

United States Sentencing Commission Quarterly Data Report



**1st Quarter Release
Preliminary Fiscal Year 2024 Data
Through December 31, 2023**

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 to the Commission by the courts.¹ Data is reported on an annual basis in the Commission's *Annual Report* and *Sourcebook of Federal Sentencing Statistics*.² Additional information on Commission data can be found through the Commission's "Interactive Data Analyzer" at <https://ida.ussc.gov>.

After the Supreme Court's decision in *United States v. Booker* on January 12, 2005, the Commission began reporting data on a quarterly basis in order to provide real-time data concerning the sentences imposed in the federal courts. The types of data reported increased over time to accommodate various requests for additional information. These reports were eventually standardized in a format that was largely unchanged through fiscal year 2015. In fiscal year 2016, the Commission revised the format for its *Quarterly Data Reports*, to include information not previously reported on a quarterly basis, and to make it easier to understand the data that was presented.

Beginning in 2018, the Commission again updated the way it presents quarterly data. Now, all analyses that involve a comparison of the sentence imposed relative to the guideline range that applied in the case are presented in a new way. Sentences are now grouped into two broad categories: Sentences Under the Guidelines Manual and Variances. The former category comprises all cases in which the sentence imposed was within the applicable guideline range or, if outside the range, where the court indicated that one or more of the departure reasons in the Commission's *Guidelines Manual* was a basis for the sentence. Variance cases are those where the sentence was outside the guideline range (either above or below) and where the court did not cite any guideline reason for the sentence. Data for important subgroups within these two categories are also reported.

This report reflects other methodological changes that began with fiscal year 2018 data. Principal among them is the way cases are assigned to a "type of crime" (previously called offense type). Beginning with fiscal year 2018, the guideline (or guidelines) that the court applied in determining the sentence largely determines the crime type category to which a case is assigned. Previously, the maximum penalty provided under the statute of conviction was used for this categorization. Also, the names of some of the crime type categories have been revised and some outdated categories have been removed from the tables and figures.

Additionally, cases involving the production of child pornography have been assigned to the sexual abuse crime type. Previously, these cases were assigned to the child pornography offense type in the *Sourcebook*. This change reflects the way in which the production of child

¹ In each federal felony or Class A misdemeanor case, 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 *Annual Report* and *Sourcebook of Federal Sentencing Statistics* for fiscal years 1995 through 2023 are available at the Commission's website, www.ussc.gov.

pornography is treated under the sentencing guidelines.

Another important methodological change is that sentences are capped at 470 months for all analyses. This is consistent with the Commission's long-standing practice of assigning a value of 470 months to any life imprisonment sentence.

Because of these methodological changes, direct comparisons between data for fiscal year 2018 and later years cannot always be made to data reported in the *Quarterly Data Reports* released before the Final Fiscal Year 2018 *Quarterly Data Report*.

The data in this report is preliminary and subject to change as the Commission collects, analyzes, and reports on data from additional cases throughout the fiscal year. When data for each new quarter is made available, the Commission will update the previous preliminary quarterly totals in the most recent release until the release of the final fiscal year data in the Commission's *Sourcebook*.³

³ Data for previous quarters may change for many reasons. For example, the courts have up to 30 days after the entry of judgment in a case to submit court documents to the Commission. The Commission both extracts information from the documents and screens cases through the quality control procedures and does not include any case in a data release unless it has been fully entered and reviewed.

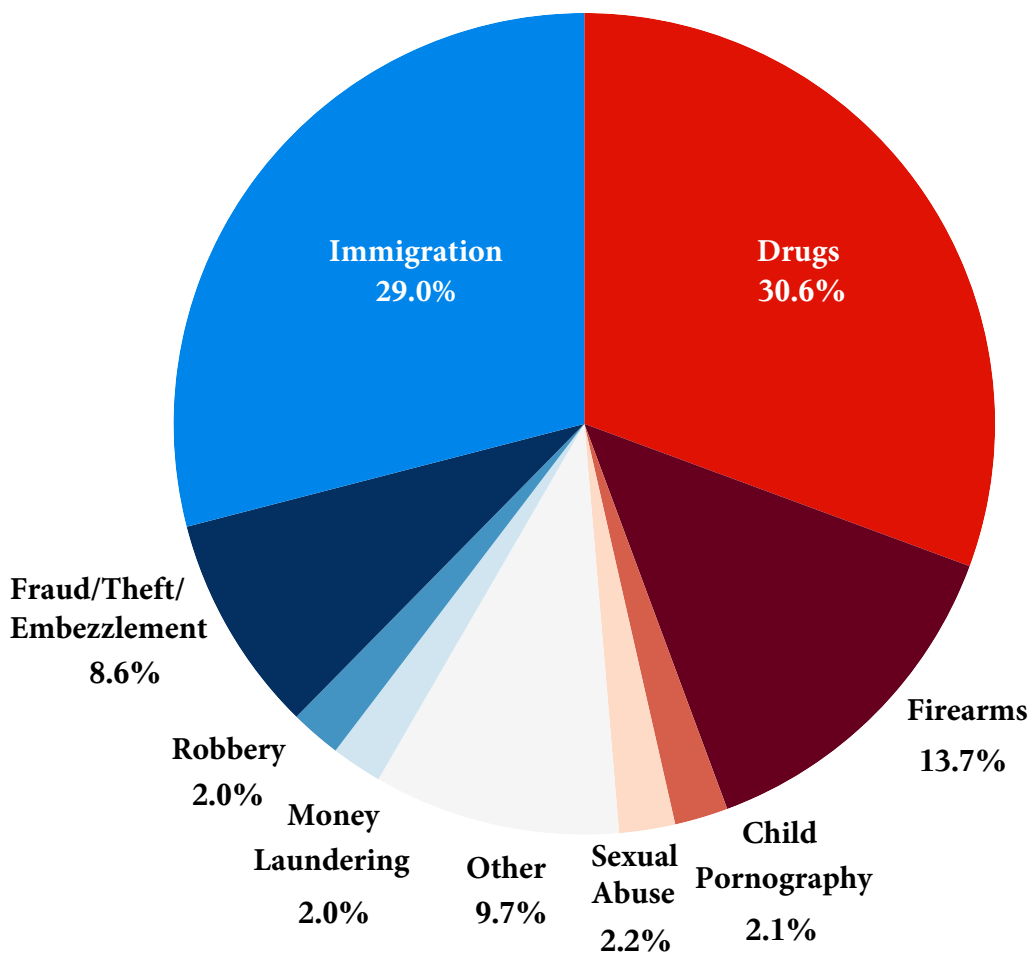
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Figure 1

SENTENCED INDIVIDUALS BY TYPE OF CRIME¹
1st Quarter 2024 Preliminary Cumulative Data
(October 1, 2023, through December 31, 2023)



¹ This figure includes the 14,554 cases reported to the Commission. The Drugs category includes trafficking and simple possession. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through December 31, 2023).

Table 1

SENTENCED INDIVIDUALS BY TYPE OF CRIME¹

1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

TYPE OF CRIME	N	%
TOTAL	14,554	100.0
Administration of Justice	178	1.2
Antitrust	1	0.0
Arson	23	0.2
Assault	183	1.3
Bribery/Corruption	82	0.6
Burglary/Trespass	21	0.1
Child Pornography	306	2.1
Commercialized Vice	15	0.1
Drug Possession	27	0.2
Drug Trafficking	4,421	30.4
Environmental	31	0.2
Extortion/Racketeering	32	0.2
Firearms	2,001	13.7
Food and Drug	6	0.0
Forgery/Counter/Copyright	28	0.2
Fraud/Theft/Embezzlement	1,257	8.6
Immigration	4,225	29.0
Individual Rights	25	0.2
Kidnapping	39	0.3
Manslaughter	27	0.2
Money Laundering	296	2.0
Murder	91	0.6
National Defense	48	0.3
Obscenity/Other Sex Offenses	99	0.7
Prison Offenses	107	0.7
Robbery	288	2.0
Sexual Abuse	327	2.2
Stalking/Harassing	48	0.3
Tax	108	0.7
Other	214	1.5

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

SOURCE: U.S. Sentencing Commission, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through December 31, 2023).

Table 2

SENTENCED INDIVIDUALS IN EACH CIRCUIT AND DISTRICT¹

1st Quarter 2024 Preliminary Cumulative Data
(October 1, 2023, through December 31, 2023)

CIRCUIT			CIRCUIT		
District	N	%	District	N	%
TOTAL	14,554	100.0			
D.C. CIRCUIT	111	0.8	FIFTH CIRCUIT	3,848	26.4
District of Columbia	111	0.8	Louisiana		
FIRST CIRCUIT	466	3.2	Eastern	71	0.5
Maine	37	0.3	Middle	31	0.2
Massachusetts	108	0.7	Western	53	0.4
New Hampshire	24	0.2	Mississippi		
Puerto Rico	270	1.9	Northern	54	0.4
Rhode Island	27	0.2	Southern	79	0.5
SECOND CIRCUIT	665	4.6	Texas		
Connecticut	69	0.5	Eastern	222	1.5
New York			Northern	284	2.0
Eastern	178	1.2	Southern	1,439	9.9
Northern	135	0.9	Western	1,615	11.1
Southern	111	0.8	SIXTH CIRCUIT	992	6.8
Western	137	0.9	Kentucky		
Vermont	35	0.2	Eastern	88	0.6
THIRD CIRCUIT	547	3.8	Western	92	0.6
Delaware	21	0.1	Michigan		
New Jersey	207	1.4	Eastern	121	0.8
Pennsylvania			Western	51	0.4
Eastern	82	0.6	Ohio		
Middle	86	0.6	Northern	210	1.4
Western	122	0.8	Southern	145	1.0
Virgin Islands	29	0.2	Tennessee		
FOURTH CIRCUIT	937	6.4	Eastern	131	0.9
Maryland	101	0.7	Middle	68	0.5
North Carolina			Western	86	0.6
Eastern	190	1.3	SEVENTH CIRCUIT	479	3.3
Middle	96	0.7	Illinois		
Western	60	0.4	Central	64	0.4
South Carolina	146	1.0	Northern	112	0.8
Virginia			Southern	60	0.4
Eastern	160	1.1	Indiana		
Western	30	0.2	Northern	52	0.4
West Virginia			Southern	90	0.6
Northern	85	0.6	Wisconsin		
Southern	69	0.5	Eastern	76	0.5
			Western	25	0.2

Table 2 (cont.)

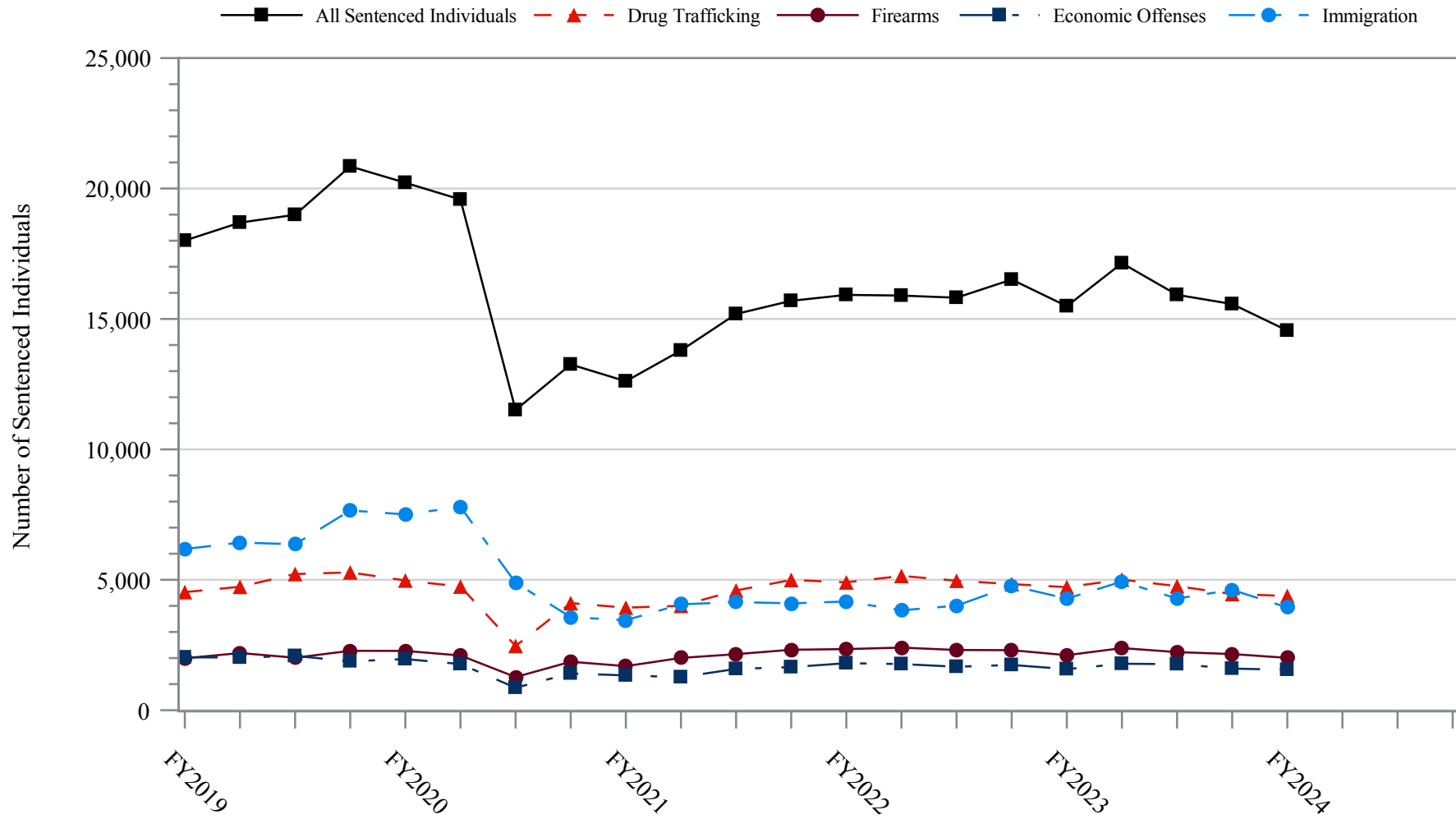
CIRCUIT			CIRCUIT		
District	N	%	District	N	%
EIGHTH CIRCUIT	1,233	8.5	TENTH CIRCUIT	1,184	8.1
Arkansas			Colorado	108	0.7
Eastern	142	1.0	Kansas	78	0.5
Western	46	0.3	New Mexico	373	2.6
Iowa			Oklahoma		
Northern	56	0.4	Eastern	64	0.4
Southern	78	0.5	Northern	152	1.0
Minnesota	113	0.8	Western	198	1.4
Missouri			Utah	170	1.2
Eastern	231	1.6	Wyoming	41	0.3
Western	221	1.5			
Nebraska	115	0.8	ELEVENTH CIRCUIT	1,293	8.9
North Dakota	71	0.5	Alabama		
South Dakota	160	1.1	Middle	83	0.6
			Northern	107	0.7
NINTH CIRCUIT	2,799	19.2	Southern	42	0.3
Alaska	37	0.3	Florida		
Arizona	987	6.8	Middle	263	1.8
California			Northern	55	0.4
Central	278	1.9	Southern	371	2.5
Eastern	98	0.7	Georgia		
Northern	117	0.8	Middle	121	0.8
Southern	704	4.8	Northern	137	0.9
Guam	3	0.0	Southern	114	0.8
Hawaii	18	0.1			
Idaho	82	0.6			
Montana	83	0.6			
Nevada	95	0.7			
Northern Mariana Islands	16	0.1			
Oregon	121	0.8			
Washington					
Eastern	86	0.6			
Western	74	0.5			

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

SOURCE: U.S. Sentencing Commission, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through December 31, 2023).

Figure 2

NUMBER OF SENTENCED INDIVIDUALS BY SELECTED PRIMARY GUIDELINES¹
Fiscal Years 2019 - 2023,
1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)



¹ The *Drug Trafficking* category includes individuals sentenced under §§2D1.1, 2D1.2, 2D1.5, 2D1.6, 2D1.8, 2D1.10, or 2D1.14. The *Firearms* category includes individuals sentenced under §§2K1.3, 2K1.4, 2K2.1, 2K2.4, or 2K2.5. The *Economic Offenses* category includes individuals sentenced under §§2B1.1, 2B1.4, 2B1.5, 2B2.1, 2B3.1, 2B3.2, 2B4.1, 2B5.1, or 2B5.3. The *Immigration* category includes individuals sentenced under §§2L1.1, 2L1.2, 2L2.1, or 2L2.2. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through December 31, 2023).

Table 3

RACE OF SENTENCED INDIVIDUALS BY TYPE OF CRIME¹
1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

TYPE OF CRIME	TOTAL	WHITE		BLACK		HISPANIC		OTHER	
		N	%	N	%	N	%	N	%
TOTAL	14,445	3,202	22.2	3,501	24.2	7,043	48.8	699	4.8
Administration of Justice	177	78	44.1	34	19.2	47	26.6	18	10.2
Antitrust	1	1	100.0	0	0.0	0	0.0	0	0.0
Arson	23	8	34.8	12	52.2	0	0.0	3	13.0
Assault	182	39	21.4	37	20.3	32	17.6	74	40.7
Bribery/Corruption	80	40	50.0	16	20.0	19	23.8	5	6.3
Burglary/Trespass	21	15	71.4	1	4.8	1	4.8	4	19.0
Child Pornography	306	224	73.2	17	5.6	51	16.7	14	4.6
Commercialized Vice	15	6	40.0	7	46.7	0	0.0	2	13.3
Drug Possession	23	12	52.2	5	21.7	5	21.7	1	4.3
Drug Trafficking	4,415	1,078	24.4	1,221	27.7	1,959	44.4	157	3.6
Environmental	30	19	63.3	0	0.0	7	23.3	4	13.3
Extortion/Racketeering	32	12	37.5	6	18.8	13	40.6	1	3.1
Firearms	1,995	449	22.5	1,106	55.4	356	17.8	84	4.2
Food and Drug	6	1	16.7	0	0.0	5	83.3	0	0.0
Forgery/Counter/Copyright	28	12	42.9	7	25.0	4	14.3	5	17.9
Fraud/Theft/Embezzlement	1,248	515	41.3	453	36.3	223	17.9	57	4.6
Immigration	4,197	98	2.3	108	2.6	3,947	94.0	44	1.0
Individual Rights	25	12	48.0	8	32.0	4	16.0	1	4.0
Kidnapping	39	18	46.2	7	17.9	11	28.2	3	7.7
Manslaughter	27	1	3.7	4	14.8	2	7.4	20	74.1
Money Laundering	295	98	33.2	61	20.7	115	39.0	21	7.1
Murder	91	16	17.6	32	35.2	22	24.2	21	23.1
National Defense	48	7	14.6	3	6.3	36	75.0	2	4.2
Obscenity/Other Sex Offenses	99	37	37.4	16	16.2	8	8.1	38	38.4
Prison Offenses	107	25	23.4	41	38.3	32	29.9	9	8.4
Robbery	288	49	17.0	184	63.9	45	15.6	10	3.5
Sexual Abuse	326	188	57.7	43	13.2	41	12.6	54	16.6
Stalking/Harassing	48	26	54.2	11	22.9	4	8.3	7	14.6
Tax	108	53	49.1	24	22.2	17	15.7	14	13.0
Other	165	65	39.4	37	22.4	37	22.4	26	15.8

¹ Of the 14,554 cases, 109 were excluded due to missing information on sentenced individual's race. Descriptions of variables used in this table are provided in Appendix A.

Table 4

GENDER OF SENTENCED INDIVIDUALS BY TYPE OF CRIME¹
1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

TYPE OF CRIME	TOTAL	MALE		FEMALE	
		N	%	N	%
TOTAL	14,548	12,675	87.1	1,873	12.9
Administration of Justice	178	137	77.0	41	23.0
Antitrust	1	1	100.0	0	0.0
Arson	23	21	91.3	2	8.7
Assault	183	168	91.8	15	8.2
Bribery/Corruption	82	59	72.0	23	28.0
Burglary/Trespass	21	20	95.2	1	4.8
Child Pornography	306	303	99.0	3	1.0
Commercialized Vice	15	11	73.3	4	26.7
Drug Possession	26	20	76.9	6	23.1
Drug Trafficking	4,421	3,702	83.7	719	16.3
Environmental	31	30	96.8	1	3.2
Extortion/Racketeering	32	28	87.5	4	12.5
Firearms	2,001	1,914	95.7	87	4.3
Food and Drug	6	2	33.3	4	66.7
Forgery/Counter/Copyright	28	19	67.9	9	32.1
Fraud/Theft/Embezzlement	1,257	888	70.6	369	29.4
Immigration	4,225	3,864	91.5	361	8.5
Individual Rights	25	20	80.0	5	20.0
Kidnapping	39	32	82.1	7	17.9
Manslaughter	27	21	77.8	6	22.2
Money Laundering	296	231	78.0	65	22.0
Murder	91	83	91.2	8	8.8
National Defense	48	43	89.6	5	10.4
Obscenity/Other Sex Offenses	99	99	100.0	0	0.0
Prison Offenses	107	101	94.4	6	5.6
Robbery	288	269	93.4	19	6.6
Sexual Abuse	327	306	93.6	21	6.4
Stalking/Harassing	48	45	93.8	3	6.3
Tax	108	80	74.1	28	25.9
Other	209	158	75.6	51	24.4

¹ Of the 14,554 cases, six were excluded due to missing information on sentenced individual's gender. Descriptions of variables used in this table are provided in Appendix A.

Table 5

CITIZENSHIP OF SENTENCED INDIVIDUALS BY TYPE OF CRIME¹
1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

TYPE OF CRIME	TOTAL	U.S. CITIZEN		NON-U.S. CITIZEN	
		N	%	N	%
TOTAL	14,461	9,617	66.5	4,844	33.5
Administration of Justice	177	133	75.1	44	24.9
Antitrust	1	1	100.0	0	0.0
Arson	23	23	100.0	0	0.0
Assault	182	175	96.2	7	3.8
Bribery/Corruption	82	76	92.7	6	7.3
Burglary/Trespass	21	20	95.2	1	4.8
Child Pornography	306	293	95.8	13	4.2
Commercialized Vice	15	14	93.3	1	6.7
Drug Possession	25	25	100.0	0	0.0
Drug Trafficking	4,395	3,572	81.3	823	18.7
Environmental	28	23	82.1	5	17.9
Extortion/Racketeering	31	23	74.2	8	25.8
Firearms	1,998	1,912	95.7	86	4.3
Food and Drug	6	6	100.0	0	0.0
Forgery/Counter/Copyright	28	28	100.0	0	0.0
Fraud/Theft/Embezzlement	1,247	1,086	87.1	161	12.9
Immigration	4,222	707	16.7	3,515	83.3
Individual Rights	25	22	88.0	3	12.0
Kidnapping	39	36	92.3	3	7.7
Manslaughter	27	27	100.0	0	0.0
Money Laundering	295	207	70.2	88	29.8
Murder	91	84	92.3	7	7.7
National Defense	48	34	70.8	14	29.2
Obscenity/Other Sex Offenses	99	95	96.0	4	4.0
Prison Offenses	107	105	98.1	2	1.9
Robbery	288	279	96.9	9	3.1
Sexual Abuse	327	316	96.6	11	3.4
Stalking/Harassing	48	47	97.9	1	2.1
Tax	108	103	95.4	5	4.6
Other	172	145	84.3	27	15.7

¹ Of the 14,554 cases, 93 were excluded due to missing information on sentenced individual's citizenship status. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through December 31, 2023).

Table 6

SENTENCE LENGTH BY TYPE OF CRIME¹

1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

TYPE OF CRIME	Mean Months	Median Months	N
TOTAL	50	24	14,554
Administration of Justice	15	8	178
Antitrust	--	--	1
Arson	66	60	23
Assault	65	37	183
Bribery/Corruption	16	12	82
Burglary/Trespass	12	3	21
Child Pornography	115	96	306
Commercialized Vice	18	9	15
Drug Possession	2	0	27
Drug Trafficking	78	60	4,421
Environmental	2	0	31
Extortion/Racketeering	47	12	32
Firearms	50	40	2,001
Food and Drug	1	0	6
Forgery/Counter/Copyright	18	12	28
Fraud/Theft/Embezzlement	22	12	1,257
Immigration	12	7	4,225
Individual Rights	60	24	25
Kidnapping	143	120	39
Manslaughter	79	57	27
Money Laundering	52	24	296
Murder	262	240	91
National Defense	28	18	48
Obscenity/Other Sex Offenses	18	18	99
Prison Offenses	15	12	107
Robbery	113	96	288
Sexual Abuse	206	188	327
Stalking/Harassing	37	24	48
Tax	11	6	108
Other	4	0	214

¹ Sentences greater than 470 months (including life) and probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

Table 7

SENTENCE TYPE BY TYPE OF CRIME¹

1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

TYPE OF CRIME	TOTAL	TOTAL RECEIVING IMPRISONMENT				Prison and Alternatives ²		TOTAL RECEIVING PROBATION				Probation and Alternatives ²		Probation Only		TOTAL RECEIVING FINE ONLY	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	14,554	13,361	91.8	12,996	89.3	365	2.5	1,138	7.8	200	1.4	938	6.4	55	0.4		
Administration of Justice	178	130	73.0	122	68.5	8	4.5	48	27.0	15	8.4	33	18.5	0	0.0		
Antitrust	1	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	1	100.0	0	0.0		
Arson	23	23	100.0	23	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0		
Assault	183	176	96.2	169	92.3	7	3.8	7	3.8	1	0.5	6	3.3	0	0.0		
Bribery/Corruption	82	62	75.6	60	73.2	2	2.4	20	24.4	12	14.6	8	9.8	0	0.0		
Burglary/Trespass	21	14	66.7	13	61.9	1	4.8	7	33.3	4	19.0	3	14.3	0	0.0		
Child Pornography	306	303	99.0	300	98.0	3	1.0	3	1.0	1	0.3	2	0.7	0	0.0		
Commercialized Vice	15	10	66.7	8	53.3	2	13.3	5	33.3	1	6.7	4	26.7	0	0.0		
Drug Possession	27	13	48.1	13	48.1	0	0.0	11	40.7	2	7.4	9	33.3	3	11.1		
Drug Trafficking	4,421	4,273	96.7	4,123	93.3	150	3.4	148	3.3	26	0.6	122	2.8	0	0.0		
Environmental	31	9	29.0	8	25.8	1	3.2	22	71.0	6	19.4	16	51.6	0	0.0		
Extortion/Racketeering	32	24	75.0	23	71.9	1	3.1	8	25.0	1	3.1	7	21.9	0	0.0		
Firearms	2,001	1,885	94.2	1,843	92.1	42	2.1	115	5.7	22	1.1	93	4.6	1	0.0		
Food and Drug	6	1	16.7	1	16.7	0	0.0	3	50.0	0	0.0	3	50.0	2	33.3		
Forgery/Counter/Copyright	28	22	78.6	21	75.0	1	3.6	6	21.4	1	3.6	5	17.9	0	0.0		
Fraud/Theft/Embezzlement	1,257	943	75.0	906	72.1	37	2.9	307	24.4	50	4.0	257	20.4	7	0.6		
Immigration	4,225	4,010	94.9	3,949	93.5	61	1.4	215	5.1	25	0.6	190	4.5	0	0.0		
Individual Rights	25	23	92.0	23	92.0	0	0.0	2	8.0	0	0.0	2	8.0	0	0.0		
Kidnapping	39	36	92.3	35	89.7	1	2.6	3	7.7	0	0.0	3	7.7	0	0.0		
Manslaughter	27	27	100.0	27	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0		
Money Laundering	296	262	88.5	248	83.8	14	4.7	34	11.5	12	4.1	22	7.4	0	0.0		
Murder	91	90	98.9	86	94.5	4	4.4	1	1.1	1	1.1	0	0.0	0	0.0		
National Defense	48	42	87.5	42	87.5	0	0.0	4	8.3	2	4.2	2	4.2	2	4.2		
Obscenity/Other Sex Offenses	99	97	98.0	90	90.9	7	7.1	2	2.0	0	0.0	2	2.0	0	0.0		
Prison Offenses	107	102	95.3	100	93.5	2	1.9	4	3.7	0	0.0	4	3.7	1	0.9		
Robbery	288	283	98.3	275	95.5	8	2.8	5	1.7	0	0.0	5	1.7	0	0.0		
Sexual Abuse	327	323	98.8	317	96.9	6	1.8	4	1.2	1	0.3	3	0.9	0	0.0		
Stalking/Harassing	48	45	93.8	42	87.5	3	6.3	3	6.3	2	4.2	1	2.1	0	0.0		
Tax	108	65	60.2	61	56.5	4	3.7	43	39.8	12	11.1	31	28.7	0	0.0		
Other	214	68	31.8	68	31.8	0	0.0	107	50.0	3	1.4	104	48.6	39	18.2		

¹ Descriptions of variables used in this table are provided in Appendix A.² Alternatives include all cases in which sentenced individuals received conditions of confinement as described in USSG §5C1.1.

Table 8

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE¹
1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

	<u>N</u>	<u>%</u>
TOTAL CASES	14,478	100.0
SENTENCES UNDER THE GUIDELINES MANUAL	9,704	67.0
Within Guideline Range	6,187	42.7
Upward Departure ²	76	0.5
Downward Departure		
§5K1.1 Substantial Assistance	1,606	11.1
§5K3.1 Early Disposition Program	1,260	8.7
Other Government Motion ³	308	2.1
Non-Government Departure ⁴	267	1.8
VARIANCES	4,774	33.0
Upward Variance ⁵	451	3.1
Downward Variance		
Government Motion ⁶	1,443	10.0
Non-Government Variance ⁷	2,880	19.9

¹ This table reflects the 14,554 cases sentenced on or after October 1, 2023, with court documentation cumulatively received, coded, and edited at the U.S. Sentencing Commission by Mar 21, 2024. Of these, 76 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 Cases in which the sentence imposed was above the applicable guideline range and for which the court cited a reason on Part V of the Statement of Reasons form, other than §5K1.1 or §5K3.1.

³ Cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part V of the Statement of Reasons form, other than §5K1.1 or §5K3.1, and where the prosecution initiated, proposed, or stipulated to the sentence.

⁴ Cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part V of the Statement of Reasons form, other than §5K1.1 or §5K3.1, and where the prosecution did not initiate, propose, or stipulate to the sentence.

⁵ Cases in which the sentence imposed was above the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form.

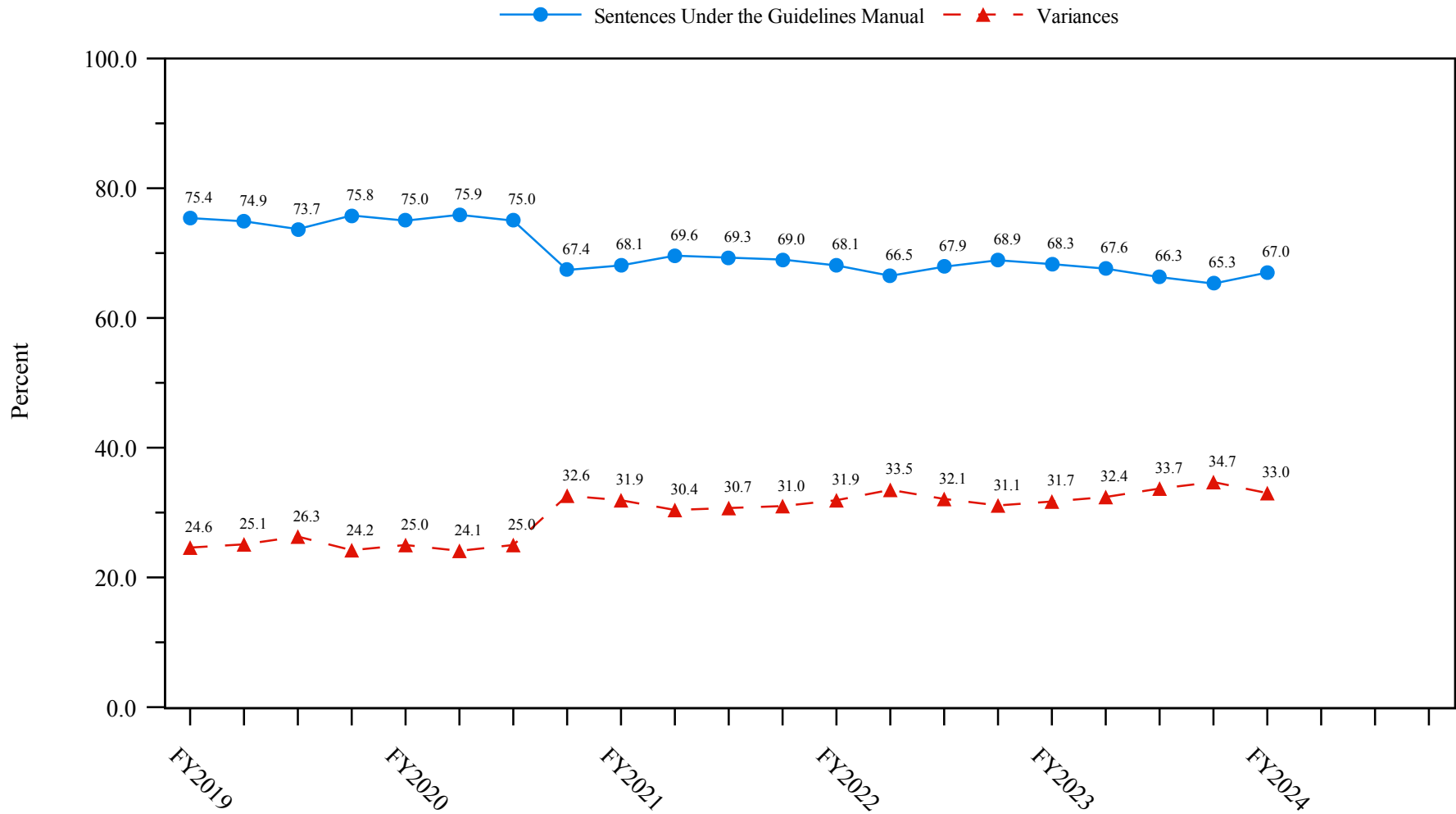
⁶ Cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form, and where the prosecution initiated, proposed, or stipulated to the sentence.

⁷ Cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form, or where no reason was given, and where the prosecution did not initiate, propose, or stipulate to the sentence.

SOURCE: U.S. Sentencing Commission, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through December 31, 2023).

Figure 3

SENTENCES UNDER THE GUIDELINES MANUAL AND VARIANCES QUARTERLY DATA¹
Fiscal Years 2019 - 2023,
1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

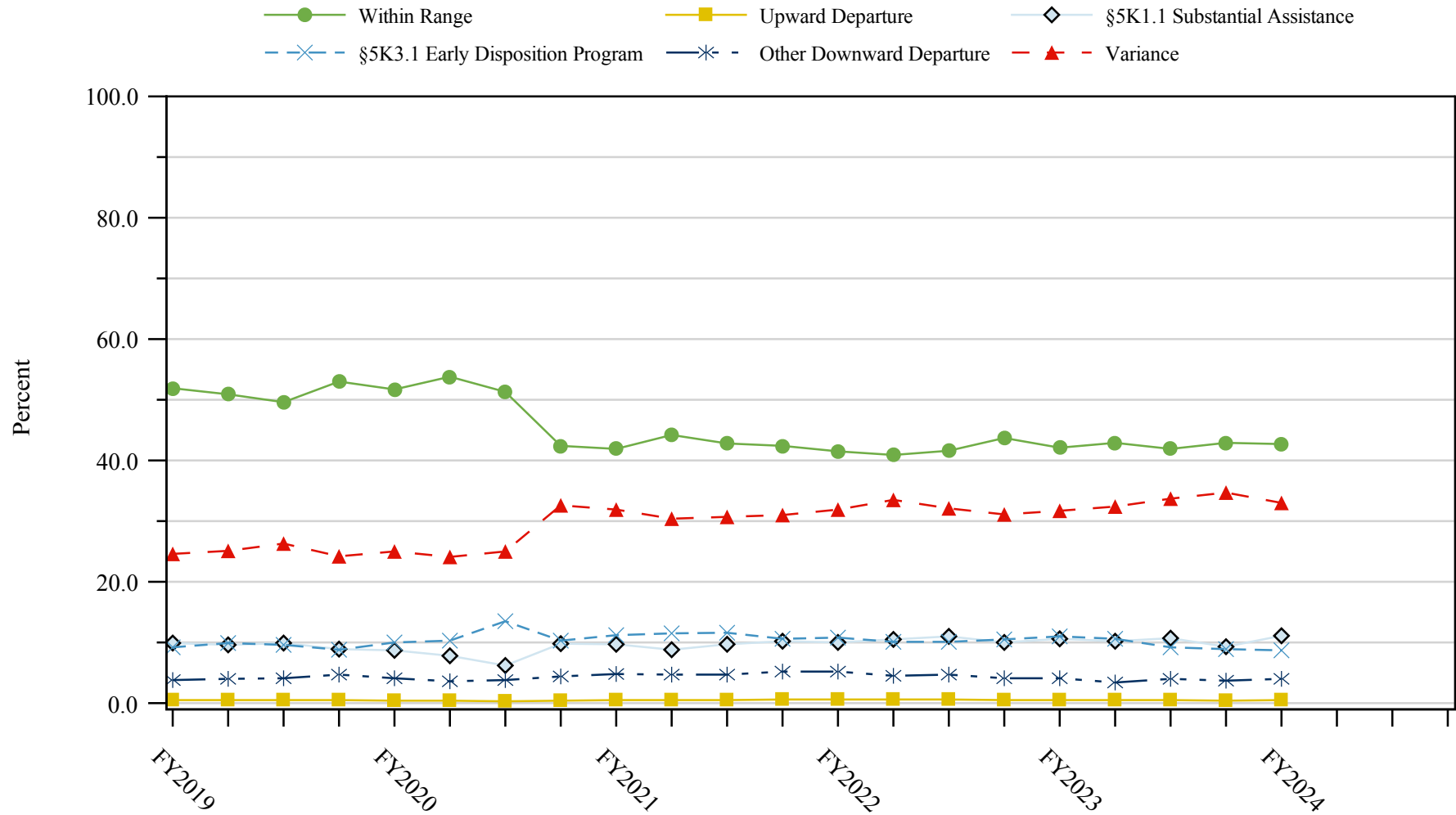


¹ Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through December 31, 2023).

Figure 4

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE QUARTERLY DATA¹
Fiscal Years 2019 - 2023,
1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)



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

SOURCE: U.S. Sentencing Commission, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through December 31, 2023).

Table 9

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE
IN EACH CIRCUIT AND DISTRICT¹**

1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		DEPARTURE								VARIANCE	
		N	%	UPWARD		§5K1.1		§5K3.1		DOWNWARD		N	%
				N	%	N	%	N	%	N	%		
TOTAL	14,478	6,187	42.7	76	0.5	1,606	11.1	1,260	8.7	575	4.0	4,774	33.0
D.C. CIRCUIT	110	47	42.7	0	0.0	17	15.5	0	0.0	2	1.8	44	40.0
District of Columbia	110	47	42.7	0	0.0	17	15.5	0	0.0	2	1.8	44	40.0
FIRST CIRCUIT	465	162	34.8	1	0.2	61	13.1	0	0.0	16	3.4	225	48.4
Maine	37	11	29.7	1	2.7	5	13.5	0	0.0	0	0.0	20	54.1
Massachusetts	108	23	21.3	0	0.0	24	22.2	0	0.0	3	2.8	58	53.7
New Hampshire	24	3	12.5	0	0.0	4	16.7	0	0.0	1	4.2	16	66.7
Puerto Rico	269	122	45.4	0	0.0	27	10.0	0	0.0	12	4.5	108	40.1
Rhode Island	27	3	11.1	0	0.0	1	3.7	0	0.0	0	0.0	23	85.2
SECOND CIRCUIT	662	209	31.6	4	0.6	105	15.9	0	0.0	24	3.6	320	48.3
Connecticut	69	13	18.8	0	0.0	14	20.3	0	0.0	4	5.8	38	55.1
New York													
Eastern	178	38	21.3	0	0.0	34	19.1	0	0.0	16	9.0	90	50.6
Northern	133	68	51.1	2	1.5	20	15.0	0	0.0	4	3.0	39	29.3
Southern	111	25	22.5	0	0.0	7	6.3	0	0.0	0	0.0	79	71.2
Western	137	52	38.0	2	1.5	25	18.2	0	0.0	0	0.0	58	42.3
Vermont	34	13	38.2	0	0.0	5	14.7	0	0.0	0	0.0	16	47.1
THIRD CIRCUIT	545	186	34.1	1	0.2	121	22.2	3	0.6	17	3.1	217	39.8
Delaware	21	12	57.1	0	0.0	0	0.0	2	9.5	1	4.8	6	28.6
New Jersey	205	57	27.8	0	0.0	49	23.9	0	0.0	3	1.5	96	46.8
Pennsylvania													
Eastern	82	27	32.9	0	0.0	21	25.6	1	1.2	2	2.4	31	37.8
Middle	86	32	37.2	1	1.2	18	20.9	0	0.0	6	7.0	29	33.7
Western	122	40	32.8	0	0.0	29	23.8	0	0.0	4	3.3	49	40.2
Virgin Islands	29	18	62.1	0	0.0	4	13.8	0	0.0	1	3.4	6	20.7
FOURTH CIRCUIT	926	426	46.0	6	0.6	127	13.7	0	0.0	19	2.1	348	37.6
Maryland	99	20	20.2	0	0.0	25	25.3	0	0.0	4	4.0	50	50.5
North Carolina													
Eastern	187	114	61.0	3	1.6	44	23.5	0	0.0	2	1.1	24	12.8
Middle	96	47	49.0	0	0.0	4	4.2	0	0.0	0	0.0	45	46.9
Western	59	21	35.6	0	0.0	8	13.6	0	0.0	1	1.7	29	49.2
South Carolina	146	59	40.4	2	1.4	26	17.8	0	0.0	5	3.4	54	37.0
Virginia													
Eastern	155	90	58.1	1	0.6	5	3.2	0	0.0	6	3.9	53	34.2
Western	30	5	16.7	0	0.0	6	20.0	0	0.0	0	0.0	19	63.3
West Virginia													
Northern	85	45	52.9	0	0.0	6	7.1	0	0.0	0	0.0	34	40.0
Southern	69	25	36.2	0	0.0	3	4.3	0	0.0	1	1.4	40	58.0

Table 9 (cont.)

CIRCUIT District	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		\$5K1.1		\$5K3.1		DOWNWARD		N	%
		N	%	N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	3,819	2,415	63.2	19	0.5	247	6.5	164	4.3	125	3.3	849	22.2
Louisiana													
Eastern	71	37	52.1	0	0.0	13	18.3	0	0.0	1	1.4	20	28.2
Middle	31	17	54.8	0	0.0	4	12.9	0	0.0	0	0.0	10	32.3
Western	53	40	75.5	1	1.9	3	5.7	0	0.0	0	0.0	9	17.0
Mississippi													
Northern	51	18	35.3	1	2.0	18	35.3	0	0.0	0	0.0	14	27.5
Southern	79	45	57.0	0	0.0	13	16.5	0	0.0	2	2.5	19	24.1
Texas													
Eastern	222	126	56.8	6	2.7	13	5.9	0	0.0	1	0.5	76	34.2
Northern	284	171	60.2	3	1.1	26	9.2	0	0.0	2	0.7	82	28.9
Southern	1,438	727	50.6	7	0.5	108	7.5	159	11.1	111	7.7	326	22.7
Western	1,590	1,234	77.6	1	0.1	49	3.1	5	0.3	8	0.5	293	18.4
SIXTH CIRCUIT	990	361	36.5	2	0.2	185	18.7	1	0.1	55	5.6	386	39.0
Kentucky													
Eastern	88	42	47.7	0	0.0	23	26.1	0	0.0	0	0.0	23	26.1
Western	92	34	37.0	1	1.1	20	21.7	1	1.1	8	8.7	28	30.4
Michigan													
Eastern	121	38	31.4	0	0.0	10	8.3	0	0.0	6	5.0	67	55.4
Western	51	27	52.9	0	0.0	6	11.8	0	0.0	3	5.9	15	29.4
Ohio													
Northern	210	82	39.0	0	0.0	43	20.5	0	0.0	5	2.4	80	38.1
Southern	145	31	21.4	1	0.7	24	16.6	0	0.0	27	18.6	62	42.8
Tennessee													
Eastern	130	60	46.2	0	0.0	37	28.5	0	0.0	4	3.1	29	22.3
Middle	67	15	22.4	0	0.0	7	10.4	0	0.0	2	3.0	43	64.2
Western	86	32	37.2	0	0.0	15	17.4	0	0.0	0	0.0	39	45.3
SEVENTH CIRCUIT	478	170	35.6	1	0.2	54	11.3	0	0.0	11	2.3	242	50.6
Illinois													
Central	63	19	30.2	0	0.0	8	12.7	0	0.0	0	0.0	36	57.1
Northern	112	36	32.1	0	0.0	13	11.6	0	0.0	6	5.4	57	50.9
Southern	60	34	56.7	1	1.7	8	13.3	0	0.0	2	3.3	15	25.0
Indiana													
Northern	52	21	40.4	0	0.0	9	17.3	0	0.0	0	0.0	22	42.3
Southern	90	40	44.4	0	0.0	11	12.2	0	0.0	1	1.1	38	42.2
Wisconsin													
Eastern	76	10	13.2	0	0.0	3	3.9	0	0.0	1	1.3	62	81.6
Western	25	10	40.0	0	0.0	2	8.0	0	0.0	1	4.0	12	48.0
EIGHTH CIRCUIT	1,232	528	42.9	12	1.0	173	14.0	9	0.7	28	2.3	482	39.1
Arkansas													
Eastern	142	72	50.7	1	0.7	17	12.0	0	0.0	0	0.0	52	36.6
Western	46	17	37.0	1	2.2	7	15.2	0	0.0	0	0.0	21	45.7
Iowa													
Northern	56	28	50.0	1	1.8	12	21.4	0	0.0	0	0.0	15	26.8
Southern	78	26	33.3	0	0.0	14	17.9	0	0.0	0	0.0	38	48.7
Minnesota	112	39	34.8	1	0.9	12	10.7	0	0.0	9	8.0	51	45.5
Missouri													
Eastern	231	113	48.9	2	0.9	29	12.6	0	0.0	6	2.6	81	35.1
Western	221	83	37.6	0	0.0	43	19.5	0	0.0	0	0.0	95	43.0
Nebraska	115	49	42.6	0	0.0	0	0.0	9	7.8	3	2.6	54	47.0
North Dakota	71	20	28.2	1	1.4	36	50.7	0	0.0	0	0.0	14	19.7
South Dakota	160	81	50.6	5	3.1	3	1.9	0	0.0	10	6.3	61	38.1

Table 9 (cont.)

CIRCUIT District	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		§5K1.1		§5K3.1		DOWNWARD		N	%
		N	%	N	%	N	%	N	%	N	%		
NINTH CIRCUIT	2,789	679	24.3	16	0.6	257	9.2	919	33.0	178	6.4	740	26.5
Alaska	37	11	29.7	0	0.0	6	16.2	0	0.0	0	0.0	20	54.1
Arizona	983	315	32.0	8	0.8	28	2.8	502	51.1	17	1.7	113	11.5
California													
Central	276	70	25.4	1	0.4	45	16.3	1	0.4	23	8.3	136	49.3
Eastern	97	35	36.1	0	0.0	25	25.8	2	2.1	5	5.2	30	30.9
Northern	116	10	8.6	2	1.7	15	12.9	0	0.0	1	0.9	88	75.9
Southern	703	78	11.1	3	0.4	50	7.1	398	56.6	123	17.5	51	7.3
Guam	3	1	33.3	0	0.0	2	66.7	0	0.0	0	0.0	0	0.0
Hawaii	18	7	38.9	0	0.0	2	11.1	0	0.0	0	0.0	9	50.0
Idaho	82	29	35.4	1	1.2	12	14.6	2	2.4	3	3.7	35	42.7
Montana	82	28	34.1	0	0.0	10	12.2	0	0.0	3	3.7	41	50.0
Nevada	95	10	10.5	0	0.0	7	7.4	14	14.7	0	0.0	64	67.4
Northern Mariana Islands	16	12	75.0	0	0.0	3	18.8	0	0.0	0	0.0	1	6.3
Oregon	121	19	15.7	0	0.0	33	27.3	0	0.0	0	0.0	69	57.0
Washington													
Eastern	86	26	30.2	1	1.2	18	20.9	0	0.0	3	3.5	38	44.2
Western	74	28	37.8	0	0.0	1	1.4	0	0.0	0	0.0	45	60.8
TENTH CIRCUIT	1,182	468	39.6	10	0.8	95	8.0	163	13.8	78	6.6	368	31.1
Colorado	108	33	30.6	0	0.0	24	22.2	7	6.5	6	5.6	38	35.2
Kansas	78	36	46.2	0	0.0	20	25.6	2	2.6	1	1.3	19	24.4
New Mexico	373	121	32.4	1	0.3	18	4.8	134	35.9	26	7.0	73	19.6
Oklahoma													
Eastern	64	43	67.2	1	1.6	3	4.7	0	0.0	1	1.6	16	25.0
Northern	152	90	59.2	8	5.3	6	3.9	2	1.3	39	25.7	7	4.6
Western	196	90	45.9	0	0.0	9	4.6	0	0.0	0	0.0	97	49.5
Utah	170	46	27.1	0	0.0	10	5.9	17	10.0	3	1.8	94	55.3
Wyoming	41	9	22.0	0	0.0	5	12.2	1	2.4	2	4.9	24	58.5
ELEVENTH CIRCUIT	1,280	536	41.9	4	0.3	164	12.8	1	0.1	22	1.7	553	43.2
Alabama													
Middle	83	30	36.1	0	0.0	18	21.7	0	0.0	3	3.6	32	38.6
Northern	107	50	46.7	1	0.9	15	14.0	0	0.0	0	0.0	41	38.3
Southern	42	19	45.2	0	0.0	6	14.3	0	0.0	1	2.4	16	38.1
Florida													
Middle	263	101	38.4	1	0.4	39	14.8	0	0.0	4	1.5	118	44.9
Northern	53	21	39.6	0	0.0	8	15.1	0	0.0	1	1.9	23	43.4
Southern	361	153	42.4	2	0.6	40	11.1	1	0.3	2	0.6	163	45.2
Georgia													
Middle	121	68	56.2	0	0.0	5	4.1	0	0.0	2	1.7	46	38.0
Northern	136	35	25.7	0	0.0	14	10.3	0	0.0	9	6.6	78	57.4
Southern	114	59	51.8	0	0.0	19	16.7	0	0.0	0	0.0	36	31.6

¹ Of the 14,554 cases, 76 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, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through December 31, 2023).

Table 10

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

1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

TYPE OF CRIME	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		§5K1.1		§5K3.1		DOWNWARD		N	%
		N	%	N	%	N	%	N	%	N	%		
TOTAL	14,478	6,187	42.7	76	0.5	1,606	11.1	1,260	8.7	575	4.0	4,774	33.0
Administration of Justice	177	84	47.5	0	0.0	10	5.6	0	0.0	2	1.1	81	45.8
Antitrust	1	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1	100.0
Arson	23	8	34.8	1	4.3	2	8.7	0	0.0	3	13.0	9	39.1
Assault	183	87	47.5	10	5.5	7	3.8	0	0.0	16	8.7	63	34.4
Bribery/Corruption	82	10	12.2	0	0.0	34	41.5	0	0.0	2	2.4	36	43.9
Burglary/Trespass	21	16	76.2	0	0.0	0	0.0	1	4.8	0	0.0	4	19.0
Child Pornography	306	100	32.7	3	1.0	7	2.3	0	0.0	8	2.6	188	61.4
Commercialized Vice	15	5	33.3	0	0.0	4	26.7	0	0.0	2	13.3	4	26.7
Drug Possession	25	22	88.0	1	4.0	0	0.0	0	0.0	1	4.0	1	4.0
Drug Trafficking	4,419	1,162	26.3	14	0.3	945	21.4	263	6.0	214	4.8	1,821	41.2
Environmental	30	12	40.0	0	0.0	4	13.3	0	0.0	1	3.3	13	43.3
Extortion/Racketeering	32	9	28.1	1	3.1	7	21.9	0	0.0	3	9.4	12	37.5
Firearms	1,998	1,021	51.1	14	0.7	133	6.7	3	0.2	58	2.9	769	38.5
Food and Drug	6	5	83.3	0	0.0	0	0.0	0	0.0	0	0.0	1	16.7
Forgery/Counter/Copyright	28	8	28.6	0	0.0	5	17.9	0	0.0	3	10.7	12	42.9
Fraud/Theft/Embezzlement	1,245	499	40.1	8	0.6	206	16.5	4	0.3	55	4.4	473	38.0
Immigration	4,186	2,397	57.3	10	0.2	52	1.2	988	23.6	132	3.2	607	14.5
Individual Rights	25	5	20.0	0	0.0	4	16.0	0	0.0	2	8.0	14	56.0
Kidnapping	39	10	25.6	0	0.0	8	20.5	0	0.0	1	2.6	20	51.3
Manslaughter	27	13	48.1	5	18.5	0	0.0	0	0.0	2	7.4	7	25.9
Money Laundering	296	59	19.9	1	0.3	99	33.4	1	0.3	19	6.4	117	39.5
Murder	91	42	46.2	2	2.2	19	20.9	0	0.0	6	6.6	22	24.2
National Defense	48	15	31.3	0	0.0	4	8.3	0	0.0	4	8.3	25	52.1
Obscenity/Other Sex Offenses	99	50	50.5	1	1.0	1	1.0	0	0.0	3	3.0	44	44.4
Prison Offenses	106	67	63.2	0	0.0	0	0.0	0	0.0	3	2.8	36	34.0
Robbery	287	123	42.9	3	1.0	24	8.4	0	0.0	15	5.2	122	42.5
Sexual Abuse	327	131	40.1	1	0.3	15	4.6	0	0.0	14	4.3	166	50.8
Stalking/Harassing	48	21	43.8	1	2.1	0	0.0	0	0.0	1	2.1	25	52.1
Tax	107	25	23.4	0	0.0	16	15.0	0	0.0	3	2.8	63	58.9
Other	201	181	90.0	0	0.0	0	0.0	0	0.0	2	1.0	18	9.0

¹ Of the 14,554 cases, 76 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, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through December 31, 2023).

Table 11

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE BY PRIMARY SENTENCING GUIDELINE¹

1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

Guideline	Within Guideline		Departure				Variance	Guideline	Within Guideline		Departure				Variance
	Total	Range	Up	\$5K1.1	\$5K3.1	Down			Total	Range	Up	\$5K1.1	\$5K3.1	Down	
§2A1.1	54	22	1	13	0	3	15	§2D1.8	6	0	0	2	0	0	4
§2A1.2	25	13	1	3	0	3	5	§2D1.9	0	0	0	0	0	0	0
§2A1.3	12	6	3	0	0	0	3	§2D1.10	0	0	0	0	0	0	0
§2A1.4	15	7	2	0	0	2	4	§2D1.11	0	0	0	0	0	0	0
§2A1.5	6	3	0	2	0	0	1	§2D1.12	1	1	0	0	0	0	0
§2A2.1	30	13	1	4	0	1	11	§2D1.13	0	0	0	0	0	0	0
§2A2.2	138	63	8	3	0	14	50	§2D1.14	0	0	0	0	0	0	0
§2A2.3	10	8	1	0	0	0	1	§2D2.1	22	19	1	0	0	1	1
§2A2.4	54	33	0	0	0	1	20	§2D2.2	12	9	0	0	0	1	2
§2A3.1	35	15	0	0	0	6	14	§2D2.3	0	0	0	0	0	0	0
§2A3.2	11	7	0	0	0	0	4	§2D3.1	6	6	0	0	0	0	0
§2A3.3	5	2	0	0	0	0	3	§2D3.2	1	1	0	0	0	0	0
§2A3.4	12	5	1	0	0	0	6	§2D3.3	0	0	0	0	0	0	0
§2A3.5	92	48	1	0	0	3	40	§2D3.4	0	0	0	0	0	0	0
§2A4.1	38	10	0	8	0	1	19	§2D3.5	0	0	0	0	0	0	0
§2A4.2	0	0	0	0	0	0	0	§2E1.1	11	2	1	1	0	1	6
§2A5.1	0	0	0	0	0	0	0	§2E1.2	0	0	0	0	0	0	0
§2A5.2	7	4	0	0	0	0	3	§2E1.3	0	0	0	0	0	0	0
§2A5.3	0	0	0	0	0	0	0	§2E1.4	1	1	0	0	0	0	0
§2A6.1	33	17	0	0	0	1	15	§2E1.5	0	0	0	0	0	0	0
§2A6.2	15	4	1	0	0	0	10	§2E2.1	1	0	0	0	0	1	0
§2B1.1	1,192	463	7	205	3	55	459	§2E3.1	7	2	0	4	0	1	0
§2B1.2	0	0	0	0	0	0	0	§2E3.2	0	0	0	0	0	0	0
§2B1.3	0	0	0	0	0	0	0	§2E3.3	0	0	0	0	0	0	0
§2B1.4	4	0	0	0	0	0	4	§2E4.1	10	3	0	6	0	0	1
§2B1.5	4	1	0	0	0	0	3	§2E5.1	0	0	0	0	0	0	0
§2B1.6 ²	14	12	0	1	0	0	1	§2E5.2	0	0	0	0	0	0	0
§2B2.1	9	5	0	0	1	0	3	§2E5.3	0	0	0	0	0	0	0
§2B2.2	0	0	0	0	0	0	0	§2E5.4	0	0	0	0	0	0	0
§2B2.3	10	10	0	0	0	0	0	§2E5.5	0	0	0	0	0	0	0
§2B3.1	282	121	3	22	0	14	122	§2E5.6	0	0	0	0	0	0	0
§2B3.2	5	2	0	0	0	1	2	§2F1.1	0	0	0	0	0	0	0
§2B3.3	0	0	0	0	0	0	0	§2F1.2	0	0	0	0	0	0	0
§2B4.1	26	1	0	14	0	1	10	§2G1.1	12	3	0	1	0	1	7
§2B5.1	16	5	0	2	0	2	7	§2G1.2	0	0	0	0	0	0	0
§2B5.2	0	0	0	0	0	0	0	§2G1.3	104	45	0	8	0	3	48
§2B5.3	12	3	0	3	0	1	5	§2G2.1	155	56	0	6	0	5	88
§2B5.4	0	0	0	0	0	0	0	§2G2.2	306	100	3	7	0	8	188
§2B6.1	1	1	0	0	0	0	0	§2G2.3	0	0	0	0	0	0	0
§2C1.1	53	9	0	18	0	1	25	§2G2.4	0	0	0	0	0	0	0
§2C1.2	3	0	0	2	0	0	1	§2G2.5	0	0	0	0	0	0	0
§2C1.3	0	0	0	0	0	0	0	§2G2.6	1	1	0	0	0	0	0
§2C1.4	0	0	0	0	0	0	0	§2G3.1	7	2	0	1	0	0	4
§2C1.5	0	0	0	0	0	0	0	§2G3.2	0	0	0	0	0	0	0
§2C1.6	0	0	0	0	0	0	0	§2H1.1	21	4	0	3	0	2	12
§2C1.7	0	0	0	0	0	0	0	§2H1.2	0	0	0	0	0	0	0
§2C1.8	0	0	0	0	0	0	0	§2H1.3	0	0	0	0	0	0	0
§2D1.1	4,302	1,135	13	926	263	206	1,759	§2H1.4	0	0	0	0	0	0	0
§2D1.2	64	20	1	14	0	6	23	§2H1.5	0	0	0	0	0	0	0
§2D1.3	0	0	0	0	0	0	0	§2H2.1	1	0	0	0	0	0	1
§2D1.4	0	0	0	0	0	0	0	§2H3.1	0	0	0	0	0	0	0
§2D1.5	5	1	0	3	0	1	0	§2H3.2	0	0	0	0	0	0	0
§2D1.6	0	0	0	0	0	0	0	§2H3.3	0	0	0	0	0	0	0
§2D1.7	0	0	0	0	0	0	0	§2H4.1	3	1	0	1	0	0	1

Table 11 (cont.)

Guideline	Within Guideline		Departure					Variance	Guideline	Within Guideline		Departure					Variance
	Total	Range	Up	§5K1.1	§5K3.1	Down	Total			Range	Up	§5K1.1	§5K3.1	Down			
§2H4.2	0	0	0	0	0	0	0	§2M5.2	39	12	0	4	0	4	19		
§2J1.1	0	0	0	0	0	0	0	§2M5.3	3	0	0	0	0	0	3		
§2J1.2	44	18	0	3	0	0	23	§2M6.1	0	0	0	0	0	0	0		
§2J1.3	6	3	0	0	0	0	3	§2M6.2	0	0	0	0	0	0	0		
§2J1.4	3	0	0	0	0	0	3	§2N1.1	1	0	0	0	0	0	1		
§2J1.5	0	0	0	0	0	0	0	§2N1.2	0	0	0	0	0	0	0		
§2J1.6	7	2	0	0	0	0	5	§2N1.3	0	0	0	0	0	0	0		
§2J1.7	0	0	0	0	0	0	0	§2N2.1	3	3	0	0	0	0	0		
§2J1.8	0	0	0	0	0	0	0	§2N3.1	0	0	0	0	0	0	0		
§2J1.9	0	0	0	0	0	0	0	§2P1.1	69	45	0	0	0	1	23		
§2K1.1	0	0	0	0	0	0	0	§2P1.2	31	19	0	0	0	1	11		
§2K1.2	0	0	0	0	0	0	0	§2P1.3	0	0	0	0	0	0	0		
§2K1.3	4	0	0	1	0	0	3	§2P1.4	0	0	0	0	0	0	0		
§2K1.4	23	8	1	2	0	3	9	§2Q1.1	0	0	0	0	0	0	0		
§2K1.5	0	0	0	0	0	0	0	§2Q1.2	12	0	0	4	0	0	8		
§2K1.6	0	0	0	0	0	0	0	§2Q1.3	1	1	0	0	0	0	0		
§2K1.7	0	0	0	0	0	0	0	§2Q1.4	0	0	0	0	0	0	0		
§2K2.1	1,905	961	13	124	3	58	746	§2Q1.5	0	0	0	0	0	0	0		
§2K2.2	0	0	0	0	0	0	0	§2Q1.6	0	0	0	0	0	0	0		
§2K2.3	0	0	0	0	0	0	0	§2Q2.1	12	7	0	0	0	1	4		
§2K2.4 ³	70	50	1	8	0	0	11	§2Q2.2	0	0	0	0	0	0	0		
§2K2.5	5	4	0	0	0	0	1	§2R1.1	1	0	0	0	0	0	1		
§2K2.6	0	0	0	0	0	0	0	§2S1.1	251	41	0	92	1	15	102		
§2K3.1	0	0	0	0	0	0	0	§2S1.2	0	0	0	0	0	0	0		
§2K3.2	0	0	0	0	0	0	0	§2S1.3	36	13	1	7	0	4	11		
§2L1.1	1,062	463	4	35	358	23	179	§2S1.4	0	0	0	0	0	0	0		
§2L1.2	2,762	1,689	6	11	579	108	369	§2T1.1	60	14	0	9	0	2	35		
§2L1.3	0	0	0	0	0	0	0	§2T1.2	0	0	0	0	0	0	0		
§2L2.1	11	4	0	5	0	0	2	§2T1.3	0	0	0	0	0	0	0		
§2L2.2	102	67	0	0	0	0	35	§2T1.4	28	7	0	3	0	0	18		
§2L2.3	0	0	0	0	0	0	0	§2T1.5	0	0	0	0	0	0	0		
§2L2.4	0	0	0	0	0	0	0	§2T1.6	12	1	0	3	0	1	7		
§2L2.5	0	0	0	0	0	0	0	§2T1.7	0	0	0	0	0	0	0		
§2M1.1	0	0	0	0	0	0	0	§2T1.8	0	0	0	0	0	0	0		
§2M2.1	0	0	0	0	0	0	0	§2T1.9	3	1	0	1	0	0	1		
§2M2.2	0	0	0	0	0	0	0	§2T2.1	0	0	0	0	0	0	0		
§2M2.3	0	0	0	0	0	0	0	§2T2.2	0	0	0	0	0	0	0		
§2M2.4	0	0	0	0	0	0	0	§2T3.1	3	2	0	0	0	0	1		
§2M3.1	0	0	0	0	0	0	0	§2T3.2	0	0	0	0	0	0	0		
§2M3.2	0	0	0	0	0	0	0	§2T4.1	0	0	0	0	0	0	0		
§2M3.3	0	0	0	0	0	0	0	§2X1.1	2	0	0	0	0	0	2		
§2M3.4	0	0	0	0	0	0	0	§2X2.1	0	0	0	0	0	0	0		
§2M3.5	0	0	0	0	0	0	0	§2X3.1	17	9	0	3	0	1	4		
§2M3.6	0	0	0	0	0	0	0	§2X4.1	51	20	0	7	0	1	23		
§2M3.7	0	0	0	0	0	0	0	§2X5.1	0	0	0	0	0	0	0		
§2M3.8	0	0	0	0	0	0	0	§2X5.2	49	38	0	0	0	0	11		
§2M3.9	0	0	0	0	0	0	0	§2X6.1	0	0	0	0	0	0	0		
§2M4.1	0	0	0	0	0	0	0	§2X7.1	0	0	0	0	0	0	0		
§2M5.1	4	1	0	0	0	0	3	§2X7.2	5	4	0	0	0	0	1		
TOTAL									13,979	5,832	75	1,605	1,208	570	4,689		

¹ Of the 14,554 cases, 575 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 (76) or missing guideline applied (563). Descriptions of variables used in this table are provided in Appendix A.

² In these cases, the sentenced individual was convicted of violating 18 U.S.C. § 1028A (Aggravated Identity Theft) as the only count or counts of conviction. The *Guidelines Manual* provides punishment for this type of offense under §2B1.6.

³ In these cases, the sentenced individual was convicted of violating 18 U.S.C. § 924(c) (Use of Firearm, Armor-Piercing Ammunition, or Explosives During or in Relation to Certain Crimes) as the only count or counts of conviction. The *Guidelines Manual* provides punishment for this type of offense under §2K2.4.

SOURCE: U.S. Sentencing Commission, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through December 31, 2023).

Table 12

ATTRIBUTION CATEGORY FOR SENTENCES OUTSIDE OF THE GUIDELINE RANGE¹
1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

	TOTAL CASES	Pursuant to a Plea Agreement									
		§5K1.1 Substantial Assistance ²		§5K3.1 Early Disposition ²		Binding Plea Accepted by Court		Plea with Departure Court Finds Reasonable		Plea States Gov't Will Not Oppose	
		N	%	N	%	N	%	N	%	N	%
TOTAL	8,291	1,608	19.4	1,278	15.4	1,306	15.8	1,667	20.1	117	1.4
Departures	3,517	1,606	45.7	1,277	36.3	790	22.5	1,249	35.5	68	1.9
Upward Departure	76	0	0.0	0	0.0	21	27.6	14	18.4	0	0.0
Downward Departure											
§5K1.1 Substantial Assistance	1,606	1,606	100.0	17	1.1	63	3.9	367	22.9	11	0.7
§5K3.1 Early Disposition Program	1,260	0	0.0	1,260	100.0	588	46.7	725	57.5	53	4.2
Other Government Motion	308	0	0.0	0	0.0	118	38.3	143	46.4	4	1.3
Non-Government Departure	267	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Variances	4,774	2	0.0	1	0.0	516	10.8	418	8.8	49	1.0
Upward Variance	451	2	0.4	1	0.2	60	13.3	26	5.8	0	0.0
Downward Variance											
Government Motion	1,443	0	0.0	0	0.0	456	31.6	392	27.2	49	3.4
Non-Government Variance	2,880	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

Table 12 (cont.)

	Pursuant to a Motion Not in a Plea Agreement											
	Other Government Motion		Defense Motion/Gov't Did Not Object		Defense Motion/Gov't Did Object		Joint Motion		Other than a Plea/Motion by Parties		No Information Available	
	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	1,427	17.2	1,422	17.2	1,655	20.0	637	7.7	1,299	15.7	550	6.6
Departures	1,229	34.9	611	17.4	409	11.6	305	8.7	338	9.6	40	1.1
Upward Departure	19	25.0	0	0.0	0	0.0	1	1.3	24	31.6	8	10.5
Downward Departure												
§5K1.1 Substantial Assistance	1,081	67.3	225	14.0	195	12.1	147	9.2	162	10.1	0	0.0
§5K3.1 Early Disposition Program	83	6.6	194	15.4	125	9.9	115	9.1	87	6.9	0	0.0
Other Government Motion	46	14.9	43	14.0	24	7.8	42	13.6	15	4.9	5	1.6
Non-Government Departure	0	0.0	149	55.8	65	24.3	0	0.0	50	18.7	27	10.1
Variations	198	4.1	811	17.0	1,246	26.1	332	7.0	961	20.1	510	10.7
Upward Variance	67	14.9	3	0.7	1	0.2	6	1.3	239	53.0	56	12.4
Downward Variance												
Government Motion	131	9.1	102	7.1	64	4.4	326	22.6	84	5.8	34	2.4
Non-Government Variance	0	0.0	706	24.5	1,181	41.0	0	0.0	638	22.2	420	14.6

¹ Multiple attributions may be made on the Statement of Reasons (SOR). Therefore, the numbers reported in this table may exceed the number of total cases. For example, among SORs with an attribution, 3,321 cases indicated more than one attribution. Only sentenced individuals whose sentence is outside the guideline range are included in this table. Descriptions of variables used in this table are provided in Appendix A.

² For cases in which the court submitted a SOR form with a revision date of 11/15 or later, information for these categories was taken from Part V.C. of the SOR. For cases in which the court submitted the prior version of the SOR form, the information was taken from Part V.B. of the SOR form.

SOURCE: U.S. Sentencing Commission, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through December 31, 2023).

Table 13

**EXTENT OF UPWARD DEPARTURES
BY TYPE OF CRIME¹**

1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Increase In Months	Percent Increase	Sentence In Months	Increase In Months	Percent Increase
TOTAL	75	86	28	84.0	60	15	50.7
Administration of Justice	0	--	--	--	--	--	--
Antitrust	0	--	--	--	--	--	--
Arson	1	--	--	--	--	--	--
Assault	10	106	29	46.0	84	20	31.2
Bribery/Corruption	0	--	--	--	--	--	--
Burglary/Trespass	0	--	--	--	--	--	--
Child Pornography	3	102	27	47.0	97	24	20.0
Commercialized Vice	0	--	--	--	--	--	--
Drug Possession	1	--	--	--	--	--	--
Drug Trafficking	14	85	46	191.5	66	42	96.6
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	1	--	--	--	--	--	--
Firearms	14	69	20	41.1	60	14	35.1
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	0	--	--	--	--	--	--
Fraud/Theft/Embezzlement	8	43	17	107.7	29	14	91.7
Immigration	10	33	15	83.5	23	6	85.9
Individual Rights	0	--	--	--	--	--	--
Kidnapping	0	--	--	--	--	--	--
Manslaughter	5	150	54	37.2	120	7	12.5
Money Laundering	1	--	--	--	--	--	--
Murder	1	--	--	--	--	--	--
National Defense	0	--	--	--	--	--	--
Obscenity/Other Sex Offenses	1	--	--	--	--	--	--
Prison Offenses	0	--	--	--	--	--	--
Robbery	3	213	23	12.1	200	12	6.4
Sexual Abuse	1	--	--	--	--	--	--
Stalking/Harassing	1	--	--	--	--	--	--
Tax	0	--	--	--	--	--	--
Other	0	--	--	--	--	--	--

¹ Of the 14,554 cases, in 76 the sentence was an upward departure from the guideline range. Due to an inability to calculate the extent of departure for cases with a sentence of life, one case was excluded from this table. Sentences greater than 470 months and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

Table 14

**EXTENT OF UPWARD VARIANCES
BY TYPE OF CRIME¹**

1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Increase In Months	Percent Increase	Sentence In Months	Increase In Months	Percent Increase
TOTAL	445	72	21	65.0	48	12	38.5
Administration of Justice	10	37	21	122.6	23	12	103.1
Antitrust	0	--	--	--	--	--	--
Arson	4	125	52	73.3	132	53	70.2
Assault	8	111	30	38.6	90	20	28.2
Bribery/Corruption	0	--	--	--	--	--	--
Burglary/Trespass	0	--	--	--	--	--	--
Child Pornography	11	141	37	47.4	97	43	30.4
Commercialized Vice	1	--	--	--	--	--	--
Drug Possession	1	--	--	--	--	--	--
Drug Trafficking	51	129	29	61.4	100	19	27.5
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	1	--	--	--	--	--	--
Firearms	115	75	25	66.0	60	18	37.9
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	1	--	--	--	--	--	--
Fraud/Theft/Embezzlement	14	65	21	58.2	36	12	39.0
Immigration	160	22	8	65.8	12	6	42.9
Individual Rights	1	--	--	--	--	--	--
Kidnapping	0	--	--	--	--	--	--
Manslaughter	4	107	37	49.8	100	26	42.0
Money Laundering	1	--	--	--	--	--	--
Murder	1	--	--	--	--	--	--
National Defense	0	--	--	--	--	--	--
Obscenity/Other Sex Offenses	3	51	24	85.7	60	30	100.0
Prison Offenses	7	59	24	140.0	60	27	66.7
Robbery	17	217	47	30.2	210	33	25.9
Sexual Abuse	16	170	43	36.5	158	28	21.8
Stalking/Harassing	7	76	22	45.6	60	14	42.9
Tax	0	--	--	--	--	--	--
Other	11	10	4	65.2	10	4	66.7

¹ Of the 14,554 cases, in 451 the sentence was a variance above the guideline range. Due to an inability to calculate the extent of departure for cases with a sentence of life, two cases were excluded from this table. Also, four cases were excluded due to several logical criteria. Sentences greater than 470 months and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

Table 15

**EXTENT OF §5K1.1 SUBSTANTIAL ASSISTANCE DEPARTURES
BY TYPE OF CRIME¹**

1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
TOTAL	1,578	51	53	56.2	36	37	50.4
Administration of Justice	10	18	15	66.0	5	14	65.5
Antitrust	0	--	--	--	--	--	--
Arson	2	--	--	--	--	--	--
Assault	6	52	85	47.3	39	22	40.2
Bribery/Corruption	34	12	28	67.2	7	21	68.3
Burglary/Trespass	0	--	--	--	--	--	--
Child Pornography	7	98	56	36.0	78	42	35.0
Commercialized Vice	4	2	8	88.9	0	8	100.0
Drug Possession	0	--	--	--	--	--	--
Drug Trafficking	933	65	63	52.9	55	48	48.7
Environmental	4	1	9	96.7	0	8	100.0
Extortion/Racketeering	7	10	15	73.8	0	12	99.4
Firearms	133	32	26	53.5	20	18	44.4
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	5	14	17	54.2	18	18	51.4
Fraud/Theft/Embezzlement	206	18	29	64.7	12	19	67.1
Immigration	52	20	17	53.7	11	10	43.1
Individual Rights	4	34	21	37.2	37	21	38.2
Kidnapping	8	55	139	76.6	31	102	86.3
Manslaughter	0	--	--	--	--	--	--
Money Laundering	94	38	61	64.0	24	42	63.9
Murder	11	98	149	63.4	121	148	65.0
National Defense	4	18	30	61.2	15	37	67.3
Obscenity/Other Sex Offenses	1	--	--	--	--	--	--
Prison Offenses	0	--	--	--	--	--	--
Robbery	24	77	71	53.2	78	55	50.6
Sexual Abuse	13	97	78	50.1	114	55	52.5
Stalking/Harassing	0	--	--	--	--	--	--
Tax	16	6	19	77.7	4	16	88.9
Other	0	--	--	--	--	--	--

¹ Of the 14,554 cases, in 1,606 the sentenced individual received a §5K1.1 substantial assistance departure below the guideline range. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, 20 cases were excluded from this table. Also, eight cases were excluded due to several logical criteria. Sentences greater than 470 months and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

Table 16

**EXTENT OF §5K3.1 EARLY DISPOSITION PROGRAM DEPARTURES
BY TYPE OF CRIME¹**

1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
TOTAL	1,260	13	15	50.8	9	8	49.1
Administration of Justice	0	--	--	--	--	--	--
Antitrust	0	--	--	--	--	--	--
Arson	0	--	--	--	--	--	--
Assault	0	--	--	--	--	--	--
Bribery/Corruption	0	--	--	--	--	--	--
Burglary/Trespass	1	--	--	--	--	--	--
Child Pornography	0	--	--	--	--	--	--
Commercialized Vice	0	--	--	--	--	--	--
Drug Possession	0	--	--	--	--	--	--
Drug Trafficking	263	22	41	65.4	20	36	63.8
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	0	--	--	--	--	--	--
Firearms	3	21	10	32.7	10	6	31.4
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	0	--	--	--	--	--	--
Fraud/Theft/Embezzlement	4	17	16	50.4	13	4	44.9
Immigration	988	10	8	47.0	7	6	42.1
Individual Rights	0	--	--	--	--	--	--
Kidnapping	0	--	--	--	--	--	--
Manslaughter	0	--	--	--	--	--	--
Money Laundering	1	--	--	--	--	--	--
Murder	0	--	--	--	--	--	--
National Defense	0	--	--	--	--	--	--
Obscenity/Other Sex Offenses	0	--	--	--	--	--	--
Prison Offenses	0	--	--	--	--	--	--
Robbery	0	--	--	--	--	--	--
Sexual Abuse	0	--	--	--	--	--	--
Stalking/Harassing	0	--	--	--	--	--	--
Tax	0	--	--	--	--	--	--
Other	0	--	--	--	--	--	--

¹ Of the 14,554 cases, in 1,260 the sentenced individual received a §5K3.1 early disposition program departure below the guideline range. Sentences greater than 470 months and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through December 31, 2023).

Table 17

**EXTENT OF OTHER DOWNWARD DEPARTURES
BY TYPE OF CRIME¹**

1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
TOTAL	569	43	33	45.9	24	17	38.9
Administration of Justice	2	--	--	--	--	--	--
Antitrust	0	--	--	--	--	--	--
Arson	3	34	11	24.6	36	13	26.3
Assault	16	34	12	32.7	30	9	24.7
Bribery/Corruption	2	--	--	--	--	--	--
Burglary/Trespass	0	--	--	--	--	--	--
Child Pornography	8	79	69	50.4	60	46	45.3
Commercialized Vice	2	--	--	--	--	--	--
Drug Possession	1	--	--	--	--	--	--
Drug Trafficking	212	63	55	47.3	52	36	45.8
Environmental	1	--	--	--	--	--	--
Extortion/Racketeering	3	25	12	33.1	28	15	29.4
Firearms	58	36	21	40.9	30	15	34.9
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	3	14	16	80.5	0	10	100.0
Fraud/Theft/Embezzlement	55	24	20	59.3	15	13	52.9
Immigration	132	11	7	39.4	10	5	35.4
Individual Rights	2	--	--	--	--	--	--
Kidnapping	1	--	--	--	--	--	--
Manslaughter	2	--	--	--	--	--	--
Money Laundering	19	36	41	59.1	13	16	50.0
Murder	5	165	105	37.5	156	72	22.2
National Defense	4	29	23	46.4	30	20	33.6
Obscenity/Other Sex Offenses	3	11	10	44.5	11	4	25.1
Prison Offenses	3	4	6	54.6	1	2	50.5
Robbery	15	66	27	31.5	48	22	37.8
Sexual Abuse	11	148	67	28.9	151	52	23.4
Stalking/Harassing	1	--	--	--	--	--	--
Tax	3	3	18	77.8	0	24	100.0
Other	2	--	--	--	--	--	--

¹ Of the 14,554 cases, in 575 the sentence was a downward departure from the guideline range, either due to a government motion for a departure (308) or a non-government departure (267). Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, three cases were excluded from this table. Also, three cases were excluded due to several logical criteria. Sentences greater than 470 months and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through December 31, 2023).

Table 18

**EXTENT OF DOWNWARD VARIANCES
BY TYPE OF CRIME¹**

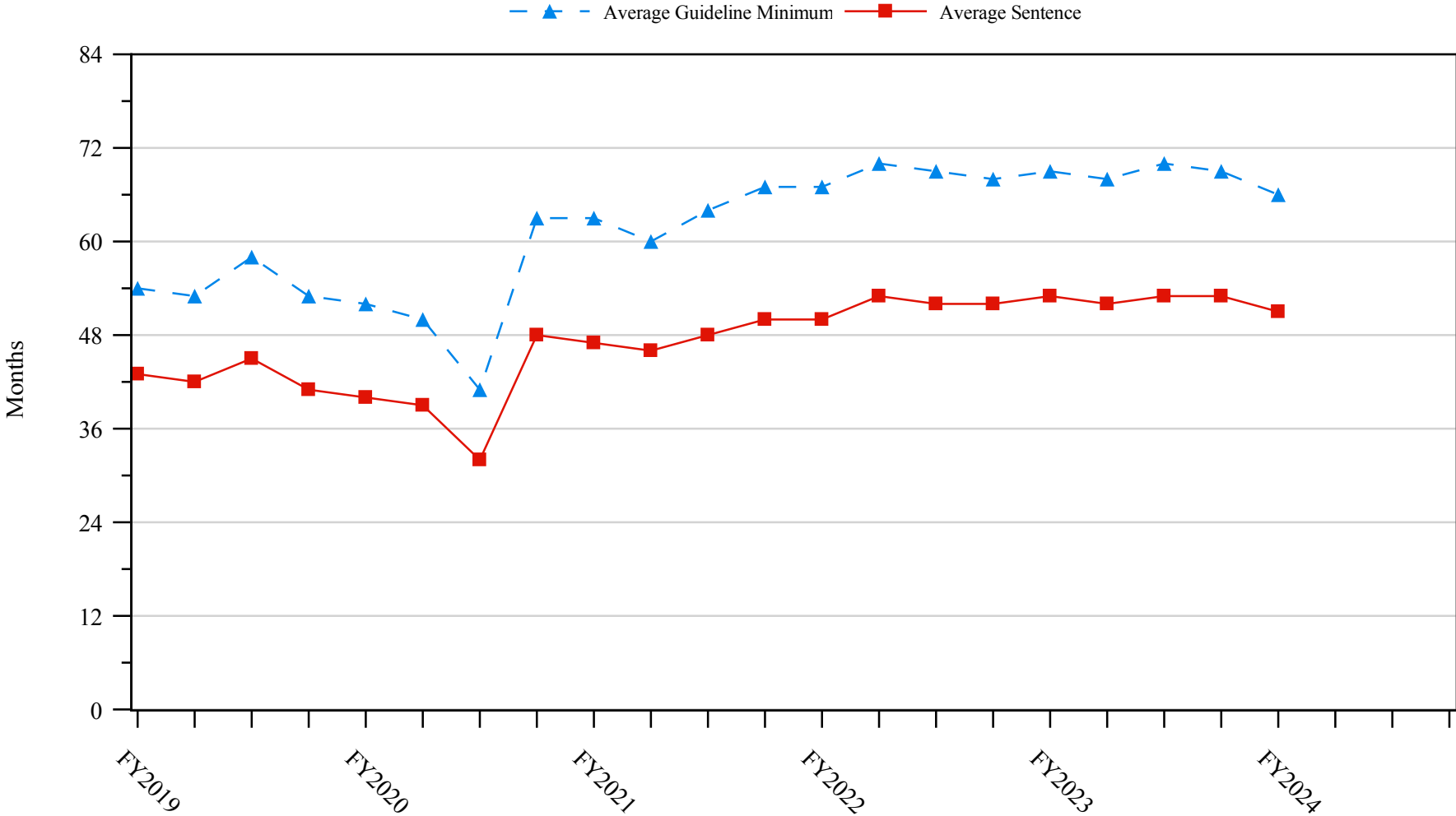
1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
TOTAL	4,220	53	29	43.9	32	16	35.1
Administration of Justice	68	9	12	67.8	2	8	67.1
Antitrust	1	--	--	--	--	--	--
Arson	5	28	20	44.3	30	18	37.7
Assault	52	44	19	37.7	25	12	33.4
Bribery/Corruption	36	17	23	58.4	12	13	60.7
Burglary/Trespass	3	11	15	53.2	12	12	51.2
Child Pornography	171	87	51	37.6	78	43	35.7
Commercialized Vice	3	5	9	79.1	0	9	99.5
Drug Possession	0	--	--	--	--	--	--
Drug Trafficking	1,741	72	40	39.8	60	27	31.8
Environmental	13	3	7	76.8	4	6	73.3
Extortion/Racketeering	10	22	11	56.5	11	10	47.1
Firearms	650	38	19	41.4	30	12	29.8
Food and Drug	1	--	--	--	--	--	--
Forgery/Counter/Copyright	11	16	13	58.5	12	12	45.5
Fraud/Theft/Embezzlement	457	18	16	59.1	10	10	55.4
Immigration	445	13	9	44.2	9	6	34.8
Individual Rights	11	31	27	49.3	24	15	52.9
Kidnapping	17	91	77	53.5	96	75	63.0
Manslaughter	3	13	12	65.6	0	6	94.5
Money Laundering	112	52	34	51.2	18	20	49.9
Murder	11	178	77	33.7	138	60	29.6
National Defense	25	32	22	48.2	18	19	40.0
Obscenity/Other Sex Offenses	41	13	9	47.8	12	7	33.3
Prison Offenses	29	9	7	47.3	8	6	40.8
Robbery	103	102	33	27.8	84	26	20.5
Sexual Abuse	114	157	58	30.0	153	54	24.4
Stalking/Harassing	17	28	14	40.5	18	12	33.3
Tax	63	8	14	66.5	6	12	66.7
Other	7	4	17	87.9	0	6	99.9

¹ Of the 14,554 cases, in 4,323 the sentence was a variance below the guideline range, either due to a government motion for a variance (1,443) or a non-government variance (2,880). Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, 47 cases were excluded from this table. Also, 56 cases were excluded due to several logical criteria. Sentences greater than 470 months and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through December 31, 2023).

Figure 5
SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA
FOR SENTENCED INDIVIDUALS¹
Fiscal Years 2019 - 2023,
1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)



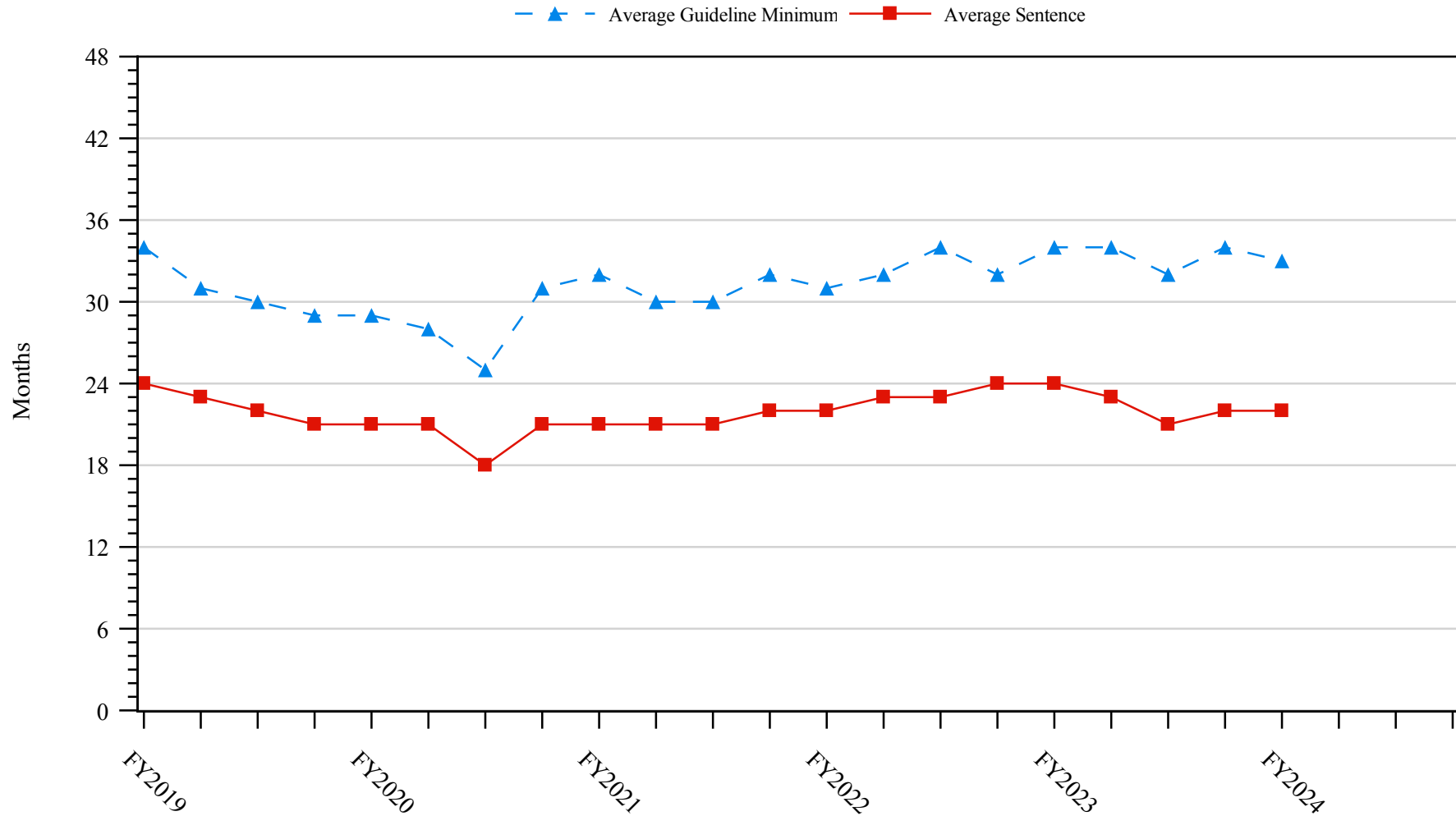
¹ Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. Cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. The information presented in this figure includes conditions 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.

SOURCE: U.S. Sentencing Commission, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through December 31, 2023).

Figure 6

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

**Fiscal Years 2019 - 2023,
1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)**

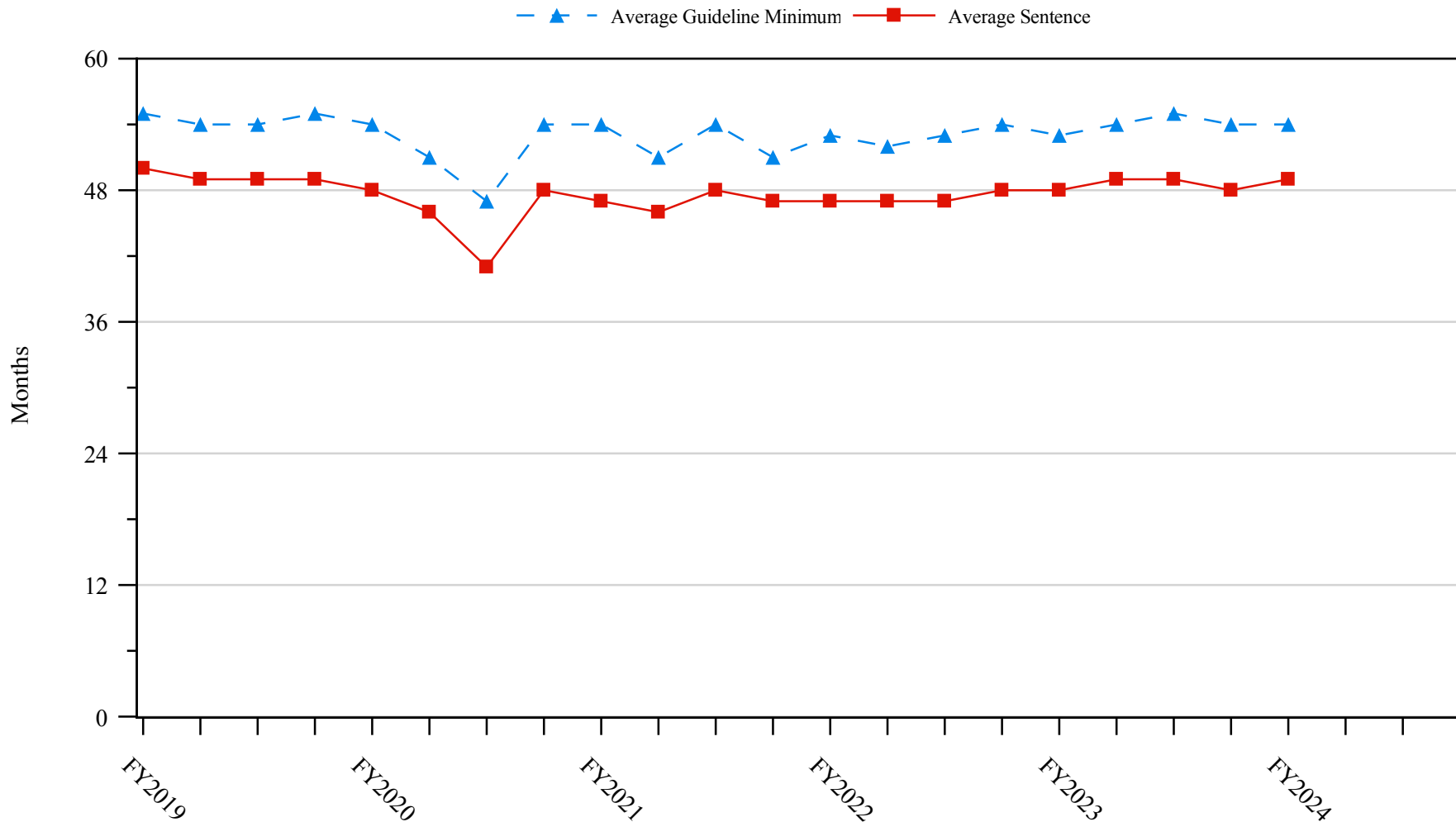


¹ Figure includes only cases with a primary sentencing guideline of USSG §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit 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. 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. The information presented in this figure includes conditions 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.

SOURCE: U.S. Sentencing Commission, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through December 31, 2023).

Figure 7

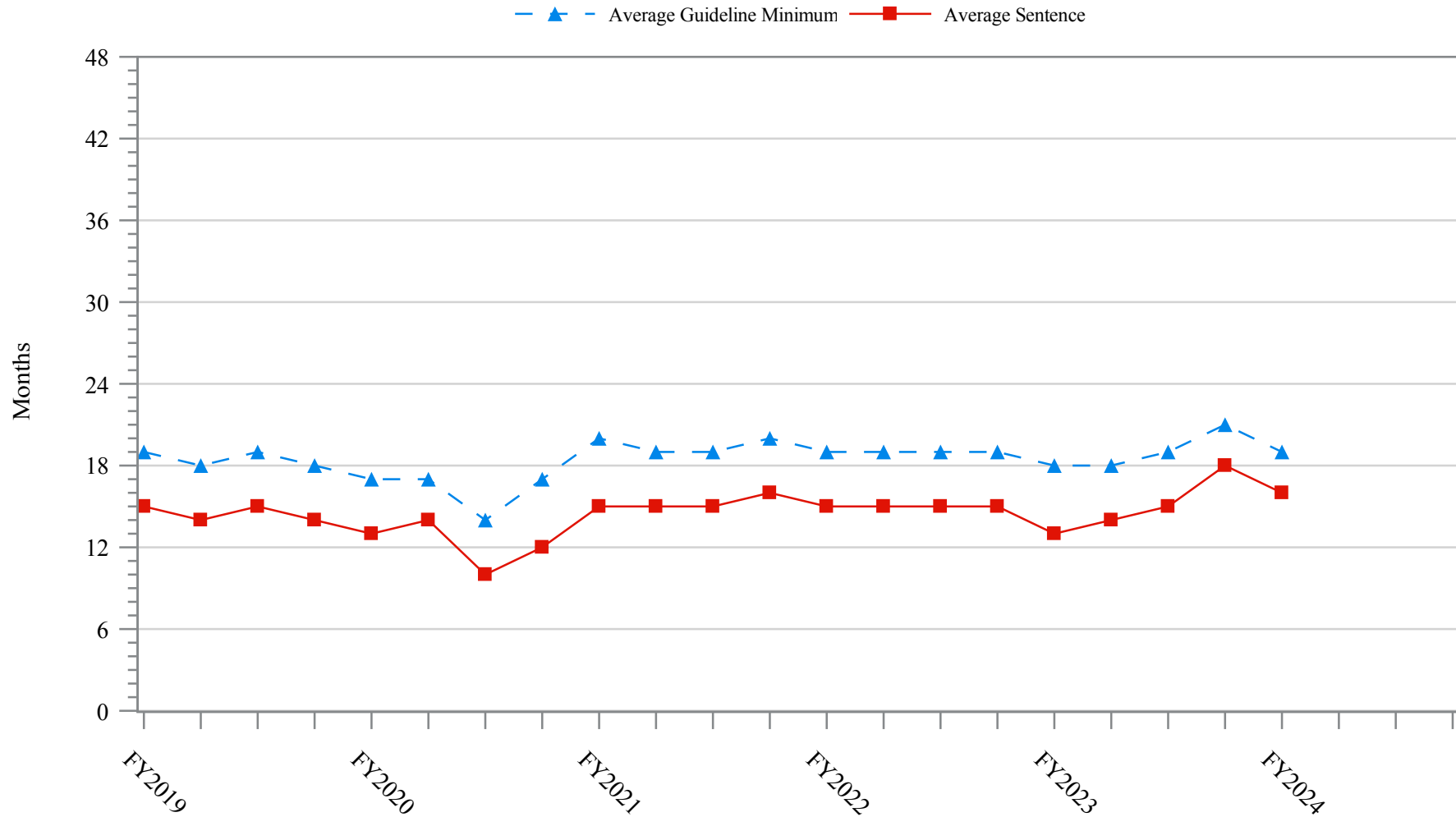
**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA
FOR INDIVIDUALS SENTENCED UNDER §2K2.1 (UNLAWFUL POSSESSION OF OR TRANSACTION IN FIREARMS)¹
Fiscal Years 2019 - 2023,
1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)**



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. 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. The information presented in this figure includes conditions 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.

SOURCE: U.S. Sentencing Commission, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through December 31, 2023).

Figure 8
SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA
FOR INDIVIDUALS SENTENCED UNDER §2L1.1(ALIEN SMUGGLING)¹
Fiscal Years 2019 - 2023,
1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)

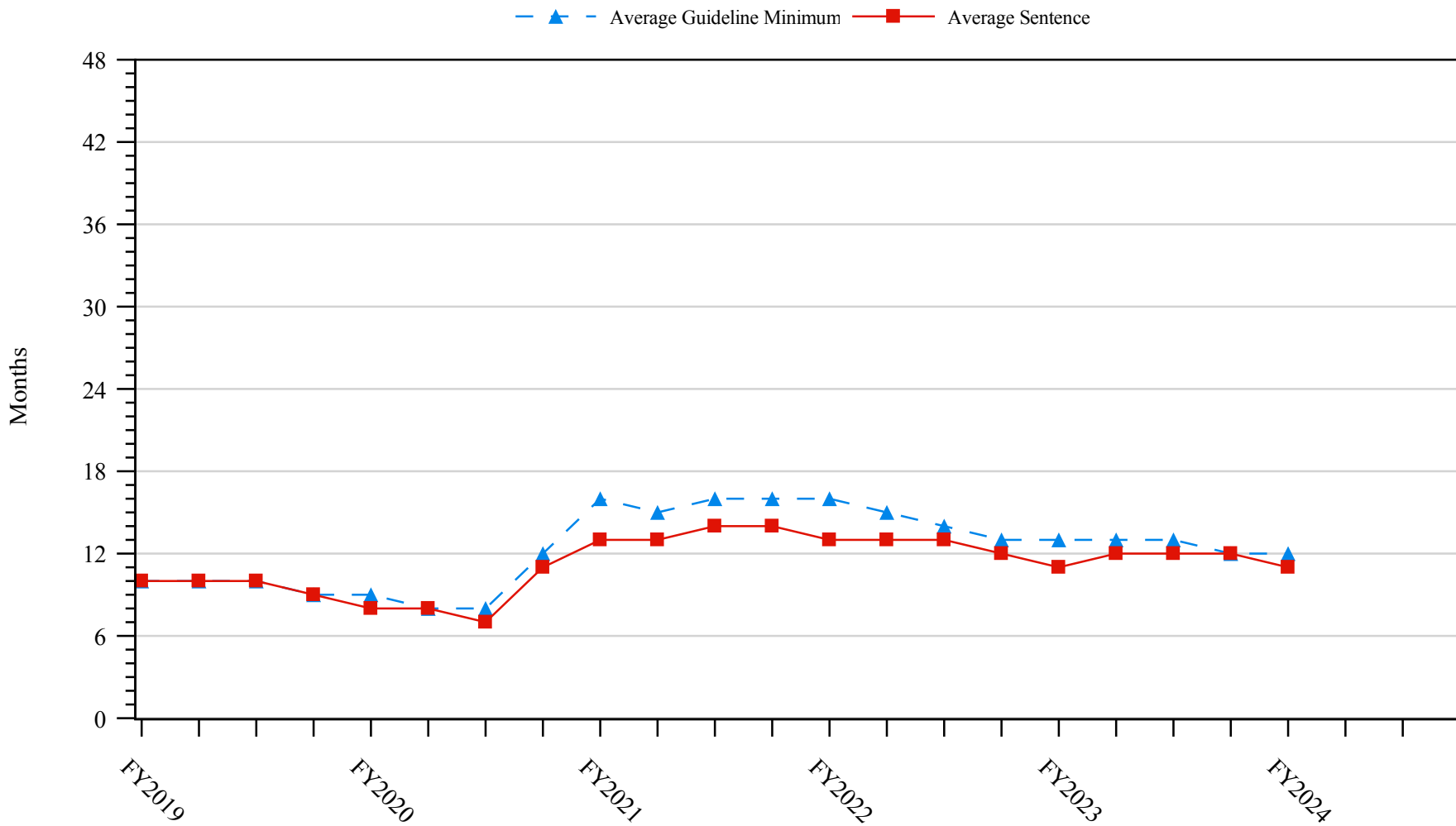


¹ Figure includes only cases with a primary sentencing guideline of USSG §2L1.1 (Smuggling, Transporting, or Harboring an Unlawful Alien). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. Cases 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. The information presented in this figure includes conditions 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.

SOURCE: U.S. Sentencing Commission, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through December 31, 2023).

Figure 9

**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA
FOR INDIVIDUALS SENTENCED UNDER §2L1.2 (UNLAWFUL ENTERING OR REMAINING IN THE UNITED STATES)¹
Fiscal Years 2019 - 2023,
1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)**

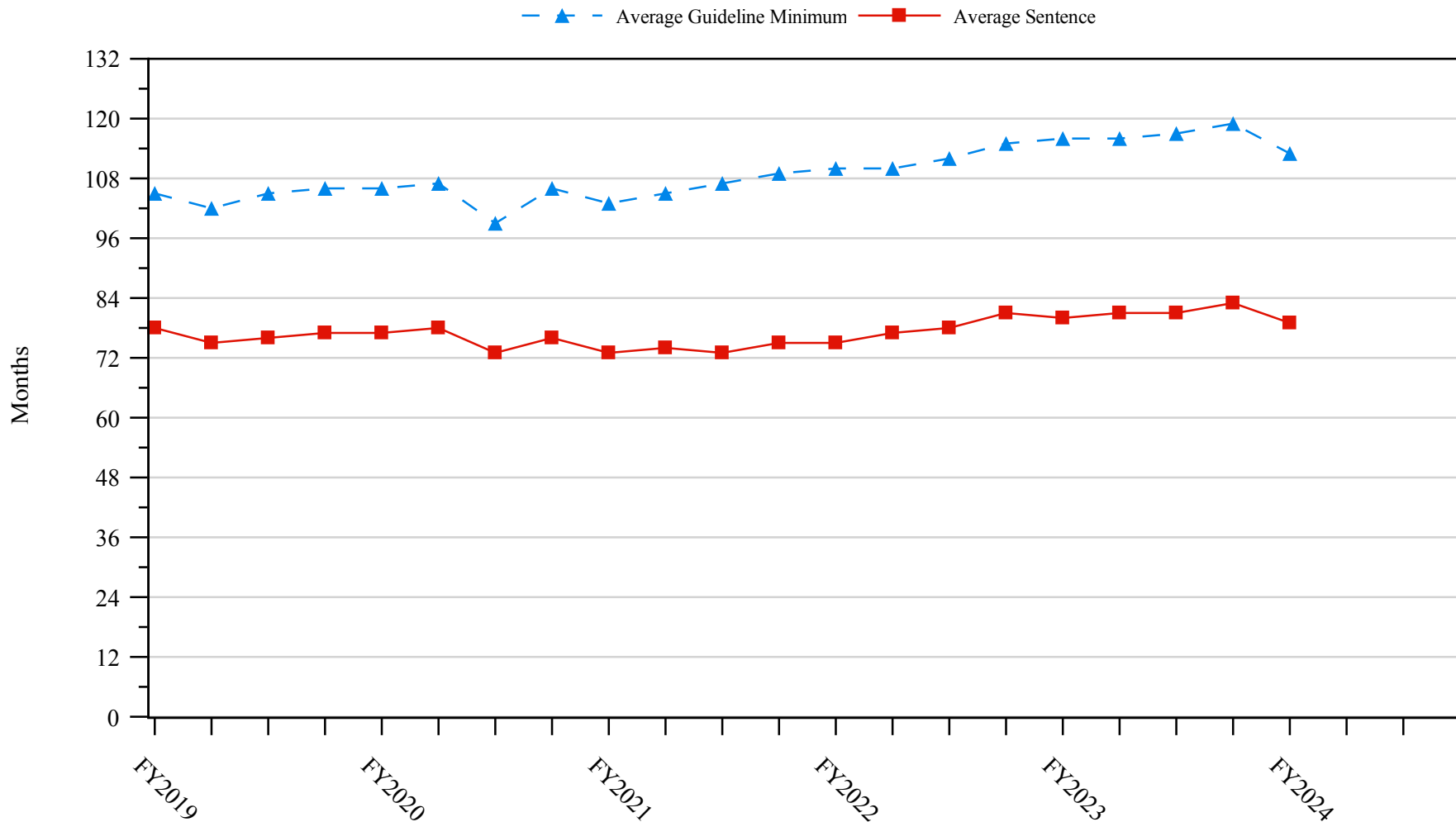


¹ Figure includes only cases with a primary sentencing guideline of USSG §2L1.2 (Unlawful Entering or Remaining in the United States). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. Cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. The information presented in this figure includes conditions 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.

SOURCE: U.S. Sentencing Commission, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through December 31, 2023).

Figure 10

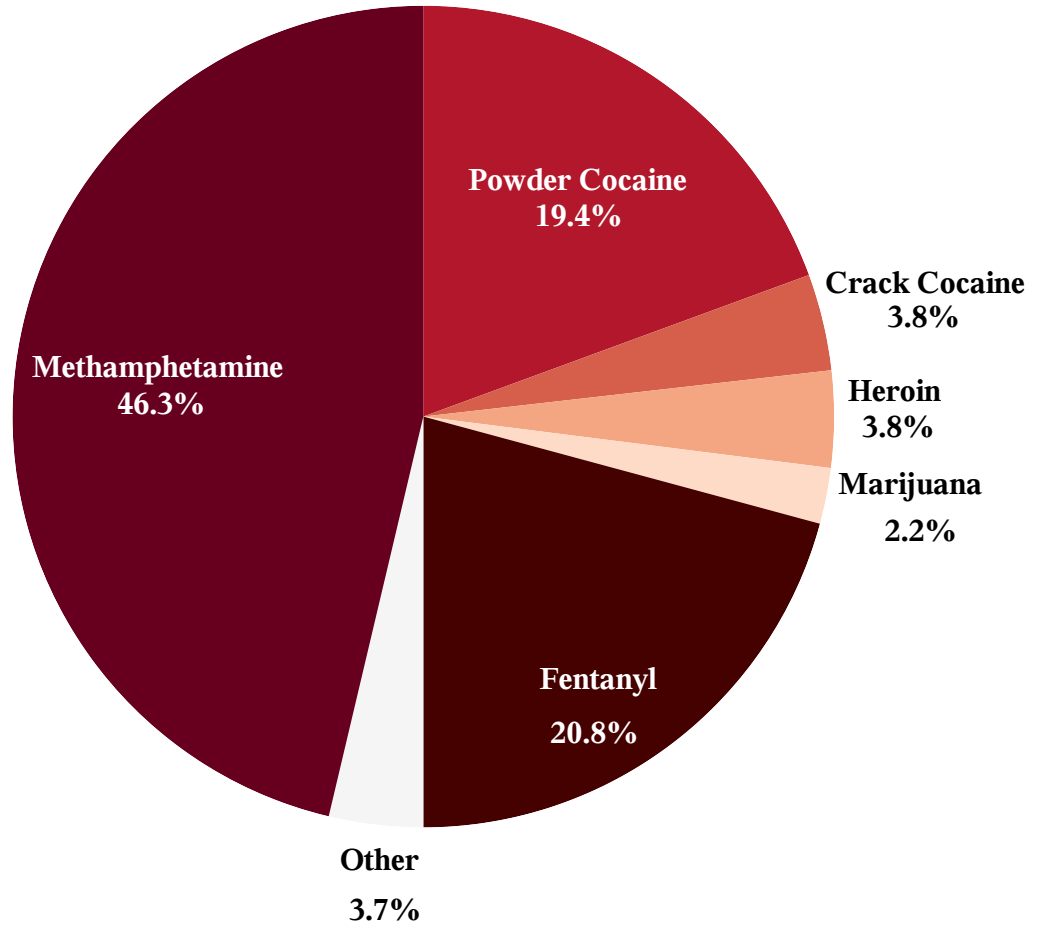
**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA
FOR INDIVIDUALS SENTENCED UNDER §2D1.1(UNLAWFUL DRUG TRAFFICKING OR MANUFACTURING)¹
Fiscal Years 2019 - 2023,
1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)**



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. 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. The information presented in this figure includes conditions 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.

SOURCE: U.S. Sentencing Commission, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through December 31, 2023).

Figure 11
DISTRIBUTION OF PRIMARY DRUG TYPE
IN FEDERAL DRUG CASES^{1,2}
1st Quarter 2024 Preliminary Cumulative Data
(October 1, 2023, through December 31, 2023)

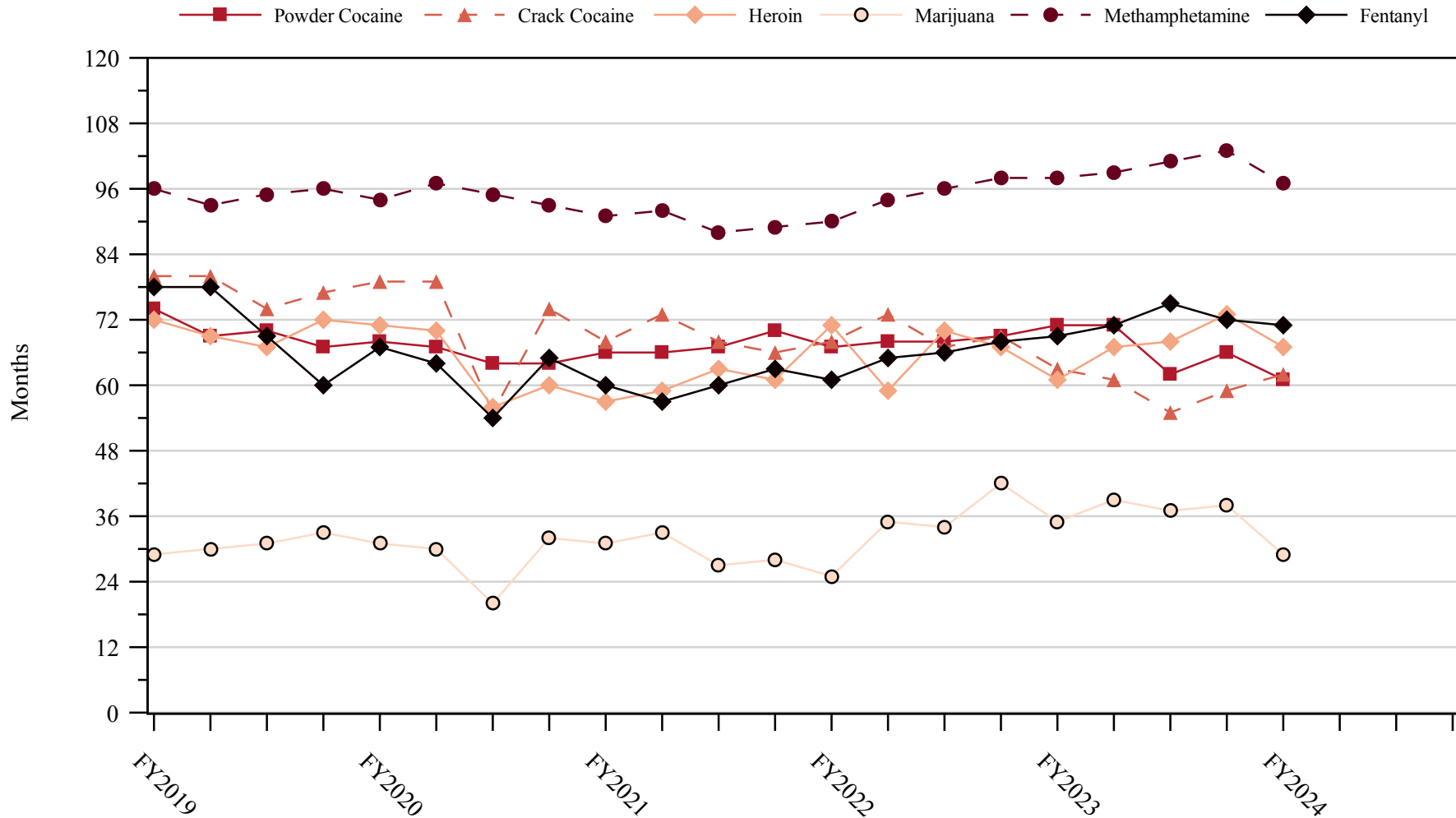


¹ Of the 14,554 cases, in 4,421 the individual was sentenced under USSG Chapter Two, Part D (Drugs). The 'Fentanyl' category includes both Fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] Propanamide) and Fentanyl Analogue. Descriptions of variables used in this figure are provided in Appendix A.

² The 'Other' drug category includes the remaining primary drug types of which the following have more than 50 cases: Oxycodone/Oxycontin (69).

SOURCE: U.S. Sentencing Commission, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through December 31, 2023).

Figure 12
SENTENCE LENGTH IN DRUG TRAFFICKING CASES
BY MAJOR DRUG TYPE QUARTERLY DATA¹
Fiscal Years 2019 - 2023,
1st Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through December 31, 2023)



¹ Only individuals sentenced under §§2D1.1 (Drug Trafficking), 2D1.2 (Protected Locations), 2D1.5 (Continuing Criminal Enterprise), 2D1.6 (Use of a Communication Facility), 2D1.8 (Rent/Manage Drug Establishment), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism) are depicted in this figure. Sentences of 470 months or greater (including life) and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this figure includes conditions of confinement as described in USSG §5C1.1. Cases missing drug type or sentencing information were also excluded. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through December 31, 2023).

Appendix A

Descriptions of Datafiles and Variables

Introduction

The Commission collects and analyzes data on federal sentences to support its various activities. As authorized by Congress, the Commission's numerous research responsibilities include (1) the establishment of a research and development program to serve as a clearinghouse and information center for the collection, preparation, and dissemination of information on federal sentencing practices; (2) the publication of data concerning the sentencing process; (3) the systematic collection and dissemination of information concerning sentences actually imposed and the relationship of such sentences to the factors set forth in section 3553(a) of title 18, United States Code; and (4) the systematic collection and dissemination of information regarding the effectiveness of sentences imposed.¹

The Commission maintains a comprehensive, computerized data collection system which forms the basis for its clearinghouse of federal sentencing information and which contributes to the agency's research mission.

Pursuant to 28 U.S.C. § 994(w), the chief judge of each district is required to ensure that within 30 days of entry of judgment in a criminal case, the sentencing court submits a report of sentence to the Commission that includes (1) the judgment and commitment order; (2) the written statement of reasons; (3) any plea agreement; (4) the indictment or other charging document; (5) the presentence report; and (6) any other information the Commission requests. Information on minor and petty offenses are not reported to the Commission as the sentencing guidelines do not apply in those cases.² Cases in which a sentence of death was imposed also are not available in this dataset for this same reason.³

Standard information on each case is extracted from sentencing documents received and computerized for analysis. 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.

Attribution Category for Sentences Outside the Range

All categories replicate the list of checkboxes available on the Statement of Reasons 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. The Commission 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, other types of Statement of Reasons forms may indicate sponsorship in writing, and these attributions are also included in the appropriate category.

¹ 28 U.S.C. §§ 995(a)(12) and (14) – (16).

² See U.S. SENTENCING COMM'N, *Guidelines Manual*, §1B1.9 (Nov. 2023).

³ See 18 U.S.C. §§ 3591-99 for the sentencing procedures that apply in death penalty cases.

Circuit

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

Citizenship Status

Information on the *Citizenship Status* of sentenced individual is obtained from the Presentence Report. Persons are categorized as one of the following: “U.S. citizen,” “resident alien,” “illegal alien,” “extradited alien,” or “non-U.S. citizen, alien status unknown.” The latter four categories are collapsed into the category of “non-U.S. citizen.”

District

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

Downward Departure

Downward Departure consists of cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part V of the Statement of Reasons form (Departures Pursuant to the Guidelines Manual). In these cases, the court may also have cited 18 U.S.C. § 3553 or factors or reasons specifically prohibited in the provisions, policy statements, or commentary of the sentencing guidelines as additional reasons. This category includes departures that result from government motions as well as from motions by the parties.

Downward Variance

Downward Variance consists of cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form (Court Determination for a Variance). This category includes variances which result from government motions as well as from motions by the defendant.

Extent of Decrease

Extent of Decrease is calculated based on the difference between the sentence length (including any months of alternative confinement as defined in USSG §5C1.1) and the guideline minimum (including any statutory trumps) for below range cases. Life imprisonment sentences and cases where the guideline minimum is zero months or life are excluded from all extent of decrease calculations due to the logical difficulty in calculating a decrease from these values. High values of the sentence are capped at 470 months for analytical purposes.

Extent of Increase

Extent of Increase is calculated based on the difference between the guideline maximum (including any statutory trumps) and the sentence length (including any months of alternative confinement as defined in USSG §5C1.1) for above range cases. Life sentences and cases where the guideline minimum is life are excluded from all extent of increase calculations due to the logical difficulty in calculating an increase from these values. High values of the sentence are capped at 470 months for analytical purposes.

Gender

Gender is obtained from the Presentence Report.

Government Motion (Variance)

Government Motion (Variance) consists of cases in which the sentence imposed was below the applicable guideline range pursuant to a government motion and for which the court cited a reason on Part VI of the Statement of Reasons (SOR) form (Court Determination for a Variance). These cases are determined by a yearly case review by Commission staff of both the reasons for the below range sentence and the coding by Commission staff of any indication of government sponsorship as indicated on the Statement of Reasons for below range cases. The SOR form has specific checkboxes to indicate the origins of the variance, but cases that do not use this form may also indicate in writing the origins of the variance. 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, waiver of indictment and/or appeal, other government motion, global disposition, due to stipulations, facilitated early release of a material witness, joint recommendation, and a large number of immigration cases. This category does not include cases with USSG §5K1.1 Substantial Assistance departures or USSG §5K3.1 Early Disposition Program (EDP) departures.

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.

Non-Government Departure

Non-Government Departure consists of cases in which the sentence imposed was outside the applicable guideline range and for which the court cited a reason on Part V of the Statement of Reasons form (Departures Pursuant to the Guidelines Manual) other than USSG §5K1.1 or USSG §5K3.1, and where the government did not initiate, propose, or stipulate to the sentence.

Non-Government Variance

Non-Government Variance consists of cases in which the sentence imposed was outside the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form (Court Determination for a Variance), and where the government did not initiate, propose, or stipulate to the sentence.

Other Government Motion (Downward Departure)

Other Government Motion is determined by a yearly case review by Commission staff of both the reasons for the below range sentence and the coding by Commission staff of any indication of government sponsorship as indicated on the Statement of Reasons for below range cases. The SOR form has specific checkboxes 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, waiver of indictment and/or appeal, other government motion, global disposition, due to stipulations, facilitated early release of a material witness, joint recommendation, and a large number of immigration cases. This category does not include cases with USSG §5K1.1 Substantial Assistance departures or USSG §5K3.1 Early Disposition Program (EDP) departures.

Primary Drug Type

Information on *Primary 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 an offense under title 21 of the United States Code 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 *Fentanyl* includes cases in which the drug involved is Fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] Propanamide) and cases in which the court determined the substance involved to be a Fentanyl analogue, as defined in the *Guidelines Manual*. 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 trafficking guideline other than USSG §2D1.11 (for example ephedrine and pseudoephedrine). All drug types not listed separately in this report are collapsed into the “Other” drug category.

Primary Guideline

When more than one sentencing guideline is applied in a case, the *Primary Guideline* is the guideline that has the highest adjusted offense level (this includes the Base Offense Level, all applicable Specific Offense Characteristics, and Chapter Three Adjustments prior to the application of Multiple Count Units).

Race

Information on *Race* 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 indicates whether a sentenced individual is of Hispanic origin. For purposes of this report, individuals whose ethnic background is designated as Hispanic are represented as Hispanic in all tables regardless of racial background. The *Other* race category includes individuals of Native American or Alaskan Native, Asian or Pacific Islander, Multiracial, and "Other" origin.

Sentence Imposed or Sentence Length

Sentence Imposed or *Sentence Length* reports the mean and median terms of the sentence imposed in months. It also includes any time served amounts and imprisonment under USSG §5G1.3. This information is obtained from the Judgment and Commitment Order. Mean and median sentence lengths are rounded to the nearest month. Probation sentences are included as zero months. Any portion of a sentence that 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. When sentences are expressed as "time served" on the Judgment and Commitment Order, Commission staff uses the dates in federal custody to determine the length of time served when an individual has been in custody the entire time. If the individual has been in and out of custody, or the start date is unclear/missing, then the Commission assigns a value of one day as a minimal time served amount for these cases. 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 individuals sentenced for federal offenses given the average age of those person. Sentences of greater than 470 months are also reported as 470 months. The footnote in the relevant tables and figures indicates when this occurs.

Sentenced Individuals

Each *Sentenced Individual* or case, as recorded by the Commission, involves a single sentencing event for a single person. Multiple counts of conviction, including counts of conviction charged on multiple indictments, are considered a single sentencing event if a single sentence was imposed for the counts on the same day at the same time by the same judge. An individual may account for more than one case if the person was involved in more than one sentencing event during the fiscal year. Data on co-defendants in the same sentencing will appear as separate cases.

Sentence Type

Using sentencing information obtained from the Judgment and Commitment Order, the *Total Receiving Imprisonment* category includes the number of individuals sentenced (and percent of *Total Cases*) who received a commitment to the Bureau of Prisons. This category is the sum of cases in *Prison Only* and the *Prison and Alternatives* categories.

The *Total Receiving Probation* category includes the number of individuals 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 category is the sum of *Probation Only* and *Probation and Alternatives* categories.

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

The *Prison and Alternatives* category includes all cases in which individuals 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 *Probation Only* category includes the number of individuals who received a term of probation without a condition of community confinement, intermittent confinement, or home detention.

The *Probation and Alternatives* category includes the number of individuals who received a term of probation with a condition of community confinement, intermittent confinement, or home detention.

The *Fine Only* category includes the number of individuals who received no prison, no probation, and no time of alternative confinement as defined in USSG §5C1.1. Most of these sentenced individuals received a fine and/or a special assessment.

Sentences Under the Guidelines Manual

This category includes individuals whose sentences are determined to be either within the guideline range or outside the guideline range and for which the court cited a reason on Part V of the Statement of Reasons form (Departures Pursuant to the Guidelines Manual). In these cases, the court may also have cited 18 U.S.C. § 3553 or factors or reasons specifically prohibited in the provisions, policy statements, or commentary of the sentencing guidelines as additional reasons. This category includes departures which result from government motions as well as from motions by the sentenced individual.

Type of Crime

Information on *Type of Crime* is obtained from the primary guideline detailed in the Presentence Report. If the primary guideline is an “attempt/conspiracy” guideline such as USSG §2X1.1, then the underlying guideline is used to determine the type of crime category. If there is no primary guideline provided, then information about the type of crime category is obtained from the statutes of conviction listed on the Judgment and Commitment Order. When the “type of crime” for the case is determined from the statutes of conviction, the offense applicable to the count of conviction with the highest statutory maximum becomes the “type of crime.” If two or more counts are found to have the same statutory maximum, the “type of crime” 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 “type of crime” that best represented the nature of the criminal behavior is chosen. For convenience in analysis, a summary variable describing “type of crime” is derived. This is generated by grouping similar primary offenses into a smaller set of categories. Note that the crime categories differ between the individual and organizational datafiles. Listed below are the type of crimes that are grouped into each of the crime categories used in the individual datafile tables for this report:

Administration of Justice includes obstructing or impeding officers, contempt, obstruction of justice, perjury or subornation of perjury, bribery of a witness, impersonation, failure to appear by defendant, failure to appear by material witness, commission of offense while on release, payment of witness, and misprision of a felony. This category includes persons sentenced under §§2A2.4, 2J1.1, 2J1.2, 2J1.3, 2J1.4, 2J1.6, 2J1.9, and 2X4.1 of the *Guidelines Manual*.

Antitrust includes bid-rigging, price-fixing, and market allocation agreement. This category includes individuals sentenced under §2R1.1 of the *Guidelines Manual*.

Arson includes property damage by explosives and use of fire or explosives to commit a federal felony. This category includes persons sentenced under §§2K1.4 and 2K1.7 (deleted) of the *Guidelines Manual*.

Assault includes attempt to commit murder, assault with intent to murder, threatening communication, aggravated assault, minor assault, and conspiracy that includes assault with attempt to murder. This category includes persons sentenced under §§2A2.1, 2A2.2, and 2A2.3 of the *Guidelines Manual*.

Bribery/Corruption includes offenses involving public officials and violations of federal election campaign laws, bribe involving officials, bribery — bank loan/commercial, loan or gratuity to bank examiner, *etc.*, gratuity involving officials, bribe or gratuity affecting employee plan, conflict of interest, payment or receipt of unauthorized compensation, and making, receiving, or failing to report a contribution, donation, or expenditure in violation of the Federal Election Campaign Act. This category includes persons sentenced under §§2B4.1, 2C1.1, 2C1.2, 2C1.3, 2C1.4 (deleted), 2C1.5, 2C1.6 (deleted), 2C1.7 (deleted), and 2C1.8 of the *Guidelines Manual*.

Burglary/Trespass includes burglary of a residence and burglary of a structure other than a residence, post office burglary, burglary of DEA premises (pharmacy), bank burglary, and trespass. This category includes persons sentenced under §§2B2.1, 2B2.2 (deleted), and 2B2.3 of the *Guidelines Manual*.

Child Pornography includes the receipt or possession of materials involving the sexual exploitation of minors. This category includes persons sentenced under §§2G2.2 and 2G2.4 (deleted) of the *Guidelines Manual*.

Commercialized Vice includes gambling, animal fighting, and prostitution offenses. This category includes persons sentenced under §2G1.1 where the court did NOT apply a Base Offense Level of 34, and all individuals sentenced under §§2E3.1, 2E3.2 (deleted), and 2E3.3 (deleted) of the *Guidelines Manual*.

Drug Possession includes simple possession of all drug types. This category includes persons sentenced under §2D2.1 of the *Guidelines Manual*.

Drug Trafficking includes 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, establish/rent drug operation, endangering human life while manufacturing, and narco-terrorism. This category includes persons sentenced under §§2D1.1, 2D1.2, 2D1.5, 2D1.6, 2D1.8, 2D1.10, and 2D1.14 of the *Guidelines Manual*.

Environmental includes waste discharge; specially protected fish, wildlife, and plants; recordkeeping; tampering; and falsification; tampering with a public water system; mishandling of environmental pollutants; and hazardous devices on federal lands. This category includes persons sentenced under §§2K3.1 (deleted), 2Q1.1, 2Q1.2, 2Q1.3, 2Q1.4, 2Q1.5 (deleted), 2Q1.6, 2Q2.1, and 2Q2.2 (deleted) of the *Guidelines Manual*.

Extortion/Racketeering includes extortion by force, or threat of injury or serious damage, extortionate extension of credit, blackmail, Hobbs Act extortion, travel in aid of racketeering, crime relating to racketeering, and violent crimes in aid of racketeering, unlawful conduct relating to contraband cigarettes, and labor racketeering. This category includes persons sentenced under §§2B3.2, 2B3.3, 2E1.1, 2E1.2, 2E1.3, 2E1.4, 2E1.5 (deleted), 2E2.1, 2E4.1, 2E5.1, 2E5.2 (deleted), 2E5.3, 2E5.4 (deleted), 2E5.5 (deleted), and 2E5.6 (deleted) of the *Guidelines Manual*.

Firearms includes unlawful receipt/possession/transportation of firearms, ammunition, or explosive material; prohibited transactions involving 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; use of firearms or ammunition during crime; improper storage of explosive materials; and failure to report theft of explosive materials. This category includes persons sentenced under §§2K1.1, 2K1.2, 2K1.3, 2K1.5, 2K1.6, 2K2.1, 2K2.2, 2K2.3, 2K2.4, 2K2.5, 2K2.6, and 2K3.2 of the *Guidelines Manual*.

Food and Drug includes tampering with risk of death or injury, providing false information or tampering with products, tampering to injure business, odometer laws and regulations, and violation of regulations involving food, drugs, etc. This category includes persons sentenced under §§2N1.1, 2N1.2, 2N1.3, 2N2.1, and 2N3.1 of the *Guidelines Manual*.

Forgery/Counterfeiting/Copyright includes counterfeit bearer obligations and forgery/counterfeit (non-bearer obligations) as well as criminal infringement of copyright or trademark. This category includes persons sentenced under §§2B5.1, 2B5.2 (deleted), 2B5.3, and 2B5.4 (deleted) of the *Guidelines Manual*.

Fraud/Theft/Embezzlement includes fraud and deceit, embezzlement — property, embezzlement from labor unions, embezzlement — mail/post office, embezzlement from benefit plans, bank embezzlement, bank larceny, theft from benefit plans, other theft — mail/post office, receipt/possession of stolen property, theft from labor union, theft or damage to cultural heritage resources, insider trading, and aggravated identity theft. This category includes persons sentenced under §§2B1.1, 2B1.2 (deleted), 2B1.3 (deleted), 2B1.4, 2B1.5, 2B1.6, 2F1.1 (deleted), and 2F1.2 (deleted) of the *Guidelines Manual*.

Immigration includes trafficking in U.S. passports, trafficking in entry documents, failure to surrender naturalization certificate, fraudulently acquiring U.S. passports, smuggling, transporting, or harboring an unlawful alien, fraudulently acquiring entry documents, and unlawfully entering or remaining in the U.S. This category includes persons sentenced under §§2L1.1, 2L1.2, 2L1.3 (deleted), 2L2.1, 2L2.2, 2L2.3 (deleted), 2L2.4 (deleted), and 2L2.5 of the *Guidelines Manual*.

Individual 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. This category includes persons sentenced under §§2H1.1, 2H1.2 (deleted), 2H1.3 (deleted), 2H1.4 (deleted), 2H1.5 (deleted), 2H2.1, 2H3.1, 2H3.2, 2H3.3, 2H4.1, and 2H4.2 of the *Guidelines Manual*.

Kidnapping includes hostage and ransom taking, abduction, unlawful restraint, and aircraft piracy. This category includes persons sentenced under §§2A4.1, 2A4.2, and 2A5.1 of the *Guidelines Manual*.

Manslaughter includes both involuntary and voluntary manslaughter. This category includes persons sentenced under §§2A1.3 and 2A1.4 of the *Guidelines Manual*.

Money Laundering includes laundering of monetary instruments, monetary transaction from unlawful activity, failure to file currency report, and failure to report monetary transactions. This category includes persons sentenced under §§2S1.1, 2S1.2 (deleted), 2S1.3, and 2S1.4 (deleted) of the *Guidelines Manual*.

Murder includes first degree murder, second degree murder, and conspiracy or solicitation to commit murder. This category includes persons sentenced under §§2A1.1, 2A1.2, and 2A1.5 of the *Guidelines Manual*.

National Defense includes treason, sabotage, espionage, evasion of military service, prohibited financial transactions and exports, providing material support to designated foreign terrorist organizations, nuclear, biological, and chemical weapons, and weapons of mass destruction. This category includes persons sentenced under §§2M1.1, 2M2.1, 2M2.2 (deleted), 2M2.3, 2M2.4 (deleted), 2M3.1, 2M3.2, 2M3.3, 2M3.4, 2M3.5, 2M3.6

(deleted), 2M3.7 (deleted), 2M3.8 (deleted), 2M3.9, 2M4.1, 2M5.1, 2M5.2, 2M5.3, 2M6.1, and 2M6.2 of the *Guidelines Manual*.

Obscenity/Other Sex Offenses includes failure to register as a sex offender, recordkeeping offenses involving production of sexually explicit material, and importing, mailing, transporting, or broadcasting obscene material. This category includes persons sentenced under §§2A3.5, 2A3.6, 2G2.5, 2G3.1, and 2G3.2 of the *Guidelines Manual*.

Prison Offenses includes contraband in prisons, riots in federal facilities, and escape. This category includes persons sentenced under §§2P1.1, 2P1.2, 2P1.3, and 2P1.4 (deleted) of the *Guidelines Manual*.

Robbery includes bank robbery, Hobbs Act robbery, post office robbery, other robbery, and carjacking. This category includes persons sentenced under §2B3.1 of the *Guidelines Manual*.

Sexual Abuse includes criminal sexual abuse, sexual abuse of a minor, sexual abuse of a ward, abusive sexual contact, transportation of minor for sex, sex trafficking of children, sex trafficking of adults by force, fraud or coercion, child pornography production, and child exploitation enterprises. This category includes persons sentenced under §2G1.1 who received a Base Offense Level of 34, and all individuals sentenced under §§2A3.1, 2A3.2, 2A3.3, 2A3.4, 2G1.2 (deleted), 2G1.3, 2G2.1, 2G2.3, and 2G2.6 of the *Guidelines Manual*.

Stalking/Harassing includes threatening or harassing communications, hoaxes, false liens, stalking, and domestic violence. This category includes persons sentenced under §§2A6.1 and 2A6.2 of the *Guidelines Manual*.

Tax includes non-payment of taxes, conspiracy to avoid taxes, offenses relating to withholding statements, aiding or advising tax fraud, failing to collect or truthfully account for and pay over taxes, failing to deposit collected taxes in required accounts after notice, alcohol and tobacco tax offenses, and customs taxes. This category includes persons sentenced under §§2T1.1, 2T1.2 (deleted), 2T1.3 (deleted), 2T1.4, 2T1.5 (deleted), 2T1.6, 2T1.7, 2T1.8, 2T1.9, 2T2.1, 2T2.2, 2T3.1, and 2T3.2 (deleted) of the *Guidelines Manual*.

Other Miscellaneous Offenses includes interference with a flight crew, unlawful sale, transportation, possession, manufacturing, or importation of drug paraphernalia, distributing, importing, or exporting listed chemicals, evading reporting or recordkeeping requirements involving chemicals, acquiring a controlled substance by fraud or forgery, border tunnels and subterranean passages, and all other felony and miscellaneous offenses not previously listed in any of the other categories or covered by specific guidelines. This category includes persons sentenced under §§2A5.2, 2D1.7, 2D1.11, 2D1.12, 2D1.13, 2D2.2, 2D2.3, 2D3.1, 2X5.1, 2X5.2, and 2X7.1 of the *Guidelines Manual*. In addition, this category includes persons sentenced under §§2X1.1, 2X2.1, 2X3.1, 2X6.1, and 2X7.2 of the *Guidelines Manual* if no underlying guideline was provided.

Upward Departure

Upward Departure consists of cases in which the sentence imposed was above the applicable guideline range and for which the court cited a reason on Part V of the Statement of Reasons form (Departures Pursuant to the Guidelines Manual). In these cases, the court may also have cited 18 U.S.C. § 3553 or factors or reasons specifically prohibited in the provisions, policy statements, or commentary of the sentencing guidelines as additional reasons. This category includes departures which result from government motions as well as from motions by the parties.

Upward Variance

Upward Variance consists of cases in which the sentence imposed was above the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form (Court Determination for a Variance). This category includes variances which result from government motions as well as from motions by the defendant.

Within Guideline Range

Cases are classified in this category when the sentence is within both the guideline range and within the statutory minimum and maximum. The sentence must meet minimum zone requirements as well. In rare instances when a very small departure or variance is granted, but the sentence is still within the original guideline range, the sentence is reported as within range.

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 individual was sentenced.