

Table 21

**OFFENDERS IN EACH OFFENSE LEVEL AND CRIMINAL HISTORY CATEGORY<sup>1</sup>**  
**Fiscal Year 2005, Post-Booker (January 12, 2005, through September 30, 2005)**

OFFENSE LEVEL	TOTAL			CRIMINAL HISTORY CATEGORY					
	Number	Percent	Cumulative Percent	I	II	III	IV	V	VI
2	173	0.4	0.4	109	21	24	10	5	4
3	20	0.0	0.4	14	0	0	2	2	2
4	961	2.1	2.5	622	108	92	50	28	61
5	74	0.2	2.7	42	9	9	6	2	6
6	2,799	6.1	8.7	1,543	530	436	160	61	69
7	470	1.0	9.7	263	42	47	49	29	40
8	1,206	2.6	12.3	838	95	102	73	38	60
9	323	0.7	13.0	194	34	46	20	8	21
10	3,025	6.5	19.6	1,448	314	481	375	225	182
11	448	1.0	20.5	280	42	45	19	29	33
12	2,162	4.7	25.2	1,224	226	294	176	100	142
13	3,783	8.2	33.4	1,717	476	627	392	241	330
14	655	1.4	34.8	396	53	60	35	19	92
15	2,129	4.6	39.4	1,267	246	279	138	67	132
16	547	1.2	40.6	343	58	67	39	22	18
17	2,716	5.9	46.5	1,017	355	546	371	216	211
18	606	1.3	47.8	393	59	78	31	18	27
19	1,697	3.7	51.5	870	183	259	148	110	127
20	550	1.2	52.6	287	57	88	48	35	35
21	5,162	11.2	63.8	1,445	682	1,096	808	512	619
22	637	1.4	65.2	325	57	82	64	42	67
23	2,738	5.9	71.1	1,286	338	483	250	173	208
24	613	1.3	72.4	301	58	69	62	44	79
25	1,652	3.6	76.0	678	256	338	180	91	109
26	561	1.2	77.2	258	61	99	52	29	62
27	1,633	3.5	80.7	1,071	156	187	95	57	67
28	408	0.9	81.6	191	47	71	41	21	37
29	2,115	4.6	86.2	769	277	367	183	107	412
30	550	1.2	87.4	188	48	47	75	52	140
31	1,739	3.8	91.2	517	191	267	129	70	565
32	407	0.9	92.0	174	56	60	31	14	72
33	1,006	2.2	94.2	513	103	134	87	55	114
34	751	1.6	95.8	127	55	41	24	20	484
35	610	1.3	97.2	243	79	117	58	29	84
36	210	0.5	97.6	93	28	33	30	9	17
37	342	0.7	98.3	108	32	49	17	7	129
38	211	0.5	98.8	88	27	27	27	12	30
39	117	0.3	99.1	60	11	19	9	4	14
40	152	0.3	99.4	67	22	18	18	7	20
41	59	0.1	99.5	25	4	10	6	4	10
42	83	0.2	99.7	32	14	15	8	5	9
43	142	0.3	100.0	46	17	33	12	9	25
<b>TOTAL</b>	<b>46,242</b>	<b>--</b>	<b>--</b>	<b>21,472</b>	<b>5,527</b>	<b>7,242</b>	<b>4,408</b>	<b>2,628</b>	<b>4,965</b>
<b>Percent</b>		<b>100.0</b>	<b>100.0</b>	<b>46.4</b>	<b>12.0</b>	<b>15.7</b>	<b>9.5</b>	<b>5.7</b>	<b>10.7</b>

<sup>1</sup>Of the 53,674 cases, the Commission received complete guideline application information on 46,252. Of these, 10 were excluded due to one or both of the following reasons: missing offense level (10) or missing criminal history category (3). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2005 Datafile, USSCFY05, Post-Booker Only Cases (January 12, 2005, through September 30, 2005).