

U.S. Sentencing Commission Final Quarterly Data Report



Fiscal Year 2015

Introduction

As part of its ongoing mission, the United States Sentencing Commission provides Congress, the judiciary, the executive branch, and the general public with data extracted and analyzed from sentencing documents submitted by courts to the Commission.¹ Data is reported on an annual basis in the Commission's *Annual Report* and *Sourcebook of Federal Sentencing Statistics*.² After the Supreme Court's decision in *United States v. Booker* on January 12, 2005, which rendered the sentencing guidelines advisory instead of mandatory, many people expressed an interest in knowing what changes, if any, in federal sentencing practices would result. The Commission responded by reconfiguring its data collection, analysis, and reporting efforts to provide real-time data reporting from the submitted documents.

The Commission first reported data on February 10, 2005 to Congress³ and began reporting data approximately monthly shortly thereafter. The types of data reported increased over time to accommodate various requests for the additional information. In March 2006, the Commission released a comprehensive report, *Final Report on the Impact of United States v. Booker on Federal Sentencing*,⁴ based on cases sentenced one year since the *Booker* decision. Because the report included additional analyses that had not been included in the monthly reports, not all the data presented in the report was comparable with the monthly releases, which made comparing data over time difficult.

In an effort to standardize the Commission's post-*Booker* analyses and to facilitate the identification of emerging trends going forward, the Commission began generating a new set of tables and charts on a quarterly basis for public release on the Commission's website beginning with the third quarter of fiscal year 2006. These quarterly data reports are similar in format and methodology to tables and figures produced in the *Sourcebook* or in the Commission's *Booker* report. Some of the figures include data from fiscal years before the *Booker* decision to facilitate analysis of sentencing trends over time. Other figures and all of the tables contain cumulative data (*i.e.*, data from the start of the fiscal year through the most current quarter). Appendix B cross-references the quarterly table numbers and figure letters with the corresponding number or letter in the *Sourcebook* (if it exists in the *Sourcebook*) so that the quarterly data can be

¹ In each felony or Class A misdemeanor case sentenced in federal court, sentencing courts are required to submit the following documents to the Commission: the Judgment and Commitment Order, the Statement of Reasons, the plea agreement (if applicable), the indictment or other charging document, and the presentence report. *See* 28 U.S.C. § 994(w).

² Electronic copies of the 1995-2015 *Annual Report* and *Sourcebook of Federal Sentencing Statistics* are available at the Commission's website, www.ussc.gov.

³ *See* www.ussc.gov/bf.htm for an electronic copy of the prepared testimony of Ricardo H. Hinojosa, chair of the United States Sentencing Commission, before the Subcommittee on Crime, Terrorism, and Homeland Security, Committee on the Judiciary, United States House of Representatives, February 10, 2005.

⁴ *See* www.ussc.gov/bf.htm for an electronic copy of the Commission's *Final Report on the Impact of United States v. Booker on Federal Sentencing*.

compared easily with data from prior fiscal years.⁵ In Appendix A are descriptions of datafile and variable definitions.

⁵ The Commission has tried to maintain the same table numbers and figure letters over the past several years but, due to slight differences in reporting categories between pre- and post-*Booker* time periods, the numbers and letters may not correspond exactly over time. Please refer to the table of contents for each of the prior *Sourcebook* years to determine the corresponding table number or figure letter.

CONTENTS

Information on Sentences Relative to the Guideline Range

Table 1: National Comparison of Sentence Imposed and Position Relative to the Guideline Range.....	1
Table 2: Sentences Relative to the Guideline Range by Circuit and District	2
Table 3: Sentences Relative to the Guideline Range by Each Primary Offense Category	8
Figure A: Quarterly Data for Within Range and Out of Range Sentences	10
Figure B: Quarterly Data for Within Range/Government Sponsored and Other Out of Range Sentences.....	11
Table 4: Quarterly Data for Within Range and Out of Range Sentences	12
Table 5: Sentences Relative to the Guideline Range by Each Primary Sentencing Guideline.....	13
Table 6: Attribution Category for Cases Outside of the Guideline Range	17
Table 7: §5K1.1 Substantial Assistance Departure Cases: Degree of Decrease for Offenders in Each Primary Offense Category	19
Table 8: §5K3.1 Early Disposition Program Departure Cases: Degree of Decrease for Offenders in Each Primary Offense Category	20
Table 9: Other Government Sponsored Below Range Cases: Degree of Decrease for Offenders in Each Primary Offense Category	21
Table 10: Downward Departures from Guideline Range: Degree of Decrease for Offenders in Each Primary Offense Category	22
Table 11: Downward Departures with <i>Booker</i> /18 U.S.C. § 3553: Degree of Decrease for Offenders in Each Primary Offense Category	23
Table 12: Below Guideline Range with <i>Booker</i> /18 U.S.C. § 3553: Degree of Decrease for Offenders in Each Primary Offense Category	24
Table 13: All Remaining Below Guideline Range Cases: Degree of Decrease for Offenders in Each Primary Offense Category	25
Table 14: Upward Departures from Guideline Range: Degree of Increase for Offenders in Each Primary Offense Category	26

Table 15: Upward Departures with *Booker*/18 U.S.C. § 3553: Degree of Increase for Offenders in Each Primary Offense Category27

Table 16: Above Guideline Range with *Booker*/18 U.S.C. § 3553: Degree of Increase for Offenders in Each Primary Offense Category28

Table 17: All Remaining Above Guideline Range Cases: Degree of Increase for Offenders in Each Primary Offense Category29

Sentence Imposed Information

Table 18: Offenders Receiving Sentencing Options in Each Primary Offense Category30

Table 19: Sentence Length in Each Primary Offense Category31

Figure C: Average Sentence Length and Average Guideline Minimum Quarterly Data for All Offenders32

Figure D: Average Sentence Length and Average Guideline Minimum Quarterly Data for §2B1.1 Offenders33

Figure E: Average Sentence Length and Average Guideline Minimum Quarterly Data for §2K2.1 Offenders34

Figure F: Average Sentence Length and Average Guideline Minimum Quarterly Data for §2L1.1 Offenders35

Figure G: Average Sentence Length and Average Guideline Minimum Quarterly Data for §2L1.2 Offenders36

Figure H: Average Sentence Length and Average Guideline Minimum Quarterly Data for §2D1.1 Offenders37

Figure I: Average Sentence Length for Each Drug Type38

Table 20: Within Range Cases: Position of Sentence for Offenders in Each Primary Offense Category39

General Information (Primary Offenses, Mode of Conviction, and Document Submission)

Figure J: Offenders in Each Primary Offense Category40

Table 21: Guideline Offenders in Each Primary Offense Category41

Table 22: Guilty Pleas and Trials in Each Primary Offense Category42

Figure K: Quarterly Data for Guilty Pleas and Trials.....	43
Table 23: Race of Offenders in Each Primary Offense Category.....	44
Table 24: Gender of Offenders in Each Primary Offense Category.....	45
Table 25: Age, Race, and Gender of Offenders.....	46
Table 26: Citizenship of Offenders in Each Primary Offense Category.....	47
Table 27: Document Submission by Each Circuit and District.....	48
Table 28: Rate of Submission of Statement of Reasons Form by Each Circuit and District.....	51

Appendices

Appendix A: Descriptions of Datafiles and Variables.....	A-1
Appendix B: List of Quarterly Report Tables and Figures and Comparable <i>Sourcebook</i> Number/Letter.....	B-1

**NATIONAL COMPARISON OF SENTENCE IMPOSED AND
POSITION RELATIVE TO THE GUIDELINE RANGE¹
Fiscal Year 2015**

	N	%
TOTAL CASES	68,270	100.0
CASES SENTENCED WITHIN GUIDELINE RANGE	32,262	47.3
CASES SENTENCED ABOVE GUIDELINE RANGE	1,506	2.2
DEPARTURE ABOVE GUIDELINE RANGE	444	0.7
Upward Departure From Guideline Range ²	349	0.5
Upward Departure With <i>Booker</i> /18 U.S.C. § 3553 ³	95	0.1
OTHERWISE ABOVE GUIDELINE RANGE	1,062	1.6
Above Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 ⁴	1,002	1.5
All Remaining Cases Above Guideline Range ⁵	60	0.1
GOVERNMENT SPONSORED BELOW RANGE⁶	19,988	29.3
§5K1.1 Substantial Assistance Departure	8,470	12.4
§5K3.1 Early Disposition Program Departure	6,294	9.2
Other Government Sponsored Below Range	5,224	7.7
NON-GOVERNMENT SPONSORED BELOW RANGE	14,514	21.3
DEPARTURE BELOW GUIDELINE RANGE	2,104	3.1
Downward Departure From Guideline Range ²	1,521	2.2
Downward Departure With <i>Booker</i> /18 U.S.C. § 3553 ³	583	0.9
OTHERWISE BELOW GUIDELINE RANGE	12,410	18.2
Below Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 ⁴	12,032	17.6
All Remaining Cases Below Guideline Range ⁵	378	0.6

¹ This table reflects the 71,003 cases sentenced in Fiscal Year 2015. Of these, 2,733 cases 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.

² All cases with departures in which the court did not indicate as a reason either *United States v. Booker*, 18 U.S.C. § 3553, or a factor or reason specifically prohibited in the provisions, policy statements, or commentary of the *Guidelines Manual*.

³ All cases sentenced outside of the guideline range in which the court indicated both a departure (see footnote 2) and a reference to either *United States v. Booker*, 18 U.S.C. § 3553, or related factors as a reason for sentencing outside of the guideline system.

⁴ All cases sentenced outside of the guideline range in which no departure was indicated and in which the court cited *United States v. Booker*, 18 U.S.C. § 3553, or related factors as one of the reasons for sentencing outside of the guideline system.

⁵ All cases sentenced outside of the guideline range that could not be classified into any of the three previous outside of the range categories. This category includes cases in which no reason was provided for a sentence outside of the guideline range.

⁶ Cases in which a reason for the sentence indicated that the prosecution initiated, proposed, or stipulated to a sentence outside of the guideline range, either pursuant to a plea agreement or as part of a non-plea negotiation with the defendant.

SOURCE: U.S. Sentencing Commission, 2015 Datafile, USSCFY15.

SENTENCES RELATIVE TO THE GUIDELINE RANGE BY CIRCUIT AND DISTRICT¹
Fiscal Year 2015

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE		UPWARD DEPARTURE W/ BOOKER		ABOVE RANGE W/ BOOKER		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
TOTAL	68,270	32,262	47.3	349	0.5	95	0.1	1,002	1.5	60	0.1
D.C. CIRCUIT	255	79	31.0	0	0.0	2	0.8	3	1.2	0	0.0
District of Columbia	255	79	31.0	0	0.0	2	0.8	3	1.2	0	0.0
FIRST CIRCUIT	2,442	1,301	53.3	15	0.6	5	0.2	96	3.9	5	0.2
Maine	188	63	33.5	1	0.5	0	0.0	1	0.5	0	0.0
Massachusetts	520	130	25.0	3	0.6	2	0.4	12	2.3	0	0.0
New Hampshire	144	70	48.6	1	0.7	0	0.0	6	4.2	0	0.0
Puerto Rico	1,470	1,009	68.6	10	0.7	3	0.2	77	5.2	5	0.3
Rhode Island	120	29	24.2	0	0.0	0	0.0	0	0.0	0	0.0
SECOND CIRCUIT	3,813	1,098	28.8	11	0.3	2	0.1	16	0.4	3	0.1
Connecticut	333	91	27.3	2	0.6	0	0.0	0	0.0	1	0.3
New York											
Eastern	794	175	22.0	1	0.1	2	0.3	5	0.6	1	0.1
Northern	341	181	53.1	1	0.3	0	0.0	1	0.3	0	0.0
Southern	1,646	387	23.5	1	0.1	0	0.0	7	0.4	1	0.1
Western	520	230	44.2	5	1.0	0	0.0	2	0.4	0	0.0
Vermont	179	34	19.0	1	0.6	0	0.0	1	0.6	0	0.0
THIRD CIRCUIT	2,415	885	36.6	4	0.2	0	0.0	28	1.2	1	0.0
Delaware	90	26	28.9	0	0.0	0	0.0	0	0.0	0	0.0
New Jersey	696	255	36.6	2	0.3	0	0.0	3	0.4	0	0.0
Pennsylvania											
Eastern	715	203	28.4	1	0.1	0	0.0	10	1.4	0	0.0
Middle	381	172	45.1	1	0.3	0	0.0	4	1.0	0	0.0
Western	473	177	37.4	0	0.0	0	0.0	10	2.1	0	0.0
Virgin Islands	60	52	86.7	0	0.0	0	0.0	1	1.7	1	1.7
FOURTH CIRCUIT	5,605	3,090	55.1	38	0.7	15	0.3	88	1.6	3	0.1
Maryland	745	222	29.8	7	0.9	2	0.3	26	3.5	1	0.1
North Carolina											
Eastern	510	259	50.8	12	2.4	7	1.4	9	1.8	0	0.0
Middle	507	318	62.7	3	0.6	3	0.6	14	2.8	1	0.2
Western	693	362	52.2	1	0.1	2	0.3	5	0.7	0	0.0
South Carolina	639	354	55.4	6	0.9	0	0.0	6	0.9	0	0.0
Virginia											
Eastern	1,454	1,007	69.3	4	0.3	0	0.0	12	0.8	1	0.1
Western	375	160	42.7	5	1.3	1	0.3	10	2.7	0	0.0
West Virginia											
Northern	419	255	60.9	0	0.0	0	0.0	3	0.7	0	0.0
Southern	263	153	58.2	0	0.0	0	0.0	3	1.1	0	0.0

Table 2 (cont.)

CIRCUIT	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE		DOWNWARD DEPARTURE W/ BOOKER		BELOW RANGE W/ BOOKER		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	8,470	12.4	6,294	9.2	5,224	7.7	1,521	2.2	583	0.9	12,032	17.6	378	0.6
D.C. CIRCUIT	76	29.8	3	1.2	24	9.4	9	3.5	11	4.3	44	17.3	4	1.6
District of Columbia	76	29.8	3	1.2	24	9.4	9	3.5	11	4.3	44	17.3	4	1.6
FIRST CIRCUIT	238	9.7	26	1.1	285	11.7	55	2.3	18	0.7	372	15.2	26	1.1
Maine	42	22.3	0	0.0	6	3.2	6	3.2	3	1.6	66	35.1	0	0.0
Massachusetts	78	15.0	14	2.7	130	25.0	12	2.3	10	1.9	127	24.4	2	0.4
New Hampshire	14	9.7	0	0.0	16	11.1	9	6.3	2	1.4	26	18.1	0	0.0
Puerto Rico	92	6.3	12	0.8	89	6.1	28	1.9	3	0.2	118	8.0	24	1.6
Rhode Island	12	10.0	0	0.0	44	36.7	0	0.0	0	0.0	35	29.2	0	0.0
SECOND CIRCUIT	834	21.9	77	2.0	150	3.9	100	2.6	64	1.7	1,436	37.7	22	0.6
Connecticut	46	13.8	1	0.3	30	9.0	19	5.7	8	2.4	135	40.5	0	0.0
New York														
Eastern	189	23.8	44	5.5	47	5.9	45	5.7	25	3.1	254	32.0	6	0.8
Northern	71	20.8	2	0.6	6	1.8	3	0.9	5	1.5	70	20.5	1	0.3
Southern	340	20.7	30	1.8	14	0.9	27	1.6	19	1.2	808	49.1	12	0.7
Western	145	27.9	0	0.0	24	4.6	0	0.0	3	0.6	108	20.8	3	0.6
Vermont	43	24.0	0	0.0	29	16.2	6	3.4	4	2.2	61	34.1	0	0.0
THIRD CIRCUIT	670	27.7	12	0.5	179	7.4	27	1.1	22	0.9	566	23.4	21	0.9
Delaware	21	23.3	0	0.0	8	8.9	1	1.1	2	2.2	32	35.6	0	0.0
New Jersey	190	27.3	3	0.4	49	7.0	7	1.0	8	1.1	171	24.6	8	1.1
Pennsylvania														
Eastern	254	35.5	3	0.4	59	8.3	2	0.3	3	0.4	169	23.6	11	1.5
Middle	97	25.5	6	1.6	12	3.1	11	2.9	4	1.0	73	19.2	1	0.3
Western	103	21.8	0	0.0	51	10.8	6	1.3	5	1.1	120	25.4	1	0.2
Virgin Islands	5	8.3	0	0.0	0	0.0	0	0.0	0	0.0	1	1.7	0	0.0
FOURTH CIRCUIT	858	15.3	13	0.2	373	6.7	80	1.4	38	0.7	975	17.4	34	0.6
Maryland	193	25.9	1	0.1	141	18.9	13	1.7	14	1.9	121	16.2	4	0.5
North Carolina														
Eastern	149	29.2	0	0.0	4	0.8	4	0.8	3	0.6	61	12.0	2	0.4
Middle	68	13.4	0	0.0	7	1.4	3	0.6	1	0.2	89	17.6	0	0.0
Western	146	21.1	0	0.0	44	6.3	6	0.9	3	0.4	122	17.6	2	0.3
South Carolina	96	15.0	4	0.6	58	9.1	10	1.6	4	0.6	97	15.2	4	0.6
Virginia														
Eastern	55	3.8	4	0.3	38	2.6	34	2.3	3	0.2	277	19.1	19	1.3
Western	88	23.5	0	0.0	46	12.3	9	2.4	7	1.9	48	12.8	1	0.3
West Virginia														
Northern	36	8.6	2	0.5	30	7.2	0	0.0	2	0.5	90	21.5	1	0.2
Southern	27	10.3	2	0.8	5	1.9	1	0.4	1	0.4	70	26.6	1	0.4

Table 2 (cont.)

CIRCUIT	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE		UPWARD DEPARTURE W/ BOOKER		ABOVE RANGE W/ BOOKER		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	16,058	10,241	63.8	108	0.7	25	0.2	273	1.7	14	0.1
Louisiana											
Eastern	389	222	57.1	4	1.0	0	0.0	14	3.6	1	0.3
Middle	165	78	47.3	3	1.8	1	0.6	0	0.0	2	1.2
Western	207	129	62.3	3	1.4	0	0.0	7	3.4	2	1.0
Mississippi											
Northern	156	86	55.1	1	0.6	0	0.0	5	3.2	0	0.0
Southern	270	170	63.0	4	1.5	0	0.0	7	2.6	0	0.0
Texas											
Eastern	1,030	661	64.2	15	1.5	0	0.0	24	2.3	0	0.0
Northern	1,373	839	61.1	8	0.6	10	0.7	48	3.5	0	0.0
Southern	6,225	3,572	57.4	54	0.9	14	0.2	56	0.9	8	0.1
Western	6,243	4,484	71.8	16	0.3	0	0.0	112	1.8	1	0.0
SIXTH CIRCUIT	4,686	2,020	43.1	15	0.3	5	0.1	65	1.4	0	0.0
Kentucky											
Eastern	513	294	57.3	1	0.2	0	0.0	14	2.7	0	0.0
Western	268	119	44.4	3	1.1	0	0.0	2	0.7	0	0.0
Michigan											
Eastern	835	349	41.8	1	0.1	0	0.0	8	1.0	0	0.0
Western	391	224	57.3	4	1.0	2	0.5	10	2.6	0	0.0
Ohio											
Northern	675	280	41.5	0	0.0	0	0.0	9	1.3	0	0.0
Southern	590	157	26.6	1	0.2	0	0.0	5	0.8	0	0.0
Tennessee											
Eastern	667	341	51.1	2	0.3	0	0.0	8	1.2	0	0.0
Middle	260	72	27.7	1	0.4	0	0.0	4	1.5	0	0.0
Western	487	184	37.8	2	0.4	3	0.6	5	1.0	0	0.0
SEVENTH CIRCUIT	2,467	932	37.8	2	0.1	9	0.4	45	1.8	3	0.1
Illinois											
Central	328	133	40.5	0	0.0	1	0.3	12	3.7	0	0.0
Northern	722	195	27.0	0	0.0	3	0.4	6	0.8	1	0.1
Southern	398	253	63.6	1	0.3	5	1.3	4	1.0	1	0.3
Indiana											
Northern	272	124	45.6	0	0.0	0	0.0	5	1.8	0	0.0
Southern	374	136	36.4	0	0.0	0	0.0	12	3.2	1	0.3
Wisconsin											
Eastern	254	54	21.3	0	0.0	0	0.0	5	2.0	0	0.0
Western	119	37	31.1	1	0.8	0	0.0	1	0.8	0	0.0
EIGHTH CIRCUIT	4,563	2,020	44.3	24	0.5	6	0.1	108	2.4	6	0.1
Arkansas											
Eastern	350	180	51.4	0	0.0	0	0.0	11	3.1	1	0.3
Western	273	126	46.2	0	0.0	0	0.0	4	1.5	2	0.7
Iowa											
Northern	361	220	60.9	12	3.3	1	0.3	11	3.0	1	0.3
Southern	309	98	31.7	0	0.0	0	0.0	5	1.6	0	0.0
Minnesota	377	119	31.6	1	0.3	1	0.3	9	2.4	0	0.0
Missouri											
Eastern	554	220	39.7	0	0.0	1	0.2	8	1.4	0	0.0
Western	892	358	40.1	4	0.4	0	0.0	42	4.7	0	0.0
Nebraska	589	276	46.9	0	0.0	0	0.0	8	1.4	0	0.0
North Dakota	423	185	43.7	1	0.2	0	0.0	3	0.7	2	0.5
South Dakota	435	238	54.7	6	1.4	3	0.7	7	1.6	0	0.0

Table 2 (cont.)

CIRCUIT	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE		DOWNWARD DEPARTURE W/ BOOKER		BELOW RANGE W/ BOOKER		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	1,323	8.2	697	4.3	561	3.5	748	4.7	52	0.3	1,922	12.0	94	0.6
Louisiana														
Eastern	48	12.3	1	0.3	7	1.8	5	1.3	2	0.5	81	20.8	4	1.0
Middle	24	14.5	1	0.6	1	0.6	0	0.0	0	0.0	54	32.7	1	0.6
Western	26	12.6	0	0.0	1	0.5	1	0.5	0	0.0	37	17.9	1	0.5
Mississippi														
Northern	30	19.2	1	0.6	7	4.5	0	0.0	0	0.0	26	16.7	0	0.0
Southern	41	15.2	0	0.0	2	0.7	0	0.0	0	0.0	46	17.0	0	0.0
Texas														
Eastern	76	7.4	7	0.7	174	16.9	6	0.6	4	0.4	61	5.9	2	0.2
Northern	188	13.7	0	0.0	34	2.5	9	0.7	6	0.4	230	16.8	1	0.1
Southern	447	7.2	510	8.2	192	3.1	579	9.3	25	0.4	766	12.3	2	0.0
Western	443	7.1	177	2.8	143	2.3	148	2.4	15	0.2	621	9.9	83	1.3
SIXTH CIRCUIT	995	21.2	11	0.2	430	9.2	54	1.2	65	1.4	1,013	21.6	13	0.3
Kentucky														
Eastern	63	12.3	0	0.0	22	4.3	3	0.6	1	0.2	115	22.4	0	0.0
Western	56	20.9	4	1.5	49	18.3	3	1.1	3	1.1	28	10.4	1	0.4
Michigan														
Eastern	147	17.6	0	0.0	44	5.3	9	1.1	6	0.7	269	32.2	2	0.2
Western	60	15.3	0	0.0	1	0.3	6	1.5	13	3.3	71	18.2	0	0.0
Ohio														
Northern	175	25.9	0	0.0	27	4.0	12	1.8	6	0.9	164	24.3	2	0.3
Southern	124	21.0	4	0.7	151	25.6	10	1.7	20	3.4	114	19.3	4	0.7
Tennessee														
Eastern	201	30.1	0	0.0	35	5.2	4	0.6	2	0.3	73	10.9	1	0.1
Middle	72	27.7	0	0.0	57	21.9	5	1.9	11	4.2	38	14.6	0	0.0
Western	97	19.9	3	0.6	44	9.0	2	0.4	3	0.6	141	29.0	3	0.6
SEVENTH CIRCUIT	343	13.9	6	0.2	184	7.5	60	2.4	97	3.9	764	31.0	22	0.9
Illinois														
Central	51	15.5	0	0.0	34	10.4	3	0.9	3	0.9	90	27.4	1	0.3
Northern	87	12.0	5	0.7	15	2.1	21	2.9	53	7.3	320	44.3	16	2.2
Southern	41	10.3	1	0.3	15	3.8	5	1.3	19	4.8	49	12.3	4	1.0
Indiana														
Northern	56	20.6	0	0.0	17	6.3	6	2.2	4	1.5	59	21.7	1	0.4
Southern	70	18.7	0	0.0	47	12.6	3	0.8	3	0.8	102	27.3	0	0.0
Wisconsin														
Eastern	35	13.8	0	0.0	51	20.1	1	0.4	0	0.0	108	42.5	0	0.0
Western	3	2.5	0	0.0	5	4.2	21	17.6	15	12.6	36	30.3	0	0.0
EIGHTH CIRCUIT	693	15.2	96	2.1	369	8.1	49	1.1	31	0.7	1,141	25.0	20	0.4
Arkansas														
Eastern	43	12.3	0	0.0	9	2.6	1	0.3	2	0.6	100	28.6	3	0.9
Western	41	15.0	4	1.5	9	3.3	0	0.0	1	0.4	85	31.1	1	0.4
Iowa														
Northern	70	19.4	0	0.0	3	0.8	1	0.3	0	0.0	41	11.4	1	0.3
Southern	56	18.1	3	1.0	61	19.7	2	0.6	2	0.6	81	26.2	1	0.3
Minnesota	54	14.3	1	0.3	8	2.1	8	2.1	5	1.3	169	44.8	2	0.5
Missouri														
Eastern	72	13.0	0	0.0	64	11.6	3	0.5	7	1.3	178	32.1	1	0.2
Western	194	21.7	0	0.0	77	8.6	2	0.2	3	0.3	211	23.7	1	0.1
Nebraska	33	5.6	61	10.4	64	10.9	8	1.4	4	0.7	128	21.7	7	1.2
North Dakota	115	27.2	23	5.4	27	6.4	5	1.2	5	1.2	54	12.8	3	0.7
South Dakota	15	3.4	4	0.9	47	10.8	19	4.4	2	0.5	94	21.6	0	0.0

Table 2 (cont.)

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE		UPWARD DEPARTURE W/ BOOKER		ABOVE RANGE W/ BOOKER		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	13,040	3,615	27.7	103	0.8	15	0.1	130	1.0	13	0.1
Alaska	165	55	33.3	0	0.0	0	0.0	3	1.8	0	0.0
Arizona	4,163	1,190	28.6	73	1.8	7	0.2	27	0.6	8	0.2
California											
Central	1,076	278	25.8	6	0.6	0	0.0	8	0.7	0	0.0
Eastern	719	268	37.3	5	0.7	0	0.0	11	1.5	0	0.0
Northern	555	199	35.9	1	0.2	1	0.2	8	1.4	0	0.0
Southern	3,390	472	13.9	9	0.3	1	0.0	8	0.2	3	0.1
Guam	91	49	53.8	0	0.0	0	0.0	0	0.0	0	0.0
Hawaii	236	87	36.9	0	0.0	0	0.0	3	1.3	0	0.0
Idaho	263	100	38.0	1	0.4	1	0.4	4	1.5	0	0.0
Montana	362	151	41.7	0	0.0	0	0.0	5	1.4	1	0.3
Nevada	551	279	50.6	1	0.2	0	0.0	16	2.9	1	0.2
Northern Mariana Islands	13	11	84.6	0	0.0	0	0.0	0	0.0	0	0.0
Oregon	573	173	30.2	0	0.0	0	0.0	16	2.8	0	0.0
Washington											
Eastern	379	136	35.9	5	1.3	2	0.5	12	3.2	0	0.0
Western	504	167	33.1	2	0.4	3	0.6	9	1.8	0	0.0
TENTH CIRCUIT	6,916	3,759	54.4	25	0.4	3	0.0	40	0.6	3	0.0
Colorado	428	172	40.2	0	0.0	0	0.0	6	1.4	3	0.7
Kansas	570	224	39.3	1	0.2	0	0.0	14	2.5	0	0.0
New Mexico	4,430	2,787	62.9	7	0.2	2	0.0	4	0.1	0	0.0
Oklahoma											
Eastern	99	59	59.6	2	2.0	0	0.0	0	0.0	0	0.0
Northern	184	78	42.4	0	0.0	0	0.0	0	0.0	0	0.0
Western	337	172	51.0	0	0.0	0	0.0	4	1.2	0	0.0
Utah	615	177	28.8	14	2.3	1	0.2	8	1.3	0	0.0
Wyoming	253	90	35.6	1	0.4	0	0.0	4	1.6	0	0.0
ELEVENTH CIRCUIT	6,010	3,222	53.6	4	0.1	8	0.1	110	1.8	9	0.1
Alabama											
Middle	197	88	44.7	0	0.0	3	1.5	9	4.6	2	1.0
Northern	336	177	52.7	0	0.0	0	0.0	8	2.4	1	0.3
Southern	328	192	58.5	0	0.0	0	0.0	1	0.3	0	0.0
Florida											
Middle	1,382	617	44.6	0	0.0	0	0.0	23	1.7	2	0.1
Northern	245	119	48.6	0	0.0	2	0.8	5	2.0	0	0.0
Southern	2,181	1,306	59.9	2	0.1	1	0.0	34	1.6	4	0.2
Georgia											
Middle	355	248	69.9	0	0.0	0	0.0	10	2.8	0	0.0
Northern	566	185	32.7	2	0.4	1	0.2	14	2.5	0	0.0
Southern	420	290	69.0	0	0.0	1	0.2	6	1.4	0	0.0

Table 2 (cont.)

CIRCUIT District	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE		DOWNWARD DEPARTURE W/ BOOKER		BELOW RANGE W/ BOOKER		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	1,298	10.0	4,055	31.1	1,677	12.9	230	1.8	94	0.7	1,728	13.3	82	0.6
Alaska	25	15.2	1	0.6	28	17.0	1	0.6	0	0.0	52	31.5	0	0.0
Arizona	166	4.0	1,718	41.3	496	11.9	30	0.7	11	0.3	434	10.4	3	0.1
California														
Central	179	16.6	87	8.1	162	15.1	62	5.8	35	3.3	228	21.2	31	2.9
Eastern	142	19.7	89	12.4	68	9.5	6	0.8	4	0.6	123	17.1	3	0.4
Northern	58	10.5	16	2.9	147	26.5	3	0.5	7	1.3	113	20.4	2	0.4
Southern	235	6.9	2,056	60.6	222	6.5	101	3.0	16	0.5	229	6.8	38	1.1
Guam	33	36.3	0	0.0	2	2.2	0	0.0	0	0.0	6	6.6	1	1.1
Hawaii	85	36.0	0	0.0	6	2.5	1	0.4	1	0.4	53	22.5	0	0.0
Idaho	82	31.2	16	6.1	4	1.5	6	2.3	1	0.4	47	17.9	1	0.4
Montana	62	17.1	0	0.0	19	5.2	0	0.0	0	0.0	124	34.3	0	0.0
Nevada	64	11.6	17	3.1	68	12.3	9	1.6	8	1.5	87	15.8	1	0.2
Northern Mariana Islands	2	15.4	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Oregon	102	17.8	5	0.9	173	30.2	2	0.3	4	0.7	97	16.9	1	0.2
Washington														
Eastern	35	9.2	27	7.1	99	26.1	6	1.6	4	1.1	52	13.7	1	0.3
Western	28	5.6	23	4.6	183	36.3	3	0.6	3	0.6	83	16.5	0	0.0
TENTH CIRCUIT	405	5.9	1,266	18.3	606	8.8	47	0.7	37	0.5	705	10.2	20	0.3
Colorado	70	16.4	32	7.5	54	12.6	2	0.5	4	0.9	84	19.6	1	0.2
Kansas	126	22.1	14	2.5	116	20.4	6	1.1	2	0.4	66	11.6	1	0.2
New Mexico	60	1.4	1,018	23.0	266	6.0	24	0.5	26	0.6	223	5.0	13	0.3
Oklahoma														
Eastern	18	18.2	0	0.0	10	10.1	0	0.0	0	0.0	10	10.1	0	0.0
Northern	31	16.8	0	0.0	14	7.6	5	2.7	1	0.5	55	29.9	0	0.0
Western	36	10.7	0	0.0	6	1.8	5	1.5	2	0.6	112	33.2	0	0.0
Utah	22	3.6	185	30.1	98	15.9	4	0.7	0	0.0	101	16.4	5	0.8
Wyoming	42	16.6	17	6.7	42	16.6	1	0.4	2	0.8	54	21.3	0	0.0
ELEVENTH CIRCUIT	737	12.3	32	0.5	386	6.4	62	1.0	54	0.9	1,366	22.7	20	0.3
Alabama														
Middle	37	18.8	0	0.0	17	8.6	5	2.5	1	0.5	35	17.8	0	0.0
Northern	74	22.0	0	0.0	8	2.4	2	0.6	1	0.3	64	19.0	1	0.3
Southern	36	11.0	1	0.3	5	1.5	4	1.2	1	0.3	88	26.8	0	0.0
Florida														
Middle	240	17.4	21	1.5	42	3.0	22	1.6	17	1.2	392	28.4	6	0.4
Northern	45	18.4	2	0.8	1	0.4	4	1.6	1	0.4	66	26.9	0	0.0
Southern	151	6.9	6	0.3	105	4.8	11	0.5	18	0.8	531	24.3	12	0.6
Georgia														
Middle	47	13.2	1	0.3	7	2.0	4	1.1	0	0.0	38	10.7	0	0.0
Northern	69	12.2	1	0.2	184	32.5	10	1.8	14	2.5	86	15.2	0	0.0
Southern	38	9.0	0	0.0	17	4.0	0	0.0	1	0.2	66	15.7	1	0.2

¹ Of the 71,003 cases, 2,733 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. The information needed to determine the relationship between the sentence imposed and the guideline range was missing in five percent or more of the cases received from: Arizona (32.4%), Western Louisiana (13.0%), Eastern North Carolina (13.0%), Southern West Virginia (7.4%), and Middle Georgia (5.8%). Descriptions of variables used in this table are provided in Appendix A.

Table 3

**SENTENCES RELATIVE TO THE GUIDELINE RANGE
BY EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015**

PRIMARY OFFENSE	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE		UPWARD DEPARTURE W/ BOOKER		ABOVE RANGE W/ BOOKER		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
TOTAL	68,270	32,262	47.3	349	0.5	95	0.1	1,002	1.5	60	0.1
Murder	91	47	51.6	3	3.3	0	0.0	2	2.2	0	0.0
Manslaughter	52	22	42.3	10	19.2	2	3.8	5	9.6	0	0.0
Kidnapping/Hostage Taking	43	18	41.9	0	0.0	1	2.3	1	2.3	2	4.7
Sexual Abuse	527	235	44.6	13	2.5	2	0.4	19	3.6	0	0.0
Assault	718	411	57.2	18	2.5	9	1.3	33	4.6	3	0.4
Robbery	738	349	47.3	13	1.8	5	0.7	29	3.9	0	0.0
Arson	59	20	33.9	1	1.7	0	0.0	6	10.2	0	0.0
Drugs - Trafficking	20,027	7,028	35.1	79	0.4	12	0.1	179	0.9	12	0.1
Drugs - Communication Facility	316	159	50.3	0	0.0	0	0.0	5	1.6	0	0.0
Drugs - Simple Possession	448	429	95.8	0	0.0	0	0.0	3	0.7	0	0.0
Firearms	7,049	3,713	52.7	65	0.9	19	0.3	250	3.5	15	0.2
Burglary/B&E	36	20	55.6	1	2.8	0	0.0	3	8.3	0	0.0
Auto Theft	62	37	59.7	0	0.0	0	0.0	4	6.5	0	0.0
Larceny	873	486	55.7	2	0.2	0	0.0	14	1.6	0	0.0
Fraud	7,047	2,836	40.2	30	0.4	6	0.1	97	1.4	8	0.1
Embezzlement	329	182	55.3	0	0.0	0	0.0	2	0.6	0	0.0
Forgery/Counterfeiting	511	302	59.1	1	0.2	0	0.0	12	2.3	1	0.2
Bribery	216	65	30.1	0	0.0	0	0.0	2	0.9	0	0.0
Tax	559	152	27.2	1	0.2	0	0.0	5	0.9	0	0.0
Money Laundering	667	197	29.5	3	0.4	0	0.0	1	0.1	0	0.0
Racketeering/Extortion	1,005	381	37.9	3	0.3	0	0.0	11	1.1	0	0.0
Gambling/Lottery	76	38	50.0	0	0.0	0	0.0	1	1.3	0	0.0
Civil Rights	46	15	32.6	1	2.2	0	0.0	1	2.2	0	0.0
Immigration	20,608	11,822	57.4	82	0.4	24	0.1	210	1.0	16	0.1
Child Pornography	1,903	584	30.7	3	0.2	5	0.3	27	1.4	0	0.0
Prison Offenses	468	323	69.0	0	0.0	1	0.2	13	2.8	0	0.0
Administration of Justice Offenses	1,165	633	54.3	11	0.9	5	0.4	34	2.9	1	0.1
Environmental/Wildlife	140	63	45.0	0	0.0	1	0.7	0	0.0	0	0.0
National Defense	99	29	29.3	0	0.0	0	0.0	2	2.0	0	0.0
Antitrust	15	1	6.7	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	141	92	65.2	3	2.1	0	0.0	4	2.8	0	0.0
Other Miscellaneous Offenses	2,236	1,573	70.3	6	0.3	3	0.1	27	1.2	2	0.1

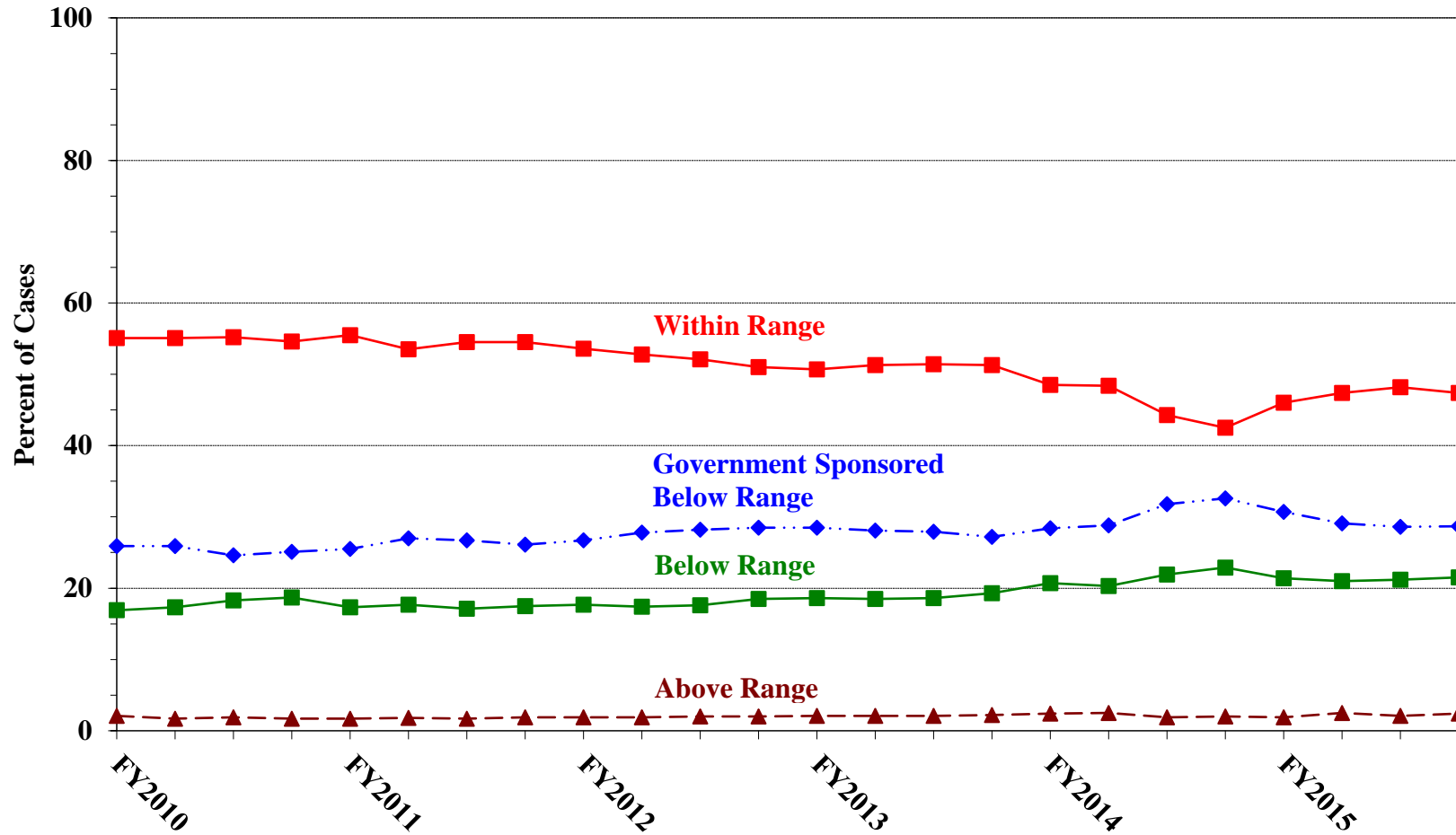
Table 3 (cont.)

PRIMARY OFFENSE	§5K1.1		§5K3.1		OTHER		DOWNWARD		DOWNWARD		BELOW		REMAINING	
	SUBSTANTIAL		EARLY		GOV'T		DOWNWARD		DEPARTURE		RANGE		BELOW	
	ASSISTANCE		DISPOSITION		SPONSORED		DEPARTURE		W/ BOOKER		W/ BOOKER		RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	8,470	12.4	6,294	9.2	5,224	7.7	1,521	2.2	583	0.9	12,032	17.6	378	0.6
Murder	22	24.2	0	0.0	8	8.8	0	0.0	1	1.1	8	8.8	0	0.0
Manslaughter	1	1.9	0	0.0	4	7.7	0	0.0	0	0.0	8	15.4	0	0.0
Kidnapping/Hostage Taking	7	16.3	0	0.0	2	4.7	2	4.7	0	0.0	9	20.9	1	2.3
Sexual Abuse	47	8.9	0	0.0	97	18.4	4	0.8	5	0.9	105	19.9	0	0.0
Assault	5	0.7	4	0.6	99	13.8	10	1.4	7	1.0	109	15.2	10	1.4
Robbery	74	10.0	1	0.1	71	9.6	18	2.4	13	1.8	164	22.2	1	0.1
Arson	21	35.6	0	0.0	5	8.5	0	0.0	0	0.0	6	10.2	0	0.0
Drugs - Trafficking	4,931	24.6	1,222	6.1	2,059	10.3	338	1.7	219	1.1	3,869	19.3	79	0.4
Drugs - Communication Facility	36	11.4	4	1.3	27	8.5	1	0.3	3	0.9	76	24.1	5	1.6
Drugs - Simple Possession	1	0.2	2	0.4	4	0.9	0	0.0	0	0.0	7	1.6	2	0.4
Firearms	763	10.8	13	0.2	636	9.0	127	1.8	47	0.7	1,370	19.4	31	0.4
Burglary/B&E	2	5.6	0	0.0	0	0.0	0	0.0	0	0.0	9	25.0	1	2.8
Auto Theft	12	19.4	0	0.0	2	3.2	1	1.6	0	0.0	5	8.1	1	1.6
Larceny	55	6.3	0	0.0	70	8.0	22	2.5	13	1.5	196	22.5	15	1.7
Fraud	1,337	19.0	3	0.0	607	8.6	107	1.5	80	1.1	1,870	26.5	66	0.9
Embezzlement	16	4.9	1	0.3	27	8.2	13	4.0	0	0.0	86	26.1	2	0.6
Forgery/Counterfeiting	47	9.2	0	0.0	26	5.1	14	2.7	8	1.6	96	18.8	4	0.8
Bribery	67	31.0	1	0.5	16	7.4	3	1.4	5	2.3	57	26.4	0	0.0
Tax	79	14.1	0	0.0	45	8.1	17	3.0	15	2.7	239	42.8	6	1.1
Money Laundering	156	23.4	2	0.3	94	14.1	15	2.2	10	1.5	185	27.7	4	0.6
Racketeering/Extortion	218	21.7	0	0.0	134	13.3	17	1.7	12	1.2	219	21.8	10	1.0
Gambling/Lottery	13	17.1	1	1.3	9	11.8	1	1.3	0	0.0	13	17.1	0	0.0
Civil Rights	6	13.0	0	0.0	6	13.0	1	2.2	0	0.0	15	32.6	1	2.2
Immigration	250	1.2	5,032	24.4	441	2.1	723	3.5	80	0.4	1,829	8.9	99	0.5
Child Pornography	62	3.3	0	0.0	387	20.3	26	1.4	34	1.8	765	40.2	10	0.5
Prison Offenses	9	1.9	0	0.0	44	9.4	5	1.1	2	0.4	70	15.0	1	0.2
Administration of Justice Offenses	70	6.0	5	0.4	112	9.6	17	1.5	6	0.5	267	22.9	4	0.3
Environmental/Wildlife	23	16.4	0	0.0	12	8.6	5	3.6	2	1.4	31	22.1	3	2.1
National Defense	27	27.3	0	0.0	10	10.1	5	5.1	4	4.0	22	22.2	0	0.0
Antitrust	10	66.7	0	0.0	2	13.3	0	0.0	0	0.0	2	13.3	0	0.0
Food & Drug	9	6.4	0	0.0	8	5.7	5	3.5	4	2.8	15	10.6	1	0.7
Other Miscellaneous Offenses	94	4.2	3	0.1	160	7.2	24	1.1	13	0.6	310	13.9	21	0.9

¹ Of the 71,003 cases, 2,733 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, 2015 Datafile, USSCFY15.

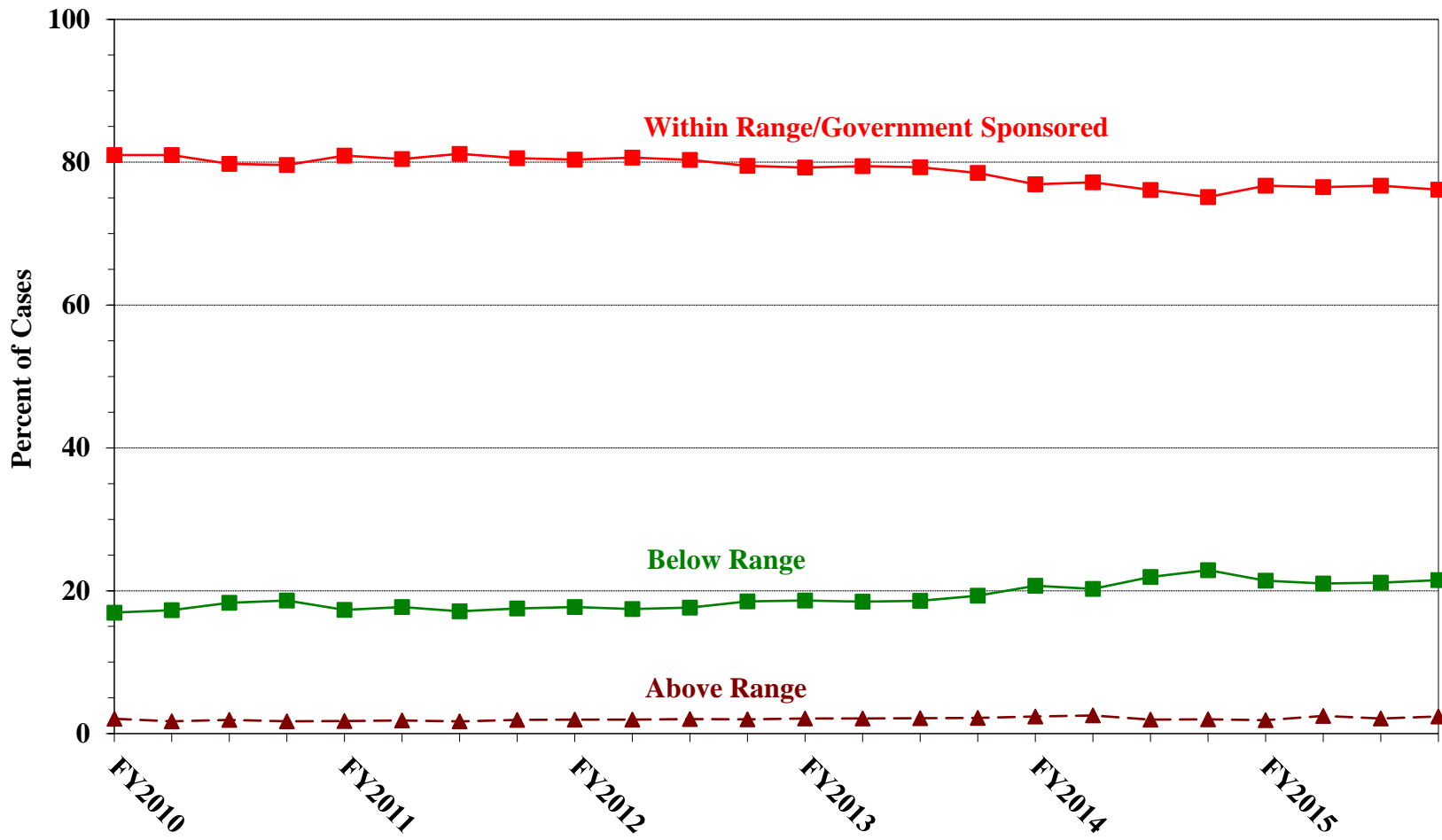
Figure A
QUARTERLY DATA FOR WITHIN RANGE AND OUT OF RANGE SENTENCES¹
Fiscal Years 2010 - 2015



¹ Descriptions of variables used in this figure are provided in Appendix A.

Figure B
QUARTERLY DATA FOR WITHIN RANGE/GOVERNMENT SPONSORED
AND OTHER OUT OF RANGE SENTENCES¹

Fiscal Years 2010 - 2015



¹ Descriptions of variables used in this figure are provided in Appendix A.

Table 4

QUARTERLY DATA FOR WITHIN RANGE AND OUT OF RANGE SENTENCES¹
Fiscal Years 2010 - 2015

FISCAL YEAR	WITHIN GUIDELINE RANGE	GOVERNMENT SPONSORED BELOW RANGE	BELOW RANGE	ABOVE RANGE
Quarter	%	%	%	%
FY2010				
1st Quarter	55.1	25.9	16.9	2.1
2nd Quarter	55.1	25.9	17.3	1.7
3rd Quarter	55.2	24.6	18.3	1.9
4th Quarter	54.6	25.1	18.7	1.7
FY2011				
1st Quarter	55.5	25.5	17.3	1.7
2nd Quarter	53.5	27.0	17.7	1.8
3rd Quarter	54.5	26.7	17.1	1.7
4th Quarter	54.5	26.1	17.5	1.9
FY2012				
1st Quarter	53.6	26.7	17.7	1.9
2nd Quarter	52.8	27.8	17.4	1.9
3rd Quarter	52.1	28.2	17.6	2.0
4th Quarter	51.0	28.5	18.5	2.0
FY2013				
1st Quarter	50.7	28.5	18.6	2.1
2nd Quarter	51.3	28.1	18.5	2.1
3rd Quarter	51.4	27.9	18.6	2.1
4th Quarter	51.3	27.2	19.3	2.2
FY2014				
1st Quarter	48.5	28.4	20.7	2.4
2nd Quarter	48.4	28.8	20.3	2.5
3rd Quarter	44.3	31.8	21.9	1.9
4th Quarter	42.5	32.6	22.9	2.0
FY2015				
1st Quarter	46.0	30.7	21.4	1.9
2nd Quarter	47.4	29.1	21.0	2.5
3rd Quarter	48.2	28.6	21.2	2.1
4th Quarter	47.4	28.7	21.5	2.4

¹ Descriptions of variables used in this table are provided in Appendix A.

Table 5 (cont.)

Guideline	Total	Within Guideline Range	Upward				Government Sponsored			Downward		Below Range	
			Departure		Above Range		§5K1.1	§5K3.1	Other Gov't	Departure		Below Range	
			Gdline Only	With Booker	With Booker	All Others				Gdline Only	With Booker	With Booker	All Others
§2N1.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2N2.1	64	63	0	0	0	0	0	0	0	1	0	0	0
§2N3.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2P1.1	274	195	0	1	8	0	4	0	16	2	2	45	1
§2P1.2	114	81	0	0	3	0	3	0	13	1	0	13	0
§2P1.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2P1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.2	32	6	0	0	0	0	6	0	7	2	1	10	0
§2Q1.3	29	8	0	0	0	0	2	0	3	2	0	14	0
§2Q1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.5	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.6	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q2.1	104	43	0	0	0	0	23	0	9	2	1	24	2
§2Q2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2R1.1	5	0	0	0	0	0	5	0	0	0	0	0	0
§2S1.1	1,055	264	4	0	8	0	344	2	154	17	14	242	6
§2S1.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2S1.3	211	84	0	0	0	0	24	1	33	6	1	60	2
§2S1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.1	462	129	0	0	4	0	74	0	35	11	13	191	5
§2T1.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.4	198	43	1	0	2	0	37	0	10	5	5	95	0
§2T1.5	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.6	44	9	0	0	1	0	3	0	4	1	1	24	1
§2T1.7	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.8	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.9	14	4	0	0	0	0	2	0	3	1	0	4	0
§2T2.1	5	2	0	0	0	0	1	0	1	0	0	1	0
§2T2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T3.1	21	12	0	0	1	0	3	0	2	0	0	2	1
§2T3.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T4.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X1.1	28	8	0	0	1	0	8	0	3	0	0	8	0
§2X2.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X3.1	125	50	0	0	2	0	20	0	22	0	1	30	0
§2X4.1	348	188	5	0	11	1	27	2	45	3	1	61	4
§2X5.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X5.2	182	163	0	0	6	0	0	0	2	0	0	7	4
§2X6.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X7.1	2	2	0	0	0	0	0	0	0	0	0	0	0
§2X7.2	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	64,599	29,344	333	94	961	57	8,410	5,953	5,110	1,500	580	11,901	356

¹ Of the 71,003 cases, 6,404 were excluded due to one or both of the following reasons: information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range (2,733) or missing guideline applied (6,381). Descriptions of variables used in this table are provided in Appendix A.

² In 1,020 cases, the defendant was convicted of one or more counts of violating 18 U.S.C. § 1028A. By statute, the punishment for this crime must be served consecutively to any other punishment; therefore, in these 1,020 cases the conviction for this crime did not affect the guideline calculation for the underlying offense.

³ In 2,184 cases, the defendant was convicted of one or more counts of violating 18 U.S.C. § 924(c). By statute, the punishment for this crime must be served consecutively to any other punishment; therefore, in these 2,184 cases the conviction for this crime did not affect the guideline calculation for the underlying offense.

Table 6

ATTRIBUTION CATEGORY FOR CASES OUTSIDE OF THE GUIDELINE RANGE¹
Fiscal Year 2015

	TOTAL CASES	Pursuant to a Plea Agreement									
		§5K1.1 Plea Agreement		§5K3.1 Plea Agreement		Binding Plea Accepted by Court		Plea w/ Departure Court Finds Reasonable		Plea Agreement States Gov't Will Not Oppose	
		N	%	N	%	N	%	N	%	N	%
TOTAL	36,008	4,879	13.5	5,989	16.6	4,119	11.4	2,643	7.3	591	1.6
Above Range	1,506	5	0.3	12	0.8	340	22.6	148	9.8	3	0.2
Upward Departure From Guideline Range	349	0	0.0	0	0.0	138	39.5	51	14.6	2	0.6
Upward Departure With <i>Booker</i> /18 U.S.C. § 3553	95	0	0.0	0	0.0	13	13.7	5	5.3	1	1.1
Above Guideline Range With <i>Booker</i> /18 U.S.C. § 3553	1,002	0	0.0	0	0.0	183	18.3	85	8.5	0	0.0
All Remaining Cases Above Guideline Range	60	5	8.3	12	20.0	6	10.0	7	11.7	0	0.0
Government Sponsored Below Range	19,988	4,874	24.4	5,977	29.9	3,779	18.9	2,495	12.5	588	2.9
§5K1.1 Substantial Assistance Departure	8,470	4,874	57.5	154	1.8	167	2.0	235	2.8	47	0.6
§5K3.1 Early Disposition Program Departure	6,294	0	0.0	5,823	92.5	1,381	21.9	706	11.2	111	1.8
Other Government Sponsored Below Range	5,224	0	0.0	0	0.0	2,231	42.7	1,554	29.7	430	8.2
Non-Government Sponsored Below Range	14,514	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Downward Departure From Guideline Range	1,521	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Downward Departure With <i>Booker</i> /18 U.S.C. § 3553	583	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Below Guideline Range With <i>Booker</i> /18 U.S.C. § 3553	12,032	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
All Remaining Cases Below Guideline Range	378	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

Table 6 (cont.)

	Pursuant to a Motion Not in a Plea Agreement													
	§5K1.1 Government Motion		§5K3.1 Government Motion		Other Government Motion		Defense Motion/ Government Did Not Object		Defense Motion/ Government Did Object		Other than a Plea/Motion by Parties		No Information Available	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	3,456	9.6	113	0.3	1,989	5.5	5,961	16.6	5,106	14.2	5,883	16.3	3,269	9.1
Above Range	3	0.2	1	0.1	237	15.7	19	1.3	8	0.5	639	42.4	214	14.2
Upward Departure From Guideline Range	0	0.0	0	0.0	55	15.8	2	0.6	1	0.3	109	31.2	38	10.9
Upward Departure With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	31	32.6	3	3.2	1	1.1	52	54.7	5	5.3
Above Guideline Range With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	147	14.7	12	1.2	6	0.6	471	47.0	136	13.6
All Remaining Cases Above Guideline Range	3	5.0	1	1.7	4	6.7	2	3.3	0	0.0	7	11.7	35	58.3
Government Sponsored Below Range	3,453	17.3	112	0.6	1,752	8.8	1,625	8.1	1,133	5.7	1,070	5.4	473	2.4
§5K1.1 Substantial Assistance Departure	3,453	40.8	14	0.2	464	5.5	734	8.7	424	5.0	572	6.8	141	1.7
§5K3.1 Early Disposition Program Departure	0	0.0	98	1.6	153	2.4	315	5.0	456	7.2	182	2.9	182	2.9
Other Government Sponsored Below Range	0	0.0	0	0.0	1,135	21.7	576	11.0	253	4.8	316	6.0	150	2.9
Non-Government Sponsored Below Range	0	0.0	0	0.0	0	0.0	4,317	29.7	3,965	27.3	4,174	28.8	2,582	17.8
Downward Departure From Guideline Range	0	0.0	0	0.0	0	0.0	761	50.0	262	17.2	357	23.5	179	11.8
Downward Departure With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	0	0.0	171	29.3	208	35.7	224	38.4	84	14.4
Below Guideline Range With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	0	0.0	3,385	28.1	3,491	29.0	3,582	29.8	1,956	16.3
All Remaining Cases Below Guideline Range	0	0.0	0	0.0	0	0.0	0	0.0	4	1.1	11	2.9	363	96.0

¹ Multiple attributions may be made on the SOR. Therefore, the numbers reported in this table may exceed the number of total cases. For example, among SORs with an attribution, 6,809 cases indicated more than one attribution. Note that only outside of the range cases are included in this table. Descriptions of variables used in this table are provided in Appendix A.

Table 7

**§5K1.1 SUBSTANTIAL ASSISTANCE DEPARTURE CASES: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	8,084	31	30	50.4
Murder	10	92	194	60.6
Manslaughter	1	--	--	--
Kidnapping/Hostage Taking	3	120	47	40.0
Sexual Abuse	45	72	60	47.5
Assault	5	48	18	35.3
Robbery	74	42	20	30.7
Arson	21	38	36	53.9
Drugs - Trafficking	4,705	42	41	48.4
Drugs - Communication Facility	36	7	24	85.8
Drugs - Simple Possession	1	--	--	--
Firearms	723	48	36	44.4
Burglary/B&E	2	--	--	--
Auto Theft	11	2	29	80.0
Larceny	54	8	22	69.0
Fraud	1,288	12	21	73.5
Embezzlement	16	7	14	67.5
Forgery/Counterfeiting	46	10	11	57.8
Bribery	66	5	21	83.1
Tax	79	0	16	100.0
Money Laundering	155	12	24	72.2
Racketeering/Extortion	196	24	25	52.6
Gambling/Lottery	13	0	6	100.0
Civil Rights	6	11	56	86.5
Immigration	241	12	12	45.5
Child Pornography	59	120	72	40.0
Prison Offenses	9	8	8	33.7
Administration of Justice Offenses	68	0	12	100.0
Environmental/Wildlife	23	0	18	100.0
National Defense	24	23	33	58.9
Antitrust	6	15	16	52.3
Food & Drug	9	0	18	100.0
Other Miscellaneous Offenses	89	0	18	100.0

¹ Of the 71,003 cases, 8,470 received a §5K1.1 substantial assistance departure. Of these, 8,173 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, an additional 83 cases were also excluded from this table. Furthermore, one case was excluded due to several logical criteria. Of the remaining 8,089 cases, five were excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**§5K3.1 EARLY DISPOSITION PROGRAM DEPARTURE CASES: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	5,833	12	8	42.8
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	0	--	--	--
Assault	3	6	21	78.6
Robbery	1	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	1,150	24	25	51.4
Drugs - Communication Facility	4	27	21	43.8
Drugs - Simple Possession	1	--	--	--
Firearms	13	30	13	36.7
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	0	--	--	--
Fraud	3	15	45	75.0
Embezzlement	1	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	1	--	--	--
Tax	0	--	--	--
Money Laundering	2	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	4,648	10	6	40.0
Child Pornography	0	--	--	--
Prison Offenses	0	--	--	--
Administration of Justice Offenses	5	5	2	21.3
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	1	--	--	--

¹ Of the 71,003 cases, 6,294 received a §5K3.1 early disposition program departure. Of these, 5,834 cases had complete guideline application information. Of the remaining 5,834 cases, one was excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**OTHER GOVERNMENT SPONSORED BELOW RANGE CASES: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	4,980	36	20	41.2
Murder	5	108	51	30.0
Manslaughter	4	62	5	7.6
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	87	96	52	39.8
Assault	89	12	15	56.5
Robbery	67	55	20	20.5
Arson	5	36	5	27.5
Drugs - Trafficking	1,989	60	30	36.2
Drugs - Communication Facility	24	12	23	57.8
Drugs - Simple Possession	2	--	--	--
Firearms	606	58	18	28.2
Burglary/B&E	0	--	--	--
Auto Theft	2	--	--	--
Larceny	69	0	10	100.0
Fraud	581	13	12	58.3
Embezzlement	26	0	10	100.0
Forgery/Counterfeiting	24	7	14	67.5
Bribery	15	6	18	70.0
Tax	43	0	12	100.0
Money Laundering	88	12	16	66.9
Racketeering/Extortion	124	32	20	46.5
Gambling/Lottery	8	0	7	100.0
Civil Rights	5	9	9	50.0
Immigration	418	16	11	37.5
Child Pornography	383	70	56	42.6
Prison Offenses	32	12	6	37.5
Administration of Justice Offenses	108	7	12	74.3
Environmental/Wildlife	12	0	9	100.0
National Defense	8	15	18	65.7
Antitrust	1	--	--	--
Food & Drug	7	0	12	100.0
Other Miscellaneous Offenses	147	0	10	100.0

¹ Of the 71,003 cases, 5,224 received an other government sponsored downward departure. Of these, 5,034 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, an additional 51 cases were also excluded from this table. Of the remaining 4,983 cases, three were excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**DOWNWARD DEPARTURES FROM GUIDELINE RANGE: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	1,475	24	13	37.5
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	2	--	--	--
Sexual Abuse	4	36	6	35.7
Assault	10	21	6	27.7
Robbery	18	32	14	25.8
Arson	0	--	--	--
Drugs - Trafficking	326	42	16	29.2
Drugs - Communication Facility	1	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	125	35	13	24.0
Burglary/B&E	0	--	--	--
Auto Theft	1	--	--	--
Larceny	21	0	10	100.0
Fraud	101	12	15	65.7
Embezzlement	13	4	12	77.8
Forgery/Counterfeiting	13	4	12	84.2
Bribery	3	0	12	100.0
Tax	17	0	18	100.0
Money Laundering	15	18	10	47.4
Racketeering/Extortion	15	33	12	32.4
Gambling/Lottery	1	--	--	--
Civil Rights	0	--	--	--
Immigration	705	22	12	37.7
Child Pornography	26	53	49	43.4
Prison Offenses	3	12	3	37.5
Administration of Justice Offenses	17	6	9	68.8
Environmental/Wildlife	5	0	10	100.0
National Defense	5	24	22	21.8
Antitrust	0	--	--	--
Food & Drug	5	0	12	100.0
Other Miscellaneous Offenses	23	0	10	100.0

¹ Of the 71,003 cases, 1,521 received a downward departure from the guideline range. Of these, 1,477 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, an additional two cases were also excluded from this table. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**DOWNWARD DEPARTURES WITH *BOOKER* /18 U.S.C. § 3553: DEGREE
OF DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	564	24	22	47.2
Murder	1	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	5	135	46	28.2
Assault	7	20	13	39.4
Robbery	13	57	21	33.8
Arson	0	--	--	--
Drugs - Trafficking	208	37	31	42.3
Drugs - Communication Facility	3	18	30	68.8
Drugs - Simple Possession	0	--	--	--
Firearms	47	48	19	31.3
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	13	0	10	100.0
Fraud	77	12	17	64.7
Embezzlement	0	--	--	--
Forgery/Counterfeiting	8	9	19	62.4
Bribery	5	18	33	60.3
Tax	14	0	16	100.0
Money Laundering	9	12	27	78.9
Racketeering/Extortion	11	60	33	43.7
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	80	19	16	47.0
Child Pornography	33	72	54	40.5
Prison Offenses	2	--	--	--
Administration of Justice Offenses	6	3	14	83.3
Environmental/Wildlife	2	--	--	--
National Defense	4	144	7	4.6
Antitrust	0	--	--	--
Food & Drug	4	4	36	93.3
Other Miscellaneous Offenses	12	0	18	100.0

¹ Of the 71,003 cases, 583 received a downward departure from the guideline range with *Booker*/18 U.S.C. § 3553. Of these, 564 cases had complete guideline application information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**BELOW GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE
OF DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	11,653	24	15	36.8
Murder	4	288	39	20.0
Manslaughter	8	17	22	34.8
Kidnapping/Hostage Taking	8	154	56	33.5
Sexual Abuse	97	120	33	28.6
Assault	104	12	10	52.6
Robbery	164	46	18	25.7
Arson	4	101	24	41.3
Drugs - Trafficking	3,738	43	19	31.0
Drugs - Communication Facility	75	12	15	50.0
Drugs - Simple Possession	3	3	6	66.7
Firearms	1,340	38	15	26.7
Burglary/B&E	8	7	11	52.4
Auto Theft	5	40	10	20.0
Larceny	194	0	10	100.0
Fraud	1,826	15	12	50.0
Embezzlement	84	0	10	100.0
Forgery/Counterfeiting	94	3	11	83.3
Bribery	56	14	12	49.9
Tax	234	2	12	83.6
Money Laundering	180	18	18	50.7
Racketeering/Extortion	213	36	17	29.4
Gambling/Lottery	13	0	8	100.0
Civil Rights	15	3	12	82.8
Immigration	1,743	18	10	36.8
Child Pornography	756	78	60	40.9
Prison Offenses	60	11	6	33.3
Administration of Justice Offenses	266	6	10	60.0
Environmental/Wildlife	29	2	10	86.7
National Defense	22	30	28	43.0
Antitrust	2	--	--	--
Food & Drug	14	8	14	77.8
Other Miscellaneous Offenses	294	0	10	99.9

¹ Of the 71,003 cases, 12,032 were sentenced below the guideline range with *Booker*/18 U.S.C. § 3553. Of these, 11,707 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, an additional 51 cases were also excluded from this table. Of the remaining 11,656 cases, three were excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**ALL REMAINING BELOW GUIDELINE RANGE CASES: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	335	4	8	67.0
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	0	--	--	--
Assault	8	7	7	61.9
Robbery	1	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	68	60	20	33.2
Drugs - Communication Facility	5	0	6	100.0
Drugs - Simple Possession	2	--	--	--
Firearms	26	46	11	23.9
Burglary/B&E	1	--	--	--
Auto Theft	1	--	--	--
Larceny	15	0	6	100.0
Fraud	65	0	8	100.0
Embezzlement	2	--	--	--
Forgery/Counterfeiting	4	17	5	18.2
Bribery	0	--	--	--
Tax	6	2	14	87.6
Money Laundering	4	0	6	100.0
Racketeering/Extortion	10	33	16	37.3
Gambling/Lottery	0	--	--	--
Civil Rights	1	--	--	--
Immigration	80	0	3	100.0
Child Pornography	9	151	89	37.1
Prison Offenses	1	--	--	--
Administration of Justice Offenses	4	0	4	100.0
Environmental/Wildlife	3	2	6	81.8
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	18	0	8	100.0

¹ Of the 71,003 cases, 378 were otherwise sentenced below the guideline range. Of these, 336 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, one additional case was also excluded from this table. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**UPWARD DEPARTURES FROM GUIDELINE RANGE: DEGREE OF
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	319	49	13	33.3
Murder	2	--	--	--
Manslaughter	10	105	39	50.0
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	12	210	29	29.0
Assault	18	78	26	43.2
Robbery	13	96	23	24.8
Arson	1	--	--	--
Drugs - Trafficking	73	60	15	30.4
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	52	63	15	25.1
Burglary/B&E	1	--	--	--
Auto Theft	0	--	--	--
Larceny	2	--	--	--
Fraud	26	36	12	33.2
Embezzlement	0	--	--	--
Forgery/Counterfeiting	1	--	--	--
Bribery	0	--	--	--
Tax	1	--	--	--
Money Laundering	3	92	21	29.7
Racketeering/Extortion	2	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	1	--	--	--
Immigration	81	24	6	31.3
Child Pornography	3	84	24	40.0
Prison Offenses	0	--	--	--
Administration of Justice Offenses	11	36	15	60.0
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	1	--	--	--
Other Miscellaneous Offenses	5	65	19	50.0

¹ Of the 71,003 cases, 349 received an upward departure from the guideline range. Of these, 324 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a sentence of life, one additional case was also excluded from this table. Furthermore, four cases were excluded due to several logical criteria. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**UPWARD DEPARTURES WITH *BOOKER*/18 U.S.C. § 3553: DEGREE OF
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	91	60	15	46.3
Murder	0	--	--	--
Manslaughter	2	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	1	--	--	--
Assault	8	95	25	61.6
Robbery	5	144	54	50.4
Arson	0	--	--	--
Drugs - Trafficking	12	63	15	30.2
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	19	84	15	33.3
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	0	--	--	--
Fraud	6	60	17	46.3
Embezzlement	0	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	24	30	9	38.4
Child Pornography	4	240	94	58.3
Prison Offenses	1	--	--	--
Administration of Justice Offenses	5	60	44	275.0
Environmental/Wildlife	1	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	3	60	30	100.0

¹ Of the 71,003 cases, 95 received an upward departure from the guideline range with *Booker*/18 U.S.C. § 3553. Of these, 93 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a sentence of life, one additional case was also excluded from this table. Furthermore, one case was excluded due to several logical criteria. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**ABOVE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE
OF INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	914	60	14	37.9
Murder	2	--	--	--
Manslaughter	5	90	23	36.1
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	18	111	29	44.6
Assault	30	60	14	46.3
Robbery	26	120	42	38.6
Arson	6	96	33	46.7
Drugs - Trafficking	167	78	18	26.4
Drugs - Communication Facility	4	45	15	74.1
Drugs - Simple Possession	2	--	--	--
Firearms	207	110	23	33.3
Burglary/B&E	3	54	21	21.2
Auto Theft	4	150	26	21.5
Larceny	13	42	15	83.3
Fraud	93	60	12	37.9
Embezzlement	1	--	--	--
Forgery/Counterfeiting	11	36	15	50.0
Bribery	1	--	--	--
Tax	4	42	6	15.4
Money Laundering	1	--	--	--
Racketeering/Extortion	7	156	22	14.3
Gambling/Lottery	1	--	--	--
Civil Rights	1	--	--	--
Immigration	206	21	6	47.0
Child Pornography	26	180	28	28.5
Prison Offenses	12	24	10	71.4
Administration of Justice Offenses	32	36	13	66.7
Environmental/Wildlife	0	--	--	--
National Defense	2	--	--	--
Antitrust	0	--	--	--
Food & Drug	3	48	7	17.1
Other Miscellaneous Offenses	25	70	29	71.4

¹ Of the 71,003 cases, 1,002 were sentenced above the guideline range with *Booker*/18 U.S.C. § 3553. Of these, 941 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a sentence of life, an additional six cases were also excluded from this table. Furthermore, 21 cases were excluded due to several logical criteria. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**ALL REMAINING ABOVE GUIDELINE RANGE CASES: DEGREE OF
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	35	36	9	38.9
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	0	--	--	--
Assault	2	--	--	--
Robbery	0	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	8	35	11	31.5
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	6	45	19	60.2
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	0	--	--	--
Fraud	3	20	9	100.0
Embezzlement	0	--	--	--
Forgery/Counterfeiting	1	--	--	--
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	14	30	6	38.0
Child Pornography	0	--	--	--
Prison Offenses	0	--	--	--
Administration of Justice Offenses	0	--	--	--
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	0	--	--	--

¹ Of the 71,003 cases, 60 were otherwise sentenced above the guideline range. Of these, 51 cases had complete guideline application information. Furthermore, 16 cases were excluded due to several logical criteria. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

OFFENDERS RECEIVING SENTENCING OPTIONS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015

PRIMARY OFFENSE	TOTAL	TOTAL RECEIVING IMPRISONMENT		Prison Only		Prison/Community Split Sentence ²		TOTAL RECEIVING PROBATION		Probation and Confinement		Probation Only	
		N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	70,428	63,496	90.2	61,450	87.3	2,046	2.9	6,932	9.8	1,849	2.6	5,083	7.2
Murder	93	93	100.0	93	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Manslaughter	52	50	96.2	49	94.2	1	1.9	2	3.8	1	1.9	1	1.9
Kidnapping/Hostage Taking	43	42	97.7	41	95.3	1	2.3	1	2.3	0	0.0	1	2.3
Sexual Abuse	528	523	99.1	499	94.5	24	4.5	5	0.9	2	0.4	3	0.6
Assault	751	640	85.2	581	77.4	59	7.9	111	14.8	23	3.1	88	11.7
Robbery	739	721	97.6	686	92.8	35	4.7	18	2.4	5	0.7	13	1.8
Arson	59	54	91.5	52	88.1	2	3.4	5	8.5	0	0.0	5	8.5
Drugs - Trafficking	20,037	19,166	95.7	18,540	92.5	626	3.1	871	4.3	310	1.5	561	2.8
Drugs - Communication Facility	316	252	79.7	242	76.6	10	3.2	64	20.3	17	5.4	47	14.9
Drugs - Simple Possession	2,230	1,971	88.4	1,965	88.1	6	0.3	259	11.6	9	0.4	250	11.2
Firearms	7,051	6,741	95.6	6,542	92.8	199	2.8	310	4.4	119	1.7	191	2.7
Burglary/B&E	36	31	86.1	25	69.4	6	16.7	5	13.9	2	5.6	3	8.3
Auto Theft	62	54	87.1	51	82.3	3	4.8	8	12.9	3	4.8	5	8.1
Larceny	882	417	47.3	361	40.9	56	6.3	465	52.7	97	11.0	368	41.7
Fraud	7,394	5,763	77.9	5,332	72.1	431	5.8	1,631	22.1	544	7.4	1,087	14.7
Embezzlement	330	148	44.8	127	38.5	21	6.4	182	55.2	43	13.0	139	42.1
Forgery/Counterfeiting	508	400	78.7	355	69.9	45	8.9	108	21.3	40	7.9	68	13.4
Bribery	217	155	71.4	146	67.3	9	4.1	62	28.6	25	11.5	37	17.1
Tax	559	333	59.6	291	52.1	42	7.5	226	40.4	91	16.3	135	24.2
Money Laundering	668	504	75.4	462	69.2	42	6.3	164	24.6	61	9.1	103	15.4
Racketeering/Extortion	1,006	939	93.3	899	89.4	40	4.0	67	6.7	35	3.5	32	3.2
Gambling/Lottery	75	31	41.3	18	24.0	13	17.3	44	58.7	16	21.3	28	37.3
Civil Rights	47	34	72.3	31	66.0	3	6.4	13	27.7	3	6.4	10	21.3
Immigration	20,762	20,019	96.4	19,859	95.7	160	0.8	743	3.6	106	0.5	637	3.1
Child Pornography	1,903	1,876	98.6	1,847	97.1	29	1.5	27	1.4	8	0.4	19	1.0
Prison Offenses	485	469	96.7	446	92.0	23	4.7	16	3.3	3	0.6	13	2.7
Administration of Justice Offenses	1,163	874	75.2	802	69.0	72	6.2	289	24.8	71	6.1	218	18.7
Environmental/Wildlife	148	55	37.2	44	29.7	11	7.4	93	62.8	19	12.8	74	50.0
National Defense	99	87	87.9	87	87.9	0	0.0	12	12.1	5	5.1	7	7.1
Antitrust	15	13	86.7	13	86.7	0	0.0	2	13.3	0	0.0	2	13.3
Food & Drug	138	50	36.2	46	33.3	4	2.9	88	63.8	10	7.2	78	56.5
Other Miscellaneous Offenses	2,032	991	48.8	918	45.2	73	3.6	1,041	51.2	181	8.9	860	42.3

¹ Of the 71,003 cases, 575 were excluded due to one or both of the following reasons: the offender received neither imprisonment nor probation (569), or missing sentencing information (6). Descriptions of variables used in this table are provided in Appendix A.

² Prison/Community Split Sentence includes all cases in which offenders received prison and conditions of confinement as described in USSG §5C1.1.

Table 19

SENTENCE LENGTH IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015

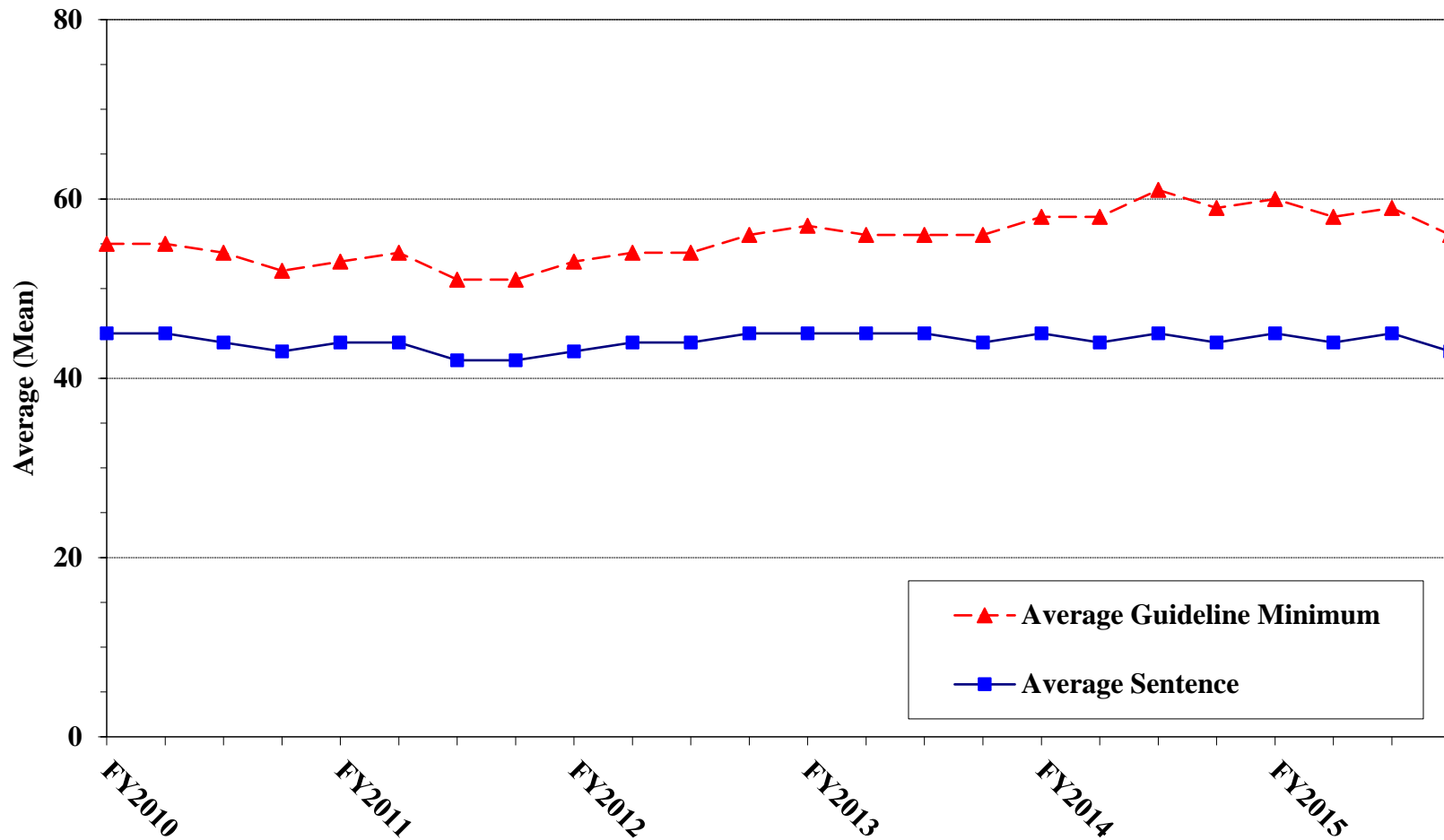
PRIMARY OFFENSE	Mean Months	Median Months	N
TOTAL	44	21	71,002
Murder	287	300	93
Manslaughter	78	60	52
Kidnapping/Hostage Taking	235	240	43
Sexual Abuse	127	120	528
Assault	29	15	757
Robbery	77	63	739
Arson	82	60	59
Drugs - Trafficking	67	50	20,038
Drugs - Communication Facility	28	24	316
Drugs - Simple Possession	5	6	2,277
Firearms	79	58	7,069
Burglary/B&E	25	14	36
Auto Theft	84	42	62
Larceny	11	2	914
Fraud	27	14	7,420
Embezzlement	10	1	342
Forgery/Counterfeiting	16	12	511
Bribery	27	18	217
Tax	13	10	561
Money Laundering	29	18	669
Racketeering/Extortion	79	51	1,006
Gambling/Lottery	5	4	77
Civil Rights	31	11	48
Immigration	14	9	20,771
Child Pornography	153	96	1,903
Prison Offenses	13	11	485
Administration of Justice Offenses	17	12	1,174
Environmental/Wildlife	4	0	158
National Defense	60	36	100
Antitrust	42	15	15
Food & Drug	6	0	147
Other Miscellaneous Offenses	16	0	2,415

¹ Of the 71,003 cases, one was excluded due to indeterminable sentencing information. Sentences of probation only are included in this table as zero months of imprisonment. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

Figure C

**AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM
QUARTERLY DATA FOR ALL CASES¹**

Fiscal Years 2010 - 2015

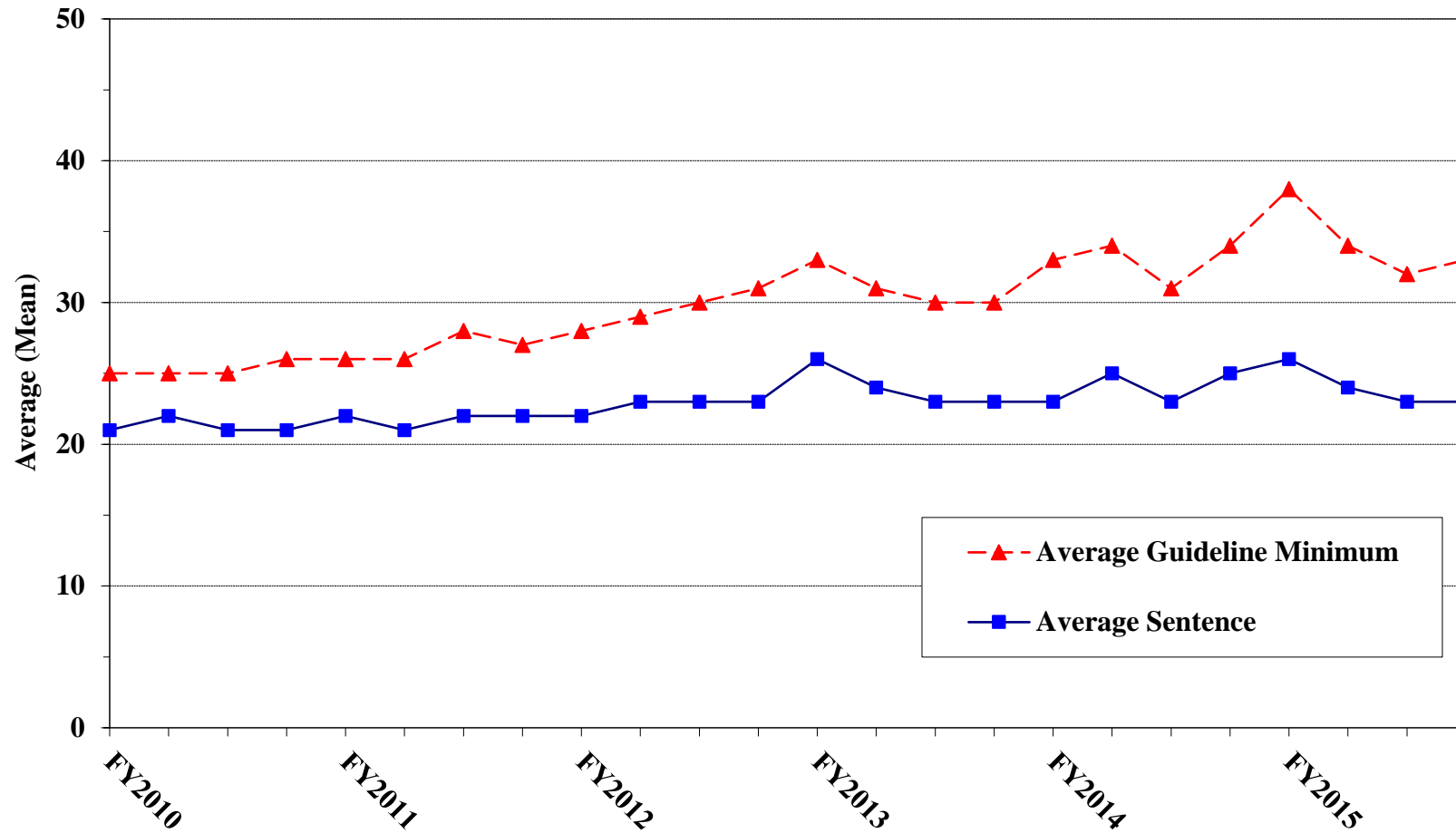


¹ Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure D

**AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM QUARTERLY
DATA FOR §2B1.1 OFFENDERS (THEFT, PROPERTY DESTRUCTION, AND FRAUD)¹**

Fiscal Years 2010 - 2015

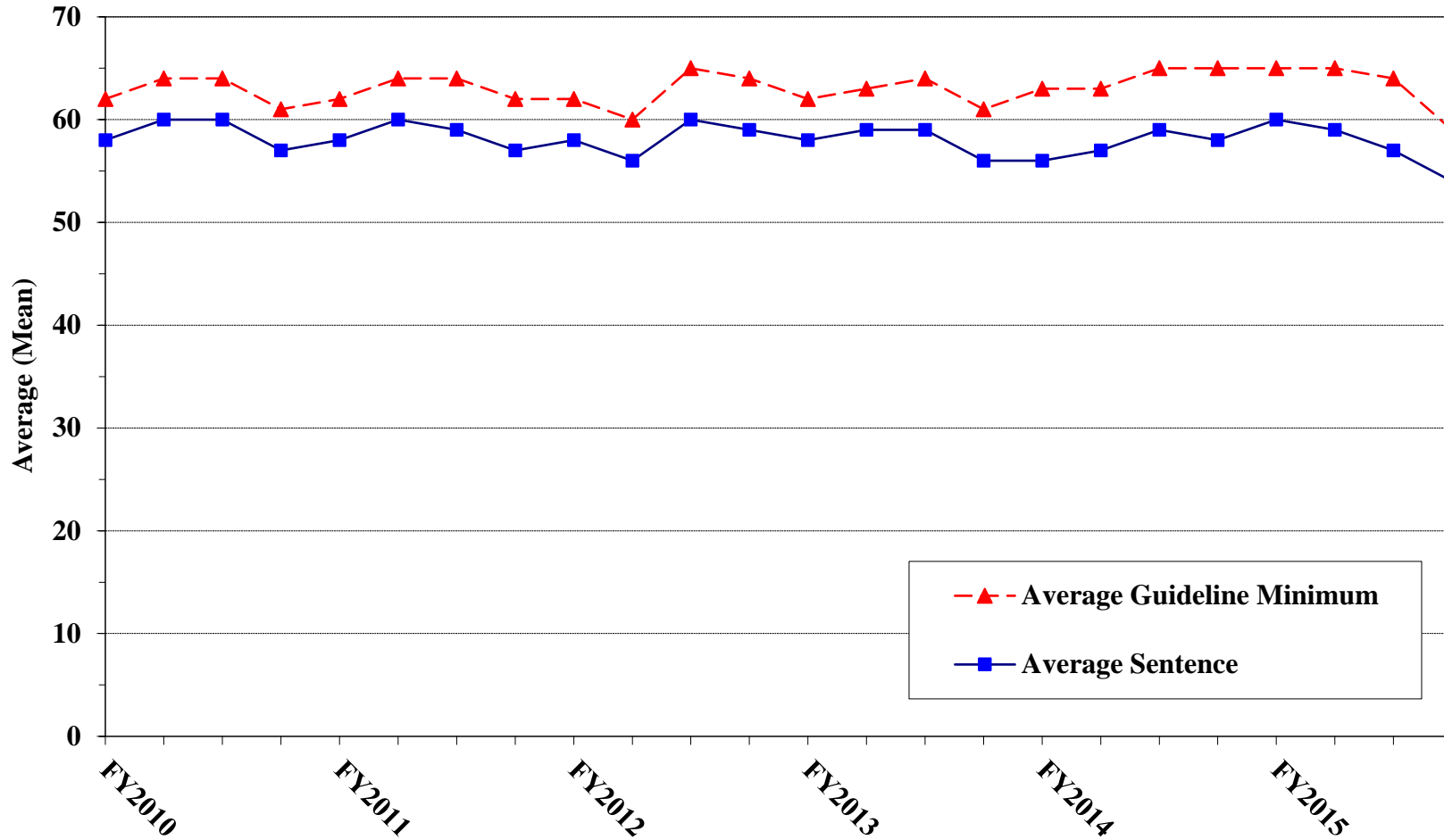


¹ Figure includes only cases with a primary sentencing guideline of USSG §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit Bearer Obligations of the United States). Additionally, cases with an amendment year prior to 2001 were excluded from this figure because prior to this time fraud cases were reported separately as USSG §2F1.1. Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure E

AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM QUARTERLY DATA FOR §2K2.1 OFFENDERS (UNLAWFUL POSSESSION OF OR TRANSACTION IN FIREARMS)¹

Fiscal Years 2010 - 2015

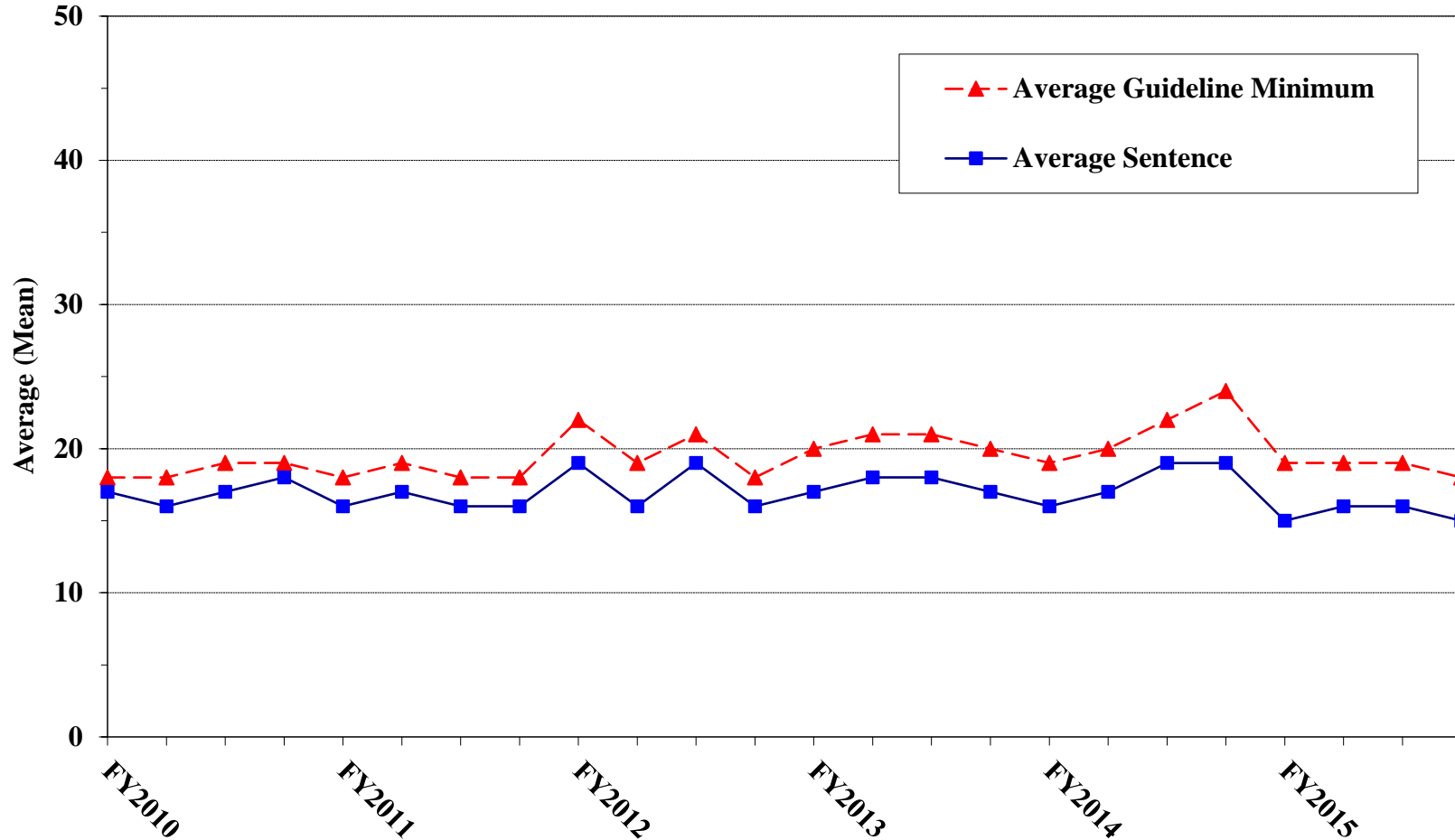


¹ Figure includes only cases with a primary sentencing guideline of USSG §2K2.1 (Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition; Prohibited Transactions Involving Firearms or Ammunition). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure F

**AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM
QUARTERLY DATA FOR §2L1.1 OFFENDERS (ALIEN SMUGGLING)¹**

Fiscal Years 2010 - 2015

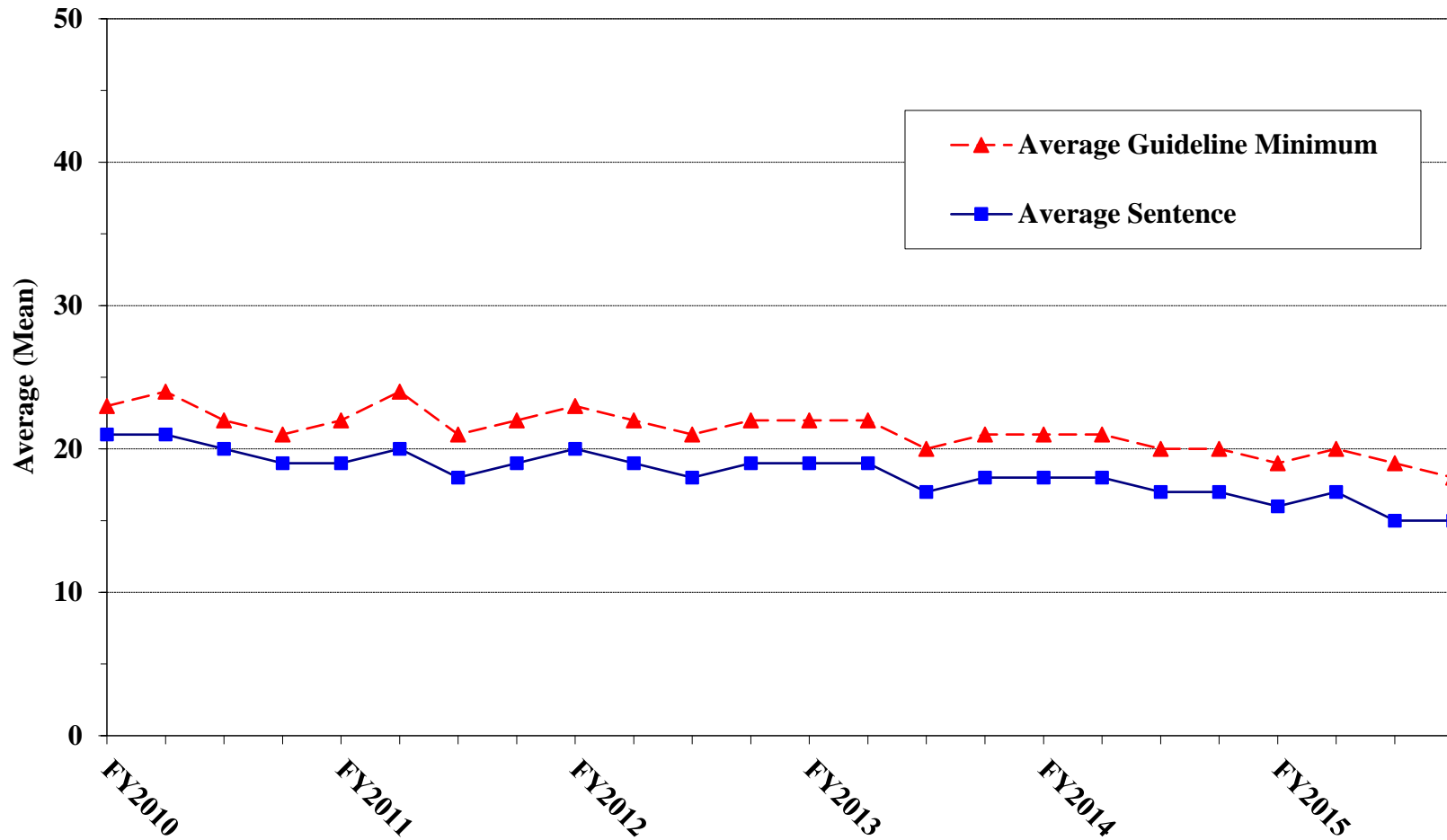


¹ Figure includes only cases with a primary sentencing guideline of USSG §2L1.1 (Smuggling, Transporting, or Harboring an Unlawful Alien). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure G

AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM QUARTERLY DATA FOR §2L1.2 OFFENDERS (UNLAWFUL ENTERING OR REMAINING IN THE UNITED STATES)¹

Fiscal Years 2010 - 2015

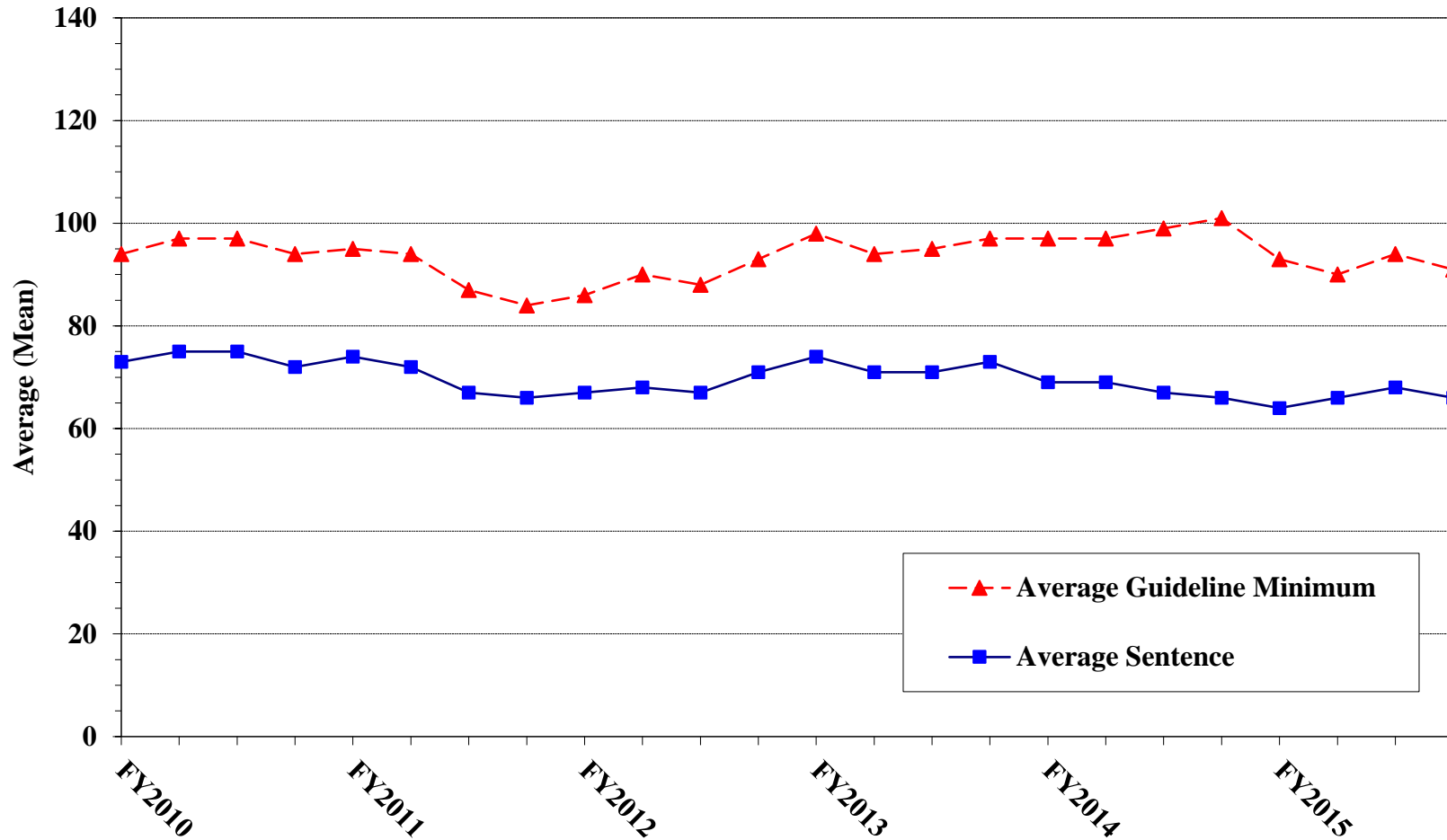


¹ Figure includes only cases with a primary sentencing guideline of USSG §2L1.2 (Unlawful Entering or Remaining in the United States). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure H

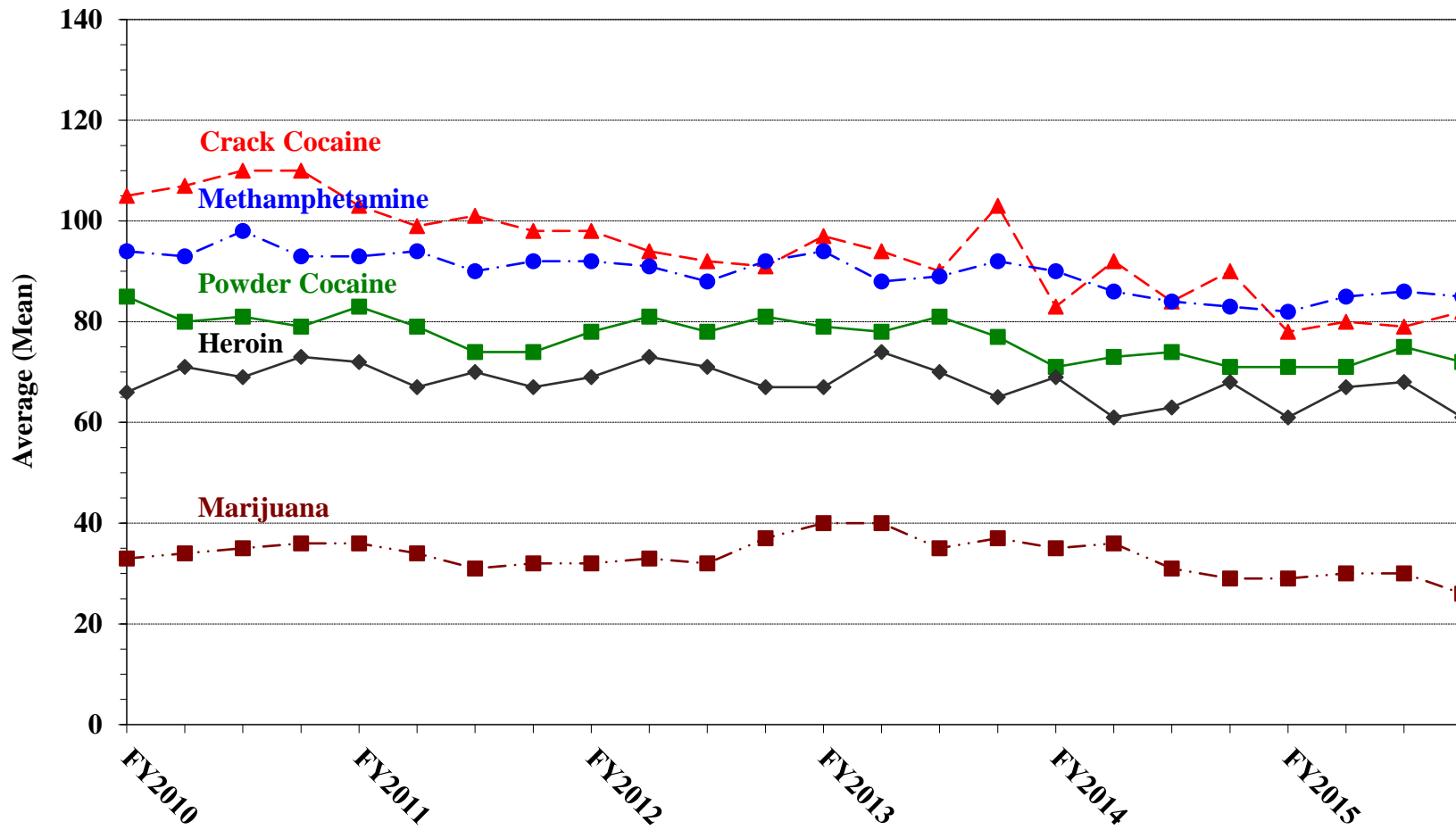
AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM QUARTERLY DATA FOR §2D1.1 OFFENDERS (UNLAWFUL DRUG TRAFFICKING OR MANUFACTURING)¹

Fiscal Years 2010 - 2015



¹ Figure includes only cases with a primary sentencing guideline of USSG §2D1.1 (Unlawful Manufacturing, Importing, Exporting, or Trafficking (Including Possession with Intent to Commit These Offenses); Attempt or Conspiracy). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure I
AVERAGE SENTENCE LENGTH FOR EACH DRUG TYPE¹
Fiscal Years 2010 - 2015



¹ Only cases sentenced under USSG §§2D1.1 (Drug Trafficking), 2D1.2 (Protected Locations), 2D1.5 (Continuing Criminal Enterprise), 2D1.6 (Use of Communication Facility), 2D1.8 (Rent/Manage Drug Establishment), or 2D2.1 (Simple Possession) are depicted in this figure. Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Table 20

**WITHIN RANGE CASES: POSITION OF SENTENCE FOR OFFENDERS
IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015**

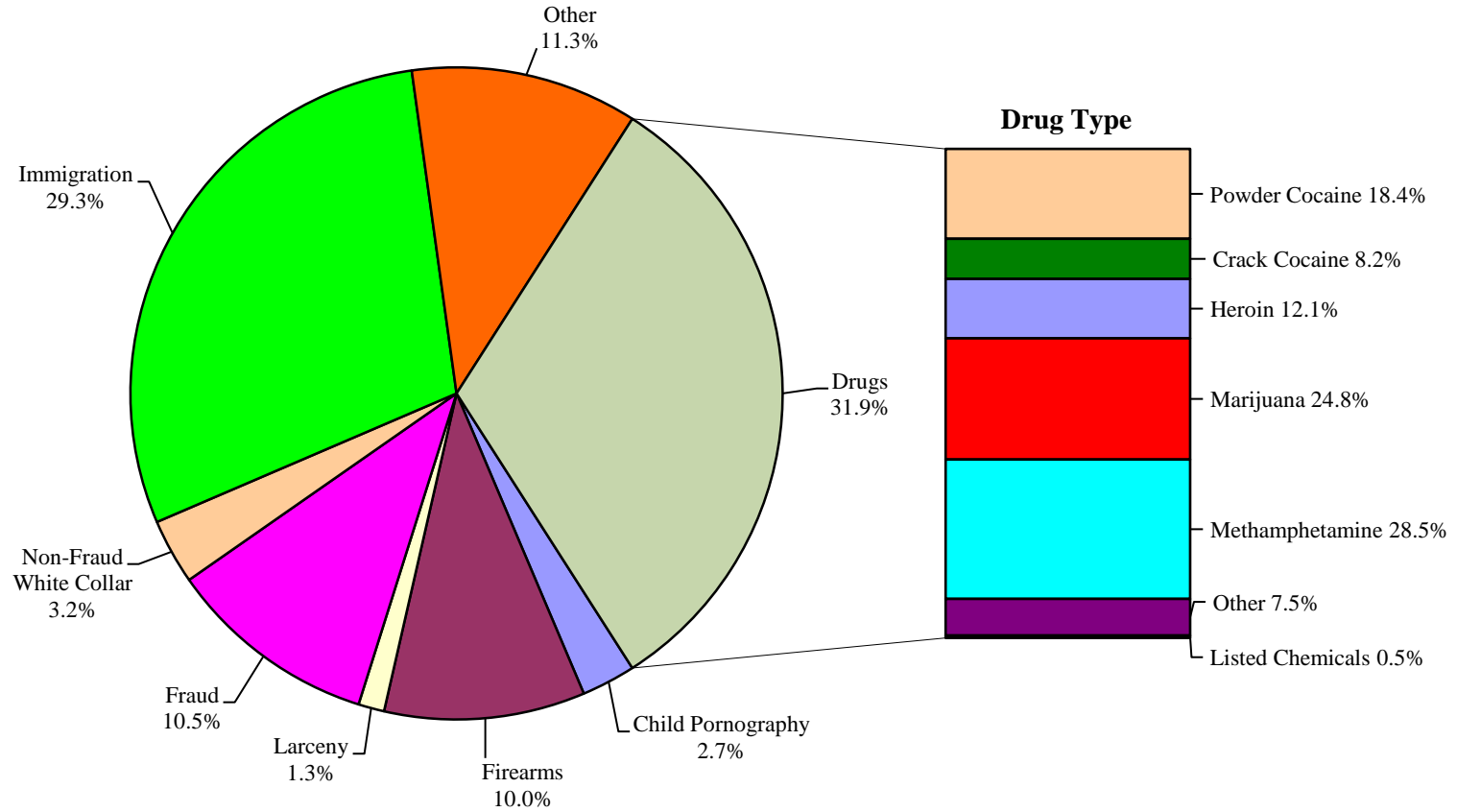
PRIMARY OFFENSE	TOTAL	Guideline Minimum		Lower Half of Range		Midpoint of Range		Upper Half of Range		Guideline Maximum	
		N	%	N	%	N	%	N	%	N	%
TOTAL	27,003	12,954	48.0	6,277	23.2	2,362	8.7	2,183	8.1	3,227	12.0
Murder	27	9	33.3	7	25.9	2	7.4	3	11.1	6	22.2
Manslaughter	22	7	31.8	1	4.5	1	4.5	4	18.2	9	40.9
Kidnapping/Hostage Taking	12	6	50.0	6	50.0	0	0.0	0	0.0	0	0.0
Sexual Abuse	183	74	40.4	37	20.2	14	7.7	23	12.6	35	19.1
Assault	323	169	52.3	38	11.8	32	9.9	30	9.3	54	16.7
Robbery	333	139	41.7	67	20.1	27	8.1	42	12.6	58	17.4
Arson	9	1	11.1	3	33.3	3	33.3	0	0.0	2	22.2
Drugs - Trafficking	6,080	3,920	64.5	872	14.3	413	6.8	370	6.1	505	8.3
Drugs - Communication Facility	103	49	47.6	14	13.6	5	4.9	4	3.9	31	30.1
Drugs - Simple Possession	163	108	66.3	33	20.2	7	4.3	7	4.3	8	4.9
Firearms	3,189	1,723	54.0	425	13.3	328	10.3	237	7.4	476	14.9
Burglary/B&E	18	4	22.2	3	16.7	7	38.9	0	0.0	4	22.2
Auto Theft	35	14	40.0	8	22.9	3	8.6	5	14.3	5	14.3
Larceny	375	271	72.3	40	10.7	20	5.3	10	2.7	34	9.1
Fraud	2,506	1,423	56.8	411	16.4	196	7.8	174	6.9	302	12.1
Embezzlement	160	123	76.9	21	13.1	7	4.4	2	1.3	7	4.4
Forgery/Counterfeiting	283	132	46.6	37	13.1	27	9.5	22	7.8	65	23.0
Bribery	59	31	52.5	9	15.3	8	13.6	3	5.1	8	13.6
Tax	136	90	66.2	10	7.4	10	7.4	2	1.5	24	17.6
Money Laundering	181	109	60.2	24	13.3	16	8.8	12	6.6	20	11.0
Racketeering/Extortion	313	148	47.3	64	20.4	30	9.6	30	9.6	41	13.1
Gambling/Lottery	33	21	63.6	3	9.1	2	6.1	4	12.1	3	9.1
Civil Rights	11	6	54.5	1	9.1	0	0.0	1	9.1	3	27.3
Immigration	10,301	3,109	30.2	3,814	37.0	1,045	10.1	1,059	10.3	1,274	12.4
Child Pornography	446	251	56.3	60	13.5	20	4.5	42	9.4	73	16.4
Prison Offenses	282	115	40.8	70	24.8	37	13.1	29	10.3	31	11.0
Administration of Justice Offenses	570	316	55.4	76	13.3	53	9.3	32	5.6	93	16.3
Environmental/Wildlife	44	34	77.3	5	11.4	2	4.5	1	2.3	2	4.5
National Defense	25	17	68.0	4	16.0	1	4.0	1	4.0	2	8.0
Antitrust	1	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	78	65	83.3	4	5.1	4	5.1	3	3.8	2	2.6
Other Miscellaneous Offenses	702	469	66.8	110	15.7	42	6.0	31	4.4	50	7.1

¹ Of the 71,003 cases, 32,262 were sentenced within the applicable guideline range. Of those, 28,922 cases had complete guideline application information. An additional 1,919 cases were excluded due to several logical criteria. Descriptions of variables used in this table are provided in Appendix A.

Figure J

OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹

Fiscal Year 2015



¹ The Drugs category includes the following offense types: trafficking, use of a communication facility, and simple possession. The Non-Fraud White Collar category includes the following offense types: embezzlement, forgery/counterfeiting, bribery, money laundering, and tax. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2015 Datafile, USSCFY15.

Table 21

GUIDELINE OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015

PRIMARY OFFENSE	N	%
TOTAL	71,003	100.0
Murder	93	0.1
Manslaughter	52	0.1
Kidnapping/Hostage Taking	43	0.1
Sexual Abuse	528	0.7
Assault	757	1.1
Robbery	739	1.0
Arson	59	0.1
Drugs - Trafficking	20,038	28.2
Drugs - Communication Facility	316	0.4
Drugs - Simple Possession	2,277	3.2
Firearms	7,069	10.0
Burglary/B&E	36	0.1
Auto Theft	62	0.1
Larceny	914	1.3
Fraud	7,420	10.5
Embezzlement	342	0.5
Forgery/Counterfeiting	511	0.7
Bribery	217	0.3
Tax	561	0.8
Money Laundering	669	0.9
Racketeering/Extortion	1,006	1.4
Gambling/Lottery	77	0.1
Civil Rights	48	0.1
Immigration	20,771	29.3
Child Pornography	1,903	2.7
Prison Offenses	485	0.7
Administration of Justice Offenses	1,175	1.7
Environmental/Wildlife	158	0.2
National Defense	100	0.1
Antitrust	15	0.0
Food & Drug	147	0.2
Other Miscellaneous Offenses	2,415	3.4

¹ Descriptions of variables used in this table are provided in Appendix A.

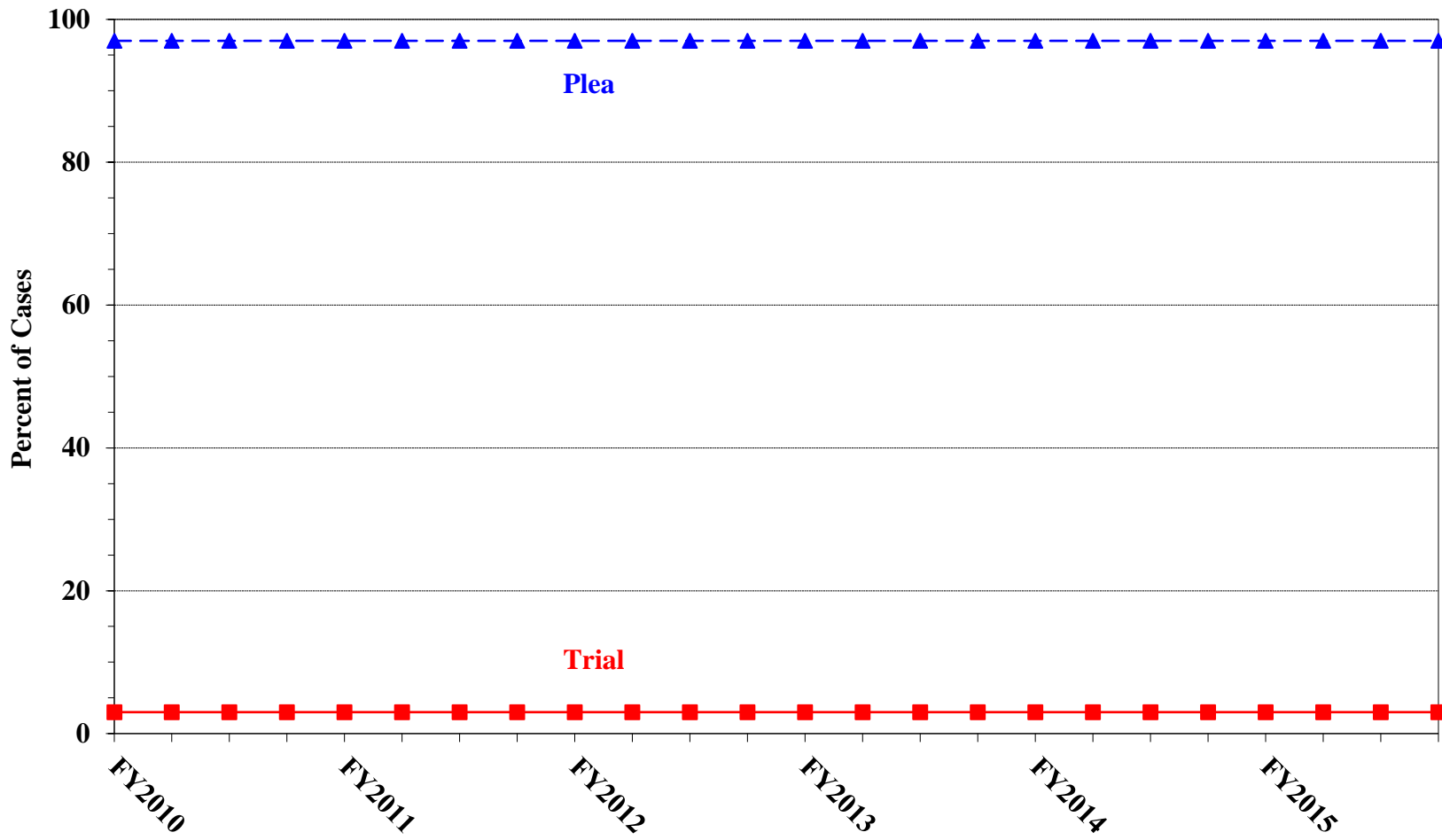
Table 22

GUILTY PLEAS AND TRIALS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015

PRIMARY OFFENSE	TOTAL	PLEA		TRIAL	
		N	%	N	%
TOTAL	71,003	68,915	97.1	2,088	2.9
Murder	93	71	76.3	22	23.7
Manslaughter	52	47	90.4	5	9.6
Kidnapping/Hostage Taking	43	38	88.4	5	11.6
Sexual Abuse	528	475	90.0	53	10.0
Assault	757	709	93.7	48	6.3
Robbery	739	715	96.8	24	3.2
Arson	59	51	86.4	8	13.6
Drugs - Trafficking	20,038	19,479	97.2	559	2.8
Drugs - Communication Facility	316	316	100.0	0	0.0
Drugs - Simple Possession	2,277	2,272	99.8	5	0.2
Firearms	7,069	6,707	94.9	362	5.1
Burglary/B&E	36	35	97.2	1	2.8
Auto Theft	62	58	93.5	4	6.5
Larceny	914	890	97.4	24	2.6
Fraud	7,420	6,954	93.7	466	6.3
Embezzlement	342	331	96.8	11	3.2
Forgery/Counterfeiting	511	500	97.8	11	2.2
Bribery	217	208	95.9	9	4.1
Tax	561	530	94.5	31	5.5
Money Laundering	669	634	94.8	35	5.2
Racketeering/Extortion	1,006	919	91.4	87	8.6
Gambling/Lottery	77	76	98.7	1	1.3
Civil Rights	48	41	85.4	7	14.6
Immigration	20,771	20,655	99.4	116	0.6
Child Pornography	1,903	1,837	96.5	66	3.5
Prison Offenses	485	478	98.6	7	1.4
Administration of Justice Offenses	1,175	1,131	96.3	44	3.7
Environmental/Wildlife	158	147	93.0	11	7.0
National Defense	100	90	90.0	10	10.0
Antitrust	15	12	80.0	3	20.0
Food & Drug	147	146	99.3	1	0.7
Other Miscellaneous Offenses	2,415	2,363	97.8	52	2.2

¹ Descriptions of variables used in this table are provided in Appendix A.

Figure K
QUARTERLY DATA FOR GUILTY PLEAS AND TRIALS¹
Fiscal Years 2010 - 2015



¹ Descriptions of variables used in this figure are provided in Appendix A.

Table 23

RACE OF OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015

PRIMARY OFFENSE	TOTAL	WHITE		BLACK		HISPANIC		OTHER	
		N	%	N	%	N	%	N	%
TOTAL	69,848	16,398	23.5	13,798	19.8	36,815	52.7	2,837	4.1
Murder	93	18	19.4	19	20.4	28	30.1	28	30.1
Manslaughter	52	10	19.2	5	9.6	5	9.6	32	61.5
Kidnapping/Hostage Taking	43	7	16.3	5	11.6	27	62.8	4	9.3
Sexual Abuse	526	182	34.6	150	28.5	63	12.0	131	24.9
Assault	734	187	25.5	89	12.1	117	15.9	341	46.5
Robbery	735	312	42.4	306	41.6	79	10.7	38	5.2
Arson	59	29	49.2	15	25.4	8	13.6	7	11.9
Drugs - Trafficking	20,012	4,928	24.6	4,728	23.6	9,737	48.7	619	3.1
Drugs - Communication Facility	315	89	28.3	125	39.7	91	28.9	10	3.2
Drugs - Simple Possession	2,177	188	8.6	125	5.7	1,829	84.0	35	1.6
Firearms	7,045	1,820	25.8	3,346	47.5	1,671	23.7	208	3.0
Burglary/B&E	36	10	27.8	2	5.6	3	8.3	21	58.3
Auto Theft	62	20	32.3	13	21.0	24	38.7	5	8.1
Larceny	859	389	45.3	254	29.6	136	15.8	80	9.3
Fraud	7,371	3,062	41.5	2,222	30.1	1,649	22.4	438	5.9
Embezzlement	330	181	54.8	88	26.7	35	10.6	26	7.9
Forgery/Counterfeiting	505	207	41.0	190	37.6	88	17.4	20	4.0
Bribery	217	77	35.5	51	23.5	66	30.4	23	10.6
Tax	559	350	62.6	107	19.1	67	12.0	35	6.3
Money Laundering	667	265	39.7	118	17.7	234	35.1	50	7.5
Racketeering/Extortion	991	306	30.9	361	36.4	279	28.2	45	4.5
Gambling/Lottery	76	48	63.2	9	11.8	5	6.6	14	18.4
Civil Rights	48	22	45.8	13	27.1	10	20.8	3	6.3
Immigration	20,427	410	2.0	338	1.7	19,545	95.7	134	0.7
Child Pornography	1,900	1,543	81.2	93	4.9	222	11.7	42	2.2
Prison Offenses	476	109	22.9	180	37.8	131	27.5	56	11.8
Administration of Justice Offenses	1,163	457	39.3	281	24.2	277	23.8	148	12.7
Environmental/Wildlife	153	108	70.6	5	3.3	19	12.4	21	13.7
National Defense	100	39	39.0	6	6.0	35	35.0	20	20.0
Antitrust	14	4	28.6	3	21.4	0	0.0	7	50.0
Food & Drug	144	99	68.8	4	2.8	15	10.4	26	18.1
Other Miscellaneous Offenses	1,959	922	47.1	547	27.9	320	16.3	170	8.7

¹ Of the 71,003 cases, 1,155 were excluded due to missing information on offender's race. Descriptions of variables used in this table are provided in Appendix A.

Table 24

GENDER OF OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015

PRIMARY OFFENSE	TOTAL	MALE		FEMALE	
		N	%	N	%
TOTAL	70,770	61,039	86.2	9,731	13.8
Murder	93	84	90.3	9	9.7
Manslaughter	52	43	82.7	9	17.3
Kidnapping/Hostage Taking	43	41	95.3	2	4.7
Sexual Abuse	528	483	91.5	45	8.5
Assault	755	649	86.0	106	14.0
Robbery	739	664	89.9	75	10.1
Arson	59	54	91.5	5	8.5
Drugs - Trafficking	20,036	17,046	85.1	2,990	14.9
Drugs - Communication Facility	316	247	78.2	69	21.8
Drugs - Simple Possession	2,244	2,031	90.5	213	9.5
Firearms	7,063	6,831	96.7	232	3.3
Burglary/B&E	36	34	94.4	2	5.6
Auto Theft	62	57	91.9	5	8.1
Larceny	902	534	59.2	368	40.8
Fraud	7,414	5,151	69.5	2,263	30.5
Embezzlement	342	151	44.2	191	55.8
Forgery/Counterfeiting	509	374	73.5	135	26.5
Bribery	217	172	79.3	45	20.7
Tax	561	413	73.6	148	26.4
Money Laundering	669	493	73.7	176	26.3
Racketeering/Extortion	1,005	873	86.9	132	13.1
Gambling/Lottery	77	64	83.1	13	16.9
Civil Rights	48	43	89.6	5	10.4
Immigration	20,697	19,255	93.0	1,442	7.0
Child Pornography	1,903	1,862	97.8	41	2.2
Prison Offenses	485	434	89.5	51	10.5
Administration of Justice Offenses	1,172	876	74.7	296	25.3
Environmental/Wildlife	157	146	93.0	11	7.0
National Defense	100	96	96.0	4	4.0
Antitrust	15	15	100.0	0	0.0
Food & Drug	147	103	70.1	44	29.9
Other Miscellaneous Offenses	2,324	1,720	74.0	604	26.0

¹ Of the 71,003 cases, 233 were excluded due to missing information on offender's gender. Descriptions of variables used in this table are provided in Appendix A.

Table 25

AGE, RACE, AND GENDER OF OFFENDERS¹
Fiscal Year 2015

Gender and Age	White		Black		Hispanic		Other	
	N	%	N	%	N	%	N	%
Males	13,087	100.0	11,781	100.0	33,160	100.0	2,231	100.0
Under 21	138	1.1	263	2.2	1,458	4.4	64	2.9
21 - 25	1,027	7.8	1,793	15.2	4,991	15.1	308	13.8
26 - 30	1,734	13.2	2,366	20.1	6,283	18.9	362	16.2
31 - 35	2,011	15.4	2,354	20.0	6,520	19.7	351	15.7
36 - 40	1,816	13.9	1,885	16.0	5,350	16.1	316	14.2
41 - 50	3,053	23.3	2,087	17.7	6,222	18.8	473	21.2
Over 50	3,308	25.3	1,033	8.8	2,336	7.0	357	16.0
Females	3,307	100.0	2,016	100.0	3,623	100.0	606	100.0
Under 21	41	1.2	28	1.4	191	5.3	15	2.5
21 - 25	312	9.4	262	13.0	687	19.0	67	11.1
26 - 30	473	14.3	360	17.9	655	18.1	87	14.4
31 - 35	534	16.1	355	17.6	615	17.0	96	15.8
36 - 40	434	13.1	279	13.8	514	14.2	86	14.2
41 - 50	740	22.4	429	21.3	629	17.4	133	21.9
Over 50	773	23.4	303	15.0	332	9.2	122	20.1

¹ Of the 71,003 cases, 1,192 were excluded due to one or more of the following reasons: missing information on offender's race (1,155), missing information on offender's gender (233), or missing information on offender's age (126). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2015 Datafile, USSCFY15.

Table 26

CITIZENSHIP OF OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015

PRIMARY OFFENSE	TOTAL	U.S. CITIZEN		NON-U.S. CITIZEN	
		N	%	N	%
TOTAL	70,225	41,059	58.5	29,166	41.5
Murder	91	76	83.5	15	16.5
Manslaughter	52	50	96.2	2	3.8
Kidnapping/Hostage Taking	43	22	51.2	21	48.8
Sexual Abuse	527	503	95.4	24	4.6
Assault	734	672	91.6	62	8.4
Robbery	738	723	98.0	15	2.0
Arson	59	55	93.2	4	6.8
Drugs - Trafficking	19,989	14,789	74.0	5,200	26.0
Drugs - Communication Facility	315	272	86.3	43	13.7
Drugs - Simple Possession	2,181	501	23.0	1,680	77.0
Firearms	7,048	6,627	94.0	421	6.0
Burglary/B&E	36	36	100.0	0	0.0
Auto Theft	62	51	82.3	11	17.7
Larceny	872	812	93.1	60	6.9
Fraud	7,361	5,960	81.0	1,401	19.0
Embezzlement	337	323	95.8	14	4.2
Forgery/Counterfeiting	508	467	91.9	41	8.1
Bribery	217	201	92.6	16	7.4
Tax	559	507	90.7	52	9.3
Money Laundering	665	505	75.9	160	24.1
Racketeering/Extortion	998	870	87.2	128	12.8
Gambling/Lottery	73	67	91.8	6	8.2
Civil Rights	47	43	91.5	4	8.5
Immigration	20,757	1,517	7.3	19,240	92.7
Child Pornography	1,903	1,822	95.7	81	4.3
Prison Offenses	473	451	95.3	22	4.7
Administration of Justice Offenses	1,162	1,005	86.5	157	13.5
Environmental/Wildlife	148	130	87.8	18	12.2
National Defense	100	51	51.0	49	49.0
Antitrust	14	7	50.0	7	50.0
Food & Drug	144	123	85.4	21	14.6
Other Miscellaneous Offenses	2,012	1,821	90.5	191	9.5

¹ Of the 71,003 cases, 778 were excluded due to missing information on offender's citizenship status. Descriptions of variables used in this table are provided in Appendix A.

Table 27

DOCUMENT SUBMISSION BY EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2015

CIRCUIT District	Number of Cases	Total Documents	J & C	Statement of Reasons	Plea Agreement ²		Indictment/ Information	Presentence Report	
		Received	Received	Received	Received	No Written Plea/Trial	Received	Received	Waived
		N	N	N	N	N	N	N	N
TOTAL	71,003	329,561	71,003	70,135	52,074	18,844	70,999	65,350	5,653
D.C. CIRCUIT	256	1,250	256	255	228	28	256	255	1
District of Columbia	256	1,250	256	255	228	28	256	255	1
FIRST CIRCUIT	2,454	11,737	2,454	2,452	1,971	481	2,454	2,406	48
Maine	188	849	188	188	97	91	188	188	0
Massachusetts	524	2,378	524	522	305	217	524	503	21
New Hampshire	144	715	144	144	139	5	144	144	0
Puerto Rico	1,478	7,234	1,478	1,478	1,349	129	1,478	1,451	27
Rhode Island	120	561	120	120	81	39	120	120	0
SECOND CIRCUIT	3,820	18,247	3,820	3,811	3,050	765	3,819	3,747	73
Connecticut	334	1,650	334	332	316	17	334	334	0
New York									
Eastern	795	3,865	795	794	687	108	795	794	1
Northern	344	1,557	344	341	216	128	344	312	32
Southern	1,648	7,748	1,648	1,646	1,171	474	1,647	1,636	12
Western	520	2,548	520	519	491	28	520	498	22
Vermont	179	879	179	179	169	10	179	173	6
THIRD CIRCUIT	2,424	11,629	2,424	2,413	1,988	434	2,424	2,380	44
Delaware	90	442	90	90	83	7	90	89	1
New Jersey	701	3,406	701	693	618	83	701	693	8
Pennsylvania									
Eastern	717	3,413	717	715	551	164	717	713	4
Middle	382	1,853	382	382	328	54	382	379	3
Western	474	2,228	474	473	361	113	474	446	28
Virgin Islands	60	287	60	60	47	13	60	60	0
FOURTH CIRCUIT	5,744	26,195	5,744	5,645	4,204	1,531	5,744	4,858	886
Maryland	775	3,714	775	756	681	94	775	727	48
North Carolina									
Eastern	586	2,575	586	511	405	181	586	487	99
Middle	508	2,524	508	508	492	16	508	508	0
Western	693	3,306	693	693	534	159	693	693	0
South Carolina	642	2,956	642	638	398	244	642	636	6
Virginia									
Eastern	1,461	5,858	1,461	1,460	703	749	1,461	773	688
Western	376	1,850	376	376	348	28	376	374	2
West Virginia									
Northern	419	2,055	419	419	400	19	419	398	21
Southern	284	1,357	284	284	243	41	284	262	22

Table 27 (cont.)

CIRCUIT District	Number of Cases	Total Documents	J & C	Statement of Reasons	Plea Agreement ²		Indictment/ Information	Presentence Report	
		Received N	Received N	Received N	Received N	No Written Plea/Trial N	Received N	Received N	Waived N
FIFTH CIRCUIT	16,344	72,344	16,344	16,064	8,434	7,897	16,343	15,159	1,185
Louisiana									
Eastern	389	1,811	389	388	259	130	389	386	3
Middle	167	776	167	165	113	54	167	164	3
Western	238	1,094	238	207	206	32	238	205	33
Mississippi									
Northern	158	782	158	158	153	5	158	155	3
Southern	278	1,341	278	271	245	33	278	269	9
Texas									
Eastern	1,031	5,086	1,031	1,031	965	66	1,031	1,028	3
Northern	1,375	6,477	1,375	1,374	985	390	1,375	1,368	7
Southern	6,229	27,885	6,229	6,227	3,211	3,014	6,228	5,990	239
Western	6,479	27,092	6,479	6,243	2,297	4,173	6,479	5,594	885
SIXTH CIRCUIT	4,725	22,576	4,725	4,707	3,809	877	4,724	4,611	114
Kentucky									
Eastern	513	2,489	513	513	443	70	513	507	6
Western	270	1,286	270	269	244	25	270	233	37
Michigan									
Eastern	849	4,041	849	847	671	175	848	826	23
Western	394	1,818	394	394	253	141	394	383	11
Ohio									
Northern	680	3,193	680	679	482	198	680	672	8
Southern	590	2,924	590	589	571	19	590	584	6
Tennessee									
Eastern	668	3,238	668	668	568	100	668	666	2
Middle	272	1,231	272	260	172	65	272	255	17
Western	489	2,356	489	488	405	84	489	485	4
SEVENTH CIRCUIT	2,476	11,931	2,476	2,473	2,048	428	2,476	2,458	18
Illinois									
Central	329	1,554	329	328	240	89	329	328	1
Northern	725	3,526	725	724	631	94	725	721	4
Southern	398	1,835	398	398	247	151	398	394	4
Indiana									
Northern	273	1,342	273	273	251	22	273	272	1
Southern	375	1,822	375	375	326	49	375	371	4
Wisconsin									
Eastern	257	1,270	257	256	247	10	257	253	4
Western	119	582	119	119	106	13	119	119	0
EIGHTH CIRCUIT	4,578	21,939	4,578	4,557	3,672	903	4,578	4,554	24
Arkansas									
Eastern	353	1,672	353	344	272	81	353	350	3
Western	277	1,348	277	274	248	29	277	272	5
Iowa									
Northern	361	1,664	361	361	220	141	361	361	0
Southern	309	1,455	309	309	219	90	309	309	0
Minnesota	377	1,851	377	377	344	33	377	376	1
Missouri									
Eastern	554	2,748	554	554	532	22	554	554	0
Western	897	4,283	897	892	704	192	897	893	4
Nebraska	590	2,779	590	587	424	166	590	588	2
North Dakota	424	1,980	424	423	291	131	424	418	6
South Dakota	436	2,159	436	436	418	18	436	433	3

Table 27 (cont.)

CIRCUIT District	Number of Cases	Total Documents	J & C	Statement of Reasons	Plea Agreement ²		Indictment/ Information	Presentence Report	
		Received N	Received N	Received N	Received N	No Written Plea/Trial N	Received N	Received N	Waived N
NINTH CIRCUIT	15,082	71,266	15,082	14,813	14,097	982	15,081	12,193	2,889
Alaska	165	789	165	165	134	31	165	160	5
Arizona	6,154	28,320	6,154	5,921	5,988	165	6,154	4,103	2,051
California									
Central	1,078	5,205	1,078	1,078	925	153	1,078	1,046	32
Eastern	734	3,589	734	721	686	48	733	715	19
Northern	568	2,715	568	555	486	82	568	538	30
Southern	3,391	16,311	3,391	3,390	3,278	113	3,391	2,861	530
Guam	91	442	91	91	78	13	91	91	0
Hawaii	239	1,105	239	238	155	84	239	234	5
Idaho	264	1,288	264	264	232	32	264	264	0
Montana	363	1,716	363	362	270	93	363	358	5
Nevada	552	2,642	552	551	448	104	552	539	13
Northern Mariana Islands	13	65	13	13	13	0	13	13	0
Oregon	582	2,797	582	577	571	11	582	485	97
Washington									
Eastern	380	1,858	380	379	344	35	380	375	5
Western	508	2,424	508	508	489	18	508	411	97
TENTH CIRCUIT	6,959	31,871	6,959	6,935	4,213	2,744	6,959	6,805	154
Colorado	437	2,146	437	430	423	14	437	419	18
Kansas	595	2,854	595	591	515	79	595	558	37
New Mexico	4,434	19,818	4,434	4,430	2,091	2,343	4,434	4,429	5
Oklahoma									
Eastern	99	454	99	99	58	41	99	99	0
Northern	186	870	186	186	128	58	186	184	2
Western	337	1,479	337	337	183	153	337	285	52
Utah	618	3,036	618	617	595	23	618	588	30
Wyoming	253	1,214	253	245	220	33	253	243	10
ELEVENTH CIRCUIT	6,141	28,576	6,141	6,010	4,360	1,774	6,141	5,924	217
Alabama									
Middle	201	973	201	201	175	26	201	195	6
Northern	347	1,645	347	337	296	50	347	318	29
Southern	329	1,594	329	328	280	49	329	328	1
Florida									
Middle	1,384	6,415	1,384	1,382	884	499	1,384	1,381	3
Northern	255	1,194	255	244	194	61	255	246	9
Southern	2,236	10,292	2,236	2,171	1,477	755	2,236	2,172	64
Georgia									
Middle	377	1,683	377	358	229	148	377	342	35
Northern	592	2,851	592	569	534	58	592	564	28
Southern	420	1,929	420	420	291	128	420	378	42

¹ Descriptions of variables used in this table are provided in Appendix A.

² The figures presented in this table regarding Plea Agreement Submission exclude from the analysis 30 cases for which the Commission was unable to determine definitively whether the defendant's guilty plea was entered pursuant to a written plea agreement.

Table 28
RATE OF SUBMISSION OF STATEMENT OF REASONS FORM
BY EACH CIRCUIT AND DISTRICT
Fiscal Year 2015

CIRCUIT District	Total	Form AO 245B ¹		Other Forms ²		No Form Received	
		N	%	N	%	N	%
TOTAL	71,003	67,444	95.0	2,710	3.8	849	1.2
D.C. CIRCUIT	256	255	99.6	1	0.4	0	0.0
District of Columbia	256	255	99.6	1	0.4	0	0.0
FIRST CIRCUIT	2,454	2,452	99.9	0	0.0	2	0.1
Maine	188	188	100.0	0	0.0	0	0.0
Massachusetts	524	522	99.6	0	0.0	2	0.4
New Hampshire	144	144	100.0	0	0.0	0	0.0
Puerto Rico	1,478	1,478	100.0	0	0.0	0	0.0
Rhode Island	120	120	100.0	0	0.0	0	0.0
SECOND CIRCUIT	3,820	3,780	99.0	31	0.8	9	0.2
Connecticut	334	332	99.4	0	0.0	2	0.6
New York							
Eastern	795	764	96.1	30	3.8	1	0.1
Northern	344	341	99.1	0	0.0	3	0.9
Southern	1,648	1,645	99.8	1	0.1	2	0.1
Western	520	519	99.8	0	0.0	1	0.2
Vermont	179	179	100.0	0	0.0	0	0.0
THIRD CIRCUIT	2,424	2,410	99.4	3	0.1	11	0.5
Delaware	90	90	100.0	0	0.0	0	0.0
New Jersey	701	693	98.9	0	0.0	8	1.1
Pennsylvania							
Eastern	717	714	99.6	1	0.1	2	0.3
Middle	382	382	100.0	0	0.0	0	0.0
Western	474	471	99.4	2	0.4	1	0.2
Virgin Islands	60	60	100.0	0	0.0	0	0.0
FOURTH CIRCUIT	5,744	5,582	97.2	76	1.3	86	1.5
Maryland	775	767	99.0	2	0.3	6	0.8
North Carolina							
Eastern	586	511	87.2	0	0.0	75	12.8
Middle	508	508	100.0	0	0.0	0	0.0
Western	693	693	100.0	0	0.0	0	0.0
South Carolina	642	638	99.4	0	0.0	4	0.6
Virginia							
Eastern	1,461	1,386	94.9	74	5.1	1	0.1
Western	376	376	100.0	0	0.0	0	0.0
West Virginia							
Northern	419	419	100.0	0	0.0	0	0.0
Southern	284	284	100.0	0	0.0	0	0.0

Table 28 (cont.)

CIRCUIT District	Total	Form AO 245B ¹		Other Forms ²		No Form Received	
		N	%	N	%	N	%
FIFTH CIRCUIT	16,344	14,217	87.0	1,847	11.3	280	1.7
Louisiana							
Eastern	389	388	99.7	0	0.0	1	0.3
Middle	167	165	98.8	0	0.0	2	1.2
Western	238	172	72.3	35	14.7	31	13.0
Mississippi							
Northern	158	158	100.0	0	0.0	0	0.0
Southern	278	271	97.5	0	0.0	7	2.5
Texas							
Eastern	1,031	1,030	99.9	1	0.1	0	0.0
Northern	1,375	1,372	99.8	2	0.1	1	0.1
Southern	6,229	6,226	100.0	1	0.0	2	0.0
Western	6,479	4,435	68.5	1,808	27.9	236	3.6
SIXTH CIRCUIT	4,725	4,635	98.1	74	1.6	16	0.3
Kentucky							
Eastern	513	513	100.0	0	0.0	0	0.0
Western	270	269	99.6	0	0.0	1	0.4
Michigan							
Eastern	849	849	100.0	0	0.0	0	0.0
Western	394	393	99.7	1	0.3	0	0.0
Ohio							
Northern	680	679	99.9	0	0.0	1	0.1
Southern	590	569	96.4	20	3.4	1	0.2
Tennessee							
Eastern	668	668	100.0	0	0.0	0	0.0
Middle	272	207	76.1	53	19.5	12	4.4
Western	489	488	99.8	0	0.0	1	0.2
SEVENTH CIRCUIT	2,476	2,408	97.3	65	2.6	3	0.1
Illinois							
Central	329	327	99.4	1	0.3	1	0.3
Northern	725	724	99.9	0	0.0	1	0.1
Southern	398	398	100.0	0	0.0	0	0.0
Indiana							
Northern	273	273	100.0	0	0.0	0	0.0
Southern	375	375	100.0	0	0.0	0	0.0
Wisconsin							
Eastern	257	192	74.7	64	24.9	1	0.4
Western	119	119	100.0	0	0.0	0	0.0
EIGHTH CIRCUIT	4,578	4,547	99.3	10	0.2	21	0.5
Arkansas							
Eastern	353	344	97.5	0	0.0	9	2.5
Western	277	274	98.9	0	0.0	3	1.1
Iowa							
Northern	361	361	100.0	0	0.0	0	0.0
Southern	309	309	100.0	0	0.0	0	0.0
Minnesota	377	368	97.6	9	2.4	0	0.0
Missouri							
Eastern	554	554	100.0	0	0.0	0	0.0
Western	897	892	99.4	0	0.0	5	0.6
Nebraska	590	586	99.3	1	0.2	3	0.5
North Dakota	424	423	99.8	0	0.0	1	0.2
South Dakota	436	436	100.0	0	0.0	0	0.0

Table 28 (cont.)

CIRCUIT District	Total	Form AO 245B ¹		Other Forms ²		No Form Received	
		N	%	N	%	N	%
NINTH CIRCUIT	15,082	14,241	94.4	573	3.8	268	1.8
Alaska	165	165	100.0	0	0.0	0	0.0
Arizona	6,154	5,918	96.2	3	0.0	233	3.8
California							
Central	1,078	1,077	99.9	1	0.1	0	0.0
Eastern	734	721	98.2	0	0.0	13	1.8
Northern	568	555	97.7	0	0.0	13	2.3
Southern	3,391	3,390	100.0	1	0.0	0	0.0
Guam	91	90	98.9	1	1.1	0	0.0
Hawaii	239	234	97.9	4	1.7	1	0.4
Idaho	264	264	100.0	0	0.0	0	0.0
Montana	363	362	99.7	0	0.0	1	0.3
Nevada	552	551	99.8	0	0.0	1	0.2
Northern Mariana Islands	13	13	100.0	0	0.0	0	0.0
Oregon	582	14	2.4	563	96.7	5	0.9
Washington							
Eastern	380	379	99.7	0	0.0	1	0.3
Western	508	508	100.0	0	0.0	0	0.0
TENTH CIRCUIT	6,959	6,925	99.5	12	0.2	22	0.3
Colorado	437	430	98.4	0	0.0	7	1.6
Kansas	595	592	99.5	1	0.2	2	0.3
New Mexico	4,434	4,430	99.9	0	0.0	4	0.1
Oklahoma							
Eastern	99	99	100.0	0	0.0	0	0.0
Northern	186	186	100.0	0	0.0	0	0.0
Western	337	337	100.0	0	0.0	0	0.0
Utah	618	606	98.1	11	1.8	1	0.2
Wyoming	253	245	96.8	0	0.0	8	3.2
ELEVENTH CIRCUIT	6,141	5,992	97.6	18	0.3	131	2.1
Alabama							
Middle	201	201	100.0	0	0.0	0	0.0
Northern	347	337	97.1	0	0.0	10	2.9
Southern	329	326	99.1	2	0.6	1	0.3
Florida							
Middle	1,384	1,382	99.9	0	0.0	2	0.1
Northern	255	243	95.3	1	0.4	11	4.3
Southern	2,236	2,170	97.0	1	0.0	65	2.9
Georgia							
Middle	377	358	95.0	0	0.0	19	5.0
Northern	592	555	93.8	14	2.4	23	3.9
Southern	420	420	100.0	0	0.0	0	0.0

¹ Cases included in this category are those in which the court submitted Form AO 245B (Revision 06/05, 09/08, or 09/11) to the Commission. Only cases in which all required pages of this form were submitted with no deletions or substantive changes are included in this category. Form AO 245B was approved by the Executive Committee of the Judicial Conference of the United States in June 2005.

² Cases are included in this category for one or more of the following reasons: one or more of the required pages of Form AO 245B were missing; deletions or substantive changes were made in Form AO 245B that prevented the USSC from collecting the information required to be submitted by 18 U.S.C. §3553(c); an outdated version of Form AO 245B was submitted; or a unique, district created, or modified form was submitted.

Appendix A

Descriptions of Datafiles and Variables

Introduction

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

Given the nature of the datafile and reporting requirements, the following are not included: cases initiated but for which no convictions were obtained, offenders convicted for whom no sentences were yet issued, and offenders sentenced but for whom no sentencing documents 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 the current fiscal year is not available in this dataset. When cases are sentenced under both prior law and the guidelines, only the guideline relevant information is coded in the dataset. Cases in which a sentence of death was imposed also are not available in this dataset for this same reason.

Note that for all tables, total percentages may not add up to exactly 100 percent due to rounding.

Variables

The following section describes the variables used in this report.

Above Guideline Range with *Booker*/18 U.S.C. § 3553

Above Guideline Range with Booker/18 U.S.C. § 3553 consists of cases with a sentence above the guideline range with no departure indicated and that cite *U.S. v. Booker*, 18 U.S.C. § 3553, or related factors as one of the reasons for sentencing outside of the guideline system.

Age

The *Age* of the offender on the day of sentencing is calculated using the date of sentencing as reported in the Judgment and Commitment Order and the offender's date of birth as reported either in the Presentence Report or in the case submission information provided by the court when submitting the case to the Commission.

All Remaining Cases Above Guideline Range

All Remaining Cases Above Guideline Range consists of cases sentenced above the guideline range that cannot be classified into any of the other three above the range categories. This category includes, for example, cases in which no reason is provided for a sentence above the guideline range.

All Remaining Cases Below Guideline Range

All Remaining Cases Below Guideline Range consists of cases sentenced below the guideline range that cannot be classified into any of the other three below the range categories. This category includes, for example, cases in which no reason is provided for a sentence below the guideline range.

Below Guideline Range with *Booker*/18 U.S.C. § 3553

Below Guideline Range with Booker/18 U.S.C. § 3553 consists of cases with a sentence below the guideline range with no departure indicated and that cite *U.S. v. Booker*, 18 U.S.C. § 3553, or related factors as one of the reasons for sentencing outside of the guideline system.

Circuit

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

Citizenship Status

Information on the *Citizenship Status* of offenders is obtained from the presentence report. Offenders are categorized as one of the following: “U.S. citizen,” “resident alien,” “illegal alien,” “extradited alien,” and “non-U.S. citizen, alien status unknown.” The latter four categories are collapsed into the category of “non-U.S. citizen.”

Degree of Decrease

Degree of Decrease is calculated based on the difference between the length of imprisonment (not including any months of alternative confinement as defined in USSG §5C1.1) and the guideline minimum for the following categories of below range cases: downward departure from guideline range, downward departure with *Booker*/18 U.S.C. § 3553, below guideline range with *Booker*/18 U.S.C. § 3553, all remaining cases below guideline range, USSG §5K1.1 substantial assistance cases, USSG §5K3.1 early disposition program cases, and other government sponsored cases. Life sentences and cases where the guideline minimum is zero months or life are all excluded from all degree of decrease calculations due to the logical difficulty in calculating a decrease from these values.

Degree of Increase

Degree of Increase is calculated based on the difference between the guideline maximum and the length of imprisonment (not including any months of alternative confinement as defined in USSG §5C1.1) for the following categories of above range cases: upward departure from guideline range, upward departure with *Booker*/18 U.S.C. § 3553, above guideline range with *Booker*/18 U.S.C. § 3553, all remaining cases above guideline range. Life sentences, sentences of probation, and cases where the guideline minimum is life are all excluded from all degree of increase calculations due to the logical difficulty in calculating an increase from these values.

District

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

Document Submission Rates

Five documents are represented in the document submission rate table: Judgment and Commitment Order (J&C), Presentence Report (PSR), Statement of Reasons (SOR), Indictment/Information (Ind), and Plea Agreements (Plea). The J&C and PSR generally are submitted in a standardized format. PSRs waived by the court are indicated in a separate column. Standardized forms for the Statement of Reasons are most frequently submitted; however, transcripts or partial transcripts from the sentencing hearing are also included as *Statement of Reasons Received*. Cases in which the Commission was unable to determine definitively whether the offender’s guilty plea was entered pursuant to a written agreement are excluded from the Plea Agreement totals. The total requested documents received column is derived from adding the total number of received documents from the Judgment and Commitment Order (J&C), Presentence Report (PSR), Statement of Reasons (SOR), Indictment/Information (Ind), and Plea Agreements (Plea). The total requested documents not received column is derived from adding the total number of not received documents from the Judgment and Commitment Order (J&C), Presentence Report (PSR), Statement of Reasons (SOR), Indictment/Information (Ind), and Plea Agreements (Plea). Cases where the PSR is waived, there is no written plea agreement/trial, and where the Commission was unable to definitively determine whether the offender’s guilty plea was entered pursuant to a written plea agreement are all excluded from the calculations for the total received documents column.

Downward Departure From Guideline Range

Downward Departure From Guideline Range consists of cases with departures below the guideline range that do not cite as a reason either *U.S. v. Booker*, 18 U.S.C. § 3553, or factors or reasons specifically prohibited in the provisions, policy statements, or commentary of the federal guidelines manual.

Downward Departures with *Booker*/18 U.S.C. § 3553

Downward Departures with Booker/18 U.S.C. § 3553 consists of cases with a sentence below the guideline range that include both a departure (see Downward Departure From Guideline Range) as well as a sentence outside the guideline system mentioning either *U.S. v. Booker*, 18 U.S.C. § 3553, or related factors as a reason for sentencing below the guideline range.

Drug Offense Guideline

Drug Offense Guideline information is obtained from the Presentence Report and is based on the guidelines in USSG Chapter Two, Part D. The six guidelines featured in the tables (USSG §2D1.1, §2D1.2, §2D1.5, §2D1.6, §2D1.8, and §2D2.1) represent the vast majority of drug cases.

Drug Type

Information on *Drug Type* is obtained from the Presentence Report, Judgment and Commitment Order or Plea Agreement. It is recorded only if at least one of the statutes of conviction recorded by the Commission is a title 21 U.S. Code offense or an offense under another title when the underlying conduct involves a controlled substance. Information about type of drug in the text and tables is derived from the primary drug type (*i.e.*, the type that produces the highest base offense level). The category *Marijuana* includes Hashish and Hashish oil. The category *Methamphetamine* includes pure (actual) methamphetamine, “ICE,” methamphetamine mixture, and methamphetamine precursors sentenced under any drug guideline other than USSG §2D1.11 (for example ephedrine and pseudoephedrine). The category *Listed Chemicals* includes any chemicals listed under USSG §2D1.11. All drug types not listed separately in this report are collapsed into the “other” drug category.

Education

Information on education of the offender is obtained from the Presentence Report and is collapsed into general categories. Technical, military, and vocational training as well as course work at community colleges is included in the *Some College* category. A general equivalency degree (GED) is included in the *High School Graduate* category.

Gender

Gender of the defendant is obtained from the Presentence Report.

Government Sponsored Below Range

Government sponsorship of a below range sentence is determined by a yearly case review by USSC staff of both the reasons for the below range sentence and the coding by USSC staff of any indication of government sponsorship as indicated on the Statement of Reasons for below range cases. The SOR form has specific check-boxes to indicate the origins of the departure, but cases that do not use this form may also indicate in writing the origins of the departure. Additionally, all cases with one or more of the following reasons were classified as being sponsored by the government regardless of whether the SOR indicated sponsorship: pursuant to a plea agreement (binding, non-binding, or unknown), fast track, savings to the government, early plea, deportation, waiver of indictment and/or appeal, other government motion, global disposition, due to stipulations, facilitated early release of a material witness, joint recommendation, and large number of immigration cases. Note that because the USSC reviews the reasons on a yearly basis, this list might be modified slightly from year to year. Unless otherwise broken out in the table or chart, this category also includes cases with USSG §5K3.1 Early Disposition Program (EDP) departures and USSG §5K1.1 substantial assistance departures.

Guideline Offenders Sentenced

Each *Guideline Offender Sentenced* or case, as recorded by the USSC, involves a single sentencing event for a single offender. Multiple counts, and even multiple indictments, are considered a single sentencing event if sentenced at the same time by the same judge. A single offender may appear in more than one case if involved in more than one sentencing event during the fiscal year. Co-offenders in the same sentencing will each appear as separate cases.

Guideline Sentencing Range

The *Guideline Sentencing Range* is taken from the Statement of Reasons provided by the sentencing court. Alternatively, if the Statement of Reasons is missing, then the information is taken from the presentence report.

For tables in this report, unless otherwise indicated, the guideline sentencing range does not take into account applicable statutory restrictions on either the maximum or the minimum of the range; therefore, it may differ from the available range, which does take into account the statutory restrictions.

Mode of Conviction

Information on *Mode of Conviction* is obtained from the Judgment and Commitment Order. Offenders sentenced subsequent to a plea of guilty or *nolo contendere* are included in the *Plea* category. Offenders sentenced subsequent to a trial by judge or jury are included in the *Trial* category. Rare cases involving both a plea and a trial are included in the *Trial* category.

Outside of the Range Attribution Categories

All categories replicate the list of checkboxes available on the SOR Form. Not all checkbox categories are available in both the departure section and sentences outside the guideline system section on this form and multiple checkboxes may be indicated in a single case so that totals in a table may exceed the total number of cases. USSC uses these checkboxes in determining government sponsorship: all cases in which one of the pursuant to a plea agreement boxes is indicated are attributed to the government. Additionally cases where a USSG §5K1.1, USSG §5K3.1, or other government motion checkbox was indicated in the pursuant to a motion not in a plea agreement section are also attributed to one of the government sponsored categories. Additionally, other types of SOR forms may indicate sponsorship in writing, and these attributions are also included in the appropriate category.

Position of Sentence

The *Position of Sentence* describes within-range guideline sentences in terms of their relative positions within their applicable guideline ranges. Only cases with complete information from the Statement of Reasons are used for this table. The *Position of Sentence* is determined by dividing the available range in half. This allows a sentence to fall into one of five distinct categories: the guideline minimum; the exact midpoint of the range; the guideline maximum; the lower-half of the range (when not at the guideline minimum); and the upper-half of the range (when not at the guideline maximum). The “available range” is the guideline range with applicable statutory restrictions on either the maximum or the minimum of the range taken into account. (For cases in which guideline USSG §5C1.2 was applied, in accordance with the provisions of the guideline, the statutory restrictions on the minimum of the range are removed according to 18 U.S.C. § 3553(f).) In cases in which the sentence is located outside the available sentencing range, departure information is provided as reported by the sentencing court. Differences in the number and percentage of cases in each range quarter may differ from other tables presented in this report; this is due to the exclusion of any case missing both complete information from the Statement of Reasons and information on statutory minima and maxima.

Primary Offense Category

Information on *Primary Offense Category* is obtained from the Judgment and Commitment Order. The “primary” offense for the case is determined to be the offense applicable to the count of conviction with the highest statutory maximum. If two or more counts are found to have the same statutory maximum, “primary” offense is selected according to which count of conviction has the highest statutory minimum. Finally, in the event of a small number of cases still tied, the offense type that best represented the nature of the criminal behavior is chosen.

For convenience in analysis, a summary variable describing “primary offense category” is derived. This is generated by grouping similar primary offenses into a smaller set of categories. Note that the primary offense categories differ between the individual and organizational offender datafiles. Listed below are the offense types that are grouped into each of the primary offense categories used in the individual datafile tables for this report:

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

Manslaughter includes both involuntary and voluntary manslaughter.

Kidnapping/Hostage Taking includes ransom taking and hostage/kidnapping.

Sexual Abuse includes sexual abuse of a minor, transportation of minor for sex, 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, mail robbery, other robbery, and carjacking.

Arson also includes 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 distribution of a small amount of marijuana and simple possession.

Firearms includes 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 & Entering 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, bribe involving officials, bribery – bank loan/commercial, loan or gratuity to bank examiner, etc., gratuity involving officials, and bribe or gratuity affecting employee plan.

Tax includes 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 (smuggling); 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.

Racketeering/Extortion 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 includes 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 the U.S.

Pornography/Prostitution includes dealing in obscene matter, transportation of minor for prostitution, 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. This primary offense category was discontinued in fiscal year 2010. Some of the offenses that were grouped into this primary offense category in prior fiscal years are grouped into the *Child Pornography* primary offense type. All other offenses that were grouped into this primary offense category in prior fiscal years are included in the *Other Miscellaneous Offenses* primary offense category.

Child Pornography includes the sale, distribution, transportation, shipment, receipt, or possession of materials involving the sexual exploitation of minors. This primary offense category was created in fiscal year 2010.

Prison Offenses includes contraband in prisons, riots in federal facilities, and escape.

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

Environmental/Wildlife includes waste discharge, specially protected fish, wildlife, and plants (waste discharge is presented as a separate offense category in Tables 51 and 52).

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 & 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 includes illegal use of regulatory 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; hazardous devices on 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/trademark; 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 offender is obtained from the Presentence Report in separate categories of race and ethnicity (*White, Black, Native American or Alaskan Native, Asian or Pacific Islander, Multiracial, and "Other"*). Ethnicity data indicate whether an offender is of Hispanic origin. (For purposes of this report, offenders whose ethnic background is designated as Hispanic are represented as Hispanic in all tables regardless of racial background.) The *Other* category includes offenders of Native American, Alaskan Native, Asian or Pacific Islander, Multiracial, and "Other" origin.

Sentence Length

Sentence Length reports the mean and median terms of the sentence imposed in months. This information is obtained from the Judgment and Commitment Order. Sentence lengths expressed in days are rounded to the nearest month.

Probation sentences are included as zero months. Any portion of a sentence which is an alternative confinement as described in USSG §5C1.1 is included. Cases in which a sentence is imposed, but where the length is indeterminable, are excluded. However, sentences in cases where the court imposed a sentence of time served but did not report the amount of time that was served are included as zero months.

In cases where the court imposes a sentence of life imprisonment, a numeric value is necessary to include these cases in any sentence length analysis. Accordingly, life sentences are reported as 470 months, a length consistent with the average life expectancy of federal criminal offenders given the average age of federal offenders. Also, sentences of greater than 470 months are also reported as 470 months for some analyses. The footnote in the relevant tables and figures indicates when this occurs.

Type of Guideline Sentence Imposed

Using sentencing information obtained from the Judgment and Commitment Order, the *Total Receiving Prison* column includes the number of offenders sentenced (and percent of *Total Cases*) who received a commitment to the Bureau of Prisons. This column is the sum of cases in *Prison* and the *Prison/Community Split Sentence* categories.

The *Prison* category includes offenders sentenced to a term of imprisonment only, with no additional conditions of community confinement, home detention or intermittent confinement.

The *Prison/Community Split Sentence* category includes all cases in which offenders received prison and conditions of alternative confinement as defined in USSG §5C1.1. This category includes, but is not limited to, Zone A, Zone B, or Zone C cases receiving prison with additional conditions of a term of community confinement, home detention, or intermittent confinement.

The *Total Receiving Probation* column includes the number of offenders 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* categories.

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

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

Upward Departure From Guideline Range

Upward Departure From Guideline Range consists of cases with departures above the guideline range which do not cite as a reason either *U.S. v. Booker*, 18 U.S.C. § 3553, or factors or reasons specifically prohibited in the provisions, policy statements, or commentary of the federal guidelines manual.

Upward Departure with Booker/18 U.S.C. § 3553

Upward Departure with Booker/18 U.S.C. § 3553 consists of cases with a sentence above the guideline range that includes both a departure (see Upward Departure From Guideline Range) as well as a sentence outside the guideline system mentioning either *U.S. v. Booker*, 18 U.S.C. § 3553, or related factors as a reason for sentencing above the guideline system.

Year

Information on *Year* is obtained from the Judgment and Commitment Order. Unless otherwise indicated, the sentencing year is defined as the fiscal year in which the defendant was sentenced.

Zone

The *Sentencing Table* is categorized into sentencing *Zones*. Courts may impose various types of punishment as alternatives to imprisonment. Alternative types of punishment include probation, home detention, community confinement, and intermittent confinement. Imposition of alternative types of punishment is restricted to defendants within specific sentencing zones.

Zone A: a guideline range is in Zone A when the minimum term of imprisonment specified is zero months;

Zone B: a guideline range is in Zone B when the minimum term of imprisonment specified is at least one but not more than six months;

Zone C: a guideline range is in Zone C when the minimum term of imprisonment specified is eight months when criminal history category is four or less, and nine months if the criminal history category is greater than four;

Zone D: a guideline range is in Zone D when the minimum term of imprisonment specified is 12 months or more.

See Chapter 5 of the *Guidelines Manual* for a description of alternatives to imprisonment and the conditions under which they are applicable.

Appendix B:
List of Quarterly Report Tables and Figures
and Comparable FY15 *Sourcebook* Number/Letter

<u>Quarterly Report Tables/Figures</u>	<u>Comparable <i>Sourcebook</i> Tables/Figures</u>
Table 1	Table N
Table 2	Table 26
Table 3	Table 27
Figure A	N/A
Figure B	N/A
Table 4	N/A
Table 5	Table 28
Table 6	Table 28A
Table 7	Table 30
Table 8	Table 30A
Table 9	Table 31
Table 10	Table 31A
Table 11	Table 31B
Table 12	Table 31C
Table 13	Table 31D
Table 14	Table 32
Table 15	Table 32A
Table 16	Table 32B
Table 17	Table 32C
Table 18	Table 12
Table 19	Table 13
Figure C	N/A
Figure D	N/A
Figure E	N/A
Figure F	N/A
Figure G	N/A
Figure H	N/A
Figure I	N/A
Table 20	Table 29
Figure J	Figure A
Table 21	Table 3
Table 22	Table 11
Figure K	N/A

Table 23	Table 4
Table 24	Table 5
Table 25	Table 7
Table 26	Table 9
Table 27	Table 1
Table 28	N/A