison/Community Split Sentence		TOTAL RECEIVING PROBATION		Probation and Confinement		Probation Only	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	37,744	28,768	76.2	26,887	71.2	701	1.9	1,180	3.1	8,976	23.8	3,710	9.8	5,266	14.0
Murder	60	60	100.0	56	93.3	4	6.7	0	0.0	0	0.0	0	0.0	0	0.0
Manslaughter	51	45	88.2	36	70.6	0	0.0	9	17.7	6	11.8	5	9.8	1	2.0
Kidnapping/Hostage-Taking	53	52	98.1	50	94.3	2	3.8	0	0.0	1	1.9	0	0.0	1	1.9
Sexual Abuse	169	159	94.1	156	92.3	0	0.0	3	1.8	10	5.9	8	4.7	2	1.2
Assault	355	304	85.6	282	79.4	12	3.4	10	2.8	51	14.4	24	6.8	27	7.6
Robbery	1,624	1,608	99.0	1,594	98.2	10	0.6	4	0.3	16	1.0	11	0.7	5	0.3
Arson	79	73	92.4	71	89.9	1	1.3	1	1.3	6	7.6	3	3.8	3	3.8
Drugs - Trafficking	15,550	14,627	94.1	14,282	91.9	116	0.8	229	1.5	923	5.9	417	2.7	506	3.3
Drugs - Communication Facility	288	216	75.0	195	67.7	5	1.7	16	5.6	72	25.0	39	13.5	33	11.5
Drugs - Simple Possession	873	351	40.2	306	35.1	35	4.0	10	1.2	522	59.8	57	6.5	465	53.3
Firearms	3,112	2,685	86.3	2,546	81.8	36	1.2	103	3.3	427	13.7	187	6.0	240	7.7
Burglary/B&E	72	70	97.2	63	87.5	5	6.9	2	2.8	2	2.8	2	2.8	0	0.0
Auto Theft	224	172	76.8	156	69.6	3	1.3	13	5.8	52	23.2	35	15.6	17	7.6
Larceny	2,682	958	35.7	799	29.8	77	2.9	82	3.1	1,724	64.3	548	20.4	1,176	43.9
Fraud	4,446	2,519	56.7	2,115	47.6	94	2.1	310	7.0	1,927	43.3	1,005	22.6	922	20.7
Embezzlement	1,175	511	43.5	321	27.3	18	1.5	172	14.6	664	56.5	336	28.6	328	27.9
Forgery/Counterfeiting	938	494	52.7	449	47.9	20	2.1	25	2.7	444	47.3	211	22.5	233	24.8
Bribery	272	133	48.9	114	41.9	5	1.8	14	5.2	139	51.1	61	22.4	78	28.7
Tax	649	252	38.8	211	32.5	12	1.9	29	4.5	397	61.2	215	33.1	182	28.0
Money Laundering	667	504	75.6	462	69.3	14	2.1	28	4.2	163	24.4	67	10.0	96	14.4
Racketeering/Extortion	319	282	88.4	266	83.4	11	3.5	5	1.6	37	11.6	17	5.3	20	6.3
Gambling/Lottery	194	72	37.1	54	27.8	1	0.5	17	8.8	122	62.9	51	26.3	71	36.6
Civil Rights	124	60	48.4	55	44.4	1	0.8	4	3.2	64	51.6	36	29.0	28	22.6
Immigration	1,916	1,542	80.5	1,364	71.2	133	6.9	45	2.4	374	19.5	108	5.6	266	13.9
Pornography/Prostitution	138	91	65.9	83	60.1	1	0.7	7	5.1	47	34.1	26	18.8	21	15.2
Prison Offenses	220	208	94.6	180	81.8	24	10.9	4	1.8	12	5.5	2	0.9	10	4.6
Administration of Justice Offenses	558	378	67.7	345	61.8	20	3.6	13	2.3	180	32.3	83	14.9	97	17.4
Environmental/Wildlife	118	37	31.4	22	18.6	9	7.6	6	5.1	81	68.6	16	13.6	65	55.1
National Defense	46	44	95.7	37	80.4	2	4.4	5	10.9	2	4.4	1	2.2	1	2.2
Antitrust	20	8	40.0	6	30.0	2	10.0	0	0.0	12	60.0	9	45.0	3	15.0
Food & Drug	45	7	15.6	6	13.3	0	0.0	1	2.2	38	84.4	4	8.9	34	75.6
Other Miscellaneous Offenses	707	246	34.8	205	29.0	28	4.0	13	1.8	461	65.2	126	17.8	335	47.4

*Of the 38,258 guideline cases, 514 cases were excluded due to one or both of the following conditions: missing primary offense category (177), missing sentencing information (234), or cases in which defendant received no imprisonment or probation (143). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Figure D

TYPE OF GUIDELINE SENTENCE IMPOSED*
(October 1, 1991 through September 30, 1992)



*Of the 38,258 guideline cases, 377 cases were excluded due to one or both of the following conditions: missing sentencing information (234) or cases in which defendant received no prison or probation (143). The number of cases in each category is reflected in Table 20. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Average Length of Imprisonment

Table 21 reports average term of imprisonment by both offense type and criminal history categories. In general, the median term better represents the "average length of imprisonment" because it is not affected by unusually lengthy sentences (often caused by mandatory minimum sentencing statutes) that may skew the mean. The median represents the amount (in months) at which 50 percent of defendants received longer sentences and 50 percent received shorter sentences.

The median term of imprisonment for all defendants sentenced to prison in 1992 was 36 months, while the mean term for all defendants was 66.7 months. Defendants sentenced for murder, kidnapping, robbery, drug trafficking, and racketeering received the longest median terms under the guidelines (all 50 months or longer). In comparison, the shortest median prison sentences were imposed for simple drug possession, embezzlement, antitrust, environmental, and food and drug violations (all six months or less).

The first two columns of Table 21 provide the mean and median sentence for defendants sentenced to imprisonment for each primary offense category. In comparing the two measures, the mean was higher for all offenses except use of a communications facility (mean 32.9, median 33 months), and gambling/lottery (mean and median sentences both 12 months). The closer the median is to the mean, the less the number of lengthy sentences in each category that inflate the mean but not the median. For example, note "Firearms": 50 percent of defendants sentenced in this category received a prison sentence of 27

months or less (the median sentence). However, the mean prison sentence for firearms defendants was 60.8 months, reflecting a significant number of lengthy sentences.

Table 21 also reports average prison sentences for offenders by criminal history categories. Independent of offense type, average terms of incarceration increase progressively to reflect the seriousness of a defendant's prior criminal record. Not surprisingly, mean imprisonment lengths change more drastically than medians, with the mean for all offenses increasing from 56.5 months in Criminal History Category I to 84.3 months in Category VI (for non-career offenders) compared to the median increasing from 33 to 37 months. Because all defendants classified as career offenders are included in Criminal History Category VI, cases in that category are presented in two groups: the mean and median prison terms for Category VI non-career offenders is 84.3 and 37 months, respectively, significantly lower than the 205.6 and 188 months for career offenders.⁶⁹

⁶⁹ Career offenders, as directed by 28 U.S.C. § 994(h) and defined by guideline 4B1.1, are defendants at least 18 years old, with an instant conviction for a controlled substance offense or crime of violence, and with at least two prior felony convictions for either a crime of violence or a controlled substance offense.

Table 21

**AVERAGE LENGTH OF IMPRISONMENT BY
PRIMARY OFFENSE AND CRIMINAL HISTORY CATEGORIES***
(October 1, 1991 through September 30, 1992)

PRIMARY OFFENSE	TOTAL			I			II			III		
	Mean Mths	Median Mths	n	Mean Mths	Median Mths	n	Mean Mths	Median Mths	n	Mean Mths	Median Mths	n
TOTAL	66.7	36.0	27,298	56.5	33.0	15,101	64.3	37.0	3,451	66.4	35.0	3,714
Murder	239.0	220.0	58	202.0	170.0	33	247.0	282.0	6	255.6	252.0	10
Manslaughter	35.7	15.0	41	32.9	12.5	30	20.4	15.0	5	58.8	36.0	5
Kidnapping/Hostage-Taking	177.7	162.0	51	111.1	57.0	15	148.8	97.0	14	193.0	200.0	5
Sexual Abuse	77.0	33.0	158	63.1	27.0	94	83.4	45.0	29	81.6	33.0	18
Assault	42.9	30.0	285	35.1	24.0	111	41.3	37.0	43	36.4	35.0	44
Robbery	105.9	77.0	1568	71.6	51.0	478	70.0	51.0	171	82.2	60.0	252
Arson	81.6	41.0	69	79.1	36.5	36	122.8	60.5	14	75.5	38.0	8
Drugs - Trafficking	89.7	62.0	14281	77.4	60.0	9007	89.6	61.0	1937	100.2	72.0	1819
Drugs - Communication Facility	32.9	33.0	209	33.4	36.0	134	26.5	24.0	32	29.1	21.0	21
Drugs - Simple Possession	10.3	6.0	324	9.1	4.0	154	8.7	5.0	57	9.5	6.0	51
Firearms	60.8	27.0	2301	26.1	15.0	548	27.8	15.0	252	28.8	18.0	434
Burglary/B&E	25.8	24.0	68	22.2	12.0	17	23.2	24.0	10	18.6	18.0	14
Auto Theft	19.9	16.0	170	14.7	12.0	71	21.7	12.0	15	20.5	18.0	34
Larceny	13.6	10.0	912	11.6	8.0	417	12.1	8.0	129	12.7	10.0	150
Fraud	17.1	12.0	2401	15.1	12.0	1483	15.2	12.0	286	17.0	12.0	283
Embezzlement	9.1	5.0	492	8.9	5.0	456	7.6	6.0	19	9.3	8.0	15
Forgery/Counterfeiting	17.1	12.0	474	14.6	12.0	193	14.2	10.0	54	14.8	12.0	83
Bribery	24.1	18.0	132	22.9	18.0	113	17.2	15.0	9	45.5	30.5	4
Tax	15.1	12.0	248	14.9	12.0	200	10.0	8.0	21	19.7	12.0	19
Money Laundering	42.1	33.0	485	38.6	27.0	352	41.2	41.0	58	50.5	48.0	42
Racketeering/Extortion	96.6	51.0	276	62.0	36.0	180	133.6	87.0	37	158.5	60.0	27
Gambling/Lottery	12.0	12.0	72	10.6	10.0	51	10.7	9.0	9	12.4	11.0	8
Civil Rights	31.0	18.0	52	28.8	19.0	44	18.5	10.0	8	135.0	24.0	3
Immigration	15.7	11.0	1277	6.4	5.0	468	8.5	6.5	148	12.5	10.0	236
Pornography/Prostitution	29.8	17.0	88	19.9	13.0	61	48.0	30.0	9	35.2	30.0	9
Prison Offenses	22.9	18.0	195	17.8	15.0	9	15.5	15.0	8	13.3	12.0	31
Administration of Justice Offenses	22.7	15.0	359	22.2	15.0	181	17.5	15.0	45	20.3	12.0	58
Environmental/Wildlife	8.8	6.0	28	7.8	6.0	17	17.5	18.0	4	7.2	6.0	5
National Defense	14.4	10.0	43	14.7	10.0	38	10.0	12.0	4	21.0	21.0	1
Antitrust	6.1	6.0	8	6.1	6.0	8	0.0	0.0	0	0.0	0.0	0
Food & Drug	11.7	6.0	7	10.0	10.0	4	4.5	4.5	2	33.0	33.0	1
Other Miscellaneous Offenses	33.9	12.0	166	25.6	12.0	98	32.8	13.0	16	35.9	10.0	24

Table 21 (continued)

PRIMARY OFFENSE	CRIMINAL HISTORY CATEGORY											
	IV			V			VI (non-career offender)			VI (career offender)**		
	Mean Mths	Median Mths	n	Mean Mths	Median Mths	n	Mean Mths	Median Mths	n	Mean Mths	Median Mths	n
TOTAL	72.4	36.0	1,956	71.7	33.0	1,236	84.3	37.0	1,584	205.6	188.0	770
Murder	283.0	286.0	4	320.0	322.0	4	322.5	322.5	2	360.0	360.0	1
Manslaughter	46.5	46.5	2	0.0	0.0	0	67.0	67.0	2	0.0	0.0	0
Kidnapping/Hostage-Taking	255.8	326.5	6	120.0	120.0	1	174.4	162.0	5	364.0	360.0	5
Sexual Abuse	110.1	136.0	10	100.7	100.0	3	237.5	237.5	2	197.0	121.0	3
Assault	37.8	34.5	32	57.8	22.5	14	67.5	41.0	23	67.8	37.0	24
Robbery	96.8	76.0	175	105.5	94.5	114	129.4	100.0	162	213.3	189.0	239
Arson	55.0	63.0	5	62.3	78.0	3	74.3	84.0	3	162.0	162.0	2
Drugs - Trafficking	116.7	87.0	732	125.7	95.5	350	146.0	120.0	233	205.6	189.0	381
Drugs - Communication Facility	36.8	48.0	13	45.0	27.0	5	43.0	48.0	3	78.0	78.0	2
Drugs - Simple Possession	11.1	8.0	30	22.5	9.5	20	11.8	12.0	18	0.0	0.0	0
Firearms	54.0	24.0	313	68.8	33.0	244	118.8	71.0	445	221.9	212.0	93
Burglary/B&E	30.4	22.5	8	33.5	29.5	6	32.9	33.0	14	0.0	0.0	0
Auto Theft	20.3	16.5	16	29.0	27.0	9	29.5	25.0	25	0.0	0.0	0
Larceny	15.0	12.0	75	14.7	12.0	76	23.5	18.0	83	65.0	65.0	2
Fraud	20.9	18.0	139	24.8	21.0	120	30.5	26.0	145	0.0	0.0	0
Embezzlement	21.7	22.5	6	12.0	12.0	1	18.3	17.0	4	0.0	0.0	0
Forgery/Counterfeiting	17.2	14.5	48	23.2	21.0	34	26.1	21.0	68	0.0	0.0	0
Bribery	49.3	37.0	3	36.5	36.5	2	37.0	37.0	1	0.0	0.0	0
Tax	18.0	17.0	6	25.5	25.5	2	24.0	24.0	2	0.0	0.0	0
Money Laundering	47.3	51.0	21	51.8	36.0	13	102.8	72.0	6	292.0	292.0	1
Racketeering/Extortion	173.8	78.0	13	116.0	75.0	8	205.3	135.0	7	258.8	219.0	8
Gambling/Lottery	31.0	33.0	3	0.0	0.0	0	30.0	30.0	1	0.0	0.0	0
Civil Rights	54.5	54.5	2	24.0	24.0	1	27.0	27.0	1	0.0	0.0	0
Immigration	23.8	18.0	199	25.1	24.0	140	28.0	24.0	221	0.0	0.0	0
Pornography/Prostitution	43.2	41.0	5	71.0	71.0	4	75.0	87.0	3	0.0	0.0	0
Prison Offenses	13.8	13.0	38	20.9	24.0	42	28.4	27.0	65	95.7	46.0	6
Administration of Justice Offenses	26.6	21.0	41	25.7	24.0	18	29.9	26.0	22	100.0	100.0	2
Environmental/Wildlife	6.0	6.0	2	0.0	0.0	0	12.0	12.0	1	0.0	0.0	0
National Defense	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0
Antitrust	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0
Food & Drug	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0
Other Miscellaneous Offenses	41.4	12.0	9	88.5	88.5	2	56.2	30.0	17	240.0	240.0	1

*Of the 38,258 guideline cases, 9,159 cases with zero months prison ordered were excluded. In addition, 1,801 cases were excluded due to one or more of the following conditions: missing primary offense category (136), missing criminal history category (540), missing career offender information (786), or missing or indeterminable sentencing information (624). Descriptions of variables used in this table are provided in Appendix A.

**Information on career offender provided in this table is based on the recommendation of the probation officer in the PSR if information from the sentencing court was missing or unavailable. As a result, the number of career offenders represented here will be higher than the number reported on Tables 27 and 28.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Fines and Restitution

Defendants were ordered to pay a fine, make restitution, or both in 33.7 percent of all cases sentenced under the guidelines. Neither sanction was ordered in the remaining 66.3 percent of the cases, primarily due to findings by the court of an inability to pay or a burden on the defendant's family. The frequency with which fines and/or restitution were ordered as part of guideline sentences is reported in Table 22.

The imposition of fines and restitution orders varied greatly by offense category.⁷⁰ Financial sanctions of some type were most common in convictions for larceny, embezzlement, fraud, antitrust, environmental, and food and drug offenses. Fines were imposed in more than 40 percent of the tax, gambling and lottery, antitrust, environmental, and food and drug violation cases; restitution orders were most common (more than 40%) for arson, burglary, robbery, embezzlement, and fraud.

Drug trafficking, immigration, and prison offenses resulted in financial sanctions least frequently. This finding is not surprising given the high incarceration rates for these offenses and the alien status and possible deportation of defendants in immigration cases.

Table 22 also provides the mean, median, and total payments ordered. In general, the median fine better represents the "average fine" imposed because it is not affected by unusually high or low fines that may skew the mean. The median represents the amount at which 50 percent of the fines are higher and 50 percent are lower. The greatest median payments were ordered for antitrust cases (\$25,000), racketeering (\$10,000),

arson (\$7,855) and fraud (\$7,722). The total of all payments ordered was more than \$634 million, with more than 40 percent of this amount ordered in fraud cases.

70 Restitution guidelines are in Chapter Five, Part E of the Guidelines Manual.

Table 22

FINES AND RESTITUTION BY PRIMARY OFFENSE CATEGORY*
(October 1, 1991 through September 30, 1992)

PRIMARY OFFENSE	TOTAL	NO FINE OR RESTITUTION ORDERED		RESTITUTION ORDERED/NO FINE		FINE ORDERED/NO RESTITUTION		BOTH FINE AND RESTITUTION ORDERED		AMOUNT OF PAYMENT ORDERED			
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Total	Mean	Median	Sum
TOTAL	37,902	25,109	66.3	5,692	15.0	6,302	16.6	799	2.1	12,185	52,059	2,716	634,343,506
Murder	60	36	60.0	12	20.0	9	15.0	3	5.0	22	5,640	1,970	124,085
Manslaughter	51	27	52.9	18	35.3	4	7.8	2	3.9	24	2,029	2,000	48,694
Kidnapping/Hostage-Taking	53	39	73.6	12	22.6	2	3.8	0	0.0	13	80,461	1,326	1,045,999
Sexual Abuse	169	131	77.5	21	12.4	15	8.9	2	1.2	36	4,348	1,000	156,512
Assault	357	262	73.4	43	12.0	42	11.8	10	2.8	90	11,365	1,794	1,022,845
Robbery	1,625	820	50.5	747	46.0	32	2.0	26	1.6	717	12,354	2,712	8,858,009
Arson	79	37	46.8	32	40.5	8	10.1	2	2.5	37	70,576	7,855	2,611,315
Drugs - Trafficking	15,558	13,255	85.2	223	1.4	2,038	13.1	42	0.3	2,272	21,545	3,000	48,950,864
Drugs - Communication Facility	288	230	79.9	3	1.0	55	19.1	0	0.0	56	10,054	2,000	563,000
Drugs - Simple Possession	897	551	61.4	7	0.8	338	37.7	1	0.1	343	1,393	1,000	477,906
Firearms	3,119	2,511	80.5	87	2.8	506	16.2	15	0.5	592	4,832	2,000	2,860,483
Burglary/B&E	72	27	37.5	41	56.9	2	2.8	2	2.8	34	9,398	825	319,524
Auto Theft	225	112	49.8	76	33.8	27	12.0	10	4.4	97	16,024	5,190	1,554,352
Larceny	2,733	842	30.8	945	34.6	765	28.0	181	6.6	1,818	16,299	1,000	29,632,363
Fraud	4,466	1,453	32.5	2,157	48.3	588	13.2	268	6.0	2,772	138,271	7,722	383,290,000
Embezzlement	1,180	366	31.0	616	52.2	137	11.6	61	5.2	786	31,712	6,363	24,925,886
Forgery/Counterfeiting	942	472	50.1	324	34.4	102	10.8	44	4.7	440	8,358	1,000	3,677,564
Bribery	273	137	50.2	20	7.3	107	39.2	9	3.3	133	42,110	5,000	5,600,609
Tax	652	270	41.4	79	12.1	265	40.6	38	5.8	361	51,435	5,000	18,567,999
Money Laundering	672	426	63.4	50	7.4	187	27.8	9	1.3	237	182,564	5,000	43,267,670
Racketeering/Extortion	319	210	65.8	29	9.1	72	22.6	8	2.5	106	455,545	10,000	48,287,787
Gambling/Lottery	196	99	50.5	2	1.0	95	48.5	0	0.0	97	4,604	2,000	446,593
Civil Rights	126	73	57.9	15	11.9	35	27.8	3	2.4	51	3,289	2,000	167,720
Immigration	1,921	1,680	87.5	8	0.4	232	12.1	1	0.1	240	1,749	500	419,842
Pornography/Prostitution	138	83	60.1	3	2.2	52	37.7	0	0.0	54	9,672	3,000	522,288
Prison Offenses	221	197	89.1	5	2.3	17	7.7	2	0.9	23	832	500	19,138
Administration of Justice Offenses	557	403	72.4	29	5.2	122	21.9	3	0.5	151	17,958	2,500	2,711,621
Environmental/Wildlife	123	45	36.6	9	7.3	54	43.9	15	12.2	78	3,034	1,165	236,631
National Defense	45	33	73.3	0	0.0	12	26.7	0	0.0	12	18,013	4,500	216,150
Antitrust	20	1	5.0	0	0.0	18	90.0	1	5.0	17	45,826	25,000	779,044
Food & Drug	47	15	31.9	2	4.3	26	55.3	4	8.5	32	4,906	3,750	156,997
Other Miscellaneous Offenses	718	266	37.1	77	10.7	338	47.1	37	5.2	444	6,360	1,000	2,824,016

*Of the 38,258 guideline cases, 356 cases were excluded due to one or both of the following conditions: missing primary offense category (177), or missing information on type of economic sanction for cases in which orders were made (220). The total number of cases (12,185) used to calculate amounts of payment ordered is less than the total number of cases receiving fines and/or restitution (12,793). The difference is due to the exclusion of cases for which a fine and/or restitution was ordered but the amount was not specified. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Sentencing Alternatives

The guidelines provide a variety of alternatives to imprisonment for less serious offenses at lower offense levels (see §5C1.1). If the minimum of the applicable guideline range is zero months, a sentence of imprisonment is not required ("straight" probation is available). If the minimum of the guideline range is one to seven months, probation with a condition of community confinement, intermittent confinement, or home detention is available. Finally, if the minimum of the range is eight to ten months, a "split" sentence may be imposed, requiring a sentence of imprisonment for at least one-half of the minimum followed by a term of supervised release with a condition of community confinement or home detention to satisfy the remainder of the term.

Table 23 presents the distribution of sentences imposed in cases falling within guideline ranges for which alternatives to imprisonment are generally available. (Imprisonment is the only sanction available at higher offense levels.) In 78.8 percent of the cases with a guideline range of zero to six months, the sentence imposed was probation only or probation with community confinement, intermittent confinement, or home detention. In the next five guideline ranges where the minimum of the range was one to six months, probation plus confinement was ordered in 48.9 percent of the cases, while a split sentence was ordered in 5.7 percent. In the three final guideline ranges in which alternatives were available (cases in which the minimum of the guideline ranges was eight to ten months), the prison/community split sentence was ordered 25.7 percent of the time. Finally, 95.3 percent of the cases in which the minimum of the guideline range was 12 months or greater (and for which non-imprisonment alternatives are not available under the guidelines) received a term of imprisonment.

Figure E represents the frequency with which defendants eligible for alternatives to imprisonment in various offense categories received incarcerative sentences. Of those eligible for alternative sentences, larceny offenders were the least likely (20.0%) to be incarcerated and immigration violators the most likely (66.0%). This is not surprising given that a large proportion of immigration violators with relatively low guideline ranges receive imprisonment sentences, principally because immigration offenders tend to be non-U.S. citizens who receive short prison sentences prior to deportation. Consequently, they may be treated somewhat differently than offenders at similar offense levels convicted of other offenses.

Table 23

**GUIDELINE RANGES WITH SENTENCING ALTERNATIVES
BY TYPE OF SENTENCE IMPOSED***
(October 1, 1991 through September 30, 1992)

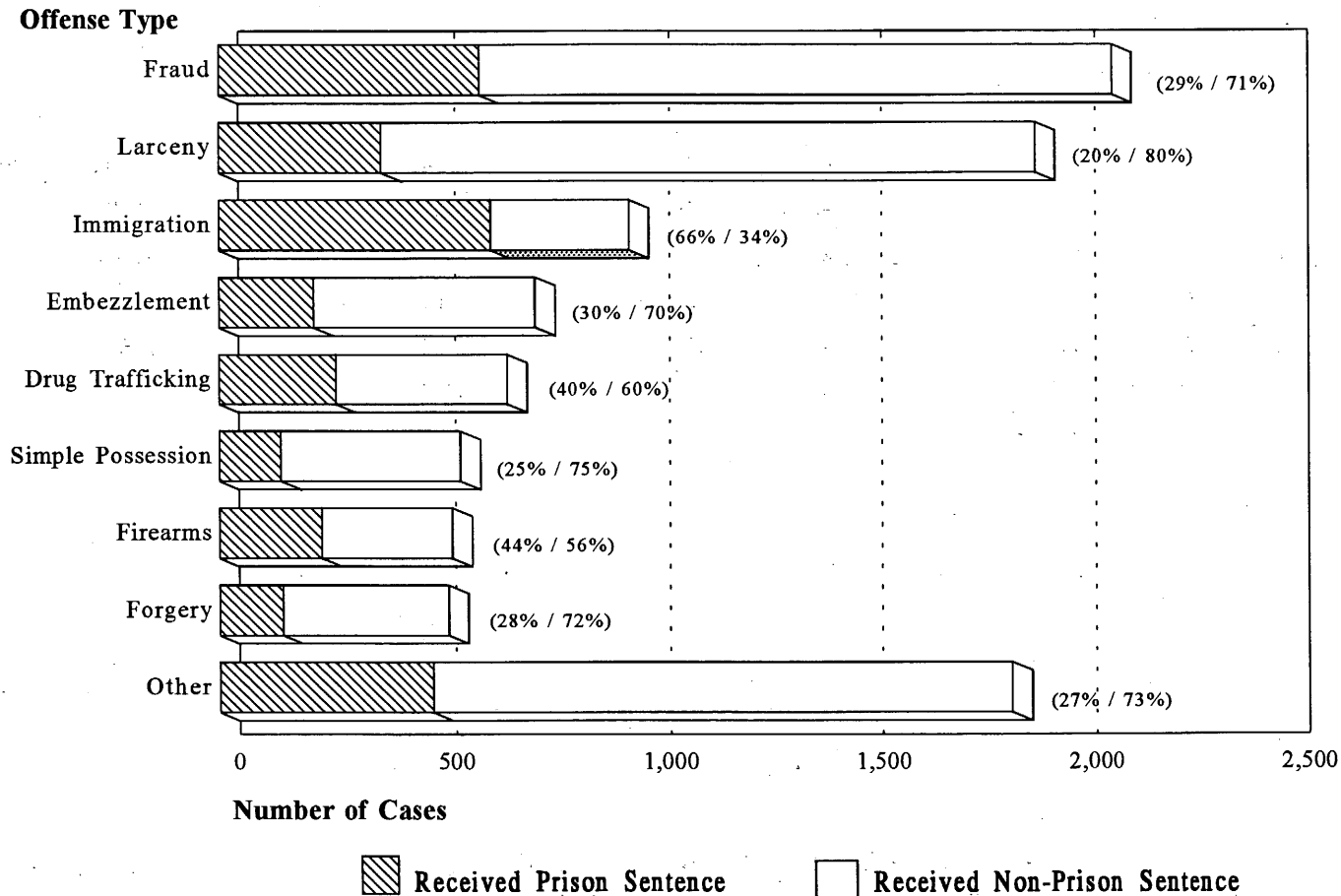
GUIDELINE RANGE	TOTAL	Prison		Prison/Community Split Sentence		Probation and Confinement		Probation Only	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	34,152	25,145	73.4	1,124	3.3	3,448	10.1	4,435	13.0
0-6	4,377	844	19.0	21	0.5	295	6.6	3,217	72.2
1-7	1,089	401	36.8	24	2.2	575	52.7	89	8.2
2-8	1,367	447	32.6	57	4.2	728	53.1	135	9.9
3-9	9	8	88.9	0	0.0	0	0.0	1	11.1
4-10	1,118	401	35.8	68	6.1	556	49.7	93	8.3
6-12	1,837	727	39.5	160	8.7	798	43.4	152	8.3
8-14	1,024	556	54.1	273	26.6	94	9.1	101	9.8
9-15	75	68	90.7	6	8.0	1	1.3	0	0.0
10-16	1,380	834	60.3	360	26.0	94	6.8	92	6.7
Higher Ranges	21,876	20,859	95.3	155	0.7	307	1.4	555	2.5

*Of the 38,258 guideline cases, the Commission received Reports on the Sentencing Hearing for 35,958 (94.0%). Of the 35,958 cases with such reports, 1,806 cases were excluded due to one or more of the following conditions: missing guideline range (1,428), missing sentencing information (121), cases with no analogous guideline (183), or cases in which defendant received no imprisonment or probation (118). The guideline ranges indicated above correspond to the offense levels and criminal history categories established by the court and do not indicate the impact of mandatory minimums or statutory maximums constricting the sentence. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Figure E

**INCARCERATION RATE OF DEFENDANTS ELIGIBLE FOR
NON-PRISON SENTENCES BY PRIMARY OFFENSE TYPE***
(October 1, 1991 through September 30, 1992)



*Of the 38,258 guideline cases, the Commission received Reports of the Sentencing Hearing for 35,958 (94.0%). Of the 35,958 cases with such reports, 26,077 cases ineligible for non-prison sentences and 68 cases missing information on type of sentence were excluded. Non-prison sentences include probation with conditions of confinement as defined in section 5C1.1 of the USSC Guidelines Manual. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission 1992 Data File, MONFY92.

Guideline Application

Overview

Data coded in the Commission's Guidelines Application Module reflect specific guideline application factors determined by the court, such as base offense level, specific offense characteristics, victim, role, and acceptance of responsibility adjustments, criminal history points and category, and guideline range.

The Report on the Sentencing Hearing plays a crucial role in determining a court's guideline application decisions (see discussion under Data Collection Issues). In 1992, the Commission received complete reports in 94.0 percent of all cases submitted. Of the reports submitted, adequate information to determine the relevant guideline factors was available in 31,347 cases. Starting with Table 25, fewer cases are reflected in the tables in this section of the report than in previous sections in order to provide a detailed description of guideline application factors.

Chapter Two Guideline Application

The first step in applying sentencing guidelines involves a determination of the appropriate Chapter Two guideline based on the count(s) of conviction.⁷¹ Table 24 provides the distribution of Chapter Two guidelines applied in single and multiple count cases. Given the predominance of drug offenses in the federal system (see Figure B), it is not surprising that the most frequently applied Chapter Two guideline in single and multiple count cases was the primary drug guideline, §2D1.1 (Unlawful Manufacturing, Import-

ing, Exporting, or Trafficking, including Possession with Intent to Commit These Offenses). This guideline was applied in 40.2 percent of all single count cases and 51.3 percent of all multiple count cases. Other Chapter Two guidelines applied frequently in both single and multiple count cases were §2F1.1 (Fraud and Deceit), 13.1 and 15.9 percent, respectively; §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft), 10.9 percent and 4.7 percent; and §2K2.1 (Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition), 6.4 and 8.3 percent.

After determining the relevant guideline and assigning a base offense level, the court decides whether certain attributes common to that offense are present in the case. These "specific offense characteristics" are enumerated in the applicable Chapter Two guidelines and help establish the seriousness of a particular offense. Offense characteristics such as the quantity of drugs imported, the use of a firearm, and the amount of property loss require an adjustment in the base offense level.

Sheer numbers prevent the presentation of a complete picture of the interaction among base offense levels and specific offense characteristics applied. Each Chapter Two guideline provides a unique set of specific offense characteristics tailored to each specific offense. Subsequent sections of this report provide detailed profiles of the sentencing process for three of the most frequently applied Chapter Two guidelines: drug trafficking, firearms violations, and fraud.

71 Federal law contains more than 2,000 separate criminal offenses. Rather than construct a complex system of guidelines for each federal criminal violation, the Commission created a set of generic guidelines that group offenses by crime type. The guidelines rank these offense types according to severity by assigning them "base offense levels" from 4 to 43.

Table 24

CHAPTER TWO GUIDELINE APPLIED IN SINGLE AND MULTIPLE COUNT CASES*
(October 1, 1991 through September 30, 1992)

Guideline	Single Count		Multiple Count		Guideline	Single Count		Multiple Count	
	n	%	n	%		n	%	n	%
2A1.1	16	0.1	52	0.5	2D1.13	0	0.0	0	0.0
2A1.2	18	0.1	16	0.2	2D2.1	826	3.1	84	0.9
2A1.3	12	0.0	5	0.1	2D2.2	20	0.1	17	0.2
2A1.4	32	0.1	2	0.0	2D2.3	0	0.0	0	0.0
2A1.5	8	0.0	5	0.1	2D3.1	9	0.0	7	0.1
2A2.1	19	0.1	56	0.6	2D3.2	0	0.0	1	0.0
2A2.2	150	0.6	81	0.8	2D3.3	2	0.0	3	0.0
2A2.3	21	0.1	15	0.2	2D3.4	3	0.0	0	0.0
2A2.4	59	0.2	34	0.4	2D3.5	0	0.0	0	0.0
2A3.1	49	0.2	53	0.6	2E1.1	25	0.1	16	0.2
2A3.2	17	0.1	6	0.1	2E1.2	25	0.1	20	0.2
2A3.3	0	0.0	0	0.0	2E1.3	1	0.0	2	0.0
2A3.4	65	0.2	43	0.5	2E1.4	14	0.1	11	0.1
2A4.1	41	0.2	26	0.3	2E1.5	0	0.0	1	0.0
2A4.2	1	0.0	0	0.0	2E2.1	10	0.0	54	0.6
2A5.1	1	0.0	2	0.0	2E3.1	148	0.6	61	0.6
2A5.2	6	0.0	2	0.0	2E3.2	6	0.0	0	0.0
2A5.3	(0)	**	(0)	**	2E3.3	8	0.0	3	0.0
2A6.1	74	0.3	63	0.7	2E4.1	2	0.0	0	0.0
2B1.1	2,945	10.9	452	4.7	2E5.1	2	0.0	4	0.0
2B1.2	498	1.9	159	1.7	2E5.2	0	0.0	0	0.0
2B1.3	81	0.3	22	0.2	2E5.3	0	0.0	3	0.0
2B2.1	15	0.1	10	0.1	2E5.4	3	0.0	1	0.0
2B2.2	50	0.2	25	0.3	2E5.5	5	0.0	0	0.0
2B2.3	7	0.0	1	0.0	2E5.6	5	0.0	3	0.0
2B3.1	995	3.7	1,753	18.2	2F1.1	3,534	13.1	1,533	15.9
2B3.2	26	0.1	44	0.5	2F1.2	2	0.0	7	0.1
2B3.3	11	0.0	4	0.0	2G1.1	26	0.1	9	0.1
2B4.1	37	0.1	23	0.2	2G1.2	21	0.1	17	0.2
2B5.1	363	1.4	121	1.3	2G2.1	8	0.0	2	0.0
2B5.2	(286)	**	(239)	**	2G2.2	50	0.2	13	0.1
2B5.3	81	0.3	20	0.2	2G2.3	0	0.0	0	0.0
2B5.4	27	0.1	17	0.2	2G2.4	13	0.1	3	0.0
2B6.1	27	0.1	25	0.3	2G2.5	0	0.0	0	0.0
2C1.1	129	0.5	107	1.1	2G3.1	13	0.1	13	0.1
2C1.2	21	0.1	5	0.1	2G3.2	0	0.0	1	0.0
2C1.3	14	0.1	0	0.0	2H1.1	7	0.0	14	0.2
2C1.4	2	0.0	0	0.0	2H1.2	5	0.0	4	0.0
2C1.5	0	0.0	0	0.0	2H1.3	4	0.0	15	0.2
2C1.6	2	0.0	0	0.0	2H1.4	6	0.0	10	0.1
2C1.7	2	0.0	3	0.0	2H1.5	0	0.0	2	0.0
2D1.1	10,833	40.2	4,938	51.3	2H2.1	2	0.0	1	0.0
2D1.2	67	0.3	82	0.9	2H3.1	7	0.0	2	0.0
2D1.3	0	0.0	0	0.0	2H3.2	16	0.1	2	0.0
2D1.4	(2,894)	**	(1,929)	**	2H3.3	12	0.0	1	0.0
2D1.5	13	0.1	35	0.4	2H4.1	0	0.0	0	0.0
2D1.6	72	0.3	33	0.3	2J1.1	(0)	**	(0)	**
2D1.7	21	0.1	2	0.0	2J1.2	75	0.3	51	0.5
2D1.8	121	0.5	22	0.2	2J1.3	55	0.2	26	0.3
2D1.9	0	0.0	0	0.0	2J1.4	15	0.1	2	0.0
2D1.10	0	0.0	0	0.0	2J1.5	4	0.0	0	0.0
2D1.11	37	0.1	4	0.0	2J1.6	92	0.3	31	0.3
2D1.12	0	0.0	0	0.0	2J1.7	0	0.0	0	0.0

Guideline	Single Count		Multiple Count		Guideline	Single Count		Multiple Count	
	n	%	n	%		n	%	n	%
2J1.8	3	0.0	1	0.0	2N1.1	0	0.0	0	0.0
2J1.9	0	0.0	0	0.0	2N1.2	1	0.0	0	0.0
2K1.1	3	0.0	1	0.0	2N1.3	0	0.0	0	0.0
2K1.2	8	0.0	4	0.0	2N2.1	24	0.1	34	0.4
2K1.3	32	0.1	12	0.1	2N3.1	3	0.0	0	0.0
2K1.4	33	0.1	50	0.5	2P1.1	164	0.6	28	0.3
2K1.5	1	0.0	0	0.0	2P1.2	46	0.2	17	0.2
2K1.6	0	0.0	0	0.0	2P1.3	0	0.0	0	0.0
2K1.7	0	0.0	1	0.0	2P1.4	0	0.0	0	0.0
2K2.1	1,716	6.4	799	8.3	2Q1.1	0	0.0	1	0.0
2K2.2	197	0.7	126	1.3	2Q1.2	23	0.1	18	0.2
2K2.3	16	0.1	9	0.1	2Q1.3	14	0.1	14	0.2
2K2.4	0	0.0	6	0.1	2Q1.4	0	0.0	0	0.0
2K2.5	37	0.1	2	0.0	2Q1.5	0	0.0	0	0.0
2K3.1	(0)	**	(0)	**	2Q1.6	0	0.0	0	0.0
2L1.1	584	2.2	74	0.8	2Q2.1	76	0.3	35	0.4
2L1.2	665	2.5	46	0.5	2Q2.2	1	0.0	0	0.0
2L1.3	0	0.0	0	0.0	2R1.1	19	0.1	4	0.0
2L2.1	115	0.4	62	0.6	2S1.1	170	0.6	305	3.2
2L2.2	163	0.6	29	0.3	2S1.2	33	0.1	36	0.4
2L2.3	11	0.0	3	0.0	2S1.3	122	0.5	87	0.9
2L2.4	92	0.3	16	0.2	2S1.4	68	0.3	18	0.2
2L2.5	0	0.0	0	0.0	2T1.1	110	0.4	115	1.2
2M1.1	0	0.0	0	0.0	2T1.2	104	0.4	53	0.6
2M2.1	0	0.0	0	0.0	2T1.3	95	0.4	116	1.2
2M2.2	0	0.0	0	0.0	2T1.4	25	0.1	29	0.3
2M2.3	0	0.0	0	0.0	2T1.5	28	0.1	4	0.0
2M2.4	0	0.0	0	0.0	2T1.6	1	0.0	1	0.0
2M3.1	0	0.0	0	0.0	2T1.7	0	0.0	0	0.0
2M3.2	0	0.0	0	0.0	2T1.8	0	0.0	0	0.0
2M3.3	1	0.0	0	0.0	2T1.9	72	0.3	13	0.1
2M3.4	0	0.0	0	0.0	2T2.1	11	0.0	3	0.0
2M3.5	0	0.0	0	0.0	2T2.2	3	0.0	0	0.0
2M3.6	0	0.0	0	0.0	2T3.1	31	0.1	3	0.0
2M3.7	0	0.0	0	0.0	2T3.2	9	0.0	3	0.0
2M3.8	0	0.0	0	0.0	2T4.1	2	0.0	0	0.0
2M3.9	0	0.0	0	0.0	2X1.1	(1,119)	**	(683)	**
2M4.1	0	0.0	0	0.0	2X2.1	(159)	**	(113)	**
2M5.1	4	0.0	2	0.0	2X3.1	21	0.1	13	0.1
2M5.2	40	0.2	12	0.1	2X4.1	33	0.1	0	0.0
2M6.1	0	0.0	0	0.0	2X5.1	(62)	**	(53)	**
2M6.2	0	0.0	0	0.0					
					Total	Single Count		Multiple Count	
						Number	Percent	Number	Percent
					39,820	27,197	68.3	12,623	31.7
					Total number of cases:	26,929	73.7	9,635	26.4

*Of the 38,258 guideline cases, 1,694 cases were excluded due to one or both of the following conditions: missing guideline applied (1,694) or missing number of counts (45). The totals can add to more than 100% because a single case may reference several different guidelines. A number of Chapter Two guidelines list possible cross-references, which resulted in multiple counting of cases applying both the original and cross-referenced guideline(s). In cases in which application of a specific cross-reference was required, only the original guideline was used to avoid double-counting for these cases. Descriptions of variables used in this table are provided in Appendix A.

**Numbers listed in parentheses are provided for reference only and represent cases in which application of another guideline was indicated; such cases are counted both numerically and proportionately in the referenced guideline.

Chapter Three Adjustments

Once the court establishes a base offense level and applies all appropriate specific offense characteristics, it considers whether certain generic adjustments to the offense level apply. These Chapter Three adjustments, which may be made to any offense at any offense level, refer to general factors relating to the victim(s) of the offense, the defendant's role in the offense, acts that constitute an obstruction of justice, and the defendant's acceptance of responsibility.

Table 25 provides a description of the various Chapter Three adjustments applied by the courts for all 1992 guideline cases for which a complete Report on the Sentencing Hearing was available.

An upward adjustment for victim related factors, such as vulnerable victim, official victim, or restraint of victim (§§3A1.1, 3A1.2, 3A1.3) was imposed in less than one percent of the cases. A reduction for a mitigating role was given in 9.1 percent of the cases (§3B1.2). The offense level was increased in 7.5 percent of the cases due to the defendant's aggravating role (§3B1.1) and in 2.8 percent for an abuse of the defendant's position of trust or use of special skill (§3B1.3).

More than four percent of all cases received the enhancement for obstruction of justice (§3C1.1), while reckless endangerment during flight, an adjustment added to the guidelines in November 1990, applied to 0.3 percent of the cases (§3C1.2).

Finally, the court may reduce a defendant's offense level if the defendant "demonstrates a recognition and affirmative acceptance of personal responsibility for his criminal conduct" (§3E1.1). In 1992, 82.3 percent of all defendants received a downward adjustment for acceptance of responsibility. According to Table 26, acceptance was granted less frequently in

violent crimes such as murder, kidnapping, arson, sexual abuse and racketeering, and more frequently in offenses such as embezzlement, gambling and lottery, and food and drug. This relationship between offense type and acceptance of responsibility resembles the relationship between offense type and plea rates and implies that higher plea rates correlate with higher rates of acceptance of responsibility (see Table 19).

Chapter Three also contains guidelines for determining the combined offense seriousness for multiple count cases (§§3D1.1 - 3D1.5). Approximately 26 percent of all cases in 1992 included more than one count of conviction. Table 24, referenced earlier, lists the Chapter Two guidelines applied in multiple count cases. Several guidelines, such as §2B3.1 (Robbery), §2S1.1 (Money Laundering), and §2T1.1 (Tax Evasion), were applied more in multiple count than single count cases.

Table 25

CHAPTER THREE GUIDELINE APPLICATION INFORMATION*
(October 1, 1991 through September 30, 1992)

All Cases

VICTIM-RELATED	Number	Percent
Vulnerable Victim (§3A1.1)		
Vulnerable victim involved	134	0.4
No vulnerable victim involved	31,202	99.6
Missing	11	--
TOTAL	31,347	100.0
Official Victim (§3A1.2)		
Official victim involved	93	0.3
No official victim involved	31,242	99.7
Missing	12	--
TOTAL	31,347	100.0
Restraint of Victim (§3A1.3)		
Offense involved restraint of victim	46	0.1
Offense did not involve restraint of victim	31,290	99.9
Missing	11	--
TOTAL	31,347	100.0
ROLE IN THE OFFENSE	Number	Percent
Aggravating Role (§3B1.1)		
Organizer or leader	667	2.1
Manager or supervisor	488	1.6
Lesser organizer, leader, manager or supervisor	1,193	3.8
No aggravating role	28,985	92.5
Missing	14	--
TOTAL	31,347	100.0
Mitigating Role (§3B1.2)		
Minimal participant	851	2.7
Less than minor role but not minimal	154	0.5
Minor participant	1,854	5.9
No mitigating role	28,473	90.9
Missing	15	--
TOTAL	31,347	100.0

Abuse of Position of Trust or Use of Special Skill (§3B1.3)

Defendant abused position of trust or used special skill	872	2.8
Defendant did not abuse position of trust or use special skill	30,461	97.2
Missing	14	--
TOTAL	31,347	100.0

OBSTRUCTION

Number Percent

Obstruction of Justice (§3C1.1)

Defendant obstructed justice	1,366	4.4
Defendant did not obstruct justice	29,967	95.6
Missing	14	--
TOTAL	31,347	100.0

Reckless Endangerment During Flight (§3C1.2)

Offense involved reckless endangerment during flight	91	0.3
Offense did not involve reckless endangerment during flight	28,321	99.7
Offense committed before adjustment added to Guidelines	1,921	--
Missing	1,014	--
TOTAL	31,347	100.0

ACCEPTANCE OF RESPONSIBILITY

Number Percent

Acceptance of Responsibility (§3E1.1)

Defendant accepted responsibility	25,794	82.3
Defendant did not accept responsibility	5,550	17.7
Missing	3	--
TOTAL	31,347	100.0

⁷Of the 38,258 guideline cases, the Commission received complete guideline application information for 31,347. Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 26

ACCEPTANCE OF RESPONSIBILITY REDUCTION BY PRIMARY OFFENSE CATEGORY*
(October 1, 1991 through September 30, 1992)

All Cases

PRIMARY OFFENSE	TOTAL	ACCEPTANCE RECEIVED		ACCEPTANCE NOT RECEIVED	
		Number	Percent	Number	Percent
TOTAL	31,297	25,760	82.3	5,537	17.7
Murder	56	26	46.4	30	53.6
Manslaughter	45	39	86.7	6	13.3
Kidnapping/Hostage-Taking	46	29	63.0	17	37.0
Sexual Abuse	157	104	66.2	53	33.8
Assault	291	209	71.8	82	28.2
Robbery	1,360	1,156	85.0	204	15.0
Arson	73	35	48.0	38	52.1
Drugs - Trafficking	13,389	10,419	77.8	2,970	22.2
Drugs - Communication Facility	246	217	88.2	29	11.8
Drugs - Simple Possession	583	496	85.1	87	14.9
Firearms	2,450	1,938	79.1	512	20.9
Burglary/B&E	62	58	93.6	4	6.5
Auto Theft	198	176	88.9	22	11.1
Larceny	2,208	1,954	88.5	254	11.5
Fraud	3,659	3,200	87.5	459	12.5
Embezzlement	971	935	96.3	36	3.7
Forgery/Counterfeiting	819	738	90.1	81	9.9
Bribery	219	186	84.9	33	15.1
Tax	532	459	86.3	73	13.7
Money Laundering	537	437	81.4	100	18.6
Racketeering/Extortion	267	190	71.2	77	28.8
Gambling/Lottery	179	170	95.0	9	5.0
Civil Rights	103	79	76.7	24	23.3
Immigration	1,464	1,318	90.0	146	10.0
Pornography/Prostitution	116	98	84.5	18	15.5
Prison Offenses	190	162	85.3	28	14.7
Administration of Justice Offenses	494	415	84.0	79	16.0
Environmental/Wildlife	87	76	87.4	11	12.6
National Defense	37	31	83.8	6	16.2
Antitrust	18	14	77.8	4	22.2
Food & Drug	27	26	96.3	1	3.7
Other Miscellaneous Offenses	414	370	89.4	44	10.6

*Of the 38,258 guideline cases, the Commission received complete guideline application information for 31,347. Of the 31,347 cases with such information, 50 cases were excluded due to one or both of the following conditions: missing primary offense category (47) or missing information on acceptance of responsibility (3). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Chapter Four Assessment of Criminal History

The introduction to Chapter Four of the Guidelines Manual states that a defendant's prior record is relevant to such important sentencing goals as general deterrence, just punishment, and protection of the public. Under the guidelines, points are assigned to sentences imposed for prior adult convictions to account for the frequency and severity of past criminal conduct. Additional points are assigned if the defendant committed the offense within two years after release from imprisonment or while under any criminal justice sentence, including probation, work release, or escape status.

Table 27 reports Chapter Four guideline application.⁷² When examining past criminal conduct taken into consideration under the guidelines (§4A1.1), 19.3 percent of all defendants had one or more convictions resulting in a sentence of imprisonment of 13 months or longer; 14.4 percent had one or more convictions with a sentence of 60 days or longer; and 37.8 percent had one or more prior convictions that received either an imprisonment sentence of less than 60 days or a non-imprisonment sanction. It should be noted that the preceding groupings overlap, and a defendant can receive sentences — and therefore criminal history points — under one or more of these categories.

Additional points were imposed in 21.3 percent of all cases because the defendant committed the instant offense while under another sentence, and in 11.5 percent of the cases because the

defendant committed the instant offense within two years of a prior conviction. Composite scores, reflecting the frequency, gravity, and recency of a defendant's prior criminal conduct, show that just over half (50.9%) of the population sentenced in 1992 had no "countable" guideline criminal history. Another 10.8 percent of all defendants received a single criminal history point under Chapter Four rules.

Pursuant to statute, the guidelines account for patterns of prior criminal conduct that Congress has determined warrant especially serious treatment. When a defendant who is at least 18 years old commits a crime of violence or a controlled substance offense, and the defendant has at least two prior felony convictions involving crimes of violence or controlled substance offenses, the defendant qualifies as a "career offender" (§4B1.1). The guidelines establish a special set of offense levels for career offenders that are calibrated, in conjunction with the most serious criminal history category, to approach the maximum sentences authorized by statute for the instant offense. A similar statutory mandate is addressed in the Armed Career Criminal guideline (§4B1.4).⁷³

Courts found defendants to be career offenders in 2.2 percent of the cases and armed career criminals in 0.7 percent of the cases (see Table 27). A closer look at the career offender adjustment by primary offense category shows that while more defendants convicted of drug trafficking offenses received the career offender adjustment than any

72 According to documents received by the Commission, 31.0 percent of all defendants sentenced in 1992 had no prior criminal history of any kind. In calculating that figure, criminal history refers to any criminal conduct recounted in the presentence report, regardless of its applicability in calculating the guideline criminal history score. It includes prior adult or juvenile convictions, prior uncounseled misdemeanor convictions that did not result in incarceration, and prior unadjudicated criminal conduct.

73 The career offender and armed career criminal guidelines implement congressional directives embodied in 28 U.S.C. § 994(h) and 18 U.S.C. § 924(e).

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other offense type (347 of the 684 career offenders in 1992), offenders convicted of robbery had the highest probability of being classified a career offender. Fifteen percent of all robbery defendants were sentenced as career offenders by the courts, compared with 2.6 percent of all drug traffickers (see Table 28).

Table 27

CHAPTER FOUR GUIDELINE APPLICATION INFORMATION*
(October 1, 1991 through September 30, 1992)

All Cases

Number of prior countable sentences of 13 months or greater (§4A1.1(a))	Number	Percent
0	25,228	80.7
1	3,028	9.7
2	1,481	4.7
3	791	2.5
4	388	1.2
5	190	0.6
6	80	0.3
7 or more	77	0.3
Missing	84	--
TOTAL	31,347	100.0

Number of prior countable sentences of 60 days or greater (§4A1.1(b))	Number	Percent
0	26,775	85.6
1	2,924	9.4
2	952	3.0
3	350	1.1
4	138	0.4
5	67	0.2
6	29	0.1
7 or more	30	0.1
Missing	82	--
TOTAL	31,347	100.0

Number of prior countable sentences of less than 60 days (§4A1.1(c))	Number	Percent
0	19,438	62.1
1	6,649	21.3
2	2,790	8.9
3	1,245	4.0
4	1,136	3.6
5	15	0.1
6 or more	5	0.0
Missing	69	--
TOTAL	31,347	100.0

**Commission of Offense While Under
Criminal Justice Sentence (§4A1.1(d))**

	Number	Percent
Additional points given for commission of instant offense while under criminal justice sentence	6,656	21.3
No additional criminal history points given	24,613	78.7
Missing	78	--
TOTAL	31,347	100.0

**Commission of Offense Within Two Years of
Prior Countable Conviction (§4A1.1(e))**

	Number	Percent
Additional points given for commission of instant offense within two years of certain prior countable convictions	3,606	11.5
No additional criminal history points given	27,659	88.5
Missing	82	--
TOTAL	31,347	100.0

Total Criminal History Points

	Number	Percent
0	15,904	50.9
1	3,385	10.8
2	1,380	4.4
3	2,154	6.9
4	1,319	4.2
5	1,069	3.4
6	1,273	4.1
7	585	1.9
8	641	2.1
9	659	2.1
10	422	1.4
11	444	1.4
12	435	1.4
13	232	0.7
14	221	0.7
15	235	0.8
16	149	0.5
17	145	0.5
18	146	0.5
19	87	0.3
20	84	0.3
21	65	0.2
22 or more	244	0.8
Missing	69	--
TOTAL	31,347	100.0

Career Offender (§4B1.1)	Number	Percent
Defendant found to be career offender	685	2.2
Defendant not found to be career offender	30,600	97.8
Missing	62	--
TOTAL	31,347	100.0

Armed Career Criminal (§4B1.4)	Number	Percent
Defendant found to be armed career criminal	201	0.7
Defendant not found to be armed career criminal	28,166	99.3
Offense committed before adjustment added to guidelines	2,922	--
Missing	58	--
TOTAL	31,347	100.0

*Of the 38,258 guideline cases, the Commission received complete guideline application information for 31,347. Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 28

CAREER OFFENDER ADJUSTMENT BY PRIMARY OFFENSE CATEGORY*
(October 1, 1991 through September 30, 1992)

All Cases

PRIMARY OFFENSE	TOTAL	ADJUSTMENT GIVEN		ADJUSTMENT NOT GIVEN	
		Number	Percent	Number	Percent
TOTAL	19,511	684	3.5	18,827	96.5
Murder	56	1	1.8	55	98.2
Manslaughter	45	0	0.0	45	100.0
Kidnapping/Hostage-Taking	46	5	10.9	41	89.1
Sexual Abuse	157	3	1.9	154	98.1
Assault	291	20	6.9	271	93.1
Robbery	1,358	203	15.0	1,155	85.1
Arson	73	2	2.7	71	97.3
Drugs - Trafficking	13,367	347	2.6	13,020	97.4
Drugs - Communication Facility	245	3	1.2	242	98.8
Firearms	2,447	84	3.4	2,363	96.6
Burglary/B&E	62	0	0.0	62	100.0
Racketeering/Extortion	265	7	2.6	258	97.4
Prison Offenses	190	3	1.6	187	98.4
Administration of Justice Offenses	493	2	0.4	491	99.6
Other Miscellaneous Offenses	416	4	1.0	412	99.0

*Of the 38,258 guideline cases, the Commission received complete guideline application information for 31,347. Of the 31,347 cases with such information, the career offender provision is not applicable in 11,756 cases. Additionally, 80 cases were excluded due to one or both of the following conditions: missing primary offense category (47) or missing information on career offender (31). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

*Determining the Applicable Sentencing Range -
Chapter Five*

The sentencing table in Chapter Five is composed of offense levels set out in the vertical column of the table and criminal history categories in the horizontal columns. The offense levels result from application of Chapters Two and Three of the Guidelines Manual and the criminal history categories from Chapter Four. The judge determines the guideline sentencing range by matching the applicable offense level and criminal history category. The court has discretion to impose a sentence at any point within the range, or to depart above or below it in unusual cases.⁷⁴

Table 29 presents the distribution of all cases by final offense level and criminal history category, as determined by the court. More than half (53.2%) of all guideline cases resulted in an offense level of 16 or less, and almost 62 percent of all defendants were placed in Criminal History Category I. Some defendants in Category VI receive the highest criminal history score as part of an automatic enhancement based on their classification as career offenders, while other defendants are placed there due to the number, seriousness, and recency of their prior criminal conduct. For either reason, 6.5 percent of all guideline defendants in 1992 were placed in Criminal History Category VI by the courts.

Table 30 presents final guideline ranges for all cases, with 51.4 percent of the defendants placed at or below the 24-30 months range, and 0-6 months being the single range with the highest proportion of cases (12.9%).

74 The guideline range may be further limited, or "trumped," by statutory maximum, mandatory minimum, and mandatory consecutive penalties.

Table 29

OFFENSE LEVEL BY CRIMINAL HISTORY CATEGORY*
(October 1, 1991 through September 30, 1992)

All Cases

OFFENSE LEVEL	CRIMINAL HISTORY CATEGORY						TOTAL		
	I	II	III	IV	V	VI	Number	Percent	Cumulative Percent
1	6	0	0	0	0	2	8	0.0	0.0
2	629	73	30	9	12	4	757	2.2	2.2
3	168	24	22	11	12	9	246	0.7	2.9
4	1,496	212	182	70	52	62	2,078	6.1	9.0
5	424	55	45	20	14	18	576	1.7	10.7
6	1,121	156	135	89	57	83	1,661	4.8	15.5
7	888	148	153	61	48	56	1,354	3.9	19.4
8	984	117	111	45	49	38	1,344	3.9	23.3
9	778	108	105	38	34	46	1,109	3.2	26.5
10	1,458	303	388	285	193	288	2,915	8.5	35.0
11	561	73	83	55	30	64	866	2.5	37.5
12	879	154	216	126	76	133	1,584	4.6	42.1
13	475	70	65	27	25	31	693	2.0	44.1
14	813	169	173	70	48	61	1,334	3.9	48.0
15	313	44	44	21	7	29	458	1.3	49.3
16	847	168	181	67	42	35	1,340	3.9	53.2
17	257	26	24	15	5	12	339	1.0	54.2
18	686	148	130	46	32	37	1,079	3.1	57.3
19	163	20	21	19	8	10	241	0.7	58.0
20	740	157	136	75	48	64	1,220	3.6	61.6
21	161	35	34	15	5	12	262	0.8	62.4
22	653	120	154	96	57	84	1,164	3.4	65.8
23	155	39	54	42	16	19	325	1.0	66.8
24	1,267	279	236	103	63	63	2,011	5.9	72.7
25	136	28	34	20	22	14	254	0.7	73.4
26	1,078	229	192	89	39	32	1,659	4.8	78.2
27	80	25	31	13	9	17	175	0.5	78.7
28	658	157	143	61	27	28	1,076	3.1	81.8
29	63	16	18	13	3	8	121	0.4	82.2
30	845	176	174	67	34	197	1,493	4.4	86.6
31	65	18	16	26	22	63	210	0.6	87.2
32	745	145	138	58	27	228	1,341	3.9	91.1
33	57	22	11	25	15	50	180	0.5	91.6
34	549	129	111	48	23	108	968	2.8	94.4
35	57	13	14	7	2	97	190	0.6	95.0
36	358	59	81	38	21	16	573	1.7	96.7
37	41	12	10	8	1	84	156	0.5	97.2
38	222	46	41	16	7	16	348	1.0	98.2
39	35	10	12	5	2	3	67	0.2	98.4
40	110	30	39	9	7	7	202	0.6	99.0
41	32	7	9	5	0	1	54	0.2	99.2
42	78	21	20	14	6	2	141	0.4	99.6
43	76	27	43	11	6	13	176	0.5	100.0
TOTAL	21,207	3,868	3,885	1,938	1,206	2,244	34,348	--	--
Percent	61.7	11.3	11.3	5.6	3.5	6.5	--	100.0	100.0

*Of the 38,258 guideline cases, the Commission received Reports on the Sentencing Hearing for 35,958 (94.0%). Of the 35,958 cases with such reports, 1,610 cases were excluded due to one or both of the following conditions: missing offense level (1,590) or missing criminal history category (1,563). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92

Table 30

**GUIDELINE SENTENCING RANGE
(October 1, 1991 through September 30, 1992)**

All Cases

FINAL GUIDELINE RANGE	Number	Percent	Cumulative Percent
0-6	4,027	12.9	12.9
1-7	1,029	3.3	16.2
2-8	1,261	4.0	20.2
3-9	8	0.0	20.2
4-10	1,042	3.3	23.5
6-12	1,663	5.3	28.8
8-14	933	3.0	31.8
9-15	66	0.2	32.0
10-16	1,255	4.0	36.0
12-18	798	2.6	38.6
15-21	1,321	4.2	42.8
18-24	614	2.0	44.8
21-27	1,319	4.2	49.0
24-30	738	2.4	51.4
27-33	1,015	3.2	54.6
30-37	459	1.5	56.1
33-41	954	3.1	59.2
37-46	360	1.2	60.4
41-51	867	2.8	63.2
46-57	329	1.1	64.3
51-63	1,464	4.7	69.0
57-71	486	1.6	70.6
63-78	1,389	4.4	75.0
70-87	409	1.3	76.3
77-96	149	0.5	76.8
78-97	783	2.5	79.3
84-105	112	0.4	79.7
87-108	235	0.8	80.5
92-115	149	0.5	81.0
97-121	923	3.0	84.0
100-125	88	0.3	84.3
108-135	232	0.7	85.0
110-137	107	0.3	85.3
120-150	36	0.1	85.4
121-151	865	2.8	88.2
130-162	39	0.1	88.3
135-168	258	0.8	89.1
140-175	0	0.0	89.1
151-188	705	2.3	91.4
168-210	441	1.4	92.8
188-235	553	1.8	94.6
210-262	372	1.2	95.8
235-293	364	1.2	97.0
262-327	219	0.7	97.7
292-365	271	0.9	98.6
324-405	101	0.3	98.9
360-Life	321	1.0	99.9
Life	175	0.6	100.0
TOTAL	31,304	100.0	--

*Of the 38,258 cases, the Commission received complete guideline application information on 31,347. Of the 31,347 cases with such information, 43 cases were excluded due to missing guideline range.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Guideline Application for Select Offenses

The following sections provide detailed application information on three of the most commonly used Chapter Two guidelines: §2D1.1 (Drug Trafficking), §2K2.1 (Firearms), and §2F1.1 (Fraud).⁷⁵

Guideline §2D1.1 - Drug Trafficking

The main penalty statute regulating illegal drug trafficking, 21 U.S.C. § 841(b), specifies appropriate penalty levels based on the amount and type of drug. This statutory directive serves as the framework for the drug trafficking guideline, around which seriousness levels are developed proportionate to the levels set by Congress.⁷⁶

In 1992, §2D1.1 was the primary guideline applied in the sentencing of 13,511 cases. Of the cases in which drug type was known, 43.3 percent involved cocaine, followed by marijuana in 25.0 percent, and crack cocaine in 15.5 percent (see Table 31).⁷⁷

Distributions of drug type by defendant race and gender are presented in Tables 31 and 32, respectively. Perhaps the strongest relationship between race and drug type involved crack cocaine and methamphetamine. The majority of crack cocaine cases involved Black defendants (91.5%), while White defendants constituted 85.8 percent of all methamphetamine cases. Black and Hispanic defendants were more likely than Whites to be involved in heroin cases, while Hispanics and Whites were more likely than

Blacks to be involved in marijuana cases. Female defendants were least likely to be involved in marijuana cases (9.5%), while their highest probability of involvement came in heroin cases (18.6%). Almost half of those female defendants were non-U.S. citizens, most likely transporting heroin into the U.S. In general, females were proportionately less involved than males in drug trafficking (11.6%).

Table 33 reports base offense levels under §2D1.1 as determined by the quantity and type of drugs involved in the offense. The largest number of cases had guideline offense levels of 26 and 32. These levels correspond to the five- and ten-year mandatory minimum penalties set by statute for certain drugs. More than 50 percent of drug offenders sentenced under §2D1.1 had base offense levels of 26 or less.

Judges provided an enhancement for presence of a firearm in 9.6 percent of the cases. An additional 963 cases (7.1%), convicted under the firearms statute 18 U.S.C. § 924(c), received a mandatory consecutive sentence of five years and therefore did not receive a guideline enhancement for possession of a firearm. Together these figures suggest that approximately 17 percent of all drug trafficking cases received some sanction for firearms. Aircraft were involved in less than 0.1 percent of all drug trafficking cases.

Victim adjustments were almost non-existent in drug cases. However, 26.6 percent of the drug defendants received adjustments to reflect their

75 Cases may involve the application of more than one Chapter Two guideline. For this analysis, cases were included if the drug trafficking, firearms, or fraud guidelines were the only guideline applied in the case, or were the guideline resulting in the highest offense level for the case.

76 Chapter Two, Part D of the *Guidelines Manual* provides Drug Equivalency Tables and a Drug Quantity Table with base offense levels determined by both drug type and amount.

77 In cases involving more than one drug type, the drug yielding the higher base offense level under §2D1.1 is reported in the drug type tables.

aggravating or mitigating roles in the offense. Almost five percent were found to obstruct justice; 77.8 percent accepted responsibility for their offense (see Table 34).

As reported in Table 35, 50.6 percent of all defendants convicted of drug trafficking offenses had no convictions that received criminal history points under the guidelines. Only 15.8 percent received points for past sentences of 13 months or longer, while 2.6 percent qualified for career offender status.

Table 36 shows the distribution of drug cases by offense level and criminal history category, with the highest overall percentages centered around the offense levels that include the five- and ten-year mandatory minimums (levels 26 and 32) or mandatory minimums less two levels for acceptance of responsibility (levels 24 and 30). A guideline range of 51-63 months (corresponding to offense level 24 and Criminal History Category I), found in 8.9 percent of the cases, was the most common final guideline range for offenders convicted of drug trafficking (see Table 37).

Table 31

RACE OF DEFENDANT BY DRUG TYPE*
(October 1, 1991 through September 30, 1992)

DRUG TYPE	TOTAL	WHITE		BLACK		HISPANIC		OTHER	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	13,370	4,889	36.5	4,131	30.9	4,167	31.1	183	1.4
Cocaine	5,794	1,859	32.0	1,572	27.1	2,312	39.9	51	0.9
Cocaine Base ("crack")	2,070	61	3.0	1,895	91.5	110	5.3	4	0.2
Heroin	1,038	170	16.4	454	43.7	372	35.8	42	4.1
Marihuana	3,347	1,851	55.2	153	4.6	1,302	38.9	41	1.2
Methamphetamine	638	547	85.6	6	0.9	53	8.3	32	5.0
LSD	159	150	94.3	3	1.9	3	1.9	3	1.9
Other	324	251	77.5	48	14.8	15	4.6	10	3.1

*Of the 38,258 cases, the Commission received complete guideline application information on 31,347. Of the 31,347 cases with such information, the highest combined adjusted offense level was derived from the drug trafficking guideline (§2D1.1) in 13,511 cases. Of these 13,511 cases, 141 were excluded due to one or both of the following conditions: missing information on race of the defendant (15) or missing information on drug type (127). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 32**GENDER OF DEFENDANT BY DRUG TYPE***
(October 1, 1991 through September 30, 1992)

DRUG TYPE	TOTAL	MALE		FEMALE	
		Number	Percent	Number	Percent
TOTAL	13,384	11,834	88.4	1,550	11.6
Cocaine	5,802	5,135	88.5	667	11.5
Cocaine Base ("crack")	2,071	1,841	88.9	230	11.1
Heroin	1,038	845	81.4	193	18.6
Marihuana	3,351	3,032	90.5	319	9.5
Methamphetamine	639	561	87.8	78	12.2
LSD	159	143	89.9	16	10.1
Other	324	277	85.5	47	14.5

*Of the 38,258 cases, the Commission received complete guideline application information for 31,347. Of the 31,347 cases with such information, the highest combined adjusted offense level was derived from the drug trafficking guideline (§2D1.1) in 13,511 cases. Of these 13,511 cases, 127 were excluded due to missing information on drug type. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 33

CHAPTER TWO GUIDELINE APPLICATION INFORMATION*
(October 1, 1991 through September 30, 1992)

Guideline 2D1.1 — Drug Trafficking

BASE OFFENSE LEVEL**	Number	Percent	Cumulative Percent
6 (Less than 250 gms of Marihuana)	123	0.9	0.9
8 (At least 250 gms of Marihuana)	89	0.7	1.6
10 (At least 1 kg of Marihuana)	77	0.6	2.2
12 (Less than 5 gms of Heroin, 25 gms of Cocaine, or 5 kgs of Marihuana)	650	4.8	7.0
14 (At least 5 gms of Heroin, 25 gms of Cocaine, or 5 kgs of Marihuana)	400	3.0	9.9
16 (At least 10 gms of Heroin, 50 gms of Cocaine, or 10 kgs of Marihuana)	592	4.4	14.3
18 (At least 20 gms of Heroin, 100 gms of Cocaine, or 20 kgs of Marihuana)	876	6.5	20.8
20 (At least 40 gms of Heroin, 200 gms of Cocaine, or 40 kgs of Marihuana)	655	4.9	25.7
22 (At least 60 gms of Heroin, 300 gms of Cocaine, or 60 kgs of Marihuana)	420	3.1	28.8
24 (At least 80 gms of Heroin, 400 gms of Cocaine, or 80 kgs of Marihuana)	451	3.3	32.1
26 (At least 100 gms of Heroin, 500 gms of Cocaine, or 100 kgs of Marihuana***)	2658	19.7	51.8
28 (At least 400 gms of Heroin, 2 kgs of Cocaine, or 400 kgs of Marihuana)	1151	8.5	60.4
30 (At least 700 gms of Heroin, 3.5 kgs of Cocaine, or 700 kgs of Marihuana)	636	4.7	65.1
32 (At least 1 kg of Heroin, 5 kgs of Cocaine, or 1,000 kgs of Marihuana****)	1772	13.1	78.2
34 (At least 3 kgs of Heroin, 15 kgs of Cocaine, or 3,000 kgs of Marihuana)	1147	8.5	86.7
36 (At least 10 kgs of Heroin, 50 kgs of Cocaine, or 10,000 kgs of Marihuana)	749	5.6	92.3
38 (At least 30 kgs of Heroin, 150 kgs of Cocaine, or 30,000 kgs of Marihuana)	399	3.0	95.2
40 (At least 100 kgs of Heroin, 500 kgs of Cocaine, or 100,000 kgs of Marihuana)	222	1.6	96.9
42 (At least 300 kgs of Heroin, 1,500 kgs of Cocaine, or 300,000 kgs of Marihuana)	166	1.2	98.1
43 (In accordance with §2D1.1 (a)(1)*****)	2	0.0	98.1
Convicted under 18 U.S.C. § 3 - Accessory After the Fact	10	0.1	98.2
Convicted under 18 U.S.C. § 4 - Misprision of a Felony	129	1.0	99.1
Convicted under 18 U.S.C. § 371 - Attempt, Solicitation or Conspiracy	116	0.9	100.0
Missing	21	-	-
TOTAL	13,511	100.0	100.0

§2D1.1 – SPECIFIC OFFENSE CHARACTERISTICS

Number

Percent

Firearm or Other Dangerous Weapon Possessed

Firearm or dangerous weapon possessed	1,295	9.6
No weapon adjustment - convicted under 18 USC § 924(c)	963	7.1
No firearm or dangerous weapon possessed	11,247	83.3
Missing	6	--
TOTAL	13,511	100.0

Convicted Under 21 U.S.C. § 960(a) Involving Aircraft

Offense involved importation aboard aircraft	20	0.1
Offense did not involve importation aboard aircraft	13,171	99.9
Offense committed before adjustment added to guidelines	315	--
Missing	5	--
TOTAL	13,511	100.0

*Of the 38,258 guideline cases, the Commission received complete guideline application information for 31,347. Of the 31,347 cases with such information, the highest combined adjusted was derived from the drug trafficking guideline (§2D1.1) in 13,511 cases. Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

**See USSC Guidelines Manual for equivalencies of other drug types.

***Drug amounts including and above which may carry a five-year mandatory minimum prison term.

****Drug amounts including and above which may carry a ten-year mandatory minimum prison term.

*****Convicted under 21 U.S.C. § 841 (b)(1)(A, B, or C) or § 960 (b)(1, 2, or 3) and offense caused death or serious bodily injury from use of substance and defendant has prior conviction for similar offense.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 34

CHAPTER THREE GUIDELINE APPLICATION INFORMATION*
(October 1, 1991 through September 30, 1992)

Guideline 2D1.1 — Drug Trafficking

VICTIM-RELATED	Number	Percent
Vulnerable Victim (§3A1.1)		
Vulnerable victim involved	4	0.0
No vulnerable victim involved	13,507	100.0
TOTAL	13,511	100.0
Official Victim (§3A1.2)		
Official victim involved	14	0.1
No official victim involved	13,497	99.9
TOTAL	13,511	100.0
Restraint of Victim (§3A1.3)		
Offense involved restraint of victim	3	0.0
Offense did not involve restraint of victim	13,508	100.0
TOTAL	13,511	100.0
ROLE IN THE OFFENSE		
Aggravating Role (§3B1.1)		
Organizer or leader	435	3.2
Manager or supervisor	674	5.0
Lesser organizer, leader, manager, or supervisor	330	2.5
No aggravating role	12,070	89.3
Missing	2	--
TOTAL	13,511	100.0
Mitigating Role in the Offense (§3B1.2)		
Minimal participant	704	5.2
Less than minor role but not minimal	105	0.8
Minor participant	1,339	9.9
No mitigating role	11,359	84.1
Missing	4	--
TOTAL	13,511	100.0

Abuse of Position of Trust or Use of Special Skill (§3B1.3)

Defendant abused position of trust or used special skill	83	0.6
Defendant did not abuse position of trust or use special skill	13,427	99.4
Missing	1	--
TOTAL	13,511	100.0

OBSTRUCTION

	Number	Percent
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Obstruction of Justice (§3C1.1)

Defendant obstructed justice	606	4.5
Defendant did not obstruct justice	12,905	95.5
TOTAL	13,511	100.0

Reckless Endangerment During Flight (§3C1.2)

Offense involved reckless endangerment during flight	21	0.2
Offense did not involve reckless endangerment during flight	13,051	99.8
Offense committed before adjustment added to guidelines	439	--
TOTAL	13,511	100.0

ACCEPTANCE OF RESPONSIBILITY

	Number	Percent
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Acceptance of Responsibility (§3E1.1)

Defendant accepted responsibility	10,510	77.8
Defendant did not accept responsibility	3,001	22.2
TOTAL	13,511	100.0

Of the 38,258 guideline cases, the Commission received complete guideline application information for 31,347. Of the 31,347 cases with such information, the highest combined adjusted offense level was derived from the drug trafficking guideline (§2D1.1) in 13,511 cases. Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 35

CHAPTER FOUR GUIDELINE APPLICATION INFORMATION*
(October 1, 1991 through September 30, 1992)

Guideline 2D1.1 — Drug Trafficking

Number of prior countable sentences of 13 months or greater (§4A1.1(a))	Number	Percent
0	11,354	84.2
1	1,300	9.6
2	511	3.8
3	203	1.5
4	78	0.6
5	27	0.2
6 or more	13	0.1
Missing	25	---
TOTAL	13,511	100.0

Number of prior countable sentences of 60 days or greater (§4A1.1(b))	Number	Percent
0	11,867	88.0
1	1,149	8.5
2	320	2.4
3	95	0.7
4	35	0.3
5 or more	20	0.2
Missing	25	---
TOTAL	13,511	100.0

Number of prior countable sentences of less than 60 days (§4A1.1(c))	Number	Percent
0	8,266	61.3
1	3,104	23.0
2	1,227	9.1
3	496	3.7
4	389	2.9
5 or more	5	0.0
Missing	24	---
TOTAL	13,511	100.0

Commission of Offense While Under Criminal Justice Sentence (§4A1.1(d))	Number	Percent
Additional points given for commission of instant offense while under criminal justice sentence	2,659	19.7
No additional criminal history points given	10,825	80.3
Missing	24	---
TOTAL	13,511	100.0

Commission of Offense Within Two Years of Prior Countable Conviction (§4A1.1(e))	Number	Percent
Additional points given for commission of instant offense within two years of certain prior countable convictions	1,214	9.0
No additional criminal history points given	12,274	91.0
Missing	23	---
TOTAL	13,511	100.0

Total Criminal History Points	Number	Percent
0	6,825	50.6
1	1,688	12.5
2	656	4.9
3	1,125	8.3
4	634	4.7
5	491	3.6
6	573	4.3
7	276	2.1
8	255	1.9
9	225	1.7
10	159	1.2
11	138	1.0
12	135	1.0
13	68	0.5
14	51	0.4
15	47	0.4
16	40	0.3
17	27	0.2
18	21	0.2
19	9	0.1
20	11	0.1
21	10	0.1
22 or more	23	0.2
Missing	24	---
TOTAL	13,511	100.0

Career Offender (§4B1.1)	Number	Percent
Defendant found to be career offender	349	2.6
Defendant not found to be career offender	13,141	97.4
Missing	21	---
TOTAL	13,511	100.2

Armed Career Criminal (§4B1.4)	Number	Percent
Defendant found to be armed career criminal	18	0.1
Defendant not found to be armed career criminal	13,033	99.9
Offense committed before adjustment added to guidelines	439	---
Missing	20	---
TOTAL	13,511	100.2

*Of the 38,258 cases, the Commission received complete guideline application information on 31,347. Of the 31,347 cases with such information, the highest combined adjusted offense level was derived from the drug trafficking guideline (§2D1.1) in 13,511 cases. Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92

Table 36

OFFENSE LEVEL BY CRIMINAL HISTORY CATEGORY
(October 1, 1991 through September 30, 1992)

Guideline 2D1.1 — Drug Trafficking

OFFENSE LEVEL	TOTAL			CRIMINAL HISTORY CATEGORY					
	Number	Percent	Cumulative Percent	I	II	III	IV	V	VI
2	13	0.1	0.1	9	1	2	1	0	0
3	4	0.0	0.1	3	1	0	0	0	0
4	98	0.7	0.8	72	16	6	2	2	0
5	8	0.1	0.9	6	0	2	0	0	0
6	102	0.8	1.7	78	11	4	4	3	2
7	12	0.1	1.8	11	1	0	0	0	0
8	119	0.9	2.7	84	16	12	3	3	1
9	9	0.1	2.8	4	2	1	1	1	0
10	480	3.6	6.4	301	68	51	31	16	13
11	16	0.1	6.5	12	1	1	1	1	0
12	428	3.2	9.7	254	60	66	28	13	7
13	31	0.2	9.9	21	3	3	2	1	1
14	596	4.4	14.3	358	95	87	26	19	11
15	56	0.4	14.7	32	9	5	5	0	5
16	736	5.4	20.1	465	96	100	38	22	15
17	68	0.5	20.6	45	6	9	4	0	4
18	625	4.6	25.2	404	89	75	26	19	12
19	38	0.3	25.5	26	4	2	3	2	1
20	616	4.6	30.1	457	68	47	22	12	10
21	36	0.3	30.4	26	3	3	2	0	2
22	643	4.8	35.2	456	59	76	23	11	18
23	15	0.1	35.3	9	4	0	1	0	1
24	1,622	12.0	47.3	1,076	235	182	74	37	18
25	28	0.2	47.5	18	3	5	1	1	0
26	1,372	10.2	57.7	916	182	157	69	29	19
27	39	0.3	58.0	19	5	13	1	0	1
28	875	6.5	64.5	543	134	119	49	16	14
29	44	0.3	64.8	26	7	5	3	1	2
30	1,208	8.9	73.7	738	162	150	56	26	76
31	31	0.2	73.9	18	5	5	1	1	1
32	1,085	8.0	81.9	653	128	122	53	26	103
33	63	0.5	82.4	38	9	8	3	0	5
34	802	5.9	88.3	480	115	98	44	20	45
35	133	1.0	89.3	32	11	8	4	1	77
36	505	3.7	93.0	323	48	70	31	17	16
37	108	0.8	93.8	32	8	7	4	0	57
38	310	2.3	96.1	202	39	34	14	7	14
39	55	0.4	96.5	27	8	12	3	2	3
40	186	1.4	97.9	103	29	33	8	7	6
41	39	0.3	98.2	27	3	6	2	0	1
42	126	0.9	99.1	71	17	18	13	5	2
43	125	0.9	100.0	55	21	31	6	4	8
TOTAL	13,505	---	---	8,530	1,782	1,635	662	325	571
Percent	—	100.0	100.0	63.2	13.2	12.1	4.9	2.1	4.2

*Of the 38,258 cases, the Commission received complete guideline application information on 31,347. Of the 31,347 cases with such information, the highest combined adjusted offense level was derived from the drug trafficking guideline (§2D1.1) in 13,511 cases. Six cases were excluded due to missing criminal history category or missing offense level.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 37

GUIDELINE SENTENCING RANGE
(October 1, 1991 through September 30, 1992)

Guideline 2D1.1 - Drug Trafficking

FINAL GUIDELINE RANGE	Number	Percent	Cumulative Percent
0-6	195	1.4	1.4
1-7	24	0.2	1.6
2-8	91	0.7	2.3
4-10	22	0.2	2.5
6-12	319	2.4	4.9
8-14	81	0.6	5.5
9-15	3	0.0	5.5
10-16	309	2.3	7.8
12-18	85	0.6	8.4
15-21	461	3.4	11.8
18-24	133	1.0	12.8
21-27	606	4.5	17.3
24-30	162	1.2	18.5
27-33	549	4.1	22.6
30-37	137	1.0	23.6
33-41	595	4.4	28.0
37-46	111	0.8	28.8
41-51	559	4.1	32.9
46-57	89	0.7	33.6
51-63	1,201	8.9	42.5
57-71	270	2.0	44.5
63-78	1,137	8.4	52.9
70-87	217	1.6	54.5
77-96	88	0.7	55.2
78-97	704	5.2	60.4
84-105	19	0.1	60.5
87-108	173	1.3	61.8
92-115	106	0.8	62.6
97-121	864	6.4	69.0
100-125	20	0.2	69.2
108-135	182	1.3	70.5
110-137	78	0.6	71.1
120-150	21	0.2	71.3
121-151	814	6.0	77.3
130-162	17	0.1	77.4
135-168	227	1.7	79.1
140-175	15	0.1	79.2
151-188	638	4.7	83.9
168-210	284	2.1	86.0
188-235	461	3.4	89.4
210-262	236	1.7	91.1
235-293	309	2.3	93.4
262-327	150	1.1	94.5
292-365	243	1.8	96.3
324-405	98	0.7	97.0
360-Life	279	2.1	99.1
Life	126	0.9	100.0
TOTAL	13,508	100.0	--

*Of the 38,258 cases, the Commission received complete guideline application information on 31,347. Of the 31,347 cases with such information, the highest combined adjusted offense level was derived from the drug trafficking guideline (§2D1.1) in 13,511 cases. Three cases were excluded due to missing guideline range.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Guideline §2K2.1

The primary guideline for firearms violations, §2K2.1, has been amended three times and consolidated, effective November 1, 1991, with guidelines §§2K2.2 and 2K2.3 to encompass a wider range of offense behaviors and adjust penalty levels accordingly. In 1992, §2K2.1 was the primary guideline used to sentence 1,964 defendants. However, due to *ex post facto* considerations, 123 of these cases (6.3%) were sentenced under the original 1987-88 guideline, 304 cases (15.4%) under the 1989 amendment, 1,025 cases (52.2%) under the 1990 version and, finally, 512 cases (26.1%) were sentenced under the 1991 amendment.

Table 38 describes the base offense level assigned to cases sentenced under the four versions of the firearms guideline, with level 12 being the most common across all cases sentenced under the 1989-1991 amendments. These levels are further adjusted up or down based on a number of specific offense characteristics. More than 17 percent of all cases involved stolen firearms and received a two-level enhancement; 3.9 percent of the defendants received a reduction to level 6 for possessing firearms solely for sport or recreation. The majority of the 512 cases sentenced under the 1991 version of §2K2.1 involved less than three firearms, but 32.3 percent were given one- to six-level enhancements based on the large numbers of firearms (three or more) in the offense. Of the 512 cases, 2.4 percent involved a destructive device.

Table 39 reports the application of Chapter Three guidelines. Very few firearms cases involved victim adjustments, while only 1.8 percent of the defendants sentenced under §2K2.1 received a downward adjustment for mitigating role in the offense, and 1.4 percent had an aggravating role. Four percent of the defendants were

found to obstruct justice, while 80.1 percent accepted responsibility.

Table 40 presents the criminal history of firearms defendants. More than 50 percent of the defendants had one or more prior sentences of 13 months or greater, 34.5 percent had one or more sentences of 60 days or greater, and 60.3 percent had one or more other countable sentences. Forty percent of the defendants committed their instant offense while under criminal justice sentence, 28.4 percent within two years of their prior conviction. Not surprisingly, the median criminal history score for firearms of six criminal history points exceeds the median of zero points for all defendants in 1992, because part of what brings a firearm offense into the federal system is prior record. More than three percent of the firearms defendants were sentenced as career offenders, and 10.2 percent were found to be armed career criminals.

Table 41 describes the distribution of §2K2.1 cases by offense level and criminal history category. The median offense level for firearms defendants was 12, with almost as many of the defendants in Criminal History Category VI (21.0%) as in Category I (23.6%). Table 42 presents final guideline ranges for firearms offenses. The 21- to 27-months sentence range includes the largest number of firearms defendants, as well as the median range.

Table 38

CHAPTER TWO GUIDELINE APPLICATION INFORMATION*
(October 1, 1991 through September 30, 1992)

Guideline 2K2.1 — Firearms

BASE OFFENSE LEVEL	Number	Percent
1988 Guidelines		
9	119	100.0
Missing	4	--
TOTAL	123	100.0
1989 Guidelines		
6	20	6.6
12	213	70.3
16	70	23.1
Missing	1	--
TOTAL	304	100.0
1990 Guidelines		
6	66	23.7
12	742	266.0
18	199	71.3
Missing	18	--
TOTAL	1,025	100.0
1991 Guidelines		
6	46	9.5
12	140	28.8
14	61	12.6
18	86	17.7
20	60	12.4
22	12	2.5
24	73	15.0
26	10	2.1
Missing	24	--
TOTAL	512	100.0

§2K2.1 – SPECIFIC OFFENSE CHARACTERISTICS	Number	Percent
Firearm was Stolen (1988-1991 Guidelines)		
Firearm was stolen or had an obliterated serial number	338	17.4
Firearm was not stolen and did not have an obliterated serial number	1,610	82.0
Missing	16	--
TOTAL	1,964	100.0
Firearm Possessed for Sport (1988-1991 Guidelines)		
Offender obtained or possessed the firearm solely for sport or recreation	75	3.9
Offender did not obtain or possess the firearm solely for sport or recreation	1,874	96.2
Missing	15	--
TOTAL	1,964	100.0
Number of Firearms (1991 Guidelines)		
3-4 firearms	33	6.6
5-7 firearms	56	11.2
8-12 firearms	13	2.6
13-24 firearms	23	4.6
25-49 firearms	14	2.8
50 or more firearms	23	4.6
Offense involved fewer than three firearms	340	67.7
Offense committed before adjustment added to guidelines	1,452	--
Missing	10	--
TOTAL	512	100.0
Destructive Device (1991 Guidelines)		
Offense involved a destructive device	12	2.4
Offense did not involve a destructive device	488	97.6
Offense committed before adjustment added to guidelines	1,452	--
Missing	12	--
TOTAL	512	100.0

Of the 38,258 cases, the Commission received complete guideline application information for 31,347 cases. Of the 31,347 cases with such information, the highest combined adjusted offense level was derived from the firearms guideline (§2K2.1) in 1,964 cases. Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 39

CHAPTER THREE GUIDELINE APPLICATION INFORMATION*
(October 1, 1991 through September 30, 1992)

Guideline 2K2.1 — Firearms

VICTIM-RELATED	Number	Percent
Vulnerable Victim (§3A1.1)		
Vulnerable victim involved	2	0.1
No vulnerable victim involved	1,962	99.9
TOTAL	1,964	100.0
Official Victim (§3A1.2)		
Official victim involved	6	0.3
No official victim involved	1,958	99.7
TOTAL	1,964	100.0
Restraint of Victim (§3A1.3)		
Offense involved restraint of victim	1	0.1
Offense did not involve restraint of victim	1,963	100.0
TOTAL	1,964	100.0
ROLE IN THE OFFENSE	Number	Percent
Aggravating Role (§3B1.1)		
Organizer or leader	2	0.1
Manager or supervisor	21	1.1
Lesser organizer, leader, manager, or supervisor	4	0.2
No aggravating role	1,937	98.6
TOTAL	1,964	100.0
Mitigating Role (§3B1.2)		
Minimal participant	11	0.6
Less than minor but not minimal	3	0.2
Minor participant	21	1.1
No mitigating role	1,929	98.2
TOTAL	1,964	100.0

Abuse of Position or Trust of Use of Special Skill (§3B1.3)

Offender abused position of trust or used special skill	2	0.1
Offender did not abuse position of trust or use special skill	1,962	99.9
TOTAL	1,964	100.0

OBSTRUCTION

Number Percent

Obstruction of Justice (§3C1.1)

Offender obstructed justice	79	4.0
Offender did not obstruct justice	1,883	96.0
Missing	2	--
TOTAL	1,964	100.0

Reckless Endangerment During Flight (§3C1.2)

Offense involved reckless endangerment during flight	4	0.3
Offense did not involve reckless endangerment during flight	1,532	99.7
Offense committed before adjustment added to guidelines	427	--
Missing	1	--
TOTAL	1,537	100.0

ACCEPTANCE OF RESPONSIBILITY

Number Percent

Acceptance of Responsibility (§3E1.1)

Offender accepted responsibility	1,573	80.1
Offender did not accept responsibility	391	19.9
TOTAL	1,964	100.0

Of the 38,258 cases, the Commission received complete guideline application information for 31,347 cases. Of the 31,347 cases with such information, the highest combined adjusted offense level was derived from the firearm guideline (§2K2.1) in 1,964 cases. Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 40**CHAPTER FOUR GUIDELINE APPLICATION INFORMATION***
(October 1, 1991 through September 30, 1992)**Guideline 2K2.1 — Firearms**

Number of prior countable sentences of 13 months or greater (§4A1.1(a))	Number	Percent
0	915	46.7
1	407	20.8
2	269	13.7
3	169	8.6
4	95	4.8
5	54	2.8
6 or more	52	2.7
Missing	3	--
TOTAL	1,964	100.0

Number of prior countable sentences of 60 days or greater (§4A1.1(b))	Number	Percent
0	1,284	65.5
1	402	20.5
2	157	8.0
3	68	3.5
4	24	1.2
5 or more	26	1.3
Missing	3	--
TOTAL	1,964	100.0

Number of prior countable sentences of less than 60 days (§4A1.1(c))	Number	Percent
0	778	39.7
1	558	28.5
2	306	15.6
3	162	8.3
4	152	7.8
5 or more	5	0.3
Missing	3	--
TOTAL	1,964	100.0

Commission of Offense While Under Criminal Justice Sentence (§4A1.1(d))	Number	Percent
Additional points given for commission of instant offense while under criminal justice sentence	794	40.5
No additional criminal history points given	1,166	59.5
Missing	4	--
TOTAL	1,964	100.0

Commission of Offense Within Two Years of Prior Countable Conviction (§4A1.1(e))	Number	Percent
Additional points given for commission of instant offense within two years of certain prior countable convictions	556	28.4
No additional criminal history points given	1,405	71.7
Missing	3	--
TOTAL	1,964	100.0

Total Criminal History Points	Number	Percent
0	316	16.1
1	148	7.5
2	93	4.7
3	124	6.3
4	128	6.5
5	129	6.6
6	142	7.2
7	80	4.1
8	84	4.3
9	110	5.6
10	71	3.6
11	90	4.6
12	78	4.0
13	37	1.9
14	37	1.9
15	56	2.9
16	41	2.1
17	21	1.1
18	37	1.9
19	22	1.1
20	18	0.9
21	21	1.1
22 or more	78	4.0
Missing	3	--
TOTAL	1,964	100.0

Career Offender (§4B1.1)	Number	Percent
Defendant found to be career offender	67	3.4
Defendant not found to be career offender	1,895	96.6
Missing	4	--
TOTAL	1,964	100.0

Armed Career Criminal (§4B1.4)	Number	Percent
Defendant found to be armed career criminal	157	10.2
Defendant not found to be armed career criminal	1,378	89.8
Offense committed before adjustment added to guidelines	427	--
Missing	4	--
TOTAL	1,964	100.0

*Of the 38,258 cases, the Commission received complete guideline application information on 31,347. Of the 31,347 cases with such information, the highest combined adjusted offense level was derived from the firearms guideline (§2K2.1) in 1,964. Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 41

OFFENSE LEVEL BY CRIMINAL HISTORY CATEGORY*
(October 1, 1991 through September 30, 1992)

Guideline 2K2.1 — Firearms

OFFENSE LEVEL	TOTAL			CRIMINAL HISTORY CATEGORY					
	Number	Percent	Cumulative Percent	I	II	III	IV	V	VI
2	2	0.1	0.1	1	1	0	0	0	0
3	10	0.5	0.6	2	2	3	0	2	1
4	120	6.1	6.7	53	11	35	9	8	4
5	5	0.3	7.0	3	0	1	0	1	0
6	34	1.7	8.7	24	3	5	1	1	0
7	80	4.1	12.8	11	16	22	8	15	8
8	32	1.6	14.4	13	1	4	5	3	6
9	23	1.2	15.6	7	3	2	2	3	6
10	546	27.8	43.4	77	78	131	103	63	94
11	13	0.7	44.1	6	1	2	3	0	1
12	285	14.5	58.6	38	27	66	48	37	69
13	16	0.8	59.4	8	1	4	0	2	1
14	119	6.1	65.5	29	11	30	16	13	20
15	17	0.9	66.4	7	2	4	2	1	1
16	181	9.2	75.6	93	26	32	10	12	8
17	16	0.8	76.4	10	2	4	0	0	0
18	109	5.5	81.9	53	14	18	8	9	7
19	13	0.7	82.6	3	5	0	1	1	3
20	31	1.6	84.2	8	6	9	4	2	2
21	5	0.3	84.5	2	0	3	0	0	0
22	44	2.2	86.7	7	2	6	6	8	15
23	3	0.2	86.9	0	0	2	1	0	0
24	23	1.2	88.1	4	1	2	3	5	8
25	4	0.2	88.3	1	1	0	1	0	1
26	7	0.4	88.7	2	2	0	1	0	2
27	4	0.2	88.9	0	0	0	1	1	2
28	3	0.2	89.1	0	0	0	1	1	1
30	5	0.3	89.4	1	0	0	0	0	4
31	89	4.5	93.9	0	0	0	19	18	52
32	21	1.1	95.0	0	0	1	1	0	19
33	61	3.1	98.1	0	0	0	12	13	36
34	18	0.9	99.0	0	1	1	0	0	16
35	8	0.4	99.4	0	0	0	0	0	8
37	17	0.9	100.0	0	0	0	0	0	17
TOTAL	1,964	---	---	463	217	387	266	219	412
Percent	---	100.0	100.0	23.6	11.0	19.7	13.5	11.2	21.0

*Of the 38,258 cases, the Commission received complete guideline application information on 31,347. Of the 31,347 cases with such information, the highest combined adjusted offense level was derived from the firearms guideline (§2K2.1) in 1,964 cases.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 42

GUIDELINE SENTENCING RANGE*
(October 1, 1991 through September 30, 1992)

Guideline 2K2.1 — Firearms

FINAL GUIDELINE RANGE	Number	Percent	Cumulative Percent
0-6	135	6.9	6.9
1-7	15	0.8	7.7
2-8	45	2.3	10.0
3-9	1	0.0	10.0
4-10	38	2.0	12.0
6-12	91	4.6	16.6
8-14	95	4.8	21.4
9-15	1	0.0	21.4
10-16	174	8.9	30.3
12-18	53	2.7	33.0
15-21	210	10.7	43.7
18-24	34	1.7	45.4
21-27	242	12.3	57.7
24-30	134	6.8	64.5
27-33	141	7.2	71.7
30-37	94	4.8	76.5
33-41	55	2.8	79.3
37-46	29	1.5	80.8
41-51	37	1.9	82.7
46-57	14	0.7	83.4
51-63	23	1.2	84.6
57-71	12	0.6	85.2
63-78	16	0.8	86.0
70-87	5	0.3	86.3
77-96	11	0.6	86.9
84-105	16	0.8	87.7
92-115	6	0.3	88.0
97-121	1	0.0	88.0
100-125	9	0.5	88.5
110-137	2	0.1	88.6
120-150	3	0.2	88.8
130-162	3	0.2	89.0
140-175	1	0.0	89.0
151-188	20	1.0	90.0
168-210	23	1.2	91.2
188-235	65	3.3	94.5
210-262	32	1.6	96.1
235-293	36	1.8	97.9
262-327	16	0.8	98.7
292-365	8	0.4	99.1
360-Life	17	0.9	100.0
Total	1,963	100.0	---

*Of the 38,258 cases, the Commission received complete guideline application information on 31,347. Of the 31,347 cases with such information, the highest combined adjusted offense level was derived from the firearms guideline (§2K2.1) in 1,964 cases. One case was excluded due to missing guideline range.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Guideline §2F1.1 - Fraud and Deceit

Almost 12 percent of all defendants sentenced under the guidelines in 1992 were sentenced for fraud offenses. The fraud guideline contains a base offense level of 6 and is adjusted by a series of specific offense characteristics. Because loss tables in the fraud guideline were amended in 1989, pre- and post-amendment loss tables are reported in Table 43. Most cases (3,618) were sentenced under the 1989-91 version of the guideline. Using this version, the most common loss category was \$2,000 or less (24% of the cases). Based on offense characteristics specific to the fraud guideline (e.g., more than minimal planning, multiple victims, victimizing government or certain types of organizations, or violating a judicial order), an additional increase was given in 71.2 percent of 1989-91 fraud cases. Adjustments for misrepresentation, reckless risk of injury, use of foreign bank accounts, and jeopardizing the soundness of financial institutions applied in only 1.5 percent of these cases.

Table 44 shows that Chapter Three adjustments for victim related factors applied in 1.6 percent of the cases. Almost five percent of the defendants received a mitigating role reduction; 8.9 percent received an aggravating role enhancement. Close to eight percent of the cases involved defendants who abused their position of trust in committing the fraud. Obstruction of justice was found in 4.9 percent of the cases, while a reduction for acceptance of responsibility was granted in 88.2 percent, considerably higher than the 77.8 percent granted in drug trafficking cases, or the 80.1 percent in firearms offenses.

As shown in Table 45, only 12.9 percent of the defendants had one or more prior sentences of 13 months or longer, 11.3 percent had prior sentences of 60 days or longer, and 33.0 percent had other countable sentences. As a result, 70.3 percent of the fraud defendants received the lowest

criminal history category, and more than half were assigned offense levels of nine or less (see Table 46). The low criminal history category and offense levels led to a concentration of 54.8 percent of fraud cases in sentencing ranges with minimums of six months or less (see Table 47).

Table 43**CHAPTER TWO GUIDELINE APPLICATION INFORMATION***
(October 1, 1991 through September 30, 1992)**Guideline 2F1.1 — Fraud and Deceit**

BASE OFFENSE LEVEL	Number	Percent
6	4,067	100.0
Missing	5	--
TOTAL	4,072	100.0

§2F1.1 — SPECIFIC OFFENSE CHARACTERISTICS**Amount of Loss (1988 Guidelines)**

	Number	Percent
\$2,000 or less	47	10.5
\$2,001 - \$5,000	23	5.2
\$5,001 - \$10,000	34	7.6
\$10,001 - \$20,000	46	10.3
\$20,001 - \$50,000	72	16.1
\$50,001 - \$100,000	43	9.6
\$100,001 - \$200,000	44	9.8
\$200,001 - \$500,000	43	9.6
\$500,001 - \$1,000,000	31	6.9
\$1,000,001 - \$2,000,000	22	4.9
\$2,000,001 - \$5,000,000	18	4.0
More than \$5,000,000	24	5.4
Missing	7	--
TOTAL	454	100.0

§2F1.1 — SPECIFIC OFFENSE CHARACTERISTICS Number Percent

Amount of Loss (1989 - 1991 Guidelines)

\$2,000 or less	869	24.0
More than \$2,000	334	9.2
More than \$5,000	363	10.0
More than \$10,000	394	10.9
More than \$20,000	466	12.9
More than \$40,000	337	9.3
More than \$70,000	253	7.0
More than \$120,000	157	4.3
More than \$200,000	143	4.0
More than \$350,000	80	2.2
More than \$500,000	62	1.7
More than \$800,000	64	1.8
More than \$1,500,000	38	1.1
More than \$2,500,000	23	0.6
More than \$5,000,000	12	0.3
More than \$10,000,000	7	0.2
More than \$20,000,000	13	0.4
More than \$40,000,000	2	0.0
More than \$80,000,000	1	0.0
TOTAL	3,618	100.0

Nature of the Offense (1988 Guidelines)

Offense involved:	354	78.0
- more than minimal planning		
- multiple victims		
- misrepresentation by the offender, or		
- violation of judicial or administrative order, injunction, decree, or process		
Offense did not involve one of the above activities	100	22.0
TOTAL	454	100.0

More than Minimal Planning (1989 - 1991 Guidelines)

Offense involved:	2,573	71.2
- more than minimal planning, or		
- multiple victims		
Offense did not involve one of the above activities	1,043	28.9
Missing	2	--
TOTAL	3,618	100.0

§2F1.1 – SPECIFIC OFFENSE CHARACTERISTICS	Number	Percent
Misrepresentation (1989 - 1991 Guidelines)		
Offense involved:	43	1.2
- misrepresentation by the offender		
- violation of judicial or administrative order, injunction, decree, or process		
Offense did not involve one of the above activities	3,575	98.8
TOTAL	3,618	100.0
Conscious or Reckless Risk of Serious Bodily Injury (1989 - 1991 Guidelines)		
Conduct involved conscious or reckless risk	5	0.1
Conduct did not involve conscious or reckless risk	3,553	99.9
Offense committed before adjustment added to guidelines	443	--
TOTAL	3,558	100.0
Use of Foreign Bank Accounts (1988 - 1991 Guidelines)		
Foreign bank accounts used	3	0.1
No use of foreign bank accounts	4,069	99.9
TOTAL	4,072	100.0
Jeopardized the Soundness of a Financial Institution (1990 - 1991 Guidelines)		
Offense jeopardized a financial institution	3	0.1
Offense did not jeopardize a financial institution	3,190	99.9
Offense committed before adjustment added to guidelines	889	--
TOTAL	3,193	100.0

Of the 38,258 cases, the Commission received complete guideline application information for 31,347 cases. Of the 31,347 cases with such information, the highest combined adjusted offense level was derived from the fraud guideline (§2F1.1) in 4,072 cases. Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 44

CHAPTER THREE GUIDELINE APPLICATION INFORMATION*
(October 1, 1991 through September 30, 1992)

Guideline 2F1.1 — Fraud and Deceit

VICTIM-RELATED	Number	Percent
Vulnerable Victim (§3A1.1)		
Vulnerable victim involved	58	1.4
No vulnerable victim involved	4,014	98.6
TOTAL	4,072	100.0
Official Victim (§3A1.2)		
Official victim involved	4	0.1
No official victim involved	4,068	99.9
TOTAL	4,072	100.0
Restraint of Victim (§3A1.3)		
Offense involved restraint of victim	3	0.1
Offense did not involve restraint of victim	4,069	99.9
TOTAL	4,072	100.0
ROLE IN THE OFFENSE	Number	Percent
Aggravating Role (§3B1.1)		
Organizer or leader	116	2.9
Manager or supervisor	179	4.4
Lesser organizer, leader, manager, or supervisor	67	1.7
No aggravating role	3,710	91.1
TOTAL	4,072	100.0
Mitigating Role (§3B1.2)		
Minimal participant	21	0.5
Less than minor but not minimal	15	0.4
Minor participant	156	3.8
No mitigating role	3,880	95.3
TOTAL	4,072	100.0

Abuse of Position or Trust or Use of Special Skill (§3B1.3)

Offender abused position of trust or used special skill	310	7.6
Offender did not abuse position of trust or use special skill	3,762	92.4
TOTAL	4,072	100.0

OBSTRUCTION

Number Percent

Obstruction of Justice (§3C1.1)

Offender obstructed justice	200	4.9
Offender did not obstruct justice	3,872	95.1
TOTAL	4,072	100.0

Reckless Endangerment During Flight (§3C1.2)

Offense involved reckless endangerment during flight	1	0.0
Offense did not involve reckless endangerment during flight	3,192	100.0
Offense committed before adjustment added to guidelines	879	--
TOTAL	3,193	100.0

ACCEPTANCE OF RESPONSIBILITY

Number Percent

Acceptance of Responsibility (§3E1.1)

Offender accepted responsibility	3,590	88.2
Offender did not accept responsibility	481	11.8
Missing	1	--
TOTAL	4,072	100.0

*Of the 38,258 cases, the Commission received complete guideline application information for 31,347 cases. Of the 31,347 cases with such information, the highest combined adjusted offense level was derived from the fraud guideline (§2F1.1) in 4,072 cases. Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 45

CHAPTER FOUR GUIDELINE APPLICATION INFORMATION*
(October 1, 1991 through September 30, 1992)

Guideline 2F1.1 — Fraud

Number of prior countable sentences of 13 months or greater (§4A1.1(a))	Number	Percent
0	3,540	87.1
1	237	5.8
2	136	3.3
3	65	1.6
4	32	0.8
5	24	0.6
6 or more	32	0.8
Missing	6	--
TOTAL	4,072	100.0

Number of prior countable sentences of 60 days or greater (§4A1.1(b))	Number	Percent
0	3,606	88.7
1	306	7.5
2	90	2.2
3	37	0.9
4	12	0.3
5 or more	15	0.4
Missing		--
TOTAL	4,072	100.0

Number of prior countable sentences of less than 60 days (§4A1.1(c))	Number	Percent
0	2,726	67.0
1	741	18.2
2	316	7.8
3	144	3.5
4	135	3.3
5 or more	4	0.1
Missing	6	--
TOTAL	4,072	100.0

Commission of Offense While Under Criminal Justice Sentence (§4A1.1(d))	Number	Percent
Additional points given for commission of instant offense while under criminal justice sentence	640	15.8
No additional criminal history points given	3,424	84.3
Missing	8	--
TOTAL	4,072	100.0

Commission of Offense Within Two Years of Prior Countable Conviction (§4A1.1(e))	Number	Percent
Additional points given for commission of instant offense within two years of certain prior countable convictions	296	7.3
No additional criminal history points given	3,769	92.7
Missing	7	--
TOTAL	4,072	100.0

Total Criminal History Points	Number	Percent
0	2,428	59.6
1	432	10.6
2	169	4.2
3	240	5.9
4	153	3.8
5	90	2.2
6	116	2.8
7	43	1.1
8	47	1.2
9	56	1.4
10	29	0.7
11	46	1.1
12	41	1.0
13	18	0.4
14	18	0.4
15	23	0.6
16	13	0.3
17	20	0.5
18	13	0.3
19	10	0.2
20	14	0.3
21	6	0.1
22 or more	41	1.0
Missing	6	--
TOTAL	4,072	100.0

Career Offender (§4B1.1)	Number	Percent
Defendant found to be career offender	1	0.0
Defendant not found to be career offender	4,065	100.0
Missing	6	--
TOTAL	4,072	100.2

Armed Career Criminal (§4B1.4)	Number	Percent
Defendant found to be armed career criminal	0	0.0
Defendant not found to be armed career criminal	3,193	100.0
Offense committed before adjustment added to guidelines	879	--
TOTAL	4,072	100.0

*Of the 38,258 cases, the Commission received complete guideline application information on 31,347. Of the 31,347 cases with such information the highest combined adjusted offense level was derived from the fraud guideline (§2F1.1) in 4,072 cases. Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 46

OFFENSE LEVEL BY CRIMINAL HISTORY CATEGORY*
(October 1, 1991 through September 30, 1992)

Guideline 2F1.1 — Fraud

OFFENSE LEVEL	TOTAL			CRIMINAL HISTORY CATEGORY					
	Number	Percent	Cumulative Percent	I	II	III	IV	V	VI
1	1	0.0	0.0	1	0	0	0	0	0
2	9	0.2	0.2	6	1	0	0	0	2
3	7	0.2	0.4	7	0	0	0	0	0
4	483	11.9	12.3	308	62	55	15	22	21
5	150	3.8	16.1	108	19	8	8	3	4
6	445	10.9	27.0	311	42	36	19	10	27
7	269	6.7	33.7	182	31	34	11	4	7
8	379	9.3	43.0	255	39	37	14	18	16
9	366	9.0	52.0	247	38	38	12	11	20
10	436	10.7	62.7	314	42	32	16	12	20
11	294	7.2	69.9	209	21	31	11	9	13
12	268	6.6	76.5	187	22	22	14	10	13
13	183	4.5	81.0	130	24	10	7	6	6
14	180	4.4	85.4	129	16	14	6	2	13
15	134	3.3	88.7	108	7	7	2	3	7
16	109	2.7	91.4	78	15	11	1	1	3
17	91	2.2	93.6	77	7	4	1	2	0
18	66	1.6	95.2	49	7	6	3	0	1
19	52	1.3	96.5	41	2	3	5	0	1
20	43	1.1	97.6	34	5	2	1	1	0
21	24	0.6	98.2	20	2	1	0	0	1
22	25	0.6	98.8	16	4	3	0	2	0
23	14	0.3	99.1	12	0	2	0	0	0
24	9	0.2	99.3	7	0	2	0	0	0
25	12	0.3	99.6	9	1	1	0	1	0
26	7	0.2	99.8	4	1	2	0	0	0
27	6	0.1	99.9	6	0	0	0	0	0
28	2	0.0	99.9	2	0	0	0	0	0
29	3	0.1	100.0	2	0	1	0	0	0
30	2	0.0	100.0	2	0	0	0	0	0
35	1	0.0	100.0	1	0	0	0	0	0
TOTAL	4,070	---	---	2,862	408	362	146	117	175
Percent	---	100.0	100.0	70.3	10.0	8.9	3.6	2.9	4.3

*Of the 38,258 cases, the Commission received complete guideline application information on 31,347. Of the 31,347 cases with such information, the highest combined adjusted offense level was derived from the fraud guideline (§2F1.1) in 4,072 cases. Two (2) cases were excluded due to missing criminal history category and missing offense level.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Table 47

GUIDELINE SENTENCING RANGE
(October 1, 1991 through September 30, 1992)

Guideline 2F1.1 — Fraud

FINAL GUIDELINE RANGE	Number	Percent	Cumulative Percent
0-6	878	21.6	21.6
1-7	234	5.7	27.3
2-8	337	8.3	35.6
4-10	350	8.6	44.2
6-12	433	10.6	54.8
8-14	300	7.4	62.2
9-15	13	0.3	62.5
10-16	254	6.2	68.7
12-18	227	5.6	74.3
15-21	216	5.3	79.6
18-24	171	4.2	83.8
21-27	145	3.6	87.4
24-30	135	3.3	90.7
27-33	96	2.4	93.1
30-37	73	1.8	94.9
33-41	51	1.3	96.2
37-46	45	1.1	97.3
41-51	31	0.8	98.1
46-57	27	0.7	98.8
51-63	11	0.3	99.1
57-71	12	0.3	99.4
63-78	9	0.2	99.6
70-87	8	0.2	99.8
77-96	3	0.1	99.9
78-97	4	0.1	100.0
87-108	2	0.0	100.0
97-121	2	0.0	100.0
100-125	1	0.0	100.0
108-135	1	0.0	100.0
168-210	1	0.0	100.0
Total	4,070	100.0	---

*Of the 38,258 cases, the Commission received complete guideline application information on 31,347. Of the 31,347 cases with such information, the highest combined adjusted offense level was derived from the fraud guideline (§2F1.1) in 4,072 cases. Two (2) cases were excluded due to missing guideline range.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Departures and Sentences Within the Guideline Range

The Sentencing Reform Act of 1984 authorizes departures from the applicable guideline range subject to review by appellate courts. The Reports on the Sentencing Hearing are used to assess guideline sentencing trends and to determine the rate at which defendants are sentenced within, above, or below the guideline range as established by the court. In this section, the Commission reports on the frequency of departures on the national, circuit, and district levels, and the reasons provided by the courts for such departures.

The Commission reviewed all case files to determine departure status and reasons for departure as indicated in the Report on the Sentencing Hearing. The case was determined to involve no departure if the sentence imposed was within the guideline range established by the court and set out in the Report on the Sentencing Hearing. If the sentence fell outside the guideline range established by the court, it was determined that a departure had occurred and the applicable reasons were noted.

If a Report on the Sentencing Hearing was not provided or if the information contained in it was

insufficient to permit a departure determination, the sentence from the Judgment of Conviction was compared to the guideline range recommended by the probation officer in the presentence report. No departure was assumed when the sentence imposed by the court fell within the range recommended by the probation officer.⁷⁸

A departure could not be assumed if the sentence from the Judgment of Conviction did not correspond to the guideline range recommended by the probation officer. A court, through the fact finding process, may determine a different guideline range to be correct and sentence within that range. Thus, a discrepancy between the sentence and the range indicated in the presentence report does not necessarily indicate a departure. Departure determination for cases in which Reports on the Sentencing Hearing were absent or inadequate were coded as missing.⁷⁹

Departure Rates

Sentences were within the guideline range established by the court in 77.4 percent (28,032) of the 36,229 cases for which a departure determination could be made.⁸⁰

In 15.1 percent of the cases (5,478), courts departed downward based on a motion by the government for a reduced sentence due to the

78 This assumption was tested in a previous USSC departure study analyzing a sample of cases sentenced between November 1, 1987, and March 31, 1989. A random 25-percent sample of cases for which no Report on the Sentencing Hearing was available, but for which the sentence fell within the range recommended by the probation officer, was further investigated by placing telephone calls to probation offices across the country. Of the 196 cases for which calls were made, none involved a departure from the guideline range. As a result, all such cases were considered within-range sentences for the purposes of that study as well as for the present report.

79 In 1,517 of the 38,258 cases in 1992, no departure determination could be made due to absent or inadequate information. In 512 cases, departure determinations were not applicable because the cases had no analogous guidelines. Therefore, departure status was assessed in 36,229 cases.

80 The departure analysis employed here considers the probation, imprisonment, and confinement alternatives in relation to the guideline range established in Part A of Chapter Five. This analysis does not involve an assessment of the fine range established in Part E of Chapter Five. In addition, no assessment is made regarding terms of supervised release as established by Part D of Chapter Five.

defendant's substantial assistance to authorities. In another six percent of the cases (2,175), the court departed downward for other reasons. In 1.5 percent of the cases (544), the court departed upward, sentencing above the applicable guideline range.

To understand the departure rate, it is important to note the effect of two particular statutes on guideline sentencing patterns. Congress, in 18 U.S.C. § 3553(e), authorized the court to impose a sentence below that required by a mandatory minimum statute "to reflect a defendant's substantial assistance in the investigation or prosecution of another person who has committed an offense." In addition, the Commission was instructed in 28 U.S.C. § 994(n) to "assure that the guidelines reflect the general appropriateness of imposing a lower sentence than would otherwise be imposed" for substantial assistance to authorities. Consequently, the Commission specifically addressed such sentence reductions in §5K1.1 of the guidelines.

The 1992 data show that the rate of departures for substantial assistance, varying markedly by judicial district, has increased nationally by more than three percent since 1991. This change accounts for the overall increase in the departure rate (i.e., upward, downward, substantial assis-

tance departures) from 19.4 percent in 1991 to 22.6 percent in 1992.

Examination of national departure statistics during the four years since the Mistretta decision depict a system in which roughly four out of every five defendants received within-guideline sentences. Both upward and non-substantial assistance downward departures have declined during the past four years, with upward departures decreasing by half (a high of 3.5% in 1989 to 1.5% in 1992) and downward departures decreasing by one quarter (a high of 8.7 in 1989 to 6.0% in 1992).

The most dramatic change in the national departure rate during this four-year period is in the rate of downward departures for substantial assistance to the government. Representing 5.8 percent of all cases in 1989, the departure rate for substantial assistance has steadily risen each of the past four years to 15.1 percent of all cases in 1992.

With the rate of upward and non-substantial assistance downward departures changing little during the past four years, the increase in substantial assistance departures has affected most significantly the rate of within guideline sentences. Figure F displays the departure rates for the four reporting years since Mistretta.

DEPARTURE RATE

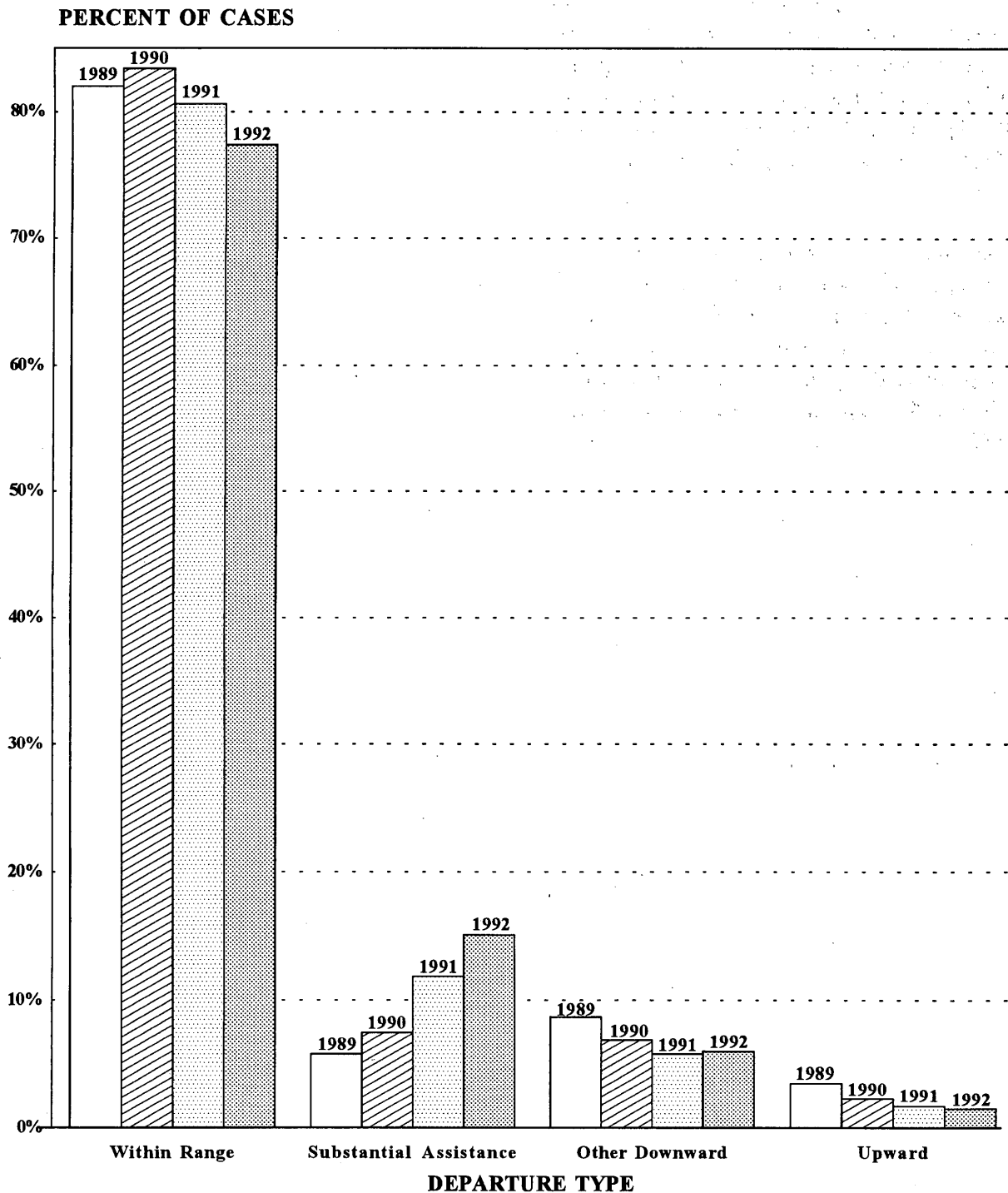
- 77.4% • Sentences Within Guideline Range
- 15.1% • Sentences Below Guideline Range for Substantial Assistance on Motion of Government
- 6.0% • Sentences Below Guideline Range
- 1.5% • Sentences Above Guideline Range

Tables 48 and 49 provide reasons given by district courts for upward and downward departures. The most frequently cited reasons for departing upward included adequacy of criminal history (48.5%), general aggravating circumstances (9.0%), and pursuant to a plea agreement (7.0%).

Substantial assistance upon motion of the government was a reason cited in 71.6 percent of the downward departures. Other reasons for downward departures included: pursuant to a plea agreement (7.9%), general mitigating circumstances (3.5%), and adequacy of criminal history (3.0%).

Figure F

TYPE OF DEPARTURE BY SENTENCING YEAR*
(January 19, 1989 through September 30, 1992)



*Information provided for 1989 and 1990 is derived from a 25 percent random sample of cases. For 1991 and 1992, departure information represents all guideline cases for which complete court data is available. Additionally, information presented from 1989 is based on a calendar year (1/19/89 - 12/31/89). The Commission changed reporting practices to a fiscal year format beginning in 1990. This change in reporting practice results in an overlap of case reporting from October 1989 through December 1989. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Monitoring Data Files.

Table 48

**REASONS GIVEN BY SENTENCING COURTS FOR
UPWARD DEPARTURES***

<u>REASON</u>	<u>Number</u>	<u>Percent</u>
Adequacy of criminal history	264	48.5
General aggravating circumstance	49	9.0
Pursuant to a plea agreement	38	7.0
Weapons and dangerous instrumentalities	34	6.3
Guidelines do not reflect the seriousness of the offense	21	3.9
No reason given	20	3.7
Large number of aliens	19	3.5
Dangerous or inhumane treatment	17	3.1
Drug amount	16	2.9
Death	15	2.8
Several persons injured	13	2.4
Bodily injury	9	1.7
High speed chase	9	1.7
Disruption of governmental function	8	1.5
Nature/Seriousness of the offense	8	1.5
Monetary value does not reflect extent of harm	8	1.5
Criminal purpose	8	1.5
Psychological injury	7	1.3
Extreme conduct	7	1.3
Public welfare	6	1.1
Ongoing nature of the activity	6	1.1
Deterrence	5	0.9
Property damage or loss	5	0.9
Defendant's propensity for violence	4	0.7
Official Victim	4	0.7
Other	110	20.2

*Based on 544 upward departure cases for which Reports on the Sentencing Hearing were available. Information on reasons was unavailable in 8 cases involving upward departures. Courts often provided more than one reason for departure; consequently, the percentage across all reasons for departure adds up to more than 100%. The "Other" category includes all reasons given less than four times among relevant cases.

Table 49

**REASONS GIVEN BY SENTENCING COURTS FOR
DOWNWARD DEPARTURES***

<u>REASON</u>	<u>Number</u>	<u>Percent</u>
Substantial assistance	5,478	71.6
Pursuant to a plea agreement	607	7.9
General mitigating circumstance	266	3.5
Adequacy of criminal history	227	3.0
Family ties and responsibilities	141	1.8
Diminished capacity	122	1.6
Physical condition	114	1.5
Age	99	1.3
Mule/Role in the offense	73	1.0
Mental and emotional conditions	72	0.9
No reason given	65	0.9
Cooperation without motion	62	0.8
Cooperation motion unknown	58	0.8
Further demonstration of acceptance of responsibility	56	0.7
No prior record/First offender	51	0.7
To put defendant's sentence in line with co-defendant	50	0.7
Coercion and duress	41	0.5
Deterrence	27	0.4
Rehabilitation	25	0.3
Adequate to meet the purposes of sentencing	25	0.3
Drug amount/Purity	22	0.3
Victim's conduct	21	0.3
Restitution	21	0.3
Offense behavior was an isolated incident	19	0.3
Dollar amount	14	0.2
Sufficient to meet the goals of punishment	14	0.2
First felony conviction - limited/minor prior record	14	0.2
Lesser harm	14	0.2
Currently receiving punishment under state or federal jurisdiction	12	0.2
Military record	11	0.1
Convictions on related counts	10	0.1
Guidelines too high	9	0.1
Drug dependence and alcohol abuse	9	0.1
Previous employment record	8	0.1
Defendant's positive background/Good character	8	0.1
Community ties	8	0.1
Deportation	6	0.1
Nature/Seriousness of the offense	6	0.1
Local conditions	5	0.1
Disagree with the career offender enhancement	5	0.1
Lack of culpability/Accountability of the defendant	4	0.1
Education and vocational skills	4	0.1
Incapacitation	4	0.1
Other	343	4.5

*Based on 7,653 downward departure cases for which Reports on the Sentencing Hearing were available. Information on reasons was unavailable in 67 cases involving downward departures. Courts often provided more than one reason for departure; consequently, the percentage across all reasons for departure adds up to more than 100%. The "Other" category includes all reasons given less than four times among relevant cases.

*Within Guideline Range Sentences and
Departures by Circuit and District*

In 1992, the departure rate varied significantly among the 12 judicial circuits. The District of Columbia Circuit had the lowest aggregate departure rate at 12.1 percent, while the Third Circuit showed the highest departure rate at 38.2 percent. However, the Third Circuit's departure rate was influenced heavily by the Eastern District of Pennsylvania, which had the highest departure rate of any of the 94 judicial districts at 52.7 percent of all cases. It is noteworthy that 48.8 percent of Eastern Pennsylvania's departures came from downward departures based on a government motion that the defendant had substantially assisted in the investigation or prosecution of another criminally responsible individual. Arizona and the Western District of North Carolina also had departure rates above 40 percent. Conversely, Eastern Virginia, Western Arkansas, and Eastern Oklahoma had departure rates below seven percent. Table 50 indicates the within-guideline range sentence and departure rates by circuit and district.

Table 50

GUIDELINE DEPARTURE RATE BY CIRCUIT AND DISTRICT*
(October 1, 1991 through September 30, 1992)

CIRCUIT	District	TOTAL	SENTENCED WITHIN GUIDELINE RANGE		SUBSTANTIAL ASSISTANCE DEPARTURE		OTHER DOWNWARD DEPARTURE		UPWARD DEPARTURE	
			n	%	n	%	n	%	n	%
TOTAL		36,229	28,032	77.4	5,478	15.1	2,175	6.0	544	1.5
D.C. CIRCUIT		512	450	87.9	37	7.2	20	3.9	5	1.0
	District of Columbia	512	450	87.9	37	7.2	20	3.9	5	1.0
FIRST CIRCUIT		1,046	830	79.4	134	12.8	58	5.5	24	2.3
	Maine	135	122	90.4	7	5.2	1	0.7	5	3.7
	Massachusetts	319	207	64.9	68	21.3	39	12.2	5	1.6
	New Hampshire	88	61	69.3	18	20.5	7	8.0	2	2.3
	Puerto Rico	321	272	84.7	37	11.5	7	2.2	5	1.6
	Rhode Island	183	168	91.8	4	2.2	4	2.2	7	3.8
SECOND CIRCUIT		2,955	2,104	71.2	546	18.5	263	8.9	42	1.4
	Connecticut	240	148	61.7	21	8.8	58	24.2	13	5.4
	New York									
	Eastern	1,225	871	71.1	208	17.0	135	11.0	11	0.9
	Northern	292	241	82.5	40	13.7	9	3.1	2	0.7
	Southern	869	581	66.9	244	28.1	37	4.3	7	0.8
	Western	194	152	78.4	22	11.3	17	8.8	3	1.6
	Vermont	135	111	82.2	11	8.2	7	5.2	6	4.4
THIRD CIRCUIT		2,193	1,355	61.8	719	32.8	95	4.3	24	1.1
	Delaware	112	87	77.7	17	15.2	4	3.6	4	3.6
	New Jersey	639	431	67.5	174	27.2	22	3.4	12	1.9
	Pennsylvania									
	Eastern	855	404	47.3	417	48.8	29	3.4	5	0.6
	Middle	246	159	64.6	69	28.1	18	7.3	0	0.0
	Western	251	200	79.7	33	13.2	16	6.4	2	0.8
	Virgin Islands	90	74	82.2	9	10.0	6	6.7	1	1.1
FOURTH CIRCUIT		4,034	3,156	78.2	683	16.9	155	3.8	40	1.0
	Maryland	361	254	70.4	74	20.5	25	6.9	8	2.2
	North Carolina									
	Eastern	386	292	75.7	73	18.9	14	3.6	7	1.8
	Middle	313	239	76.4	62	19.8	9	2.9	3	1.0
	Western	509	260	51.1	231	45.4	16	3.1	2	0.4
	South Carolina	508	407	80.1	85	16.7	14	2.8	2	0.4
	Virginia									
	Eastern	1,009	951	94.3	27	2.7	25	2.5	6	0.6
	Western	393	284	72.3	74	18.8	25	6.4	10	2.5
	West Virginia									
	Northern	182	151	83.0	25	13.7	6	3.3	0	0.0
	Southern	373	318	85.3	32	8.6	21	5.6	2	0.5

CIRCUIT District	TOTAL	SENTENCED WITHIN GUIDELINE RANGE		SUBSTANTIAL ASSISTANCE DEPARTURE		OTHER DOWNWARD DEPARTURE		UPWARD DEPARTURE	
		n	%	n	%	n	%	n	%
FIFTH CIRCUIT	5,235	4,307	82.3	594	11.4	239	4.6	95	1.8
Louisiana									
Eastern	476	416	87.4	32	6.7	24	5.0	4	0.8
Middle	38	28	73.7	6	15.8	3	7.9	1	2.6
Western	226	189	83.6	25	11.1	8	3.5	4	1.8
Mississippi									
Northern	129	91	70.5	14	10.9	23	17.8	1	0.8
Southern	197	170	86.3	12	6.1	12	6.1	3	1.5
Texas									
Eastern	278	228	82.0	27	9.7	16	5.8	7	2.5
Northern	813	680	83.6	82	10.1	35	4.3	16	2.0
Southern	1,584	1,279	80.7	222	14.0	57	3.6	26	1.6
Western	1,494	1,226	82.1	174	11.7	61	4.1	33	2.2
SIXTH CIRCUIT	3,590	2,900	80.8	508	14.2	137	3.8	45	1.3
Kentucky									
Eastern	305	252	82.6	38	12.5	11	3.6	4	1.3
Western	384	358	93.2	21	5.5	5	1.3	0	0.0
Michigan									
Eastern	773	594	76.8	120	15.5	36	4.7	23	3.0
Western	169	157	92.9	7	4.1	5	3.0	0	0.0
Ohio									
Northern	453	382	84.3	35	7.7	34	7.5	2	0.4
Southern	534	371	69.5	142	26.6	15	2.8	6	1.1
Tennessee									
Eastern	342	276	80.7	57	16.7	6	1.8	3	0.9
Middle	209	182	87.1	18	8.6	5	2.4	4	1.9
Western	421	328	77.9	70	16.6	20	4.8	3	0.7
SEVENTH CIRCUIT	2,010	1,572	78.2	348	17.3	61	3.0	29	1.4
Illinois									
Central	282	226	80.1	51	18.1	3	1.1	2	0.7
Northern	753	557	74.0	169	22.4	23	3.1	4	0.5
Southern	194	154	79.4	32	16.5	7	3.6	1	0.5
Indiana									
Northern	176	163	92.6	7	4.0	6	3.4	0	0.0
Southern	205	155	75.6	36	17.6	9	4.4	5	2.4
Wisconsin									
Eastern	299	236	78.9	45	15.1	10	3.3	8	2.7
Western	101	81	80.2	8	7.9	3	3.0	9	8.9
EIGHTH CIRCUIT	2,020	1,558	77.1	326	16.1	112	5.5	24	1.2
Arkansas									
Eastern	264	201	76.1	51	19.3	11	4.2	1	0.4
Western	103	101	98.1	1	1.0	1	1.0	0	0.0
Iowa									
Northern	114	87	76.3	23	20.2	1	0.9	3	2.6
Southern	139	120	86.3	11	7.9	8	5.8	0	0.0
Minnesota	344	229	66.6	80	23.3	25	7.3	10	2.9
Missouri									
Eastern	241	194	80.5	30	12.5	16	6.6	1	0.4
Western	318	207	65.1	95	29.9	11	3.5	5	1.6
Nebraska	174	135	77.6	23	13.2	13	7.5	3	1.7
North Dakota	127	108	85.0	5	3.9	14	11.0	0	0.0
South Dakota	196	176	89.8	7	3.6	12	6.1	1	0.5

CIRCUIT	District	TOTAL	SENTENCED WITHIN GUIDELINE RANGE		SUBSTANTIAL ASSISTANCE DEPARTURE		OTHER DOWNWARD DEPARTURE		UPWARD DEPARTURE	
			n	%	n	%	n	%	n	%
NINTH CIRCUIT		6,190	4,610	74.5	684	11.1	755	12.2	141	2.3
	Alaska	141	117	83.0	12	8.5	11	7.8	1	0.7
	Arizona	1,063	588	55.3	111	10.4	347	32.6	17	1.6
	California									
	Central	827	739	89.4	40	4.8	34	4.1	14	1.7
	Eastern	550	452	82.2	59	10.7	34	6.2	5	0.9
	Northern	221	168	76.0	29	13.1	23	10.4	1	0.5
	Southern	1,282	855	66.7	204	15.9	157	12.3	66	5.2
	Guam	67	51	76.1	16	23.9	0	0.0	0	0.0
	Hawaii	206	145	70.4	45	21.8	6	2.9	10	4.9
	Idaho	66	58	87.9	3	4.6	5	7.6	0	0.0
	Montana	206	160	77.7	26	12.6	17	8.3	3	1.5
	Nevada	367	317	86.4	22	6.0	25	6.8	3	0.8
	Northern Mariana Islands	1	1	100.0	0	0.0	0	0.0	0	0.0
	Oregon	568	471	82.9	33	5.8	57	10.0	7	1.2
	Washington									
	Eastern	263	228	86.7	15	5.7	16	6.1	4	1.5
	Western	362	260	71.8	69	19.1	23	6.4	10	2.8
TENTH CIRCUIT		1,879	1,567	83.4	166	8.8	129	6.9	17	0.9
	Colorado	343	261	76.1	57	16.6	24	7.0	1	0.3
	Kansas	226	198	87.6	12	5.3	13	5.8	3	1.3
	New Mexico	552	476	86.2	31	5.6	39	7.1	6	1.1
	Oklahoma									
	Eastern	59	57	96.6	0	0.0	2	3.4	0	0.0
	Northern	163	135	82.8	12	7.4	13	8.0	3	1.8
	Western	208	183	88.0	17	8.2	6	2.9	2	1.0
	Utah	250	201	80.4	31	12.4	18	7.2	0	0.0
	Wyoming	78	56	71.8	6	7.7	14	18.0	2	2.6
ELEVENTH CIRCUIT		4,565	3,623	79.4	733	16.1	151	3.3	58	1.3
	Alabama									
	Middle	300	252	84.0	38	12.7	9	3.0	1	0.3
	Northern	308	255	82.8	43	14.0	7	2.3	3	1.0
	Southern	305	229	75.1	58	19.0	11	3.6	7	2.3
	Florida									
	Middle	1,010	727	72.0	242	24.0	35	3.5	6	0.6
	Northern	311	214	68.8	86	27.7	6	1.9	5	1.6
	Southern	1,352	1,141	84.4	146	10.8	38	2.8	27	2.0
	Georgia									
	Middle	302	256	84.8	34	11.3	8	2.7	4	1.3
	Northern	423	352	83.2	44	10.4	23	5.4	4	1.0
	Southern	254	197	77.6	42	16.5	14	5.5	1	0.4

Of the 38,258 guideline cases, 512 were not applicable (i.e. no analogous guidelines) and 1,517 were missing departure information. Districts for which the departure information is missing in 5 percent or more of the cases received included: Central California (22.8%), Eastern New York (10.2%), Southern New York (7.6%), Southern California (6.5%), and Eastern Virginia (6.1%). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1992 Data File, MONFY92.

Departures and Within Guideline Range Sentences by Primary Offense

Departure rates varied substantially by offense type: offenses involving drug trafficking, racketeering and extortion, bribery, gambling and lottery, and money laundering had a high rate of departure due to substantial assistance compared to other offenses. Simple drug possession, larceny, burglary, immigration, and food and drug violations had relatively lower rates of departure. (See Table 51.)

Judicial Discretion Under the Guidelines

The guidelines provide for the exercise of judicial discretion at numerous points in the sentencing process, from deciding facts to accepting plea agreements to selecting the guideline sentence. Departing from the guideline range or selecting a particular point within the applicable range provides empirical examples of judicial discretion under the guidelines.

Table 52 presents departures and relative sentence location for defendants sentenced within the guideline range by offense.⁸¹ For most offense categories, the largest proportion of cases received a sentence at the lowest quarter of their available ranges, while the smallest proportion of cases were placed in the third quarter. The somewhat higher proportion of cases in the fourth quarter of the range most likely reflect mandatory minimum and career offender considerations.

Different discretionary patterns emerge from the review of sentence location for specific offense types. Drug trafficking offenses, for example, had one of the highest downward departure rates due

to substantial assistance (28.3%), and a high concentration of cases sentenced within the first quarter of the range (45.0%). Firearms offenses had low downward departure and substantial assistance rates (6.7% and 7.1%, respectively), with only 37.5 percent of the cases placed in the first quarter of the guideline range, and 22.3 percent in the fourth quarter. Gambling and lottery defendants, in comparison, received downward departures in 8.5 percent and substantial assistance departures in another 31.6 percent of the cases, with 46.3 percent sentenced in the lowest quarter of the guideline range, only 3.4 percent in the highest quarter, and with none receiving an upward departure.

Further research is indicated, beyond these initial descriptive statistics, in order to arrive at an exploration and understanding of judicial discretion, and its impact on sentencing and departures.

81 Figures in this section are based on a smaller number of cases than in the previous departure tables, because only cases with available information on guideline ranges, as determined by the court, are included in the analysis. Guideline ranges reflect adjustments to the range based on mandatory minimums and statutory maximums applicable to the case.

Table 51

GUIDELINE DEPARTURE RATE BY PRIMARY OFFENSE CATEGORY*
(October 1, 1991 through September 30, 1992)

PRIMARY OFFENSE	TOTAL	SENTENCED WITHIN GUIDELINE RANGE		SUBSTANTIAL ASSISTANCE DEPARTURE		OTHER DOWNWARD DEPARTURE		UPWARD DEPARTURE	
		n	%	n	%	n	%	n	%
TOTAL	36,093	27,916	77.3	5,466	15.1	2,173	6.0	538	1.5
Murder	60	45	75.0	4	6.7	5	8.3	6	10.0
Manslaughter	51	37	72.6	1	2.0	9	17.7	4	7.8
Kidnapping/Hostage-Taking	53	33	62.3	3	5.7	8	15.1	9	17.0
Sexual Abuse	168	146	86.9	0	0.0	13	7.7	9	5.4
Assault	341	283	83.0	7	2.1	33	9.7	18	5.3
Robbery	1,555	1,258	80.9	135	8.7	132	8.5	30	1.9
Arson	78	51	65.4	13	16.7	8	10.3	6	7.7
Drugs - Trafficking	15,142	10,198	67.4	3,881	25.6	999	6.6	64	0.4
Drugs - Communication Facility	276	208	75.4	40	14.5	12	4.4	16	5.8
Drugs - Simple Possession	861	835	97.0	4	0.5	7	0.8	15	1.7
Firearms Offenses	2,738	2,300	84.0	173	6.3	164	6.0	101	3.7
Burglary/B&E	71	65	91.6	2	2.8	4	5.6	0	0.0
Auto Theft	220	187	85.0	25	11.4	4	1.8	4	1.8
Larceny	2,648	2,433	91.9	125	4.7	59	2.2	31	1.2
Fraud	4,262	3,523	82.7	420	9.9	248	5.8	71	1.7
Embezzlement	1,108	984	88.8	35	3.2	87	7.9	2	0.2
Forgery/Counterfeiting	915	782	85.5	83	9.1	42	4.6	8	0.9
Bribery	254	149	58.7	79	31.1	20	7.9	6	2.4
Tax Offenses	615	553	89.9	40	6.5	18	2.9	4	0.7
Money Laundering	632	440	69.6	140	22.2	50	7.9	2	0.3
Racketeering/Extortion	309	204	66.0	62	20.1	31	10.0	12	3.9
Gambling/Lottery	191	117	61.3	59	30.9	15	7.9	0	0.0
Civil Rights	121	99	81.8	7	5.8	13	10.7	2	1.7
Immigration	1,815	1,667	91.9	14	0.8	55	3.0	79	4.4
Pornography/Prostitution	136	95	69.9	8	5.9	27	19.9	6	4.4
Prison Offenses	215	195	90.7	4	1.9	12	5.6	4	1.9
Administration of Justice Offenses	546	433	79.3	48	8.8	47	8.6	18	3.3
Environmental/Wildlife Violations	101	81	80.2	12	11.9	8	7.9	0	0.0
National Defense Violations	41	17	41.5	7	17.1	16	39.0	1	2.4
Antitrust	20	17	85.0	1	5.0	2	10.0	0	0.0
Food & Drug	45	41	91.1	2	4.4	2	4.4	0	0.0
Other Miscellaneous Offenses	505	440	87.1	32	6.3	23	4.6	10	2.0

*Of the 38,258 guideline cases, 2,165 cases were excluded due to one or both of the following conditions: missing or not applicable departure information (2,029) or missing primary offense category (177). Descriptions of variables used in this table are provided in Appendix A.

Table 52

POSITION OF SENTENCE RELATIVE TO GUIDELINE RANGE BY PRIMARY OFFENSE CATEGORY*
(October 1, 1991 through September 30, 1992)

PRIMARY OFFENSE	TOTAL	DOWNWARD DEPARTURE		SUBSTANTIAL ASSISTANCE DEPARTURE		FIRST QUARTER of RANGE		SECOND QUARTER of RANGE		THIRD QUARTER of RANGE		FOURTH QUARTER of RANGE		UPWARD DEPARTURE	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Murder	36	5	13.9	3	8.3	4	11.1	8	22.2	3	8.3	7	19.4	6	16.7
Manslaughter	44	8	18.2	1	2.3	14	31.8	10	22.7	2	4.6	5	11.4	4	9.1
Kidnapping/Hostage-Taking	40	7	17.5	2	5.0	9	22.5	3	7.5	3	7.5	8	20.0	8	20.0
Sexual Abuse	148	13	8.8	0	0.0	55	37.2	24	16.2	5	3.4	42	28.4	9	6.1
Assault	265	30	11.3	7	2.6	93	35.1	42	15.9	17	6.4	60	22.6	16	6.0
Robbery	1,300	125	9.6	125	9.6	581	44.7	176	13.5	70	5.4	196	15.1	27	2.1
Arson	64	7	10.9	13	20.3	17	26.6	10	15.6	4	6.3	7	10.9	6	9.4
Drugs - Trafficking	12,566	882	7.0	3,557	28.3	5,651	45.0	1,129	9.0	402	3.2	889	7.1	56	0.5
Drugs - Communication Facility	177	12	6.8	36	20.3	75	42.4	17	9.6	7	4.0	15	8.5	15	8.5
Drugs - Simple Possession	535	7	1.3	3	0.6	380	71.0	48	9.0	22	4.1	62	11.6	13	2.4
Firearms	2,241	150	6.7	159	7.1	841	37.5	360	16.1	145	6.5	499	22.3	87	3.9
Burglary/B&E	60	4	6.7	2	3.3	21	35.0	13	21.7	2	3.3	18	30.0	0	0.0
Auto Theft	193	3	1.6	24	12.4	89	46.1	43	22.3	9	4.7	21	10.9	4	2.1
Larceny	2,110	53	2.5	117	5.6	1,349	63.9	254	12.0	80	3.8	230	10.9	27	1.3
Fraud	3,459	223	6.5	375	10.8	1,725	49.9	503	14.5	147	4.3	420	12.1	66	1.9
Embezzlement	934	78	8.4	30	3.2	675	72.3	91	9.7	28	3.0	30	3.2	2	0.2
Forgery/Counterfeiting	794	37	4.7	76	9.6	389	49.0	125	15.7	43	5.4	117	14.7	7	0.9
Bribery	217	14	6.5	72	33.2	84	38.7	13	6.0	6	2.8	22	10.1	6	2.8
Tax	501	16	3.2	34	6.8	321	64.1	54	10.8	21	4.2	51	10.2	4	0.8
Money Laundering	498	44	8.8	128	25.7	190	38.2	58	11.7	27	5.4	49	9.8	2	0.4
Racketeering/Extortion	229	27	11.8	57	24.9	71	31.0	11	4.8	12	5.2	41	17.9	10	4.4
Gambling/Lottery	177	15	8.5	56	31.6	82	46.3	17	9.6	1	0.6	6	3.4	0	0.0
Civil Rights	95	12	12.6	7	7.4	58	61.1	10	10.5	2	2.1	6	6.3	0	0.0
Immigration	1,265	50	4.0	12	1.0	459	36.3	277	21.9	124	9.8	277	21.9	66	5.2
Pornography/Prostitution	111	25	22.5	7	6.3	41	36.9	16	14.4	4	3.6	14	12.6	4	3.6
Prison Offenses	181	11	6.1	3	1.7	77	42.5	39	21.6	10	5.5	37	20.4	4	2.2
Administration of Justice Offenses	459	44	9.6	45	9.8	205	44.7	69	15.0	21	4.6	59	12.9	16	3.5
Environmental/Wildlife	82	5	6.1	12	14.6	52	63.4	8	9.8	1	1.2	4	4.9	0	0.0
National Defense	37	14	37.8	7	18.9	12	32.4	2	5.4	0	0.0	1	2.7	1	2.7
Antitrust	18	2	11.1	0	0.0	10	55.6	4	22.2	2	11.1	0	0.0	0	0.0
Food & Drug	25	1	4.0	2	8.0	18	72.0	1	4.0	2	8.0	1	4.0	0	0.0
Other Miscellaneous Offenses	382	16	4.2	30	7.9	244	63.9	47	12.3	14	3.7	21	5.5	10	2.6

*Of the 38,258 guideline cases, the Commission received complete guideline application information for 31,347. Of the 31,347 cases with such information, 2,104 cases were excluded due to one or more of the following conditions: missing primary offense category (47), missing guideline range information (42), missing sentencing information (340), missing departure information (64), or missing statutory information (427). Additionally, among the 2,104 excluded cases, 1,406 were excluded for the purposes of statistical analysis due to several logical criteria other than missing information. These criteria and general descriptions of variables used in this table are provided in Appendix A.

B. RESEARCH STUDIES

Changing Composition of Offenses and Offenders

The Commission's study of the use of incarceration in the 1991 congressionally mandated evaluation found significant increases both in the use and the average length of prison sentences. The Commission recognized a need for additional research analyzing the composition of offenses and offenders over time to identify changes in those populations and possible factors influencing the changes.

To address these concerns, the Commission will analyze sentencing patterns of various offenses and offenders using empirical data, documents, and reports from criminal justice agencies. The study also will note increased public concern as reflected by news coverage as well as political reactions of executive and legislative branches in the form of laws and policies. The study proposes a four-part project: 1) comparing several disparate measures of severity trends in official crime data; 2) interviewing criminal justice professionals knowledgeable about changes in crime laws, policies, and offenses/offenders; 3) evaluating official government documents and reports and various opinion polls relating to perceptions of the severity of crime; and 4) performing computerized content analyses of crime coverage in newspapers.

The goal of this research study is to provide a comprehensive description of the empirical data and the context of changes in the population of offenders and offenses. The study will attempt to answer the following question: "Does the fact that more offenders are being sent to prison for longer sentences reflect an increase in serious crimes or an increase in punitive sentences imposed on a stable composition of offenders and offenses?"

The study plans a multi-method approach to address differences among multiple data sources on the issue of changes in the composition and seriousness of offenses or offenders. An extensive review of academic literature revealed little theoretical contribution or empirical investigation into such changes. Official government reports, however, document growth in the absolute numbers and the escalating severity of crime. Examples of specific offense/offender characteristics to be examined include:

- type and quantity of drug offenses;
- weapon use;
- proportions of violent crime;
- dollar amounts of fraud convictions;
- level of violence associated with bank robbery;
- nature of money laundering and tax offenses;
- presence of drug involvement;
- nature of environmental offenses;
- crimes involving strangers; and
- criminal histories of offenders.

Several criminal justice databases measure offenses and offenders over time. While no single database answers all questions about changing composition, a combination of these empirical data may provide a more comprehensive understanding of what changes have occurred. Data sources will include the Commission's monitoring database, the Federal Probation Sentencing and Supervision Information System of the Administrative Office of the U.S. Courts (FPSSIS), and data from the U.S. Parole Commission and the Federal Bureau of Prisons.

FPSSIS data, available from 1984 through 1990, can provide information on general trends in offender mix as well as certain offense and offender characteristics. Although FPSSIS data lack the degree of consistency and detail over time to answer all pertinent questions, they are nonetheless valuable for overall trends. U.S. Pa-

role Commission data also provide long-term information for the period 1972-1993, and although the only variables of interest to this study are indices of criminal history and offense severity, they add another dimension to the research question. Commission monitoring data and a set of augmented FPSSIS data are more detailed and will allow in-depth understanding of the change in composition of offenses and offenders, but they exist only for pre-post comparisons for 1984-85 and 1989-90. Further, changes in composition are available only for certain crimes: bank robbery, embezzlement, and drug offenses involving cocaine and heroin. The study also will explore data of the Federal Bureau of Prisons. All of these datasets will contribute to a complete analysis of the question of the changing composition of offenses and offenders.

Prosecutorial Outcomes: A District-Based Analysis

In December 1991, the Sentencing Commission submitted its evaluation report to Congress as mandated by the Comprehensive Crime Control Act of 1984.⁸² Included in the report were analyses of longitudinal data describing prosecutorial behavior in the federal court system. These analyses addressed the extent of court processing change in response to policy and legislative changes (i.e., the enactment of anti-drug legislation in 1986 and 1988, introduction of the sentencing guidelines, the U.S. Supreme Court's 1989 affirmation of the guidelines' constitutionality, and Justice Department policy statements regarding charging and plea practices under the guidelines). Overall report results showed that during the period under study none of these events affected case processing in the federal courts.

Building on this four-year evaluation effort, additional Commission analyses addressed further questions about the impact of the sentencing guidelines on case processing. The earlier analyses had not been sensitive to local conditions such as differences in caseload composition and size, the number of court personnel, and the effects of these factors on court operations and the flow of cases. Therefore, the follow-up analyses address these questions:

- Is the lack of impact — from implementation of the guidelines, the *Mistretta* decision by the Supreme Court, the Anti-Drug Abuse Acts of 1986 and 1988, and the Thornburgh memo — replicated when variation across individual districts is taken into account?
- Irrespective of whether those null findings are replicated, what is the nature of the variation in case filings and guilty pleas across the various judicial districts?
- What is the impact on case processing of district characteristics such as the number of personnel (e.g., judges, probation officers, assistant U.S. attorneys), crime rates (drawn from the FBI's Uniform Crime Reports), and caseload characteristics?

To answer these questions, the Commission estimated regression models for the number of cases filed and the number of guilty pleas. Data from a variety of sources for these analyses fell into three categories: prosecutorial outcomes, district-level measures of the court environment, and district-level measures of serious crime.

82 The Federal Sentencing Guidelines: A Report on the Operation of the Guidelines System and Short-Term Impacts on Disparity in Sentencing, Use of Incarceration, and Prosecutorial Discretion and Plea Bargaining

Prosecutorial outcomes are taken from the Criminal Master File prepared for the federal system by the Executive Office of U.S. Attorneys. Constructed from these data, monthly totals for fiscal years 1986-1990 for the outcomes reported in the evaluation report included, for each federal court district, the number of matters initiated, the number of cases filed, and the number of guilty pleas.

Explanatory variables, included in these models to control for systematic variation within and across districts, are of two types: those descriptive of the court setting and those descriptive of the more general environment. The former type includes the numbers of various district court personnel and guideline cases sentenced each month. The latter type includes population data and monthly Uniform Crime Report (UCR) data from the FBI, aggregated by federal court district.

The results of these analyses, which focus on the 34-month period from December 1986 through September 1989, are rather straightforward. First, a moderate amount of variation across districts is demonstrated in the numbers of cases processed. In general, all 94 districts show little change in number of cases filed or guilty pleas. Figures G and H show the number of cases filed and the number of guilty pleas per month for Oregon, a typical medium-sized district. The four vertical lines represent the effective dates of the four policy initiatives listed above. Note that none of these initiatives is associated with changes in either graph. In fact, the numbers of cases filed and guilty pleas remain relatively constant during the time period studied.

Second, the regression findings replicate this result for all districts when estimated as a set.⁸³ The number of cases filed and the number of guilty pleas apparently were not affected in any systematic fashion by the policy initiatives cited above. These results confirm findings in the Commission's four-year evaluation report for the federal court system overall.

Prison Impact Assessment

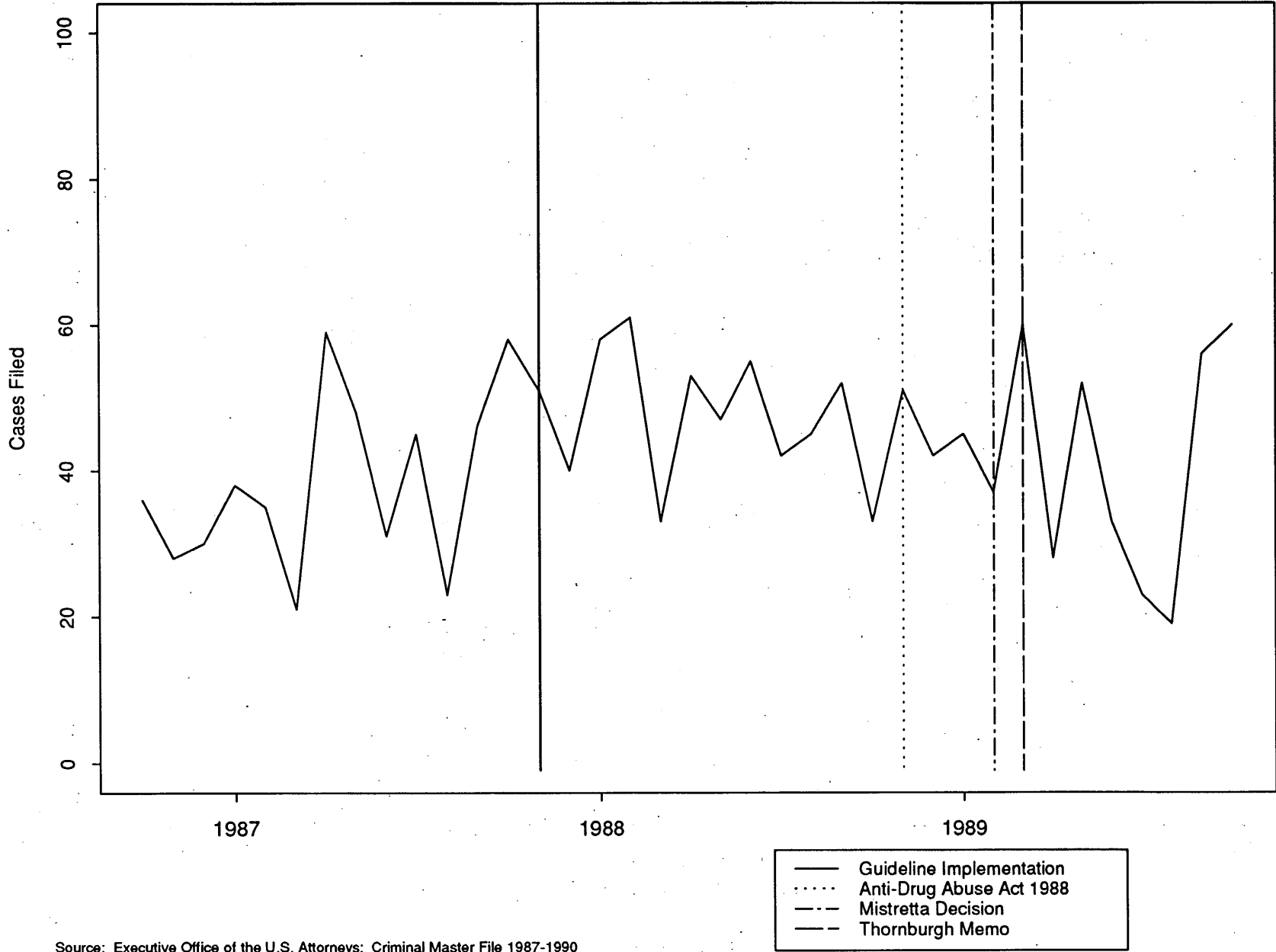
The Commission continued its research on improving the methods for predicting the changes in imprisonment that arise from changes in the sentencing guidelines. Using a new prison impact model, the Commission made change estimates for five of the 1992 guideline amendments, namely 1) §§2L1.1, 2L2.1 and 2L2.3 (Offenses Involving Immigration, Naturalization and Passports); 2) §2A3.2 (Criminal Sexual Abuse of a Minor); 3) Chapter 5, Alternatives to Incarceration; 4) §3E1.1 (Acceptance of Responsibility); and 5) §2N2.1 (Food and Drug Act violations). Of these five amendments, the largest projected change was for an additional one-level reduction in Acceptance of Responsibility, with the model predicting a decrease of 4.2 percent in the prison population.

The basic premise of the prison impact model is that a reasonable estimate of the changes in prison population is represented by the total amount of prison time defendants received during a calendar year. Using fiscal 1991 data, the Commission calculated that 31,979 defendants were sentenced to a total of 111,981 person years of imprisonment. Thus, the projected estimate for the prison population is 111,981 defendants (about 36,000 more than are currently incarcerated in

83. This type of analysis is referred to as a pooled cross-sectional and time series analysis because time series for multiple cross-sections (districts) are analyzed as a single dataset.

Figure G

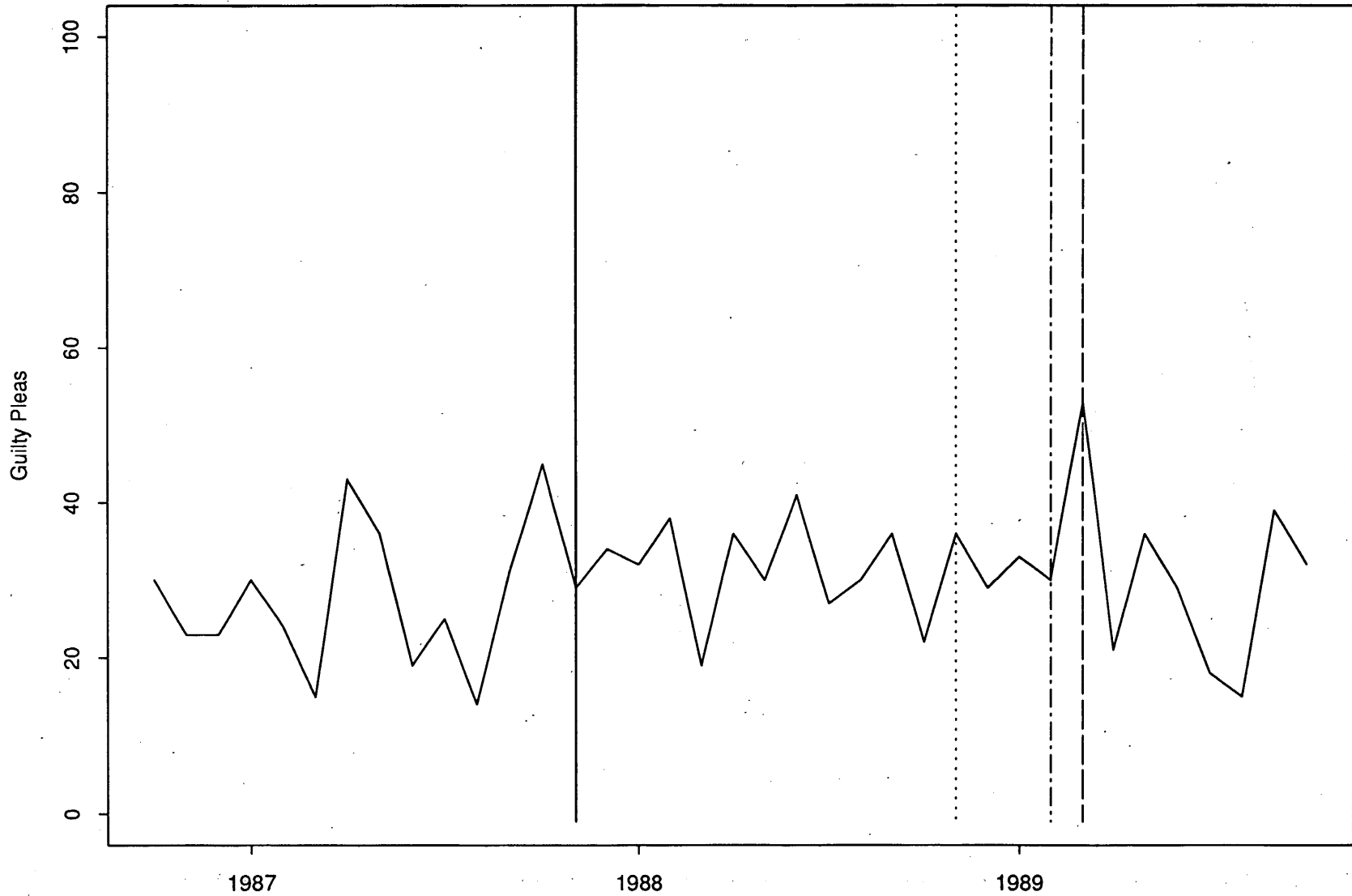
Cases Filed: October 1986 to December 1989
District of Oregon



Source: Executive Office of the U.S. Attorneys: Criminal Master File 1987-1990

Figure H

Guilty Pleas: October 1986 to December 1989
District of Oregon



Source: Executive Office of the U.S. Attorneys: Criminal Master File 1987-1990

- Guideline Implementation
- Anti-Drug Abuse Act 1988
- - - - Mistretta Decision
- . - . Thornburgh Memo

federal prisons). This constitutes the baseline against which the amendments are measured.

The prison impact model based its estimates on the fiscal 1991 population of 31,979 defendants, calculating how sentences for those defendants would have differed had the new guideline amendments been in place at the time of sentencing. As the amendments changed certain sentences, the total person years of imprisonment also would change. The difference between those two numbers constitutes an estimate for absolute change in the size of the long-term prison population; the ratio represents the percentage change. For example, projected changes to §3E1.1, Acceptance of Responsibility, would have resulted in 107,331 person years of imprisonment, reducing the total person years by 4,650, or a decrease of 4.2 percent (4650/111,981). This long-term change in the size of the prison population can be compared to the size of that population if the amendment had not passed.

The basis of the model is the resentencing algorithm. Each defendant's presentence report is examined to determine whether the imposed sentence would have been different under a proposed guideline amendment. If that is the case, the "position" of the imposed sentence is first computed.⁸⁴ Then the hypothetical new sentence is computed by moving the defendant to the new guideline range and imposing a new sentence at exactly the same position as before. If the guideline increases, the sentence increases proportionately. Thus, defendants with sentences imposed at the bottom of the guideline range would likewise be sentenced at the bottom of the new guideline range.

Sometimes actual sentencing practices required modifications to the assumption that sentencing under proposed amendments would be to the same position prior to the amendment. For example, assumptions are made that defendants are not resentenced above statutory maximums or below statutory minimums (except in cases of departures for substantial assistance under §5K1.1), or that sentence enhancements such as those found in 18 U.S.C. § 924(c) are not reduced. If a defendant was sentenced for multiple counts, the change in the guidelines involves reapplying the Chapter Three multiple count rules to determine the final offense level. Defendants whose sentence represented a departure from the guidelines are resentenced to a new value at exactly the same position unless the sentence would be below statutory minimums or above statutory maximums.

After computing the new sentence for each defendant, the model estimates the length of the defendant's likely prison term by 1) discounting the sentence for good conduct time and 2) calculating average life expectancy. The new estimates for the size of the prison population are achieved by totaling all the estimated prison terms.

In addition to projecting the 4.2 percent decrease in the size of the prison population for the amendment to Acceptance of Responsibility, the Commission projected a change in the size of the prison population for amendments to §§2L1.1, 2L2.1, 2L2.3, 2A3.2, 2N2.1, and amendments to the sentencing table expanding alternatives to incarceration. In all cases, the projected changes were less than 0.2 percent.

84 The "position" is defined as the proportion above or below the minimum of the applicable guideline range.

Appendix A

Description of Datafiles, Variables, and Footnotes

Introduction

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

Tables in this report use the Commission's data file, MONFY92, which includes information on the 38,258 defendants sentenced under the SRA during fiscal year 1992 (October 1, 1991, through September 30, 1992) for whom data were received as of January 28, 1993. Given the nature of the data file and reporting requirements, the following are not included: cases initiated but for which no convictions were obtained; defendants convicted for whom no sentences were yet issued; and defendants sentenced but for whom no data were submitted to the Commission.

Because the Commission collects information only on cases sentenced under the guidelines, information on cases sentenced under prior law (pre-guidelines) during FY1992 is not available in this data set.

Variables

The following section describes the variables used in this report.

Age

The *Age* of the defendant on the day of sentencing is calculated using the date of birth of the defendant as reported in the Presentence Report and the date of sentencing as reported in the Judgment of Conviction Order.

Average Length of Imprisonment

Using sentencing information obtained from the Judgment of Conviction Order, *Average Months Prison* is reported as the mean and median terms of imprisonment ordered for cases committed to the Bureau of Prisons. Cases that received no term of imprisonment are not included in the average. Cases for which a term of imprisonment was ordered but the length was indeterminable also are excluded. In most cases for which the exact term is unknown, the Judgment of Conviction Order merely specified a sentence of *Time Served*. Life sentences are treated in the calculation as 360 months.

Cases Received by the Commission

Each *Case* as recorded by the Commission involves a single sentencing event for a single defendant. Multiple counts, and even multiple indictments, are considered a single sentencing event if sentenced at the same time by the same judge. A single defendant may appear in more than one case if involved in more than one sentencing event. Multiple codefendants in the same sentencing each appear as a separate case.

Chapter Two Guideline Applied

Chapter Two Guideline Applied represents the Chapter Two (offense specific) guidelines applied in single and multiple count cases. Because a single case may reference several different guidelines, totals may equal more than 100 percent. For Chapter Two guidelines that list possible cross-references resulting in application of multiple guidelines, both the original and cross-referenced guideline(s) are included. However, if application of a specific cross-reference is required, only the original guideline is coded to avoid double-counting for these cases.

Circuit

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

Citizenship Status

Information on the *Citizenship Status* of defendants is obtained from the Presentence Report. Defendants are categorized as "U.S. citizen," "resident alien," "illegal alien," and "non-U.S. citizen, alien status unknown." The latter three categories are collapsed into the category of "non-U.S. citizen."

Country of Citizenship

Information on the *Country of Citizenship* for non-U.S. citizen defendants is obtained from the Presentence Report and includes the most frequently occurring countries of origin for non-U.S. citizens. Countries appearing less than 50 times are collapsed into the "other" category.

Criminal History Category

Criminal History Category is derived from the Report on the Sentencing Hearing provided by the sentencing court. Tables involving the Report on the Sentencing Hearing are based on the 94.0 percent of cases for which the Commission has received such documents.

When the criminal history category is not specified in the Report on the Sentencing Hearing, the computer calculates the criminal history category based on several logical criteria, if available. For example, if the number of criminal history points is known or the guideline range and offense level are available from the Report on the Sentencing Hearing, criminal history category is calculated by reference to the guideline sentencing table. Additionally, if the three main guideline factors were not provided on the Report on the Sentencing Hearing, but the court indicated that it accepted the values contained in the Presentence Report, the guideline factors are taken from the Presentence Report.

For Table 21 only, criminal history category is taken from the Presentence Report when the Report on the Sentencing Hearing is not available. While the court may disagree with Presentence Report information, the criminal history category is the same in more than 95 percent of cases for which both documents were received.

District

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

Document Submission Rates

Three documents are represented in Table 9: Judgment of Conviction Order (J&C), Presentence Report (PSR), and Report on the Sentencing Hearing. The J&C and PSR are generally submitted in a standardized format. PSRs waived by the court are indicated in a separate column. Sealed PSRs are included as *Not Received*. Standardized forms for the Report on the Sentencing Hearing are most frequently submitted; however, transcripts or partial transcripts from the sentencing hearing are also included as *Received*.

Drug Type

Information on *Drug Type* is obtained from the Judgment of Conviction Order and the Presentence Report. It is only recorded if at least one of the statutes of conviction is a title 21 U.S. Code offense. Two different types of drugs are recorded if applicable, with the type that produces the highest base offense level coded as the primary drug type. Information about type of drug in this report is derived from the primary drug type. The category *Marihuana* includes Hashish and Hashish oil. The category *Methamphetamine* includes Methamphetamine precursors. All other drug types not listed separately in this report are collapsed into the *Other* category.

Fines and Restitution

Fines and Restitution information is obtained from the Judgment of Conviction Order. The *Total Receiving Fines and Restitution* includes the number of cases ordered to pay a fine, make restitution, or both. Cases involving fines and restitution overlap with other sentencing categories because fines and restitution may be ordered in conjunction with the imposition of other sanctions.

The *Average Dollar Amount* of payment ordered, presented both as the *Mean* and the *Median*, is the dollar amount of the fine and the restitution ordered for cases involving economic sanctions. Cases that received no fine or restitution are not included in the calculation of the average. The number of cases upon which the average is based may not equal the *Total Receiving Fines and Restitution*. This is due to the failure of some Judgment of Conviction Orders to specify the dollar amount ordered. The *Sum* of payment ordered reflects the total dollar amount of fines and restitution ordered, excluding cases in which the amount was indeterminable. The median of payments ordered reflects the amount located at the fiftieth percentile of all amounts ordered, excluding cases in which the amount was indeterminable.

Gender

Gender of the defendant is obtained from the Presentence Report or through contact with the probation office.

Guideline Defendants Sentenced

Each *Guideline Defendant Sentenced*, or *Case*, as recorded by the USSC, involves a single sentencing event for a single defendant. Multiple counts, and even multiple indictments, are considered a single sentencing event if sentenced at the same time by the same judge. A single defendant may appear in more than one case if involved in more than one sentencing event. Multiple codefendants in the same sentencing will each appear as separate cases.

Guideline Departure Rate

Information on *Departures* is obtained primarily from the Report on the Sentencing Hearing. A case is determined to involve no departure if the sentence imposed is within the guideline range established by the court. If the sentence falls outside this range, the case is coded as a departure, and the applicable reasons given by the court are noted.

For cases in which no Report on the Sentencing Hearing is provided or the information contained in it is insufficient, the sentence from the Judgment of Conviction Order is compared to the guideline range recommended in the Presentence Report. *No Departure* is assumed if the sentence imposed falls within the recommended range. However, a determination of *Departure* is not assumed if the sentence falls outside the guideline range recommended by the probation officer, due to possible changes in that range based on court findings. For these cases departure status is coded as missing.

Guideline Sentencing Range

The *Guideline Sentencing Range* is taken from the Report on the Sentencing Hearing provided by the sentencing court. Tables involving the Report on the Sentencing Hearing are based on the 94.0 percent of cases for which the Commission has received such documents.

When the guideline sentencing range is not specified in the Report on the Sentencing Hearing, the computer calculates the guideline sentencing range based on several logical criteria, if available. For example, if the criminal history category and offense level are available from the Report on the Sentencing Hearing, the guideline sentencing range is calculated by reference to the guideline sentencing table. Additionally, if the three main guideline factors were not provided on the Report on the Sentencing Hearing, but the court indicated that it accepted the values contained in the Presentence Report, the guideline factors are taken from the Presentence Report.

In cases for which a guideline sentencing range is trumped by a statutory maximum or mandatory minimum, the original (pre-trumped) guideline sentencing range is reported.

Income

The Commission codes *Income* to represent monthly income to the nearest dollar and includes sources other than traditional employment, such as welfare payments or unemployment compensation. Zero dollars are entered for persons with no income (whether unemployed, student, etc.). This variable is coded as missing or inapplicable when the Presentence Report indicates erratic or sporadic employment that might make an income value potentially misleading.

Length of Imprisonment

Using sentencing information obtained from the Judgment of Conviction Order, *Length of Imprisonment* is provided only for cases committed to the Bureau of Prisons. Life sentences are included in the category *Over 60* months. Sentences of a partial month have been rounded to the next month. Differences between the number of cases included and the total number of defendants sentenced to a term of imprisonment are due to missing information on the exact length of the term ordered. In most cases for which the exact term is unknown, the Judgment of Conviction Order merely specifies a sentence to *Time Served*.

Mode of Conviction

Information on *Mode of Conviction* is obtained from the Judgment of Conviction Order. Defendants sentenced subsequent to a plea of guilty or nolo contendere are included in the *Plea* category. Defendants sentenced subsequent to a trial by judge or jury are included in the *Trial* category. For the purposes of statistical analysis, cases sentenced pursuant to both a plea and a trial are excluded.

Offense Level

The final *Offense Level* used in these tables is taken from the Report on the Sentencing Hearing provided by the sentencing court. Tables involving the Report on the Sentencing Hearing are based on the 94.0 percent of cases for which the Commission has received such documents.

When the final offense level is not specified in the Report on the Sentencing Hearing, the computer calculates the offense level based on several logical criteria, if available. For example, if the guideline sentencing range and criminal history category are available from the Report on the Sentencing Hearing, final offense level is calculated by referring to the guideline sentencing table. Additionally, if the three main guideline factors were not provided on the Report on the Sentencing Hearing, but the court indicated that it accepted the values contained in the Presentence Report, the guideline factors are taken from the Presentence Report.

Position of Sentence

Departure information is given in more detail by describing the group of cases sentenced within the guideline sentencing range in terms of their relative position within the range. Only cases with complete information from the Report on the Sentencing Hearing are used in this table. The *Position of Sentence* relative to the guideline sentencing range is determined by dividing the available range (after accounting for statutory restrictions on either or both ends of the range) into four quarters and locating the position of the sentence relative to these four quarters. For cases in which the sentence is located outside the guideline sentencing range, departure information as reported by the sentencing court is provided. Differences in the number and percentage of cases in each location may differ from tables that report the Commission's standardized departure information due to the exclusion of any case missing complete information from the Report on the Sentencing Hearing and information on statutory minima and maxima.

Primary Offense Category

Information on *Primary Offense Category* is obtained from the Judgment of Conviction Order. An offense code was derived for each of up to four counts of conviction in every case, based on the statute(s) and elements of conviction. The "primary" offense code for the case was determined to be the offense code applicable for the count with the highest statutory maximum. If two or more counts were found to have the same statutory maximum, "primary" offense was selected according to the following (diminishing) order:

- a) violent offenses (including burglary of a residence)
- b) drug offenses
- c) firearm offenses
- d) property offenses
- e) moral turpitude offenses
- f) other offenses

In cases involving different offense codes that were similar under this second criterion as well (e.g., two different property offenses with the same statutory maximum), statutory maximum fines were used as tie-breakers. Finally, in the small number of cases unresolved, the offense type that best represented the nature of the criminal behavior was chosen.

For convenience in analysis, a summary variable describing "primary offense category" was derived. This code was generated by grouping similar primary offense codes into a smaller set of categories.

Listed below are the offense types that were grouped into each of the primary offense categories used in this report.

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

Manslaughter includes involuntary manslaughter and voluntary manslaughter.

Kidnapping/Hostage includes ransom taking and hostage/kidnapping.

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

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

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

Arson includes arson and damage by explosives.

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

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

Drugs: Simple Possession includes not only simple possession of drugs but also distribution of a small amount of marihuana.

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

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

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

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

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

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

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

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

Tax Offenses include receipt/trafficking in smuggled property; aid, etc., in tax fraud; fraud — tax returns, statements, etc.; fraud, false statement — perjury; failure to file or pay; tax evasion; evading import duties (smuggle); failure to collect or account for taxes; regulatory offenses —

taxes; failure to deposit taxes in trust account; non-payment of taxes; conspiracy to avoid taxes; and offenses relating to withholding statements.

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

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

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

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

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

Pornography, Prostitution includes dealing in obscene matter; transportation of minor for prostitution/sex, transportation for prostitution/sex (adult), sexual exploitation of minors, materials involving sexual exploitation of minors, obscene telephone or broadcasting, and selling or buying children for pornography.

Offenses in Prisons include contraband in prison, riots in federal facilities, and escape.

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

Environmental/Fish and Wildlife includes specially protected fish, wildlife, plants.

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

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

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

Other Miscellaneous Offenses include illegal use of registration number — drugs; illegal transfer of drugs; illegal regulatory number to get drugs; drug paraphernalia; forgery/fraud for drugs; dangerous devices to protect drugs; manufacture drugs against quota; endangering life while manufacturing drugs; operate carrier under drugs; endangerment from hazardous/toxic substances; mishandling substances, records, etc.; threat of tampering with public water system; tampering with public water system; hazardous devices of federal lands; mishandling other pollutants, records, etc.; improper storage of explosives; recordkeeping violation — explosives;

possession of other weapon — on aircraft, in federal facility; failure to report theft of explosives; feloniously mailing injurious articles; transport of hazardous material in commerce; interference with flight crew, other offense — aboard aircraft; criminal infringement of copyright; conflict of interest; unauthorized payment; non-drug forfeiture; impersonation; false statement to Employee Act; reporting offenses — labor related; criminal infringement of trademark; unlawful conduct relating to control/cigarettes; trespass; destruction of property; destruction of mail; aircraft piracy; conspiracy to murder (no death, assault, or attempt); conspiracy to commit murder; and all other miscellaneous offenses not previously listed in any of the other categories.

Race

Information on *Race* of the defendant is obtained from the Presentence Report. Due to new instructions issued by the Administrative Office of the U.S. Courts, the reporting of defendant race in the Presentence Report is separated into race and ethnicity. The categories for race include *White*, *Black*, *Native American or Alaskan Native*, and *Asian or Pacific Islander*. The additional field of ethnicity indicates whether a defendant is of Hispanic origin. For purposes of this report, defendants whose ethnic background is designated as Hispanic are shown as Hispanic regardless of racial background. The *Other* category includes defendants of Native American, Alaskan Native, and Asian or Pacific Islander origin.

Reasons for Departure

Reasons for Departure as given by the sentencing judge are coded for cases involving departures. This information is obtained from the Report on the Sentencing Hearing when available. Courts often provide more than one reason for departure; consequently, on departure tables the percentages across all reasons for departure add up to more than 100 percent. Reasons listed are those given more than three times. The "Other" category includes any other, less frequently given reason.

Single and Multiple Count Cases

Information on *Number of Counts* of conviction is obtained from the Judgment of Conviction Order and verified with the Presentence Report. Cases with more than one count of conviction are included in the *Multiple Count* category.

Type of Guideline Sentence Imposed

Using sentencing information obtained from the Judgment of Conviction Order, the *Total Receiving Prison* includes the number of defendants sentenced (and percent of *Total Cases*) who received a commitment to the Bureau of Prisons. This column includes those receiving *Prison*, and the *Prison/Community Split Sentence*.

The *Prison* category includes defendants sentenced to a term of imprisonment only, with no condition of post-release supervision, as well as defendants sentenced to a term of imprisonment followed by a term of supervised release with no conditions of community confinement or home detention. The *Prison/Community Split Sentence* is a term used for a new sentence under the Sentencing Reform Act and guidelines. This involves a term of imprisonment followed by a term of supervised release that includes a condition of community confinement or home detention. These conditions added together must comprise at least the minimum guideline sentence established by the sentencing court.

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

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

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

Cases Involving Fines and Restitution overlap with the other categories because fines and restitution may be ordered in conjunction with the imposition of other sanctions.

Footnotes

The following footnotes pertain to the "Fiscal Year 1992 Guideline Sentences" tables provided in Appendix B. Actual figures provided in these footnotes apply only to the national data table. Additional information describing variables and data used are provided earlier in this appendix.

- ¹ Table-wide deletion is used to exclude cases missing information on any or all of the following defendant characteristics: Gender, Race, or Age. Nationally, this involves the exclusion of 1,835 cases because of missing information on Gender (9), Race (636), or Age (348). Additionally 6,861 cases missing information on the income of the defendant were excluded from the calculation of average monthly income.
- ² Cases with missing or indeterminable information on Mode of Conviction (59) are excluded. In addition, 143 cases coded with a value of *Both Plea and Trial* are excluded.
- ³ The *Total Cases* column includes all cases with information available on type of sentence, economic sanction, and primary offense. Table-wide deletion results in the exclusion of cases missing any or all of these indicators. Nationally, 533 cases missing any or all of these indicators have been excluded: primary offense (177), type of sentence imposed (234), and economic sanction type (605).

Cases in the *Total Receiving Prison*, *Total Receiving Probation*, and *Other Cases* categories total 100 percent of all cases; however, *Cases Involving Fines and Restitution* will overlap with the other categories because fines and restitution may be ordered in conjunction with the imposition of other sanctions.

- 4 Cases involving no term of imprisonment and cases with indeterminable terms are excluded from the calculation of the *Average Months Prison*. Any sentence of days is rounded up to the nearest month. Life sentences are included in these calculations as 360 months. Of the 37,725 cases included in the *Total Cases* column, 9,159 cases involving no term of imprisonment and 642 cases with an unspecified length are excluded from calculation of the average.
- 5 Cases involving no term of imprisonment and cases with indeterminable terms are excluded from the category *Length of Prison Term*. Any sentence of days is rounded up to the nearest month. Life sentences are included in the category *Over 60*. Of the 37,725 cases included in the *Total Cases* column, 9,159 cases involving no term of imprisonment and 642 cases with an unspecified length are excluded from this category.
- 6 Cases receiving no order of fine or restitution are excluded from the calculation of the *Total Receiving Fines and Restitution*. The number of cases upon which the average is based may not equal the *Total Receiving Fines and Restitution* due to the failure of some Judgment of Conviction Orders to specify the dollar amount ordered. Of the 37,725 cases included in the *Total Cases* column, 25,084 cases involving no order of fine or restitution and 605 cases with an indeterminable dollar amount ordered are excluded from these calculations.
- 7 Of the 38,258 guideline cases, 2,029 cases with missing or incomplete departure information were excluded.

The following information corresponds to footnotes in the "Selected Federal Criminal Justice Indicators," "Crimes Reported To Police," and "Selected Demographic Indicators" tables in Appendix B.

- 1 Cities are listed, in decending order, according to the amount of sentencing guideline documentation submitted to the Commission.
- 2 Source: Administrative Office of the U.S. Courts, Human Resource Division. Organizational/Personnel Database System. Includes active and senior district judges as of 3/5/93.
- 3 Source: Administrative Office of the U.S. Courts. Statistical Tables for the Twelve-Month Period Ended September 30, 1992. Civil Cases Commenced, Terminated, and Pending During the Twelve-Month Periods Ended September 30, 1991 and 1992. Table C. Filings for civil cases for period ended 9/30/92.

- ⁴ Source: Executive Office for U.S. Attorneys, Evaluation and Review Staff. Represents all attorneys designated as of 12/92 as members of general criminal, organized crime drug enforcement task force, narcotics, financial institution fraud, and strike force units. The Executive Office estimates 75 percent of the attorneys' time is spent on criminal work. Therefore, the number of assistant U.S. attorneys listed for each district represents 75 percent of the total assistant U.S. attorneys allocated. \ Note: of the 285 assistant U.S. attorneys assigned to the District Court in the District of Columbia, 187 perform only Superior Court functions while the remaining 98 handle federal prosecutions.
- ⁵ Source: Administrative Office of the U.S. Courts. Statistical Tables for the Twelve-Month Period Ended September 30, 1992. Criminal Cases Commenced, Terminated, and Pending in the District Courts During the Twelve-Month Periods Ended September 30, 1991 and 1992. Table D. Filings for felony and misdemeanor cases for period ended 9/30/92.
- ⁶ Source: Administrative Office of the U.S. Courts, Defender Services Division. Represents number of assistant federal defender positions available for FY 1992 and includes members of community defender organizations. Districts with Community Defender Organizations include Southern California, Northern Georgia, Northern Illinois, Eastern Michigan, Eastern Pennsylvania, Eastern Tennessee, Eastern Washington, and Eastern and Southern New York (which share 35 community defenders). Several adjoining districts share assistant federal defenders, and in these specific cases the number of assistant federal defenders indicated is the total number shared. These districts include Colorado and Wyoming which share 12 defenders, Delaware and New Jersey which share 15, Southern and Central Illinois and Eastern Missouri which share eight, and Eastern and Northern Oklahoma which share three.
- ⁷ Source: Administrative Office of the U.S. Courts (1992). Probation and Pretrial Services Division Field Personnel. Does not include pretrial services officers.
- ⁸ Source: U.S. Department of Justice, FBI, Uniform Crime Reports. National data published in Crime in the United States-1991. Data on crime in federal judicial districts are derived from FBI unpublished data. The FBI combines seven offenses (murder and non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny-theft, and motor vehicle theft) to compute a Crime Index. The totals for each index crime represent the aggregate number of crimes reported during 1991 to city, county, and state law enforcement officials. Arson was added as the eighth index offense in 1979; however, according to the FBI, sufficient data are not available to estimate arson totals for the nation or by judicial district. Data for judicial districts in New York were obtained directly from the New York State Statistical Analysis Center. Data for 1991 were not available for Iowa and Puerto Rico. Source for the Virgin Islands: U.S. Department of Justice, FBI, Uniform Crime Reports. National data published in Crime in the United States-1989.

- ⁹ Represents 1986-87. Source: U.S. Department of Commerce, Bureau of the Census. Data derived from U.S. Bureau of the Census, 1987 Census of Governments, Governmental Finances, Compendium of Government Finances, Series GC87(4)-5. Direct general expenditure comprises all expenditures of the local governments excluding utility, liquor stores, and insurance trust expenditures and any intergovernmental transfers.
- ¹⁰ Represents 1990 population. Source for all federal judicial districts except Puerto Rico and the Virgin Islands: U.S. Department of Commerce, Bureau of the Census, City County Data Book (1990). Source for Puerto Rico: U.S. Department of Commerce, Bureau of the Census (June 1982). Characteristics of the Population, 1980 Census of Population. "Number of Inhabitants," Part 53, Vol.1, Chapter A. Source for the Virgin Islands: U.S. Department of Commerce, Bureau of the Census (November 1982). Characteristics of the Population, 1980 Census of Population. "Number of Inhabitants," Part 55, Vol.1, Chapter A, Table 2.
- ¹¹ Represents 1985 for all federal judicial districts except Puerto Rico. Source for all districts except Puerto Rico: U.S. Department of Commerce, Bureau of the Census (1988). City County Data Book. Data derived from U.S. Bureau of the Census, Current Population Reports, Series P-26. Source for Puerto Rico (represents 1979): U.S. Department of Commerce, Bureau of the Census (February 1984). Characteristics of the Population, 1980 Census of Population. "General Social and Economic Characteristics," Part 53A, Vol.1, Chapter C, Table 54.
- ¹² Represents 1990 population. Source for all federal judicial districts except Puerto Rico and the Virgin Islands: U.S. Department of Commerce, Bureau of the Census, City County Data Book (1990). Source for Puerto Rico: U.S. Department of Commerce, Bureau of the Census (June 1982). Characteristics of the Population, 1980 Census of Population. "Number of Inhabitants," Part 53, Vol.1, Chapter A. Source for the Virgin Islands: U.S. Department of Commerce, Bureau of the Census (November 1982). Characteristics of the Population, 1980 Census of Population. "Number of Inhabitants," Part 55, Vol.1, Chapter A, Table 2.
- ¹³ Represents 1986. Source: U.S. Department of Commerce, Bureau of the Census (1988). City County Data Book. Based on total civilian labor force. Data derived from U.S. Bureau of Labor Statistics, Employment and Unemployment for States and Local Areas, annual.
- ¹⁴ Represents 1990 population. Source for all federal judicial districts except Puerto Rico and the Virgin Islands: U.S. Department of Commerce, Bureau of the Census, City County Data Book (1990). Source for Puerto Rico: U.S. Department of Commerce, Bureau of the Census (May 1983). Characteristics of the Population, 1980 Census of Population. "General Population Characteristics," Part 53, Vol.1, Chapter B. Source for the Virgin Islands: U.S. Department of Commerce, Bureau of the Census (April 1983). Characteristics of the Population, 1980 Census of Population. "General Population Characteristics," Part 55, Vol.1, Chapter B, Table 14.

- 15 Source for all federal judicial districts except Puerto Rico: U.S. Department of Commerce, Bureau of the Census (1990). City County Data Book. Nonfarm employment estimated as the sum of the number of persons employed in private nonfarm establishments (excluding self-employed persons, domestic service workers, railroad workers jointly covered by Social Security and railroad retirement programs, workers on oceanborne vessels, and workers in foreign countries), 1990. Source for Puerto Rico: U.S. Department of Commerce, Bureau of the Census (September 1984). Characteristics of the Population, 1980 Census of Population. "Detailed Population Characteristics," Part 53, Vol.1, Chapter D, Table 122 A, B, C.
- 16 Covers support of and assistance to needy persons contingent upon their needs. Includes cash assistance, vendor payments made directly to private purveyors for commodities and services provided under welfare programs, welfare institutions, payments to other governments for welfare purposes, and amounts for administration and support of private welfare agencies and other public welfare services.
- 17 Represents employees of financial, real estate, and insurance establishments.
- 18 Includes the number of persons employed in local government and the number of civilians employed in federal government.
- 19 Represents 1982. Source: U.S. Department of Commerce, Bureau of the Census (1988). City County Data Book. Data derived from U.S. Bureau of the Census, 1982 Census of Agriculture, State and County Data, Series AC82-A. The acreage designated as "land in farms" consists primarily of agricultural land used for crops, pasture, or grazing. It also includes woodland and wasteland not actually under cultivation or used for pasture or grazing, provided it was part of the farm operator's total operation. All land in Indian reservations used for growing crops or grazing livestock is included as land in farms.

Appendix B

Selected Criminal Justice and Sentencing Statistics (by district)

- **Fiscal Year 1992 Guideline Sentences**
- **Selected Federal Criminal Justice Indicators**
- **Crimes Reported To Police**
- **Selected Demographic Indicators**

Figure B-1

SUMMARY COURT AND DEMOGRAPHIC STATISTICS

SELECTED DEMOGRAPHIC INDICATORS				
	MINIMUM	MAXIMUM	MEDIAN	MEAN
POPULATION				
Population	96,569	15,118,299	1,995,818	2,739,163
Population per Sq. Mile	1.0	9,633.3	92.4	348.7
AGE DISTRIBUTION				
Percent Age 0-14	16.3	31.2	21.7	21.9
Percent Age 15-24	12.1	17.6	14.9	14.9
Percent Age 25-34	14.0	20.5	16.7	16.9
Percent Age 35-44	13.0	18.7	14.9	15.0
Percent Age 45-64	14.3	21.2	18.6	18.6
Percent Age 65+	4.1	19.1	12.8	12.7
1991 CRIME RATE (per 100,000 population)	2,260	10,768	5,385	5,501
ECONOMIC				
Income per Capita	\$ 6,775	\$ 14,090	\$ 9,869	\$ 10,165
Percent Unemployed	2.8	14.5	7.2	7.5
DISTRIBUTION OF NONFARM EMPLOYMENT				
Percent Manufacturing	3.7	44.8	21.8	21.0
Percent Retail	12.6	29.2	22.4	22.2
Percent Finance	3.8	18.2	6.8	6.7
Percent Service	16.2	62.6	28.6	29.2
Percent Other	10.7	32.7	20.6	20.9
Percent Acreage in Farms	0.0	93.0	39.3	43.6
PER CAPITA LOCAL EXPENDITURE				
Police Protection	\$ 27.78	\$ 214.29	\$ 65.98	\$ 73.19
Education	\$ 0.11	\$ 11467.38	\$ 646.46	\$ 656.24
Health and Hospitals	\$ 0.53	\$ 331.06	\$ 105.43	\$ 114.17
Public Welfare	\$ 0.10	\$ 417.02	\$ 15.59	\$ 45.11
Highways	\$ 15.45	\$ 269.38	\$ 78.49	\$ 86.61

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS				
	MINIMUM	MAXIMUM	MEDIAN	MEAN
NUMBER OF COURT PROFESSIONALS				
District Court Judges	1	42	6	9
Assistant U.S. Attorneys	1	255	22	35
Assistant Federal Defenders	0	38	8	11
Probation Officers	7	146	24	35
CASES FILED				
Civil	365	10,200	1,798	2,489
Criminal	52	2,348	344	524

NATIONAL DATA

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	821	Civil ³	229,075
Assistant U.S. Attorneys ⁴	3,197	Criminal ⁵	48,366
Assistant Federal Defenders ⁶	610		
Probation Officers ⁷	3,229		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	24,703	106,593	687,732	1,092,739	3,157,150	8,142,228	1,661,738	14,872,883
Per 100,000 Population	10	42	273	433	1,252	3,229	659	5,898

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	252,002,962	Income per Capita ¹¹	\$ 10,797	Police Protection	\$ 60.34
Population per Square Mile ¹²	71.2	Percent Unemployed ¹³	7.0	Education	\$ 451.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 92.22
Percent Age 0-14	21.5	Percent Mfg.	21.3	Public Welfare ¹⁶	\$ 63.75
Percent Age 15-24	14.8	Percent Retail	21.1	Highways	\$ 62.62
Percent Age 25-34	17.4	Percent Finance ¹⁷	7.4		
Percent Age 35-44	15.1	Percent Service	29.8	Percent acreage in farms ¹⁹	43.6
Percent Age 45-64	18.6	Percent Other ¹⁸	20.4		
Percent Age 65+	12.6				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
38,258	3,106	2,998	2,949	3,536	2,855	3,033	3,163	3,163	3,633	3,540	2,888	3,394

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	37,421 (100.0)	17,045 (45.5)	10,638 (28.4)	8,479 (22.7)	1,259 (3.4)	33	\$751	\$0	TOTAL	37,998 (100.0)	
Male (Row %)	31,347 (83.8)	14,156 (45.2)	8,590 (27.4)	7,596 (24.2)	1,005 (3.2)	33	\$759	\$0	Plea	33,048 (87.0)	
Female (Row %)	6,074 (16.2)	2,889 (47.6)	2,048 (33.7)	883 (14.5)	254 (4.2)	33	\$710	\$426	Trial	4,950 (13.0)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	37,725 (100.0)	28,754 (76.2)	27,575 (73.1)	1,179 (3.1)	66.1	36.0	6,264	4,937	3,163	4,486	9,509
Robbery	1,624 (100.0)	1,608 (99.0)	1,604 (98.8)	4 (0.2)	105.8	77.0	11	39	126	423	1,005
Larceny	2,676 (100.0)	955 (35.7)	874 (32.7)	81 (3.0)	13.5	10.0	605	225	64	27	14
Embezzlement	1,175 (100.0)	511 (43.5)	339 (28.9)	172 (14.6)	9.1	5.0	376	94	22	7	2
Fraud	4,445 (100.0)	2,519 (56.7)	2,209 (49.7)	310 (7.0)	17.1	12.0	1,247	741	264	170	45
Drug Trafficking	15,544 (100.0)	14,622 (94.1)	14,393 (92.6)	229 (1.5)	89.6	61.0	1,009	1,804	1,702	2,728	7,251
Simple Possession	873 (100.0)	351 (40.2)	341 (39.1)	10 (1.1)	10.2	6.0	314	5	0	6	11
Counterfeiting	937 (100.0)	493 (52.6)	468 (50.0)	25 (2.7)	17.0	12.0	246	141	49	35	8
Firearms	3,112 (100.0)	2,685 (86.3)	2,582 (83.0)	103 (3.3)	61.6	30.0	508	639	402	505	607
Immigration	1,914 (100.0)	1,540 (80.5)	1,495 (78.1)	45 (2.4)	15.3	11.0	796	483	99	49	24
Other	5,425 (100.0)	3,470 (64.0)	3,270 (60.3)	200 (3.7)	43.4	23.0	1,152	766	435	536	542

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	8,971 (23.8)	5,261 (13.9)	3,710 (9.8)	12,641 (33.5)	\$2,800 (12,036)	Sentenced Within Guideline Range 28,032 (77.4)
Robbery	16 (1.0)	5 (0.3)	11 (0.7)	805 (49.6)	\$2,712 (717)	Departure for Substantial Assistance 5,478 (15.1)
Larceny	1,721 (64.3)	1,173 (43.8)	548 (20.5)	1,840 (68.8)	\$1,000 (1,766)	
Embezzlement	664 (56.5)	328 (27.9)	336 (28.6)	809 (68.8)	\$6,447 (781)	Other Downward Departure 2,175 (6.0)
Fraud	1,926 (43.3)	921 (20.7)	1,005 (22.6)	2,993 (67.3)	\$7,771 (2,753)	
Drug Trafficking	922 (5.9)	505 (3.2)	417 (2.7)	2,300 (14.8)	\$3,000 (2,269)	Upward Departure 544 (1.5)
Simple Possession	522 (59.8)	465 (53.3)	57 (6.5)	323 (37.0)	\$1,000 (320)	
Counterfeiting	444 (47.4)	233 (24.9)	211 (22.5)	465 (49.6)	\$1,000 (436)	
Firearms	427 (13.7)	240 (7.7)	187 (6.0)	602 (19.3)	\$2,000 (587)	
Immigration	374 (19.5)	266 (13.9)	108 (5.6)	234 (12.2)	\$500 (233)	
Other	1,955 (36.0)	1,125 (20.7)	830 (15.3)	2,270 (41.8)	\$2,685 (2,174)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

ALABAMA, Northern
11th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Birmingham
- (2) Gadsden
- (3) Huntsville
- (4) Talladega

- (5) Florence
- (6) Tuscaloosa
- (7) Anniston

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	10	Civil ³	3,833
Assistant U.S. Attorneys ⁴	29	Criminal ⁵	373
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	33		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	264	727	3,520	11,881	26,271	60,632	9,325	112,620
Per 100,000 Population	11	32	153	516	1,142	2,635	405	4,895

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,367,636	Income per Capita ¹¹	\$ 9,060	Police Protection	\$ 55.18
Population per Square Mile ¹²	106.2	Percent Unemployed ¹³	9.7	Education	\$ 419.53
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 210.21
Percent Age 0-14	20.9	Percent Mfg.	27.5	Public Welfare ¹⁶	\$ 5.91
Percent Age 15-24	15.1	Percent Retail	20.2	Highways	\$ 75.31
Percent Age 25-34	16.4	Percent Finance ¹⁷	6.0		
Percent Age 35-44	14.8	Percent Service	24.5	Percent acreage in farms ¹⁹	30.2
Percent Age 45-64	19.9	Percent Other ¹⁸	21.8		
Percent Age 65+	12.9				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
311	23	18	15	27	22	21	39	18	25	32	38	33

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ² N (Col %)	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	309 (100.0)	148 (47.9)	154 (49.8)	5 (1.6)	2 (0.7)	33	\$890	\$404	TOTAL	311 (100.0)	
Male (Row %)	225 (72.8)	113 (50.2)	105 (46.7)	5 (2.2)	2 (0.9)	33	\$967	\$250	Plea	267 (85.9)	
Female (Row %)	84 (27.2)	35 (41.7)	49 (58.3)	0 (0.0)	0 (0.0)	34	\$694	\$450	Trial	44 (14.1)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	296 (100.0)	190 (64.2)	181 (61.1)	9 (3.0)	55.9	36.0	51	23	21	27	66
Robbery	8 (100.0)	8 (100.0)	8 (100.0)	0 (0.0)	49.5	48.5	0	1	1	5	1
Larceny	37 (100.0)	6 (16.2)	6 (16.2)	0 (0.0)	10.6	8.0	3	2	0	0	0
Embezzlement	8 (100.0)	3 (37.5)	3 (37.5)	0 (0.0)	10.7	12.0	2	1	0	0	0
Fraud	41 (100.0)	17 (41.5)	12 (29.3)	5 (12.2)	13.2	10.0	11	4	1	1	0
Drug Trafficking	102 (100.0)	95 (93.1)	95 (93.1)	0 (0.0)	82.4	78.0	12	6	10	12	54
Simple Possession	3 (100.0)	1 (33.3)	0 (0.0)	1 (33.3)	12.0	12.0	1	0	0	0	0
Counterfeiting	24 (100.0)	13 (54.2)	12 (50.0)	1 (4.2)	20.0	12.0	7	3	1	1	1
Firearms	19 (100.0)	16 (84.2)	16 (84.2)	0 (0.0)	40.0	33.0	4	1	5	3	3
Immigration	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Other	54 (100.0)	31 (57.4)	29 (53.7)	2 (3.7)	36.9	24.0	11	5	3	5	7

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	106 (35.8)	55 (18.6)	51 (17.2)	138 (46.6)	\$2,971 (128)	Sentenced Within Guideline Range 255 (82.8)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	5 (62.5)	\$2,624 (5)	Departure for Substantial Assistance 43 (14.0)
Larceny	31 (83.8)	16 (43.2)	15 (40.5)	32 (86.5)	\$830 (30)	
Embezzlement	5 (62.5)	3 (37.5)	2 (25.0)	7 (87.5)	\$5,000 (7)	Other Downward Departure 7 (2.3)
Fraud	24 (58.5)	9 (21.9)	15 (36.6)	31 (75.6)	\$2,995 (28)	
Drug Trafficking	7 (6.9)	4 (3.9)	3 (2.9)	15 (14.7)	\$5,500 (14)	
Simple Possession	2 (66.7)	1 (33.3)	1 (33.3)	1 (33.3)	\$5,000 (1)	Upward Departure 3 (1.0)
Counterfeiting	11 (45.8)	6 (25.0)	5 (20.8)	12 (50.0)	\$520 (8)	
Firearms	3 (15.8)	2 (10.5)	1 (5.3)	7 (36.8)	\$2,211 (7)	
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Other	23 (42.6)	14 (25.9)	9 (16.7)	28 (51.9)	\$3,000 (28)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

ALABAMA, Middle
11th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Montgomery
(2) Dothan

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	5	Civil ³	1,829
Assistant U.S. Attorneys ⁴	11	Criminal ⁵	402
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	16		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	103	390	1,074	5,346	11,982	27,276	2,032	48,203
Per 100,000 Population	11	42	115	575	1,288	2,932	218	5,182

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	949,497	Income per Capita ¹¹	\$ 8,244	Police Protection	\$ 52.53
Population per Square Mile ¹²	61.7	Percent Unemployed ¹³	8.7	Education	\$ 409.73
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 167.35
Percent Age 0-14	22.0	Percent Mfg.	29.6	Public Welfare ¹⁶	\$ 2.68
Percent Age 15-24	16.9	Percent Retail	21.0	Highways	\$ 68.35
Percent Age 25-34	15.7	Percent Finance ¹⁷	5.5		
Percent Age 35-44	13.9	Percent Service	22.2	Percent acreage in farms ¹⁹	38.0
Percent Age 45-64	18.6	Percent Other ¹⁸	21.7		
Percent Age 65+	12.9				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
304	18	21	30	33	27	32	18	21	17	35	9	43

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL			N (Col %)
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	304 (100.0)	138 (45.4)	160 (52.6)	4 (1.3)	2 (0.7)	33	\$477	\$0	TOTAL	302 (100.0)		
Male (Row %)	208 (68.4)	90 (43.3)	114 (54.8)	3 (1.4)	1 (0.5)	33	\$338	\$0	Plea	235 (77.8)		
Female (Row %)	96 (31.6)	48 (50.0)	46 (47.9)	1 (1.0)	1 (1.0)	34	\$784	\$480	Trial	67 (22.2)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	300 (100.0)	193 (64.3)	183 (61.0)	10 (3.3)	80.6	50.0	41	27	23	17	85
Robbery	8 (100.0)	8 (100.0)	8 (100.0)	0 (0.0)	83.8	77.0	0	0	1	2	5
Larceny	68 (100.0)	9 (13.2)	7 (10.3)	2 (2.9)	9.8	8.0	7	1	1	0	0
Embezzlement	8 (100.0)	1 (12.5)	0 (0.0)	1 (12.5)	3.0	3.0	1	0	0	0	0
Fraud	47 (100.0)	25 (53.2)	21 (44.7)	4 (8.5)	16.8	18.0	11	10	4	0	0
Drug Trafficking	101 (100.0)	97 (96.0)	96 (95.0)	1 (1.0)	128.6	120.0	5	3	8	8	73
Simple Possession	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	7 (100.0)	4 (57.1)	3 (42.9)	1 (14.3)	12.0	12.0	2	2	0	0	0
Firearms	30 (100.0)	28 (93.3)	28 (93.3)	0 (0.0)	43.1	27.0	5	7	5	7	4
Immigration	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Other	29 (100.0)	21 (72.4)	20 (69.0)	1 (3.5)	31.1	24.0	10	4	4	0	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
						Sentenced Within Guideline Range
TOTAL	107 (35.7)	73 (24.3)	34 (11.3)	123 (41.0)	\$1,000 (115)	252 (84.0)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	6 (75.0)	\$5,269 (5)	Departure for Substantial Assistance 38 (12.7)
Larceny	59 (86.8)	51 (75.0)	8 (11.8)	49 (72.1)	\$315 (49)	
Embezzlement	7 (87.5)	5 (62.5)	2 (25.0)	8 (100.0)	\$2,000 (7)	Other Downward Departure 9 (3.0)
Fraud	22 (46.8)	6 (12.8)	16 (34.0)	35 (74.5)	\$13,521 (29)	
Drug Trafficking	4 (4.0)	3 (3.0)	1 (1.0)	6 (5.9)	\$1,000 (6)	
Simple Possession	2 (100.0)	2 (100.0)	0 (0.0)	1 (50.0)	\$1,000 (1)	Upward Departure 1 (0.3)
Counterfeiting	3 (42.9)	1 (14.3)	2 (28.6)	4 (57.1)	\$2,784 (4)	
Firearms	2 (6.7)	1 (3.3)	1 (3.3)	7 (23.3)	\$500 (7)	
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Other	8 (27.6)	4 (13.8)	4 (13.8)	7 (24.1)	\$1,000 (7)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**ALABAMA, Southern
11th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Mobile
(2) Selma

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	6	Civil ³	1,162
Assistant U.S. Attorneys ⁴	14	Criminal ⁵	258
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	19		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	72	260	1,333	7,539	9,663	19,057	2,626	40,550
Per 100,000 Population	13	47	241	1,360	1,744	3,439	474	7,318

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	723,454	Income per Capita ¹¹	\$ 7,999	Police Protection	\$ 55.49
Population per Square Mile ¹²	55.3	Percent Unemployed ¹³	11.7	Education	\$ 411.78
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 79.88
Percent Age 0-14	23.8	Percent Mfg.	23.4	Public Welfare ¹⁶	\$ 1.89
Percent Age 15-24	14.9	Percent Retail	22.6	Highways	\$ 68.07
Percent Age 25-34	15.4	Percent Finance ¹⁷	4.9		
Percent Age 35-44	14.0	Percent Service	25.2	Percent acreage in farms ¹⁹	25.7
Percent Age 45-64	18.9	Percent Other ¹⁸	23.8		
Percent Age 65+	13.1				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
311	36	31	21	25	19	26	24	12	29	28	28	32

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	310 (100.0)	149 (48.1)	143 (46.1)	17 (5.5)	1 (0.3)	33	\$467	\$0	TOTAL	311 (100.0)	
Male (Row %)	239 (77.1)	121 (50.6)	103 (43.1)	15 (6.3)	0 (0.0)	33	\$473	\$0	Plea	243 (78.1)	
Female (Row %)	71 (22.9)	28 (39.4)	40 (56.3)	2 (2.8)	1 (1.4)	34	\$449	\$0	Trial	68 (21.9)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	311 (100.0)	254 (81.7)	245 (78.8)	9 (2.9)	83.6	54.5	41	34	30	47	100
Robbery	3 (100.0)	3 (100.0)	3 (100.0)	0 (0.0)	58.7	60.0	0	0	0	2	1
Larceny	12 (100.0)	7 (58.3)	6 (50.0)	1 (8.3)	9.6	10.0	6	1	0	0	0
Embezzlement	10 (100.0)	3 (30.0)	3 (30.0)	0 (0.0)	19.0	15.0	1	1	1	0	0
Fraud	54 (100.0)	35 (64.8)	30 (55.6)	5 (9.3)	16.0	12.0	19	8	4	3	0
Drug Trafficking	148 (100.0)	143 (96.6)	141 (95.3)	2 (1.4)	118.9	80.0	7	13	11	25	87
Simple Possession	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	8 (100.0)	2 (25.0)	2 (25.0)	0 (0.0)	18.0	18.0	0	1	0	0	0
Firearms	35 (100.0)	30 (85.7)	30 (85.7)	0 (0.0)	66.0	37.0	1	7	7	8	7
Immigration	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Other	40 (100.0)	31 (77.5)	30 (75.0)	1 (2.5)	39.0	33.0	7	3	7	9	5

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
						DEPARTURES ⁷
TOTAL	57 (18.3)	29 (9.3)	28 (9.0)	111 (35.7)	\$6,000 (99)	Sentenced Within Guideline Range 229 (75.1)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	1 (33.3)	\$320 (1)	Departure for Substantial Assistance 58 (19.0)
Larceny	5 (41.7)	3 (25.0)	2 (16.7)	8 (66.7)	\$1,117 (5)	
Embezzlement	7 (70.0)	0 (0.0)	7 (70.0)	8 (80.0)	\$4,970 (8)	Other Downward Departure 11 (3.6)
Fraud	19 (35.2)	9 (16.7)	10 (18.5)	48 (88.9)	\$6,490 (44)	
Drug Trafficking	5 (3.4)	3 (2.0)	2 (1.4)	21 (14.2)	\$6,000 (21)	
Simple Possession	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	\$- (-)	Upward Departure 7 (2.3)
Counterfeiting	6 (75.0)	4 (50.0)	2 (25.0)	4 (50.0)	\$540 (3)	
Firearms	5 (14.3)	1 (2.9)	4 (11.4)	2 (5.7)	\$9,739 (1)	
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Other	9 (22.5)	8 (20.0)	1 (2.5)	19 (47.5)	\$12,278 (16)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

ALASKA
9th Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

- (1) Anchorage
- (2) Fairbanks

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	5	Civil ³	950
Assistant U.S. Attorneys ⁴	11	Criminal ⁵	290
Assistant Federal Defenders ⁶	2		
Probation Officers ⁷	10		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	43	495	631	2,206	5,309	19,144	2,851	30,679
Per 100,000 Population	8	91	116	407	980	3,532	526	5,661

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	550,043	Income per Capita ¹¹	\$ 13,650	Police Protection	\$ 154.43
Population per Square Mile ¹²	1.0	Percent Unemployed ¹³	10.8	Education	\$ 1,467.38
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 113.71
Percent Age 0-14	27.2	Percent Mfg.	7.9	Public Welfare ¹⁶	\$ 20.81
Percent Age 15-24	14.2	Percent Retail	24.6	Highways	\$ 269.38
Percent Age 25-34	20.5	Percent Finance ¹⁷	6.4		
Percent Age 35-44	18.7	Percent Service	32.7	Percent acreage in farms ¹⁹	.4
Percent Age 45-64	15.2	Percent Other ¹⁸	28.4		
Percent Age 65+	4.1				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
183	12	4	2	14	15	18	11	17	25	25	11	29

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	169 (100.0)	101 (59.8)	36 (21.3)	14 (8.3)	18 (10.7)	32	\$892	\$0	TOTAL	183 (100.0)
Male (Row %)	134 (79.3)	75 (56.0)	30 (22.4)	14 (10.4)	15 (11.2)	32	\$908	\$0	Plea	168 (91.8)
Female (Row %)	35 (20.7)	26 (74.3)	6 (17.1)	0 (0.0)	3 (8.6)	32	\$829	\$223	Trial	15 (8.2)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	166 (100.0)	111 (66.9)	105 (63.2)	6 (3.6)	42.5	27.0	41	13	12	26	18
Robbery	15 (100.0)	15 (100.0)	15 (100.0)	0 (0.0)	65.7	57.0	0	0	0	11	4
Larceny	25 (100.0)	8 (32.0)	7 (28.0)	1 (4.0)	4.2	2.5	7	1	0	0	0
Embezzlement	6 (100.0)	2 (33.3)	1 (16.7)	1 (16.7)	2.5	2.5	2	0	0	0	0
Fraud	11 (100.0)	7 (63.6)	7 (63.6)	0 (0.0)	10.4	6.0	6	0	1	0	0
Drug Trafficking	56 (100.0)	50 (89.3)	47 (83.9)	3 (5.4)	52.6	33.0	14	7	8	9	11
Simple Possession	7 (100.0)	3 (42.9)	3 (42.9)	0 (0.0)	6.3	4.0	3	0	0	0	0
Counterfeiting	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Firearms	8 (100.0)	8 (100.0)	8 (100.0)	0 (0.0)	77.8	60.0	0	1	1	4	2
Immigration	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	6.0	6.0	1	0	0	0	0
Other	36 (100.0)	17 (47.2)	16 (44.4)	1 (2.8)	20.5	18.0	8	4	2	2	1

PRIMARY OFFENSE	CASES INVOLVING PROBATION				CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)		
		Probation Only N (Row %)	Probation + Confinement N (Row %)				
						Sentenced Within Guideline Range	
TOTAL	55 (33.1)	37 (22.3)	18 (10.8)	97 (58.4)	\$2,000 (93)	117 (83.0)	
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	10 (66.7)	\$2,305 (7)	Departure for Substantial Assistance	
Larceny	17 (68.0)	10 (40.0)	7 (28.0)	20 (80.0)	\$500 (19)	12 (8.5)	
Embezzlement	4 (66.7)	3 (50.0)	1 (16.7)	6 (100.0)	\$10,040 (6)	Other Downward Departure	
Fraud	4 (36.4)	2 (18.2)	2 (18.2)	9 (81.8)	\$5,000 (9)	11 (7.8)	
Drug Trafficking	6 (10.7)	4 (7.1)	2 (3.6)	19 (33.9)	\$2,270 (19)	Upward Departure	
Simple Possession	4 (57.1)	3 (42.9)	1 (14.3)	6 (85.7)	\$1,000 (6)	1 (0.7)	
Counterfeiting	- (-)	- (-)	- (-)	- (-)	\$- (-)		
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	1 (12.5)	\$4,140 (1)		
Immigration	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	\$- (-)		
Other	19 (52.8)	14 (38.9)	5 (13.9)	26 (72.2)	\$1,000 (26)		

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

ARIZONA
9th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Tucson (4) Prescott
- (2) Phoenix (5) Mesa
- (3) Yuma (6) Glendale

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	12	Civil ³	3,327
Assistant U.S. Attorneys ⁴	67	Criminal ⁵	1,556
Assistant Federal Defenders ⁶	22		
Probation Officers ⁷	67		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	287	1,569	6,190	16,849	59,528	158,362	32,113	274,898
Per 100,000 Population	8	43	168	458	1,620	4,309	874	7,481

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	3,665,228	Income per Capita ¹¹	\$ 10,561	Police Protection	\$ 110.24
Population per Square Mile ¹²	32.3	Percent Unemployed ¹³	6.9	Education	\$ 790.59
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 74.69
Percent Age 0-14	22.7	Percent Mfg.	15.4	Public Welfare ¹⁶	\$ 43.10
Percent Age 15-24	14.8	Percent Retail	23.8	Highways	\$ 157.63
Percent Age 25-34	17.3	Percent Finance ¹⁷	7.3		
Percent Age 35-44	14.4	Percent Service	31.7	Percent acreage in farms ¹⁹	52.0
Percent Age 45-64	17.7	Percent Other ¹⁸	21.8		
Percent Age 65+	13.1				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
1,090	89	57	63	102	73	101	81	99	110	121	99	95

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		N (Col %)			
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	1,022 (100.0)	324 (31.7)	32 (3.1)	571 (55.9)	95 (9.3)	30	\$419	\$0	TOTAL	1,027 (100.0)		
Male (Row %)	891 (87.2)	261 (29.3)	26 (2.9)	528 (59.3)	76 (8.5)	30	\$392	\$0	Plea	917 (89.3)		
Female (Row %)	131 (12.8)	63 (48.1)	6 (4.6)	43 (32.8)	19 (14.5)	32	\$602	\$249	Trial	110 (10.7)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	1,049 (100.0)	768 (73.2)	747 (71.2)	21 (2.0)	48.3	21.5	232	171	77	103	163
Robbery	50 (100.0)	48 (96.0)	48 (96.0)	0 (0.0)	82.3	60.0	1	7	8	9	23
Larceny	32 (100.0)	11 (34.4)	10 (31.2)	1 (3.1)	23.3	18.0	4	1	1	3	0
Embezzlement	25 (100.0)	6 (24.0)	4 (16.0)	2 (8.0)	14.8	8.0	4	1	0	1	0
Fraud	56 (100.0)	35 (62.5)	30 (53.6)	5 (8.9)	16.0	10.0	22	5	6	0	1
Drug Trafficking	467 (100.0)	405 (86.7)	401 (85.9)	4 (0.9)	54.4	30.0	90	93	49	64	107
Simple Possession	91 (100.0)	20 (22.0)	20 (22.0)	0 (0.0)	3.0	2.0	15	0	0	0	0
Counterfeiting	15 (100.0)	7 (46.7)	7 (46.7)	0 (0.0)	14.5	12.0	4	1	1	0	0
Firearms	55 (100.0)	40 (72.7)	37 (67.3)	3 (5.5)	30.8	19.0	13	11	2	10	3
Immigration	101 (100.0)	92 (91.1)	92 (91.1)	0 (0.0)	12.1	10.0	51	27	4	1	0
Other	157 (100.0)	104 (66.2)	98 (62.4)	6 (3.8)	67.9	24.0	28	25	6	15	29

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)	
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)		
		Probation Only N (Row %)	Probation + Confinement N (Row %)				
TOTAL	281 (26.8)	196 (18.7)	85 (8.1)	360 (34.3)	\$2,000 (352)	Sentenced Within Guideline Range	588 (55.3)
Robbery	2 (4.0)	0 (0.0)	2 (4.0)	41 (82.0)	\$2,952 (40)	Departure for Substantial Assistance	111 (10.4)
Larceny	21 (65.6)	12 (37.5)	9 (28.1)	26 (81.2)	\$1,633 (25)		
Embezzlement	19 (76.0)	14 (56.0)	5 (20.0)	21 (84.0)	\$2,750 (21)	Other Downward Departure	347 (32.6)
Fraud	21 (37.5)	12 (21.4)	9 (16.1)	35 (62.5)	\$2,998 (34)		
Drug Trafficking	62 (13.3)	37 (7.9)	25 (5.3)	110 (23.6)	\$2,000 (110)	Upward Departure	17 (1.6)
Simple Possession	71 (78.0)	69 (75.8)	2 (2.2)	17 (18.7)	\$1,000 (17)		
Counterfeiting	8 (53.3)	4 (26.7)	4 (26.7)	8 (53.3)	\$675 (8)		
Firearms	15 (27.3)	10 (18.2)	5 (9.1)	13 (23.6)	\$1,000 (13)		
Immigration	9 (8.9)	4 (4.0)	5 (5.0)	12 (11.9)	\$500 (12)		
Other	53 (33.8)	34 (21.7)	19 (12.1)	77 (49.0)	\$1,000 (72)		

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**ARKANSAS, Eastern
8th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:**¹

(1) Little Rock
(2) Batesville

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	6	Civil ³	2,096
Assistant U.S. Attorneys ⁴	15	Criminal ⁵	270
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	17		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	186	744	2,613	7,381	20,095	46,595	5,936	86,550
Per 100,000 Population	13	53	186	526	1,431	3,319	423	5,951

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,394,442	Income per Capita ¹¹	\$ 8,307	Police Protection	\$ 42.75
Population per Square Mile ¹²	49.3	Percent Unemployed ¹³	9.2	Education	\$ 540.66
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 69.16
Percent Age 0-14	22.5	Percent Mfg.	26.0	Public Welfare ¹⁶	\$ 1.64
Percent Age 15-24	14.9	Percent Retail	21.8	Highways	\$ 53.72
Percent Age 25-34	15.7	Percent Finance ¹⁷	5.7		
Percent Age 35-44	14.1	Percent Service	28.0	Percent acreage in farms ¹⁹	55.4
Percent Age 45-64	19.0	Percent Other ¹⁸	18.6		
Percent Age 65+	13.7				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
267	21	20	21	28	18	13	12	13	39	35	29	18

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	255 (100.0)	151 (59.2)	94 (36.9)	9 (3.5)	1 (0.4)	32	\$636	\$365	TOTAL	267 (100.0)	
Male (Row %)	203 (79.6)	121 (59.6)	72 (35.5)	9 (4.4)	1 (0.5)	33	\$675	\$350	Plea	232 (86.9)	
Female (Row %)	52 (20.4)	30 (57.7)	22 (42.3)	0 (0.0)	0 (0.0)	30	\$489	\$423	Trial	35 (13.1)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	267 (100.0)	211 (79.0)	202 (75.7)	9 (3.4)	49.3	27.0	50	51	31	29	48
Robbery	11 (100.0)	10 (90.9)	10 (90.9)	0 (0.0)	97.8	81.0	0	0	0	4	6
Larceny	8 (100.0)	4 (50.0)	4 (50.0)	0 (0.0)	10.8	11.0	4	0	0	0	0
Embezzlement	8 (100.0)	4 (50.0)	3 (37.5)	1 (12.5)	5.0	5.0	4	0	0	0	0
Fraud	30 (100.0)	19 (63.3)	18 (60.0)	1 (3.3)	16.9	13.0	9	7	2	0	1
Drug Trafficking	151 (100.0)	130 (86.1)	128 (84.8)	2 (1.3)	58.5	33.0	21	32	18	22	37
Simple Possession	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	9 (100.0)	6 (66.7)	3 (33.3)	3 (33.3)	21.2	12.0	3	0	0	2	0
Firearms	20 (100.0)	15 (75.0)	15 (75.0)	0 (0.0)	40.9	24.0	1	7	4	1	2
Immigration	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	3.0	3.0	1	0	0	0	0
Other	26 (100.0)	21 (80.8)	19 (73.1)	2 (7.7)	28.6	21.0	7	5	7	0	2

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
						Sentenced Within Guideline Range
TOTAL	56 (21.0)	29 (10.9)	27 (10.1)	60 (22.5)	\$3,000 (59)	201 (76.1)
Robbery	1 (9.1)	1 (9.1)	0 (0.0)	0 (0.0)	\$- (-)	Departure for Substantial Assistance 51 (19.3)
Larceny	4 (50.0)	2 (25.0)	2 (25.0)	4 (50.0)	\$1,659 (4)	
Embezzlement	4 (50.0)	3 (37.5)	1 (12.5)	3 (37.5)	\$2,500 (3)	Other Downward Departure 11 (4.2)
Fraud	11 (36.7)	5 (16.7)	6 (20.0)	17 (56.7)	\$3,000 (16)	
Drug Trafficking	21 (13.9)	9 (6.0)	12 (8.0)	19 (12.6)	\$5,000 (19)	Upward Departure 1 (0.4)
Simple Possession	2 (100.0)	2 (100.0)	0 (0.0)	1 (50.0)	\$500 (1)	
Counterfeiting	3 (33.3)	2 (22.2)	1 (11.1)	4 (44.4)	\$272 (4)	
Firearms	5 (25.0)	2 (10.0)	3 (15.0)	5 (25.0)	\$5,000 (5)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	
Other	5 (19.2)	3 (11.5)	2 (7.7)	7 (26.9)	\$5,000 (7)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**ARKANSAS, Western
8th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Fort Smith
- (2) El Dorado
- (3) Hot Springs

- (4) Fayetteville
- (5) Texarkana
- (6) Harrison

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	4	Civil ³	1,030
Assistant U.S. Attorneys ⁴	8	Criminal ⁵	170
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	10		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	78	310	600	2,119	8,871	24,596	2,129	38,703
Per 100,000 Population	8	32	62	220	919	2,549	221	4,011

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	956,283	Income per Capita ¹¹	\$ 8,495	Police Protection	\$ 38.19
Population per Square Mile ¹²	40.2	Percent Unemployed ¹³	8.1	Education	\$ 533.03
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 115.60
Percent Age 0-14	21.2	Percent Mfg.	34.7	Public Welfare ¹⁶	\$ 2.66
Percent Age 15-24	14.0	Percent Retail	21.0	Highways	\$ 69.38
Percent Age 25-34	14.6	Percent Finance ¹⁷	3.8		
Percent Age 35-44	13.6	Percent Service	20.7	Percent acreage in farms ¹⁹	30.6
Percent Age 45-64	20.0	Percent Other ¹⁸	19.8		
Percent Age 65+	16.6				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
110	7	8	13	19	3	6	6	11	11	10	2	14

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	110 (100.0)	68 (61.8)	27 (24.6)	15 (13.6)	- (-.)	33	\$598	\$120	TOTAL	110 (100.0)
Male (Row %)	97 (88.2)	59 (60.8)	23 (23.7)	15 (15.5)	- (-.)	32	\$619	\$0	Plea	103 (93.6)
Female (Row %)	13 (11.8)	9 (69.2)	4 (30.8)	0 (0.0)	- (-.)	35	\$467	\$398	Trial	7 (6.4)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	109 (100.0)	84 (77.1)	80 (73.4)	4 (3.7)	53.5	31.5	20	11	11	12	20
Robbery	7 (100.0)	7 (100.0)	7 (100.0)	0 (0.0)	139.4	97.0	0	0	0	1	6
Larceny	17 (100.0)	7 (41.2)	7 (41.2)	0 (0.0)	11.7	13.0	3	4	0	0	0
Embezzlement	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	18.0	18.0	0	1	0	0	0
Fraud	11 (100.0)	9 (81.8)	7 (63.6)	2 (18.2)	16.4	8.0	4	1	1	1	0
Drug Trafficking	25 (100.0)	25 (100.0)	24 (96.0)	1 (4.0)	68.7	57.0	4	2	3	7	9
Simple Possession	3 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	4 (100.0)	1 (25.0)	1 (25.0)	0 (0.0)	12.0	12.0	1	0	0	0	0
Firearms	7 (100.0)	6 (85.7)	6 (85.7)	0 (0.0)	37.0	32.0	0	0	4	2	0
Immigration	13 (100.0)	12 (92.3)	12 (92.3)	0 (0.0)	4.5	4.0	4	0	0	0	0
Other	20 (100.0)	16 (80.0)	15 (75.0)	1 (5.0)	50.0	33.0	4	3	3	1	5

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	25 (22.9)	19 (17.4)	6 (5.5)	72 (66.1)	\$1,500 (70)	Sentenced Within Guideline Range 101 (98.1)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	5 (71.4)	\$8,829 (5)	Departure for Substantial Assistance 1 (1.0)
Larceny	10 (58.8)	9 (52.9)	1 (5.9)	15 (88.2)	\$1,000 (15)	Other Downward Departure 1 (1.0)
Embezzlement	1 (50.0)	1 (50.0)	0 (0.0)	2 (100.0)	\$15,172 (2)	Upward Departure 0 (0.0)
Fraud	2 (18.2)	1 (9.1)	1 (9.1)	8 (72.7)	\$42,601 (8)	
Drug Trafficking	0 (0.0)	0 (0.0)	0 (0.0)	15 (60.0)	\$1,500 (15)	
Simple Possession	3 (100.0)	3 (100.0)	0 (0.0)	3 (100.0)	\$750 (3)	
Counterfeiting	3 (75.0)	2 (50.0)	1 (25.0)	4 (100.0)	\$553 (4)	
Firearms	1 (14.3)	0 (0.0)	1 (14.3)	5 (71.4)	\$1,000 (5)	
Immigration	1 (7.7)	0 (0.0)	1 (7.7)	1 (7.7)	\$2,000 (1)	
Other	4 (20.0)	3 (15.0)	1 (5.0)	14 (70.0)	\$1,500 (12)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**CALIFORNIA, Northern
9th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- | | |
|-------------------|----------------|
| (1) San Jose | (5) Santa Rosa |
| (2) Oakland | (6) Santa Cruz |
| (3) San Francisco | (7) San Mateo |
| (4) Monterey | |

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	21	Civil ³	6,061
Assistant U.S. Attorneys ⁴	64	Criminal ⁵	630
Assistant Federal Defenders ⁶	14		
Probation Officers ⁷	65		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	619	2,865	19,883	30,269	76,237	238,371	47,250	415,494
Per 100,000 Population	9	43	296	451	1,135	3,549	704	6,187

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	6,578,801	Income per Capita ¹¹	\$ 13,541	Police Protection	\$ 123.02
Population per Square Mile ¹²	319.1	Percent Unemployed ¹³	6.0	Education	\$ 687.49
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 255.93
Percent Age 0-14	19.7	Percent Mfg.	19.4	Public Welfare ¹⁶	\$ 188.41
Percent Age 15-24	13.9	Percent Retail	19.3	Highways	\$ 81.79
Percent Age 25-34	19.3	Percent Finance ¹⁷	8.1		
Percent Age 35-44	17.1	Percent Service	31.6	Percent acreage in farms ¹⁹	42.2
Percent Age 45-64	18.6	Percent Other ¹⁸	21.5		
Percent Age 65+	11.3				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
249	48	43	38	25	15	18	14	8	12	13	8	7

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	248 (100.0)	108 (43.5)	61 (24.6)	53 (21.4)	26 (10.5)	35	\$1,053	\$360	TOTAL	232 (100.0)	
Male (Row %)	196 (79.0)	89 (45.4)	46 (23.5)	43 (21.9)	18 (9.2)	35	\$1,162	\$280	Plea	213 (91.8)	
Female (Row %)	52 (21.0)	19 (36.5)	15 (28.9)	10 (19.2)	8 (15.4)	31	\$664	\$500	Trial	19 (8.2)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	243 (100.0)	161 (66.3)	150 (61.7)	11 (4.5)	59.8	41.0	34	27	12	26	62
Robbery	27 (100.0)	27 (100.0)	27 (100.0)	0 (0.0)	86.9	63.0	1	0	1	7	18
Larceny	23 (100.0)	7 (30.4)	7 (30.4)	0 (0.0)	19.4	7.0	5	1	0	0	1
Embezzlement	34 (100.0)	2 (5.9)	2 (5.9)	0 (0.0)	16.5	16.5	1	0	1	0	0
Fraud	31 (100.0)	22 (71.0)	16 (51.6)	6 (19.4)	16.6	12.5	11	6	2	3	0
Drug Trafficking	67 (100.0)	63 (94.0)	63 (94.0)	0 (0.0)	90.6	63.0	2	6	4	13	38
Simple Possession	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	4 (100.0)	3 (75.0)	3 (75.0)	0 (0.0)	21.7	24.0	0	2	1	0	0
Firearms	6 (100.0)	6 (100.0)	5 (83.3)	1 (16.7)	41.0	39.0	1	1	1	1	2
Immigration	8 (100.0)	8 (100.0)	7 (87.5)	1 (12.5)	15.6	15.5	3	5	0	0	0
Other	42 (100.0)	23 (54.8)	20 (47.6)	3 (7.1)	26.4	18.0	10	6	2	2	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	82 (33.7)	44 (18.1)	38 (15.6)	123 (50.6)	\$5,000 (117)	Sentenced Within Guideline Range 168 (76.0)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	24 (88.9)	\$3,250 (19)	Departure for Substantial Assistance 29 (13.1)
Larceny	16 (69.6)	7 (30.4)	9 (39.1)	17 (73.9)	\$9,300 (16)	
Embezzlement	32 (94.1)	19 (55.9)	13 (38.2)	28 (82.3)	\$2,000 (28)	Other Downward Departure 23 (10.4)
Fraud	9 (29.0)	5 (16.1)	4 (12.9)	24 (77.4)	\$18,668 (24)	
Drug Trafficking	4 (6.0)	3 (4.5)	1 (1.5)	9 (13.4)	\$500 (9)	
Simple Possession	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	\$- (-)	Upward Departure 1 (0.5)
Counterfeiting	1 (25.0)	0 (0.0)	1 (25.0)	2 (50.0)	\$4,000 (2)	
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	4 (66.7)	\$3,500 (4)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	1 (12.5)	\$1,500 (1)	
Other	19 (45.2)	9 (21.4)	10 (23.8)	14 (33.3)	\$4,900 (14)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**CALIFORNIA, Eastern
9th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Sacramento
- (2) Fresno
- (3) Bakersfield

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	12	Civil ³	2,896
Assistant U.S. Attorneys ⁴	41	Criminal ⁵	757
Assistant Federal Defenders ⁶	16		
Probation Officers ⁷	57		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	522	2,718	12,674	26,842	85,298	195,640	48,209	371,903
Per 100,000 Population	9	49	228	483	1,535	3,520	867	6,691

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	5,455,602	Income per Capita ¹¹	\$ 9,730	Police Protection	\$ 97.57
Population per Square Mile ¹²	62.5	Percent Unemployed ¹³	10.0	Education	\$ 835.44
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 180.58
Percent Age 0-14	24.7	Percent Mfg.	13.6	Public Welfare ¹⁶	\$ 309.54
Percent Age 15-24	14.4	Percent Retail	26.3	Highways	\$ 89.28
Percent Age 25-34	17.4	Percent Finance ¹⁷	6.7		
Percent Age 35-44	15.2	Percent Service	29.2	Percent acreage in farms ¹⁹	35.2
Percent Age 45-64	17.2	Percent Other ¹⁸	24.3		
Percent Age 65+	11.2				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
565	52	41	37	38	47	44	46	42	63	66	44	45

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ² N (Col %)	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	503 (100.0)	311 (61.8)	61 (12.1)	99 (19.7)	32 (6.4)	34	\$947	\$400	TOTAL	565 (100.0)	
Male (Row %)	391 (77.7)	230 (58.8)	48 (12.3)	90 (23.0)	23 (5.9)	34	\$934	\$0	Plea	534 (94.5)	
Female (Row %)	112 (22.3)	81 (72.3)	13 (11.6)	9 (8.0)	9 (8.0)	33	\$992	\$730	Trial	31 (5.5)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	559 (100.0)	399 (71.4)	382 (68.3)	17 (3.0)	62.6	33.0	79	99	25	59	135
Robbery	36 (100.0)	36 (100.0)	36 (100.0)	0 (0.0)	103.0	81.0	0	0	1	5	30
Larceny	39 (100.0)	10 (25.6)	10 (25.6)	0 (0.0)	8.7	5.0	8	0	1	0	0
Embezzlement	29 (100.0)	3 (10.3)	3 (10.3)	0 (0.0)	15.0	14.0	1	1	1	0	0
Fraud	89 (100.0)	46 (51.7)	39 (43.8)	7 (7.9)	18.0	13.0	22	16	2	4	1
Drug Trafficking	140 (100.0)	136 (97.1)	134 (95.7)	2 (1.4)	103.3	95.5	8	8	10	23	87
Simple Possession	18 (100.0)	6 (33.3)	6 (33.3)	0 (0.0)	3.7	3.5	6	0	0	0	0
Counterfeiting	7 (100.0)	3 (42.9)	2 (28.6)	1 (14.3)	12.7	16.0	1	2	0	0	0
Firearms	24 (100.0)	20 (83.3)	20 (83.3)	0 (0.0)	101.5	67.0	3	3	3	0	11
Immigration	86 (100.0)	79 (91.9)	79 (91.9)	0 (0.0)	23.9	24.0	12	54	5	6	2
Other	91 (100.0)	60 (65.9)	53 (58.2)	7 (7.7)	36.4	22.5	18	15	2	21	4

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	160 (28.6)	110 (19.7)	50 (8.9)	140 (25.0)	\$2,590 (124)	Sentenced Within Guideline Range 452 (82.2)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	10 (27.8)	\$8,044 (7)	Departure for Substantial Assistance 59 (10.7)
Larceny	29 (74.4)	22 (56.4)	7 (17.9)	21 (53.9)	\$1,980 (18)	
Embezzlement	26 (89.7)	20 (69.0)	6 (20.7)	18 (62.1)	\$2,680 (17)	Other Downward Departure 34 (6.2)
Fraud	43 (48.3)	29 (32.6)	14 (15.7)	51 (57.3)	\$5,236 (45)	
Drug Trafficking	4 (2.9)	1 (0.7)	3 (2.1)	3 (2.1)	\$7,500 (3)	
Simple Possession	12 (66.7)	11 (61.1)	1 (5.6)	5 (27.8)	\$1,000 (5)	Upward Departure 5 (0.9)
Counterfeiting	4 (57.1)	2 (28.6)	2 (28.6)	5 (71.4)	\$2,398 (4)	
Firearms	4 (16.7)	3 (12.5)	1 (4.2)	1 (4.2)	\$10,000 (1)	
Immigration	7 (8.1)	3 (3.5)	4 (4.7)	0 (0.0)	\$- (-)	
Other	31 (34.1)	19 (20.9)	12 (13.2)	26 (28.6)	\$1,000 (24)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**CALIFORNIA, Central
9th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Los Angeles
- (2) Santa Ana
- (3) Lancaster

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	31	Civil ³	10,200
Assistant U.S. Attorneys ⁴	161	Criminal ⁵	1,194
Assistant Federal Defenders ⁶	38		
Probation Officers ⁷	125		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	2,388	6,198	82,656	115,265	221,150	458,469	182,589	1,068,715
Per 100,000 Population	16	41	541	755	1,449	3,003	1,196	7,001

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	15,118,299	Income per Capita ¹¹	\$ 11,981	Police Protection	\$ 146.31
Population per Square Mile ¹²	377.4	Percent Unemployed ¹³	6.1	Education	\$ 732.42
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 152.08
Percent Age 0-14	22.5	Percent Mfg.	22.3	Public Welfare ¹⁶	\$ 212.88
Percent Age 15-24	16.0	Percent Retail	18.7	Highways	\$ 78.81
Percent Age 25-34	19.5	Percent Finance ¹⁷	7.7		
Percent Age 35-44	15.1	Percent Service	30.6	Percent acreage in farms ¹⁹	22.5
Percent Age 45-64	16.9	Percent Other ¹⁸	20.7		
Percent Age 65+	9.9				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
1,173	77	124	86	97	103	97	87	92	135	118	87	70

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	1,158 (100.0)	463 (40.0)	256 (22.1)	386 (33.3)	53 (4.6)	33	\$1,528	\$0	TOTAL	1,164 (100.0)	
Male (Row %)	1,004 (86.7)	406 (40.4)	202 (20.1)	351 (35.0)	45 (4.5)	33	\$1,612	\$0	Plea	1,003 (86.2)	
Female (Row %)	154 (13.3)	57 (37.0)	54 (35.1)	35 (22.7)	8 (5.2)	32	\$984	\$659	Trial	161 (13.8)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	1,166 (100.0)	961 (82.4)	931 (79.8)	30 (2.6)	74.2	46.0	193	122	101	136	386
Robbery	221 (100.0)	220 (99.5)	218 (98.6)	2 (0.9)	106.0	79.0	3	1	21	48	147
Larceny	52 (100.0)	29 (55.8)	29 (55.8)	0 (0.0)	20.4	12.0	16	7	3	1	2
Embezzlement	57 (100.0)	22 (38.6)	14 (24.6)	8 (14.0)	6.1	6.0	19	2	0	0	0
Fraud	169 (100.0)	105 (62.1)	93 (55.0)	12 (7.1)	17.8	12.5	52	32	10	9	1
Drug Trafficking	281 (100.0)	273 (97.2)	272 (96.8)	1 (0.4)	131.3	120.0	6	4	8	38	215
Simple Possession	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	12.0	12.0	1	0	0	0	0
Counterfeiting	39 (100.0)	30 (76.9)	29 (74.4)	1 (2.6)	21.0	19.5	10	10	5	5	0
Firearms	58 (100.0)	54 (93.1)	53 (91.4)	1 (1.7)	40.5	27.0	6	14	19	7	8
Immigration	159 (100.0)	133 (83.7)	131 (82.4)	2 (1.3)	18.0	14.0	55	23	25	11	2
Other	128 (100.0)	94 (73.4)	91 (71.1)	3 (2.3)	35.0	22.5	25	29	10	17	11

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	205 (17.6)	116 (9.9)	89 (7.6)	263 (22.6)	\$6,000 (240)	739 (89.4)
Robbery	1 (0.5)	1 (0.5)	0 (0.0)	38 (17.2)	\$1,402 (27)	Departure for Substantial Assistance 40 (4.8)
Larceny	23 (44.2)	14 (26.9)	9 (17.3)	21 (40.4)	\$2,828 (21)	
Embezzlement	35 (61.4)	15 (26.3)	20 (35.1)	35 (61.4)	\$10,975 (34)	Other Downward Departure 34 (4.1)
Fraud	64 (37.9)	36 (21.3)	28 (16.6)	89 (52.7)	\$10,000 (81)	
Drug Trafficking	8 (2.9)	3 (1.1)	5 (1.8)	19 (6.8)	\$17,500 (18)	Upward Departure 14 (1.7)
Simple Possession	1 (50.0)	1 (50.0)	0 (0.0)	1 (50.0)	\$34 (1)	
Counterfeiting	9 (23.1)	4 (10.3)	5 (12.8)	2 (5.1)	\$2,390 (2)	
Firearms	4 (6.9)	2 (3.5)	2 (3.5)	4 (6.9)	\$1,500 (4)	
Immigration	26 (16.4)	20 (12.6)	6 (3.8)	7 (4.4)	\$1,000 (7)	
Other	34 (26.6)	20 (15.6)	14 (10.9)	47 (36.7)	\$5,000 (45)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

CALIFORNIA, Southern
9th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) San Diego
- (2) El Centro
- (3) Mineral

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	11	Civil ³	2,137
Assistant U.S. Attorneys ⁴	68	Criminal ⁵	1,735
Assistant Federal Defenders ⁶	21		
Probation Officers ⁷	73		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	287	1,005	8,562	15,458	37,085	84,423	35,043	181,863
Per 100,000 Population	11	38	322	581	1,393	3,172	1,317	6,833

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,607,319	Income per Capita ¹¹	\$ 11,394	Police Protection	\$ 100.73
Population per Square Mile ¹²	311.0	Percent Unemployed ¹³	5.7	Education	\$ 705.70
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 260.90
Percent Age 0-14	21.2	Percent Mfg.	15.7	Public Welfare ¹⁶	\$ 172.49
Percent Age 15-24	17.0	Percent Retail	23.3	Highways	\$ 64.73
Percent Age 25-34	19.8	Percent Finance ¹⁷	8.4		
Percent Age 35-44	15.1	Percent Service	32.6	Percent acreage in farms ¹⁹	22.1
Percent Age 45-64	16.0	Percent Other ¹⁸	20.0		
Percent Age 65+	10.9				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
1,383	100	132	86	138	106	96	111	100	106	119	128	161

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	1,363 (100.0)	465 (34.1)	67 (4.9)	819 (60.1)	12 (0.9)	30	\$413	\$0	TOTAL	1,382 (100.0)	
Male (Row %)	1,201 (88.1)	391 (32.6)	51 (4.2)	753 (62.7)	6 (0.5)	30	\$415	\$0	Plea	1,291 (93.4)	
Female (Row %)	162 (11.9)	74 (45.7)	16 (9.9)	66 (40.7)	6 (3.7)	30	\$398	\$0	Trial	91 (6.6)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	1,380 (100.0)	1,163 (84.3)	1,147 (83.1)	16 (1.2)	44.8	24.0	318	297	122	149	235
Robbery	60 (100.0)	59 (98.3)	59 (98.3)	0 (0.0)	81.1	63.0	0	3	7	19	30
Larceny	25 (100.0)	11 (44.0)	11 (44.0)	0 (0.0)	8.0	6.0	9	2	0	0	0
Embezzlement	22 (100.0)	3 (13.6)	2 (9.1)	1 (4.5)	11.0	8.0	2	1	0	0	0
Fraud	44 (100.0)	27 (61.4)	25 (56.8)	2 (4.5)	14.4	11.0	12	7	2	1	0
Drug Trafficking	665 (100.0)	629 (94.6)	621 (93.4)	8 (1.2)	56.1	33.0	82	161	87	102	184
Simple Possession	198 (100.0)	128 (64.7)	127 (64.1)	1 (0.5)	4.3	4.0	122	0	0	0	0
Counterfeiting	16 (100.0)	10 (62.5)	10 (62.5)	0 (0.0)	10.6	12.0	4	3	0	0	0
Firearms	41 (100.0)	34 (82.9)	34 (82.9)	0 (0.0)	88.3	24.0	10	6	2	3	9
Immigration	186 (100.0)	178 (95.7)	176 (94.6)	2 (1.1)	18.7	20.0	54	98	17	2	1
Other	123 (100.0)	84 (68.3)	82 (66.7)	2 (1.6)	50.3	30.0	23	16	7	22	11

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	217 (15.7)	183 (13.3)	34 (2.5)	221 (16.0)	\$1,370 (215)	Sentenced Within Guideline Range 855 (66.7)
Robbery	1 (1.7)	0 (0.0)	1 (1.7)	31 (51.7)	\$1,980 (28)	Departure for Substantial Assistance 204 (15.9)
Larceny	14 (56.0)	14 (56.0)	0 (0.0)	9 (36.0)	\$1,800 (8)	
Embezzlement	19 (86.4)	16 (72.7)	3 (13.6)	13 (59.1)	\$1,478 (12)	Other Downward Departure 157 (12.2)
Fraud	17 (38.6)	11 (25.0)	6 (13.6)	23 (52.3)	\$5,000 (22)	
Drug Trafficking	36 (5.4)	22 (3.3)	14 (2.1)	41 (6.2)	\$1,500 (41)	
Simple Possession	70 (35.4)	70 (35.4)	0 (0.0)	47 (23.7)	\$1,000 (47)	Upward Departure 66 (5.1)
Counterfeiting	6 (37.5)	5 (31.2)	1 (6.2)	2 (12.5)	\$5,458 (2)	
Firearms	7 (17.1)	6 (14.6)	1 (2.4)	6 (14.6)	\$4,500 (6)	
Immigration	8 (4.3)	7 (3.8)	1 (0.5)	14 (7.5)	\$750 (14)	
Other	39 (31.7)	32 (26.0)	7 (5.7)	35 (28.5)	\$2,051 (35)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

COLORADO
10th Circuit

Cities Supplying Sentencing
Guideline Documentation:

- (1) Denver
- (2) Colorado Springs
- (3) Boulder
- (4) Grand Junction
- (5) Aurora

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	8	Civil ³	2,584
Assistant U.S. Attorneys ⁴	38	Criminal ⁵	495
Assistant Federal Defenders ⁶	12		
Probation Officers ⁷	39		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	200	1,584	3,619	13,413	38,997	132,061	14,354	204,228
Per 100,000 Population	6	47	107	397	1,155	3,911	425	6,048

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	3,294,394	Income per Capita ¹¹	\$ 11,713	Police Protection	\$ 103.80
Population per Square Mile ¹²	31.8	Percent Unemployed ¹³	7.4	Education	\$ 745.41
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 105.44
Percent Age 0-14	22.3	Percent Mfg.	15.8	Public Welfare ¹⁶	\$ 106.55
Percent Age 15-24	14.1	Percent Retail	22.6	Highways	\$ 133.09
Percent Age 25-34	18.6	Percent Finance ¹⁷	8.2		
Percent Age 35-44	17.2	Percent Service	31.6	Percent acreage in farms ¹⁹	50.6
Percent Age 45-64	17.9	Percent Other ¹⁸	21.7		
Percent Age 65+	10.0				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
368	28	27	25	31	25	33	28	39	41	36	23	32

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	368 (100.0)	211 (57.3)	74 (20.1)	69 (18.8)	14 (3.8)	33	\$863	\$483	TOTAL	366 (100.0)	
Male (Row %)	307 (83.4)	182 (59.3)	55 (17.9)	62 (20.2)	8 (2.6)	33	\$810	\$200	Plea	348 (95.1)	
Female (Row %)	61 (16.6)	29 (47.5)	19 (31.1)	7 (11.5)	6 (9.8)	32	\$1,106	\$883	Trial	18 (4.9)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	356 (100.0)	253 (71.1)	240 (67.4)	13 (3.6)	46.8	30.0	59	50	33	44	66
Robbery	17 (100.0)	17 (100.0)	17 (100.0)	0 (0.0)	91.6	87.0	0	0	0	4	13
Larceny	29 (100.0)	9 (31.0)	9 (31.0)	0 (0.0)	9.9	5.0	6	2	1	0	0
Embezzlement	16 (100.0)	9 (56.2)	5 (31.2)	4 (25.0)	8.4	5.0	6	3	0	0	0
Fraud	62 (100.0)	36 (58.1)	33 (53.2)	3 (4.8)	16.5	15.0	15	14	6	1	0
Drug Trafficking	121 (100.0)	115 (95.0)	112 (92.6)	3 (2.5)	67.2	56.0	7	15	15	31	47
Simple Possession	7 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	6 (100.0)	4 (66.7)	4 (66.7)	0 (0.0)	8.8	5.0	3	1	0	0	0
Firearms	23 (100.0)	14 (60.9)	12 (52.2)	2 (8.7)	29.9	20.5	2	6	4	0	2
Immigration	17 (100.0)	16 (94.1)	16 (94.1)	0 (0.0)	10.2	10.0	13	3	0	0	0
Other	58 (100.0)	33 (56.9)	32 (55.2)	1 (1.7)	35.7	30.0	7	6	7	8	4

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	103 (28.9)	58 (16.3)	45 (12.6)	125 (35.1)	\$4,925 (118)	Sentenced Within Guideline Range 261 (76.1)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	12 (70.6)	\$5,161 (10)	Departure for Substantial Assistance 57 (16.6)
Larceny	20 (69.0)	9 (31.0)	11 (37.9)	21 (72.4)	\$700 (19)	
Embezzlement	7 (43.8)	2 (12.5)	5 (31.2)	11 (68.8)	\$8,555 (11)	Other Downward Departure 24 (7.0)
Fraud	26 (41.9)	19 (30.6)	7 (11.3)	42 (67.7)	\$7,637 (39)	
Drug Trafficking	6 (5.0)	1 (0.8)	5 (4.1)	9 (7.4)	\$5,000 (9)	
Simple Possession	7 (100.0)	6 (85.7)	1 (14.3)	2 (28.6)	\$750 (2)	Upward Departure 1 (0.3)
Counterfeiting	2 (33.3)	1 (16.7)	1 (16.7)	3 (50.0)	\$140 (3)	
Firearms	9 (39.1)	3 (13.0)	6 (26.1)	5 (21.7)	\$500 (5)	
Immigration	1 (5.9)	1 (5.9)	0 (0.0)	1 (5.9)	\$3,000 (1)	
Other	25 (43.1)	16 (27.6)	9 (15.5)	19 (32.8)	\$2,400 (19)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

CONNECTICUT
2nd Circuit

**Cities Supplying Sentencing
Guideline Documentation:**¹

(1) Hartford
(2) New Haven

(3) Bridgeport
(4) Norwalk

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	9	Civil ³	2,562
Assistant U.S. Attorneys ⁴	34	Criminal ⁵	237
Assistant Federal Defenders ⁶	4		
Probation Officers ⁷	26		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	186	951	7,369	9,136	38,821	92,766	26,100	175,329
Per 100,000 Population	7	34	261	323	1,375	3,285	924	6,208

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	3,287,116	Income per Capita ¹¹	\$ 14,090	Police Protection	\$ 84.46
Population per Square Mile ¹²	674.7	Percent Unemployed ¹³	3.8	Education	\$ 687.53
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 18.85
Percent Age 0-14	19.2	Percent Mfg.	24.9	Public Welfare ¹⁶	\$ 44.13
Percent Age 15-24	14.1	Percent Retail	18.8	Highways	\$ 71.79
Percent Age 25-34	17.8	Percent Finance ¹⁷	9.4		
Percent Age 35-44	15.5	Percent Service	28.8	Percent acreage in farms ¹⁹	14.2
Percent Age 45-64	19.8	Percent Other ¹⁸	18.0		
Percent Age 65+	13.6				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
244	9	21	17	20	21	18	21	24	37	30	6	20

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	244 (100.0)	131 (53.7)	58 (23.8)	50 (20.5)	5 (2.0)	34	\$864	\$0	TOTAL	244 (100.0)
Male (Row %)	216 (88.5)	119 (55.1)	48 (22.2)	49 (22.7)	0 (0.0)	34	\$856	\$0	Plea	214 (87.7)
Female (Row %)	28 (11.5)	12 (42.9)	10 (35.7)	1 (3.6)	5 (17.9)	34	\$933	\$883	Trial	30 (12.3)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	241 (100.0)	168 (69.7)	162 (67.2)	6 (2.5)	60.8	33.0	36	32	24	25	50
Robbery	13 (100.0)	13 (100.0)	13 (100.0)	0 (0.0)	83.2	63.0	0	1	2	3	7
Larceny	22 (100.0)	10 (45.5)	10 (45.5)	0 (0.0)	8.2	6.0	8	2	0	0	0
Embezzlement	7 (100.0)	3 (42.9)	1 (14.3)	2 (28.6)	4.7	5.0	3	0	0	0	0
Fraud	30 (100.0)	11 (36.7)	11 (36.7)	0 (0.0)	20.8	15.0	4	4	2	1	0
Drug Trafficking	59 (100.0)	54 (91.5)	54 (91.5)	0 (0.0)	92.6	61.5	0	7	8	12	27
Simple Possession	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	2 (100.0)	1 (50.0)	0 (0.0)	1 (50.0)	6.0	6.0	1	0	0	0	0
Firearms	43 (100.0)	33 (76.7)	33 (76.7)	0 (0.0)	42.3	24.0	7	11	8	3	4
Immigration	4 (100.0)	3 (75.0)	3 (75.0)	0 (0.0)	8.3	10.0	2	1	0	0	0
Other	59 (100.0)	40 (67.8)	37 (62.7)	3 (5.1)	59.5	33.0	11	6	4	6	12

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
						Sentenced Within Guideline Range
TOTAL	73 (30.3)	45 (18.7)	28 (11.6)	94 (39.0)	\$7,500 (89)	148 (61.7)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	7 (53.9)	\$3,067 (7)	Departure for Substantial Assistance 21 (8.8)
Larceny	12 (54.5)	11 (50.0)	1 (4.5)	13 (59.1)	\$900 (11)	
Embezzlement	4 (57.1)	2 (28.6)	2 (28.6)	6 (85.7)	\$38,876 (6)	Other Downward Departure 58 (24.2)
Fraud	19 (63.3)	9 (30.0)	10 (33.3)	20 (66.7)	\$6,517 (20)	
Drug Trafficking	5 (8.5)	3 (5.1)	2 (3.4)	13 (22.0)	\$13,750 (12)	Upward Departure 13 (5.4)
Simple Possession	2 (100.0)	2 (100.0)	0 (0.0)	2 (100.0)	\$1,750 (2)	
Counterfeiting	1 (50.0)	0 (0.0)	1 (50.0)	1 (50.0)	\$580 (1)	
Firearms	10 (23.3)	7 (16.3)	3 (7.0)	7 (16.3)	\$1,000 (7)	
Immigration	1 (25.0)	1 (25.0)	0 (0.0)	0 (0.0)	\$- (-)	
Other	19 (32.2)	10 (16.9)	9 (15.2)	25 (42.4)	\$10,000 (23)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

DELAWARE
3rd Circuit

**City Supplying Sentencing
Guideline Documentation:**

(1) Wilmington

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	7	Civil ³	798
Assistant U.S. Attorneys ⁴	9	Criminal ⁵	117
Assistant Federal Defenders ⁶	15		
Probation Officers ⁷	9		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	37	587	1,456	2,762	7,646	24,731	2,546	39,765
Per 100,000 Population	5	86	215	407	1,127	3,646	375	5,862

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	666,168	Income per Capita ¹¹	\$ 11,375	Police Protection	\$ 64.14
Population per Square Mile ¹²	344.8	Percent Unemployed ¹³	4.3	Education	\$ 672.89
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 0.53
Percent Age 0-14	20.8	Percent Mfg.	23.1	Public Welfare ¹⁶	\$ 0.48
Percent Age 15-24	15.1	Percent Retail	19.7	Highways	\$ 52.40
Percent Age 25-34	17.9	Percent Finance ¹⁷	9.8		
Percent Age 35-44	14.8	Percent Service	28.0	Percent acreage in farms ¹⁹	53.0
Percent Age 45-64	19.2	Percent Other ¹⁸	19.3		
Percent Age 65+	12.1				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
115	3	11	13	7	6	13	11	12	5	13	10	11

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	114 (100.0)	37 (32.5)	66 (57.9)	9 (7.9)	2 (1.8)	31	\$542	\$0	TOTAL	113 (100.0)	
Male (Row %)	93 (81.6)	32 (34.4)	53 (57.0)	8 (8.6)	0 (0.0)	31	\$563	\$0	Plea	101 (89.4)	
Female (Row %)	21 (18.4)	5 (23.8)	13 (61.9)	1 (4.8)	2 (9.5)	30	\$442	\$0	Trial	12 (10.6)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	114 (100.0)	85 (74.6)	83 (72.8)	2 (1.8)	51.1	24.0	25	19	11	7	22
Robbery	4 (100.0)	4 (100.0)	4 (100.0)	0 (0.0)	134.5	117.5	0	0	0	0	4
Larceny	3 (100.0)	1 (33.3)	1 (33.3)	0 (0.0)	10.0	10.0	1	0	0	0	0
Embezzlement	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Fraud	30 (100.0)	17 (56.7)	16 (53.3)	1 (3.3)	11.4	8.5	11	4	1	0	0
Drug Trafficking	51 (100.0)	47 (92.2)	47 (92.2)	0 (0.0)	68.3	36.0	6	12	7	5	17
Simple Possession	4 (100.0)	2 (50.0)	2 (50.0)	0 (0.0)	9.0	9.0	2	0	0	0	0
Counterfeiting	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	18.0	18.0	1	0	1	0	0
Firearms	8 (100.0)	7 (87.5)	6 (75.0)	1 (12.5)	20.3	18.0	3	2	1	1	0
Immigration	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Other	11 (100.0)	5 (45.5)	5 (45.5)	0 (0.0)	31.0	33.0	1	1	1	1	1

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	N (Col %)
		Probation Only N (Row %)	Probation + Confinement N (Row %)			Sentenced Within Guideline Range
						Departure for Substantial Assistance
TOTAL	29 (25.4)	7 (6.1)	22 (19.3)	39 (34.2)	\$2,000 (35)	87 (77.7)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	Departure for Substantial Assistance 17 (15.2)
Larceny	2 (66.7)	0 (0.0)	2 (66.7)	0 (0.0)	\$- (-)	
Embezzlement	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	\$- (-)	Other Downward Departure 4 (3.6)
Fraud	13 (43.3)	1 (3.3)	12 (40.0)	18 (60.0)	\$3,225 (14)	
Drug Trafficking	4 (7.8)	2 (3.9)	2 (3.9)	7 (13.7)	\$1,000 (7)	Upward Departure 4 (3.6)
Simple Possession	2 (50.0)	1 (25.0)	1 (25.0)	2 (50.0)	\$1,000 (2)	
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	1 (50.0)	\$1,400 (1)	
Firearms	1 (12.5)	0 (0.0)	1 (12.5)	4 (50.0)	\$375 (4)	
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Other	6 (54.5)	2 (18.2)	4 (36.4)	7 (63.6)	\$7,500 (7)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

DISTRICT OF COLUMBIA
District of Columbia Circuit

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	19	Civil ³	3,050
Assistant U.S. Attorneys ⁴	74	Criminal ⁵	541
Assistant Federal Defenders ⁶	15		
Probation Officers ⁷	62		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	482	214	7,269	6,706	12,405	29,182	8,135	64,393
Per 100,000 Population	81	36	1,216	1,121	2,074	4,880	1,360	10,768

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	606,900	Income per Capita ¹¹	\$ 13,530	Police Protection	\$ 370.18
Population per Square Mile ¹²	9,633.3	Percent Unemployed ¹³	7.7	Education	\$ 905.63
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 482.36
Percent Age 0-14	16.3	Percent Mfg.	3.7	Public Welfare ¹⁶	\$ 891.58
Percent Age 15-24	16.6	Percent Retail	13.4	Highways	\$ 185.88
Percent Age 25-34	20.0	Percent Finance ¹⁷	9.6		
Percent Age 35-44	15.7	Percent Service	62.6	Percent acreage in farms ¹⁹	0.0
Percent Age 45-64	18.6	Percent Other ¹⁸	10.7		
Percent Age 65+	12.8				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
522	35	35	45	76	54	52	43	43	50	38	23	28

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	520 (100.0)	39 (7.5)	450 (86.5)	27 (5.2)	4 (0.8)	27	\$451	\$0	TOTAL	522 (100.0)
Male (Row %)	420 (80.8)	32 (7.6)	361 (86.0)	24 (5.7)	3 (0.7)	26	\$444	\$0	Plea	361 (69.2)
Female (Row %)	100 (19.2)	7 (7.0)	89 (89.0)	3 (3.0)	1 (1.0)	30	\$481	\$43	Trial	161 (30.8)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	516 (100.0)	399 (77.3)	380 (73.6)	19 (3.7)	76.1	63.0	74	42	21	55	204
Robbery	5 (100.0)	5 (100.0)	5 (100.0)	0 (0.0)	75.6	57.0	0	0	0	3	2
Larceny	26 (100.0)	9 (34.6)	4 (15.4)	5 (19.2)	10.4	8.0	6	3	0	0	0
Embezzlement	10 (100.0)	5 (50.0)	5 (50.0)	0 (0.0)	19.6	21.0	2	1	2	0	0
Fraud	31 (100.0)	19 (61.3)	12 (38.7)	7 (22.6)	17.0	12.0	11	3	4	0	1
Drug Trafficking	281 (100.0)	263 (93.6)	262 (93.2)	1 (0.4)	99.6	87.0	10	17	12	36	188
Simple Possession	56 (100.0)	33 (58.9)	31 (55.4)	2 (3.6)	27.6	12.0	21	2	0	3	6
Counterfeiting	41 (100.0)	16 (39.0)	14 (34.1)	2 (4.9)	10.3	8.0	12	2	0	1	0
Firearms	23 (100.0)	22 (95.7)	20 (87.0)	2 (8.7)	54.8	41.5	3	4	2	9	4
Immigration	7 (100.0)	3 (42.9)	3 (42.9)	0 (0.0)	7.7	6.0	3	0	0	0	0
Other	36 (100.0)	24 (66.7)	24 (66.7)	0 (0.0)	34.5	18.0	6	10	1	3	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
						Sentenced Within Guideline Range
TOTAL	117 (22.7)	75 (14.5)	42 (8.1)	72 (13.9)	\$3,000 (71)	450 (87.9)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	1 (20.0)	\$1,400 (1)	Departure for Substantial Assistance
Larceny	17 (65.4)	5 (19.2)	12 (46.1)	17 (65.4)	\$5,200 (17)	37 (7.2)
Embezzlement	5 (50.0)	3 (30.0)	2 (20.0)	7 (70.0)	\$16,561 (6)	Other Downward Departure
Fraud	12 (38.7)	6 (19.4)	6 (19.4)	17 (54.8)	\$5,000 (17)	20 (3.9)
Drug Trafficking	18 (6.4)	12 (4.3)	6 (2.1)	5 (1.8)	\$5,000 (5)	Upward Departure
Simple Possession	23 (41.1)	18 (32.1)	5 (8.9)	2 (3.6)	\$1,000 (2)	5 (1.0)
Counterfeiting	25 (61.0)	20 (48.8)	5 (12.2)	9 (21.9)	\$500 (9)	
Firearms	1 (4.3)	1 (4.3)	0 (0.0)	0 (0.0)	\$- (-)	
Immigration	4 (57.1)	3 (42.9)	1 (14.3)	2 (28.6)	\$375 (2)	
Other	12 (33.3)	7 (19.4)	5 (13.9)	12 (33.3)	\$2,100 (12)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**FLORIDA, Northern
11th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Pensacola
(2) Gainesville

(3) Tallahassee
(4) Panama City

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	5	Civil ³	1,550
Assistant U.S. Attorneys ⁴	21	Criminal ⁵	282
Assistant Federal Defenders ⁶	5		
Probation Officers ⁷	25		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	80	508	2,245	7,803	20,715	44,831	4,174	80,356
Per 100,000 Population	6	39	171	596	1,582	3,423	319	6,135

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,280,184	Income per Capita ¹¹	\$ 9,170	Police Protection	\$ 77.02
Population per Square Mile ¹²	76.4	Percent Unemployed ¹³	5.9	Education	\$ 706.29
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 102.89
Percent Age 0-14	20.8	Percent Mfg.	11.0	Public Welfare ¹⁶	\$ 7.36
Percent Age 15-24	17.6	Percent Retail	29.2	Highways	\$ 70.39
Percent Age 25-34	17.3	Percent Finance ¹⁷	6.3		
Percent Age 35-44	14.5	Percent Service	33.9	Percent acreage in farms ¹⁹	22.5
Percent Age 45-64	18.6	Percent Other ¹⁸	19.6		
Percent Age 65+	11.2				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
320	9	25	26	31	24	21	22	30	24	27	28	53

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	320 (100.0)	186 (58.1)	107 (33.4)	26 (8.1)	1 (0.3)	34	\$466	\$0	TOTAL	320 (100.0)
Male (Row %)	282 (88.1)	163 (57.8)	96 (34.0)	23 (8.2)	0 (0.0)	34	\$424	\$0	Plea	235 (73.4)
Female (Row %)	38 (11.9)	23 (60.5)	11 (28.9)	3 (7.9)	1 (2.6)	35	\$774	\$675	Trial	85 (26.6)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	319 (100.0)	277 (86.8)	272 (85.3)	5 (1.6)	133.7	75.0	24	34	21	44	153
Robbery	10 (100.0)	10 (100.0)	10 (100.0)	0 (0.0)	148.2	118.5	0	0	1	1	8
Larceny	19 (100.0)	6 (31.6)	6 (31.6)	0 (0.0)	20.2	12.5	3	1	1	1	0
Embezzlement	4 (100.0)	2 (50.0)	1 (25.0)	1 (25.0)	2.5	2.5	2	0	0	0	0
Fraud	21 (100.0)	13 (61.9)	12 (57.1)	1 (4.8)	18.8	21.0	4	6	3	0	0
Drug Trafficking	192 (100.0)	186 (96.9)	185 (96.3)	1 (0.5)	159.8	120.0	1	9	11	36	128
Simple Possession	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Counterfeiting	8 (100.0)	6 (75.0)	6 (75.0)	0 (0.0)	15.5	13.0	3	2	1	0	0
Firearms	33 (100.0)	31 (93.9)	30 (90.9)	1 (3.0)	130.3	46.0	3	9	3	2	14
Immigration	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	24.0	24.0	0	1	0	0	0
Other	30 (100.0)	22 (73.3)	21 (70.0)	1 (3.3)	60.1	24.0	8	6	1	4	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	42 (13.2)	25 (7.8)	17 (5.3)	66 (20.7)	\$3,384 (61)	Sentenced Within Guideline Range 214 (68.8)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	6 (60.0)	\$2,290 (6)	Departure for Substantial Assistance 86 (27.7)
Larceny	13 (68.4)	9 (47.4)	4 (21.1)	14 (73.7)	\$1,000 (13)	
Embezzlement	2 (50.0)	2 (50.0)	0 (0.0)	3 (75.0)	\$2,000 (3)	Other Downward Departure 6 (1.9)
Fraud	8 (38.1)	4 (19.1)	4 (19.1)	16 (76.2)	\$41,130 (12)	
Drug Trafficking	6 (3.1)	5 (2.6)	1 (0.5)	17 (8.8)	\$10,000 (17)	Upward Departure 5 (1.6)
Simple Possession	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Counterfeiting	2 (25.0)	0 (0.0)	2 (25.0)	3 (37.5)	\$140 (3)	
Firearms	2 (6.1)	0 (0.0)	2 (6.1)	1 (3.0)	\$3,384 (1)	
Immigration	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	\$- (-)	
Other	8 (26.7)	4 (13.3)	4 (13.3)	6 (20.0)	\$1,000 (6)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**FLORIDA, Middle
11th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Tampa
- (2) Jacksonville
- (3) Orlando
- (4) Fort Meyers

- (5) Cocoa
- (6) Ocala
- (7) Fernandina
- (8) Naples

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	13	Civil ³	4,857
Assistant U.S. Attorneys ⁴	71	Criminal ⁵	941
Assistant Federal Defenders ⁶	15		
Probation Officers ⁷	86		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	525	3,648	19,730	47,478	129,587	281,800	43,575	526,343
Per 100,000 Population	7	50	273	656	1,790	3,894	602	7,272

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	6,898,817	Income per Capita ¹¹	\$ 10,852	Police Protection	\$ 88.09
Population per Square Mile ¹²	299.2	Percent Unemployed ¹³	5.5	Education	\$ 629.97
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 138.66
Percent Age 0-14	18.4	Percent Mfg.	12.2	Public Welfare ¹⁶	\$ 12.30
Percent Age 15-24	12.6	Percent Retail	25.3	Highways	\$ 77.26
Percent Age 25-34	16.1	Percent Finance ¹⁷	7.8		
Percent Age 35-44	13.8	Percent Service	32.9	Percent acreage in farms ¹⁹	45.6
Percent Age 45-64	19.9	Percent Other ¹⁸	21.7		
Percent Age 65+	19.1				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
1,025	112	91	106	78	94	61	88	89	60	95	82	69

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		N (Col %)			
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	1,017 (100.0)	596 (58.6)	274 (26.9)	136 (13.4)	11 (1.1)	33	\$992	\$0	TOTAL	1,024 (100.0)		
Male (Row %)	863 (84.9)	501 (58.0)	229 (26.5)	122 (14.1)	11 (1.3)	34	\$1,023	\$0	Plea	868 (84.8)		
Female (Row %)	154 (15.1)	95 (61.7)	45 (29.2)	14 (9.1)	0 (0.0)	33	\$825	\$600	Trial	156 (15.2)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	1,023 (100.0)	838 (81.9)	809 (79.1)	29 (2.8)	92.9	63.0	123	97	53	116	442
Robbery	75 (100.0)	74 (98.7)	74 (98.7)	0 (0.0)	98.4	82.5	0	1	4	18	51
Larceny	43 (100.0)	11 (25.6)	9 (20.9)	2 (4.7)	11.2	12.0	7	4	0	0	0
Embezzlement	20 (100.0)	4 (20.0)	3 (15.0)	1 (5.0)	14.2	15.0	2	2	0	0	0
Fraud	143 (100.0)	105 (73.4)	88 (61.5)	17 (11.9)	15.3	10.0	62	24	12	4	2
Drug Trafficking	503 (100.0)	490 (97.4)	486 (96.6)	4 (0.8)	122.6	96.0	10	26	25	74	353
Simple Possession	13 (100.0)	2 (15.4)	2 (15.4)	0 (0.0)	4.0	4.0	1	0	0	0	0
Counterfeiting	41 (100.0)	22 (53.7)	22 (53.7)	0 (0.0)	20.0	12.5	11	7	2	1	1
Firearms	69 (100.0)	59 (85.5)	57 (82.6)	2 (2.9)	72.8	37.0	13	14	1	12	17
Immigration	4 (100.0)	4 (100.0)	4 (100.0)	0 (0.0)	18.5	20.0	2	0	2	0	0
Other	112 (100.0)	67 (59.8)	64 (57.1)	3 (2.7)	55.8	24.0	15	19	7	7	18

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
						Sentenced Within Guideline Range 727 (72.0)
TOTAL	185 (18.1)	103 (10.1)	82 (8.0)	281 (27.5)	\$4,000 (263)	Departure for Substantial Assistance 242 (24.0)
Robbery	1 (1.3)	0 (0.0)	1 (1.3)	42 (56.0)	\$5,000 (35)	Other Downward Departure 35 (3.5)
Larceny	32 (74.4)	18 (41.9)	14 (32.6)	27 (62.8)	\$2,500 (27)	
Embezzlement	16 (80.0)	8 (40.0)	8 (40.0)	15 (75.0)	\$9,529 (15)	Upward Departure 6 (0.6)
Fraud	38 (26.6)	23 (16.1)	15 (10.5)	88 (61.5)	\$10,124 (84)	
Drug Trafficking	13 (2.6)	3 (0.6)	10 (2.0)	29 (5.8)	\$5,000 (29)	
Simple Possession	11 (84.6)	11 (84.6)	0 (0.0)	6 (46.1)	\$600 (6)	
Counterfeiting	19 (46.3)	7 (17.1)	12 (29.3)	28 (68.3)	\$1,058 (22)	
Firearms	10 (14.5)	4 (5.8)	6 (8.7)	8 (11.6)	\$2,000 (8)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	1 (25.0)	\$1,493 (1)	
Other	45 (40.2)	29 (25.9)	16 (14.3)	37 (33.0)	\$4,000 (36)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**FLORIDA, Southern
11th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Miami
- (2) West Palm Beach
- (3) Fort Lauderdale
- (4) Fort Pierce
- (5) Key West
- (6) Coral Gables

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	20	Civil ³	5,356
Assistant U.S. Attorneys ⁴	162	Criminal ⁵	1,186
Assistant Federal Defenders ⁶	34		
Probation Officers ⁷	146		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	522	2,180	28,400	34,121	99,958	243,484	53,446	462,111
Per 100,000 Population	11	46	605	727	2,130	5,188	1,139	9,846

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	4,758,925	Income per Capita ¹¹	\$ 12,446	Police Protection	\$ 152.14
Population per Square Mile ¹²	351.3	Percent Unemployed ¹³	6.0	Education	\$ 646.94
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 191.51
Percent Age 0-14	18.4	Percent Mfg.	10.8	Public Welfare ¹⁶	\$ 16.06
Percent Age 15-24	12.1	Percent Retail	24.2	Highways	\$ 67.18
Percent Age 25-34	16.5	Percent Finance ¹⁷	9.6		
Percent Age 35-44	14.1	Percent Service	32.2	Percent acreage in farms ¹⁹	42.5
Percent Age 45-64	19.9	Percent Other ¹⁸	23.2		
Percent Age 65+	19.0				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
1,359	114	88	158	125	91	149	132	107	121	106	66	102

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	1,358 (100.0)	523 (38.5)	276 (20.3)	553 (40.7)	6 (0.4)	35	\$732	\$0	TOTAL	1,356 (100.0)	
Male (Row %)	1,177 (86.7)	458 (38.9)	226 (19.2)	488 (41.5)	5 (0.4)	35	\$742	\$0	Plea	1,031 (76.0)	
Female (Row %)	181 (13.3)	65 (35.9)	50 (27.6)	65 (35.9)	1 (0.6)	33	\$665	\$320	Trial	325 (24.0)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	1,348 (100.0)	1,185 (87.9)	1,164 (86.3)	21 (1.6)	104.2	63.0	158	117	86	175	640
Robbery	52 (100.0)	52 (100.0)	52 (100.0)	0 (0.0)	119.7	87.0	0	0	1	16	35
Larceny	55 (100.0)	39 (70.9)	39 (70.9)	0 (0.0)	17.0	18.0	15	18	4	1	0
Embezzlement	29 (100.0)	15 (51.7)	13 (44.8)	2 (6.9)	7.9	5.5	10	4	0	0	0
Fraud	101 (100.0)	54 (53.5)	46 (45.5)	8 (7.9)	16.8	12.0	29	15	3	4	2
Drug Trafficking	749 (100.0)	739 (98.7)	739 (98.7)	0 (0.0)	135.9	120.0	7	24	41	116	551
Simple Possession	22 (100.0)	4 (18.2)	4 (18.2)	0 (0.0)	6.2	5.0	4	0	0	0	0
Counterfeiting	47 (100.0)	31 (66.0)	29 (61.7)	2 (4.3)	20.5	15.0	12	5	5	6	0
Firearms	104 (100.0)	93 (89.4)	90 (86.5)	3 (2.9)	102.8	41.0	13	16	12	14	38
Immigration	67 (100.0)	60 (89.5)	60 (89.5)	0 (0.0)	14.1	8.0	37	13	3	2	2
Other	122 (100.0)	98 (80.3)	92 (75.4)	6 (4.9)	33.5	24.0	31	22	17	16	12

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	163 (12.1)	89 (6.6)	74 (5.5)	275 (20.4)	\$5,000 (263)	Sentenced Within Guideline Range 1,141 (84.4)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	28 (53.9)	\$4,117 (25)	Departure for Substantial Assistance 146 (10.8)
Larceny	16 (29.1)	8 (14.6)	8 (14.6)	27 (49.1)	\$5,000 (25)	
Embezzlement	14 (48.3)	6 (20.7)	8 (27.6)	17 (58.6)	\$6,264 (16)	Other Downward Departure 38 (2.8)
Fraud	47 (46.5)	18 (17.8)	29 (28.7)	80 (79.2)	\$10,911 (76)	
Drug Trafficking	10 (1.3)	7 (0.9)	3 (0.4)	49 (6.5)	\$10,000 (49)	
Simple Possession	18 (81.8)	18 (81.8)	0 (0.0)	6 (27.3)	\$1,000 (6)	Upward Departure 27 (2.0)
Counterfeiting	16 (34.0)	6 (12.8)	10 (21.3)	12 (25.5)	\$2,908 (12)	
Firearms	11 (10.6)	8 (7.7)	3 (2.9)	5 (4.8)	\$1,000 (5)	
Immigration	7 (10.4)	2 (3.0)	5 (7.5)	9 (13.4)	\$950 (9)	
Other	24 (19.7)	16 (13.1)	8 (6.6)	42 (34.4)	\$3,000 (40)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

GEORGIA, Northern
11th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Atlanta
(2) Rome

(3) Gainesville
(4) Newnan

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	14	Civil ³	3,900
Assistant U.S. Attorneys ⁴	42	Criminal ⁵	536
Assistant Federal Defenders ⁶	10		
Probation Officers ⁷	56		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	426	1,747	12,322	16,288	56,479	147,529	29,667	264,458
Per 100,000 Population	11	47	330	436	1,511	3,948	794	7,077

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	3,708,451	Income per Capita ¹¹	\$ 11,534	Police Protection	\$ 65.98
Population per Square Mile ¹²	260.0	Percent Unemployed ¹³	5.1	Education	\$ 654.38
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 326.54
Percent Age 0-14	21.7	Percent Mfg.	20.4	Public Welfare ¹⁶	\$ 3.25
Percent Age 15-24	15.1	Percent Retail	20.8	Highways	\$ 59.00
Percent Age 25-34	19.3	Percent Finance ¹⁷	7.4		
Percent Age 35-44	16.8	Percent Service	26.1	Percent acreage in farms ¹⁹	22.3
Percent Age 45-64	18.1	Percent Other ¹⁸	25.4		
Percent Age 65+	9.0				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
483	38	37	30	46	36	40	50	44	54	33	43	32

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL			N (Col %)
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	478 (100.0)	212 (44.4)	231 (48.3)	32 (6.7)	3 (0.6)	34	\$782	\$184	TOTAL	482 (100.0)		
Male (Row %)	395 (82.6)	168 (42.5)	195 (49.4)	29 (7.3)	3 (0.8)	34	\$788	\$0	Plea	393 (81.5)		
Female (Row %)	83 (17.4)	44 (53.0)	36 (43.4)	3 (3.6)	0 (0.0)	31	\$759	\$611	Trial	89 (18.5)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	465 (100.0)	362 (77.8)	354 (76.1)	8 (1.7)	84.3	51.0	61	46	43	63	146
Robbery	31 (100.0)	31 (100.0)	31 (100.0)	0 (0.0)	121.5	63.0	0	0	2	13	16
Larceny	37 (100.0)	15 (40.5)	14 (37.8)	1 (2.7)	12.5	10.0	10	4	1	0	0
Embezzlement	21 (100.0)	6 (28.6)	5 (23.8)	1 (4.8)	17.0	18.0	1	5	0	0	0
Fraud	56 (100.0)	39 (69.6)	38 (67.9)	1 (1.8)	26.4	21.0	9	14	9	5	2
Drug Trafficking	184 (100.0)	178 (96.7)	177 (96.2)	1 (0.5)	116.8	90.0	4	8	19	32	114
Simple Possession	9 (100.0)	4 (44.4)	4 (44.4)	0 (0.0)	13.5	11.0	3	1	0	0	0
Counterfeiting	17 (100.0)	11 (64.7)	10 (58.8)	1 (5.9)	17.8	18.0	5	3	2	1	0
Firearms	31 (100.0)	26 (83.9)	25 (80.7)	1 (3.2)	91.0	33.0	6	4	3	2	9
Immigration	9 (100.0)	6 (66.7)	6 (66.7)	0 (0.0)	14.0	12.0	3	2	1	0	0
Other	70 (100.0)	46 (65.7)	44 (62.9)	2 (2.9)	43.0	19.5	20	5	6	10	5

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	103 (22.1)	44 (9.5)	59 (12.7)	221 (47.5)	\$4,270 (211)	352 (83.2)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	21 (67.7)	\$2,382 (19)	
Larceny	22 (59.5)	10 (27.0)	12 (32.4)	23 (62.2)	\$2,072 (22)	Departure for Substantial Assistance 44 (10.4)
Embezzlement	15 (71.4)	11 (52.4)	4 (19.1)	19 (90.5)	\$3,468 (19)	
Fraud	17 (30.4)	3 (5.4)	14 (25.0)	42 (75.0)	\$10,562 (40)	
Drug Trafficking	6 (3.3)	0 (0.0)	6 (3.3)	48 (26.1)	\$5,000 (48)	Other Downward Departure 23 (5.4)
Simple Possession	5 (55.6)	4 (44.4)	1 (11.1)	5 (55.6)	\$2,500 (5)	
Counterfeiting	6 (35.3)	3 (17.6)	3 (17.6)	9 (52.9)	\$4,555 (9)	
Firearms	5 (16.1)	2 (6.5)	3 (9.7)	13 (41.9)	\$2,050 (13)	
Immigration	3 (33.3)	2 (22.2)	1 (11.1)	2 (22.2)	\$3,750 (2)	Upward Departure 4 (0.9)
Other	24 (34.3)	9 (12.9)	15 (21.4)	39 (55.7)	\$5,000 (34)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**GEORGIA, Middle
11th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Macon
- (2) Columbus
- (3) Valdosta

- (4) Albany
- (5) Athens

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	4	Civil ³	1,176
Assistant U.S. Attorneys ⁴	15	Criminal ⁵	2,047
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	22		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	212	562	2,388	5,805	21,716	47,534	4,616	82,833
Per 100,000 Population	12	33	139	338	1,266	2,772	269	4,831

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,606,335	Income per Capita ¹¹	\$ 8,440	Police Protection	\$ 58.67
Population per Square Mile ¹²	64.7	Percent Unemployed ¹³	7.2	Education	\$ 620.19
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 331.06
Percent Age 0-14	22.9	Percent Mfg.	30.1	Public Welfare ¹⁶	\$ 3.07
Percent Age 15-24	16.8	Percent Retail	23.2	Highways	\$ 55.69
Percent Age 25-34	16.3	Percent Finance ¹⁷	5.6		
Percent Age 35-44	14.1	Percent Service	21.7	Percent acreage in farms ¹⁹	40.9
Percent Age 45-64	18.1	Percent Other ¹⁸	19.4		
Percent Age 65+	11.8				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
308	29	20	31	19	18	26	27	27	36	27	12	36

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL			N (Col %)
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	308 (100.0)	113 (36.7)	182 (59.1)	9 (2.9)	4 (1.3)	32	\$831	\$571	TOTAL	307 (100.0)		
Male (Row %)	219 (71.1)	88 (40.2)	124 (56.6)	6 (2.7)	1 (0.5)	32	\$680	\$222	Plea	258 (84.0)		
Female (Row %)	89 (28.9)	25 (28.1)	58 (65.2)	3 (3.4)	3 (3.4)	33	\$1,159	\$750	Trial	49 (16.0)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	307 (100.0)	182 (59.3)	177 (57.6)	5 (1.6)	107.9	60.0	41	29	9	19	84
Robbery	18 (100.0)	18 (100.0)	18 (100.0)	0 (0.0)	201.6	131.5	0	0	1	1	16
Larceny	114 (100.0)	27 (23.7)	26 (22.8)	1 (0.9)	14.3	9.0	17	5	3	2	0
Embezzlement	13 (100.0)	10 (76.9)	10 (76.9)	0 (0.0)	11.2	11.0	8	2	0	0	0
Fraud	23 (100.0)	7 (30.4)	6 (26.1)	1 (4.3)	22.3	21.0	2	4	0	1	0
Drug Trafficking	60 (100.0)	57 (95.0)	56 (93.3)	1 (1.7)	160.7	120.0	4	4	1	2	46
Simple Possession	4 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	3 (100.0)	2 (66.7)	2 (66.7)	0 (0.0)	14.5	14.5	1	1	0	0	0
Firearms	36 (100.0)	34 (94.4)	33 (91.7)	1 (2.8)	139.9	64.0	3	7	0	7	17
Immigration	3 (100.0)	1 (33.3)	1 (33.3)	0 (0.0)	12.0	12.0	1	0	0	0	0
Other	33 (100.0)	26 (78.8)	25 (75.8)	1 (3.0)	53.7	34.5	5	6	4	6	5

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
						Sentenced Within Guideline Range 256 (84.8)
TOTAL	125 (40.7)	100 (32.6)	25 (8.1)	144 (46.9)	\$250 (143)	Departure for Substantial Assistance 34 (11.3)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	5 (27.8)	\$213 (5)	Other Downward Departure 8 (2.6)
Larceny	87 (76.3)	77 (67.5)	10 (8.8)	90 (79.0)	\$250 (89)	
Embezzlement	3 (23.1)	1 (7.7)	2 (15.4)	8 (61.5)	\$5,000 (8)	Upward Departure 4 (1.3)
Fraud	16 (69.6)	11 (47.8)	5 (21.7)	9 (39.1)	\$1,656 (9)	
Drug Trafficking	3 (5.0)	0 (0.0)	3 (5.0)	10 (16.7)	\$2,500 (10)	
Simple Possession	4 (100.0)	3 (75.0)	1 (25.0)	4 (100.0)	\$750 (4)	
Counterfeiting	1 (33.3)	1 (33.3)	0 (0.0)	1 (33.3)	\$1,616 (1)	
Firearms	2 (5.6)	2 (5.6)	0 (0.0)	7 (19.4)	\$250 (7)	
Immigration	2 (66.7)	2 (66.7)	0 (0.0)	0 (0.0)	\$- (-)	
Other	7 (21.2)	3 (9.1)	4 (12.1)	10 (30.3)	\$4,000 (10)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**GEORGIA, Southern
11th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Augusta
- (2) Savannah
- (3) Brunswick

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	3	Civil ³	1,346
Assistant U.S. Attorneys ⁴	17	Criminal ⁵	433
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	22		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	176	381	2,567	4,125	16,722	34,383	4,773	63,127
Per 100,000 Population	15	32	216	347	1,409	2,896	402	5,318

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,163,430	Income per Capita ¹¹	\$ 8,628	Police Protection	\$ 59.78
Population per Square Mile ¹²	61.3	Percent Unemployed ¹³	7.0	Education	\$ 605.57
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 319.17
Percent Age 0-14	23.5	Percent Mfg.	26.4	Public Welfare ¹⁶	\$ 3.40
Percent Age 15-24	16.3	Percent Retail	24.4	Highways	\$ 56.81
Percent Age 25-34	17.0	Percent Finance ¹⁷	4.8		
Percent Age 35-44	14.3	Percent Service	25.8	Percent acreage in farms ¹⁹	31.0
Percent Age 45-64	17.6	Percent Other ¹⁸	18.5		
Percent Age 65+	11.3				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
262	16	16	15	41	13	25	28	21	27	20	18	22

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	243 (100.0)	122 (50.2)	105 (43.2)	16 (6.6)	- (-)	37	\$719	\$300	TOTAL	262 (100.0)	
Male (Row %)	213 (87.7)	108 (50.7)	90 (42.2)	15 (7.0)	- (-)	37	\$706	\$200	Plea	194 (74.0)	
Female (Row %)	30 (12.3)	14 (46.7)	15 (50.0)	1 (3.3)	- (-)	34	\$806	\$450	Trial	68 (26.0)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	257 (100.0)	200 (77.8)	198 (77.0)	2 (0.8)	105.6	60.0	42	31	8	23	95
Robbery	10 (100.0)	10 (100.0)	10 (100.0)	0 (0.0)	92.4	82.0	0	0	0	4	6
Larceny	39 (100.0)	15 (38.5)	15 (38.5)	0 (0.0)	17.9	12.0	9	4	1	0	1
Embezzlement	3 (100.0)	1 (33.3)	0 (0.0)	1 (33.3)	4.0	4.0	1	0	0	0	0
Fraud	36 (100.0)	34 (94.4)	33 (91.7)	1 (2.8)	20.5	12.0	18	11	1	2	2
Drug Trafficking	102 (100.0)	99 (97.1)	99 (97.1)	0 (0.0)	174.3	125.0	1	3	3	13	79
Simple Possession	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	30.0	30.0	0	0	1	0	0
Firearms	11 (100.0)	9 (81.8)	9 (81.8)	0 (0.0)	67.8	60.0	1	1	1	3	3
Immigration	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Other	52 (100.0)	31 (59.6)	31 (59.6)	0 (0.0)	40.8	15.0	12	12	1	1	4

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	57 (22.2)	49 (19.1)	8 (3.1)	130 (50.6)	\$2,667 (127)	Sentenced Within Guideline Range 197 (77.6)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	8 (80.0)	\$870 (7)	Departure for Substantial Assistance 42 (16.5)
Larceny	24 (61.5)	23 (59.0)	1 (2.6)	33 (84.6)	\$500 (32)	
Embezzlement	2 (66.7)	2 (66.7)	0 (0.0)	1 (33.3)	\$1,500 (1)	Other Downward Departure 14 (5.5)
Fraud	2 (5.6)	0 (0.0)	2 (5.6)	30 (83.3)	\$8,981 (30)	
Drug Trafficking	3 (2.9)	3 (2.9)	0 (0.0)	24 (23.5)	\$15,000 (24)	Upward Departure 1 (0.4)
Simple Possession	2 (100.0)	2 (100.0)	0 (0.0)	2 (100.0)	\$450 (2)	
Counterfeiting	1 (50.0)	0 (0.0)	1 (50.0)	1 (50.0)	\$9,342 (1)	
Firearms	2 (18.2)	1 (9.1)	1 (9.1)	2 (18.2)	\$1,834 (2)	
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Other	21 (40.4)	18 (34.6)	3 (5.8)	29 (55.8)	\$2,200 (28)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

HAWAII
9th Circuit

**City Supplying Sentencing
Guideline Documentation:**

(1) Honolulu

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	5	Civil ³	855
Assistant U.S. Attorneys ⁴	20	Criminal ⁵	1,658
Assistant Federal Defenders ⁶	6		
Probation Officers ⁷	15		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	45	375	986	1,338	14,011	47,195	3,814	67,764
Per 100,000 Population	4	33	87	118	1,234	4,158	336	5,970

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,108,229	Income per Capita ¹¹	\$11,003	Police Protection	\$ 101.81
Population per Square Mile ¹²	172.5	Percent Unemployed ¹³	4.8	Education	\$ 0.11
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 4.90
Percent Age 0-14	21.5	Percent Mfg.	5.6	Public Welfare ¹⁶	\$ 4.70
Percent Age 15-24	14.7	Percent Retail	26.8	Highways	\$ 51.03
Percent Age 25-34	18.1	Percent Finance ¹⁷	8.3		
Percent Age 35-44	16.1	Percent Service	36.0	Percent acreage in farms ¹⁹	47.6
Percent Age 45-64	18.3	Percent Other ¹⁸	23.2		
Percent Age 65+	11.3				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
214	17	18	19	13	20	18	17	16	16	17	17	26

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL			N (Col %)
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	187 (100.0)	47 (25.1)	10 (5.3)	24 (12.8)	106 (56.7)	34	\$458	\$0	TOTAL	213 (100.0)		
Male (Row %)	151 (80.7)	39 (25.8)	7 (4.6)	21 (13.9)	84 (55.6)	34	\$466	\$0	Plea	179 (84.0)		
Female (Row %)	36 (19.3)	8 (22.2)	3 (8.3)	3 (8.3)	22 (61.1)	35	\$411	\$242	Trial	34 (16.0)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	191 (100.0)	164 (85.9)	163 (85.3)	1 (0.5)	66.7	43.0	37	17	21	24	62
Robbery	11 (100.0)	11 (100.0)	11 (100.0)	0 (0.0)	93.9	70.0	0	0	2	3	6
Larceny	19 (100.0)	9 (47.4)	9 (47.4)	0 (0.0)	24.4	12.0	5	2	0	0	1
Embezzlement	3 (100.0)	2 (66.7)	1 (33.3)	1 (33.3)	6.5	6.5	2	0	0	0	0
Fraud	16 (100.0)	9 (56.2)	9 (56.2)	0 (0.0)	14.6	13.0	4	4	1	0	0
Drug Trafficking	82 (100.0)	80 (97.6)	80 (97.6)	0 (0.0)	83.0	63.0	1	5	9	19	46
Simple Possession	7 (100.0)	6 (85.7)	6 (85.7)	0 (0.0)	47.0	2.0	5	0	0	0	1
Counterfeiting	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	10.0	10.0	1	0	0	0	0
Firearms	11 (100.0)	11 (100.0)	11 (100.0)	0 (0.0)	83.7	30.0	3	0	4	1	3
Immigration	20 (100.0)	18 (90.0)	18 (90.0)	0 (0.0)	9.9	6.0	13	1	2	0	0
Other	20 (100.0)	17 (85.0)	17 (85.0)	0 (0.0)	79.6	30.0	3	5	3	1	5

PRIMARY OFFENSE	CASES INVOLVING PROBATION				CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷	
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	Sentenced Within Guideline Range N (Col %)	Departure for Substantial Assistance N (Col %)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)					
TOTAL	27 (14.1)	17 (8.9)	10 (5.2)	80 (41.9)	\$2,500 (75)	145 (70.4)		
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	11 (100.0)	\$1,973 (10)			
Larceny	10 (52.6)	8 (42.1)	2 (10.5)	16 (84.2)	\$150 (14)		Departure for Substantial Assistance 45 (21.8)	
Embezzlement	1 (33.3)	0 (0.0)	1 (33.3)	2 (66.7)	\$9,643 (2)			
Fraud	7 (43.8)	3 (18.8)	4 (25.0)	10 (62.5)	\$17,616 (8)			
Drug Trafficking	2 (2.4)	2 (2.4)	0 (0.0)	16 (19.5)	\$17,500 (16)		Other Downward Departure 6 (2.9)	
Simple Possession	1 (14.3)	0 (0.0)	1 (14.3)	5 (71.4)	\$1,000 (5)			
Counterfeiting	1 (50.0)	0 (0.0)	1 (50.0)	2 (100.0)	\$2,984 (2)			
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	1 (9.1)	\$3,465 (1)			
Immigration	2 (10.0)	2 (10.0)	0 (0.0)	5 (25.0)	\$2,500 (5)		Upward Departure 10 (4.9)	
Other	3 (15.0)	2 (10.0)	1 (5.0)	12 (60.0)	\$2,439 (12)			

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

IDAHO
9th Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

(1) Boise
(2) Pocatello

(3) Twin Falls
(4) Moscow

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	3	Civil ³	538
Assistant U.S. Attorneys ⁴	1	Criminal ⁵	108
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	11		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	18	300	212	2,349	8,433	29,732	1,836	42,880
Per 100,000 Population	2	29	21	229	821	2,893	179	4,172

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,006,749	Income per Capita ¹¹	\$ 8,567	Police Protection	\$ 56.90
Population per Square Mile ¹²	12.2	Percent Unemployed ¹³	8.7	Education	\$ 522.70
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 129.62
Percent Age 0-14	25.9	Percent Mfg.	21.4	Public Welfare ¹⁶	\$ 15.97
Percent Age 15-24	14.5	Percent Retail	23.8	Highways	\$ 86.04
Percent Age 25-34	15.2	Percent Finance ¹⁷	5.4		
Percent Age 35-44	14.8	Percent Service	27.1	Percent acreage in farms ¹⁹	26.4
Percent Age 45-64	17.6	Percent Other ¹⁸	22.3		
Percent Age 65+	12.0				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
68	-	7	3	6	3	2	6	8	8	13	4	8

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL			N (Col %)
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	66 (100.0)	50 (75.8)	1 (1.5)	14 (21.2)	1 (1.5)	36	\$1,021	\$822	TOTAL	66 (100.0)		
Male (Row %)	54 (81.8)	40 (74.1)	1 (1.9)	13 (24.1)	0 (0.0)	38	\$928	\$810	Plea	46 (69.7)		
Female (Row %)	12 (18.2)	10 (83.3)	0 (0.0)	1 (8.3)	1 (8.3)	33	\$1,399	\$1,226	Trial	20 (30.3)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	67 (100.0)	40 (59.7)	38 (56.7)	2 (3.0)	110.1	73.0	6	5	2	3	24
Robbery	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	81.5	81.5	0	0	0	1	1
Larceny	5 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Embezzlement	5 (100.0)	2 (40.0)	0 (0.0)	2 (40.0)	4.0	4.0	2	0	0	0	0
Fraud	13 (100.0)	2 (15.4)	2 (15.4)	0 (0.0)	6.5	6.5	2	0	0	0	0
Drug Trafficking	25 (100.0)	23 (92.0)	23 (92.0)	0 (0.0)	148.0	97.0	2	1	0	1	19
Simple Possession	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Counterfeiting	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Firearms	6 (100.0)	4 (66.7)	4 (66.7)	0 (0.0)	49.5	51.0	0	1	1	0	2
Immigration	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	19.0	19.0	0	2	0	0	0
Other	9 (100.0)	5 (55.6)	5 (55.6)	0 (0.0)	116.2	48.0	0	1	1	1	2

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
						Sentenced Within Guideline Range
TOTAL	27 (40.3)	10 (14.9)	17 (25.4)	48 (71.6)	\$5,000 (46)	58 (87.9)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	2 (100.0)	\$8,184 (2)	Departure for Substantial Assistance
Larceny	5 (100.0)	2 (40.0)	3 (60.0)	5 (100.0)	\$3,958 (5)	3 (4.5)
Embezzlement	3 (60.0)	1 (20.0)	2 (40.0)	2 (40.0)	\$8,170 (2)	Other Downward Departure
Fraud	11 (84.6)	3 (23.1)	8 (61.5)	10 (76.9)	\$6,160 (10)	5 (7.6)
Drug Trafficking	2 (8.0)	2 (8.0)	0 (0.0)	19 (76.0)	\$5,534 (19)	Upward Departure
Simple Possession	- (-)	- (-)	- (-)	- (-)	\$- (-)	0 (0.0)
Counterfeiting	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Firearms	2 (33.3)	1 (16.7)	1 (16.7)	3 (50.0)	\$1,000 (3)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	2 (100.0)	\$1,038 (2)	
Other	4 (44.4)	1 (11.1)	3 (33.3)	5 (55.6)	\$3,404 (3)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**ILLINOIS, Northern
7th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Chicago
- (2) Rockford

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	26	Civil ³	8,662
Assistant U.S. Attorneys ⁴	107	Criminal ⁵	720
Assistant Federal Defenders ⁶	12		
Probation Officers ⁷	101		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape*	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total*
Number of Crimes	1,107	—	49,436	51,920	96,291	294,605	69,120	—
Per 100,000 Population	14	—	609	640	1,186	3,629	851	—

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	8,028,703	Income per Capita ¹¹	\$ 11,958	Police Protection	\$ 117.67
Population per Square Mile ¹²	742.3	Percent Unemployed ¹³	7.3	Education	\$ 676.64
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 60.86
Percent Age 0-14	21.9	Percent Mfg.	23.0	Public Welfare ¹⁶	\$ 18.14
Percent Age 15-24	14.5	Percent Retail	19.0	Highways	\$ 92.11
Percent Age 25-34	18.2	Percent Finance ¹⁷	9.0		
Percent Age 35-44	15.2	Percent Service	29.2	Percent acreage in farms ¹⁹	72.9
Percent Age 45-64	18.6	Percent Other ¹⁸	19.9		
Percent Age 65+	11.5				

A complete description of the footnotes is provided in Appendix A.

*According to the FBI, forcible rape figures furnished by Illinois Department of State Police are not in accordance with National UCR guidelines. Therefore, forcible rape statistics and crime index total are not available.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
814	51	50	62	99	61	53	66	80	81	52	68	91

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	799 (100.0)	279 (34.9)	343 (42.9)	160 (20.0)	17 (2.1)	34	\$921	\$200	TOTAL	812 (100.0)
Male (Row %)	661 (82.7)	238 (36.0)	262 (39.6)	146 (22.1)	15 (2.3)	34	\$961	\$0	Plea	674 (83.0)
Female (Row %)	138 (17.3)	41 (29.7)	81 (58.7)	14 (10.1)	2 (1.4)	33	\$738	\$600	Trial	138 (17.0)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	808 (100.0)	583 (72.2)	562 (69.5)	21 (2.6)	75.2	46.0	107	86	59	102	227
Robbery	25 (100.0)	25 (100.0)	25 (100.0)	0 (0.0)	99.2	70.0	0	2	1	8	14
Larceny	97 (100.0)	38 (39.2)	34 (35.0)	4 (4.1)	12.9	8.0	27	7	2	0	1
Embezzlement	32 (100.0)	11 (34.4)	5 (15.6)	6 (18.8)	4.2	3.0	11	0	0	0	0
Fraud	118 (100.0)	66 (55.9)	59 (50.0)	7 (5.9)	21.2	15.5	24	26	5	8	3
Drug Trafficking	315 (100.0)	313 (99.4)	313 (99.4)	0 (0.0)	91.9	66.0	6	20	36	73	178
Simple Possession	5 (100.0)	1 (20.0)	1 (20.0)	0 (0.0)	1.0	1.0	1	0	0	0	0
Counterfeiting	17 (100.0)	10 (58.8)	9 (52.9)	1 (5.9)	14.8	12.0	6	3	0	1	0
Firearms	50 (100.0)	40 (80.0)	38 (76.0)	2 (4.0)	72.5	26.5	9	9	6	4	12
Immigration	15 (100.0)	8 (53.3)	8 (53.3)	0 (0.0)	16.9	12.0	4	2	1	0	0
Other	134 (100.0)	71 (53.0)	70 (52.2)	1 (0.8)	103.7	23.0	19	17	8	8	19

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	225 (27.9)	128 (15.8)	97 (12.0)	239 (29.6)	\$3,171 (226)	Sentenced Within Guideline Range 557 (74.0)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	10 (40.0)	\$1,932 (10)	Departure for Substantial Assistance 169 (22.4)
Larceny	59 (60.8)	43 (44.3)	16 (16.5)	34 (35.0)	\$1,270 (34)	
Embezzlement	21 (65.6)	9 (28.1)	12 (37.5)	16 (50.0)	\$5,525 (16)	Other Downward Departure 23 (3.1)
Fraud	52 (44.1)	25 (21.2)	27 (22.9)	83 (70.3)	\$10,000 (73)	
Drug Trafficking	2 (0.6)	0 (0.0)	2 (0.6)	19 (6.0)	\$2,000 (17)	
Simple Possession	4 (80.0)	3 (60.0)	1 (20.0)	5 (100.0)	\$540 (5)	Upward Departure 4 (0.5)
Counterfeiting	7 (41.2)	4 (23.5)	3 (17.6)	4 (23.5)	\$1,575 (4)	
Firearms	10 (20.0)	5 (10.0)	5 (10.0)	6 (12.0)	\$702 (6)	
Immigration	7 (46.7)	6 (40.0)	1 (6.7)	6 (40.0)	\$2,792 (6)	
Other	63 (47.0)	33 (24.6)	30 (22.4)	56 (41.8)	\$4,636 (55)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

ILLINOIS, Central
7th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Springfield
(2) Peoria

(3) Danville
(4) Rock Island

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	5	Civil ³	1,381
Assistant U.S. Attorneys ⁴	18	Criminal ⁵	323
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	20		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape*	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total*
Number of Crimes	74	—	2,007	5,835	21,129	58,516	3,247	—
Per 100,000 Population	3	—	93	270	980	2,713	150	—

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,159,991	Income per Capita ¹¹	\$ 10,041	Police Protection	\$ 56.56
Population per Square Mile ¹²	76.0	Percent Unemployed ¹³	8.9	Education	\$ 571.15
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 79.19
Percent Age 0-14	21.1	Percent Mfg.	22.8	Public Welfare ¹⁶	\$ 25.93
Percent Age 15-24	15.5	Percent Retail	23.4	Highways	\$ 101.48
Percent Age 25-34	15.4	Percent Finance ¹⁷	7.8		
Percent Age 35-44	14.3	Percent Service	27.1	Percent acreage in farms ¹⁸	88.7
Percent Age 45-64	19.0	Percent Other ¹⁸	18.9		
Percent Age 65+	14.8				

A complete description of the footnotes is provided in Appendix A.

*According to the FBI, forcible rape figures furnished by Illinois Department of State Police are not in accordance with National UCR guidelines. Therefore, forcible rape and crime index total statistics are not available.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
288	15	17	35	27	40	17	23	23	16	22	32	21

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	277 (100.0)	176 (63.5)	74 (26.7)	24 (8.7)	3 (1.1)	34	\$694	\$400	TOTAL	288 (100.0)
Male (Row %)	225 (81.2)	137 (60.9)	62 (27.6)	23 (10.2)	3 (1.3)	34	\$752	\$414	Plea	255 (88.5)
Female (Row %)	52 (18.8)	39 (75.0)	12 (23.1)	1 (1.9)	0 (0.0)	34	\$458	\$398	Trial	33 (11.5)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	286 (100.0)	224 (78.3)	203 (71.0)	21 (7.3)	64.7	33.0	45	49	26	26	78
Robbery	3 (100.0)	3 (100.0)	3 (100.0)	0 (0.0)	143.0	78.0	0	0	0	1	2
Larceny	24 (100.0)	4 (16.7)	3 (12.5)	1 (4.2)	9.0	8.0	3	1	0	0	0
Embezzlement	13 (100.0)	8 (61.5)	2 (15.4)	6 (46.1)	5.5	3.0	7	1	0	0	0
Fraud	39 (100.0)	28 (71.8)	19 (48.7)	9 (23.1)	14.6	13.0	14	10	2	2	0
Drug Trafficking	121 (100.0)	117 (96.7)	113 (93.4)	4 (3.3)	76.8	60.0	9	20	18	15	55
Simple Possession	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	6 (100.0)	3 (50.0)	3 (50.0)	0 (0.0)	10.7	7.0	2	1	0	0	0
Firearms	34 (100.0)	31 (91.2)	31 (91.2)	0 (0.0)	115.5	100.0	1	5	3	6	16
Immigration	3 (100.0)	3 (100.0)	3 (100.0)	0 (0.0)	19.3	21.0	0	3	0	0	0
Other	42 (100.0)	27 (64.3)	26 (61.9)	1 (2.4)	34.3	18.0	9	8	3	2	5

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)	
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)		
		Probation Only N (Row %)	Probation + Confinement N (Row %)				
						Sentenced Within Guideline Range	
TOTAL	62 (21.7)	11 (3.9)	51 (17.8)	134 (46.9)	\$3,818 (128)	226 (80.1)	
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	2 (66.7)	\$18,878 (2)	Departure for Substantial Assistance 51 (18.1)	
Larceny	20 (83.3)	2 (8.3)	18 (75.0)	22 (91.7)	\$4,624 (22)		
Embezzlement	5 (38.5)	0 (0.0)	5 (38.5)	11 (84.6)	\$6,447 (9)	Other Downward Departure 3 (1.1)	
Fraud	11 (28.2)	0 (0.0)	11 (28.2)	36 (92.3)	\$10,000 (33)		
Drug Trafficking	4 (3.3)	0 (0.0)	4 (3.3)	30 (24.8)	\$2,000 (30)		
Simple Possession	1 (100.0)	0 (0.0)	1 (100.0)	1 (100.0)	\$4,000 (1)	Upward Departure 2 (0.7)	
Counterfeiting	3 (50.0)	1 (16.7)	2 (33.3)	4 (66.7)	\$202 (4)		
Firearms	3 (8.8)	2 (5.9)	1 (2.9)	4 (11.8)	\$1,750 (4)		
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)		
Other	15 (35.7)	6 (14.3)	9 (21.4)	24 (57.1)	\$1,926 (23)		

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**ILLINOIS, Southern
7th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) East St. Louis
- (2) Benton
- (3) Alton

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	4	Civil ³	1,321
Assistant U.S. Attorneys ⁴	17	Criminal ⁵	256
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	12		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape*	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total*
Number of Crimes	116	—	1,148	3,367	10,937	26,751	3,030	—
Per 100,000 Population	9	—	92	270	878	2,147	243	—

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,241,908	Income per Capita ¹¹	\$ 9,176	Police Protection	\$ 49.41
Population per Square Mile ¹²	75.7	Percent Unemployed ¹³	12.0	Education	\$ 594.20
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 114.86
Percent Age 0-14	21.6	Percent Mfg.	20.6	Public Welfare ¹⁶	\$ 35.38
Percent Age 15-24	14.3	Percent Retail	24.7	Highways	\$ 88.16
Percent Age 25-34	15.8	Percent Finance ¹⁷	5.2		
Percent Age 35-44	13.8	Percent Service	27.2	Percent acreage in farms ¹⁹	71.7
Percent Age 45-64	19.1	Percent Other ¹⁸	22.2		
Percent Age 65+	15.4				

A complete description of the footnotes is provided in Appendix A.

*According to the FBI, forcible rape figures furnished by Illinois Department of State Police are not in accordance with National UCR guidelines. Therefore, forcible rape and crime index total statistics are not available.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
197	24	7	16	25	19	10	5	18	21	26	6	20

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	191 (100.0)	100 (52.4)	83 (43.5)	7 (3.7)	1 (0.5)	33	\$640	\$0	TOTAL	196 (100.0)	
Male (Row %)	159 (83.2)	85 (53.5)	67 (42.1)	6 (3.8)	1 (0.6)	33	\$662	\$0	Plea	154 (78.6)	
Female (Row %)	32 (16.8)	15 (46.9)	16 (50.0)	1 (3.1)	0 (0.0)	31	\$527	\$400	Trial	42 (21.4)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	195 (100.0)	157 (80.5)	152 (78.0)	5 (2.6)	92.3	60.0	10	25	25	24	72
Robbery	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	90.0	90.0	0	0	0	0	1
Larceny	14 (100.0)	3 (21.4)	3 (21.4)	0 (0.0)	17.3	21.0	1	1	1	0	0
Embezzlement	3 (100.0)	3 (100.0)	1 (33.3)	2 (66.7)	8.0	5.0	2	1	0	0	0
Fraud	28 (100.0)	12 (42.9)	11 (39.3)	1 (3.6)	23.8	18.0	3	7	1	0	1
Drug Trafficking	107 (100.0)	104 (97.2)	103 (96.3)	1 (0.9)	117.7	82.5	1	8	18	14	63
Simple Possession	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Firearms	19 (100.0)	18 (94.7)	17 (89.5)	1 (5.3)	68.8	37.0	2	3	2	5	5
Immigration	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Other	21 (100.0)	16 (76.2)	16 (76.2)	0 (0.0)	33.9	28.5	1	5	3	5	2

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷	
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	N (Col %)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			Sentenced Within Guideline Range	Other Downward Departure
TOTAL	38 (19.5)	27 (13.8)	11 (5.6)	34 (17.4)	\$2,000 (31)	154 (79.4)	7 (3.6)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	\$3,937 (1)		
Larceny	11 (78.6)	10 (71.4)	1 (7.1)	9 (64.3)	\$315 (9)		
Embezzlement	0 (0.0)	0 (0.0)	0 (0.0)	2 (66.7)	\$117,696 (2)		
Fraud	16 (57.1)	8 (28.6)	8 (28.6)	16 (57.1)	\$5,155 (13)		
Drug Trafficking	3 (2.8)	2 (1.9)	1 (0.9)	2 (1.9)	\$25,500 (2)		
Simple Possession	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	\$- (-)		
Counterfeiting	1 (100.0)	0 (0.0)	1 (100.0)	1 (100.0)	\$500 (1)		
Firearms	1 (5.3)	1 (5.3)	0 (0.0)	1 (5.3)	\$250 (1)		
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)		
Other	5 (23.8)	5 (23.8)	0 (0.0)	2 (9.5)	\$5,325 (2)		

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**INDIANA, Northern
7th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:**

(1) Hammond
(2) South Bend

(3) Fort Wayne
(4) Gary

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	6	Civil ³	1,642
Assistant U.S. Attorneys ⁴	21	Criminal ⁵	245
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	20		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	146	720	2,591	7,033	17,331	59,981	11,518	96,320
Per 100,000 Population	8	37	134	364	898	3,108	597	4,991

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,276,556	Income per Capita ¹¹	\$ 9,869	Police Protection	\$ 45.53
Population per Square Mile ¹²	170.7	Percent Unemployed ¹³	7.3	Education	\$ 591.03
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 81.32
Percent Age 0-14	22.7	Percent Mfg.	35.3	Public Welfare ¹⁶	\$ 82.30
Percent Age 15-24	15.4	Percent Retail	20.1	Highways	\$ 66.94
Percent Age 25-34	16.1	Percent Finance ¹⁷	4.8		
Percent Age 35-44	14.7	Percent Service	24.0	Percent acreage in farms ¹⁹	78.9
Percent Age 45-64	18.7	Percent Other ¹⁸	5.		
Percent Age 65+	2.				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
180	12	12	11	16	10	20	17	10	10	18	19	25

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL		
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	177 (100.0)	93 (52.5)	73 (41.2)	11 (6.2)	- (-)	36	\$1,008	\$381	179 (100.0)		
Male (Row %)	148 (83.6)	77 (52.0)	61 (41.2)	10 (6.8)	- (-)	37	\$1,020	\$350	160 (89.4)		
Female (Row %)	29 (16.4)	16 (55.2)	12 (41.4)	1 (3.5)	- (-)	32	\$949	\$744	19 (10.6)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	177 (100.0)	107 (60.5)	95 (53.7)	12 (6.8)	44.6	21.0	41	19	13	10	24
Robbery	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	115.5	115.5	0	0	0	0	2
Larceny	18 (100.0)	4 (22.2)	4 (22.2)	0 (0.0)	6.8	5.0	3	1	0	0	0
Embezzlement	8 (100.0)	3 (37.5)	2 (25.0)	1 (12.5)	3.7	4.0	3	0	0	0	0
Fraud	25 (100.0)	9 (36.0)	8 (32.0)	1 (4.0)	13.1	12.0	7	1	1	0	0
Drug Trafficking	30 (100.0)	28 (93.3)	27 (90.0)	1 (3.3)	63.8	44.0	4	3	5	3	13
Simple Possession	5 (100.0)	1 (20.0)	1 (20.0)	0 (0.0)	2.0	2.0	1	0	0	0	0
Counterfeiting	8 (100.0)	6 (75.0)	6 (75.0)	0 (0.0)	13.8	15.5	3	3	0	0	0
Firearms	34 (100.0)	24 (70.6)	19 (55.9)	5 (14.7)	22.4	19.0	9	6	6	2	1
Immigration	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Other	47 (100.0)	30 (63.8)	26 (55.3)	4 (8.5)	65.8	19.5	11	5	1	5	8

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			Sentenced Within Guideline Range
TOTAL	70 (39.5)	39 (22.0)	31 (17.5)	77 (43.5)	\$4,072 (71)	163 (92.6)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	2 (100.0)	\$9,666 (2)	Departure for Substantial Assistance
Larceny	14 (77.8)	11 (61.1)	3 (16.7)	11 (61.1)	\$7,011 (11)	7 (4.0)
Embezzlement	5 (62.5)	3 (37.5)	2 (25.0)	6 (75.0)	\$13,734 (6)	Other Downward Departure
Fraud	16 (64.0)	8 (32.0)	8 (32.0)	20 (80.0)	\$4,756 (18)	6 (3.4)
Drug Trafficking	2 (6.7)	0 (0.0)	2 (6.7)	3 (10.0)	\$2,000 (3)	Upward Departure
Simple Possession	4 (80.0)	4 (80.0)	0 (0.0)	1 (20.0)	\$5,000 (1)	0 (0.0)
Counterfeiting	2 (25.0)	1 (12.5)	1 (12.5)	2 (25.0)	\$994 (2)	
Firearms	10 (29.4)	5 (14.7)	5 (14.7)	5 (14.7)	\$2,000 (4)	
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Other	17 (36.2)	7 (14.9)	10 (21.3)	27 (57.5)	\$4,500 (24)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**INDIANA, Southern
7th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Indianapolis
- (2) New Albany
- (3) Muncie

- (4) Evansville
- (5) Terre Haute

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	6	Civil ³	2,684
Assistant U.S. Attorneys ⁴	20	Criminal ⁵	344
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	17		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	178	1,075	2,993	8,348	23,864	66,575	10,116	113,149
Per 100,000 Population	7	45	126	350	1,001	2,794	424	4,748

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	3,267,603	Income per Capita ¹¹	\$ 10,052	Police Protection	\$ 46.58
Population per Square Mile ¹²	144.6	Percent Unemployed ¹³	6.4	Education	\$ 574.76
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 147.34
Percent Age 0-14	21.4	Percent Mfg.	26.6	Public Welfare ¹⁶	\$ 53.79
Percent Age 15-24	15.1	Percent Retail	22.4	Highways	\$ 66.91
Percent Age 25-34	16.8	Percent Finance ¹⁷	6.3		
Percent Age 35-44	14.8	Percent Service	25.7	Percent acreage in farms ¹⁹	66.1
Percent Age 45-64	19.2	Percent Other ¹⁸	18.9		
Percent Age 65+	12.7				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
209	22	9	25	17	18	4	14	24	15	26	16	19

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ² N (Col %)	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	206 (100.0)	156 (75.7)	44 (21.4)	6 (2.9)	- (-)	37	\$1,088	\$640	TOTAL	208 (100.0)	
Male (Row %)	170 (82.5)	132 (77.7)	32 (18.8)	6 (3.5)	- (-)	37	\$1,077	\$570	Plea	194 (93.3)	
Female (Row %)	36 (17.5)	24 (66.7)	12 (33.3)	0 (0.0)	- (-)	34	\$1,142	\$667	Trial	14 (6.7)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	208 (100.0)	141 (67.8)	126 (60.6)	15 (7.2)	64.1	33.0	39	21	14	24	43
Robbery	6 (100.0)	6 (100.0)	6 (100.0)	0 (0.0)	225.8	134.0	0	0	0	0	6
Larceny	21 (100.0)	8 (38.1)	6 (28.6)	2 (9.5)	11.0	12.0	6	2	0	0	0
Embezzlement	11 (100.0)	8 (72.7)	5 (45.5)	3 (27.3)	9.2	6.5	6	2	0	0	0
Fraud	26 (100.0)	16 (61.5)	12 (46.1)	4 (15.4)	15.2	12.0	9	4	3	0	0
Drug Trafficking	63 (100.0)	54 (85.7)	53 (84.1)	1 (1.6)	92.9	60.0	1	3	6	19	25
Simple Possession	8 (100.0)	3 (37.5)	3 (37.5)	0 (0.0)	1.7	1.0	3	0	0	0	0
Counterfeiting	3 (100.0)	2 (66.7)	2 (66.7)	0 (0.0)	15.5	15.5	0	2	0	0	0
Firearms	25 (100.0)	18 (72.0)	16 (64.0)	2 (8.0)	68.3	25.5	4	5	2	1	6
Immigration	- (-)	- (-)	- (-)	- (-)	-	-	-	-	-	-	-
Other	45 (100.0)	26 (57.8)	23 (51.1)	3 (6.7)	38.2	25.5	10	3	3	4	6

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	67 (32.2)	21 (10.1)	46 (22.1)	75 (36.1)	\$2,500 (68)	Sentenced Within Guideline Range 155 (75.6)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	5 (83.3)	\$3,461 (5)	Departure for Substantial Assistance 36 (17.6)
Larceny	13 (61.9)	5 (23.8)	8 (38.1)	15 (71.4)	\$2,464 (14)	
Embezzlement	3 (27.3)	1 (9.1)	2 (18.2)	6 (54.5)	\$6,000 (5)	Other Downward Departure 9 (4.4)
Fraud	10 (38.5)	0 (0.0)	10 (38.5)	18 (69.2)	\$10,000 (14)	
Drug Trafficking	9 (14.3)	4 (6.3)	5 (7.9)	8 (12.7)	\$1,500 (8)	Upward Departure 5 (2.4)
Simple Possession	5 (62.5)	4 (50.0)	1 (12.5)	2 (25.0)	\$1,750 (2)	
Counterfeiting	1 (33.3)	0 (0.0)	1 (33.3)	0 (0.0)	\$- (-)	
Firearms	7 (28.0)	2 (8.0)	5 (20.0)	2 (8.0)	\$7,750 (2)	
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Other	19 (42.2)	5 (11.1)	14 (31.1)	19 (42.2)	\$1,452 (18)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**IOWA, Northern
8th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Cedar Rapids
- (2) Sioux City

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	3	Civil ³	645
Assistant U.S. Attorneys ⁴	13	Criminal ⁵	123
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	11		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	18	160	309	2,349	8,892	29,312	1,706	42,746
Per 100,000 Population	1	13	24	184	697	2,297	134	3,350

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,281,312	Income per Capita ¹¹	\$ 9,280	Police Protection	\$ 56.54
Population per Square Mile ¹²	41.6	Percent Unemployed ¹³	7.6	Education	\$ 641.08
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 117.80
Percent Age 0-14	22.4	Percent Mfg.	25.4	Public Welfare ¹⁶	\$ 32.72
Percent Age 15-24	13.4	Percent Retail	22.7	Highways	\$ 165.59
Percent Age 25-34	14.6	Percent Finance ¹⁷	5.3		
Percent Age 35-44	13.8	Percent Service	26.5	Percent acreage in farms ¹⁹	93.0
Percent Age 45-64	19.3	Percent Other ¹⁸	20.1		
Percent Age 65+	16.5				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
114	4	4	14	13	3	11	3	10	15	19	10	8

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL			N (Col %)
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	114 (100.0)	96 (84.2)	9 (7.9)	8 (7.0)	1 (0.9)	33	\$804	\$582	TOTAL	114 (100.0)		
Male (Row %)	97 (85.1)	81 (83.5)	8 (8.2)	8 (8.2)	0 (0.0)	33	\$813	\$565	Plea	98 (86.0)		
Female (Row %)	17 (14.9)	15 (88.2)	1 (5.9)	0 (0.0)	1 (5.9)	32	\$749	\$744	Trial	16 (14.0)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	114 (100.0)	98 (86.0)	91 (79.8)	7 (6.1)	77.5	41.0	21	17	10	12	38
Robbery	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Larceny	3 (100.0)	2 (66.7)	1 (33.3)	1 (33.3)	9.0	9.0	1	1	0	0	0
Embezzlement	5 (100.0)	3 (60.0)	2 (40.0)	1 (20.0)	11.7	13.0	1	2	0	0	0
Fraud	17 (100.0)	9 (52.9)	7 (41.2)	2 (11.8)	18.8	12.0	5	2	0	2	0
Drug Trafficking	68 (100.0)	67 (98.5)	65 (95.6)	2 (2.9)	104.7	71.0	6	9	8	7	37
Simple Possession	3 (100.0)	2 (66.7)	1 (33.3)	1 (33.3)	2.5	2.5	2	0	0	0	0
Counterfeiting	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Firearms	6 (100.0)	6 (100.0)	6 (100.0)	0 (0.0)	26.5	21.0	2	1	1	1	1
Immigration	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	28.0	28.0	1	0	0	1	0
Other	10 (100.0)	7 (70.0)	7 (70.0)	0 (0.0)	19.9	21.0	3	2	1	1	0

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	16 (14.0)	6 (5.3)	10 (8.8)	62 (54.4)	\$3,490 (56)	Sentenced Within Guideline Range 87 (76.3)
Robbery	- (-)	- (-)	- (-)	- (-)	\$- (-)	Departure for Substantial Assistance 23 (20.2)
Larceny	1 (33.3)	0 (0.0)	1 (33.3)	3 (100.0)	\$12,654 (3)	
Embezzlement	2 (40.0)	2 (40.0)	0 (0.0)	4 (80.0)	\$12,178 (2)	Other Downward Departure 1 (0.9)
Fraud	8 (47.1)	1 (5.9)	7 (41.2)	16 (94.1)	\$42,544 (13)	
Drug Trafficking	1 (1.5)	0 (0.0)	1 (1.5)	28 (41.2)	\$3,000 (27)	Upward Departure 3 (2.6)
Simple Possession	1 (33.3)	1 (33.3)	0 (0.0)	3 (100.0)	\$2,423 (3)	
Counterfeiting	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	2 (33.3)	\$2,000 (2)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	
Other	3 (30.0)	2 (20.0)	1 (10.0)	6 (60.0)	\$1,508 (6)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**IOWA, Southern
8th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Des Moines
- (2) Davenport
- (3) Council Bluffs

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	5	Civil ³	1,112
Assistant U.S. Attorneys ⁴	11	Criminal ⁵	114
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	10		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	37	346	775	4,226	13,276	47,992	2,949	69,601
Per 100,000 Population	2	23	52	286	898	3,246	199	4,706

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,495,443	Income per Capita ¹¹	\$ 10,541	Police Protection	\$ 60.63
Population per Square Mile ¹²	59.5	Percent Unemployed ¹³	6.5	Education	\$ 656.40
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 129.99
Percent Age 0-14	21.4	Percent Mfg.	20.7	Public Welfare ¹⁶	\$ 40.21
Percent Age 15-24	15.0	Percent Retail	23.1	Highways	\$ 133.30
Percent Age 25-34	16.1	Percent Finance ¹⁷	9.2		
Percent Age 35-44	14.6	Percent Service	29.1	Percent acreage in farms ¹⁹	88.6
Percent Age 45-64	18.5	Percent Other ¹⁸	17.9		
Percent Age 65+	14.3				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
140	14	19	16	6	6	11	15	8	14	11	8	12

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	139 (100.0)	87 (62.6)	20 (14.4)	31 (22.3)	1 (0.7)	32	\$777	\$400	TOTAL	138 (100.0)
Male (Row %)	114 (82.0)	66 (57.9)	19 (16.7)	28 (24.6)	1 (0.9)	32	\$800	\$410	Plea	115 (83.3)
Female (Row %)	25 (18.0)	21 (84.0)	1 (4.0)	3 (12.0)	0 (0.0)	36	\$673	\$356	Trial	23 (16.7)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	140 (100.0)	121 (86.4)	118 (84.3)	3 (2.1)	88.9	66.0	10	14	9	21	67
Robbery	3 (100.0)	3 (100.0)	3 (100.0)	0 (0.0)	88.7	89.0	0	0	1	0	2
Larceny	3 (100.0)	2 (66.7)	2 (66.7)	0 (0.0)	15.0	15.0	1	1	0	0	0
Embezzlement	8 (100.0)	4 (50.0)	3 (37.5)	1 (12.5)	12.5	10.5	2	2	0	0	0
Fraud	17 (100.0)	11 (64.7)	10 (58.8)	1 (5.9)	19.3	15.0	3	6	0	2	0
Drug Trafficking	89 (100.0)	85 (95.5)	85 (95.5)	0 (0.0)	105.4	87.0	0	4	7	18	56
Simple Possession	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Counterfeiting	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	9.5	9.5	1	1	0	0	0
Firearms	8 (100.0)	8 (100.0)	8 (100.0)	0 (0.0)	81.0	64.5	1	0	1	1	5
Immigration	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	40.5	40.5	1	0	0	0	1
Other	8 (100.0)	4 (50.0)	3 (37.5)	1 (12.5)	123.0	80.0	1	0	0	0	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION ⁴			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷	
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	N (Col %)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			Sentenced Within Guideline Range	Other Downward Departure
TOTAL	19 (13.6)	5 (3.6)	14 (10.0)	36 (25.7)	\$14,638 (35)	120 (86.3)	
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)		
Larceny	1 (33.3)	0 (0.0)	1 (33.3)	2 (66.7)	\$25,332 (2)		
Embezzlement	4 (50.0)	1 (12.5)	3 (37.5)	7 (87.5)	\$21,371 (7)		
Fraud	6 (35.3)	0 (0.0)	6 (35.3)	15 (88.2)	\$15,111 (14)		
Drug Trafficking	4 (4.5)	3 (3.4)	1 (1.1)	4 (4.5)	\$3,400 (4)		
Simple Possession	- (-)	- (-)	- (-)	- (-)	\$- (-)		
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	2 (100.0)	\$9,198 (2)		
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	1 (12.5)	\$3,000 (1)		
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)		
Other	4 (50.0)	1 (12.5)	3 (37.5)	5 (62.5)	\$14,123 (5)		

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

KANSAS
10th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Kansas City
- (2) Wichita
- (3) Topeka

- (4) Fort Scott
- (5) Leavenworth

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	12	Civil ³	1,902
Assistant U.S. Attorneys ⁴	23	Criminal ⁵	324
Assistant Federal Defenders ⁶	6		
Probation Officers ⁷	29		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	151	1,097	3,427	7,571	31,916	82,030	8,648	134,840
Per 100,000 Population	6	45	141	311	1,310	3,366	355	5,534

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,477,574	Income per Capita ¹¹	\$ 10,684	Police Protection	\$ 67.01
Population per Square Mile ¹²	30.3	Percent Unemployed ¹³	5.4	Education	\$ 699.73
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 98.98
Percent Age 0-14	22.8	Percent Mfg.	22.3	Public Welfare ¹⁶	\$ 6.17
Percent Age 15-24	14.2	Percent Retail	22.3	Highways	\$ 152.74
Percent Age 25-34	16.7	Percent Finance ¹⁷	6.7		
Percent Age 35-44	14.6	Percent Service	27.3	Percent acreage in farms ¹⁹	89.9
Percent Age 45-64	17.9	Percent Other ¹⁸	21.3		
Percent Age 65+	13.8				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
228	16	16	15	25	19	23	20	28	19	13	23	11

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL			N (Col %)
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	227 (100.0)	145 (63.9)	43 (18.9)	37 (16.3)	2 (0.9)	35	\$826	\$400	227	100.0		
Male (Row %)	172 (75.8)	109 (63.4)	30 (17.4)	32 (18.6)	1 (0.6)	34	\$698	\$0	184	81.1		
Female (Row %)	55 (24.2)	36 (65.5)	13 (23.6)	5 (9.1)	1 (1.8)	39	\$1,212	\$867	43	18.9		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	228 (100.0)	141 (61.8)	133 (58.3)	8 (3.5)	54.3	33.0	39	20	19	21	41
Robbery	13 (100.0)	13 (100.0)	13 (100.0)	0 (0.0)	117.4	101.0	0	0	1	4	8
Larceny	40 (100.0)	4 (10.0)	3 (7.5)	1 (2.5)	5.5	5.0	4	0	0	0	0
Embezzlement	7 (100.0)	2 (28.6)	1 (14.3)	1 (14.3)	2.0	2.0	2	0	0	0	0
Fraud	37 (100.0)	17 (46.0)	13 (35.1)	4 (10.8)	12.5	12.0	13	1	3	0	0
Drug Trafficking	47 (100.0)	46 (97.9)	46 (97.9)	0 (0.0)	90.7	75.0	1	4	5	6	30
Simple Possession	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	4 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Firearms	23 (100.0)	17 (73.9)	15 (65.2)	2 (8.7)	32.4	21.0	6	6	1	3	1
Immigration	11 (100.0)	7 (63.6)	7 (63.6)	0 (0.0)	39.0	24.0	0	4	1	1	1
Other	45 (100.0)	35 (77.8)	35 (77.8)	0 (0.0)	24.7	24.0	13	5	8	7	1

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	87 (38.2)	54 (23.7)	33 (14.5)	106 (46.5)	\$1,000 (99)	Sentenced Within Guideline Range 198 (87.6)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	7 (53.9)	\$3,066 (5)	Departure for Substantial Assistance 12 (5.3)
Larceny	36 (90.0)	28 (70.0)	8 (20.0)	33 (82.5)	\$445 (33)	
Embezzlement	5 (71.4)	2 (28.6)	3 (42.9)	4 (57.1)	\$29,894 (2)	Other Downward Departure 13 (5.8)
Fraud	20 (54.0)	9 (24.3)	11 (29.7)	29 (78.4)	\$10,463 (29)	
Drug Trafficking	1 (2.1)	1 (2.1)	0 (0.0)	5 (10.6)	\$2,500 (5)	Upward Departure 3 (1.3)
Simple Possession	1 (100.0)	1 (100.0)	0 (0.0)	1 (100.0)	\$500 (1)	
Counterfeiting	4 (100.0)	3 (75.0)	1 (25.0)	2 (50.0)	\$- (-)	
Firearms	6 (26.1)	1 (4.3)	5 (21.7)	7 (30.4)	\$500 (7)	
Immigration	4 (36.4)	4 (36.4)	0 (0.0)	1 (9.1)	\$250 (1)	
Other	10 (22.2)	5 (11.1)	5 (11.1)	17 (37.8)	\$1,335 (16)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**KENTUCKY, Eastern
6th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- | | | |
|---------------|---------------|------------------|
| (1) Lexington | (4) Pikeville | (7) Pineville |
| (2) Covington | (5) Ashland | (8) Catlettsburg |
| (3) London | (6) Harlan | (9) Frankfort |

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	6	Civil ³	1,798
Assistant U.S. Attorneys ⁴	23	Criminal ⁵	257
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	20		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	136	685	1,046	6,312	13,568	32,736	3,562	58,045
Per 100,000 Population	8	38	58	351	756	1,823	198	3,232

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,813,697	Income per Capita ¹¹	\$ 8,088	Police Protection	\$ 35.40
Population per Square Mile ¹²	89.0	Percent Unemployed ¹³	9.4	Education	\$ 445.26
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 59.87
Percent Age 0-14	21.8	Percent Mfg.	20.5	Public Welfare ¹⁶	\$ 4.67
Percent Age 15-24	15.8	Percent Retail	24.7	Highways	\$ 46.82
Percent Age 25-34	16.6	Percent Finance ¹⁷	4.9		
Percent Age 35-44	15.1	Percent Service	24.9	Percent acreage in farms ¹⁹	47.0
Percent Age 45-64	18.9	Percent Other ¹⁸	25.0		
Percent Age 65+	11.9				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
312	20	25	29	37	27	25	17	38	37	14	35	8

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	311 (100.0)	269 (86.5)	26 (8.4)	16 (5.1)	-- (-)	36	\$695	\$283	TOTAL	311 (100.0)	
Male (Row %)	254 (81.7)	223 (87.8)	18 (7.1)	13 (5.1)	-- (-)	37	\$712	\$27	Plea	252 (81.0)	
Female (Row %)	57 (18.3)	46 (80.7)	8 (14.0)	3 (5.3)	-- (-)	34	\$619	\$466	Trial	59 (19.0)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	311 (100.0)	236 (75.9)	227 (73.0)	9 (2.9)	54.9	27.0	57	48	29	32	69
Robbery	10 (100.0)	10 (100.0)	10 (100.0)	0 (0.0)	183.7	168.0	0	0	0	1	9
Larceny	18 (100.0)	9 (50.0)	9 (50.0)	0 (0.0)	11.1	7.0	6	2	1	0	0
Embezzlement	8 (100.0)	4 (50.0)	3 (37.5)	1 (12.5)	5.2	4.0	4	0	0	0	0
Fraud	33 (100.0)	22 (66.7)	20 (60.6)	2 (6.1)	17.0	14.0	9	7	5	1	0
Drug Trafficking	125 (100.0)	120 (96.0)	118 (94.4)	2 (1.6)	65.7	51.0	12	22	14	22	50
Simple Possession	6 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	14 (100.0)	9 (64.3)	9 (64.3)	0 (0.0)	11.7	7.0	6	1	2	0	0
Firearms	31 (100.0)	27 (87.1)	23 (74.2)	4 (12.9)	38.2	21.0	9	7	2	4	4
Immigration	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	3.0	3.0	1	0	0	0	0
Other	65 (100.0)	34 (52.3)	34 (52.3)	0 (0.0)	47.0	24.0	10	9	5	4	6

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	75 (24.1)	38 (12.2)	37 (11.9)	104 (33.4)	\$3,718 (92)	Sentenced Within Guideline Range 252 (82.6)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	8 (80.0)	\$644 (8)	Departure for Substantial Assistance 38 (12.5)
Larceny	9 (50.0)	4 (22.2)	5 (27.8)	14 (77.8)	\$1,250 (8)	
Embezzlement	4 (50.0)	1 (12.5)	3 (37.5)	6 (75.0)	\$8,996 (6)	Other Downward Departure 11 (3.6)
Fraud	11 (33.3)	7 (21.2)	4 (12.1)	21 (63.6)	\$7,528 (18)	
Drug Trafficking	5 (4.0)	2 (1.6)	3 (2.4)	16 (12.8)	\$7,650 (16)	Upward Departure 4 (1.3)
Simple Possession	6 (100.0)	6 (100.0)	0 (0.0)	0 (0.0)	\$- (-)	
Counterfeiting	5 (35.7)	4 (28.6)	1 (7.1)	8 (57.1)	\$156 (8)	
Firearms	4 (12.9)	2 (6.5)	2 (6.5)	5 (16.1)	\$1,000 (5)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	
Other	31 (47.7)	12 (18.5)	19 (29.2)	26 (40.0)	\$3,435 (23)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**KENTUCKY, Western
6th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Louisville
- (2) Hopkinsville
- (3) Paducah

- (4) Bowling Green
- (5) Owensboro

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	5	Civil ³	1,494
Assistant U.S. Attorneys ⁴	22	Criminal ⁵	479
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	24		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	116	626	2,028	5,226	15,820	37,936	4,377	66,129
Per 100,000 Population	6	33	108	277	840	2,014	232	3,512

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,871,599	Income per Capita ¹¹	\$ 9,124	Police Protection	\$ 48.11
Population per Square Mile ¹²	97.1	Percent Unemployed ¹³	9.1	Education	\$ 440.18
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 97.51
Percent Age 0-14	21.2	Percent Mfg.	24.6	Public Welfare ¹⁶	\$ 6.33
Percent Age 15-24	14.8	Percent Retail	22.3	Highways	\$ 34.65
Percent Age 25-34	16.5	Percent Finance ¹⁷	6.0		
Percent Age 35-44	14.7	Percent Service	26.5	Percent acreage in farms ¹⁹	65.2
Percent Age 45-64	19.4	Percent Other ¹⁸	20.5		
Percent Age 65+	13.4				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
417	29	44	23	33	31	33	31	28	55	28	51	31

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	390 (100.0)	242 (62.0)	117 (30.0)	22 (5.6)	9 (2.3)	30	\$934	\$704	TOTAL	414 (100.0)	
Male (Row %)	256 (65.6)	176 (68.8)	70 (27.3)	10 (3.9)	0 (0.0)	30	\$925	\$696	Plea	382 (92.3)	
Female (Row %)	134 (34.4)	66 (49.2)	47 (35.1)	12 (9.0)	9 (6.7)	31	\$951	\$774	Trial	32 (7.7)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	411 (100.0)	148 (36.0)	136 (33.1)	12 (2.9)	34.4	18.0	65	21	14	20	27
Robbery	5 (100.0)	5 (100.0)	5 (100.0)	0 (0.0)	125.8	106.0	0	0	0	1	4
Larceny	183 (100.0)	14 (7.7)	13 (7.1)	1 (0.6)	7.8	6.0	11	2	1	0	0
Embezzlement	15 (100.0)	6 (40.0)	3 (20.0)	3 (20.0)	1.8	1.0	6	0	0	0	0
Fraud	29 (100.0)	9 (31.0)	8 (27.6)	1 (3.5)	7.1	3.0	7	2	0	0	0
Drug Trafficking	66 (100.0)	61 (92.4)	59 (89.4)	2 (3.0)	40.7	27.0	20	7	6	13	15
Simple Possession	13 (100.0)	3 (23.1)	3 (23.1)	0 (0.0)	3.3	3.0	3	0	0	0	0
Counterfeiting	4 (100.0)	2 (50.0)	1 (25.0)	1 (25.0)	5.0	5.0	2	0	0	0	0
Firearms	21 (100.0)	16 (76.2)	15 (71.4)	1 (4.8)	49.1	31.5	3	2	5	3	3
Immigration	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Other	75 (100.0)	32 (42.7)	29 (38.7)	3 (4.0)	30.6	18.0	13	8	2	3	5

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
						Sentenced Within Guideline Range
TOTAL	263 (64.0)	240 (58.4)	23 (5.6)	306 (74.5)	\$250 (303)	358 (93.2)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	4 (80.0)	\$10,066 (4)	Departure for Substantial Assistance
Larceny	169 (92.3)	165 (90.2)	4 (2.2)	164 (89.6)	\$250 (164)	21 (5.5)
Embezzlement	9 (60.0)	9 (60.0)	0 (0.0)	10 (66.7)	\$750 (10)	Other Downward Departure
Fraud	20 (69.0)	9 (31.0)	11 (37.9)	20 (69.0)	\$7,589 (19)	5 (1.3)
Drug Trafficking	5 (7.6)	5 (7.6)	0 (0.0)	38 (57.6)	\$2,000 (38)	Upward Departure
Simple Possession	10 (76.9)	10 (76.9)	0 (0.0)	9 (69.2)	\$1,000 (9)	0 (0.0)
Counterfeiting	2 (50.0)	0 (0.0)	2 (50.0)	2 (50.0)	\$286 (2)	
Firearms	5 (23.8)	4 (19.1)	1 (4.8)	7 (33.3)	\$288 (7)	
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Other	43 (57.3)	38 (50.7)	5 (6.7)	52 (69.3)	\$350 (50)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**LOUISIANA, Eastern
5th Circuit**

**City Supplying Sentencing
Guideline Documentation:¹**

(1) New Orleans

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	16	Civil ³	4,110
Assistant U.S. Attorneys ⁴	36	Criminal ⁵	451
Assistant Federal Defenders ⁶	7		
Probation Officers ⁷	39		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	443	705	8,051	9,111	24,724	55,270	15,448	113,752
Per 100,000 Population	31	50	568	643	1,744	3,900	1,090	8,026

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,619,759	Income per Capita ¹¹	\$ 9,346	Police Protection	\$ 83.93
Population per Square Mile ¹²	202.5	Percent Unemployed ¹³	12.0	Education	\$ 479.64
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 170.64
Percent Age 0-14	24.1	Percent Mfg.	11.1	Public Welfare ¹⁶	\$ 15.59
Percent Age 15-24	15.0	Percent Retail	25.0	Highways	\$ 71.44
Percent Age 25-34	17.1	Percent Finance ¹⁷	6.9		
Percent Age 35-44	15.0	Percent Service	32.2	Percent acreage in farms ¹⁹	16.2
Percent Age 45-64	17.9	Percent Other ¹⁸	24.7		
Percent Age 65+	10.8				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
481	33	36	24	39	73	37	50	24	44	34	27	60

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income ³		N (Col %)			
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	474 (100.0)	224 (47.3)	180 (38.0)	59 (12.4)	11 (2.3)	30	\$765	\$400	TOTAL	480 (100.0)		
Male (Row %)	386 (81.4)	191 (49.5)	135 (35.0)	50 (12.9)	10 (2.6)	29	\$800	\$500	Plea	456 (95.0)		
Female (Row %)	88 (18.6)	33 (37.5)	45 (51.1)	9 (10.2)	1 (1.1)	30	\$591	\$341	Trial	24 (5.0)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	475 (100.0)	308 (64.8)	287 (60.4)	21 (4.4)	49.8	24.0	86	71	34	37	77
Robbery	4 (100.0)	4 (100.0)	4 (100.0)	0 (0.0)	130.2	113.0	0	0	1	0	3
Larceny	30 (100.0)	13 (43.3)	13 (43.3)	0 (0.0)	16.3	12.0	7	4	1	0	1
Embezzlement	10 (100.0)	6 (60.0)	4 (40.0)	2 (20.0)	3.7	4.0	6	0	0	0	0
Fraud	55 (100.0)	32 (58.2)	30 (54.5)	2 (3.6)	19.1	15.0	14	9	6	3	0
Drug Trafficking	208 (100.0)	175 (84.1)	162 (77.9)	13 (6.2)	65.8	41.0	25	38	19	25	67
Simple Possession	4 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	21 (100.0)	9 (42.9)	8 (38.1)	1 (4.8)	13.0	10.0	6	1	2	0	0
Firearms	17 (100.0)	11 (64.7)	11 (64.7)	0 (0.0)	35.2	18.0	2	6	1	1	1
Immigration	48 (100.0)	14 (29.2)	14 (29.2)	0 (0.0)	9.9	6.0	11	0	0	1	0
Other	78 (100.0)	44 (56.4)	41 (52.6)	3 (3.9)	39.5	24.0	15	13	4	7	5

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷	
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	N (Col %)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			Sentenced Within Guideline Range	
						N (Col %)	
TOTAL	167 (35.2)	88 (18.5)	79 (16.6)	216 (45.5)	\$2,133 (212)	416 (87.4)	
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	2 (50.0)	\$3,022 (2)	Departure for Substantial Assistance	
Larceny	17 (56.7)	8 (26.7)	9 (30.0)	21 (70.0)	\$714 (21)	32 (6.7)	
Embezzlement	4 (40.0)	1 (10.0)	3 (30.0)	5 (50.0)	\$1,589 (5)	Other Downward Departure	
Fraud	23 (41.8)	10 (18.2)	13 (23.6)	39 (70.9)	\$3,143 (37)	24 (5.0)	
Drug Trafficking	33 (15.9)	3 (1.4)	30 (14.4)	82 (39.4)	\$3,000 (81)	Upward Departure	
Simple Possession	4 (100.0)	4 (100.0)	0 (0.0)	3 (75.0)	\$250 (3)	4 (0.8)	
Counterfeiting	12 (57.1)	0 (0.0)	12 (57.1)	12 (57.1)	\$3,725 (12)		
Firearms	6 (35.3)	4 (23.5)	2 (11.8)	8 (47.1)	\$2,500 (8)		
Immigration	34 (70.8)	34 (70.8)	0 (0.0)	3 (6.2)	\$500 (3)		
Other	34 (43.6)	24 (30.8)	10 (12.8)	41 (52.6)	\$2,000 (40)		

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

LOUISIANA, Middle
5th Circuit

City Supplying Sentencing
Guideline Documentation:¹

(1) Baton Rouge

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	2	Civil ³	1,148
Assistant U.S. Attorneys ⁴	11	Criminal ⁵	52
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	11		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	77	206	1,365	5,056	9,884	24,896	3,788	45,272
Per 100,000 Population	15	40	267	989	1,933	4,868	741	8,852

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	623,853	Income per Capita ¹¹	\$ 9,281	Police Protection	\$ 77.64
Population per Square Mile ¹²	152.8	Percent Unemployed ¹³	11.7	Education	\$ 485.74
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 67.85
Percent Age 0-14	24.2	Percent Mfg.	12.9	Public Welfare ¹⁶	\$ 7.21
Percent Age 15-24	16.9	Percent Retail	23.2	Highways	\$ 52.75
Percent Age 25-34	17.6	Percent Finance ¹⁷	6.9		
Percent Age 35-44	15.3	Percent Service	28.6	Percent acreage in farms ¹⁹	34.7
Percent Age 45-64	16.8	Percent Other ¹⁸	28.3		
Percent Age 65+	9.2				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
38	2	1	1	-	2	-	3	5	7	5	5	7

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	37 (100.0)	16 (43.2)	19 (51.4)	2 (5.4)	- (-)	33	\$963	\$790	TOTAL	38 (100.0)
Male (Row %)	29 (78.4)	13 (44.8)	14 (48.3)	2 (6.9)	- (-)	33	\$858	\$578	Plea	35 (92.1)
Female (Row %)	8 (21.6)	3 (37.5)	5 (62.5)	0 (0.0)	- (-)	31	\$1,337	\$1,310	Trial	3 (7.9)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	38 (100.0)	29 (76.3)	29 (76.3)	- (-)	46.0	30.0	6	6	4	4	9
Robbery	- (-)	- (-)	- (-)	- (-)	-	-	-	-	-	-	-
Larceny	1 (100.0)	1 (100.0)	1 (100.0)	- (-)	30.0	30.0	0	0	1	0	0
Embezzlement	2 (100.0)	0 (0.0)	0 (0.0)	- (-)	-	-	0	0	0	0	0
Fraud	11 (100.0)	5 (45.5)	5 (45.5)	- (-)	9.0	4.0	3	2	0	0	0
Drug Trafficking	16 (100.0)	16 (100.0)	16 (100.0)	- (-)	55.4	47.0	2	2	1	4	7
Simple Possession	- (-)	- (-)	- (-)	- (-)	-	-	-	-	-	-	-
Counterfeiting	- (-)	- (-)	- (-)	- (-)	-	-	-	-	-	-	-
Firearms	4 (100.0)	4 (100.0)	4 (100.0)	- (-)	63.8	27.0	0	1	2	0	1
Immigration	- (-)	- (-)	- (-)	- (-)	-	-	-	-	-	-	-
Other	4 (100.0)	3 (75.0)	3 (75.0)	- (-)	39.0	16.0	1	1	0	0	1

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	9 (23.7)	6 (15.8)	3 (7.9)	17 (44.7)	\$9,118 (17)	Sentenced Within Guideline Range 28 (73.7)
Robbery	- (-)	- (-)	- (-)	- (-)	\$- (-)	Departure for Substantial Assistance 6 (15.8)
Larceny	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	\$373,026 (1)	
Embezzlement	2 (100.0)	1 (50.0)	1 (50.0)	1 (50.0)	\$15,815 (1)	Other Downward Departure 3 (7.9)
Fraud	6 (54.5)	4 (36.4)	2 (18.2)	10 (90.9)	\$4,742 (10)	
Drug Trafficking	0 (0.0)	0 (0.0)	0 (0.0)	3 (18.8)	\$20,000 (3)	
Simple Possession	- (-)	- (-)	- (-)	- (-)	\$- (-)	Upward Departure 1 (2.6)
Counterfeiting	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	1 (25.0)	\$632 (1)	
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Other	1 (25.0)	1 (25.0)	0 (0.0)	1 (25.0)	\$5,000 (1)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**LOUISIANA, Western
5th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Shreveport
- (2) Lafayette
- (3) Monroe

- (4) Lake Charles
- (5) Alexandria
- (6) Leesville

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	10	Civil ³	2,550
Assistant U.S. Attorneys ⁴	22	Criminal ⁵	226
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	24		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	147	563	1,814	7,473	17,230	46,425	3,509	77,161
Per 100,000 Population	10	37	119	491	1,132	3,051	231	5,070

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,976,361	Income per Capita ¹¹	\$ 8,273	Police Protection	\$ 69.85
Population per Square Mile ¹²	60.9	Percent Unemployed ¹³	14.5	Education	\$ 532.28
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 110.26
Percent Age 0-14	25.0	Percent Mfg.	16.9	Public Welfare ¹⁶	\$ 4.76
Percent Age 15-24	15.5	Percent Retail	23.3	Highways	\$ 77.80
Percent Age 25-34	16.0	Percent Finance ¹⁷	6.2		
Percent Age 35-44	13.5	Percent Service	27.8	Percent acreage in farms ¹⁹	34.6
Percent Age 45-64	18.0	Percent Other ¹⁸	25.7		
Percent Age 65+	12.0				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
231	27	10	10	34	12	36	16	8	15	26	20	17

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	231 (100.0)	125 (54.1)	86 (37.2)	19 (8.2)	1 (0.4)	35	\$849	\$680	TOTAL	229 (100.0)	
Male (Row %)	175 (75.8)	91 (52.0)	65 (37.1)	19 (10.9)	0 (0.0)	36	\$885	\$690	Plea	211 (92.1)	
Female (Row %)	56 (24.2)	34 (60.7)	21 (37.5)	0 (0.0)	1 (1.8)	33	\$739	\$478	Trial	18 (7.9)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	229 (100.0)	123 (53.7)	117 (51.1)	6 (2.6)	59.7	22.0	45	18	8	13	38
Robbery	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	89.5	89.5	0	0	0	0	2
Larceny	34 (100.0)	7 (20.6)	7 (20.6)	0 (0.0)	10.1	10.0	5	2	0	0	0
Embezzlement	5 (100.0)	5 (100.0)	2 (40.0)	3 (60.0)	5.8	5.0	5	0	0	0	0
Fraud	47 (100.0)	16 (34.0)	15 (31.9)	1 (2.1)	11.9	11.0	9	6	1	0	0
Drug Trafficking	47 (100.0)	45 (95.7)	45 (95.7)	0 (0.0)	110.6	72.0	3	2	3	7	30
Simple Possession	3 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	5 (100.0)	2 (40.0)	2 (40.0)	0 (0.0)	34.0	34.0	1	0	0	0	1
Firearms	15 (100.0)	12 (80.0)	12 (80.0)	0 (0.0)	62.7	40.5	4	2	0	4	2
Immigration	5 (100.0)	4 (80.0)	4 (80.0)	0 (0.0)	6.3	6.0	3	0	0	0	0
Other	66 (100.0)	30 (45.5)	28 (42.4)	2 (3.0)	33.3	13.5	15	6	4	2	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷	
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	N (Col %)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			Sentenced Within Guideline Range	
						189 (83.6)	
TOTAL	106 (46.3)	92 (40.2)	14 (6.1)	84 (36.7)	\$1,246 (75)	Departure for Substantial Assistance 25 (11.1)	
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	Other Downward Departure 8 (3.5)	
Larceny	27 (79.4)	26 (76.5)	1 (2.9)	25 (73.5)	\$500 (23)	Upward Departure 4 (1.8)	
Embezzlement	0 (0.0)	0 (0.0)	0 (0.0)	3 (60.0)	\$7,649 (2)		
Fraud	31 (66.0)	28 (59.6)	3 (6.4)	24 (51.1)	\$2,585 (23)		
Drug Trafficking	2 (4.3)	0 (0.0)	2 (4.3)	2 (4.3)	\$10,000 (1)		
Simple Possession	3 (100.0)	3 (100.0)	0 (0.0)	3 (100.0)	\$1,000 (3)		
Counterfeiting	3 (60.0)	2 (40.0)	1 (20.0)	4 (80.0)	\$380 (4)		
Firearms	3 (20.0)	3 (20.0)	0 (0.0)	3 (20.0)	\$1,400 (3)		
Immigration	1 (20.0)	1 (20.0)	0 (0.0)	0 (0.0)	\$- (-)		
Other	36 (54.5)	29 (43.9)	7 (10.6)	20 (30.3)	\$2,438 (16)		

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

MAINE
1st Circuit

**Cities Supplying Sentencing
Guideline Documentation:**¹

- (1) Portland
- (2) Bangor

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	3	Civil ³	757
Assistant U.S. Attorneys ⁴	13	Criminal ⁵	148
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	10		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	16	267	280	1,053	10,987	31,399	1,995	45,997
Per 100,000 Population	1	22	23	83	890	2,545	162	3,728

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,227,928	Income per Capita ¹¹	\$ 9,042	Police Protection	\$ 44.05
Population per Square Mile ¹²	39.6	Percent Unemployed ¹³	5.3	Education	\$ 620.79
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 27.14
Percent Age 0-14	21.1	Percent Mfg.	22.3	Public Welfare ¹⁶	\$ 9.94
Percent Age 15-24	14.2	Percent Retail	24.0	Highways	\$ 94.70
Percent Age 25-34	16.7	Percent Finance ¹⁷	5.8		
Percent Age 35-44	15.7	Percent Service	26.8	Percent acreage in farms ¹⁹	7.4
Percent Age 45-64	19.0	Percent Other ¹⁸	21.1		
Percent Age 65+	13.3				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
136	11	21	2	9	9	22	17	7	13	9	9	7

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL			N (Col %)
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	136 (100.0)	106 (77.9)	2 (1.5)	22 (16.2)	6 (4.4)	34	\$585	\$83	TOTAL	134 (100.0)		
Male (Row %)	118 (86.8)	89 (75.4)	2 (1.7)	21 (17.8)	6 (5.1)	33	\$584	\$0	Plea	123 (91.8)		
Female (Row %)	18 (13.2)	17 (94.4)	0 (0.0)	1 (5.6)	0 (0.0)	34	\$592	\$573	Trial	11 (8.2)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	134 (100.0)	117 (87.3)	114 (85.1)	3 (2.2)	49.2	24.0	26	33	13	15	30
Robbery	5 (100.0)	5 (100.0)	5 (100.0)	0 (0.0)	165.0	153.0	0	0	0	2	3
Larceny	11 (100.0)	6 (54.5)	6 (54.5)	0 (0.0)	16.0	18.0	1	4	1	0	0
Embezzlement	9 (100.0)	5 (55.6)	3 (33.3)	2 (22.2)	7.8	4.0	4	0	1	0	0
Fraud	18 (100.0)	13 (72.2)	12 (66.7)	1 (5.6)	18.5	13.0	6	5	0	1	1
Drug Trafficking	55 (100.0)	54 (98.2)	54 (98.2)	0 (0.0)	72.5	60.0	2	12	6	9	25
Simple Possession	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	3.0	3.0	1	0	0	0	0
Counterfeiting	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Firearms	15 (100.0)	13 (86.7)	13 (86.7)	0 (0.0)	22.9	18.0	4	5	2	1	1
Immigration	9 (100.0)	9 (100.0)	9 (100.0)	0 (0.0)	11.2	15.0	4	5	0	0	0
Other	11 (100.0)	11 (100.0)	11 (100.0)	0 (0.0)	21.3	24.0	4	2	3	2	0

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	17 (12.7)	7 (5.2)	10 (7.5)	44 (32.8)	\$5,306 (42)	Sentenced Within Guideline Range 122 (90.4)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	3 (60.0)	\$1,300 (3)	Departure for Substantial Assistance 7 (5.2)
Larceny	5 (45.5)	3 (27.3)	2 (18.2)	10 (90.9)	\$4,859 (8)	
Embezzlement	4 (44.4)	1 (11.1)	3 (33.3)	7 (77.8)	\$16,942 (7)	Other Downward Departure 1 (0.7)
Fraud	5 (27.8)	1 (5.6)	4 (22.2)	11 (61.1)	\$5,511 (11)	
Drug Trafficking	1 (1.8)	1 (1.8)	0 (0.0)	5 (9.1)	\$10,000 (5)	Upward Departure 5 (3.7)
Simple Possession	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	\$2,000 (1)	
Counterfeiting	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Firearms	2 (13.3)	1 (6.7)	1 (6.7)	2 (13.3)	\$18,432 (2)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	
Other	0 (0.0)	0 (0.0)	0 (0.0)	5 (45.5)	\$247 (5)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

MARYLAND
4th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Baltimore
- (2) Hyattsville
- (3) District Heights

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	13	Civil ³	3,551
Assistant U.S. Attorneys ⁴	44	Criminal ⁵	650
Assistant Federal Defenders ⁶	11		
Probation Officers ⁷	79		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	568	2,231	19,778	23,879	56,223	163,559	35,507	301,745
Per 100,000 Population	12	46	407	491	1,157	3,365	731	6,209

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	4,781,468	Income per Capita ¹¹	\$ 12,967	Police Protection	\$ 92.61
Population per Square Mile ¹²	486.1	Percent Unemployed ¹³	4.5	Education	\$ 680.81
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 28.70
Percent Age 0-14	20.6	Percent Mfg.	12.7	Public Welfare ¹⁶	\$ 4.41
Percent Age 15-24	14.2	Percent Retail	23.0	Highways	\$ 90.86
Percent Age 25-34	18.8	Percent Finance ¹⁷	7.7		
Percent Age 35-44	16.3	Percent Service	34.4	Percent acreage in farms ¹⁹	40.6
Percent Age 45-64	19.2	Percent Other ¹⁸	22.2		
Percent Age 65+	10.8				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
371	22	18	25	44	37	23	25	45	50	27	11	44

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	366 (100.0)	146 (39.9)	185 (50.5)	28 (7.7)	7 (1.9)	33	\$928	\$0	TOTAL	369 (100.0)
Male (Row %)	312 (85.2)	117 (37.5)	164 (52.6)	26 (8.3)	5 (1.6)	32	\$919	\$0	Plea	318 (86.2)
Female (Row %)	54 (14.8)	29 (53.7)	21 (38.9)	2 (3.7)	2 (3.7)	34	\$973	\$867	Trial	51 (13.8)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	363 (100.0)	266 (73.3)	250 (68.9)	16 (4.4)	82.3	51.0	63	32	18	30	123
Robbery	26 (100.0)	26 (100.0)	26 (100.0)	0 (0.0)	94.2	73.5	0	0	2	7	17
Larceny	49 (100.0)	15 (30.6)	13 (26.5)	2 (4.1)	8.5	9.0	14	1	0	0	0
Embezzlement	13 (100.0)	7 (53.9)	5 (38.5)	2 (15.4)	17.1	24.0	3	1	3	0	0
Fraud	49 (100.0)	30 (61.2)	26 (53.1)	4 (8.2)	16.7	13.5	15	10	3	2	0
Drug Trafficking	116 (100.0)	113 (97.4)	113 (97.4)	0 (0.0)	129.6	108.0	1	6	3	11	92
Simple Possession	12 (100.0)	7 (58.3)	7 (58.3)	0 (0.0)	7.3	6.0	7	0	0	0	0
Counterfeiting	13 (100.0)	8 (61.5)	8 (61.5)	0 (0.0)	15.9	16.5	4	2	2	0	0
Firearms	34 (100.0)	30 (88.2)	29 (85.3)	1 (2.9)	96.6	39.0	6	5	2	5	12
Immigration	7 (100.0)	6 (85.7)	6 (85.7)	0 (0.0)	17.2	10.5	5	0	0	1	0
Other	44 (100.0)	24 (54.5)	17 (38.6)	7 (15.9)	35.9	18.0	8	7	3	4	2

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	97 (26.7)	51 (14.1)	46 (12.7)	93 (25.6)	\$2,468 (88)	Sentenced Within Guideline Range 254 (70.4)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	4 (15.4)	\$760 (3)	Departure for Substantial Assistance 74 (20.5)
Larceny	34 (69.4)	24 (49.0)	10 (20.4)	30 (61.2)	\$300 (29)	
Embezzlement	6 (46.1)	2 (15.4)	4 (30.8)	10 (76.9)	\$18,249 (10)	Other Downward Departure 25 (6.9)
Fraud	19 (38.8)	3 (6.1)	16 (32.6)	23 (46.9)	\$15,000 (21)	
Drug Trafficking	3 (2.6)	2 (1.7)	1 (0.9)	2 (1.7)	\$6,000 (2)	Upward Departure 8 (2.2)
Simple Possession	5 (41.7)	3 (25.0)	2 (16.7)	5 (41.7)	\$500 (5)	
Counterfeiting	5 (38.5)	1 (7.7)	4 (30.8)	1 (7.7)	\$100 (1)	
Firearms	4 (11.8)	3 (8.8)	1 (2.9)	4 (11.8)	\$1,750 (4)	
Immigration	1 (14.3)	1 (14.3)	0 (0.0)	0 (0.0)	\$- (-)	
Other	20 (45.5)	12 (27.3)	8 (18.2)	14 (31.8)	\$5,000 (13)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

MASSACHUSETTS

1st Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Boston
- (2) Springfield
- (3) Worcester

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	15	Civil ³	3,901
Assistant U.S. Judges ⁴	68	Criminal ⁵	325
Assistant Federal Defenders ⁶	4		
Probation Officers ⁷	33		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	212	1,449	9,764	23,333	50,770	108,200	43,610	237,338
Per 100,000 Population	5	33	220	525	1,142	2,435	981	5,341

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	6,016,425	Income per Capita ¹¹	\$ 12,510	Police Protection	\$ 89.67
Population per Square Mile ¹²	769.0	Percent Unemployed ¹³	3.8	Education	\$ 638.62
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 76.05
Percent Age 0-14	18.9	Percent Mfg.	20.6	Public Welfare ¹⁶	\$ 8.20
Percent Age 15-24	15.4	Percent Retail	19.7	Highways	\$ 71.58
Percent Age 25-34	18.3	Percent Finance ¹⁷	8.2		
Percent Age 35-44	15.3	Percent Service	34.7	Percent acreage in farms ¹⁹	12.2
Percent Age 45-64	18.5	Percent Other ¹⁸	16.7		
Percent Age 65+	13.6				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
332	29	23	19	28	23	26	38	34	35	33	22	22

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	321 (100.0)	213 (66.4)	47 (14.6)	53 (16.5)	8 (2.5)	35	\$1,020	\$0	TOTAL	331 (100.0)	
Male (Row %)	289 (90.0)	195 (67.5)	40 (13.8)	46 (15.9)	8 (2.8)	35	\$1,066	\$0	Plea	281 (84.9)	
Female (Row %)	32 (10.0)	18 (56.2)	7 (21.9)	7 (21.9)	0 (0.0)	33	\$568	\$0	Trial	50 (15.1)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	329 (100.0)	261 (79.3)	248 (75.4)	13 (4.0)	69.8	33.0	39	58	45	32	81
Robbery	19 (100.0)	19 (100.0)	19 (100.0)	0 (0.0)	139.7	110.0	0	1	0	6	12
Larceny	10 (100.0)	6 (60.0)	5 (50.0)	1 (10.0)	16.2	12.5	3	2	0	1	0
Embezzlement	10 (100.0)	5 (50.0)	4 (40.0)	1 (10.0)	21.8	21.0	1	2	1	1	0
Fraud	62 (100.0)	40 (64.5)	33 (53.2)	7 (11.3)	19.4	21.0	14	13	8	4	0
Drug Trafficking	117 (100.0)	107 (91.5)	106 (90.6)	1 (0.8)	83.9	60.0	6	19	20	13	46
Simple Possession	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	36.0	36.0	0	0	1	0	0
Firearms	41 (100.0)	36 (87.8)	34 (82.9)	2 (4.9)	82.6	36.0	3	8	8	5	11
Immigration	11 (100.0)	7 (63.6)	6 (54.5)	1 (9.1)	12.2	6.0	4	1	1	0	0
Other	56 (100.0)	40 (71.4)	40 (71.4)	0 (0.0)	61.4	25.5	8	12	6	2	12

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	68 (20.7)	34 (10.3)	34 (10.3)	94 (28.6)	\$18,326 (91)	Sentenced Within Guideline Range 207 (64.9)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	1 (5.3)	\$2,536 (1)	Departure for Substantial Assistance 68 (21.3)
Larceny	4 (40.0)	1 (10.0)	3 (30.0)	6 (60.0)	\$15,114 (6)	
Embezzlement	5 (50.0)	0 (0.0)	5 (50.0)	6 (60.0)	\$468,377 (5)	Other Downward Departure 39 (12.2)
Fraud	22 (35.5)	7 (11.3)	15 (24.2)	46 (74.2)	\$41,434 (44)	
Drug Trafficking	10 (8.6)	9 (7.7)	1 (0.8)	5 (4.3)	\$15,000 (5)	Upward Departure 5 (1.6)
Simple Possession	2 (100.0)	2 (100.0)	0 (0.0)	2 (100.0)	\$1,000 (2)	
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	\$145,738 (1)	
Firearms	5 (12.2)	4 (9.8)	1 (2.4)	4 (9.8)	\$1,872 (4)	
Immigration	4 (36.4)	2 (18.2)	2 (18.2)	2 (18.2)	\$1,250 (2)	
Other	16 (28.6)	9 (16.1)	7 (12.5)	21 (37.5)	\$3,000 (21)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

MICHIGAN, Eastern
6th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Detroit
(2) Flint

(3) Bay City
(4) Ann Arbor

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	19	Civil ³	7,624
Assistant U.S. Attorneys ⁴	64	Criminal ⁵	740
Assistant Federal Defenders ⁶	10		
Probation Officers ⁷	61		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	886	4,636	19,797	31,929	76,586	221,808	55,131	410,773
Per 100,000 Population	14	75	319	514	1,233	3,570	887	6,612

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	6,283,331	Income per Capita ¹¹	\$ 11,517	Police Protection	\$ 106.66
Population per Square Mile ¹²	295.2	Percent Unemployed ¹³	8.6	Education	\$ 804.45
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 143.90
Percent Age 0-14	21.8	Percent Mfg.	25.2	Public Welfare ¹⁶	\$ 23.29
Percent Age 15-24	14.8	Percent Retail	21.5	Highways	\$ 106.36
Percent Age 25-34	17.1	Percent Finance ¹⁷	5.9		
Percent Age 35-44	15.3	Percent Service	28.8	Percent acreage in farms ¹⁹	38.8
Percent Age 45-64	19.1	Percent Other ¹⁸	18.6		
Percent Age 65+	11.8				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
792	59	59	55	64	68	59	65	55	92	72	60	84

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	790 (100.0)	357 (45.2)	370 (46.8)	49 (6.2)	14 (1.8)	33	\$762	\$0	TOTAL	792 (100.0)	
Male (Row %)	682 (86.3)	306 (44.9)	319 (46.8)	46 (6.7)	11 (1.6)	33	\$763	\$0	Plea	654 (82.6)	
Female (Row %)	108 (13.7)	51 (47.2)	51 (47.2)	3 (2.8)	3 (2.8)	33	\$757	\$473	Trial	138 (17.4)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	773 (100.0)	602 (77.9)	584 (75.5)	18 (2.3)	68.8	42.0	117	98	69	91	227
Robbery	42 (100.0)	42 (100.0)	42 (100.0)	0 (0.0)	126.9	75.0	1	1	1	13	26
Larceny	36 (100.0)	23 (63.9)	20 (55.6)	3 (8.3)	14.6	10.0	13	8	1	0	1
Embezzlement	32 (100.0)	16 (50.0)	13 (40.6)	3 (9.4)	20.2	12.0	10	2	2	1	1
Fraud	103 (100.0)	46 (44.7)	39 (37.9)	7 (6.8)	13.7	10.0	26	11	7	2	0
Drug Trafficking	334 (100.0)	319 (95.5)	318 (95.2)	1 (0.3)	93.8	70.0	13	28	37	63	178
Simple Possession	20 (100.0)	1 (5.0)	1 (5.0)	0 (0.0)	12.0	12.0	1	0	0	0	0
Counterfeiting	6 (100.0)	3 (50.0)	3 (50.0)	0 (0.0)	14.0	12.0	2	1	0	0	0
Firearms	100 (100.0)	87 (87.0)	84 (84.0)	3 (3.0)	32.2	18.0	23	32	15	6	11
Immigration	14 (100.0)	9 (64.3)	9 (64.3)	0 (0.0)	10.1	6.0	6	3	0	0	0
Other	86 (100.0)	56 (65.1)	55 (64.0)	1 (1.2)	34.4	21.0	22	12	6	6	10

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	171 (22.1)	59 (7.6)	112 (14.5)	265 (34.3)	\$5,000 (255)	Sentenced Within Guideline Range 594 (76.8)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	17 (40.5)	\$2,892 (17)	Departure for Substantial Assistance 120 (15.5)
Larceny	13 (36.1)	4 (11.1)	9 (25.0)	24 (66.7)	\$7,278 (22)	
Embezzlement	16 (50.0)	6 (18.8)	10 (31.2)	26 (81.2)	\$8,689 (24)	Other Downward Departure 36 (4.7)
Fraud	57 (55.3)	16 (15.5)	41 (39.8)	72 (69.9)	\$10,613 (71)	
Drug Trafficking	15 (4.5)	4 (1.2)	11 (3.3)	42 (12.6)	\$5,000 (42)	Upward Departure 23 (3.0)
Simple Possession	19 (95.0)	14 (70.0)	5 (25.0)	10 (50.0)	\$1,000 (10)	
Counterfeiting	3 (50.0)	1 (16.7)	2 (33.3)	3 (50.0)	\$2,744 (3)	
Firearms	13 (13.0)	4 (4.0)	9 (9.0)	21 (21.0)	\$3,000 (17)	
Immigration	5 (35.7)	0 (0.0)	5 (35.7)	5 (35.7)	\$500 (5)	
Other	30 (34.9)	10 (11.6)	20 (23.3)	45 (52.3)	\$6,172 (44)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**MICHIGAN, Western
6th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Grand Rapids
(2) Kalamazoo

(3) Marquette
(4) Lansing

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	7	Civil ³	1,616
Assistant U.S. Attorneys ⁴	23	Criminal ⁵	185
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	16		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	118	2,646	2,778	11,452	32,809	95,602	7,508	152,913
Per 100,000 Population	4	89	93	383	1,098	3,200	251	5,118

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	3,011,966	Income per Capita ¹¹	\$ 9,588	Police Protection	\$ 57.73
Population per Square Mile ¹²	84.5	Percent Unemployed ¹³	9.1	Education	\$ 765.50
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 169.24
Percent Age 0-14	22.9	Percent Mfg.	31.0	Public Welfare ¹⁶	\$ 43.75
Percent Age 15-24	15.7	Percent Retail	22.5	Highways	\$ 113.51
Percent Age 25-34	16.5	Percent Finance ¹⁷	5.2		
Percent Age 35-44	14.8	Percent Service	25.5	Percent acreage in farms ¹⁹	24.8
Percent Age 45-64	18.0	Percent Other ¹⁸	15.9		
Percent Age 65+	12.1				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
175	13	20	10	30	8	4	22	12	16	13	16	11

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL			N (Col %)
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	175 (100.0)	102 (58.3)	42 (24.0)	27 (15.4)	4 (2.3)	33	\$715	\$350	TOTAL	174 (100.0)		
Male (Row %)	136 (77.7)	77 (56.6)	30 (22.1)	25 (18.4)	4 (2.9)	34	\$728	\$250	Plea	157 (90.2)		
Female (Row %)	39 (22.3)	25 (64.1)	12 (30.8)	2 (5.1)	0 (0.0)	29	\$671	\$548	Trial	17 (9.8)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	172 (100.0)	141 (82.0)	132 (76.7)	9 (5.2)	49.2	24.0	54	22	11	24	30
Robbery	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	121.5	121.5	0	0	1	0	1
Larceny	20 (100.0)	8 (40.0)	7 (35.0)	1 (5.0)	8.1	6.0	7	0	1	0	0
Embezzlement	13 (100.0)	11 (84.6)	7 (53.9)	4 (30.8)	3.4	3.0	11	0	0	0	0
Fraud	29 (100.0)	23 (79.3)	21 (72.4)	2 (6.9)	12.6	12.0	13	8	2	0	0
Drug Trafficking	41 (100.0)	41 (100.0)	41 (100.0)	0 (0.0)	107.3	80.0	2	2	4	8	25
Simple Possession	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Counterfeiting	12 (100.0)	9 (75.0)	9 (75.0)	0 (0.0)	10.7	4.0	7	1	0	1	0
Firearms	21 (100.0)	17 (81.0)	16 (76.2)	1 (4.8)	42.2	21.0	7	3	1	4	2
Immigration	4 (100.0)	4 (100.0)	4 (100.0)	0 (0.0)	26.2	25.5	1	1	1	1	0
Other	30 (100.0)	26 (86.7)	25 (83.3)	1 (3.3)	37.9	27.0	6	7	1	10	2

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷	
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	N (Col %)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			Sentenced Within Guideline Range	
						157 (92.9)	
TOTAL	31 (18.0)	16 (9.3)	15 (8.7)	67 (39.0)	\$2,190 (62)	Departure for Substantial Assistance 7 (4.1)	
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	1 (50.0)	\$3,700 (1)	Other Downward Departure 5 (3.0)	
Larceny	12 (60.0)	7 (35.0)	5 (25.0)	17 (85.0)	\$672 (15)	Upward Departure 0 (0.0)	
Embezzlement	2 (15.4)	0 (0.0)	2 (15.4)	8 (61.5)	\$5,952 (8)		
Fraud	6 (20.7)	3 (10.3)	3 (10.3)	15 (51.7)	\$4,958 (13)		
Drug Trafficking	0 (0.0)	0 (0.0)	0 (0.0)	6 (14.6)	\$16,520 (6)		
Simple Possession	- (-)	- (-)	- (-)	- (-)	\$- (-)		
Counterfeiting	3 (25.0)	1 (8.3)	2 (16.7)	6 (50.0)	\$350 (6)		
Firearms	4 (19.1)	3 (14.3)	1 (4.8)	7 (33.3)	\$1,000 (6)		
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)		
Other	4 (13.3)	2 (6.7)	2 (6.7)	7 (23.3)	\$1,000 (7)		

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

MINNESOTA
8th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Minneapolis
- (2) St. Paul
- (3) Winona

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	9	Civil ³	2,203
Assistant U.S. Attorneys ⁴	30	Criminal ⁵	296
Assistant Federal Defenders ⁶	5		
Probation Officers ⁷	29		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	131	1,762	4,345	7,765	37,832	131,321	16,099	199,255
Per 100,000 Population	3	40	98	175	854	2,963	363	4,496

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	4,375,099	Income per Capita ¹¹	\$ 11,186	Police Protection	\$ 74.41
Population per Square Mile ¹²	55.0	Percent Unemployed ¹³	5.3	Education	\$ 812.20
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 114.26
Percent Age 0-14	22.8	Percent Mfg.	21.9	Public Welfare ¹⁶	\$ 216.93
Percent Age 15-24	14.0	Percent Retail	21.6	Highways	\$ 173.00
Percent Age 25-34	17.8	Percent Finance ¹⁷	7.0		
Percent Age 35-44	15.2	Percent Service	30.4	Percent acreage in farms ¹⁹	54.4
Percent Age 45-64	17.7	Percent Other ¹⁸	19.0		
Percent Age 65+	12.5				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
355	38	43	32	29	26	25	41	16	27	38	23	17

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	352 (100.0)	204 (58.0)	94 (26.7)	33 (9.4)	21 (6.0)	33	\$760	\$400	TOTAL	355 (100.0)
Male (Row %)	300 (85.2)	168 (56.0)	82 (27.3)	31 (10.3)	19 (6.3)	33	\$746	\$314	Plea	288 (81.1)
Female (Row %)	52 (14.8)	36 (69.2)	12 (23.1)	2 (3.9)	2 (3.9)	31	\$837	\$437	Trial	67 (18.9)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	351 (100.0)	289 (82.3)	272 (77.5)	17 (4.8)	66.5	46.0	48	42	29	58	108
Robbery	23 (100.0)	23 (100.0)	23 (100.0)	0 (0.0)	81.7	57.0	0	0	2	11	10
Larceny	13 (100.0)	2 (15.4)	2 (15.4)	0 (0.0)	45.0	45.0	0	1	0	0	1
Embezzlement	17 (100.0)	9 (52.9)	3 (17.6)	6 (35.3)	3.3	3.0	7	0	0	0	0
Fraud	38 (100.0)	27 (71.0)	22 (57.9)	5 (13.2)	13.2	10.5	15	8	2	1	0
Drug Trafficking	165 (100.0)	159 (96.4)	156 (94.5)	3 (1.8)	79.6	60.0	10	18	18	34	78
Simple Possession	4 (100.0)	2 (50.0)	2 (50.0)	0 (0.0)	78.0	78.0	1	0	0	0	1
Counterfeiting	8 (100.0)	5 (62.5)	5 (62.5)	0 (0.0)	10.6	12.0	4	1	0	0	0
Firearms	21 (100.0)	21 (100.0)	21 (100.0)	0 (0.0)	80.2	57.0	1	5	4	4	7
Immigration	3 (100.0)	2 (66.7)	2 (66.7)	0 (0.0)	5.5	5.5	2	0	0	0	0
Other	59 (100.0)	39 (66.1)	36 (61.0)	3 (5.1)	54.8	33.0	8	9	3	8	11

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	62 (17.7)	34 (9.7)	28 (8.0)	74 (21.1)	\$5,000 (71)	Sentenced Within Guideline Range 229 (66.6)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	8 (34.8)	\$2,620 (8)	Departure for Substantial Assistance 80 (23.3)
Larceny	11 (84.6)	6 (46.1)	5 (38.5)	8 (61.5)	\$25,012 (8)	
Embezzlement	8 (47.1)	3 (17.6)	5 (29.4)	13 (76.5)	\$5,709 (13)	
Fraud	11 (28.9)	6 (15.8)	5 (13.2)	24 (63.2)	\$7,960 (21)	Other Downward Departure 25 (7.3)
Drug Trafficking	6 (3.6)	4 (2.4)	2 (1.2)	9 (5.5)	\$7,500 (9)	
Simple Possession	2 (50.0)	2 (50.0)	0 (0.0)	1 (25.0)	\$1,000 (1)	
Counterfeiting	3 (37.5)	3 (37.5)	0 (0.0)	2 (25.0)	\$1,422 (2)	Upward Departure 10 (2.9)
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	1 (4.8)	\$1,000 (1)	
Immigration	1 (33.3)	1 (33.3)	0 (0.0)	0 (0.0)	\$- (-)	
Other	20 (33.9)	9 (15.2)	11 (18.6)	8 (13.6)	\$1,750 (8)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**MISSISSIPPI, Northern
5th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Oxford
- (2) Aberdeen
- (3) Greenville

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	3	Civil ³	1,135
Assistant U.S. Attorneys ⁴	11	Criminal ⁵	136
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	16		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	62	133	272	864	4,868	10,273	669	17,141
Per 100,000 Population	13	28	57	182	1,025	2,163	141	3,609

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	970,176	Income per Capita ¹¹	\$ 6,775	Police Protection	\$ 36.81
Population per Square Mile ¹²	49.0	Percent Unemployed ¹³	12.2	Education	\$ 513.43
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 249.04
Percent Age 0-14	24.2	Percent Mfg.	44.8	Public Welfare ¹⁶	\$ 3.19
Percent Age 15-24	17.1	Percent Retail	19.1	Highways	\$ 89.17
Percent Age 25-34	14.9	Percent Finance ¹⁷	3.8		
Percent Age 35-44	13.1	Percent Service	16.2	Percent acreage in farms ¹⁹	52.6
Percent Age 45-64	17.7	Percent Other ¹⁸	15.9		
Percent Age 65+	13.0				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
135	3	3	3	20	4	9	7	10	18	18	14	26

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	135 (100.0)	47 (34.8)	85 (63.0)	1 (0.7)	2 (1.5)	33	\$841	\$450	TOTAL	135 (100.0)	
Male (Row %)	114 (84.4)	36 (31.6)	75 (65.8)	1 (0.9)	2 (1.8)	32	\$838	\$400	Plea	102 (75.6)	
Female (Row %)	21 (15.6)	11 (52.4)	10 (47.6)	0 (0.0)	0 (0.0)	36	\$859	\$650	Trial	33 (24.4)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	135 (100.0)	108 (80.0)	103 (76.3)	5 (3.7)	54.4	30.0	22	23	17	17	29
Robbery	4 (100.0)	4 (100.0)	4 (100.0)	0 (0.0)	76.2	81.5	1	0	0	1	2
Larceny	9 (100.0)	7 (77.8)	6 (66.7)	1 (11.1)	10.3	8.0	5	2	0	0	0
Embezzlement	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Fraud	19 (100.0)	9 (47.4)	8 (42.1)	1 (5.3)	19.4	21.0	2	4	3	0	0
Drug Trafficking	56 (100.0)	56 (100.0)	55 (98.2)	1 (1.8)	70.8	46.5	3	11	10	10	22
Simple Possession	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Counterfeiting	10 (100.0)	3 (30.0)	1 (10.0)	2 (20.0)	4.0	4.0	3	0	0	0	0
Firearms	16 (100.0)	16 (100.0)	16 (100.0)	0 (0.0)	44.4	28.0	3	4	3	4	2
Immigration	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Other	21 (100.0)	13 (61.9)	13 (61.9)	0 (0.0)	48.9	24.0	5	2	1	2	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	27 (20.0)	8 (5.9)	19 (14.1)	94 (69.6)	\$3,000 (92)	Sentenced Within Guideline Range 91 (70.5)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	4 (100.0)	\$4,504 (4)	Departure for Substantial Assistance 14 (10.9)
Larceny	2 (22.2)	0 (0.0)	2 (22.2)	8 (88.9)	\$2,398 (8)	
Embezzlement	- (-)	- (-)	- (-)	- (-)	\$- (-)	Other Downward Departure 23 (17.8)
Fraud	10 (52.6)	2 (10.5)	8 (42.1)	18 (94.7)	\$4,486 (16)	
Drug Trafficking	0 (0.0)	0 (0.0)	0 (0.0)	38 (67.9)	\$3,000 (38)	Upward Departure 1 (0.8)
Simple Possession	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Counterfeiting	7 (70.0)	5 (50.0)	2 (20.0)	6 (60.0)	\$817 (6)	
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	4 (25.0)	\$1,000 (4)	
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Other	8 (38.1)	1 (4.8)	7 (33.3)	16 (76.2)	\$2,750 (16)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**MISSISSIPPI, Southern
5th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Jackson
- (2) Biloxi
- (3) Hattiesburg

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	7	Civil ³	1,943
Assistant U.S. Attorneys ⁴	16	Criminal ⁵	267
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	22		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	155	601	2,105	2,500	18,562	30,323	5,093	59,339
Per 100,000 Population	15	58	205	243	1,807	2,952	496	5,777

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,603,040	Income per Capita ¹¹	\$ 7,895	Police Protection	\$ 46.31
Population per Square Mile ¹²	58.4	Percent Unemployed ¹³	11.4	Education	\$ 540.18
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 216.26
Percent Age 0-14	24.0	Percent Mfg.	24.4	Public Welfare ¹⁶	\$ 7.31
Percent Age 15-24	15.8	Percent Retail	22.9	Highways	\$ 94.13
Percent Age 25-34	15.9	Percent Finance ¹⁷	6.7		
Percent Age 35-44	13.9	Percent Service	25.2	Percent acreage in farms ¹⁹	32.8
Percent Age 45-64	18.1	Percent Other ¹⁸	20.7		
Percent Age 65+	12.2				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
211	6	14	18	27	3	15	22	23	14	23	23	23

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age ³	Monthly Income		TOTAL			N (Col %)
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	210 (100.0)	84 (40.0)	105 (50.0)	15 (7.1)	6 (2.9)	34	\$719	\$0	211	100.0		
Male (Row %)	174 (82.9)	70 (40.2)	85 (48.9)	15 (8.6)	4 (2.3)	34	\$675	\$0	Plea	179 (84.8)		
Female (Row %)	36 (17.1)	14 (38.9)	20 (55.6)	0 (0.0)	2 (5.6)	36	\$911	\$550	Trial	32 (15.2)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	210 (100.0)	155 (73.8)	151 (71.9)	4 (1.9)	67.7	46.0	34	22	19	31	49
Robbery	10 (100.0)	10 (100.0)	10 (100.0)	0 (0.0)	106.4	98.5	0	0	0	2	8
Larceny	15 (100.0)	8 (53.3)	8 (53.3)	0 (0.0)	6.6	3.5	7	1	0	0	0
Embezzlement	10 (100.0)	4 (40.0)	3 (30.0)	1 (10.0)	7.2	5.5	3	1	0	0	0
Fraud	32 (100.0)	19 (59.4)	17 (53.1)	2 (6.2)	11.4	11.0	10	9	0	0	0
Drug Trafficking	55 (100.0)	54 (98.2)	54 (98.2)	0 (0.0)	105.5	78.0	1	4	6	12	31
Simple Possession	3 (100.0)	2 (66.7)	2 (66.7)	0 (0.0)	33.0	33.0	1	0	0	1	0
Counterfeiting	15 (100.0)	11 (73.3)	10 (66.7)	1 (6.7)	17.3	21.0	5	4	2	0	0
Firearms	23 (100.0)	22 (95.7)	22 (95.7)	0 (0.0)	72.5	60.0	2	2	3	11	4
Immigration	3 (100.0)	2 (66.7)	2 (66.7)	0 (0.0)	3.5	3.5	2	0	0	0	0
Other	44 (100.0)	23 (52.3)	23 (52.3)	0 (0.0)	68.7	36.0	3	1	8	5	6

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	55 (26.2)	31 (14.8)	24 (11.4)	121 (57.6)	\$3,000 (118)	Sentenced Within Guideline Range 170 (86.3)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	3 (30.0)	\$4,151 (3)	Departure for Substantial Assistance 12 (6.1)
Larceny	7 (46.7)	4 (26.7)	3 (20.0)	9 (60.0)	\$1,100 (9)	Other Downward Departure 12 (6.1)
Embezzlement	6 (60.0)	1 (10.0)	5 (50.0)	8 (80.0)	\$4,545 (8)	Upward Departure 3 (1.5)
Fraud	13 (40.6)	6 (18.8)	7 (21.9)	28 (87.5)	\$2,642 (26)	
Drug Trafficking	1 (1.8)	1 (1.8)	0 (0.0)	23 (41.8)	\$5,304 (23)	
Simple Possession	1 (33.3)	1 (33.3)	0 (0.0)	2 (66.7)	\$1,500 (2)	
Counterfeiting	4 (26.7)	1 (6.7)	3 (20.0)	10 (66.7)	\$1,190 (9)	
Firearms	1 (4.3)	1 (4.3)	0 (0.0)	7 (30.4)	\$4,035 (7)	
Immigration	1 (33.3)	1 (33.3)	0 (0.0)	1 (33.3)	\$1,800 (1)	
Other	21 (47.7)	15 (34.1)	6 (13.6)	30 (68.2)	\$2,884 (30)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**MISSOURI, Eastern
8th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) St. Louis
- (2) Cape Girardeau

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	9	Civil ³	2,957
Assistant U.S. Attorneys ⁴	30	Criminal ⁵	326
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	32		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	326	744	6,576	12,414	27,555	71,676	14,351	133,642
Per 100,000 Population	13	30	265	500	1,110	2,888	578	5,385

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,652,609	Income per Capita ¹¹	\$ 10,881	Police Protection	\$ 77.77
Population per Square Mile ¹²	92.4	Percent Unemployed ¹³	6.6	Education	\$ 597.65
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 82.21
Percent Age 0-14	22.0	Percent Mfg.	22.8	Public Welfare ¹⁶	\$ 2.54
Percent Age 15-24	13.6	Percent Retail	20.1	Highways	\$ 73.03
Percent Age 25-34	16.9	Percent Finance ¹⁷	6.7		
Percent Age 35-44	14.6	Percent Service	30.0	Percent acreage in farms ¹⁹	60.2
Percent Age 45-64	19.2	Percent Other ¹⁸	20.4		
Percent Age 65+	13.8				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
267	11	20	32	30	27	12	14	21	28	25	27	20

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	266 (100.0)	123 (46.2)	124 (46.6)	18 (6.8)	1 (0.4)	34	\$739	\$0	TOTAL	267 (100.0)	
Male (Row %)	227 (85.3)	101 (44.5)	107 (47.1)	18 (7.9)	1 (0.4)	34	\$747	\$0	Plea	222 (83.1)	
Female (Row %)	39 (14.7)	22 (56.4)	17 (43.6)	0 (0.0)	0 (0.0)	31	\$690	\$570	Trial	45 (16.9)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	267 (100.0)	214 (80.2)	198 (74.2)	16 (6.0)	67.6	33.0	58	40	16	30	69
Robbery	13 (100.0)	13 (100.0)	13 (100.0)	0 (0.0)	78.9	60.0	0	0	0	7	6
Larceny	20 (100.0)	11 (55.0)	10 (50.0)	1 (5.0)	11.0	7.0	9	1	0	1	0
Embezzlement	25 (100.0)	13 (52.0)	6 (24.0)	7 (28.0)	6.0	4.5	10	2	0	0	0
Fraud	39 (100.0)	27 (69.2)	22 (56.4)	5 (12.8)	18.5	14.0	13	6	5	2	1
Drug Trafficking	92 (100.0)	87 (94.6)	86 (93.5)	1 (1.1)	115.3	81.0	5	12	4	14	52
Simple Possession	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	12.0	12.0	1	0	0	0	0
Counterfeiting	6 (100.0)	4 (66.7)	4 (66.7)	0 (0.0)	7.0	7.0	4	0	0	0	0
Firearms	31 (100.0)	30 (96.8)	30 (96.8)	0 (0.0)	69.6	34.5	2	9	5	5	9
Immigration	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	11.0	11.0	1	0	0	0	0
Other	39 (100.0)	27 (69.2)	25 (64.1)	2 (5.1)	18.8	13.0	13	10	2	1	1

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	53 (19.9)	29 (10.9)	24 (9.0)	62 (23.2)	\$2,303 (60)	Sentenced Within Guideline Range 194 (80.5)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	4 (30.8)	\$1,328 (4)	Departure for Substantial Assistance 30 (12.4)
Larceny	9 (45.0)	4 (20.0)	5 (25.0)	8 (40.0)	\$1,036 (8)	
Embezzlement	12 (48.0)	5 (20.0)	7 (28.0)	12 (48.0)	\$3,186 (12)	Other Downward Departure 16 (6.6)
Fraud	12 (30.8)	8 (20.5)	4 (10.3)	13 (33.3)	\$3,366 (13)	
Drug Trafficking	5 (5.4)	3 (3.3)	2 (2.2)	4 (4.3)	\$2,500 (4)	Upward Departure 1 (0.4)
Simple Possession	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	\$1,000 (1)	
Counterfeiting	2 (33.3)	0 (0.0)	2 (33.3)	3 (50.0)	\$500 (3)	
Firearms	1 (3.2)	1 (3.2)	0 (0.0)	2 (6.5)	\$2,500 (2)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	
Other	12 (30.8)	8 (20.5)	4 (10.3)	15 (38.5)	\$4,000 (13)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**MISSOURI, Western
8th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Kansas City
- (2) Springfield
- (3) Jefferson City

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	9	Civil ³	2,504
Assistant U.S. Attorneys ⁴	34	Criminal ⁵	553
Assistant Federal Defenders ⁶	10		
Probation Officers ⁷	34		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	175	867	5,757	10,422	27,594	65,543	13,510	123,868
Per 100,000 Population	8	40	264	478	1,265	3,005	619	5,680

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,464,464	Income per Capita ¹¹	\$ 9,597	Police Protection	\$ 63.96
Population per Square Mile ¹²	61.2	Percent Unemployed ¹³	5.5	Education	\$ 559.87
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 138.65
Percent Age 0-14	21.3	Percent Mfg.	20.7	Public Welfare ¹⁶	\$ 13.65
Percent Age 15-24	14.7	Percent Retail	21.6	Highways	\$ 78.49
Percent Age 25-34	16.4	Percent Finance ¹⁷	6.9		
Percent Age 35-44	14.1	Percent Service	29.8	Percent acreage in farms ¹⁹	70.7
Percent Age 45-64	19.1	Percent Other ¹⁸	20.9		
Percent Age 65+	14.2				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
322	19	25	23	30	25	26	16	26	37	40	36	19

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	321 (100.0)	217 (67.6)	86 (26.8)	17 (5.3)	1 (0.3)	34	\$956	\$103	TOTAL	321 (100.0)
Male (Row %)	269 (83.8)	184 (68.4)	68 (25.3)	17 (6.3)	0 (0.0)	34	\$1,023	\$0	Plea	277 (86.3)
Female (Row %)	52 (16.2)	33 (63.5)	18 (34.6)	0 (0.0)	1 (1.9)	33	\$609	\$547	Trial	44 (13.7)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	321 (100.0)	241 (75.1)	227 (70.7)	14 (4.4)	80.7	51.0	28	33	33	46	101
Robbery	12 (100.0)	12 (100.0)	12 (100.0)	0 (0.0)	101.1	71.0	0	0	1	4	7
Larceny	24 (100.0)	8 (33.3)	5 (20.8)	3 (12.5)	12.0	12.5	4	4	0	0	0
Embezzlement	9 (100.0)	4 (44.4)	3 (33.3)	1 (11.1)	15.8	14.5	2	1	1	0	0
Fraud	31 (100.0)	24 (77.4)	19 (61.3)	5 (16.1)	20.9	21.0	9	5	8	2	0
Drug Trafficking	164 (100.0)	147 (89.6)	144 (87.8)	3 (1.8)	101.5	70.0	4	15	15	29	84
Simple Possession	10 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	5 (100.0)	3 (60.0)	3 (60.0)	0 (0.0)	28.0	36.0	1	0	1	1	0
Firearms	24 (100.0)	20 (83.3)	19 (79.2)	1 (4.2)	69.3	41.0	2	2	4	7	5
Immigration	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	9.5	9.5	1	1	0	0	0
Other	40 (100.0)	21 (52.5)	20 (50.0)	1 (2.5)	55.5	27.0	5	5	3	3	5

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	N (Col %)
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	80 (24.9)	45 (14.0)	35 (10.9)	142 (44.2)	\$3,100 (140)	207 (65.1)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	7 (58.3)	\$3,510 (7)	Departure for Substantial Assistance 95 (29.9)
Larceny	16 (66.7)	8 (33.3)	8 (33.3)	14 (58.3)	\$5,854 (14)	
Embezzlement	5 (55.6)	2 (22.2)	3 (33.3)	8 (88.9)	\$8,960 (8)	Other Downward Departure 11 (3.5)
Fraud	7 (22.6)	2 (6.5)	5 (16.1)	28 (90.3)	\$11,706 (26)	
Drug Trafficking	17 (10.4)	12 (7.3)	5 (3.0)	44 (26.8)	\$2,000 (44)	Upward Departure 5 (1.6)
Simple Possession	10 (100.0)	8 (80.0)	2 (20.0)	2 (20.0)	\$1,120 (2)	
Counterfeiting	2 (40.0)	1 (20.0)	1 (20.0)	1 (20.0)	\$150 (1)	
Firearms	4 (16.7)	4 (16.7)	0 (0.0)	9 (37.5)	\$1,800 (9)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	
Other	19 (47.5)	8 (20.0)	11 (27.5)	29 (72.5)	\$2,000 (29)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

MONTANA
9th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Great Falls
- (2) Billings
- (3) Missoula

- (4) Helena
- (5) Glasgow

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	5	Civil ³	707
Assistant U.S. Attorneys ⁴	8	Criminal ⁵	243
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	17		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	13	113	101	539	3,036	15,492	1,186	20,480
Per 100,000 Population	2	15	13	70	396	2,020	155	2,671

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	799,065	Income per Capita ¹¹	\$ 8,781	Police Protection	\$ 54.25
Population per Square Mile ¹²	5.5	Percent Unemployed ¹³	8.1	Education	\$ 788.44
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 54.80
Percent Age 0-14	23.5	Percent Mfg.	10.5	Public Welfare ¹⁶	\$ 25.54
Percent Age 15-24	13.1	Percent Retail	27.2	Highways	\$ 91.41
Percent Age 25-34	15.4	Percent Finance ¹⁷	6.1		
Percent Age 35-44	15.9	Percent Service	32.9	Percent acreage in farms ¹⁹	65.1
Percent Age 45-64	18.9	Percent Other ¹⁸	23.3		
Percent Age 65+	13.3				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
210	13	23	31	9	13	19	16	7	16	33	10	20

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	185 (100.0)	111 (60.0)	3 (1.6)	27 (14.6)	44 (23.8)	34	\$589	\$0	TOTAL	209 (100.0)
Male (Row %)	160 (86.5)	92 (57.5)	2 (1.2)	27 (16.9)	39 (24.4)	34	\$614	\$0	Plea	192 (91.9)
Female (Row %)	25 (13.5)	19 (76.0)	1 (4.0)	0 (0.0)	5 (20.0)	38	\$433	\$311	Trial	17 (8.1)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	210 (100.0)	131 (62.4)	121 (57.6)	10 (4.8)	41.0	21.0	39	33	16	13	24
Robbery	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	105.0	105.0	0	0	0	0	1
Larceny	7 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Embezzlement	4 (100.0)	1 (25.0)	1 (25.0)	0 (0.0)	--	--	0	0	0	0	0
Fraud	19 (100.0)	9 (47.4)	9 (47.4)	0 (0.0)	15.0	13.0	3	4	0	0	0
Drug Trafficking	61 (100.0)	52 (85.2)	51 (83.6)	1 (1.6)	50.1	25.5	14	12	5	7	14
Simple Possession	5 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	4 (100.0)	4 (100.0)	2 (50.0)	2 (50.0)	9.5	6.5	3	1	0	0	0
Firearms	18 (100.0)	15 (83.3)	13 (72.2)	2 (11.1)	33.4	20.0	3	5	3	2	1
Immigration	40 (100.0)	14 (35.0)	14 (35.0)	0 (0.0)	17.2	15.0	6	6	0	1	0
Other	51 (100.0)	35 (68.6)	30 (58.8)	5 (9.8)	46.4	27.0	10	5	8	3	8

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	79 (37.6)	60 (28.6)	19 (9.1)	92 (43.8)	\$1,000 (85)	Sentenced Within Guideline Range 160 (77.7)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	Departure for Substantial Assistance 26 (12.6)
Larceny	7 (100.0)	5 (71.4)	2 (28.6)	5 (71.4)	\$1,126 (5)	
Embezzlement	3 (75.0)	1 (25.0)	2 (50.0)	3 (75.0)	\$23,876 (3)	Other Downward Departure 17 (8.3)
Fraud	10 (52.6)	7 (36.8)	3 (15.8)	13 (68.4)	\$7,986 (12)	
Drug Trafficking	9 (14.8)	5 (8.2)	4 (6.6)	15 (24.6)	\$1,000 (13)	Upward Departure 3 (1.5)
Simple Possession	5 (100.0)	4 (80.0)	1 (20.0)	5 (100.0)	\$1,000 (5)	
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	4 (100.0)	\$2,526 (4)	
Firearms	3 (16.7)	3 (16.7)	0 (0.0)	4 (22.2)	\$606 (4)	
Immigration	26 (65.0)	26 (65.0)	0 (0.0)	17 (42.5)	\$50 (17)	
Other	16 (31.4)	9 (17.6)	7 (13.7)	26 (51.0)	\$662 (22)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

NEBRASKA
8th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Omaha
- (2) Lincoln
- (3) Grand Island

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	4	Civil ³	1,236
Assistant U.S. Attorneys ⁴	15	Criminal ⁵	221
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	15		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	52	447	861	3,966	11,549	48,976	3,383	69,234
Per 100,000 Population	3	28	54	249	725	3,076	212	4,349

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,578,385	Income per Capita ¹¹	\$ 10,546	Police Protection	\$ 52.93
Population per Square Mile ¹²	20.6	Percent Unemployed ¹³	5.0	Education	\$ 590.47
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 166.56
Percent Age 0-14	23.0	Percent Mfg.	16.2	Public Welfare ¹⁶	\$ 14.29
Percent Age 15-24	14.0	Percent Retail	23.4	Highways	\$ 122.52
Percent Age 25-34	16.3	Percent Finance ¹⁷	7.9		
Percent Age 35-44	14.5	Percent Service	32.3	Percent acreage in farms ¹⁹	91.7
Percent Age 45-64	18.0	Percent Other ¹⁸	20.1		
Percent Age 65+	14.1				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
180	8	8	14	10	17	4	20	25	26	14	5	29

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	175 (100.0)	106 (60.6)	24 (13.7)	36 (20.6)	9 (5.1)	33	\$539	\$0	TOTAL	180 (100.0)
Male (Row %)	138 (78.9)	79 (57.2)	20 (14.5)	30 (21.7)	9 (6.5)	33	\$448	\$0	Plea	161 (89.4)
Female (Row %)	37 (21.1)	27 (73.0)	4 (10.8)	6 (16.2)	0 (0.0)	31	\$906	\$808	Trial	19 (10.6)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	179 (100.0)	142 (79.3)	137 (76.5)	5 (2.8)	56.9	32.0	33	29	14	24	42
Robbery	5 (100.0)	5 (100.0)	5 (100.0)	0 (0.0)	218.8	240.0	0	0	0	0	5
Larceny	4 (100.0)	1 (25.0)	1 (25.0)	0 (0.0)	15.0	15.0	0	1	0	0	0
Embezzlement	5 (100.0)	2 (40.0)	2 (40.0)	0 (0.0)	7.0	7.0	2	0	0	0	0
Fraud	41 (100.0)	22 (53.7)	17 (41.5)	5 (12.2)	10.5	9.0	15	7	0	0	0
Drug Trafficking	80 (100.0)	75 (93.8)	75 (93.8)	0 (0.0)	69.5	51.0	5	14	9	15	32
Simple Possession	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Counterfeiting	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	40.0	40.0	0	0	0	1	0
Firearms	9 (100.0)	9 (100.0)	9 (100.0)	0 (0.0)	78.9	41.0	1	1	1	4	2
Immigration	10 (100.0)	10 (100.0)	10 (100.0)	0 (0.0)	22.0	15.0	3	5	1	0	1
Other	24 (100.0)	17 (70.8)	17 (70.8)	0 (0.0)	32.4	30.0	7	1	3	4	2

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷	
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	N (Col %)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			Sentenced Within Guideline Range	Departure for Substantial Assistance
TOTAL	37 (20.7)	9 (5.0)	28 (15.6)	63 (35.2)	\$5,010 (53)	135 (77.6)	
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	3 (60.0)	\$5,400 (1)		
Larceny	3 (75.0)	1 (25.0)	2 (50.0)	3 (75.0)	\$25,232 (3)		
Embezzlement	3 (60.0)	0 (0.0)	3 (60.0)	3 (60.0)	\$10,143 (2)		
Fraud	19 (46.3)	4 (9.8)	15 (36.6)	27 (65.8)	\$12,357 (23)		
Drug Trafficking	5 (6.2)	1 (1.2)	4 (5.0)	11 (13.8)	\$70 (11)		
Simple Possession	- (-)	- (-)	- (-)	- (-)	\$- (-)		
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	\$660 (1)		
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	1 (11.1)	\$120 (1)		
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	1 (10.0)	\$70 (1)		
Other	7 (29.2)	3 (12.5)	4 (16.7)	13 (54.2)	\$2,960 (10)		
						23 (13.2)	
							13 (7.5)
							3 (1.7)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

NEVADA
9th Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

(1) Las Vegas
(2) Reno

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	5	Civil ³	1,913
Assistant U.S. Attorneys ⁴	26	Criminal ⁵	432
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	34		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime-Index Total
Number of Crimes	137	777	3,894	3,281	16,227	41,949	8,028	74,293
Per 100,000 Population	12	69	347	292	1,445	3,735	715	6,614

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,201,833	Income per Capita ¹¹	\$ 11,200	Police Protection	\$ 128.22
Population per Square Mile ¹²	10.9	Percent Unemployed ¹³	6.0	Education	\$ 604.61
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 158.15
Percent Age 0-14	21.1	Percent Mfg.	5.2	Public Welfare ¹⁶	\$ 25.87
Percent Age 15-24	13.5	Percent Retail	18.9	Highways	\$ 98.92
Percent Age 25-34	18.5	Percent Finance ¹⁷	5.0		
Percent Age 35-44	16.0	Percent Service	49.3	Percent acreage in farms ¹⁹	14.2
Percent Age 45-64	20.3	Percent Other ¹⁸	21.6		
Percent Age 65+	10.6				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
384	35	18	29	38	23	21	30	30	50	58	23	29

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	383 (100.0)	204 (53.3)	55 (14.4)	107 (27.9)	17 (4.4)	33	\$733	\$362	TOTAL	381 (100.0)	
Male (Row %)	310 (80.9)	159 (51.3)	48 (15.5)	92 (29.7)	11 (3.5)	33	\$734	\$200	Plea	327 (85.8)	
Female (Row %)	73 (19.1)	45 (61.6)	7 (9.6)	15 (20.6)	6 (8.2)	33	\$729	\$586	Trial	54 (14.2)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	366 (100.0)	265 (72.4)	256 (70.0)	9 (2.5)	58.0	33.0	62	46	28	51	75
Robbery	53 (100.0)	50 (94.3)	50 (94.3)	0 (0.0)	79.5	64.0	0	2	3	18	27
Larceny	9 (100.0)	5 (55.6)	5 (55.6)	0 (0.0)	13.2	12.0	3	2	0	0	0
Embezzlement	10 (100.0)	4 (40.0)	3 (30.0)	1 (10.0)	12.5	13.5	2	2	0	0	0
Fraud	74 (100.0)	44 (59.5)	40 (54.0)	4 (5.4)	14.8	13.0	20	17	6	1	0
Drug Trafficking	85 (100.0)	78 (91.8)	77 (90.6)	1 (1.2)	92.9	60.0	3	9	7	22	37
Simple Possession	3 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	38 (100.0)	16 (42.1)	15 (39.5)	1 (2.6)	18.0	12.5	8	4	1	3	0
Firearms	21 (100.0)	17 (81.0)	17 (81.0)	0 (0.0)	83.2	28.0	2	2	5	1	7
Immigration	26 (100.0)	19 (73.1)	19 (73.1)	0 (0.0)	5.9	2.0	14	2	0	0	0
Other	47 (100.0)	32 (68.1)	30 (63.8)	2 (4.3)	44.2	24.0	10	6	6	6	4

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷	
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	N (Col %)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			Sentenced Within Guideline Range	
						317 (86.4)	
TOTAL	101 (27.6)	46 (12.6)	55 (15.0)	198 (54.1)	\$3,934 (187)	Departure for Substantial Assistance 22 (6.0)	
Robbery	3 (5.7)	0 (0.0)	3 (5.7)	40 (75.5)	\$1,450 (39)	Other Downward Departure 25 (6.8)	
Larceny	4 (44.4)	2 (22.2)	2 (22.2)	6 (66.7)	\$1,205 (6)	Upward Departure 3 (0.8)	
Embezzlement	6 (60.0)	3 (30.0)	3 (30.0)	10 (100.0)	\$11,435 (9)		
Fraud	30 (40.5)	13 (17.6)	17 (23.0)	68 (91.9)	\$5,184 (60)		
Drug Trafficking	7 (8.2)	5 (5.9)	2 (2.4)	14 (16.5)	\$8,000 (14)		
Simple Possession	3 (100.0)	3 (100.0)	0 (0.0)	1 (33.3)	\$500 (1)		
Counterfeiting	22 (57.9)	9 (23.7)	13 (34.2)	26 (68.4)	\$2,370 (26)		
Firearms	4 (19.1)	2 (9.5)	2 (9.5)	3 (14.3)	\$1,000 (3)		
Immigration	7 (26.9)	1 (3.9)	6 (23.1)	8 (30.8)	\$520 (8)		
Other	15 (31.9)	8 (17.0)	7 (14.9)	22 (46.8)	\$3,000 (21)		

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

NEW HAMPSHIRE

1st Circuit

City Supplying Sentencing
Guideline Documentation:¹

(1) Concord

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	5	Civil ³	903
Assistant U.S. Attorneys ⁴	13	Criminal ⁵	79
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	7		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	35	301	352	548	7,697	24,601	2,313	35,847
Per 100,000 Population	3	28	33	52	725	2,316	218	3,375

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,109,252	Income per Capita ¹¹	\$ 11,659	Police Protection	\$ 82.77
Population per Square Mile ¹²	123.4	Percent Unemployed ¹³	2.8	Education	\$ 603.17
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 1.51
Percent Age 0-14	21.4	Percent Mfg.	23.7	Public Welfare ¹⁶	\$ 24.52
Percent Age 15-24 ¹¹	14.4	Percent Retail	23.3	Highways	\$ 41.18
Percent Age 25-34	18.5	Percent Finance ¹⁷	7.4		
Percent Age 35-44	16.5	Percent Service	26.8	Percent acreage in farms ¹⁹	8.2
Percent Age 45-64	18.1	Percent Other ¹⁸	18.8		
Percent Age 65+	11.3				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
88	7	6	6	29	6	2	6	5	5	9	5	2

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	87 (100.0)	72 (82.8)	2 (2.3)	13 (14.9)	- (-)	35	\$746	\$312	TOTAL	88 (100.0)
Male (Row %)	72 (82.8)	58 (80.6)	2 (2.8)	12 (16.7)	- (-)	35	\$712	\$0	Plea	73 (83.0)
Female (Row %)	15 (17.2)	14 (93.3)	0 (0.0)	1 (6.7)	- (-)	37	\$921	\$867	Trial	15 (17.0)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	87 (100.0)	62 (71.3)	59 (67.8)	3 (3.5)	75.4	48.0	11	10	5	10	26
Robbery	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Larceny	4 (100.0)	1 (25.0)	1 (25.0)	0 (0.0)	1.0	1.0	1	0	0	0	0
Embezzlement	4 (100.0)	2 (50.0)	1 (25.0)	1 (25.0)	5.5	5.5	2	0	0	0	0
Fraud	9 (100.0)	4 (44.4)	3 (33.3)	1 (11.1)	16.5	12.5	2	1	1	0	0
Drug Trafficking	41 (100.0)	38 (92.7)	37 (90.2)	1 (2.4)	97.2	85.5	3	2	2	7	24
Simple Possession	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	4 (100.0)	1 (25.0)	1 (25.0)	0 (0.0)	28.0	28.0	0	0	1	0	0
Firearms	15 (100.0)	8 (53.3)	8 (53.3)	0 (0.0)	85.4	24.0	1	3	1	1	2
Immigration	3 (100.0)	3 (100.0)	3 (100.0)	0 (0.0)	18.3	10.0	2	0	0	1	0
Other	6 (100.0)	5 (83.3)	5 (83.3)	0 (0.0)	27.8	24.0	0	4	0	1	0

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	25 (28.7)	15 (17.2)	10 (11.5)	30 (34.5)	\$4,825 (30)	Sentenced Within Guideline Range 61 (69.3)
Robbery	- (-)	- (-)	- (-)	- (-)	\$- (-)	Departure for Substantial Assistance 18 (20.5)
Larceny	3 (75.0)	0 (0.0)	3 (75.0)	4 (100.0)	\$3,431 (4)	Other Downward Departure 7 (8.0)
Embezzlement	2 (50.0)	1 (25.0)	1 (25.0)	3 (75.0)	\$34,474 (3)	Upward Departure 2 (2.3)
Fraud	5 (55.6)	2 (22.2)	3 (33.3)	7 (77.8)	\$21,139 (7)	
Drug Trafficking	3 (7.3)	3 (7.3)	0 (0.0)	7 (17.1)	\$1,000 (7)	
Simple Possession	1 (100.0)	1 (100.0)	0 (0.0)	1 (100.0)	\$5,267 (1)	
Counterfeiting	3 (75.0)	2 (50.0)	1 (25.0)	1 (25.0)	\$1,223 (1)	
Firearms	7 (46.7)	5 (33.3)	2 (13.3)	4 (26.7)	\$375 (4)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	
Other	1 (16.7)	1 (16.7)	0 (0.0)	3 (50.0)	\$5,000 (3)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

NEW JERSEY
3rd Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Newark
- (2) Trenton
- (3) Paterson

- (4) Camden
- (5) Jersey City

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	19	Civil ³	5,692
Assistant U.S. Attorneys ⁴	84	Criminal ⁵	804
Assistant Federal Defenders ⁶	15		
Probation Officers ⁷	65		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	407	2,269	22,746	23,890	78,824	221,631	71,865	421,632
Per 100,000 Population	5	29	293	308	1,016	2,856	926	5,433

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	7,730,188	Income per Capita ¹¹	\$ 13,129	Police Protection	\$ 103.29
Population per Square Mile ¹²	1,035.1	Percent Unemployed ¹³	5.0	Education	\$ 807.13
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 53.34
Percent Age 0-14	19.5	Percent Mfg.	20.6	Public Welfare ¹⁶	\$ 109.47
Percent Age 15-24	13.9	Percent Retail	18.8	Highways	\$ 76.56
Percent Age 25-34	17.6	Percent Finance ¹⁷	7.6		
Percent Age 35-44	15.5	Percent Service	29.3	Percent acreage in farms ¹⁹	19.2
Percent Age 45-64	20.2	Percent Other ¹⁸	23.6		
Percent Age 65+	13.4				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
640	51	47	41	49	58	67	59	67	73	63	8	57

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	640 (100.0)	313 (48.9)	187 (29.2)	104 (16.2)	36 (5.6)	35	\$1,234	\$509	TOTAL	638 (100.0)	
Male (Row %)	533 (83.3)	267 (50.1)	148 (27.8)	84 (15.8)	34 (6.4)	37	\$1,321	\$520	Plea	592 (92.8)	
Female (Row %)	107 (16.7)	46 (43.0)	39 (36.5)	20 (18.7)	2 (1.9)	32	\$778	\$453	Trial	46 (7.2)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	638 (100.0)	366 (57.4)	337 (52.8)	29 (4.5)	51.8	24.0	119	73	37	46	90
Robbery	14 (100.0)	13 (92.9)	13 (92.9)	0 (0.0)	99.2	78.0	1	1	1	3	7
Larceny	68 (100.0)	30 (44.1)	27 (39.7)	3 (4.4)	14.4	12.0	19	7	3	0	1
Embezzlement	32 (100.0)	12 (37.5)	11 (34.4)	1 (3.1)	20.2	18.0	4	6	1	0	1
Fraud	157 (100.0)	76 (48.4)	65 (41.4)	11 (7.0)	17.0	12.0	38	21	10	5	1
Drug Trafficking	147 (100.0)	134 (91.2)	129 (87.8)	5 (3.4)	87.1	64.5	8	16	11	28	71
Simple Possession	19 (100.0)	3 (15.8)	3 (15.8)	0 (0.0)	3.3	3.0	3	0	0	0	0
Counterfeiting	41 (100.0)	18 (43.9)	17 (41.5)	1 (2.4)	8.9	6.0	14	3	1	0	0
Firearms	23 (100.0)	14 (60.9)	13 (56.5)	1 (4.3)	45.6	27.0	3	3	5	0	3
Immigration	3 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Other	134 (100.0)	66 (49.2)	59 (44.0)	7 (5.2)	48.3	15.0	29	16	5	10	6

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	272 (42.6)	131 (20.5)	141 (22.1)	310 (48.6)	\$3,000 (294)	Sentenced Within Guideline Range 431 (67.4)
Robbery	1 (7.1)	0 (0.0)	1 (7.1)	10 (71.4)	\$2,434 (9)	Departure for Substantial Assistance 174 (27.2)
Larceny	38 (55.9)	14 (20.6)	24 (35.3)	40 (58.8)	\$3,000 (38)	
Embezzlement	20 (62.5)	6 (18.8)	14 (43.8)	22 (68.8)	\$12,064 (21)	Other Downward Departure 22 (3.4)
Fraud	81 (51.6)	39 (24.8)	42 (26.8)	101 (64.3)	\$6,213 (94)	
Drug Trafficking	13 (8.8)	6 (4.1)	7 (4.8)	11 (7.5)	\$3,000 (11)	
Simple Possession	16 (84.2)	11 (57.9)	5 (26.3)	11 (57.9)	\$1,000 (11)	Upward Departure 12 (1.9)
Counterfeiting	23 (56.1)	16 (39.0)	7 (17.1)	30 (73.2)	\$1,011 (29)	
Firearms	9 (39.1)	6 (26.1)	3 (13.0)	6 (26.1)	\$2,250 (6)	
Immigration	3 (100.0)	2 (66.7)	1 (33.3)	0 (0.0)	\$- (-)	
Other	68 (50.8)	31 (23.1)	37 (27.6)	79 (59.0)	\$3,000 (75)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

NEW MEXICO
10th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Albuquerque
- (2) Las Cruces

- (3) Santa Fe
- (4) Farmington

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	7	Civil ³	1,409
Assistant U.S. Attorneys ⁴	26	Criminal ⁵	639
Assistant Federal Defenders ⁶	10		
Probation Officers ⁷	29		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	108	572	1,645	7,639	19,588	44,918	4,126	78,596
Per 100,000 Population	10	51	147	683	1,751	4,017	369	7,029

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,515,069	Income per Capita ¹¹	\$ 8,814	Police Protection	\$ 81.01
Population per Square Mile ¹²	12.5	Percent Unemployed ¹³	9.2	Education	\$ 699.00
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 48.34
Percent Age 0-14	25.0	Percent Mfg.	9.3	Public Welfare ¹⁶	\$ 7.74
Percent Age 15-24	14.5	Percent Retail	26.7	Highways	\$ 74.76
Percent Age 25-34	16.9	Percent Finance ¹⁷	6.2		
Percent Age 35-44	15.0	Percent Service	33.6	Percent acreage in farms ¹⁹	60.6
Percent Age 45-64	17.8	Percent Other ¹⁸	24.2		
Percent Age 65+	10.8				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
564	42	44	70	55	30	40	35	51	55	56	42	44

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ² N (Col %)	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	560 (100.0)	283 (50.5)	29 (5.2)	192 (34.3)	56 (10.0)	31	\$561	\$0	TOTAL	546 (100.0)	
Male (Row %)	492 (87.9)	232 (47.1)	26 (5.3)	182 (37.0)	52 (10.6)	31	\$554	\$0	Plea	485 (88.8)	
Female (Row %)	68 (12.1)	51 (75.0)	3 (4.4)	10 (14.7)	4 (5.9)	32	\$611	\$477	Trial	61 (11.2)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	559 (100.0)	478 (85.5)	452 (80.9)	26 (4.7)	41.1	21.0	150	137	57	57	77
Robbery	11 (100.0)	11 (100.0)	10 (90.9)	1 (9.1)	53.5	38.0	1	0	3	6	1
Larceny	18 (100.0)	7 (38.9)	6 (33.3)	1 (5.6)	6.7	6.0	6	1	0	0	0
Embezzlement	20 (100.0)	13 (65.0)	8 (40.0)	5 (25.0)	9.5	5.0	8	4	1	0	0
Fraud	30 (100.0)	19 (63.3)	15 (50.0)	4 (13.3)	13.3	12.0	11	6	2	0	0
Drug Trafficking	292 (100.0)	274 (93.8)	263 (90.1)	11 (3.8)	48.9	24.0	58	83	38	33	62
Simple Possession	6 (100.0)	1 (16.7)	1 (16.7)	0 (0.0)	6.0	6.0	1	0	0	0	0
Counterfeiting	4 (100.0)	2 (50.0)	1 (25.0)	1 (25.0)	11.0	11.0	1	1	0	0	0
Firearms	38 (100.0)	34 (89.5)	33 (86.8)	1 (2.6)	60.4	28.5	9	6	4	9	6
Immigration	52 (100.0)	44 (84.6)	44 (84.6)	0 (0.0)	9.5	6.5	34	10	0	0	0
Other	88 (100.0)	73 (83.0)	71 (80.7)	2 (2.3)	37.3	18.0	21	26	9	9	8

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	81 (14.5)	55 (9.8)	26 (4.7)	45 (8.1)	\$2,000 (43)	Sentenced Within Guideline Range 476 (86.2)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	2 (18.2)	-\$39 (1)	Departure for Substantial Assistance 31 (5.6)
Larceny	11 (61.1)	7 (38.9)	4 (22.2)	4 (22.2)	\$1,975 (4)	
Embezzlement	7 (35.0)	2 (10.0)	5 (25.0)	13 (65.0)	\$17,135 (13)	Other Downward Departure 39 (7.1)
Fraud	11 (36.7)	11 (36.7)	0 (0.0)	6 (20.0)	\$450 (5)	
Drug Trafficking	18 (6.2)	8 (2.7)	10 (3.4)	7 (2.4)	\$2,000 (7)	Upward Departure 6 (1.1)
Simple Possession	5 (83.3)	4 (66.7)	1 (16.7)	1 (16.7)	\$1,000 (1)	
Counterfeiting	2 (50.0)	1 (25.0)	1 (25.0)	2 (50.0)	\$550 (2)	
Firearms	4 (10.5)	4 (10.5)	0 (0.0)	4 (10.5)	\$750 (4)	
Immigration	8 (15.4)	7 (13.5)	1 (1.9)	2 (3.9)	\$500 (2)	
Other	15 (17.1)	11 (12.5)	4 (4.5)	4 (4.5)	\$2,750 (4)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**NEW YORK, Northern
2nd Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Albany
- (2) Syracuse
- (3) Plattsburgh

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	5	Civil ³	1,657
Assistant U.S. Attorneys ⁴	24	Criminal ⁵	545
Assistant Federal Defenders ⁶	--		
Probation Officers ⁷	17		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	92	741	2,133	7,158	27,087	82,212	4,446	123,869
Per 100,000 Population	3	22	63	212	804	2,439	132	3,675

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	3,357,709	Income per Capita ¹¹	\$ 10,086	Police Protection	\$ 55.42
Population per Square Mile ¹²	109.6	Percent Unemployed ¹³	6.6	Education	\$ 930.13
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 79.08
Percent Age 0-14	20.5	Percent Mfg.	20.9	Public Welfare ¹⁶	\$ 188.00
Percent Age 15-24	16.1	Percent Retail	22.9	Highways	\$ 158.12
Percent Age 25-34	16.6	Percent Finance ¹⁷	7.0		
Percent Age 35-44	14.6	Percent Service	32.0	Percent acreage in farms ¹⁹	27.9
Percent Age 45-64	18.5	Percent Other ¹⁸	17.2		
Percent Age 65+	13.5				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
298	40	40	13	26	20	19	27	29	24	14	20	26

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		N (Col %)			
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	254 (100.0)	161 (63.4)	50 (19.7)	37 (14.6)	6 (2.4)	32	\$618	\$0	TOTAL	257 (100.0)		
Male (Row %)	226 (89.0)	137 (60.6)	48 (21.2)	36 (15.9)	5 (2.2)	32	\$655	\$0	Plea	241 (93.8)		
Female (Row %)	28 (11.0)	24 (85.7)	2 (7.1)	1 (3.6)	1 (3.6)	32	\$317	\$0	Trial	16 (6.2)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	250 (100.0)	191 (76.4)	182 (72.8)	9 (3.6)	45.9	27.0	57	34	26	38	33
Robbery	5 (100.0)	4 (80.0)	4 (80.0)	0 (0.0)	45.8	44.0	0	0	1	2	1
Larceny	17 (100.0)	7 (41.2)	7 (41.2)	0 (0.0)	14.3	13.0	3	2	2	0	0
Embezzlement	12 (100.0)	4 (33.3)	2 (16.7)	2 (16.7)	4.8	4.5	4	0	0	0	0
Fraud	20 (100.0)	14 (70.0)	12 (60.0)	2 (10.0)	23.8	19.0	5	4	1	3	1
Drug Trafficking	116 (100.0)	106 (91.4)	103 (88.8)	3 (2.6)	59.1	37.0	16	17	18	29	26
Simple Possession	5 (100.0)	1 (20.0)	1 (20.0)	0 (0.0)	2.0	2.0	1	0	0	0	0
Counterfeiting	6 (100.0)	3 (50.0)	3 (50.0)	0 (0.0)	10.0	4.0	2	1	0	0	0
Firearms	14 (100.0)	12 (85.7)	12 (85.7)	0 (0.0)	48.8	24.0	3	3	1	2	1
Immigration	17 (100.0)	16 (94.1)	16 (94.1)	0 (0.0)	18.9	15.0	7	5	1	1	1
Other	38 (100.0)	24 (63.2)	22 (57.9)	2 (5.3)	38.1	8.0	16	2	2	1	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷	
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	N (Col %)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			Sentenced Within Guideline Range	Other Downward Departure
TOTAL	59 (23.6)	32 (12.8)	27 (10.8)	70 (28.0)	\$4,892 (68)	241 (82.5)	
Robbery	1 (20.0)	1 (20.0)	0 (0.0)	2 (40.0)	\$1,561 (2)		
Larceny	10 (58.8)	7 (41.2)	3 (17.6)	12 (70.6)	\$2,324 (12)		Departure for Substantial Assistance
Embezzlement	8 (66.7)	2 (16.7)	6 (50.0)	7 (58.3)	\$7,277 (7)	40 (13.7)	
Fraud	6 (30.0)	2 (10.0)	4 (20.0)	15 (75.0)	\$28,728 (13)		
Drug Trafficking	10 (8.6)	5 (4.3)	5 (4.3)	7 (6.0)	\$5,000 (7)		Other Downward Departure
Simple Possession	4 (80.0)	3 (60.0)	1 (20.0)	4 (80.0)	\$2,000 (4)	9 (3.1)	
Counterfeiting	3 (50.0)	2 (33.3)	1 (16.7)	1 (16.7)	\$1,898 (1)		
Firearms	2 (14.3)	1 (7.1)	1 (7.1)	1 (7.1)	\$20,000 (1)		Upward Departure
Immigration	1 (5.9)	1 (5.9)	0 (0.0)	0 (0.0)	\$- (-)	2 (0.7)	
Other	14 (36.8)	8 (21.1)	6 (15.8)	21 (55.3)	\$3,000 (21)		

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**NEW YORK, Southern
2nd Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) New York City
- (2) Middletown
- (3) White Plains

- (4) Newberg
- (5) Poughkeepsie

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	42	Civil ³	10,033
Assistant U.S. Attorneys ⁴	143	Criminal ⁵	1,065
Assistant Federal Defenders ⁶	35		
Probation Officers ⁷	98		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	1,109	1,556	45,814	33,649	58,286	191,081	48,300	379,795
Per 100,000 Population	24	34	1,004	737	1,277	4,186	1,058	8,320

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	4,551,993	Income per Capita ¹¹	\$ 13,806	Police Protection	\$ 177.15
Population per Square Mile ¹²	1295.4	Percent Unemployed ¹³	6.0	Education	\$ 793.00
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 307.52
Percent Age 0-14	19.0	Percent Mfg.	12.3	Public Welfare ¹⁶	\$ 417.02
Percent Age 15-24	14.0	Percent Retail	12.6	Highways	\$ 106.18
Percent Age 25-34	18.6	Percent Finance ¹⁷	18.2		
Percent Age 35-44	15.8	Percent Service	39.0	Percent acreage in farms ¹⁹	16.2
Percent Age 45-64	20.0	Percent Other ¹⁸	17.9		
Percent Age 65+	12.5				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
992	126	79	95	76	64	77	62	107	84	93	56	73

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	984 (100.0)	235 (23.9)	245 (24.9)	439 (44.6)	65 (6.6)	32	\$676	\$0	TOTAL	991 (100.0)
Male (Row %)	817 (83.0)	206 (25.2)	179 (21.9)	379 (46.4)	53 (6.5)	32	\$695	\$0	Plea	902 (91.0)
Female (Row %)	167 (17.0)	29 (17.4)	66 (39.5)	60 (35.9)	12 (7.2)	33	\$588	\$0	Trial	89 (9.0)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	983 (100.0)	660 (67.1)	625 (63.6)	35 (3.6)	63.8	36.0	129	129	50	105	192
Robbery	24 (100.0)	24 (100.0)	23 (95.8)	1 (4.2)	99.4	88.0	0	1	1	6	14
Larceny	65 (100.0)	25 (38.5)	22 (33.9)	3 (4.6)	12.1	7.5	15	5	1	1	0
Embezzlement	46 (100.0)	13 (28.3)	10 (21.7)	3 (6.5)	12.5	12.0	7	5	0	1	0
Fraud	171 (100.0)	69 (40.4)	59 (34.5)	10 (5.8)	16.2	14.0	30	23	4	5	0
Drug Trafficking	429 (100.0)	381 (88.8)	373 (87.0)	8 (1.9)	87.7	60.0	30	51	30	70	165
Simple Possession	4 (100.0)	2 (50.0)	2 (50.0)	0 (0.0)	6.0	6.0	2	0	0	0	0
Counterfeiting	28 (100.0)	15 (53.6)	15 (53.6)	0 (0.0)	23.7	18.0	5	8	1	0	1
Firearms	44 (100.0)	34 (77.3)	31 (70.5)	3 (6.8)	23.9	15.0	15	7	4	7	1
Immigration	19 (100.0)	12 (63.2)	12 (63.2)	0 (0.0)	15.6	16.0	2	7	0	0	0
Other	153 (100.0)	85 (55.6)	78 (51.0)	7 (4.6)	41.5	24.0	23	22	9	15	11

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	323 (32.9)	204 (20.8)	119 (12.1)	292 (29.7)	\$7,500 (263)	Sentenced Within Guideline Range 581 (66.9)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	5 (20.8)	\$9,306 (4)	Departure for Substantial Assistance 244 (28.1)
Larceny	40 (61.5)	22 (33.9)	18 (27.7)	40 (61.5)	\$5,434 (36)	
Embezzlement	33 (71.7)	18 (39.1)	15 (32.6)	33 (71.7)	\$7,700 (33)	Other Downward Departure 37 (4.3)
Fraud	102 (59.6)	63 (36.8)	39 (22.8)	116 (67.8)	\$12,580 (104)	
Drug Trafficking	48 (11.2)	32 (7.5)	16 (3.7)	27 (6.3)	\$2,000 (21)	Upward Departure 7 (0.8)
Simple Possession	2 (50.0)	2 (50.0)	0 (0.0)	1 (25.0)	\$- (-)	
Counterfeiting	13 (46.4)	6 (21.4)	7 (25.0)	14 (50.0)	\$18,240 (12)	
Firearms	10 (22.7)	5 (11.4)	5 (11.4)	8 (18.2)	\$2,500 (8)	
Immigration	7 (36.8)	6 (31.6)	1 (5.3)	4 (21.1)	\$5,000 (4)	
Other	68 (44.4)	50 (32.7)	18 (11.8)	44 (28.8)	\$5,000 (41)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**NEW YORK, Eastern
2nd Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Brooklyn
- (2) Jamaica
- (3) Mineola

- (4) Uniondale
- (5) Hauppauge

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	17	Civil ³	5,996
Assistant U.S. Attorneys ⁴	114	Criminal ⁵	1,317
Assistant Federal Defenders ⁶	35		
Probation Officers ⁷	98		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	1,203	1,945	59,317	41,134	89,063	171,938	117,589	482,189
Per 100,000 Population	16	27	816	566	1,225	2,364	1,617	6,631

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	7,240,451	Income per Capita ¹¹	\$ 11,706	Police Protection	\$ 214.29
Population per Square Mile ¹²	5042.1	Percent Unemployed ¹³	6.1	Education	\$ 1,279.48
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 105.70
Percent Age 0-14	19.7	Percent Mfg.	16.2	Public Welfare ¹⁶	\$ 107.57
Percent Age 15-24	14.4	Percent Retail	18.9	Highways	\$ 104.56
Percent Age 25-34	17.5	Percent Finance ¹⁷	6.9		
Percent Age 35-44	15.1	Percent Service	34.8	Percent acreage in farms ¹⁹	5.7
Percent Age 45-64	20.3	Percent Other ¹⁸	23.2		
Percent Age 65+	13.0				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
1,382	138	102	88	130	98	101	129	110	147	145	75	119

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		N (Col %)		
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	1,369 (100.0)	353 (25.8)	532 (38.9)	423 (30.9)	61 (4.5)	34	\$490	\$0	TOTAL	1,377 (100.0)	
Male (Row %)	1,091 (79.7)	297 (27.2)	412 (37.8)	329 (30.2)	53 (4.9)	34	\$507	\$0	Plea	1,245 (90.4)	
Female (Row %)	278 (20.3)	56 (20.1)	120 (43.2)	94 (33.8)	8 (2.9)	33	\$431	\$0	Trial	132 (9.6)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	1,376 (100.0)	1,051 (76.4)	1,023 (74.3)	28 (2.0)	55.2	37.0	134	134	206	291	217
Robbery	23 (100.0)	22 (95.7)	22 (95.7)	0 (0.0)	105.5	106.0	0	1	1	7	13
Larceny	82 (100.0)	30 (36.6)	24 (29.3)	6 (7.3)	12.1	10.0	20	4	3	1	0
Embezzlement	21 (100.0)	9 (42.9)	9 (42.9)	0 (0.0)	14.1	14.0	3	4	0	1	0
Fraud	159 (100.0)	58 (36.5)	54 (34.0)	4 (2.5)	21.1	13.0	24	14	2	5	4
Drug Trafficking	782 (100.0)	752 (96.2)	750 (95.9)	2 (0.3)	61.7	41.0	24	79	182	254	175
Simple Possession	9 (100.0)	3 (33.3)	3 (33.3)	0 (0.0)	6.0	6.0	2	0	0	0	0
Counterfeiting	22 (100.0)	12 (54.5)	11 (50.0)	1 (4.5)	20.7	12.0	6	3	0	1	1
Firearms	46 (100.0)	32 (69.6)	30 (65.2)	2 (4.3)	43.3	21.0	7	11	1	5	7
Immigration	38 (100.0)	19 (50.0)	18 (47.4)	1 (2.6)	12.9	8.0	10	2	0	1	0
Other	194 (100.0)	114 (58.8)	102 (52.6)	12 (6.2)	44.2	24.0	38	16	17	16	17

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	325 (23.6)	191 (13.9)	134 (9.7)	233 (16.9)	\$6,018 (222)	Sentenced Within Guideline Range 871 (71.1)
Robbery	1 (4.3)	1 (4.3)	0 (0.0)	1 (4.3)	\$5,000 (1)	Departure for Substantial Assistance 208 (17.0)
Larceny	52 (63.4)	38 (46.3)	14 (17.1)	42 (51.2)	\$7,090 (40)	
Embezzlement	12 (57.1)	7 (33.3)	5 (23.8)	13 (61.9)	\$24,680 (11)	Other Downward Departure 135 (11.0)
Fraud	101 (63.5)	61 (38.4)	40 (25.2)	70 (44.0)	\$6,158 (66)	
Drug Trafficking	30 (3.8)	22 (2.8)	8 (1.0)	28 (3.6)	\$11,250 (28)	Upward Departure 11 (0.9)
Simple Possession	6 (66.7)	6 (66.7)	0 (0.0)	3 (33.3)	\$2,500 (3)	
Counterfeiting	10 (45.5)	2 (9.1)	8 (36.4)	5 (22.7)	\$5,762 (4)	
Firearms	14 (30.4)	7 (15.2)	7 (15.2)	5 (10.9)	\$2,000 (5)	
Immigration	19 (50.0)	7 (18.4)	12 (31.6)	6 (15.8)	\$1,000 (6)	
Other	80 (41.2)	40 (20.6)	40 (20.6)	60 (30.9)	\$5,500 (58)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**NEW YORK, Western
2nd Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Buffalo
(2) Rochester

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	6	Civil ³	1,497
Assistant U.S. Attorneys ⁴	32	Criminal ⁵	384
Assistant Federal Defenders ⁶	2		
Probation Officers ⁷	24		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	153	841	5,074	8,145	29,520	85,928	10,989	140,650
Per 100,000 Population	5	29	178	286	1,035	3,014	385	4,934

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,840,302	Income per Capita ¹¹	\$ 10,606	Police Protection	\$ 71.34
Population per Square Mile ¹²	240.7	Percent Unemployed ¹³	6.9	Education	\$ 922.40
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 95.12
Percent Age 0-14	20.8	Percent Mfg.	28.0	Public Welfare ¹⁶	\$ 249.59
Percent Age 15-24	14.6	Percent Retail	20.7	Highways	\$ 133.69
Percent Age 25-34	16.5	Percent Finance ¹⁷	6.0		
Percent Age 35-44	14.7	Percent Service	30.1	Percent acreage in farms ¹⁹	43.8
Percent Age 45-64	19.3	Percent Other ¹⁸	15.2		
Percent Age 65+	14.0				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
198	35	18	23	36	16	24	16	10	10	9	1	-

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	194 (100.0)	90 (46.4)	78 (40.2)	24 (12.4)	2 (1.0)	31	\$571	\$27	TOTAL	198 (100.0)
Male (Row %)	158 (81.4)	73 (46.2)	62 (39.2)	21 (13.3)	2 (1.3)	32	\$575	\$0	Plea	185 (93.4)
Female (Row %)	36 (18.6)	17 (47.2)	16 (44.4)	3 (8.3)	0 (0.0)	28	\$552	\$325	Trial	13 (6.6)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	197 (100.0)	112 (56.9)	109 (55.3)	3 (1.5)	43.8	30.0	27	18	18	22	26
Robbery	9 (100.0)	9 (100.0)	9 (100.0)	0 (0.0)	56.8	33.0	0	1	4	1	3
Larceny	25 (100.0)	3 (12.0)	3 (12.0)	0 (0.0)	26.7	12.0	2	0	0	1	0
Embezzlement	15 (100.0)	6 (40.0)	4 (26.7)	2 (13.3)	16.5	12.0	3	2	0	1	0
Fraud	19 (100.0)	8 (42.1)	8 (42.1)	0 (0.0)	13.0	6.0	6	1	0	1	0
Drug Trafficking	62 (100.0)	57 (91.9)	56 (90.3)	1 (1.6)	58.9	45.0	4	7	11	14	21
Simple Possession	8 (100.0)	3 (37.5)	3 (37.5)	0 (0.0)	4.7	4.0	3	0	0	0	0
Counterfeiting	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Firearms	16 (100.0)	11 (68.8)	11 (68.8)	0 (0.0)	29.9	16.0	2	5	0	4	0
Immigration	11 (100.0)	8 (72.7)	8 (72.7)	0 (0.0)	10.9	10.0	5	1	1	0	0
Other	31 (100.0)	7 (22.6)	7 (22.6)	0 (0.0)	40.7	30.0	2	1	2	0	2

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	N (Col %)
		Probation Only N (Row %)	Probation + Confinement N (Row %)			Sentenced Within Guideline Range ⁸
TOTAL	85 (43.1)	65 (33.0)	20 (10.2)	83 (42.1)	\$2,000 (82)	152 (78.4)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	4 (44.4)	\$1,104 (4)	Departure for Substantial Assistance ⁹ 22 (11.3)
Larceny	22 (88.0)	18 (72.0)	4 (16.0)	23 (92.0)	\$1,470 (22)	
Embezzlement	9 (60.0)	5 (33.3)	4 (26.7)	9 (60.0)	\$5,700 (9)	Other Downward Departure ¹⁰ 17 (8.8)
Fraud	11 (57.9)	9 (47.4)	2 (10.5)	14 (73.7)	\$2,982 (14)	
Drug Trafficking	5 (8.1)	3 (4.8)	2 (3.2)	10 (16.1)	\$5,000 (10)	Upward Departure ¹¹ 3 (1.5)
Simple Possession	5 (62.5)	5 (62.5)	0 (0.0)	2 (25.0)	\$1,500 (2)	
Counterfeiting	1 (100.0)	1 (100.0)	0 (0.0)	1 (100.0)	\$1,618 (1)	
Firearms	5 (31.2)	5 (31.2)	0 (0.0)	4 (25.0)	\$875 (4)	
Immigration	3 (27.3)	3 (27.3)	0 (0.0)	2 (18.2)	\$375 (2)	
Other	24 (77.4)	16 (51.6)	8 (25.8)	14 (45.2)	\$1,600 (14)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**NORTH CAROLINA, Eastern
4th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Raleigh
- (2) Fayetteville
- (3) Wilmington
- (4) New Bern

- (5) Wilson
- (6) Washington
- (7) Jacksonville
- (8) Elizabeth City

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	5	Civil ³	1,509
Assistant U.S. Attorneys ⁴	20	Criminal ⁵	1,161
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	35		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	295	845	3,781	10,090	42,569	80,673	7,666	145,919
Per 100,000 Population	11	33	147	393	1,656	3,139	298	5,678

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,554,964	Income per Capita ¹¹	\$ 8,722	Police Protection	\$ 51.80
Population per Square Mile ¹²	106.4	Percent Unemployed ¹³	5.9	Education	\$ 652.53
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 73.09
Percent Age 0-14	21.3	Percent Mfg.	26.8	Public Welfare ¹⁶	\$ 40.31
Percent Age 15-24	16.9	Percent Retail	24.2	Highways	\$ 23.89
Percent Age 25-34	17.9	Percent Finance ¹⁷	5.2		
Percent Age 35-44	14.9	Percent Service	23.5	Percent acreage in farms ¹⁹	37.6
Percent Age 45-64	18.2	Percent Other ¹⁸	20.3		
Percent Age 65+	10.8				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
402	26	38	25	50	36	31	22	34	26	54	25	35

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	347 (100.0)	176 (50.7)	140 (40.4)	15 (4.3)	16 (4.6)	32	\$767	\$270	TOTAL	398 (100.0)
Male (Row %)	298 (85.9)	150 (50.3)	121 (40.6)	15 (5.0)	12 (4.0)	33	\$792	\$300	Plea	349 (87.7)
Female (Row %)	49 (14.1)	26 (53.1)	19 (38.8)	0 (0.0)	4 (8.2)	30	\$629	\$247	Trial	49 (12.3)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	397 (100.0)	264 (66.5)	252 (63.5)	12 (3.0)	74.5	47.0	58	37	19	45	105
Robbery	30 (100.0)	30 (100.0)	30 (100.0)	0 (0.0)	85.6	74.5	0	2	4	5	19
Larceny	81 (100.0)	22 (27.2)	22 (27.2)	0 (0.0)	13.4	7.0	14	5	1	2	0
Embezzlement	12 (100.0)	6 (50.0)	3 (25.0)	3 (25.0)	10.0	7.5	4	1	1	0	0
Fraud	24 (100.0)	5 (20.8)	4 (16.7)	1 (4.2)	35.8	37.0	1	0	0	4	0
Drug Trafficking	142 (100.0)	130 (91.5)	124 (87.3)	6 (4.2)	101.8	71.0	20	14	5	17	74
Simple Possession	2 (100.0)	1 (50.0)	0 (0.0)	1 (50.0)	1.0	1.0	1	0	0	0	0
Counterfeiting	15 (100.0)	7 (46.7)	7 (46.7)	0 (0.0)	15.9	12.0	4	1	1	1	0
Firearms	25 (100.0)	24 (96.0)	24 (96.0)	0 (0.0)	68.0	39.0	1	6	3	8	6
Immigration	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	15.5	15.5	1	0	1	0	0
Other	64 (100.0)	37 (57.8)	36 (56.2)	1 (1.6)	42.0	19.0	12	8	3	8	6

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	133 (33.5)	95 (23.9)	38 (9.6)	193 (48.6)	\$2,000 (187)	Sentenced Within Guideline Range 292 (75.6)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	21 (70.0)	\$3,424 (21)	Departure for Substantial Assistance 73 (18.9)
Larceny	59 (72.8)	56 (69.1)	3 (3.7)	56 (69.1)	\$312 (56)	
Embezzlement	6 (50.0)	6 (50.0)	0 (0.0)	9 (75.0)	\$4,000 (9)	Other Downward Departure 14 (3.6)
Fraud	19 (79.2)	11 (45.8)	8 (33.3)	22 (91.7)	\$2,957 (22)	
Drug Trafficking	12 (8.4)	2 (1.4)	10 (7.0)	31 (21.8)	\$5,000 (30)	Upward Departure 7 (1.8)
Simple Possession	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	\$- (-)	
Counterfeiting	8 (53.3)	4 (26.7)	4 (26.7)	10 (66.7)	\$800 (9)	
Firearms	1 (4.0)	0 (0.0)	1 (4.0)	9 (36.0)	\$3,000 (9)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	
Other	27 (42.2)	15 (23.4)	12 (18.8)	35 (54.7)	\$1,903 (31)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**NORTH CAROLINA, Middle
4th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Greensboro
- (2) Winston-Salem
- (3) Durham

- (4) Rockingham
- (5) Salisbury

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	6	Civil ³	771
Assistant U.S. Attorneys ⁴	10	Criminal ⁵	307
Assistant Federal Defenders ⁶	5		
Probation Officers ⁷	24		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	208	663	3,592	8,210	34,892	64,224	5,773	117,562
Per 100,000 Population	10	32	175	400	1,700	3,129	281	5,728

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,049,556	Income per Capita ¹¹	\$ 10,197	Police Protection	\$ 63.45
Population per Square Mile ¹²	183.9	Percent Unemployed ¹³	5.0	Education	\$ 622.55
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 80.66
Percent Age 0-14	19.3	Percent Mfg.	37.2	Public Welfare ¹⁶	\$ 42.21
Percent Age 15-24	15.5	Percent Retail	18.8	Highways	\$ 28.94
Percent Age 25-34	17.1	Percent Finance ¹⁷	4.6		
Percent Age 35-44	15.4	Percent Service	23.1	Percent acreage in farms ¹⁹	34.5
Percent Age 45-64	19.9	Percent Other ¹⁸	16.2		
Percent Age 65+	12.8				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
319	15	53	18	40	7	40	16	29	27	20	35	19

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	319 (100.0)	108 (33.9)	192 (60.2)	14 (4.4)	5 (1.6)	31	\$509	\$0	TOTAL	315 (100.0)
Male (Row %)	280 (87.8)	94 (33.6)	169 (60.4)	13 (4.6)	4 (1.4)	30	\$504	\$0	Plea	225 (71.4)
Female (Row %)	39 (12.2)	14 (35.9)	23 (59.0)	1 (2.6)	1 (2.6)	32	\$542	\$0	Trial	90 (28.6)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	319 (100.0)	283 (88.7)	271 (85.0)	12 (3.8)	105.5	87.0	28	26	18	36	174
Robbery	27 (100.0)	27 (100.0)	27 (100.0)	0 (0.0)	146.0	87.0	0	0	0	8	19
Larceny	11 (100.0)	5 (45.5)	5 (45.5)	0 (0.0)	18.4	18.0	2	1	2	0	0
Embezzlement	8 (100.0)	5 (62.5)	2 (25.0)	3 (37.5)	4.8	3.0	4	1	0	0	0
Fraud	36 (100.0)	28 (77.8)	25 (69.4)	3 (8.3)	16.9	13.0	13	8	6	1	0
Drug Trafficking	173 (100.0)	169 (97.7)	168 (97.1)	1 (0.6)	132.6	121.0	1	5	4	16	142
Simple Possession	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	53.5	53.5	0	0	1	0	1
Firearms	28 (100.0)	27 (96.4)	27 (96.4)	0 (0.0)	75.9	46.0	2	5	3	8	9
Immigration	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Other	32 (100.0)	20 (62.5)	15 (46.9)	5 (15.6)	38.8	18.0	6	6	2	3	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	36 (11.3)	15 (4.7)	21 (6.6)	121 (37.9)	\$4,687 (115)	Sentenced Within Guideline Range 239 (76.4)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	27 (100.0)	\$4,328 (24)	Departure for Substantial Assistance 62 (19.8)
Larceny	6 (54.5)	2 (18.2)	4 (36.4)	8 (72.7)	\$886 (8)	
Embezzlement	3 (37.5)	1 (12.5)	2 (25.0)	5 (62.5)	\$15,500 (4)	Other Downward Departure 9 (2.9)
Fraud	8 (22.2)	1 (2.8)	7 (19.4)	31 (86.1)	\$17,631 (30)	
Drug Trafficking	4 (2.3)	3 (1.7)	1 (0.6)	20 (11.6)	\$4,000 (20)	
Simple Possession	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	\$- (-)	Upward Departure 3 (1.0)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	1 (50.0)	\$1,200 (1)	
Firearms	1 (3.6)	0 (0.0)	1 (3.6)	8 (28.6)	\$1,500 (8)	
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Other	12 (37.5)	6 (18.8)	6 (18.8)	21 (65.6)	\$5,000 (20)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**NORTH CAROLINA, Western
4th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Charlotte
- (2) Asheville
- (3) Hickory

- (4) Bryson City
- (5) Statesville

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	5	Civil ³	905
Assistant U.S. Attorneys ⁴	11	Criminal ⁵	517
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	30		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	240	749	4,159	9,856	32,350	64,948	6,064	118,366
Per 100,000 Population	12	38	210	497	1,630	3,273	306	5,966

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,024,117	Income per Capita ¹¹	\$ 9,809	Police Protection	\$ 55.99
Population per Square Mile ¹²	147.9	Percent Unemployed ¹³	5.1	Education	\$ 639.79
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 175.11
Percent Age 0-14	19.5	Percent Mfg.	34.9	Public Welfare ¹⁶	\$ 40.23
Percent Age 15-24	14.9	Percent Retail	18.5	Highways	\$ 33.25
Percent Age 25-34	16.7	Percent Finance ¹⁷	5.7		
Percent Age 35-44	15.4	Percent Service	19.9	Percent acreage in farms ¹⁹	23.7
Percent Age 45-64	20.4	Percent Other ¹⁸	21.0		
Percent Age 65+	13.1				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
547	80	51	37	43	23	12	34	73	21	61	34	78

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	534 (100.0)	287 (53.8)	214 (40.1)	24 (4.5)	9 (1.7)	32	\$623	\$0	TOTAL	545 (100.0)	
Male (Row %)	453 (84.8)	246 (54.3)	177 (39.1)	22 (4.9)	8 (1.8)	33	\$663	\$0	Plea	499 (91.6)	
Female (Row %)	81 (15.2)	41 (50.6)	37 (45.7)	2 (2.5)	1 (1.2)	31	\$411	\$228	Trial	46 (8.4)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	540 (100.0)	417 (77.2)	393 (72.8)	24 (4.4)	69.5	48.0	57	67	48	97	146
Robbery	38 (100.0)	38 (100.0)	38 (100.0)	0 (0.0)	105.0	75.0	0	2	0	13	23
Larceny	20 (100.0)	11 (55.0)	11 (55.0)	0 (0.0)	25.1	18.0	2	6	1	2	0
Embezzlement	5 (100.0)	1 (20.0)	0 (0.0)	1 (20.0)	4.0	4.0	1	0	0	0	0
Fraud	52 (100.0)	24 (46.1)	20 (38.5)	4 (7.7)	20.4	13.5	11	7	2	2	2
Drug Trafficking	289 (100.0)	248 (85.8)	232 (80.3)	16 (5.5)	79.9	60.0	21	34	32	53	106
Simple Possession	3 (100.0)	1 (33.3)	1 (33.3)	0 (0.0)	1.0	1.0	1	0	0	0	0
Counterfeiting	25 (100.0)	11 (44.0)	11 (44.0)	0 (0.0)	15.9	12.0	6	3	2	0	0
Firearms	57 (100.0)	51 (89.5)	49 (86.0)	2 (3.5)	56.5	48.0	5	9	7	22	8
Immigration	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	42.0	42.0	1	0	0	0	1
Other	49 (100.0)	30 (61.2)	29 (59.2)	1 (2.0)	43.0	28.5	9	6	4	5	6

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	123 (22.8)	73 (13.5)	50 (9.3)	200 (37.0)	\$2,276 (192)	Sentenced Within Guideline Range 260 (51.1)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	23 (60.5)	\$2,460 (22)	Departure for Substantial Assistance 231 (45.4)
Larceny	9 (45.0)	4 (20.0)	5 (25.0)	12 (60.0)	\$3,500 (12)	
Embezzlement	4 (80.0)	2 (40.0)	2 (40.0)	4 (80.0)	\$20,978 (4)	Other Downward Departure 16 (3.1)
Fraud	28 (53.9)	12 (23.1)	16 (30.8)	44 (84.6)	\$5,118 (42)	
Drug Trafficking	41 (14.2)	29 (10.0)	12 (4.2)	50 (17.3)	\$2,000 (49)	
Simple Possession	2 (66.7)	2 (66.7)	0 (0.0)	3 (100.0)	\$2,550 (3)	Upward Departure 2 (0.4)
Counterfeiting	14 (56.0)	7 (28.0)	7 (28.0)	20 (80.0)	\$1,129 (18)	
Firearms	6 (10.5)	3 (5.3)	3 (5.3)	15 (26.3)	\$1,000 (14)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	
Other	19 (38.8)	14 (28.6)	5 (10.2)	29 (59.2)	\$2,000 (28)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

NORTH DAKOTA
8th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Fargo
- (2) Grand Forks
- (3) Bismarck

- (4) Minot
- (5) Devils Lake
- (6) Jamestown

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	5	Civil ³	474
Assistant U.S. Attorneys ⁴	8	Criminal ⁵	158
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	11		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	3	102	43	220	2,096	12,599	715	15,778
Per 100,000 Population	.5	17	7	36	343	2,060	117	2,580

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	638,800	Income per Capita ¹¹	\$ 9,635	Police Protection	\$ 45.17
Population per Square Mile ¹²	9.2	Percent Unemployed ¹³	6.3	Education	\$ 646.46
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 9.57
Percent Age 0-14	23.3	Percent Mfg.	8.0	Public Welfare ¹⁶	\$ 33.86
Percent Age 15-24	14.8	Percent Retail	26.1	Highways	\$ 143.11
Percent Age 25-34	16.3	Percent Finance ¹⁷	6.8		
Percent Age 35-44	14.1	Percent Service	34.3	Percent acreage in farms ¹⁹	90.7
Percent Age 45-64	17.3	Percent Other ¹⁸	24.9		
Percent Age 65+	14.3				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
128	10	7	16	8	7	4	9	11	15	9	15	17

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	123 (100.0)	78 (63.4)	4 (3.2)	20 (16.3)	21 (17.1)	33	\$761	\$400	TOTAL	128 (100.0)
Male (Row %)	99 (80.5)	63 (63.6)	3 (3.0)	20 (20.2)	13 (13.1)	34	\$788	\$240	Plea	111 (86.7)
Female (Row %)	24 (19.5)	15 (62.5)	1 (4.2)	0 (0.0)	8 (33.3)	31	\$636	\$600	Trial	17 (13.3)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	124 (100.0)	87 (70.2)	80 (64.5)	7 (5.7)	31.5	15.0	38	17	8	9	13
Robbery	- (-)	- (-)	- (-)	- (-)	-	-	-	-	-	-	-
Larceny	11 (100.0)	4 (36.4)	4 (36.4)	0 (0.0)	10.2	11.5	2	2	0	0	0
Embezzlement	7 (100.0)	1 (14.3)	0 (0.0)	1 (14.3)	1.0	1.0	1	0	0	0	0
Fraud	22 (100.0)	18 (81.8)	17 (77.3)	1 (4.5)	7.1	1.5	14	1	0	1	0
Drug Trafficking	23 (100.0)	20 (87.0)	19 (82.6)	1 (4.3)	45.9	29.5	5	3	4	2	6
Simple Possession	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	-	-	0	0	0	0	0
Counterfeiting	5 (100.0)	1 (20.0)	1 (20.0)	0 (0.0)	24.0	24.0	0	1	0	0	0
Firearms	15 (100.0)	13 (86.7)	11 (73.3)	2 (13.3)	47.6	24.0	3	4	3	0	3
Immigration	11 (100.0)	11 (100.0)	11 (100.0)	0 (0.0)	11.5	1.0	6	3	1	1	0
Other	28 (100.0)	19 (67.9)	17 (60.7)	2 (7.1)	43.9	24.0	7	3	0	5	4

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	37 (29.8)	13 (10.5)	24 (19.4)	50 (40.3)	\$3,178 (48)	Sentenced Within Guideline Range 108 (85.0)
Robbery	- (-)	- (-)	- (-)	- (-)	\$- (-)	Departure for Substantial Assistance 5 (3.9)
Larceny	7 (63.6)	2 (18.2)	5 (45.5)	9 (81.8)	\$13,866 (7)	
Embezzlement	6 (85.7)	1 (14.3)	5 (71.4)	6 (85.7)	\$7,953 (6)	Other Downward Departure 14 (11.0)
Fraud	4 (18.2)	1 (4.5)	3 (13.6)	10 (45.5)	\$9,600 (10)	
Drug Trafficking	3 (13.0)	1 (4.3)	2 (8.7)	5 (21.7)	\$1,500 (5)	Upward Departure 0 (0.0)
Simple Possession	2 (100.0)	1 (50.0)	1 (50.0)	2 (100.0)	\$550 (2)	
Counterfeiting	4 (80.0)	3 (60.0)	1 (20.0)	4 (80.0)	\$1,096 (4)	
Firearms	2 (13.3)	1 (6.7)	1 (6.7)	2 (13.3)	\$630 (2)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	2 (18.2)	\$375 (2)	
Other	9 (32.1)	3 (10.7)	6 (21.4)	10 (35.7)	\$8,750 (10)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**OHIO, Northern
6th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Cleveland
- (2) Akron
- (3) Toledo

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	11	Civil ³	4,460
Assistant U.S. Attorneys ⁴	50	Criminal ⁵	486
Assistant Federal Defenders ⁶	4		
Probation Officers ⁷	50		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	423	2,662	12,278	15,054	49,968	130,775	30,061	241,221
Per 100,000 Population	8	53	245	300	996	2,606	599	4,807

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	5,770,574	Income per Capita ¹¹	\$ 10,443	Police Protection	\$ 80.47
Population per Square Mile ¹²	320.5	Percent Unemployed ¹³	8.6	Education	\$ 656.21
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 140.76
Percent Age 0-14	21.5	Percent Mfg.	29.6	Public Welfare ¹⁶	\$ 106.38
Percent Age 15-24	14.1	Percent Retail	20.7	Highways	\$ 79.67
Percent Age 25-34	16.1	Percent Finance ¹⁷	5.5		
Percent Age 35-44	14.9	Percent Service	27.3	Percent acreage in farms ¹⁹	63.2
Percent Age 45-64	19.6	Percent Other ¹⁸	16.8		
Percent Age 65+	13.8				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
466	23	32	30	52	38	39	47	26	54	43	36	46

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL			N (Col %)
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	466 (100.0)	266 (57.1)	173 (37.1)	20 (4.3)	7 (1.5)	36	\$1,019	\$504	TOTAL	466 (100.0)		
Male (Row %)	386 (82.8)	224 (58.0)	137 (35.5)	19 (4.9)	6 (1.6)	37	\$1,004	\$438	Plea	440 (94.4)		
Female (Row %)	80 (17.2)	42 (52.5)	36 (45.0)	1 (1.2)	1 (1.2)	36	\$1,090	\$792	Trial	26 (5.6)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split. N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	464 (100.0)	298 (64.2)	256 (55.2)	42 (9.1)	58.5	33.0	83	54	17	44	97
Robbery	30 (100.0)	30 (100.0)	30 (100.0)	0 (0.0)	81.9	63.0	0	0	3	10	17
Larceny	23 (100.0)	9 (39.1)	6 (26.1)	3 (13.0)	11.1	12.0	5	3	0	0	0
Embezzlement	28 (100.0)	13 (46.4)	5 (17.9)	8 (28.6)	3.2	1.0	11	1	0	0	0
Fraud	85 (100.0)	36 (42.4)	23 (27.1)	13 (15.3)	11.3	8.0	23	11	1	1	0
Drug Trafficking	116 (100.0)	110 (94.8)	107 (92.2)	3 (2.6)	101.9	78.0	4	5	6	23	72
Simple Possession	3 (100.0)	1 (33.3)	1 (33.3)	0 (0.0)	9.0	9.0	1	0	0	0	0
Counterfeiting	7 (100.0)	4 (57.1)	4 (57.1)	0 (0.0)	12.8	13.5	2	2	0	0	0
Firearms	57 (100.0)	47 (82.5)	40 (70.2)	7 (12.3)	47.5	21.0	15	14	3	7	7
Immigration	3 (100.0)	3 (100.0)	3 (100.0)	0 (0.0)	10.7	14.0	1	2	0	0	0
Other	112 (100.0)	45 (40.2)	37 (33.0)	8 (7.1)	17.4	15.0	21	16	4	3	1

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	166 (35.8)	68 (14.7)	98 (21.1)	174 (37.5)	\$3,000 (163)	382 (84.3)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	15 (50.0)	\$1,819 (12)	Departure for Substantial Assistance 35 (7.7)
Larceny	14 (60.9)	4 (17.4)	10 (43.5)	14 (60.9)	\$1,532 (14)	
Embezzlement	15 (53.6)	10 (35.7)	5 (17.9)	23 (82.1)	\$1,757 (23)	Other Downward Departure 34 (7.5)
Fraud	49 (57.6)	16 (18.8)	33 (38.8)	58 (68.2)	\$5,948 (52)	
Drug Trafficking	6 (5.2)	1 (0.9)	5 (4.3)	11 (9.5)	\$7,500 (11)	Upward Departure 2 (0.4)
Simple Possession	2 (66.7)	2 (66.7)	0 (0.0)	2 (66.7)	\$500 (2)	
Counterfeiting	3 (42.9)	3 (42.9)	0 (0.0)	4 (57.1)	\$859 (3)	
Firearms	10 (17.5)	6 (10.5)	4 (7.0)	2 (3.5)	\$5,500 (2)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	
Other	67 (59.8)	26 (23.2)	41 (36.6)	45 (40.2)	\$2,000 (44)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**OHIO, Southern
6th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Columbus
- (2) Cincinnati
- (3) Dayton

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	9	Civil ³	2,796
Assistant U.S. Attorneys ⁴	29	Criminal ⁵	502
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	48		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	316	2,562	10,159	13,324	52,580	145,388	20,462	244,791
Per 100,000 Population	7	59	235	308	1,218	3,367	474	5,669

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	5,076,541	Income per Capita ¹¹	\$ 10,288	Police Protection	\$ 73.85
Population per Square Mile ¹²	220.7	Percent Unemployed ¹³	7.5	Education	\$ 636.75
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 86.48
Percent Age 0-14	21.7	Percent Mfg.	23.6	Public Welfare ¹⁶	\$ 87.26
Percent Age 15-24	15.2	Percent Retail	22.0	Highways	\$ 76.42
Percent Age 25-34	17.1	Percent Finance ¹⁷	6.9		
Percent Age 35-44	14.9	Percent Service	28.8	Percent acreage in farms ¹⁹	55.2
Percent Age 45-64	19.0	Percent Other ¹⁸	18.7		
Percent Age 65+	12.0				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
541	30	63	37	49	29	38	40	54	53	64	45	39

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		MODE OF CONVICTION ² N (Col %)	
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	540 (100.0)	236 (43.7)	293 (54.3)	9 (1.7)	2 (0.4)	32	\$622	\$0	541 (100.0)	
Male (Row %)	420 (77.8)	189 (45.0)	223 (53.1)	6 (1.4)	2 (0.5)	32	\$618	\$0	480 (88.7)	
Female (Row %)	120 (22.2)	47 (39.2)	70 (58.3)	3 (2.5)	0 (0.0)	32	\$636	\$408	61 (11.3)	

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	536 (100.0)	389 (72.6)	368 (68.7)	21 (3.9)	58.9	33.0	90	73	44	54	126
Robbery	25 (100.0)	25 (100.0)	25 (100.0)	0 (0.0)	90.4	60.0	0	0	2	11	12
Larceny	58 (100.0)	28 (48.3)	26 (44.8)	2 (3.5)	11.3	9.5	21	5	2	0	0
Embezzlement	23 (100.0)	7 (30.4)	4 (17.4)	3 (13.0)	10.1	6.0	5	2	0	0	0
Fraud	87 (100.0)	41 (47.1)	34 (39.1)	7 (8.1)	18.1	14.0	19	13	6	2	1
Drug Trafficking	201 (100.0)	193 (96.0)	190 (94.5)	3 (1.5)	85.5	63.0	11	26	20	32	103
Simple Possession	8 (100.0)	3 (37.5)	3 (37.5)	0 (0.0)	44.7	12.0	2	0	0	0	1
Counterfeiting	12 (100.0)	8 (66.7)	8 (66.7)	0 (0.0)	19.0	19.0	2	4	2	0	0
Firearms	41 (100.0)	33 (80.5)	29 (70.7)	4 (9.8)	26.0	15.0	15	11	4	0	3
Immigration	5 (100.0)	5 (100.0)	5 (100.0)	0 (0.0)	13.0	10.0	3	0	1	0	0
Other	76 (100.0)	46 (60.5)	44 (57.9)	2 (2.6)	38.9	24.0	12	12	7	9	6

CASES INVOLVING PROBATION

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)	
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	Sentenced Within Guideline Range	
		Probation Only N (Row %)	Probation + Confinement N (Row %)				Departure for Substantial Assistance
TOTAL	147 (27.4)	70 (13.1)	77 (14.4)	179 (33.4)	\$2,931 (174)	371 (69.5)	
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	16 (64.0)	\$2,216 (16)		
Larceny	30 (51.7)	14 (24.1)	16 (27.6)	40 (69.0)	\$1,320 (38)		
Embezzlement	16 (69.6)	8 (34.8)	8 (34.8)	13 (56.5)	\$5,081 (13)		
Fraud	46 (52.9)	14 (16.1)	32 (36.8)	53 (60.9)	\$5,531 (51)		
Drug Trafficking	8 (4.0)	1 (0.5)	7 (3.5)	21 (10.4)	\$10,000 (20)		
Simple Possession	5 (62.5)	5 (62.5)	0 (0.0)	3 (37.5)	\$100 (3)		
Counterfeiting	4 (33.3)	2 (16.7)	2 (16.7)	5 (41.7)	\$1,000 (5)		
Firearms	8 (19.5)	5 (12.2)	3 (7.3)	5 (12.2)	\$300 (5)		
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)		
Other	30 (39.5)	21 (27.6)	9 (11.8)	23 (30.3)	\$2,000 (23)	6 (1.1)	

Footnotes and a complete description of all variables in this table are provided in Appendix A. SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**OKLAHOMA, Northern
10th Circuit**

**City Supplying Sentencing
Guideline Documentation:¹**

(1) Tulsa

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	3	Civil ³	1,111
Assistant U.S. Attorneys ⁴	12	Criminal ⁵	159
Assistant Federal Defenders ⁶	3		
Probation Officers ⁷	17		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	64	532	1,636	4,025	13,223	23,283	7,085	49,848
Per 100,000 Population	8	63	193	475	1,561	2,749	836	5,885

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	840,805	Income per Capita ¹¹	\$ 10,823	Police Protection	\$ 65.36
Population per Square Mile ¹²	98.3	Percent Unemployed ¹³	9.1	Education	\$ 580.53
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 26.38
Percent Age 0-14	22.2	Percent Mfg.	19.1	Public Welfare ¹⁶	\$ 1.69
Percent Age 15-24	13.5	Percent Retail	20.1	Highways	\$ 79.17
Percent Age 25-34	16.5	Percent Finance ¹⁷	6.4		
Percent Age 35-44	15.2	Percent Service	28.5	Percent acreage in farms ¹⁹	68.9
Percent Age 45-64	19.7	Percent Other ¹⁸	25.8		
Percent Age 65+	12.9				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
167	18	15	11	18	20	16	11	13	7	11	15	12

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL			N (Col %)
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	167 (100.0)	130 (77.8)	26 (15.6)	2 (1.2)	9 (5.4)	36	\$764	\$652	TOTAL	165 (100.0)		
Male (Row %)	129 (77.2)	99 (76.7)	22 (17.1)	2 (1.6)	6 (4.7)	37	\$809	\$601	Plea	131 (79.4)		
Female (Row %)	38 (22.8)	31 (81.6)	4 (10.5)	0 (0.0)	3 (7.9)	33	\$611	\$675	Trial	34 (20.6)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	165 (100.0)	114 (69.1)	99 (60.0)	15 (9.1)	71.4	24.0	28	30	13	6	37
Robbery	15 (100.0)	15 (100.0)	15 (100.0)	0 (0.0)	147.7	168.0	0	3	0	1	11
Larceny	10 (100.0)	5 (50.0)	4 (40.0)	1 (10.0)	32.2	14.0	2	2	0	0	1
Embezzlement	9 (100.0)	4 (44.4)	1 (11.1)	3 (33.3)	3.0	3.0	4	0	0	0	0
Fraud	47 (100.0)	30 (63.8)	25 (53.2)	5 (10.6)	20.1	15.0	12	11	3	2	2
Drug Trafficking	28 (100.0)	23 (82.1)	20 (71.4)	3 (10.7)	135.2	130.0	3	2	2	1	15
Simple Possession	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Counterfeiting	6 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Firearms	34 (100.0)	28 (82.3)	25 (73.5)	3 (8.8)	52.6	24.0	6	8	6	1	7
Immigration	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Other	16 (100.0)	9 (56.2)	9 (56.2)	0 (0.0)	62.6	24.0	1	4	2	1	1

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	51 (30.9)	23 (13.9)	28 (17.0)	104 (63.0)	\$5,000 (91)	Sentenced Within Guideline Range 135 (82.8)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	13 (86.7)	\$9,556 (12)	Departure for Substantial Assistance 12 (7.4)
Larceny	5 (50.0)	2 (20.0)	3 (30.0)	9 (90.0)	\$4,250 (8)	
Embezzlement	5 (55.6)	1 (11.1)	4 (44.4)	8 (88.9)	\$4,500 (7)	Other Downward Departure 13 (8.0)
Fraud	17 (36.2)	7 (14.9)	10 (21.3)	43 (91.5)	\$8,239 (36)	
Drug Trafficking	5 (17.9)	3 (10.7)	2 (7.1)	4 (14.3)	\$5,500 (4)	Upward Departure 3 (1.8)
Simple Possession	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Counterfeiting	6 (100.0)	6 (100.0)	0 (0.0)	6 (100.0)	\$796 (6)	
Firearms	6 (17.6)	1 (2.9)	5 (14.7)	13 (38.2)	\$1,250 (10)	
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Other	7 (43.8)	3 (18.8)	4 (25.0)	8 (50.0)	\$2,250 (8)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

OKLAHOMA, Eastern
10th Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

- (1) Muskogee
- (2) Durant
- (3) Ardmore

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	1	Civil ³	872
Assistant U.S. Attorneys ⁴	7	Criminal ⁵	59
Assistant Federal Defenders ⁶	3		
Probation Officers ⁷	8		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	59	182	308	1,875	6,929	12,347	1,491	23,191
Per 100,000 Population	9	28	48	292	1,077	1,920	232	3,606

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	639,115	Income per Capita ¹¹	\$ 7,448	Police Protection	\$ 32.69
Population per Square Mile ¹²	30.8	Percent Unemployed ¹³	9.8	Education	\$ 568.38
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 171.27
Percent Age 0-14	22.2	Percent Mfg.	22.9	Public Welfare ¹⁶	\$ 0.90
Percent Age 15-24	13.8	Percent Retail	24.9	Highways	\$ 86.62
Percent Age 25-34	14.0	Percent Finance ¹⁷	5.3		
Percent Age 35-44	13.5	Percent Service	26.0	Percent acreage in farms ¹⁹	58.1
Percent Age 45-64	20.3	Percent Other ¹⁸	20.9		
Percent Age 65+	16.2				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
62	10	5	7	11	5	-	7	3	12	-	1	1

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL			N (Col %)
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	62 (100.0)	47 (75.8)	11 (17.7)	2 (3.2)	2 (3.2)	36	\$764	\$420	TOTAL	62 (100.0)		
Male (Row %)	51 (82.3)	40 (78.4)	7 (13.7)	2 (3.9)	2 (3.9)	37	\$880	\$500	Plea	49 (79.0)		
Female (Row %)	11 (17.7)	7 (63.6)	4 (36.4)	0 (0.0)	0 (0.0)	31	\$277	\$0	Trial	13 (21.0)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	62 (100.0)	48 (77.4)	47 (75.8)	1 (1.6)	61.2	24.0	17	9	2	6	13
Robbery	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	300.0	300.0	0	0	0	0	1
Larceny	6 (100.0)	2 (33.3)	2 (33.3)	0 (0.0)	15.0	15.0	1	1	0	0	0
Embezzlement	5 (100.0)	4 (80.0)	3 (60.0)	1 (20.0)	14.2	15.0	2	2	0	0	0
Fraud	5 (100.0)	3 (60.0)	3 (60.0)	0 (0.0)	12.7	12.0	2	1	0	0	0
Drug Trafficking	15 (100.0)	13 (86.7)	13 (86.7)	0 (0.0)	112.6	120.0	0	2	1	0	10
Simple Possession	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	12.0	12.0	1	0	0	0	0
Firearms	10 (100.0)	9 (90.0)	9 (90.0)	0 (0.0)	30.1	21.0	3	2	1	3	0
Immigration	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Other	16 (100.0)	14 (87.5)	14 (87.5)	0 (0.0)	50.4	12.0	8	1	0	3	2

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷	
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	N (Col %)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			Sentenced Within Guideline Range	Other
TOTAL	14 (22.6)	10 (16.1)	4 (6.5)	18 (29.0)	\$704 (18)	57 (96.6)	
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	2 (100.0)	\$720 (2)		Departure for Substantial Assistance
Larceny	4 (66.7)	4 (66.7)	0 (0.0)	5 (83.3)	\$635 (5)	0 (0.0)	
Embezzlement	1 (20.0)	0 (0.0)	1 (20.0)	2 (40.0)	\$647 (2)		Other Downward Departure
Fraud	2 (40.0)	1 (20.0)	1 (20.0)	2 (40.0)	\$3,355 (2)		
Drug Trafficking	2 (13.3)	2 (13.3)	0 (0.0)	0 (0.0)	\$- (-)		
Simple Possession	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	\$- (-)		2 (3.4)
Counterfeiting	1 (50.0)	1 (50.0)	0 (0.0)	1 (50.0)	\$305 (1)		
Firearms	1 (10.0)	0 (0.0)	1 (10.0)	0 (0.0)	\$- (-)		Upward Departure
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)		0 (0.0)
Other	2 (12.5)	1 (6.2)	1 (6.2)	6 (37.5)	\$6,000 (6)		

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

OKLAHOMA, Western
10th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Oklahoma City
- (2) Lawton
- (3) Enid

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	8	Civil ³	2,442
Assistant U.S. Attorneys ⁴	24	Criminal ⁵	464
Assistant Federal Defenders ⁶	4		
Probation Officers ⁷	26		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	107	900	2,148	6,679	26,730	61,087	9,086	106,737
Per 100,000 Population	6	53	128	397	1,589	3,633	540	6,347

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,665,665	Income per Capita ¹¹	\$ 10,105	Police Protection	\$ 57.57
Population per Square Mile ¹²	42.4	Percent Unemployed ¹³	7.3	Education	\$ 561.80
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 149.63
Percent Age 0-14	22.4	Percent Mfg.	14.9	Public Welfare ¹⁶	\$ 2.40
Percent Age 15-24	15.3	Percent Retail	24.9	Highways	\$ 83.91
Percent Age 25-34	16.9	Percent Finance ¹⁷	7.2		
Percent Age 35-44	14.3	Percent Service	29.9	Percent acreage in farms ¹⁹	82.9
Percent Age 45-64	18.4	Percent Other ¹⁸	23.1		
Percent Age 65+	12.7				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
229	39	11	12	16	19	16	15	12	33	23	12	21

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	228 (100.0)	122 (53.5)	70 (30.7)	24 (10.5)	12 (5.3)	33	\$602	\$0	TOTAL	229 (100.0)	
Male (Row %)	188 (82.5)	103 (54.8)	53 (28.2)	21 (11.2)	11 (5.8)	33	\$659	\$0	Plea	203 (88.6)	
Female (Row %)	40 (17.5)	19 (47.5)	17 (42.5)	3 (7.5)	1 (2.5)	34	\$308	\$0	Trial	26 (11.4)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	228 (100.0)	185 (81.1)	177 (77.6)	8 (3.5)	66.2	27.0	50	35	19	29	51
Robbery	8 (100.0)	8 (100.0)	8 (100.0)	0 (0.0)	116.9	115.5	1	0	0	0	7
Larceny	18 (100.0)	7 (38.9)	7 (38.9)	0 (0.0)	9.7	10.0	4	3	0	0	0
Embezzlement	6 (100.0)	4 (66.7)	1 (16.7)	3 (50.0)	4.0	3.5	4	0	0	0	0
Fraud	38 (100.0)	25 (65.8)	22 (57.9)	3 (7.9)	17.0	13.0	12	10	0	1	1
Drug Trafficking	48 (100.0)	48 (100.0)	48 (100.0)	0 (0.0)	137.8	90.0	1	4	6	9	28
Simple Possession	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Counterfeiting	5 (100.0)	4 (80.0)	4 (80.0)	0 (0.0)	5.5	5.0	4	0	0	0	0
Firearms	43 (100.0)	42 (97.7)	41 (95.3)	1 (2.3)	64.3	33.5	6	9	7	9	11
Immigration	4 (100.0)	3 (75.0)	3 (75.0)	0 (0.0)	26.0	24.0	0	2	1	0	0
Other	58 (100.0)	44 (75.9)	43 (74.1)	1 (1.7)	30.3	20.5	18	7	5	10	4

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷	
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	N (Col %)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			Sentenced Within Guideline Range	Other Downward Departure
TOTAL	43 (18.9)	27 (11.8)	16 (7.0)	63 (27.6)	\$1,500 (59)	183 (88.0)	
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	2 (25.0)	\$5,474 (2)		
Larceny	11 (61.1)	10 (55.6)	1 (5.6)	11 (61.1)	\$621 (11)		
Embezzlement	2 (33.3)	1 (16.7)	1 (16.7)	3 (50.0)	\$27,238 (3)		
Fraud	13 (34.2)	4 (10.5)	9 (23.7)	22 (57.9)	\$2,825 (18)		
Drug Trafficking	0 (0.0)	0 (0.0)	0 (0.0)	2 (4.2)	\$4,000 (2)		
Simple Possession	- (-)	- (-)	- (-)	- (-)	\$- (-)		
Counterfeiting	1 (20.0)	1 (20.0)	0 (0.0)	0 (0.0)	\$- (-)		
Firearms	1 (2.3)	0 (0.0)	1 (2.3)	7 (16.3)	\$3,485 (7)		
Immigration	1 (25.0)	0 (0.0)	1 (25.0)	0 (0.0)	\$- (-)		
Other	14 (24.1)	11 (19.0)	3 (5.2)	16 (27.6)	\$475 (16)		

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

OREGON
9th Circuit

**Cities Supplying Sentencing
Guideline Documentation:**¹

- (1) Portland
- (2) Eugene
- (3) Vale

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	8	Civil ³	2,105
Assistant U.S. Attorneys ⁴	29	Criminal ⁵	543
Assistant Federal Defenders ⁶	12		
Probation Officers ⁷	34		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	132	1,551	4,368	8,666	34,045	103,998	13,789	166,549
Per 100,000 Population	4	53	150	298	1,172	3,580	475	5,733

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,842,321	Income per Capita ¹¹	\$ 9,925	Police Protection	\$ 75.55
Population per Square Mile ¹²	29.6	Percent Unemployed ¹³	8.5	Education	\$ 825.12
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 74.60
Percent Age 0-14	21.6	Percent Mfg.	21.7	Public Welfare ¹⁶	\$ 7.15
Percent Age 15-24	13.3	Percent Retail	23.2	Highways	\$ 90.47
Percent Age 25-34	15.9	Percent Finance ¹⁷	6.5		
Percent Age 35-44	16.7	Percent Service	28.5	Percent acreage in farms ¹⁹	28.8
Percent Age 45-64	18.8	Percent Other ¹⁸	20.0		
Percent Age 65+	13.8				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
579	35	64	41	65	39	51	51	42	52	36	46	57

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL			N (Col %)
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	565 (100.0)	364 (64.4)	43 (7.6)	152 (26.9)	6 (1.1)	32	\$408	\$0	578 (100.0)			
Male (Row %)	500 (88.5)	311 (62.2)	37 (7.4)	146 (29.2)	6 (1.2)	32	\$404	\$0	Plea	531 (91.9)		
Female (Row %)	65 (11.5)	53 (81.5)	6 (9.2)	6 (9.2)	0 (0.0)	32	\$432	\$0	Trial	47 (8.1)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	579 (100.0)	505 (87.2)	487 (84.1)	18 (3.1)	67.5	51.0	57	89	60	92	204
Robbery	62 (100.0)	62 (100.0)	62 (100.0)	0 (0.0)	91.8	70.0	0	3	6	13	40
Larceny	26 (100.0)	8 (30.8)	6 (23.1)	2 (7.7)	7.6	8.0	8	0	0	0	0
Embezzlement	3 (100.0)	1 (33.3)	1 (33.3)	0 (0.0)	5.0	5.0	1	0	0	0	0
Fraud	35 (100.0)	22 (62.9)	18 (51.4)	4 (11.4)	12.2	11.0	13	7	2	0	0
Drug Trafficking	272 (100.0)	258 (94.8)	253 (93.0)	5 (1.8)	79.1	63.0	9	25	20	67	137
Simple Possession	10 (100.0)	1 (10.0)	0 (0.0)	1 (10.0)	1.0	1.0	1	0	0	0	0
Counterfeiting	3 (100.0)	1 (33.3)	1 (33.3)	0 (0.0)	--	--	0	0	0	0	0
Firearms	54 (100.0)	52 (96.3)	49 (90.7)	3 (5.6)	93.1	43.5	3	11	10	4	24
Immigration	55 (100.0)	53 (96.4)	53 (96.4)	0 (0.0)	20.6	21.0	7	36	9	0	0
Other	59 (100.0)	47 (79.7)	44 (74.6)	3 (5.1)	33.6	27.0	15	7	13	8	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
						Other Downward Departure 57 (10.0)
TOTAL	74 (12.8)	40 (6.9)	34 (5.9)	123 (21.2)	\$1,938 (120)	Sentenced Within Guideline Range 471 (82.9)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	32 (51.6)	\$1,207 (31)	Departure for Substantial Assistance 33 (5.8)
Larceny	18 (69.2)	8 (30.8)	10 (38.5)	18 (69.2)	\$1,837 (17)	
Embezzlement	2 (66.7)	1 (33.3)	1 (33.3)	3 (100.0)	\$1,487 (3)	Other Downward Departure 57 (10.0)
Fraud	13 (37.1)	7 (20.0)	6 (17.1)	24 (68.6)	\$5,700 (23)	
Drug Trafficking	14 (5.2)	8 (2.9)	6 (2.2)	25 (9.2)	\$2,000 (25)	Upward Departure 7 (1.2)
Simple Possession	9 (90.0)	8 (80.0)	1 (10.0)	0 (0.0)	\$- (-)	
Counterfeiting	2 (66.7)	0 (0.0)	2 (66.7)	2 (66.7)	\$4,378 (2)	
Firearms	2 (3.7)	1 (1.9)	1 (1.9)	3 (5.6)	\$10,000 (3)	
Immigration	2 (3.6)	1 (1.8)	1 (1.8)	1 (1.8)	\$1,000 (1)	
Other	12 (20.3)	6 (10.2)	6 (10.2)	15 (25.4)	\$2,000 (15)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

PENNSYLVANIA, Eastern
3rd Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Philadelphia
- (2) Reading
- (3) Allentown

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	36	Civil ³	8,150
Assistant U.S. Attorneys ⁴	85	Criminal ⁵	644
Assistant Federal Defenders ⁶	13		
Probation Officers ⁷	71		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Total
Number of Crimes	557	1,581	16,838	14,515	41,594	111,179	35,160	221,424
Per 100,000 Population	11	30	325	280	803	2,145	678	4,273

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	5,179,074	Income per Capita ¹¹	\$ 11,168	Police Protection	\$ 86.79
Population per Square Mile ¹²	942.9	Percent Unemployed ¹³	5.6	Education	\$ 683.79
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 62.03
Percent Age 0-14	20.2	Percent Mfg.	22.1	Public Welfare ¹⁶	\$ 66.40
Percent Age 15-24	14.1	Percent Retail	18.9	Highways	\$ 45.19
Percent Age 25-34	17.0	Percent Finance ¹⁷	7.7		
Percent Age 35-44	14.8	Percent Service	33.1	Percent acreage in farms ¹⁹	39.3
Percent Age 45-64	19.5	Percent Other ¹⁸	18.2		
Percent Age 65+	14.4				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
865	55	95	96	56	75	87	80	62	70	58	50	81

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	853 (100.0)	313 (36.7)	312 (36.6)	201 (23.6)	27 (3.2)	33	\$963	\$0	TOTAL	863 (100.0)	
Male (Row %)	716 (83.9)	269 (37.6)	257 (35.9)	169 (23.6)	21 (2.9)	33	\$946	\$0	Plea	739 (85.6)	
Female (Row %)	137 (16.1)	44 (32.1)	55 (40.1)	32 (23.4)	6 (4.4)	34	\$1,052	\$502	Trial	124 (14.4)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	861 (100.0)	594 (69.0)	582 (67.6)	12 (1.4)	71.0	41.0	83	103	88	98	215
Robbery	23 (100.0)	23 (100.0)	23 (100.0)	0 (0.0)	102.4	84.0	0	0	3	1	19
Larceny	56 (100.0)	12 (21.4)	10 (17.9)	2 (3.6)	14.8	9.0	10	1	0	0	1
Embezzlement	20 (100.0)	2 (10.0)	2 (10.0)	0 (0.0)	12.5	12.5	1	1	0	0	0
Fraud	132 (100.0)	67 (50.8)	62 (47.0)	5 (3.8)	25.4	18.0	20	24	13	6	4
Drug Trafficking	428 (100.0)	380 (88.8)	378 (88.3)	2 (0.5)	87.1	60.0	22	44	56	80	173
Simple Possession	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	21 (100.0)	7 (33.3)	7 (33.3)	0 (0.0)	23.0	15.0	3	1	1	0	1
Firearms	59 (100.0)	50 (84.8)	47 (79.7)	3 (5.1)	50.8	24.0	10	15	9	6	9
Immigration	6 (100.0)	4 (66.7)	4 (66.7)	0 (0.0)	20.2	7.5	3	0	0	0	1
Other	115 (100.0)	49 (42.6)	49 (42.6)	0 (0.0)	42.0	24.0	14	17	6	5	7

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	267 (31.0)	158 (18.4)	109 (12.7)	368 (42.7)	\$5,518 (342)	Sentenced Within Guideline Range 404 (47.3)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	21 (91.3)	\$2,494 (15)	Departure for Substantial Assistance 417 (48.8)
Larceny	44 (78.6)	22 (39.3)	22 (39.3)	44 (78.6)	\$11,616 (44)	
Embezzlement	18 (90.0)	7 (35.0)	11 (55.0)	17 (85.0)	\$5,236 (16)	Other Downward Departure 29 (3.4)
Fraud	65 (49.2)	38 (28.8)	27 (20.4)	120 (90.9)	\$9,828 (104)	
Drug Trafficking	48 (11.2)	32 (7.5)	16 (3.7)	68 (15.9)	\$5,000 (68)	
Simple Possession	1 (100.0)	1 (100.0)	0 (0.0)	1 (100.0)	\$50,000 (1)	Upward Departure 5 (0.6)
Counterfeiting	14 (66.7)	5 (23.8)	9 (42.9)	20 (95.2)	\$3,500 (19)	
Firearms	9 (15.2)	6 (10.2)	3 (5.1)	16 (27.1)	\$3,000 (15)	
Immigration	2 (33.3)	2 (33.3)	0 (0.0)	0 (0.0)	\$- (-)	
Other	66 (57.4)	45 (39.1)	21 (18.3)	61 (53.0)	\$4,750 (60)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**PENNSYLVANIA, Middle
3rd Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Harrisburg
(2) Scranton

(3) Wilkes-Barre
(4) Williamsport

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	7	Civil ³	2,001
Assistant U.S. Attorneys ⁴	19	Criminal ⁵	289
Assistant Federal Defenders ⁶	5		
Probation Officers ⁷	16		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	79	567	1,396	4,007	15,907	45,887	4,026	71,866
Per 100,000 Population	3	21	52	150	594	1,714	150	2,685

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,748,917	Income per Capita ¹¹	\$ 9,397	Police Protection	\$ 27.78
Population per Square Mile ¹²	135.2	Percent Unemployed ¹³	6.7	Education	\$ 622.25
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 15.13
Percent Age 0-14	19.5	Percent Mfg.	28.6	Public Welfare ¹⁶	\$ 50.79
Percent Age 15-24	14.9	Percent Retail	21.4	Highways	\$ 50.80
Percent Age 25-34	15.6	Percent Finance ¹⁷	5.4		
Percent Age 35-44	14.7	Percent Service	25.5	Percent acreage in farms ¹⁹	29.7
Percent Age 45-64	20.0	Percent Other ¹⁸	19.1		
Percent Age 65+	15.3				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
261	21	17	26	36	13	11	39	19	22	27	13	17

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	257 (100.0)	178 (69.3)	52 (20.2)	25 (9.7)	2 (0.8)	33	\$668	\$0	TOTAL	261 (100.0)
Male (Row %)	221 (86.0)	150 (67.9)	44 (19.9)	25 (11.3)	2 (0.9)	33	\$672	\$0	Plea	235 (90.0)
Female (Row %)	36 (14.0)	28 (77.8)	8 (22.2)	0 (0.0)	0 (0.0)	32	\$647	\$578	Trial	26 (10.0)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	261 (100.0)	206 (78.9)	192 (73.6)	14 (5.4)	52.9	30.0	58	37	24	32	55
Robbery	4 (100.0)	4 (100.0)	4 (100.0)	0 (0.0)	132.5	92.0	0	0	0	1	3
Larceny	18 (100.0)	4 (22.2)	3 (16.7)	1 (5.6)	21.2	10.5	2	1	0	0	1
Embezzlement	5 (100.0)	3 (60.0)	1 (20.0)	2 (40.0)	3.3	4.0	3	0	0	0	0
Fraud	41 (100.0)	26 (63.4)	22 (53.7)	4 (9.8)	15.6	12.0	14	7	2	3	0
Drug Trafficking	113 (100.0)	108 (95.6)	102 (90.3)	6 (5.3)	65.0	38.0	24	12	17	17	38
Simple Possession	3 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	---	---	0	0	0	0	0
Counterfeiting	7 (100.0)	1 (14.3)	1 (14.3)	0 (0.0)	18.0	18.0	0	1	0	0	0
Firearms	29 (100.0)	25 (86.2)	25 (86.2)	0 (0.0)	64.2	60.0	1	8	2	7	7
Immigration	4 (100.0)	4 (100.0)	4 (100.0)	0 (0.0)	9.2	8.0	3	1	0	0	0
Other	37 (100.0)	31 (83.8)	30 (81.1)	1 (2.7)	38.4	18.0	11	7	3	4	6

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	55 (21.1)	30 (11.5)	25 (9.6)	99 (37.9)	\$1,482 (96)	Sentenced Within Guideline Range 159 (64.6)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	1 (25.0)	\$1,464 (1)	Departure for Substantial Assistance 69 (28.0)
Larceny	14 (77.8)	7 (38.9)	7 (38.9)	14 (77.8)	\$4,638 (14)	
Embezzlement	2 (40.0)	0 (0.0)	2 (40.0)	3 (60.0)	\$15,000 (3)	Other Downward Departure 18 (7.3)
Fraud	15 (36.6)	7 (17.1)	8 (19.5)	29 (70.7)	\$7,134 (26)	
Drug Trafficking	5 (4.4)	1 (0.9)	4 (3.5)	26 (23.0)	\$1,000 (26)	Upward Departure 0 (0.0)
Simple Possession	3 (100.0)	2 (66.7)	1 (33.3)	1 (33.3)	\$1,000 (1)	
Counterfeiting	6 (85.7)	6 (85.7)	0 (0.0)	2 (28.6)	\$1,500 (2)	
Firearms	4 (13.8)	3 (10.3)	1 (3.5)	5 (17.2)	\$500 (5)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	1 (25.0)	\$550 (1)	
Other	6 (16.2)	4 (10.8)	2 (5.4)	17 (46.0)	\$650 (17)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**PENNSYLVANIA, Western
3rd Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Pittsburgh
- (2) Erie
- (3) Johnston

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	15	Civil ³	3,632
Assistant U.S. Attorneys ⁴	33	Criminal ⁵	284
Assistant Federal Defenders ⁶	5		
Probation Officers ⁷	27		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	112	1,138	4,490	6,383	24,553	56,670	16,140	109,486
Per 100,000 Population	3	29	115	164	630	1,455	414	2,811

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	3,953,652	Income per Capita ¹¹	\$ 9,763	Police Protection	\$ 42.78
Population per Square Mile ¹²	207.4	Percent Unemployed ¹³	8.8	Education	\$ 671.87
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 51.95
Percent Age 0-14	19.2	Percent Mfg.	20.5	Public Welfare ¹⁶	\$ 47.40
Percent Age 15-24	13.7	Percent Retail	22.1	Highways	\$ 60.76
Percent Age 25-34	15.3	Percent Finance ¹⁷	6.0		
Percent Age 35-44	14.6	Percent Service	31.5	Percent acreage in farms ¹⁹	24.9
Percent Age 45-64	20.6	Percent Other ¹⁸	19.8		
Percent Age 65+	16.7				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
258	24	22	17	23	19	19	17	16	12	24	23	42

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL			N (Col %)
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	252 (100.0)	159 (63.1)	77 (30.6)	15 (6.0)	1 (0.4)	34	\$887	\$358	TOTAL	258 (100.0)		
Male (Row %)	210 (83.3)	130 (61.9)	67 (31.9)	12 (5.7)	1 (0.5)	34	\$924	\$100	Plea	210 (81.4)		
Female (Row %)	42 (16.7)	29 (69.0)	10 (23.8)	3 (7.1)	0 (0.0)	33	\$711	\$497	Trial	48 (18.6)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	254 (100.0)	160 (63.0)	149 (58.7)	11 (4.3)	71.0	51.0	35	24	12	22	66
Robbery	10 (100.0)	9 (90.0)	9 (90.0)	0 (0.0)	132.4	125.0	0	0	1	1	7
Larceny	23 (100.0)	9 (39.1)	8 (34.8)	1 (4.3)	18.9	15.0	3	5	0	1	0
Embezzlement	10 (100.0)	3 (30.0)	3 (30.0)	0 (0.0)	5.0	1.0	2	1	0	0	0
Fraud	48 (100.0)	20 (41.7)	15 (31.2)	5 (10.4)	10.6	6.0	13	5	1	1	0
Drug Trafficking	88 (100.0)	80 (90.9)	80 (90.9)	0 (0.0)	95.8	82.0	3	4	6	15	51
Simple Possession	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	9.0	9.0	1	0	0	0	0
Counterfeiting	6 (100.0)	1 (16.7)	1 (16.7)	0 (0.0)	30.0	30.0	0	0	1	0	0
Firearms	21 (100.0)	14 (66.7)	12 (57.1)	2 (9.5)	87.4	27.0	4	3	1	1	5
Immigration	3 (100.0)	2 (66.7)	1 (33.3)	1 (33.3)	14.5	14.5	1	1	0	0	0
Other	43 (100.0)	21 (48.8)	19 (44.2)	2 (4.7)	40.5	15.0	8	5	2	3	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷	
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	N (Col %)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			Sentenced Within Guideline Range	Other Downward Departure
TOTAL	94 (37.0)	42 (16.5)	52 (20.5)	89 (35.0)	\$4,008 (82)	200 (79.7)	
Robbery	1 (10.0)	1 (10.0)	0 (0.0)	3 (30.0)	\$100 (3)		
Larceny	14 (60.9)	8 (34.8)	6 (26.1)	16 (69.6)	\$4,017 (13)		Departure for Substantial Assistance
Embezzlement	7 (70.0)	3 (30.0)	4 (40.0)	5 (50.0)	\$9,535 (5)	33 (13.1)	
Fraud	28 (58.3)	11 (22.9)	17 (35.4)	29 (60.4)	\$7,515 (25)		
Drug Trafficking	8 (9.1)	6 (6.8)	2 (2.3)	7 (8.0)	\$2,000 (7)		
Simple Possession	1 (50.0)	1 (50.0)	0 (0.0)	2 (100.0)	\$2,740 (2)		Other Downward Departure
Counterfeiting	5 (83.3)	3 (50.0)	2 (33.3)	0 (0.0)	\$- (-)	16 (6.4)	
Firearms	7 (33.3)	4 (19.1)	3 (14.3)	6 (28.6)	\$2,000 (6)		
Immigration	1 (33.3)	1 (33.3)	0 (0.0)	0 (0.0)	\$- (-)		Upward Departure
Other	22 (51.2)	4 (9.3)	18 (41.9)	21 (48.8)	\$4,000 (21)	2 (0.8)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

PUERTO RICO
1st Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Ponce
- (2) San Juan
- (3) Mayaguez

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	7	Civil ³	1,837
Assistant U.S. Attorneys ⁴	25	Criminal ⁵	346
Assistant Federal Defenders ⁶	6		
Probation Officers ⁷	22		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	600	426	20,923	7,963	34,781	39,795	19,883	124,371
Per 100,000 Population	17	12	594	226	988	1,130	565	3,532

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	3,196,520	Income per Capita ¹¹	\$ 2,126	Police Protection	n/a
Population per Square Mile ¹²	924.1	Percent Unemployed ¹³	n/a	Education	n/a
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF EMPLOYMENT¹⁵		Health & Hospitals	n/a
Percent Age 0-17	38.2	Percent Mfg.	19.7	Public Welfare ¹⁶	n/a
Percent Age 18-64	53.9	Percent Retail	14.0	Highways	n/a
Percent Age 65+	7.9	Percent Finance ¹⁷	2.8		
		Percent Service	20.4	Percent acreage in farms ¹⁹	n/a
		Percent Other ¹⁸	33.8		

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
335	23	21	16	32	27	35	23	27	51	41	20	19

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	335 (100.0)	20 (6.0)	14 (4.2)	300 (89.5)	1 (0.3)	32	\$612	\$400	TOTAL	335 (100.0)
Male (Row %)	291 (86.9)	15 (5.2)	6 (2.1)	269 (92.4)	1 (0.3)	32	\$640	\$400	Plea	299 (89.3)
Female (Row %)	44 (13.1)	5 (11.4)	8 (18.2)	31 (70.5)	0 (0.0)	32	\$437	\$408	Trial	36 (10.7)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	332 (100.0)	286 (86.1)	285 (85.8)	1 (0.3)	101.1	63.0	33	26	21	51	143
Robbery	22 (100.0)	22 (100.0)	22 (100.0)	0 (0.0)	162.4	161.5	0	0	0	2	20
Larceny	4 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Embezzlement	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	9.0	9.0	1	0	0	0	0
Fraud	7 (100.0)	3 (42.9)	3 (42.9)	0 (0.0)	9.0	6.0	2	1	0	0	0
Drug Trafficking	206 (100.0)	195 (94.7)	195 (94.7)	0 (0.0)	115.3	78.0	8	8	17	38	116
Simple Possession	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Counterfeiting	13 (100.0)	10 (76.9)	10 (76.9)	0 (0.0)	16.5	14.0	4	5	0	1	0
Firearms	19 (100.0)	17 (89.5)	17 (89.5)	0 (0.0)	73.4	55.0	2	3	3	6	3
Immigration	38 (100.0)	25 (65.8)	24 (63.2)	1 (2.6)	13.3	11.0	13	8	0	1	0
Other	21 (100.0)	13 (61.9)	13 (61.9)	0 (0.0)	69.2	47.0	3	1	1	3	4

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	46 (13.9)	27 (8.1)	19 (5.7)	20 (6.0)	\$3,000 (19)	Sentenced Within Guideline Range 272 (84.7)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	Departure for Substantial Assistance 37 (11.5)
Larceny	4 (100.0)	2 (50.0)	2 (50.0)	0 (0.0)	\$- (-)	
Embezzlement	1 (50.0)	1 (50.0)	0 (0.0)	1 (50.0)	\$13,861 (1)	Other Downward Departure 7 (2.2)
Fraud	4 (57.1)	4 (57.1)	0 (0.0)	2 (28.6)	\$2,550 (2)	
Drug Trafficking	11 (5.3)	4 (1.9)	7 (3.4)	5 (2.4)	\$5,000 (5)	
Simple Possession	- (-)	- (-)	- (-)	- (-)	\$- (-)	Upward Departure 5 (1.6)
Counterfeiting	3 (23.1)	0 (0.0)	3 (23.1)	2 (15.4)	\$900 (1)	
Firearms	2 (10.5)	0 (0.0)	2 (10.5)	3 (15.8)	\$1,000 (3)	
Immigration	13 (34.2)	11 (28.9)	2 (5.3)	1 (2.6)	\$3,000 (1)	
Other	8 (38.1)	5 (23.8)	3 (14.3)	6 (28.6)	\$6,000 (6)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

RHODE ISLAND

1st Circuit

**City Supplying Sentencing
Guideline Documentation:¹**

(1) Providence

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	4	Civil ³	697
Assistant U.S. Attorneys ⁴	12	Criminal ⁵	149
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	9		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	36	314	1,235	3,047	11,400	26,689	8,074	50,795
Per 100,000 Population	4	31	123	303	1,135	2,658	804	5,059

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,003,464	Income per Capita ¹¹	\$ 10,892	Police Protection	\$ 82.77
Population per Square Mile ¹²	951.2	Percent Unemployed ¹³	4.0	Education	\$ 603.17
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 1.51
Percent Age 0-14	18.9	Percent Mfg.	27.0	Public Welfare ¹⁶	\$ 24.52
Percent Age 15-24	15.5	Percent Retail	20.6	Highways	\$ 41.18
Percent Age 25-34	17.3	Percent Finance ¹⁷	6.9		
Percent Age 35-44	14.7	Percent Service	29.7	Percent acreage in farms ¹⁹	9.2
Percent Age 45-64	18.5	Percent Other ¹⁸	15.8		
Percent Age 65+	15.0				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
186	16	13	11	14	4	8	35	22	20	18	8	17

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	186 (100.0)	78 (41.9)	24 (12.9)	82 (44.1)	2 (1.1)	32	\$889	\$0	TOTAL	186 (100.0)
Male (Row %)	171 (91.9)	74 (43.3)	21 (12.3)	75 (43.9)	1 (0.6)	32	\$922	\$0	Plea	144 (77.4)
Female (Row %)	15 (8.1)	4 (26.7)	3 (20.0)	7 (46.7)	1 (6.7)	30	\$576	\$349	Trial	42 (22.6)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	185 (100.0)	165 (89.2)	160 (86.5)	5 (2.7)	52.9	33.0	27	38	28	37	35
Robbery	3 (100.0)	3 (100.0)	3 (100.0)	0 (0.0)	206.0	240.0	0	0	0	0	3
Larceny	3 (100.0)	1 (33.3)	1 (33.3)	0 (0.0)	10.0	10.0	1	0	0	0	0
Embezzlement	4 (100.0)	4 (100.0)	2 (50.0)	2 (50.0)	10.8	7.0	3	0	1	0	0
Fraud	26 (100.0)	23 (88.5)	21 (80.8)	2 (7.7)	24.8	21.0	6	8	5	3	1
Drug Trafficking	96 (100.0)	93 (96.9)	92 (95.8)	1 (1.0)	54.6	41.0	5	22	16	28	22
Simple Possession	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Counterfeiting	6 (100.0)	2 (33.3)	2 (33.3)	0 (0.0)	8.5	8.5	2	0	0	0	0
Firearms	19 (100.0)	17 (89.5)	17 (89.5)	0 (0.0)	90.2	27.0	3	5	2	1	6
Immigration	10 (100.0)	9 (90.0)	9 (90.0)	0 (0.0)	17.1	7.0	5	1	2	1	0
Other	18 (100.0)	13 (72.2)	13 (72.2)	0 (0.0)	54.2	46.0	2	2	2	4	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	20 (10.8)	13 (7.0)	7 (3.8)	101 (54.6)	\$6,918 (94)	Sentenced Within Guideline Range 168 (91.8)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	Departure for Substantial Assistance 4 (2.2)
Larceny	2 (66.7)	1 (33.3)	1 (33.3)	3 (100.0)	\$10,000 (3)	
Embezzlement	0 (0.0)	0 (0.0)	0 (0.0)	4 (100.0)	\$42,017 (4)	Other Downward Departure 4 (2.2)
Fraud	3 (11.5)	1 (3.9)	2 (7.7)	18 (69.2)	\$13,125 (17)	
Drug Trafficking	3 (3.1)	2 (2.1)	1 (1.0)	44 (45.8)	\$6,918 (40)	Upward Departure 7 (3.8)
Simple Possession	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Counterfeiting	4 (66.7)	2 (33.3)	2 (33.3)	3 (50.0)	\$2,334 (3)	
Firearms	2 (10.5)	2 (10.5)	0 (0.0)	9 (47.4)	\$4,251 (9)	
Immigration	1 (10.0)	1 (10.0)	0 (0.0)	4 (40.0)	\$4,151 (3)	
Other	5 (27.8)	4 (22.2)	1 (5.6)	16 (88.9)	\$5,000 (15)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

SOUTH CAROLINA
4th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Columbia
- (2) Greenville
- (3) Florence

- (4) Charleston
- (5) Aiken

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	11	Civil ³	3,851
Assistant U.S. Attorneys ⁴	33	Criminal ⁵	648
Assistant Federal Defenders ⁶	6		
Probation Officers ⁷	47		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	402	2,096	6,085	25,996	51,739	119,634	13,774	219,726
Per 100,000 Population	11	59	171	731	1,455	3,364	387	6,179

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	3,486,703	Income per Capita ¹¹	\$ 8,890	Police Protection	\$ 47.95
Population per Square Mile ¹²	115.4	Percent Unemployed ¹³	6.2	Education	\$ 565.06
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 130.89
Percent Age 0-14	22.0	Percent Mfg.	31.4	Public Welfare ¹⁶	\$ 4.39
Percent Age 15-24	16.1	Percent Retail	21.3	Highways	\$ 24.09
Percent Age 25-34	17.0	Percent Finance ¹⁷	5.4		
Percent Age 35-44	15.0	Percent Service	22.4	Percent acreage in farms ¹⁹	28.9
Percent Age 45-64	18.6	Percent Other ¹⁸	19.5		
Percent Age 65+	11.4				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
528	42	18	42	49	27	27	51	59	41	42	74	56

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	522 (100.0)	296 (56.7)	207 (39.7)	13 (2.5)	6 (1.1)	33	\$760	\$384	TOTAL	526 (100.0)	
Male (Row %)	433 (83.0)	236 (54.5)	181 (41.8)	11 (2.5)	5 (1.1)	33	\$725	\$10	Plea	494 (93.9)	
Female (Row %)	89 (17.0)	60 (67.4)	26 (29.2)	2 (2.2)	1 (1.1)	32	\$934	\$693	Trial	32 (6.1)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	525 (100.0)	321 (61.1)	294 (56.0)	27 (5.1)	50.2	27.0	92	62	44	45	75
Robbery	24 (100.0)	24 (100.0)	24 (100.0)	0 (0.0)	84.2	58.5	0	0	5	8	11
Larceny	31 (100.0)	11 (35.5)	10 (32.3)	1 (3.2)	6.9	6.0	9	1	0	0	0
Embezzlement	21 (100.0)	12 (57.1)	7 (33.3)	5 (23.8)	10.0	4.0	8	2	2	0	0
Fraud	85 (100.0)	28 (32.9)	24 (28.2)	4 (4.7)	14.8	12.0	15	10	2	0	1
Drug Trafficking	165 (100.0)	142 (86.1)	135 (81.8)	7 (4.2)	72.4	41.0	16	29	15	28	53
Simple Possession	22 (100.0)	9 (40.9)	8 (36.4)	1 (4.5)	8.1	6.0	8	1	0	0	0
Counterfeiting	29 (100.0)	11 (37.9)	11 (37.9)	0 (0.0)	10.5	12.0	7	4	0	0	0
Firearms	49 (100.0)	41 (83.7)	38 (77.5)	3 (6.1)	47.9	24.0	13	8	6	6	8
Immigration	3 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Other	96 (100.0)	43 (44.8)	37 (38.5)	6 (6.2)	23.1	21.0	16	7	14	3	2

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
						DEPARTURES
TOTAL	204 (38.9)	108 (20.6)	96 (18.3)	137 (26.1)	\$1,902 (129)	Sentenced Within Guideline Range 407 (80.1)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	9 (37.5)	\$467 (8)	Departure for Substantial Assistance 85 (16.7)
Larceny	20 (64.5)	15 (48.4)	5 (16.1)	14 (45.2)	\$860 (13)	
Embezzlement	9 (42.9)	6 (28.6)	3 (14.3)	9 (42.9)	\$1,150 (9)	Other Downward Departure 14 (2.8)
Fraud	57 (67.1)	21 (24.7)	36 (42.4)	39 (45.9)	\$3,307 (36)	
Drug Trafficking	23 (13.9)	12 (7.3)	11 (6.7)	8 (4.8)	\$4,500 (8)	Upward Departure 2 (0.4)
Simple Possession	13 (59.1)	12 (54.5)	1 (4.5)	9 (40.9)	\$1,000 (8)	
Counterfeiting	18 (62.1)	10 (34.5)	8 (27.6)	10 (34.5)	\$518 (9)	
Firearms	8 (16.3)	4 (8.2)	4 (8.2)	5 (10.2)	\$623 (5)	
Immigration	3 (100.0)	2 (66.7)	1 (33.3)	2 (66.7)	\$2,250 (2)	
Other	53 (55.2)	26 (27.1)	27 (28.1)	32 (33.3)	\$1,800 (31)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

SOUTH DAKOTA
8th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Rapid City
(2) Sioux Falls

(3) Pierre
(4) Aberdeen

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	5	Civil ³	462
Assistant U.S. Attorneys ⁴	11	Criminal ⁵	193
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	18		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	11	270	127	818	3,820	14,653	764	20,463
Per 100,000 Population	2	41	19	125	584	2,285	117	3,127

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	696,004	Income per Capita ¹¹	\$ 8,553	Police Protection	\$ 47.02
Population per Square Mile ¹²	9.2	Percent Unemployed ¹³	4.7	Education	\$ 566.82
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 30.58
Percent Age 0-14	24.2	Percent Mfg.	15.4	Public Welfare ¹⁶	\$ 16.50
Percent Age 15-24	14.1	Percent Retail	25.4	Highways	\$ 137.46
Percent Age 25-34	15.7	Percent Finance ¹⁷	7.3		
Percent Age 35-44	13.7	Percent Service	31.2	Percent acreage in farms ¹⁹	90.1
Percent Age 45-64	17.6	Percent Other ¹⁸	20.8		
Percent Age 65+	14.5				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
201	6	23	22	18	23	18	12	11	19	22	9	18

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	201 (100.0)	109 (54.2)	7 (3.5)	- (-)	85 (42.3)	32	\$490	\$0	TOTAL	200 (100.0)	
Male (Row %)	174 (86.6)	94 (54.0)	7 (4.0)	- (-)	73 (42.0)	32	\$483	\$0	Plea	178 (89.0)	
Female (Row %)	27 (13.4)	15 (55.6)	0 (0.0)	- (-)	12 (44.4)	33	\$537	\$511	Trial	22 (11.0)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	201 (100.0)	136 (67.7)	118 (58.7)	18 (9.0)	55.9	29.0	43	19	16	20	36
Robbery	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Larceny	21 (100.0)	8 (38.1)	8 (38.1)	0 (0.0)	9.0	6.0	7	0	1	0	0
Embezzlement	9 (100.0)	6 (66.7)	3 (33.3)	3 (33.3)	8.0	6.0	4	1	0	0	0
Fraud	21 (100.0)	4 (19.1)	4 (19.1)	0 (0.0)	27.2	31.5	1	0	3	0	0
Drug Trafficking	46 (100.0)	36 (78.3)	33 (71.7)	3 (6.5)	46.6	33.0	11	3	5	10	6
Simple Possession	9 (100.0)	2 (22.2)	2 (22.2)	0 (0.0)	6.0	6.0	2	0	0	0	0
Counterfeiting	5 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Firearms	22 (100.0)	18 (81.8)	14 (63.6)	4 (18.2)	39.7	20.0	6	7	3	0	2
Immigration	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Other	68 (100.0)	62 (91.2)	54 (79.4)	8 (11.8)	79.2	49.0	12	8	4	10	28

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
						Sentenced Within Guideline Range
TOTAL	65 (32.3)	45 (22.4)	20 (9.9)	76 (37.8)	\$1,000 (74)	176 (89.8)
Robbery	- (-)	- (-)	- (-)	- (-)	\$- (-)	Departure for Substantial Assistance
Larceny	13 (61.9)	7 (33.3)	6 (28.6)	17 (81.0)	\$1,000 (17)	7 (3.6)
Embezzlement	3 (33.3)	0 (0.0)	3 (33.3)	5 (55.6)	\$4,300 (5)	Other Downward Departure
Fraud	17 (81.0)	13 (61.9)	4 (19.1)	18 (85.7)	\$568 (18)	12 (6.1)
Drug Trafficking	10 (21.7)	7 (15.2)	3 (6.5)	9 (19.6)	\$1,000 (9)	Upward Departure
Simple Possession	7 (77.8)	6 (66.7)	1 (11.1)	3 (33.3)	\$1,000 (3)	1 (0.5)
Counterfeiting	5 (100.0)	3 (60.0)	2 (40.0)	5 (100.0)	\$964 (5)	
Firearms	4 (18.2)	3 (13.6)	1 (4.5)	5 (22.7)	\$350 (5)	
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Other	6 (8.8)	6 (8.8)	0 (0.0)	14 (20.6)	\$566 (12)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**TENNESSEE, Eastern
6th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Knoxville
- (2) Chattanooga
- (3) Greenville

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	4	Civil ³	2,160
Assistant U.S. Attorneys ⁴	17	Criminal ⁵	501
Assistant Federal Defenders ⁶	4		
Probation Officers ⁷	26		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	144	528	2,082	6,696	20,001	40,107	8,002	77,560
Per 100,000 Population	9	33	130	419	1,252	2,510	501	4,855

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,995,818	Income per Capita ¹¹	\$ 8,960	Police Protection	\$ 47.74
Population per Square Mile ¹²	124.3	Percent Unemployed ¹³	8.8	Education	\$ 428.86
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 140.73
Percent Age 0-14	19.4	Percent Mfg.	32.3	Public Welfare ¹⁶	\$ 19.99
Percent Age 15-24	14.9	Percent Retail	21.0	Highways	\$ 71.28
Percent Age 25-34	15.7	Percent Finance ¹⁷	4.7		
Percent Age 35-44	15.2	Percent Service	25.1	Percent acreage in farms ¹⁹	38.5
Percent Age 45-64	21.2	Percent Other ¹⁸	16.9		
Percent Age 65+	13.6				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
379	36	31	25	33	28	33	23	27	45	35	26	37

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	377 (100.0)	251 (66.6)	109 (28.9)	17 (4.5)	- (-)	35	\$797	\$0	TOTAL	377 (100.0)	
Male (Row %)	323 (85.7)	215 (66.6)	92 (28.5)	16 (5.0)	- (-)	35	\$805	\$0	Plea	343 (91.0)	
Female (Row %)	54 (14.3)	36 (66.7)	17 (31.5)	1 (1.9)	- (-)	34	\$752	\$310	Trial	34 (9.0)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	347 (100.0)	292 (84.2)	278 (80.1)	14 (4.0)	61.5	28.5	70	61	43	41	73
Robbery	5 (100.0)	5 (100.0)	5 (100.0)	0 (0.0)	96.8	42.0	0	0	1	2	1
Larceny	15 (100.0)	13 (86.7)	12 (80.0)	1 (6.7)	13.0	13.5	6	5	1	0	0
Embezzlement	19 (100.0)	8 (42.1)	5 (26.3)	3 (15.8)	3.4	3.0	7	0	0	0	0
Fraud	54 (100.0)	37 (68.5)	35 (64.8)	2 (3.7)	11.2	10.0	23	9	5	0	0
Drug Trafficking	121 (100.0)	115 (95.0)	113 (93.4)	2 (1.6)	90.0	59.0	11	17	17	22	47
Simple Possession	3 (100.0)	1 (33.3)	1 (33.3)	0 (0.0)	1.0	1.0	1	0	0	0	0
Counterfeiting	9 (100.0)	5 (55.6)	5 (55.6)	0 (0.0)	23.4	21.0	1	2	1	1	0
Firearms	64 (100.0)	62 (96.9)	61 (95.3)	1 (1.6)	69.5	34.5	3	17	12	12	18
Immigration	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	24.0	24.0	0	1	0	0	0
Other	56 (100.0)	45 (80.4)	40 (71.4)	5 (8.9)	45.0	18.0	18	10	6	4	7

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	55 (15.8)	30 (8.7)	25 (7.2)	127 (36.6)	\$3,000 (121)	Sentenced Within Guideline Range 276 (80.7)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	5 (100.0)	\$1,642 (4)	Departure for Substantial Assistance 57 (16.7)
Larceny	2 (13.3)	1 (6.7)	1 (6.7)	7 (46.7)	\$1,690 (6)	
Embezzlement	11 (57.9)	8 (42.1)	3 (15.8)	12 (63.2)	\$2,866 (12)	Other Downward Departure 6 (1.8)
Fraud	17 (31.5)	9 (16.7)	8 (14.8)	30 (55.6)	\$7,813 (28)	
Drug Trafficking	6 (5.0)	2 (1.6)	4 (3.3)	24 (19.8)	\$2,550 (24)	
Simple Possession	2 (66.7)	2 (66.7)	0 (0.0)	2 (66.7)	\$1,750 (2)	Upward Departure 3 (0.9)
Counterfeiting	4 (44.4)	2 (22.2)	2 (22.2)	5 (55.6)	\$1,006 (4)	
Firearms	2 (3.1)	1 (1.6)	1 (1.6)	13 (20.3)	\$2,000 (13)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	
Other	11 (19.6)	5 (8.9)	6 (10.7)	29 (51.8)	\$3,073 (28)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**TENNESSEE, Middle
6th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Nashville
(2) Clarksville

(3) Cookeville
(4) Columbia

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	5	Civil ³	1,458
Assistant U.S. Attorneys ⁴	13	Criminal ⁵	291
Assistant Federal Defenders ⁶	5		
Probation Officers ⁷	23		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	133	724	3,035	7,854	16,552	38,528	5,214	72,040
Per 100,000 Population	11	59	246	638	1,344	3,129	423	5,850

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,515,530	Income per Capita ¹¹	\$ 9,959	Police Protection	\$ 58.01
Population per Square Mile ¹²	108.3	Percent Unemployed ¹³	6.8	Education	\$ 426.19
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 129.33
Percent Age 0-14	21.0	Percent Mfg.	25.5	Public Welfare ¹⁶	\$ 7.40
Percent Age 15-24	15.1	Percent Retail	20.2	Highways	\$ 78.38
Percent Age 25-34	17.7	Percent Finance ¹⁷	7.5		
Percent Age 35-44	15.4	Percent Service	27.5	Percent acreage in farms ¹⁹	50.7
Percent Age 45-64	19.0	Percent Other ¹⁸	19.2		
Percent Age 65+	11.7				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
260	20	24	18	27	28	18	17	25	34	13	16	20

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	250 (100.0)	144 (57.6)	98 (39.2)	6 (2.4)	2 (0.8)	33	\$972	\$510	TOTAL	257 (100.0)	
Male (Row %)	206 (82.4)	121 (58.7)	77 (37.4)	6 (2.9)	2 (1.0)	33	\$1,004	\$472	Plea	224 (87.2)	
Female (Row %)	44 (17.6)	23 (52.3)	21 (47.7)	0 (0.0)	0 (0.0)	35	\$823	\$680	Trial	33 (12.8)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	256 (100.0)	194 (75.8)	186 (72.7)	8 (3.1)	49.9	22.5	73	28	15	28	46
Robbery	26 (100.0)	26 (100.0)	26 (100.0)	0 (0.0)	103.2	70.0	0	0	3	8	15
Larceny	32 (100.0)	11 (34.4)	10 (31.2)	1 (3.1)	17.8	22.5	4	4	2	0	0
Embezzlement	7 (100.0)	3 (42.9)	2 (28.6)	1 (14.3)	3.3	3.0	3	0	0	0	0
Fraud	32 (100.0)	20 (62.5)	19 (59.4)	1 (3.1)	18.0	12.0	10	6	0	1	1
Drug Trafficking	57 (100.0)	52 (91.2)	52 (91.2)	0 (0.0)	93.5	67.5	4	4	4	12	28
Simple Possession	3 (100.0)	1 (33.3)	1 (33.3)	0 (0.0)	8.0	8.0	1	0	0	0	0
Counterfeiting	13 (100.0)	6 (46.1)	6 (46.1)	0 (0.0)	12.5	12.5	3	3	0	0	0
Firearms	18 (100.0)	17 (94.4)	15 (83.3)	2 (11.1)	52.6	27.0	3	5	3	4	2
Immigration	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	10.0	10.0	1	0	0	0	0
Other	67 (100.0)	57 (85.1)	54 (80.6)	3 (4.5)	7.8	2.0	44	6	3	3	0

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	62 (24.2)	34 (13.3)	28 (10.9)	135 (52.7)	\$908 (129)	Sentenced Within Guideline Range 182 (87.1)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	20 (76.9)	\$1,706 (16)	Departure for Substantial Assistance 18 (8.6)
Larceny	21 (65.6)	18 (56.2)	3 (9.4)	19 (59.4)	\$711 (19)	
Embezzlement	4 (57.1)	1 (14.3)	3 (42.9)	5 (71.4)	\$4,407 (5)	Other Downward Departure 5 (2.4)
Fraud	12 (37.5)	3 (9.4)	9 (28.1)	23 (71.9)	\$7,098 (22)	
Drug Trafficking	5 (8.8)	2 (3.5)	3 (5.3)	8 (14.0)	\$3,450 (8)	Upward Departure 4 (1.9)
Simple Possession	2 (66.7)	2 (66.7)	0 (0.0)	3 (100.0)	\$1,000 (3)	
Counterfeiting	7 (53.9)	3 (23.1)	4 (30.8)	11 (84.6)	\$663 (11)	
Firearms	1 (5.6)	1 (5.6)	0 (0.0)	4 (22.2)	\$14,050 (4)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	
Other	10 (14.9)	4 (6.0)	6 (9.0)	42 (62.7)	\$275 (41)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

TENNESSEE, Western
6th Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

- (1) Memphis
- (2) Jackson

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	6	Civil ³	1,350
Assistant U.S. Attorneys ⁴	20	Criminal ⁵	442
Assistant Federal Defenders ⁶	4		
Probation Officers ⁷	22		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	196	777	4,957	5,206	20,600	35,673	14,472	81,881
Per 100,000 Population	17	66	423	445	1,759	3,047	1,236	6,993

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,365,837	Income per Capita ¹¹	\$ 9,065	Police Protection	\$ 69.68
Population per Square Mile ¹²	123.1	Percent Unemployed ¹³	8.3	Education	\$ 460.81
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 173.34
Percent Age 0-14	22.3	Percent Mfg.	23.5	Public Welfare ¹⁶	\$ 6.27
Percent Age 15-24	15.2	Percent Retail	20.4	Highways	\$ 63.50
Percent Age 25-34	16.8	Percent Finance ¹⁷	5.6		
Percent Age 35-44	15.0	Percent Service	26.8	Percent acreage in farms ¹⁹	55.9
Percent Age 45-64	18.3	Percent Other ¹⁸	23.7		
Percent Age 65+	12.5				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
466	34	33	53	50	36	30	38	21	51	51	25	44

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	465 (100.0)	180 (38.7)	274 (58.9)	10 (2.1)	1 (0.2)	32	\$563	\$0	TOTAL	466 (100.0)
Male (Row %)	371 (79.8)	141 (38.0)	221 (59.6)	8 (2.2)	1 (0.3)	31	\$581	\$0	Plea	399 (85.6)
Female (Row %)	94 (20.2)	39 (41.5)	53 (56.4)	2 (2.1)	0 (0.0)	33	\$490	\$203	Trial	67 (14.4)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	463 (100.0)	350 (75.6)	342 (73.9)	8 (1.7)	61.2	41.0	53	66	45	77	107
Robbery	4 (100.0)	4 (100.0)	4 (100.0)	0 (0.0)	56.8	46.5	0	0	2	1	1
Larceny	36 (100.0)	14 (38.9)	14 (38.9)	0 (0.0)	15.1	18.5	6	6	2	0	0
Embezzlement	8 (100.0)	2 (25.0)	1 (12.5)	1 (12.5)	7.5	7.5	1	1	0	0	0
Fraud	65 (100.0)	29 (44.6)	24 (36.9)	5 (7.7)	15.9	13.0	13	10	2	2	0
Drug Trafficking	235 (100.0)	215 (91.5)	213 (90.6)	2 (0.8)	73.3	60.0	18	37	27	39	94
Simple Possession	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	33.5	33.5	1	0	0	0	1
Counterfeiting	19 (100.0)	4 (21.1)	4 (21.1)	0 (0.0)	16.0	18.0	2	2	0	0	0
Firearms	54 (100.0)	52 (96.3)	52 (96.3)	0 (0.0)	59.5	60.0	1	5	8	32	6
Immigration	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	365.0	365.0	0	0	0	0	2
Other	38 (100.0)	26 (68.4)	26 (68.4)	0 (0.0)	26.9	16.5	11	5	4	3	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	113 (24.4)	61 (13.2)	52 (11.2)	134 (28.9)	\$2,000 (122)	Sentenced Within Guideline Range 328 (77.9)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	1 (25.0)	\$1,297 (1)	Departure for Substantial Assistance 70 (16.6)
Larceny	22 (61.1)	9 (25.0)	13 (36.1)	23 (63.9)	\$2,476 (20)	
Embezzlement	6 (75.0)	3 (37.5)	3 (37.5)	6 (75.0)	\$3,103 (6)	Other Downward Departure 20 (4.8)
Fraud	36 (55.4)	17 (26.1)	19 (29.2)	51 (78.5)	\$3,074 (46)	
Drug Trafficking	20 (8.5)	10 (4.3)	10 (4.3)	23 (9.8)	\$500 (23)	
Simple Possession	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	Upward Departure 3 (0.7)
Counterfeiting	15 (79.0)	13 (68.4)	2 (10.5)	14 (73.7)	\$603 (13)	
Firearms	2 (3.7)	1 (1.9)	1 (1.9)	3 (5.6)	\$1,000 (3)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	
Other	12 (31.6)	8 (21.1)	4 (10.5)	13 (34.2)	\$2,302 (10)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**TEXAS, Northern
5th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Dallas
- (2) Ft. Worth
- (3) Lubbock

- (4) Amarillo
- (5) Abilene
- (6) San Angelo

- (7) Wichita Falls
- (8) Arlington
- (9) Garland

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	14	Civil ³	4,785
Assistant U.S. Attorneys ⁴	59	Criminal ⁵	1,010
Assistant Federal Defenders ⁶	10		
Probation Officers ⁷	68		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	969	3,280	19,075	31,697	99,956	250,158	56,706	461,799
Per 100,000 Population	18	63	364	606	1,910	4,780	1,083	8,823

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	5,020,327	Income per Capita ¹¹	\$ 11,283	Police Protection	\$ 81.13
Population per Square Mile ¹²	52.4	Percent Unemployed ¹³	6.6	Education	\$ 669.84
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 112.74
Percent Age 0-14	23.2	Percent Mfg.	20.3	Public Welfare ¹⁶	\$ 3.90
Percent Age 15-24	14.9	Percent Retail	20.7	Highways	\$ 89.29
Percent Age 25-34	19.1	Percent Finance ¹⁷	8.9		
Percent Age 35-44	14.9	Percent Service	28.6	Percent acreage in farms ¹⁹	88.5
Percent Age 45-64	17.5	Percent Other ¹⁸	21.6		
Percent Age 65+	10.3				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
837	63	50	59	75	62	45	86	65	62	99	83	88

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	836 (100.0)	386 (46.2)	227 (27.1)	212 (25.4)	11 (1.3)	34	\$921	\$169	TOTAL	835 (100.0)
Male (Row %)	705 (84.3)	321 (45.5)	191 (27.1)	183 (26.0)	10 (1.4)	33	\$935	\$0	Plea	744 (89.1)
Female (Row %)	131 (15.7)	65 (49.6)	36 (27.5)	29 (22.1)	1 (0.8)	34	\$851	\$600	Trial	91 (10.9)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	830 (100.0)	682 (82.2)	668 (80.5)	14 (1.7)	64.7	34.5	140	144	74	122	200
Robbery	41 (100.0)	39 (95.1)	39 (95.1)	0 (0.0)	149.2	96.0	0	0	1	10	28
Larceny	63 (100.0)	48 (76.2)	47 (74.6)	1 (1.6)	21.6	15.5	19	18	6	4	1
Embezzlement	25 (100.0)	21 (84.0)	16 (64.0)	5 (20.0)	9.6	8.0	17	3	1	0	0
Fraud	143 (100.0)	95 (66.4)	91 (63.6)	4 (2.8)	20.0	16.0	34	36	10	13	1
Drug Trafficking	221 (100.0)	218 (98.6)	218 (98.6)	0 (0.0)	103.2	78.0	11	17	25	34	131
Simple Possession	8 (100.0)	4 (50.0)	4 (50.0)	0 (0.0)	33.0	33.0	2	0	0	2	0
Counterfeiting	15 (100.0)	10 (66.7)	10 (66.7)	0 (0.0)	16.8	20.5	3	7	0	0	0
Firearms	101 (100.0)	95 (94.1)	95 (94.1)	0 (0.0)	63.9	41.0	7	22	13	32	21
Immigration	44 (100.0)	35 (79.5)	35 (79.5)	0 (0.0)	13.3	9.0	23	9	1	1	1
Other	169 (100.0)	117 (69.2)	113 (66.9)	4 (2.4)	49.5	27.0	24	32	17	26	17

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
						Sentenced Within Guideline Range
TOTAL	148 (17.8)	74 (8.9)	74 (8.9)	241 (29.0)	\$5,000 (229)	680 (83.6)
Robbery	2 (4.9)	0 (0.0)	2 (4.9)	8 (19.5)	\$6,633 (7)	Departure for Substantial Assistance 82 (10.1)
Larceny	15 (23.8)	7 (11.1)	8 (12.7)	36 (57.1)	\$2,803 (34)	
Embezzlement	4 (16.0)	2 (8.0)	2 (8.0)	15 (60.0)	\$10,815 (15)	Other Downward Departure 35 (4.3)
Fraud	48 (33.6)	15 (10.5)	33 (23.1)	92 (64.3)	\$4,446 (85)	
Drug Trafficking	3 (1.4)	2 (0.9)	1 (0.5)	9 (4.1)	\$10,000 (9)	Upward Departure 16 (2.0)
Simple Possession	4 (50.0)	4 (50.0)	0 (0.0)	1 (12.5)	\$1,000 (1)	
Counterfeiting	5 (33.3)	0 (0.0)	5 (33.3)	6 (40.0)	\$808 (6)	
Firearms	6 (5.9)	3 (3.0)	3 (3.0)	8 (7.9)	\$5,000 (8)	
Immigration	9 (20.4)	8 (18.2)	1 (2.3)	9 (20.4)	\$2,000 (9)	
Other	52 (30.8)	33 (19.5)	19 (11.2)	57 (33.7)	\$5,000 (55)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**TEXAS, Southern
5th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Brownsville
- (2) McAllen
- (3) Houston

- (4) Corpus Christi
- (5) Laredo
- (6) Galveston

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	17	Civil ³	5,867
Assistant U.S. Attorneys ⁴	97	Criminal ⁵	1,577
Assistant Federal Defenders ⁶	31		
Probation Officers ⁷	131		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	983	2,712	19,493	26,181	102,273	207,195	67,337	426,174
Per 100,000 Population	17	48	344	463	1,807	3,662	1,190	7,531

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	5,538,045	Income per Capita ¹¹	\$ 10,560	Police Protection	\$ 84.20
Population per Square Mile ¹²	130.5	Percent Unemployed ¹³	11.4	Education	\$ 726.33
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 107.75
Percent Age 0-14	25.2	Percent Mfg.	14.3	Public Welfare ¹⁶	\$ 5.58
Percent Age 15-24	15.8	Percent Retail	21.6	Highways	\$ 107.56
Percent Age 25-34	18.4	Percent Finance ¹⁷	7.6		
Percent Age 35-44	15.5	Percent Service	29.3	Percent acreage in farms ¹⁹	75.5
Percent Age 45-64	16.6	Percent Other ¹⁸	27.2		
Percent Age 65+	8.5				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
1,646	136	126	114	141	101	131	148	133	176	152	148	140

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ² N (Col %)	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	1,626 (100.0)	233 (14.3)	86 (5.3)	1,301 (80.0)	6 (0.4)	32	\$656	\$200	TOTAL	1,642 (100.0)	
Male (Row %)	1,460 (89.8)	204 (14.0)	74 (5.1)	1,177 (80.6)	5 (0.3)	31	\$674	\$240	Plea	1,463 (89.1)	
Female (Row %)	166 (10.2)	29 (17.5)	12 (7.2)	124 (74.7)	1 (0.6)	34	\$506	\$78	Trial	179 (10.9)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	1,637 (100.0)	1,385 (84.6)	1,361 (83.1)	24 (1.5)	54.5	30.0	382	234	155	224	386
Robbery	10 (100.0)	10 (100.0)	10 (100.0)	0 (0.0)	96.4	77.0	0	0	1	2	7
Larceny	18 (100.0)	11 (61.1)	11 (61.1)	0 (0.0)	24.4	16.0	4	3	0	3	0
Embezzlement	17 (100.0)	8 (47.1)	7 (41.2)	1 (5.9)	9.5	9.5	6	2	0	0	0
Fraud	55 (100.0)	39 (70.9)	38 (69.1)	1 (1.8)	21.4	12.0	20	11	2	3	3
Drug Trafficking	875 (100.0)	841 (96.1)	833 (95.2)	8 (0.9)	73.4	60.0	41	136	130	191	342
Simple Possession	63 (100.0)	34 (54.0)	33 (52.4)	1 (1.6)	6.5	6.0	33	0	0	0	0
Counterfeiting	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	10.5	10.5	1	1	0	0	0
Firearms	93 (100.0)	78 (83.9)	76 (81.7)	2 (2.1)	59.2	21.0	21	25	7	8	17
Immigration	334 (100.0)	228 (68.3)	224 (67.1)	4 (1.2)	7.4	5.0	200	24	2	1	1
Other	170 (100.0)	134 (78.8)	127 (74.7)	7 (4.1)	36.8	18.0	56	32	13	16	16

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	252 (15.4)	153 (9.3)	99 (6.0)	439 (26.8)	\$1,000 (429)	Sentenced Within Guideline Range 1,279 (80.7)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	9 (90.0)	\$5,186 (8)	Departure for Substantial Assistance 222 (14.0)
Larceny	7 (38.9)	2 (11.1)	5 (27.8)	13 (72.2)	\$7,500 (13)	
Embezzlement	9 (52.9)	5 (29.4)	4 (23.5)	13 (76.5)	\$20,000 (13)	Other Downward Departure 57 (3.6)
Fraud	16 (29.1)	9 (16.4)	7 (12.7)	28 (50.9)	\$14,738 (22)	
Drug Trafficking	34 (3.9)	22 (2.5)	12 (1.4)	214 (24.5)	\$500 (212)	Upward Departure 26 (1.6)
Simple Possession	29 (46.0)	25 (39.7)	4 (6.3)	32 (50.8)	\$1,000 (31)	
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	
Firearms	15 (16.1)	4 (4.3)	11 (11.8)	26 (28.0)	\$1,500 (26)	
Immigration	106 (31.7)	64 (19.2)	42 (12.6)	62 (18.6)	\$275 (62)	
Other	36 (21.2)	22 (12.9)	14 (8.2)	42 (24.7)	\$1,948 (42)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**TEXAS, Eastern
5th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:**

- (1) Beaumont
- (2) Tyler
- (3) Plano

- (4) Sherman
- (5) Texarkana
- (6) Lufkin

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	8	Civil ³	3,096
Assistant U.S. Attorneys ⁴	28	Criminal ⁵	326
Assistant Federal Defenders ⁶	2		
Probation Officers ⁷	25		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	187	1,013	2,570	9,526	32,876	71,710	7,961	125,843
Per 100,000 Population	8	45	115	426	1,472	3,210	356	5,634

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,292,232	Income per Capita ¹¹	\$ 9,811	Police Protection	\$ 55.04
Population per Square Mile ¹²	69.8	Percent Unemployed ¹³	9.9	Education	\$ 724.20
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 70.31
Percent Age 0-14	22.7	Percent Mfg.	24.4	Public Welfare ¹⁶	\$ 2.91
Percent Age 15-24	14.3	Percent Retail	24.3	Highways	\$ 84.80
Percent Age 25-34	16.7	Percent Finance ¹⁷	4.9		
Percent Age 35-44	14.7	Percent Service	26.8	Percent acreage in farms ¹⁹	45.2
Percent Age 45-64	18.8	Percent Other ¹⁸	19.6		
Percent Age 65+	12.9				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
296	14	29	16	19	19	36	17	38	34	18	36	20

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		N (Col %)			
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	296 (100.0)	145 (49.0)	123 (41.5)	25 (8.4)	3 (1.0)	35	\$755	\$158	TOTAL	296 (100.0)		
Male (Row %)	243 (82.1)	120 (49.4)	100 (41.1)	20 (8.2)	3 (1.2)	35	\$722	\$0	Plea	246 (83.1)		
Female (Row %)	53 (17.9)	25 (47.2)	23 (43.4)	5 (9.4)	0 (0.0)	35	\$901	\$600	Trial	50 (16.9)		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	294 (100.0)	237 (80.6)	230 (78.2)	7 (2.4)	85.1	60.0	44	31	23	42	97
Robbery	15 (100.0)	15 (100.0)	15 (100.0)	0 (0.0)	107.0	70.0	1	0	1	4	9
Larceny	8 (100.0)	5 (62.5)	4 (50.0)	1 (12.5)	12.0	12.0	3	2	0	0	0
Embezzlement	11 (100.0)	6 (54.5)	5 (45.5)	1 (9.1)	18.0	13.0	3	1	1	1	0
Fraud	35 (100.0)	20 (57.1)	17 (48.6)	3 (8.6)	16.3	12.0	12	5	1	2	0
Drug Trafficking	85 (100.0)	80 (94.1)	80 (94.1)	0 (0.0)	139.7	120.0	0	5	2	8	65
Simple Possession	6 (100.0)	1 (16.7)	1 (16.7)	0 (0.0)	12.0	12.0	1	0	0	0	0
Counterfeiting	7 (100.0)	5 (71.4)	5 (71.4)	0 (0.0)	18.0	18.0	1	4	0	0	0
Firearms	60 (100.0)	58 (96.7)	57 (95.0)	1 (1.7)	68.1	57.0	6	8	10	20	14
Immigration	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Other	67 (100.0)	47 (70.2)	46 (68.7)	1 (1.5)	60.3	27.0	17	6	8	7	9

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	57 (19.4)	42 (14.3)	15 (5.1)	113 (38.4)	\$2,925 (107)	Sentenced Within Guideline Range 228 (82.0)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	6 (40.0)	\$1,802 (6)	Departure for Substantial Assistance 27 (9.7)
Larceny	3 (37.5)	2 (25.0)	1 (12.5)	6 (75.0)	\$2,214 (6)	
Embezzlement	5 (45.5)	2 (18.2)	3 (27.3)	8 (72.7)	\$17,025 (7)	Other Downward Departure 16 (5.8)
Fraud	15 (42.9)	12 (34.3)	3 (8.6)	32 (91.4)	\$8,629 (29)	
Drug Trafficking	5 (5.9)	3 (3.5)	2 (2.4)	12 (14.1)	\$2,000 (12)	Upward Departure 7 (2.5)
Simple Possession	5 (83.3)	4 (66.7)	1 (16.7)	4 (66.7)	\$1,000 (4)	
Counterfeiting	2 (28.6)	1 (14.3)	1 (14.3)	6 (85.7)	\$1,680 (6)	
Firearms	2 (3.3)	1 (1.7)	1 (1.7)	8 (13.3)	\$2,000 (8)	
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Other	20 (29.9)	17 (25.4)	3 (4.5)	31 (46.3)	\$1,897 (29)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**TEXAS, Western
5th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- | | | |
|-----------------|--------------------|----------------|
| (1) El Paso | (4) Austin | (7) Pecos |
| (2) Waco | (5) Midland-Odessa | (8) Killeen |
| (3) San Antonio | (6) Del Rio | (9) Eagle Pass |

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	8	Civil ³	2,819
Assistant U.S. Attorneys ⁴	62	Criminal ⁵	1,602
Assistant Federal Defenders ⁶	25		
Probation Officers ⁷	91		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	512	2,256	8,554	16,649	77,313	204,718	31,778	341,780
Per 100,000 Population	12	54	203	396	1,837	4,865	755	8,122

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	4,135,906	Income per Capita ¹¹	\$ 9,256	Police Protection	\$ 67.34
Population per Square Mile ¹²	45.5	Percent Unemployed ¹³	8.2	Education	\$ 745.43
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 116.61
Percent Age 0-14	24.2	Percent Mfg.	15.2	Public Welfare ¹⁶	\$ 6.40
Percent Age 15-24	16.7	Percent Retail	25.2	Highways	\$ 77.35
Percent Age 25-34	17.6	Percent Finance ¹⁷	8.1		
Percent Age 35-44	14.4	Percent Service	32.2	Percent acreage in farms ¹⁹	80.8
Percent Age 45-64	16.7	Percent Other ¹⁸	19.2		
Percent Age 65+	10.5				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
1,581	144	85	104	97	138	179	143	137	145	135	124	150

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	1,480 (100.0)	704 (47.6)	232 (15.7)	532 (36.0)	12 (0.8)	32	\$561	\$0	TOTAL	1,579 (100.0)
Male (Row %)	1,305 (88.2)	601 (46.0)	205 (15.7)	492 (37.7)	7 (0.5)	32	\$557	\$0	Plea	1,412 (89.4)
Female (Row %)	175 (11.8)	103 (58.9)	27 (15.4)	40 (22.9)	5 (2.9)	31	\$591	\$184	Trial	167 (10.6)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	1,567 (100.0)	1,360 (86.8)	1,340 (85.5)	20 (1.3)	57.3	33.0	273	269	222	213	375
Robbery	24 (100.0)	24 (100.0)	24 (100.0)	0 (0.0)	126.3	101.5	0	0	2	5	17
Larceny	83 (100.0)	31 (37.4)	28 (33.7)	3 (3.6)	8.7	7.0	29	1	1	0	0
Embezzlement	16 (100.0)	12 (75.0)	10 (62.5)	2 (12.5)	8.2	7.0	10	2	0	0	0
Fraud	112 (100.0)	91 (81.2)	87 (77.7)	4 (3.6)	14.0	9.5	61	15	8	5	1
Drug Trafficking	774 (100.0)	764 (98.7)	762 (98.5)	2 (0.3)	75.9	51.0	21	134	153	139	316
Simple Possession	34 (100.0)	19 (55.9)	19 (55.9)	0 (0.0)	9.8	12.0	19	0	0	0	0
Counterfeiting	31 (100.0)	14 (45.2)	14 (45.2)	0 (0.0)	25.8	12.0	8	3	0	2	1
Firearms	137 (100.0)	131 (95.6)	129 (94.2)	2 (1.5)	61.6	30.0	21	28	26	24	28
Immigration	133 (100.0)	128 (96.2)	128 (96.2)	0 (0.0)	20.3	18.0	48	58	7	11	3
Other	223 (100.0)	146 (65.5)	139 (62.3)	7 (3.1)	27.5	18.0	56	28	25	27	9

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	207 (13.2)	154 (9.8)	53 (3.4)	686 (43.8)	\$3,000 (672)	Sentenced Within Guideline Range 1,226 (82.1)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	18 (75.0)	\$3,000 (17)	Departure for Substantial Assistance 174 (11.6)
Larceny	52 (62.6)	41 (49.4)	11 (13.2)	80 (96.4)	\$856 (78)	
Embezzlement	4 (25.0)	0 (0.0)	4 (25.0)	12 (75.0)	\$12,144 (12)	Other Downward Departure 61 (4.1)
Fraud	21 (18.8)	11 (9.8)	10 (8.9)	70 (62.5)	\$17,500 (63)	
Drug Trafficking	10 (1.3)	6 (0.8)	4 (0.5)	260 (33.6)	\$4,000 (260)	Upward Departure 33 (2.2)
Simple Possession	15 (44.1)	14 (41.2)	1 (2.9)	20 (58.8)	\$1,000 (20)	
Counterfeiting	17 (54.8)	13 (41.9)	4 (12.9)	27 (87.1)	\$863 (26)	
Firearms	6 (4.4)	4 (2.9)	2 (1.5)	61 (44.5)	\$2,000 (61)	
Immigration	5 (3.8)	4 (3.0)	1 (0.8)	10 (7.5)	\$750 (10)	
Other	77 (34.5)	61 (27.4)	16 (7.2)	128 (57.4)	\$2,000 (125)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

UTAH
10th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Salt Lake City
- (2) Ogden

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	7	Civil ³	1,212
Assistant U.S. Attorneys ⁴	16	Criminal ⁵	339
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	23		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	51	787	988	3,173	14,497	73,366	4,185	97,047
Per 100,000 Population	3	45	57	184	839	4,245	242	5,615

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,722,850	Income per Capita ¹¹	\$ 8,535	Police Protection	\$ 68.04
Population per Square Mile ¹²	21.0	Percent Unemployed ¹³	6.0	Education	\$ 650.39
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 38.78
Percent Age 0-14	31.2	Percent Mfg.	17.0	Public Welfare ¹⁶	\$ 3.34
Percent Age 15-24	16.8	Percent Retail	21.9	Highways	\$ 68.75
Percent Age 25-34	16.0	Percent Finance ¹⁷	6.4		
Percent Age 35-44	13.0	Percent Service	32.4	Percent acreage in farms ¹⁹	18.6
Percent Age 45-64	14.3	Percent Other ¹⁸	22.2		
Percent Age 65+	8.7				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
252	18	24	20	24	18	15	18	24	26	21	28	16

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	251 (100.0)	150 (59.8)	26 (10.4)	56 (22.3)	19 (7.6)	33	\$813	\$216	TOTAL	231 (100.0)
Male (Row %)	218 (86.9)	125 (57.3)	24 (11.0)	50 (22.9)	19 (8.7)	32	\$817	\$125	Plea	201 (87.0)
Female (Row %)	33 (13.1)	25 (75.8)	2 (6.1)	6 (18.2)	0 (0.0)	37	\$788	\$464	Trial	30 (13.0)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	250 (100.0)	157 (62.8)	147 (58.8)	10 (4.0)	50.8	30.0	36	28	22	28	43
Robbery	15 (100.0)	15 (100.0)	15 (100.0)	0 (0.0)	80.8	57.0	0	1	1	6	7
Larceny	20 (100.0)	7 (35.0)	6 (30.0)	1 (5.0)	16.3	14.0	3	3	0	1	0
Embezzlement	8 (100.0)	4 (50.0)	4 (50.0)	0 (0.0)	8.8	6.0	3	1	0	0	0
Fraud	32 (100.0)	10 (31.2)	7 (21.9)	3 (9.4)	13.0	10.0	7	2	0	1	0
Drug Trafficking	74 (100.0)	70 (94.6)	64 (86.5)	6 (8.1)	65.2	55.5	10	6	9	19	26
Simple Possession	12 (100.0)	2 (16.7)	2 (16.7)	0 (0.0)	50.5	50.5	1	0	0	0	1
Counterfeiting	8 (100.0)	4 (50.0)	4 (50.0)	0 (0.0)	19.8	19.5	2	0	2	0	0
Firearms	14 (100.0)	10 (71.4)	10 (71.4)	0 (0.0)	38.0	27.0	2	2	5	0	1
Immigration	14 (100.0)	12 (85.7)	12 (85.7)	0 (0.0)	25.1	16.0	3	7	0	0	2
Other	53 (100.0)	23 (43.4)	23 (43.4)	0 (0.0)	46.4	27.0	5	6	5	1	6

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	93 (37.2)	57 (22.8)	36 (14.4)	97 (38.8)	\$1,000 (95)	Sentenced Within Guideline Range 201 (80.4)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	8 (53.3)	\$2,356 (8)	Departure for Substantial Assistance 31 (12.4)
Larceny	13 (65.0)	10 (50.0)	3 (15.0)	15 (75.0)	\$500 (15)	
Embezzlement	4 (50.0)	1 (12.5)	3 (37.5)	3 (37.5)	\$37,410 (2)	Other Downward Departure 18 (7.2)
Fraud	22 (68.8)	16 (50.0)	6 (18.8)	18 (56.2)	\$2,400 (18)	
Drug Trafficking	4 (5.4)	2 (2.7)	2 (2.7)	10 (13.5)	\$1,000 (10)	Upward Departure 0 (0.0)
Simple Possession	10 (83.3)	9 (75.0)	1 (8.3)	10 (83.3)	\$1,000 (10)	
Counterfeiting	4 (50.0)	2 (25.0)	2 (25.0)	7 (87.5)	\$442 (7)	
Firearms	4 (28.6)	0 (0.0)	4 (28.6)	4 (28.6)	\$500 (3)	
Immigration	2 (14.3)	1 (7.1)	1 (7.1)	1 (7.1)	\$250 (1)	
Other	30 (56.6)	16 (30.2)	14 (26.4)	21 (39.6)	\$1,000 (21)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

VERMONT
2nd Circuit

**Cities Supplying Sentencing
Guideline Documentation:**¹

(1) Burlington
(2) Rutland

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	34	Civil ³	454
Assistant U.S. Attorneys ⁴	11	Criminal ⁵	106
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	10		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	12	152	65	392	5,370	13,291	736	20,018
Per 100,000 Population	2	28	12	71	976	2,415	134	3,637

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	562,758	Income per Capita ¹¹	\$ 9,619	Police Protection	\$ 35.05
Population per Square Mile ¹²	60.7	Percent Unemployed ¹³	4.7	Education	\$ 717.31
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 3.92
Percent Age 0-14	21.5	Percent Mfg.	21.8	Public Welfare ¹⁶	\$ 0.77
Percent Age 15-24	15.1	Percent Retail	22.8	Highways	\$ 115.03
Percent Age 25-34	16.9	Percent Finance ¹⁷	6.1		
Percent Age 35-44	16.4	Percent Service	30.2	Percent acreage in farms ¹⁹	26.5
Percent Age 45-64	18.2	Percent Other ¹⁸	19.1		
Percent Age 65+	11.8				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
136	2	9	10	10	14	3	18	10	18	11	13	18

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		N (Col %)		
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	136 (100.0)	126 (92.7)	2 (1.5)	3 (2.2)	5 (3.7)	33	\$510	\$200	TOTAL	136 (100.0)	
Male (Row %)	108 (79.4)	99 (91.7)	2 (1.9)	3 (2.8)	4 (3.7)	34	\$425	\$0	Plea	124 (91.2)	
Female (Row %)	28 (20.6)	27 (96.4)	0 (0.0)	0 (0.0)	1 (3.6)	30	\$810	\$560	Trial	12 (8.8)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	130 (100.0)	103 (79.2)	97 (74.6)	6 (4.6)	49.1	30.0	27	20	8	23	23
Robbery	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	200.0	200.0	0	0	0	0	2
Larceny	4 (100.0)	2 (50.0)	2 (50.0)	0 (0.0)	10.5	10.5	1	1	0	0	0
Embezzlement	3 (100.0)	2 (66.7)	1 (33.3)	1 (33.3)	3.5	3.5	2	0	0	0	0
Fraud	22 (100.0)	15 (68.2)	12 (54.5)	3 (13.6)	17.0	12.0	7	5	0	2	0
Drug Trafficking	45 (100.0)	43 (95.6)	41 (91.1)	2 (4.4)	65.3	58.0	4	5	4	13	17
Simple Possession	4 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	27.0	27.0	0	0	1	0	0
Firearms	23 (100.0)	20 (87.0)	20 (87.0)	0 (0.0)	60.7	28.0	4	5	1	5	4
Immigration	11 (100.0)	7 (63.6)	7 (63.6)	0 (0.0)	6.0	3.0	6	1	0	0	0
Other	14 (100.0)	11 (78.6)	11 (78.6)	0 (0.0)	24.5	17.0	3	3	2	3	0

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	27 (20.8)	17 (13.1)	10 (7.7)	34 (26.1)	\$3,840 (33)	Sentenced Within Guideline Range 111 (82.2)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	1 (50.0)	\$1,370 (1)	Departure for Substantial Assistance 11 (8.1)
Larceny	2 (50.0)	2 (50.0)	0 (0.0)	1 (25.0)	\$1,000 (1)	
Embezzlement	1 (33.3)	1 (33.3)	0 (0.0)	2 (66.7)	\$42,757 (2)	Other Downward Departure 7 (5.2)
Fraud	7 (31.8)	3 (13.6)	4 (18.2)	13 (59.1)	\$6,875 (12)	
Drug Trafficking	2 (4.4)	1 (2.2)	1 (2.2)	4 (8.9)	\$5,750 (4)	Upward Departure 6 (4.4)
Simple Possession	4 (100.0)	3 (75.0)	1 (25.0)	0 (0.0)	\$- (-)	
Counterfeiting	1 (50.0)	1 (50.0)	0 (0.0)	1 (50.0)	\$15,465 (1)	
Firearms	3 (13.0)	2 (8.7)	1 (4.3)	4 (17.4)	\$5,516 (4)	
Immigration	4 (36.4)	2 (18.2)	2 (18.2)	3 (27.3)	\$250 (3)	
Other	3 (21.4)	2 (14.3)	1 (7.1)	5 (35.7)	\$1,500 (5)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

VIRGIN ISLANDS
3rd Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

(1) St. Croix
(2) St. Thomas

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	1	Civil ³	391
Assistant U.S. Attorneys ⁴	13	Criminal ⁵	255
Assistant Federal Defenders ⁶	4		
Probation Officers ⁷	10		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	16	58	444	1,690	3,728	3,650	956	10,542
Per 100,000 Population	17	60	459	1,750	3,860	3,780	990	10,916

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	96,569	Income per Capita ¹¹	n/a	Police Protection	n/a
Population per Square Mile ¹²	731.6	Percent Unemployed ¹³	n/a	Education	n/a
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	n/a
Percent Age 0-17	43.3	Percent Mfg.	n/a	Public Welfare ¹⁶	n/a
Percent Age 18-64	52.1	Percent Retail	n/a	Highways	n/a
Percent Age 65+	4.6	Percent Finance ¹⁷	n/a		
		Percent Service	n/a	Percent acreage in farms ¹⁹	n/a
		Percent Other ¹⁸	n/a		

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
93	8	7	7	6	7	13	14	5	7	5	11	3

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL			N (Col %)
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	91 (100.0)	21 (23.1)	40 (44.0)	30 (33.0)	- (-.)	28	\$595	\$0	93	100.0		
Male (Row %)	73 (80.2)	17 (23.3)	31 (42.5)	25 (34.2)	- (-.)	28	\$619	\$0	78	83.9		
Female (Row %)	18 (19.8)	4 (22.2)	9 (50.0)	5 (27.8)	- (-.)	32	\$492	\$0	15	16.1		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	89 (100.0)	77 (86.5)	74 (83.2)	3 (3.4)	47.5	21.0	29	6	5	11	16
Robbery	- (-.)	- (-.)	- (-.)	- (-.)	--	--	-	-	-	-	-
Larceny	3 (100.0)	2 (66.7)	2 (66.7)	0 (0.0)	7.0	7.0	2	0	0	0	0
Embezzlement	- (-.)	- (-.)	- (-.)	- (-.)	--	--	-	-	-	-	-
Fraud	18 (100.0)	12 (66.7)	10 (55.6)	2 (11.1)	14.5	12.0	4	3	0	1	0
Drug Trafficking	28 (100.0)	27 (96.4)	26 (92.9)	1 (3.6)	75.8	63.0	2	0	2	9	14
Simple Possession	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	- (-.)	- (-.)	- (-.)	- (-.)	--	--	-	-	-	-	-
Firearms	8 (100.0)	6 (75.0)	6 (75.0)	0 (0.0)	75.8	25.5	2	1	2	0	1
Immigration	21 (100.0)	21 (100.0)	21 (100.0)	0 (0.0)	3.6	3.0	14	1	0	0	0
Other	9 (100.0)	9 (100.0)	9 (100.0)	0 (0.0)	55.1	12.0	5	1	1	1	1

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	12 (13.5)	11 (12.4)	1 (1.1)	18 (20.2)	\$2,250 (18)	Sentenced Within Guideline Range 74 (82.2)
Robbery	- (-.)	- (-.)	- (-.)	- (-.)	\$- (-)	Departure for Substantial Assistance 9 (10.0)
Larceny	1 (33.3)	0 (0.0)	1 (33.3)	1 (33.3)	\$71,840 (1)	
Embezzlement	- (-.)	- (-.)	- (-.)	- (-.)	\$- (-)	Other Downward Departure 6 (6.7)
Fraud	6 (33.3)	6 (33.3)	0 (0.0)	10 (55.6)	\$2,500 (10)	
Drug Trafficking	1 (3.6)	1 (3.6)	0 (0.0)	2 (7.1)	\$12,875 (2)	
Simple Possession	2 (100.0)	2 (100.0)	0 (0.0)	2 (100.0)	\$1,250 (2)	Upward Departure 1 (1.1)
Counterfeiting	- (-.)	- (-.)	- (-.)	- (-.)	\$- (-)	
Firearms	2 (25.0)	2 (25.0)	0 (0.0)	0 (0.0)	\$- (-)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	2 (9.5)	\$38 (2)	
Other	0 (0.0)	0 (0.0)	0 (0.0)	1 (11.1)	\$500 (1)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**VIRGINIA, Eastern
4th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Alexandria
- (2) Norfolk
- (3) Richmond
- (4) Petersburg

- (5) Newport News
- (6) Fredericksburg
- (7) Hampton
- (8) Williamsburg

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	15	Civil ³	3,937
Assistant U.S. Attorneys ⁴	47	Criminal ⁵	2,348
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	69		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	466	1,428	7,841	9,260	38,530	155,668	18,869	232,062
Per 100,000 Population	11	32	178	211	876	3,541	429	5,278

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	4,327,439	Income per Capita ¹¹	\$ 13,073	Police Protection	\$ 82.29
Population per Square Mile ¹²	263.8	Percent Unemployed ¹³	4.0	Education	\$ 683.29
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 80.88
Percent Age 0-14	21.2	Percent Mfg.	13.2	Public Welfare ¹⁶	\$ 61.55
Percent Age 15-24	15.2	Percent Retail	23.2	Highways	\$ 64.58
Percent Age 25-34	19.6	Percent Finance ¹⁷	7.5		
Percent Age 35-44	16.5	Percent Service	33.0	Percent acreage in farms ¹⁹	34.2
Percent Age 45-64	18.1	Percent Other ¹⁸	23.0		
Percent Age 65+	9.4				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
1,110	100	81	85	101	60	86	105	105	104	107	87	89

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL			N (Col %)
		White	Black	Hispanic	Other		Mean	Median				
TOTAL (Row %)	1,032 (100.0)	320 (31.0)	624 (60.5)	65 (6.3)	23 (2.2)	30	\$693	\$0	1,103	100.0		
Male (Row %)	838 (81.2)	261 (31.1)	507 (60.5)	58 (6.9)	12 (1.4)	30	\$677	\$0	959	86.9		
Female (Row %)	194 (18.8)	59 (30.4)	117 (60.3)	7 (3.6)	11 (5.7)	32	\$758	\$464	144	13.1		

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	1,072 (100.0)	832 (77.6)	800 (74.6)	32 (3.0)	75.6	33.0	263	111	59	74	322
Robbery	9 (100.0)	9 (100.0)	9 (100.0)	0 (0.0)	204.4	72.0	0	1	0	1	7
Larceny	130 (100.0)	51 (39.2)	45 (34.6)	6 (4.6)	7.7	6.0	41	4	2	1	0
Embezzlement	33 (100.0)	20 (60.6)	15 (45.5)	5 (15.2)	5.3	3.5	18	2	0	0	0
Fraud	174 (100.0)	110 (63.2)	101 (58.0)	9 (5.2)	16.8	12.0	61	28	8	12	1
Drug Trafficking	379 (100.0)	373 (98.4)	368 (97.1)	5 (1.3)	136.7	120.0	11	20	23	31	288
Simple Possession	24 (100.0)	14 (58.3)	14 (58.3)	0 (0.0)	8.3	8.5	13	1	0	0	0
Counterfeiting	21 (100.0)	17 (81.0)	17 (81.0)	0 (0.0)	19.9	15.0	7	6	2	2	0
Firearms	131 (100.0)	111 (84.7)	109 (83.2)	2 (1.5)	25.9	13.0	55	28	10	9	9
Immigration	28 (100.0)	17 (60.7)	17 (60.7)	0 (0.0)	7.5	4.0	13	4	0	0	0
Other	143 (100.0)	110 (76.9)	105 (73.4)	5 (3.5)	37.0	22.5	44	17	14	18	17

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	240 (22.4)	154 (14.4)	86 (8.0)	385 (35.9)	\$2,310 (375)	Sentenced Within Guideline Range 951 (94.3)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	4 (4.4)	\$9,876 (4)	Departure for Substantial Assistance 27 (2.7)
Larceny	79 (60.8)	68 (52.3)	11 (8.5)	99 (76.2)	\$448 (98)	Other Downward Departure 25 (2.5)
Embezzlement	13 (39.4)	8 (24.2)	5 (15.2)	23 (69.7)	\$2,884 (22)	Upward Departure 6 (0.6)
Fraud	64 (36.8)	30 (17.2)	34 (19.5)	122 (70.1)	\$8,587 (115)	
Drug Trafficking	6 (1.6)	4 (1.1)	2 (0.5)	27 (7.1)	\$5,000 (27)	
Simple Possession	10 (41.7)	8 (33.3)	2 (8.3)	8 (33.3)	\$750 (8)	
Counterfeiting	4 (19.1)	2 (9.5)	2 (9.5)	8 (38.1)	\$762 (8)	
Firearms	20 (15.3)	13 (9.9)	7 (5.3)	39 (29.8)	\$1,000 (38)	
Immigration	11 (39.3)	10 (35.7)	1 (3.6)	5 (17.9)	\$1,000 (5)	
Other	33 (23.1)	11 (7.7)	22 (15.4)	50 (35.0)	\$3,240 (50)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

VIRGINIA, Western
4th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Roanoke
- (2) Charlottesville
- (3) Big Stone Gap
- (4) Abingdon

- (5) Harrisonburg
- (6) Lynchburg
- (7) Danville

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	5	Civil ³	1,748
Assistant U.S. Attorneys ⁴	14	Criminal ⁵	303
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	24		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	117	452	810	3,086	10,694	39,983	2,415	57,557
Per 100,000 Population	6	24	43	163	566	2,116	128	3,046

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,859,919	Income per Capita ¹¹	\$ 9,352	Police Protection	\$ 49.28
Population per Square Mile ¹²	79.8	Percent Unemployed ¹³	7.3	Education	\$ 571.41
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 3.30
Percent Age 0-14	18.8	Percent Mfg.	32.3	Public Welfare ¹⁶	\$ 45.06
Percent Age 15-24	16.1	Percent Retail	20.3	Highways	\$ 30.56
Percent Age 25-34	15.7	Percent Finance ¹⁷	4.7		
Percent Age 35-44	14.9	Percent Service	22.8	Percent acreage in farms ¹⁹	39.2
Percent Age 45-64	20.6	Percent Other ¹⁸	19.7		
Percent Age 65+	13.9				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
410	37	29	22	15	43	43	45	22	20	33	77	24

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ² N (Col %)	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	404 (100.0)	267 (66.1)	128 (31.7)	7 (1.7)	2 (0.5)	33	\$891	\$200	TOTAL	409 (100.0)	
Male (Row %)	340 (84.2)	218 (64.1)	114 (33.5)	6 (1.8)	2 (0.6)	34	\$948	\$0	Plea	359 (87.8)	
Female (Row %)	64 (15.8)	49 (76.6)	14 (21.9)	1 (1.6)	0 (0.0)	32	\$607	\$334	Trial	50 (12.2)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	403 (100.0)	278 (69.0)	269 (66.8)	9 (2.2)	64.3	36.0	62	49	28	51	85
Robbery	3 (100.0)	3 (100.0)	3 (100.0)	0 (0.0)	181.7	41.0	0	1	0	1	1
Larceny	16 (100.0)	9 (56.2)	9 (56.2)	0 (0.0)	7.0	7.0	8	1	0	0	0
Embezzlement	19 (100.0)	15 (79.0)	11 (57.9)	4 (21.1)	8.3	4.0	11	3	1	0	0
Fraud	31 (100.0)	16 (51.6)	15 (48.4)	1 (3.2)	13.9	3.5	8	2	2	2	0
Drug Trafficking	195 (100.0)	165 (84.6)	163 (83.6)	2 (1.0)	78.0	60.0	17	24	12	38	73
Simple Possession	12 (100.0)	4 (33.3)	4 (33.3)	0 (0.0)	8.8	10.0	4	0	0	0	0
Counterfeiting	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	7.0	7.0	2	0	0	0	0
Firearms	70 (100.0)	53 (75.7)	52 (74.3)	1 (1.4)	53.5	27.0	8	16	11	10	8
Immigration	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Other	55 (100.0)	11 (20.0)	10 (18.2)	1 (1.8)	98.3	16.0	4	2	2	0	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)	
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	Sentenced Within Guideline Range	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			284 (72.3)	
						Departure for Substantial Assistance 74 (18.8)	
Other Downward Departure 25 (6.4)							
TOTAL	125 (31.0)	73 (18.1)	52 (12.9)	165 (40.9)	\$5,000 (164)	Upward Departure 10 (2.5)	
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	3 (100.0)	\$13,200 (3)		
Larceny	7 (43.8)	4 (25.0)	3 (18.8)	11 (68.8)	\$2,424 (11)		
Embezzlement	4 (21.1)	2 (10.5)	2 (10.5)	13 (68.4)	\$5,033 (13)		
Fraud	15 (48.4)	11 (35.5)	4 (12.9)	24 (77.4)	\$8,752 (24)		
Drug Trafficking	30 (15.4)	24 (12.3)	6 (3.1)	43 (22.1)	\$4,150 (43)		
Simple Possession	8 (66.7)	6 (50.0)	2 (16.7)	7 (58.3)	\$1,000 (7)		
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	1 (50.0)	\$400 (1)		
Firearms	17 (24.3)	13 (18.6)	4 (5.7)	16 (22.9)	\$1,000 (16)		
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)		
Other	44 (80.0)	13 (23.6)	31 (56.4)	47 (85.5)	\$5,000 (46)		

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**WASHINGTON, Eastern
9th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Spokane
(2) Yakima

(3) Richland
(4) Pasco

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	4	Civil ³	650
Assistant U.S. Attorneys ⁴	13	Criminal ⁵	450
Assistant Federal Defenders ⁶	3		
Probation Officers ⁷	14		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	32	592	811	3,056	13,972	42,883	2,868	64,214
Per 100,000 Population	3	54	74	278	1,270	3,897	261	5,835

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,089,840	Income per Capita ¹¹	\$ 9,306	Police Protection	\$ 66.13
Population per Square Mile ¹²	26.1	Percent Unemployed ¹³	10.5	Education	\$ 724.30
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 91.17
Percent Age 0-14	23.7	Percent Mfg.	18.9	Public Welfare ¹⁶	\$ 0.12
Percent Age 15-24	14.9	Percent Retail	23.9	Highways	\$ 126.81
Percent Age 25-34	15.5	Percent Finance ¹⁷	5.3		
Percent Age 35-44	15.0	Percent Service	30.4	Percent acreage in farms ¹⁹	57.8
Percent Age 45-64	18.0	Percent Other ¹⁸	21.5		
Percent Age 65+	12.9				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
292	20	24	20	19	14	27	21	33	27	36	27	24

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	270 (100.0)	104 (38.5)	7 (2.6)	141 (52.2)	18 (6.7)	32	\$375	\$0	TOTAL	292 (100.0)
Male (Row %)	247 (91.5)	91 (36.8)	7 (2.8)	133 (53.9)	16 (6.5)	31	\$347	\$0	Plea	258 (88.4)
Female (Row %)	23 (8.5)	13 (56.5)	0 (0.0)	8 (34.8)	2 (8.7)	40	\$720	\$754	Trial	34 (11.6)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	288 (100.0)	263 (91.3)	223 (77.4)	40 (13.9)	41.8	24.0	86	57	21	36	53
Robbery	7 (100.0)	7 (100.0)	7 (100.0)	0 (0.0)	72.4	51.0	0	0	1	3	3
Larceny	3 (100.0)	1 (33.3)	1 (33.3)	0 (0.0)	8.0	8.0	1	0	0	0	0
Embezzlement	5 (100.0)	2 (40.0)	0 (0.0)	2 (40.0)	3.0	3.0	2	0	0	0	0
Fraud	11 (100.0)	11 (100.0)	10 (90.9)	1 (9.1)	11.5	8.0	7	3	1	0	0
Drug Trafficking	81 (100.0)	77 (95.1)	72 (88.9)	5 (6.2)	65.3	60.0	8	13	8	15	33
Simple Possession	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Counterfeiting	9 (100.0)	5 (55.6)	5 (55.6)	0 (0.0)	22.6	21.0	2	2	0	1	0
Firearms	55 (100.0)	54 (98.2)	52 (94.5)	2 (3.6)	63.1	37.0	11	7	8	14	13
Immigration	91 (100.0)	90 (98.9)	60 (65.9)	30 (33.0)	11.0	8.0	52	26	2	0	1
Other	25 (100.0)	16 (64.0)	16 (64.0)	0 (0.0)	34.6	22.5	3	6	1	3	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	25 (8.7)	13 (4.5)	12 (4.2)	49 (17.0)	\$1,000 (47)	Sentenced Within Guideline Range 228 (86.7)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	4 (57.1)	\$55,849 (4)	Departure for Substantial Assistance 15 (5.7)
Larceny	2 (66.7)	1 (33.3)	1 (33.3)	2 (66.7)	\$625 (2)	
Embezzlement	3 (60.0)	1 (20.0)	2 (40.0)	4 (80.0)	\$12,766 (4)	Other Downward Departure 16 (6.1)
Fraud	0 (0.0)	0 (0.0)	0 (0.0)	9 (81.8)	\$39,606 (8)	
Drug Trafficking	4 (4.9)	2 (2.5)	2 (2.5)	14 (17.3)	\$1,000 (14)	Upward Departure 4 (1.5)
Simple Possession	1 (100.0)	0 (0.0)	1 (100.0)	1 (100.0)	\$1,000 (1)	
Counterfeiting	4 (44.4)	2 (22.2)	2 (22.2)	0 (0.0)	\$- (-)	
Firearms	1 (1.8)	1 (1.8)	0 (0.0)	4 (7.3)	\$750 (4)	
Immigration	1 (1.1)	1 (1.1)	0 (0.0)	2 (2.2)	\$500 (2)	
Other	9 (36.0)	5 (20.0)	4 (16.0)	9 (36.0)	\$1,500 (8)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**WASHINGTON, Western
9th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Seattle
- (2) Tacoma
- (3) Vancouver

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	8	Civil ³	2,594
Assistant U.S. Attorneys ⁴	35	Criminal ⁵	1,201
Assistant Federal Defenders ⁶	9		
Probation Officers ⁷	37		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	176	2,863	6,417	11,895	46,262	157,313	18,835	243,761
Per 100,000 Population	5	74	166	308	1,196	4,068	487	6,304

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	3,776,852	Income per Capita ¹¹	\$ 11,362	Police Protection	\$ 77.49
Population per Square Mile ¹²	152.7	Percent Unemployed ¹³	7.5	Education	\$ 675.18
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 116.06
Percent Age 0-14	21.6	Percent Mfg.	22.6	Public Welfare ¹⁶	\$ 2.44
Percent Age 15-24	13.5	Percent Retail	21.5	Highways	\$ 89.96
Percent Age 25-34	18.2	Percent Finance ¹⁷	7.2		
Percent Age 35-44	16.9	Percent Service	27.6	Percent acreage in farms ¹⁹	6.5
Percent Age 45-64	18.2	Percent Other ¹⁸	21.2		
Percent Age 65+	11.5				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr.92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
369	22	35	25	38	39	34	21	31	28	37	20	39

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	369 (100.0)	219 (59.4)	51 (13.8)	68 (18.4)	31 (8.4)	36	\$867	\$0	TOTAL	369 (100.0)	
Male (Row %)	305 (82.7)	181 (59.3)	44 (14.4)	60 (19.7)	20 (6.6)	36	\$858	\$0	Plea	319 (86.4)	
Female (Row %)	64 (17.3)	38 (59.4)	7 (10.9)	8 (12.5)	11 (17.2)	35	\$911	\$520	Trial	50 (13.6)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	363 (100.0)	293 (80.7)	282 (77.7)	11 (3.0)	76.9	44.0	65	32	37	47	108
Robbery	35 (100.0)	35 (100.0)	35 (100.0)	0 (0.0)	77.1	70.0	0	1	6	8	20
Larceny	14 (100.0)	7 (50.0)	6 (42.9)	1 (7.1)	8.6	4.0	6	0	1	0	0
Embezzlement	33 (100.0)	10 (30.3)	6 (18.2)	4 (12.1)	4.0	1.5	10	0	0	0	0
Fraud	27 (100.0)	20 (74.1)	20 (74.1)	0 (0.0)	21.8	10.0	13	1	3	2	1
Drug Trafficking	123 (100.0)	119 (96.8)	118 (95.9)	1 (0.8)	119.7	72.0	7	11	12	21	67
Simple Possession	- (-)	- (-)	- (-)	- (-)	-	-	-	-	-	-	-
Counterfeiting	7 (100.0)	3 (42.9)	3 (42.9)	0 (0.0)	17.5	17.5	1	0	1	0	0
Firearms	21 (100.0)	16 (76.2)	16 (76.2)	0 (0.0)	109.4	60.0	0	1	2	6	7
Immigration	24 (100.0)	23 (95.8)	23 (95.8)	0 (0.0)	25.2	21.0	4	9	6	1	1
Other	79 (100.0)	60 (76.0)	55 (69.6)	5 (6.3)	42.7	15.0	24	9	6	9	12

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	70 (19.3)	36 (9.9)	34 (9.4)	141 (38.8)	\$5,226 (130)	Sentenced Within Guideline Range 260 (71.8)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	32 (91.4)	\$4,168 (26)	Departure for Substantial Assistance 69 (19.1)
Larceny	7 (50.0)	5 (35.7)	2 (14.3)	9 (64.3)	\$309 (8)	
Embezzlement	23 (69.7)	10 (30.3)	13 (39.4)	25 (75.8)	\$3,183 (25)	Other Downward Departure 23 (6.4)
Fraud	7 (25.9)	3 (11.1)	4 (14.8)	17 (63.0)	\$26,712 (15)	
Drug Trafficking	4 (3.2)	3 (2.4)	1 (0.8)	10 (8.1)	\$12,500 (10)	Upward Departure 10 (2.8)
Simple Possession	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Counterfeiting	4 (57.1)	2 (28.6)	2 (28.6)	3 (42.9)	\$1,000 (3)	
Firearms	5 (23.8)	3 (14.3)	2 (9.5)	4 (19.1)	\$5,140 (3)	
Immigration	1 (4.2)	1 (4.2)	0 (0.0)	7 (29.2)	\$1,000 (7)	
Other	19 (24.1)	9 (11.4)	10 (12.7)	34 (43.0)	\$9,497 (33)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
 SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

WEST VIRGINIA, Northern
4th Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

(1) Wheeling
(2) Clarksburg

(3) Elkins
(4) Martinsburg

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	4	Civil ³	588
Assistant U.S. Attorneys ⁴	10	Criminal ⁵	233
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	9		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	28	153	194	744	4,450	10,767	1,141	17,477
Per 100,000 Population	4	20	25	96	575	1,392	147	2,260

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	770,159	Income per Capita ¹¹	\$ 7,974	Police Protection	\$ 28.45
Population per Square Mile ¹²	60.6	Percent Unemployed ¹³	11.0	Education	\$ 593.44
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 71.96
Percent Age 0-14	19.7	Percent Mfg.	15.4	Public Welfare ¹⁶	\$ 0.25
Percent Age 15-24	15.4	Percent Retail	22.2	Highways	\$ 18.80
Percent Age 25-34	14.6	Percent Finance ¹⁷	4.4		
Percent Age 35-44	14.8	Percent Service	28.1	Percent acreage in farms ¹⁹	28.7
Percent Age 45-64	20.2	Percent Other ¹⁸	30.0		
Percent Age 65+	15.3				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
189	11	22	21	17	19	13	16	11	13	11	3	32

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL		
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	187 (100.0)	128 (68.5)	57 (30.5)	1 (0.5)	1 (0.5)	30	\$527	\$200	TOTAL	189 (100.0)	
Male (Row %)	165 (88.2)	113 (68.5)	50 (30.3)	1 (0.6)	1 (0.6)	30	\$536	\$136	Plea	167 (88.4)	
Female (Row %)	22 (11.8)	15 (68.2)	7 (31.8)	0 (0.0)	0 (0.0)	30	\$455	\$400	Trial	22 (11.6)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	186 (100.0)	143 (76.9)	132 (71.0)	11 (5.9)	51.7	26.0	30	40	28	16	29
Robbery	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	159.0	159.0	0	0	0	0	2
Larceny	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	12.0	12.0	1	0	0	0	0
Embezzlement	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Fraud	4 (100.0)	2 (50.0)	1 (25.0)	1 (25.0)	18.5	18.5	1	0	1	0	0
Drug Trafficking	147 (100.0)	121 (82.3)	111 (75.5)	10 (6.8)	44.8	26.0	24	35	26	13	23
Simple Possession	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Counterfeiting	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Firearms	13 (100.0)	8 (61.5)	8 (61.5)	0 (0.0)	143.2	21.0	0	5	0	0	3
Immigration	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Other	16 (100.0)	9 (56.2)	9 (56.2)	0 (0.0)	52.2	36.0	4	0	1	3	1

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	43 (23.1)	18 (9.7)	25 (13.4)	112 (60.2)	\$959 (108)	Sentenced Within Guideline Range 151 (83.0)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	1 (50.0)	\$175,000 (1)	Departure for Substantial Assistance 25 (13.7)
Larceny	1 (50.0)	0 (0.0)	1 (50.0)	2 (100.0)	\$12,710 (2)	
Embezzlement	- (-)	- (-)	- (-)	- (-)	\$- (-)	Other Downward Departure 6 (3.3)
Fraud	2 (50.0)	2 (50.0)	0 (0.0)	4 (100.0)	\$4,861 (3)	
Drug Trafficking	26 (17.7)	13 (8.8)	13 (8.8)	92 (62.6)	\$560 (89)	Upward Departure 0 (0.0)
Simple Possession	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Counterfeiting	2 (100.0)	1 (50.0)	1 (50.0)	1 (50.0)	\$918 (1)	
Firearms	5 (38.5)	2 (15.4)	3 (23.1)	4 (30.8)	\$7,046 (4)	
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Other	7 (43.8)	0 (0.0)	7 (43.8)	8 (50.0)	\$8,750 (8)	

Footnotes and a complete description of all variables in this table are provided in Appendix A. SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**WEST VIRGINIA, Southern
4th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Charleston
- (2) Huntington
- (3) Beckley

- (4) Bluefield
- (5) Parkersburg

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	6	Civil ³	1,270
Assistant U.S. Attorneys ⁴	19	Criminal ⁵	352
Assistant Federal Defenders ⁶	4		
Probation Officers ⁷	28		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	83	262	585	1,390	7,553	18,595	2,008	30,476
Per 100,000 Population	8	25	57	135	735	1,809	195	2,965

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,023,318	Income per Capita ¹¹	\$ 8,319	Police Protection	\$ 29.95
Population per Square Mile ¹²	89.6	Percent Unemployed ¹³	12.5	Education	\$ 624.53
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 81.27
Percent Age 0-14	20.5	Percent Mfg.	13.3	Public Welfare ¹⁶	\$ 0.10
Percent Age 15-24	14.0	Percent Retail	25.7	Highways	\$ 15.45
Percent Age 25-34	14.6	Percent Finance ¹⁷	5.4		
Percent Age 35-44	15.4	Percent Service	27.2	Percent acreage in farms ¹⁹	16.9
Percent Age 45-64	20.8	Percent Other ¹⁸	28.3		
Percent Age 65+	14.8				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
391	54	30	28	48	38	29	18	27	29	29	34	27

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income		TOTAL	N (Col %)
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	391 (100.0)	220 (56.3)	166 (42.5)	3 (0.8)	2 (0.5)	31	\$705	\$217	TOTAL	391 (100.0)
Male (Row %)	320 (81.8)	181 (56.6)	135 (42.2)	2 (0.6)	2 (0.6)	31	\$765	\$249	Plea	360 (92.1)
Female (Row %)	71 (18.2)	39 (54.9)	31 (43.7)	1 (1.4)	0 (0.0)	30	\$433	\$72	Trial	31 (7.9)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	387 (100.0)	303 (78.3)	285 (73.6)	18 (4.7)	46.0	27.0	52	86	52	55	55
Robbery	5 (100.0)	4 (80.0)	4 (80.0)	0 (0.0)	55.8	58.5	0	0	0	4	0
Larceny	14 (100.0)	5 (35.7)	5 (35.7)	0 (0.0)	12.2	8.0	3	1	1	0	0
Embezzlement	5 (100.0)	2 (40.0)	1 (20.0)	1 (20.0)	12.5	12.5	1	1	0	0	0
Fraud	15 (100.0)	5 (33.3)	5 (33.3)	0 (0.0)	16.0	15.0	0	4	0	0	0
Drug Trafficking	227 (100.0)	200 (88.1)	188 (82.8)	12 (5.3)	50.4	30.0	27	53	40	32	46
Simple Possession	12 (100.0)	1 (8.3)	1 (8.3)	0 (0.0)	12.0	12.0	1	0	0	0	0
Counterfeiting	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	38.0	38.0	0	0	0	1	0
Firearms	55 (100.0)	47 (85.5)	44 (80.0)	3 (5.5)	42.2	25.0	7	15	8	14	3
Immigration	- (-)	- (-)	- (-)	- (-)	-	-	-	-	-	-	-
Other	53 (100.0)	38 (71.7)	36 (67.9)	2 (3.8)	37.4	16.5	13	12	3	4	6

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	84 (21.7)	35 (9.0)	49 (12.7)	144 (37.2)	\$2,000 (142)	Sentenced Within Guideline Range 318 (85.3)
Robbery	1 (20.0)	0 (0.0)	1 (20.0)	5 (100.0)	\$7,100 (5)	Departure for Substantial Assistance 32 (8.6)
Larceny	9 (64.3)	4 (28.6)	5 (35.7)	13 (92.9)	\$1,479 (13)	
Embezzlement	3 (60.0)	1 (20.0)	2 (40.0)	4 (80.0)	\$34,244 (4)	Other Downward Departure 21 (5.6)
Fraud	10 (66.7)	2 (13.3)	8 (53.3)	11 (73.3)	\$11,780 (11)	
Drug Trafficking	27 (11.9)	12 (5.3)	15 (6.6)	62 (27.3)	\$2,000 (62)	Upward Departure 2 (0.5)
Simple Possession	11 (91.7)	7 (58.3)	4 (33.3)	8 (66.7)	\$1,000 (8)	
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	\$6,000 (1)	
Firearms	8 (14.6)	4 (7.3)	4 (7.3)	15 (27.3)	\$2,136 (15)	
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Other	15 (28.3)	5 (9.4)	10 (18.9)	25 (47.2)	\$3,200 (23)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**WISCONSIN, Eastern
7th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Milwaukee
- (2) Green Bay

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	8	Civil ³	1,398
Assistant U.S. Attorneys ⁴	22	Criminal ⁵	258
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	21		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	202	859	5,290	4,028	24,187	95,238	18,403	148,207
Per 100,000 Population	7	29	177	135	808	3,183	615	4,953

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,956,740	Income per Capita ¹¹	\$ 10,834	Police Protection	\$ 110.79
Population per Square Mile ¹²	181.0	Percent Unemployed ¹³	6.9	Education	\$ 772.25
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 121.64
Percent Age 0-14	22.5	Percent Mfg.	30.7	Public Welfare ¹⁶	\$ 113.40
Percent Age 15-24	14.0	Percent Retail	19.5	Highways	\$ 142.64
Percent Age 25-34	17.1	Percent Finance ¹⁷	6.9		
Percent Age 35-44	14.9	Percent Service	27.1	Percent acreage in farms ¹⁹	49.3
Percent Age 45-64	18.4	Percent Other ¹⁸	15.8		
Percent Age 65+	13.1				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
306	28	15	29	27	20	22	22	31	32	25	20	35

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS									MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income			
		White	Black	Hispanic	Other		Mean	Median		
TOTAL (Row %)	298 (100.0)	125 (42.0)	107 (35.9)	44 (14.8)	22 (7.4)	33	\$821	\$344	TOTAL	305 (100.0)
Male (Row %)	248 (83.2)	104 (41.9)	89 (35.9)	37 (14.9)	18 (7.3)	33	\$817	\$100	Plea	239 (78.4)
Female (Row %)	50 (16.8)	21 (42.0)	18 (36.0)	7 (14.0)	4 (8.0)	34	\$843	\$611	Trial	66 (21.6)

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	305 (100.0)	224 (73.4)	211 (69.2)	13 (4.3)	70.0	48.0	35	35	29	37	87
Robbery	24 (100.0)	24 (100.0)	24 (100.0)	0 (0.0)	127.4	104.5	0	1	3	3	17
Larceny	43 (100.0)	13 (30.2)	10 (23.3)	3 (7.0)	15.5	14.0	6	5	2	0	0
Embezzlement	2 (100.0)	2 (100.0)	1 (50.0)	1 (50.0)	7.0	7.0	2	0	0	0	0
Fraud	44 (100.0)	26 (59.1)	22 (50.0)	4 (9.1)	19.5	14.0	11	8	4	3	0
Drug Trafficking	118 (100.0)	110 (93.2)	107 (90.7)	3 (2.5)	80.4	62.0	7	11	13	23	56
Simple Possession	1 (100.0)	1 (100.0)	0 (0.0)	1 (100.0)	9.0	9.0	1	0	0	0	0
Counterfeiting	3 (100.0)	1 (33.3)	1 (33.3)	0 (0.0)	15.0	15.0	0	1	0	0	0
Firearms	25 (100.0)	21 (84.0)	21 (84.0)	0 (0.0)	92.2	50.0	2	5	1	3	10
Immigration	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Other	45 (100.0)	26 (57.8)	25 (55.6)	1 (2.2)	41.0	32.0	6	4	6	5	4

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	81 (26.6)	29 (9.5)	52 (17.1)	159 (52.1)	\$5,000 (144)	Sentenced Within Guideline Range 236 (78.9)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	18 (75.0)	\$5,048 (13)	Departure for Substantial Assistance 45 (15.1)
Larceny	30 (69.8)	13 (30.2)	17 (39.5)	32 (74.4)	\$8,876 (27)	
Embezzlement	0 (0.0)	0 (0.0)	0 (0.0)	2 (100.0)	\$13,270 (2)	Other Downward Departure 10 (3.3)
Fraud	18 (40.9)	4 (9.1)	14 (31.8)	39 (88.6)	\$29,558 (36)	
Drug Trafficking	8 (6.8)	2 (1.7)	6 (5.1)	36 (30.5)	\$1,750 (36)	Upward Departure 8 (2.7)
Simple Possession	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	
Counterfeiting	2 (66.7)	0 (0.0)	2 (66.7)	2 (66.7)	\$2,174 (2)	
Firearms	4 (16.0)	1 (4.0)	3 (12.0)	8 (32.0)	\$2,500 (8)	
Immigration	- (-)	- (-)	- (-)	- (-)	\$- (-)	
Other	19 (42.2)	9 (20.0)	10 (22.2)	22 (48.9)	\$4,518 (20)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

**WISCONSIN, Western
7th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Madison
- (2) Eau Claire

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	2	Civil ³	972
Assistant U.S. Attorneys ⁴	11	Criminal ⁵	128
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	13		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	36	397	605	2,253	12,990	53,185	3,211	72,677
Per 100,000 Population	2	20	31	115	663	2,714	164	3,708

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,935,029	Income per Capita ¹¹	\$ 9,464	Police Protection	\$ 75.24
Population per Square Mile ¹²	50.8	Percent Unemployed ¹³	7.3	Education	\$ 777.22
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 93.94
Percent Age 0-14	22.0	Percent Mfg.	25.9	Public Welfare ¹⁶	\$ 112.79
Percent Age 15-24	15.4	Percent Retail	24.0	Highways	\$ 196.40
Percent Age 25-34	16.3	Percent Finance ¹⁷	6.6		
Percent Age 35-44	14.7	Percent Service	26.4	Percent acreage in farms ¹⁹	49.5
Percent Age 45-64	18.0	Percent Other ¹⁸	17.1		
Percent Age 65+	13.6				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
104	5	5	10	11	1	4	8	10	13	15	13	9

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	104 (100.0)	62 (59.6)	32 (30.8)	7 (6.7)	3 (2.9)	32	\$601	\$80	TOTAL	104 (100.0)	
Male (Row %)	87 (83.7)	53 (60.9)	25 (28.7)	6 (6.9)	3 (3.5)	32	\$638	\$15	Plea	94 (90.4)	
Female (Row %)	17 (16.3)	9 (52.9)	7 (41.2)	1 (5.9)	0 (0.0)	37	\$420	\$298	Trial	10 (9.6)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	103 (100.0)	90 (87.4)	85 (82.5)	5 (4.8)	59.8	30.5	21	19	9	16	25
Robbery	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	144.0	144.0	0	0	0	0	2
Larceny	5 (100.0)	4 (80.0)	3 (60.0)	1 (20.0)	15.5	15.5	2	0	2	0	0
Embezzlement	5 (100.0)	3 (60.0)	2 (40.0)	1 (20.0)	8.7	10.0	2	1	0	0	0
Fraud	17 (100.0)	16 (94.1)	15 (88.2)	1 (5.9)	16.1	16.0	6	9	1	0	0
Drug Trafficking	51 (100.0)	48 (94.1)	47 (92.2)	1 (2.0)	66.2	60.0	6	6	6	13	17
Simple Possession	- (-)	- (-)	- (-)	- (-)	--	--	-	-	-	-	-
Counterfeiting	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	26.5	26.5	0	1	0	1	0
Firearms	8 (100.0)	7 (87.5)	7 (87.5)	0 (0.0)	87.1	37.0	3	0	0	1	3
Immigration	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	37.0	37.0	0	0	0	1	0
Other	11 (100.0)	7 (63.6)	6 (54.5)	1 (9.1)	123.9	21.0	2	2	0	0	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	13 (12.6)	6 (5.8)	7 (6.8)	49 (47.6)	\$3,138 (42)	Sentenced Within Guideline Range 81 (80.2)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	2 (100.0)	\$3,378 (1)	Departure for Substantial Assistance 8 (7.9)
Larceny	1 (20.0)	0 (0.0)	1 (20.0)	3 (60.0)	\$1,040 (3)	
Embezzlement	2 (40.0)	0 (0.0)	2 (40.0)	3 (60.0)	\$5,917 (3)	Other Downward Departure 3 (3.0)
Fraud	1 (5.9)	0 (0.0)	1 (5.9)	11 (64.7)	\$16,557 (8)	
Drug Trafficking	3 (5.9)	1 (2.0)	2 (3.9)	20 (39.2)	\$750 (17)	
Simple Possession	- (-)	- (-)	- (-)	- (-)	\$- (-)	Upward Departure 9 (8.9)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	1 (50.0)	\$440 (1)	
Firearms	1 (12.5)	1 (12.5)	0 (0.0)	2 (25.0)	\$72,965 (2)	
Immigration	1 (50.0)	1 (50.0)	0 (0.0)	1 (50.0)	\$250 (1)	
Other	4 (36.4)	3 (27.3)	1 (9.1)	6 (54.5)	\$6,500 (6)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92

WYOMING
10th Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

(1) Cheyenne
(2) Casper

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
District Court Judges ²	2	Civil ³	365
Assistant U.S. Attorneys ⁴	10	Criminal ⁵	107
Assistant Federal Defenders ⁶	12		
Probation Officers ⁷	7		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	15	119	79	1,213	3,185	14,863	711	20,185
Per 100,000 Population	3	26	17	264	693	3,233	155	4,390

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	453,588	Income per Capita ¹¹	\$ 9,782	Police Protection	\$ 94.12
Population per Square Mile ¹²	4.8	Percent Unemployed ¹³	9.0	Education	\$ 1,247.99
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 320.81
Percent Age 0-14	25.2	Percent Mfg.	6.8	Public Welfare ¹⁶	\$ 5.32
Percent Age 15-24	13.8	Percent Retail	27.7	Highways	\$ 118.97
Percent Age 25-34	16.4	Percent Finance ¹⁷	5.7		
Percent Age 35-44	16.4	Percent Service	27.2	Percent acreage in farms ¹⁹	54.0
Percent Age 45-64	17.9	Percent Other ¹⁸	32.7		
Percent Age 65+	10.4				

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 91	Nov 91	Dec 91	Jan 92	Feb 92	Mar 92	Apr 92	May 92	Jun 92	Jul 92	Aug 92	Sep 92
81	4	11	4	9	-	11	3	5	7	11	3	13

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS										MODE OF CONVICTION ² N (Col %)	
GENDER	TOTAL ¹ N (Col %)	RACE				Median Age	Monthly Income				
		White	Black	Hispanic	Other		Mean	Median			
TOTAL (Row %)	81 (100.0)	56 (69.1)	3 (3.7)	8 (9.9)	14 (17.3)	35	\$826	\$100	TOTAL	81 (100.0)	
Male (Row %)	69 (85.2)	48 (69.6)	3 (4.3)	8 (11.6)	10 (14.5)	35	\$836	\$0	Plea	73 (90.1)	
Female (Row %)	12 (14.8)	8 (66.7)	0 (0.0)	0 (0.0)	4 (33.3)	38	\$780	\$250	Trial	8 (9.9)	

PRIMARY OFFENSE	TOTAL CASES ³ N (Row %)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row %)	TYPE OF SENTENCE		LENGTH OF PRISON TERM						
			Prison N (Row %)	Prison/ Community Split ⁴ N (Row %)	Average Months Prison ⁴		PRISON TERM ORDERED (months) ⁵				
					Mean	Median	1-12	13-24	25-36	37-60	Over 60
TOTAL	81 (100.0)	64 (79.0)	62 (76.5)	2 (2.5)	49.7	35.0	16	11	9	11	17
Robbery	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	30.0	30.0	0	0	1	0	0
Larceny	5 (100.0)	2 (40.0)	2 (40.0)	0 (0.0)	18.5	18.5	1	0	1	0	0
Embezzlement	3 (100.0)	1 (33.3)	1 (33.3)	0 (0.0)	1.0	1.0	1	0	0	0	0
Fraud	7 (100.0)	6 (85.7)	6 (85.7)	0 (0.0)	17.8	7.0	4	0	1	1	0
Drug Trafficking	24 (100.0)	23 (95.8)	23 (95.8)	0 (0.0)	70.7	60.0	0	1	2	9	11
Simple Possession	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	6.0	6.0	1	0	0	0	0
Counterfeiting	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	--	0	0	0	0	0
Firearms	12 (100.0)	11 (91.7)	11 (91.7)	0 (0.0)	72.6	33.0	0	5	3	0	3
Immigration	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	22.0	22.0	0	1	0	0	0
Other	26 (100.0)	18 (69.2)	16 (61.5)	2 (7.7)	30.8	13.0	9	4	1	1	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES INVOLVING FINES AND RESTITUTION		DEPARTURES ⁷ N (Col %)
	Total Receiving Probation N (Row %)	TYPE OF SENTENCE		Total Receiving Fines and Restitution N (Row %)	Median Dollar Amount ⁶ \$ (N)	
		Probation Only N (Row %)	Probation + Confinement N (Row %)			
TOTAL	17 (21.0)	8 (9.9)	9 (11.1)	16 (19.8)	\$2,868 (16)	Sentenced Within Guideline Range 56 (71.8)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	Departure for Substantial Assistance 6 (7.7)
Larceny	3 (60.0)	1 (20.0)	2 (40.0)	2 (40.0)	\$4,006 (2)	
Embezzlement	2 (66.7)	0 (0.0)	2 (66.7)	0 (0.0)	\$- (-)	Other Downward Departure 14 (17.9)
Fraud	1 (14.3)	0 (0.0)	1 (14.3)	4 (57.1)	\$23,004 (4)	
Drug Trafficking	1 (4.2)	1 (4.2)	0 (0.0)	0 (0.0)	\$- (-)	
Simple Possession	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	Upward Departure 2 (2.6)
Counterfeiting	1 (100.0)	0 (0.0)	1 (100.0)	0 (0.0)	\$- (-)	
Firearms	1 (8.3)	0 (0.0)	1 (8.3)	1 (8.3)	\$3,050 (1)	
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	\$- (-)	
Other	8 (30.8)	6 (23.1)	2 (7.7)	9 (34.6)	\$1,000 (9)	

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1992 Data File, MONFY92