

Table 31

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE
BY TYPE OF CRIME¹
Fiscal Year 2023**

TYPE OF CRIME	TOTAL	WITHIN GUIDELINE RANGE		DEPARTURE								VARIANCE	
		N	%	UPWARD		§5K1.1		§5K3.1		DOWNWARD		N	%
				N	%	N	%	N	%	N	%		
TOTAL	63,812	27,087	42.4	314	0.5	6,499	10.2	6,363	10.0	2,421	3.8	21,128	33.1
Administration of Justice	643	295	45.9	14	2.2	29	4.5	2	0.3	30	4.7	273	42.5
Antitrust	18	4	22.2	0	0.0	8	44.4	0	0.0	2	11.1	4	22.2
Arson	106	48	45.3	6	5.7	14	13.2	0	0.0	5	4.7	33	31.1
Assault	841	379	45.1	17	2.0	37	4.4	1	0.1	66	7.8	341	40.5
Bribery/Corruption	366	85	23.2	0	0.0	123	33.6	0	0.0	12	3.3	146	39.9
Burglary/Trespass	83	54	65.1	2	2.4	3	3.6	1	1.2	2	2.4	21	25.3
Child Pornography	1,408	484	34.4	4	0.3	32	2.3	2	0.1	47	3.3	839	59.6
Commercialized Vice	84	22	26.2	4	4.8	12	14.3	0	0.0	8	9.5	38	45.2
Drug Possession	124	111	89.5	1	0.8	1	0.8	0	0.0	0	0.0	11	8.9
Drug Trafficking	18,999	5,060	26.6	59	0.3	3,947	20.8	1,238	6.5	883	4.6	7,812	41.1
Environmental	146	86	58.9	0	0.0	16	11.0	0	0.0	3	2.1	41	28.1
Extortion/Racketeering	129	29	22.5	0	0.0	17	13.2	1	0.8	7	5.4	75	58.1
Firearms	8,820	4,438	50.3	76	0.9	457	5.2	13	0.1	290	3.3	3,546	40.2
Food and Drug	53	29	54.7	0	0.0	1	1.9	0	0.0	2	3.8	21	39.6
Forgery/Counter/Copyright	112	42	37.5	0	0.0	16	14.3	0	0.0	4	3.6	50	44.6
Fraud/Theft/Embezzlement	5,173	2,033	39.3	22	0.4	760	14.7	3	0.1	147	2.8	2,208	42.7
Immigration	19,140	10,769	56.3	39	0.2	192	1.0	5,076	26.5	572	3.0	2,492	13.0
Individual Rights	110	37	33.6	0	0.0	16	14.5	0	0.0	6	5.5	51	46.4
Kidnapping	151	47	31.1	3	2.0	44	29.1	0	0.0	15	9.9	42	27.8
Manslaughter	86	37	43.0	12	14.0	0	0.0	0	0.0	4	4.7	33	38.4
Money Laundering	1,311	320	24.4	3	0.2	342	26.1	19	1.4	80	6.1	547	41.7
Murder	487	195	40.0	13	2.7	105	21.6	1	0.2	19	3.9	154	31.6
National Defense	231	88	38.1	0	0.0	28	12.1	3	1.3	15	6.5	97	42.0
Obscenity/Other Sex Offenses	325	166	51.1	2	0.6	1	0.3	0	0.0	15	4.6	141	43.4
Prison Offenses	451	269	59.6	2	0.4	2	0.4	0	0.0	21	4.7	157	34.8
Robbery	1,501	597	39.8	14	0.9	174	11.6	3	0.2	51	3.4	662	44.1
Sexual Abuse	1,393	538	38.6	17	1.2	72	5.2	0	0.0	74	5.3	692	49.7
Stalking/Harassing	239	101	42.3	4	1.7	4	1.7	0	0.0	20	8.4	110	46.0
Tax	446	74	16.6	0	0.0	44	9.9	0	0.0	20	4.5	308	69.1
Other	836	650	77.8	0	0.0	2	0.2	0	0.0	1	0.1	183	21.9

¹ Of the 64,124 cases, 312 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.