

Table 21

OFFENDERS IN EACH OFFENSE LEVEL AND CRIMINAL HISTORY CATEGORY¹
Fiscal Year 2009

OFFENSE LEVEL	TOTAL			CRIMINAL HISTORY CATEGORY					
	N	%	Cumulative %	I	II	III	IV	V	VI
2	190	0.3	0.3	119	27	23	8	7	6
3	18	0.0	0.3	13	3	0	1	1	0
4	1,299	1.8	2.1	838	112	148	61	49	91
5	165	0.2	2.4	84	19	14	19	9	20
6	6,682	9.4	11.8	3,711	1,248	1,089	409	135	90
7	529	0.7	12.5	234	32	54	76	51	82
8	1,558	2.2	14.7	1,088	135	149	82	40	64
9	466	0.7	15.4	293	45	54	32	15	27
10	7,227	10.2	25.5	2,063	959	1,723	1,246	672	564
11	605	0.9	26.4	321	36	90	49	42	67
12	3,170	4.5	30.8	1,974	267	399	218	134	178
13	4,832	6.8	37.6	2,204	468	684	570	372	534
14	905	1.3	38.9	519	103	92	56	34	101
15	2,921	4.1	43.0	1,778	333	335	185	143	147
16	797	1.1	44.1	499	78	89	62	29	40
17	3,731	5.3	49.4	1,442	452	750	521	279	287
18	758	1.1	50.5	462	78	83	52	42	41
19	2,265	3.2	53.6	1,266	234	288	196	124	157
20	702	1.0	54.6	419	77	82	57	41	26
21	8,332	11.7	66.4	2,117	1,055	1,868	1,404	879	1,009
22	941	1.3	67.7	481	84	132	94	65	85
23	3,341	4.7	72.4	1,446	465	592	352	216	270
24	1,036	1.5	73.8	653	82	104	70	56	71
25	2,313	3.3	77.1	1,092	336	337	228	126	194
26	842	1.2	78.3	484	92	113	64	41	48
27	2,680	3.8	82.1	1,498	270	372	234	147	159
28	820	1.2	83.2	509	85	99	50	31	46
29	2,888	4.1	87.3	1,081	342	439	233	128	665
30	941	1.3	88.6	404	71	74	93	69	230
31	2,345	3.3	91.9	720	255	284	143	98	845
32	516	0.7	92.6	253	56	66	32	25	84
33	1,204	1.7	94.3	602	151	175	105	54	117
34	1,226	1.7	96.1	243	51	62	30	13	827
35	757	1.1	97.1	301	117	128	55	25	131
36	251	0.4	97.5	130	31	30	21	15	24
37	580	0.8	98.3	269	58	49	26	18	160
38	269	0.4	98.7	135	31	31	21	17	34
39	187	0.3	98.9	105	22	27	11	5	17
40	210	0.3	99.2	94	20	34	14	13	35
41	133	0.2	99.4	68	17	18	8	7	15
42	107	0.2	99.6	54	9	14	4	10	16
43	311	0.4	100.0	134	34	50	30	17	46
TOTAL	71,050	--	--	32,200	8,440	11,244	7,222	4,294	7,650
%		100.0	100.0	45.3	11.9	15.8	10.2	6.0	10.8

¹Of the 81,372 cases, the Commission received complete guideline application information on 71,054. Of these, four were excluded due to one or both of the following reasons: missing offense level (4) or missing criminal history category (3). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2009 Datafile, USSCFY09.