

# United States Sentencing Commission



## *Statistical Information Packet*

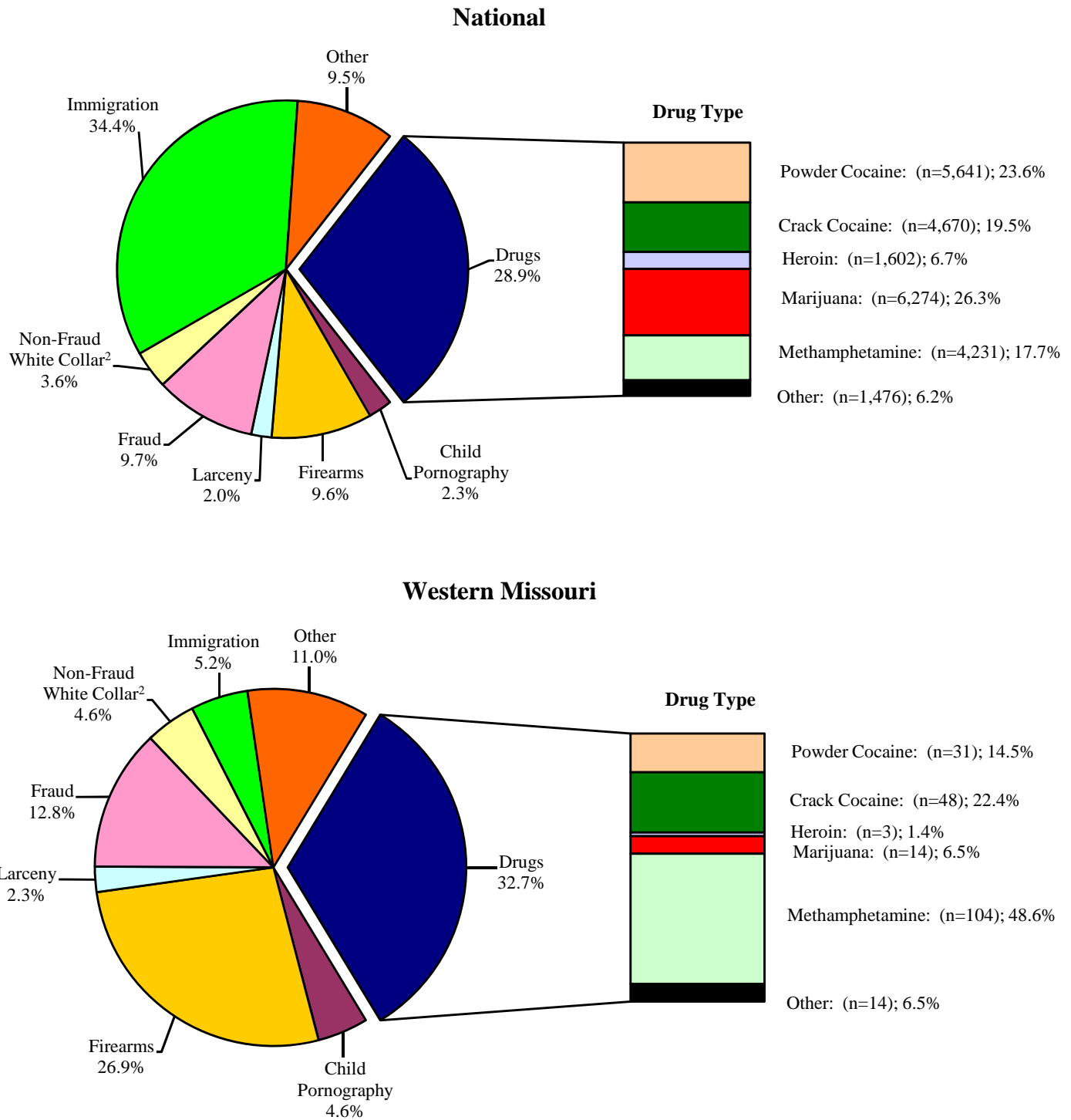
*Fiscal Year 2010*

*Western District of Missouri*

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**Figure A**  
**OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**Fiscal Year 2010**



<sup>1</sup> Of the 83,946 guideline cases, 1,149 cases were excluded due to missing drug type.  
 Of the 659 guideline cases from the Western District of Missouri, four cases were excluded due to missing drug type.

<sup>2</sup> The Non-Fraud White Collar category includes the following offense types: embezzlement, forgery/counterfeiting, bribery, money laundering, and tax.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, OPAFY10.

**Table 1**

**DISTRIBUTION OF GUIDELINE OFFENDERS IN EACH  
PRIMARY OFFENSE CATEGORY  
Fiscal Year 2010**

| PRIMARY OFFENSE                    | National      |              | Western Missouri |              |
|------------------------------------|---------------|--------------|------------------|--------------|
|                                    | N             | %            | N                | %            |
| <b>TOTAL</b>                       | <b>83,946</b> | <b>100.0</b> | <b>659</b>       | <b>100.0</b> |
| Murder                             | 66            | 0.1          | 2                | 0.3          |
| Manslaughter                       | 64            | 0.1          | 0                | 0.0          |
| Kidnapping/Hostage Taking          | 39            | 0.0          | 0                | 0.0          |
| Sexual Abuse                       | 384           | 0.5          | 9                | 1.4          |
| Assault                            | 631           | 0.8          | 3                | 0.5          |
| Robbery                            | 1,081         | 1.3          | 17               | 2.6          |
| Arson                              | 75            | 0.1          | 4                | 0.6          |
| Drugs - Trafficking                | 23,506        | 28.0         | 213              | 32.3         |
| Drugs - Communication Facility     | 512           | 0.6          | 1                | 0.2          |
| Drugs - Simple Possession          | 1,025         | 1.2          | 4                | 0.6          |
| Firearms                           | 7,986         | 9.5          | 176              | 26.7         |
| Burglary/B&E                       | 36            | 0.0          | 0                | 0.0          |
| Auto Theft                         | 91            | 0.1          | 1                | 0.2          |
| Larceny                            | 1,621         | 1.9          | 15               | 2.3          |
| Fraud                              | 8,067         | 9.6          | 84               | 12.7         |
| Embezzlement                       | 435           | 0.5          | 6                | 0.9          |
| Forgery/Counterfeiting             | 880           | 1.0          | 5                | 0.8          |
| Bribery                            | 224           | 0.3          | 0                | 0.0          |
| Tax                                | 665           | 0.8          | 12               | 1.8          |
| Money Laundering                   | 806           | 1.0          | 7                | 1.1          |
| Racketeering/Extortion             | 675           | 0.8          | 4                | 0.6          |
| Gambling/Lottery                   | 76            | 0.1          | 2                | 0.3          |
| Civil Rights                       | 61            | 0.1          | 0                | 0.0          |
| Immigration                        | 28,504        | 34.0         | 34               | 5.2          |
| Child Pornography                  | 1,886         | 2.2          | 30               | 4.6          |
| Prison Offenses                    | 424           | 0.5          | 2                | 0.3          |
| Administration of Justice Offenses | 1,157         | 1.4          | 6                | 0.9          |
| Environmental/Wildlife             | 188           | 0.2          | 5                | 0.8          |
| National Defense                   | 70            | 0.1          | 0                | 0.0          |
| Antitrust                          | 16            | 0.0          | 0                | 0.0          |
| Food & Drug                        | 84            | 0.1          | 3                | 0.5          |
| Other Miscellaneous Offenses       | 2,611         | 3.1          | 14               | 2.1          |

Of the 83,946 guideline cases, no cases were excluded due to missing information on primary offense category.

Of the 659 guideline cases from the Western District of Missouri, no case was excluded.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, OPAFY10.

Table 2

**GUILTY PLEAS AND TRIALS IN EACH CIRCUIT AND DISTRICT  
Fiscal Year 2010**

| CIRCUIT<br>District   | TOTAL         | PLEA          |             | TRIAL        |            |
|-----------------------|---------------|---------------|-------------|--------------|------------|
|                       |               | N             | %           | N            | %          |
| <b>TOTAL</b>          | <b>83,941</b> | <b>81,217</b> | <b>96.8</b> | <b>2,724</b> | <b>3.2</b> |
| <b>D.C. CIRCUIT</b>   | <b>394</b>    | <b>370</b>    | <b>93.9</b> | <b>24</b>    | <b>6.1</b> |
| District of Columbia  | 394           | 370           | 93.9        | 24           | 6.1        |
| <b>FIRST CIRCUIT</b>  | <b>1,889</b>  | <b>1,780</b>  | <b>94.2</b> | <b>109</b>   | <b>5.8</b> |
| Maine                 | 169           | 159           | 94.1        | 10           | 5.9        |
| Massachusetts         | 449           | 415           | 92.4        | 34           | 7.6        |
| New Hampshire         | 231           | 222           | 96.1        | 9            | 3.9        |
| Puerto Rico           | 881           | 833           | 94.6        | 48           | 5.4        |
| Rhode Island          | 159           | 151           | 95.0        | 8            | 5.0        |
| <b>SECOND CIRCUIT</b> | <b>4,399</b>  | <b>4,191</b>  | <b>95.3</b> | <b>208</b>   | <b>4.7</b> |
| Connecticut           | 428           | 406           | 94.9        | 22           | 5.1        |
| New York              |               |               |             |              |            |
| Eastern               | 1,176         | 1,095         | 93.1        | 81           | 6.9        |
| Northern              | 515           | 494           | 95.9        | 21           | 4.1        |
| Southern              | 1,435         | 1,361         | 94.8        | 74           | 5.2        |
| Western               | 667           | 658           | 98.7        | 9            | 1.3        |
| Vermont               | 178           | 177           | 99.4        | 1            | 0.6        |
| <b>THIRD CIRCUIT</b>  | <b>2,954</b>  | <b>2,766</b>  | <b>93.6</b> | <b>188</b>   | <b>6.4</b> |
| Delaware              | 131           | 120           | 91.6        | 11           | 8.4        |
| New Jersey            | 818           | 791           | 96.7        | 27           | 3.3        |
| Pennsylvania          |               |               |             |              |            |
| Eastern               | 936           | 850           | 90.8        | 86           | 9.2        |
| Middle                | 495           | 463           | 93.5        | 32           | 6.5        |
| Western               | 498           | 477           | 95.8        | 21           | 4.2        |
| Virgin Islands        | 76            | 65            | 85.5        | 11           | 14.5       |
| <b>FOURTH CIRCUIT</b> | <b>6,833</b>  | <b>6,458</b>  | <b>94.5</b> | <b>375</b>   | <b>5.5</b> |
| Maryland              | 794           | 734           | 92.4        | 60           | 7.6        |
| North Carolina        |               |               |             |              |            |
| Eastern               | 766           | 727           | 94.9        | 39           | 5.1        |
| Middle                | 552           | 528           | 95.7        | 24           | 4.3        |
| Western               | 502           | 471           | 93.8        | 31           | 6.2        |
| South Carolina        | 1,250         | 1,197         | 95.8        | 53           | 4.2        |
| Virginia              |               |               |             |              |            |
| Eastern               | 2,072         | 1,941         | 93.7        | 131          | 6.3        |
| Western               | 369           | 348           | 94.3        | 21           | 5.7        |
| West Virginia         |               |               |             |              |            |
| Northern              | 286           | 278           | 97.2        | 8            | 2.8        |
| Southern              | 242           | 234           | 96.7        | 8            | 3.3        |

| CIRCUIT<br>District    | TOTAL         | PLEA          |             | TRIAL      |            |
|------------------------|---------------|---------------|-------------|------------|------------|
|                        |               | N             | %           | N          | %          |
| <b>FIFTH CIRCUIT</b>   | <b>20,623</b> | <b>20,267</b> | <b>98.3</b> | <b>356</b> | <b>1.7</b> |
| Louisiana              |               |               |             |            |            |
| Eastern                | 414           | 400           | 96.6        | 14         | 3.4        |
| Middle                 | 202           | 190           | 94.1        | 12         | 5.9        |
| Western                | 397           | 357           | 89.9        | 40         | 10.1       |
| Mississippi            |               |               |             |            |            |
| Northern               | 172           | 156           | 90.7        | 16         | 9.3        |
| Southern               | 332           | 322           | 97.0        | 10         | 3.0        |
| Texas                  |               |               |             |            |            |
| Eastern                | 848           | 827           | 97.5        | 21         | 2.5        |
| Northern               | 931           | 877           | 94.2        | 54         | 5.8        |
| Southern               | 8,494         | 8,393         | 98.8        | 101        | 1.2        |
| Western                | 8,833         | 8,745         | 99.0        | 88         | 1.0        |
| <b>SIXTH CIRCUIT</b>   | <b>5,622</b>  | <b>5,424</b>  | <b>96.5</b> | <b>198</b> | <b>3.5</b> |
| Kentucky               |               |               |             |            |            |
| Eastern                | 637           | 614           | 96.4        | 23         | 3.6        |
| Western                | 508           | 491           | 96.7        | 17         | 3.3        |
| Michigan               |               |               |             |            |            |
| Eastern                | 750           | 720           | 96.0        | 30         | 4.0        |
| Western                | 544           | 524           | 96.3        | 20         | 3.7        |
| Ohio                   |               |               |             |            |            |
| Northern               | 667           | 643           | 96.4        | 24         | 3.6        |
| Southern               | 682           | 662           | 97.1        | 20         | 2.9        |
| Tennessee              |               |               |             |            |            |
| Eastern                | 847           | 810           | 95.6        | 37         | 4.4        |
| Middle                 | 309           | 301           | 97.4        | 8          | 2.6        |
| Western                | 678           | 659           | 97.2        | 19         | 2.8        |
| <b>SEVENTH CIRCUIT</b> | <b>3,053</b>  | <b>2,884</b>  | <b>94.5</b> | <b>169</b> | <b>5.5</b> |
| Illinois               |               |               |             |            |            |
| Central                | 376           | 351           | 93.4        | 25         | 6.6        |
| Northern               | 882           | 805           | 91.3        | 77         | 8.7        |
| Southern               | 318           | 303           | 95.3        | 15         | 4.7        |
| Indiana                |               |               |             |            |            |
| Northern               | 464           | 448           | 96.6        | 16         | 3.4        |
| Southern               | 331           | 315           | 95.2        | 16         | 4.8        |
| Wisconsin              |               |               |             |            |            |
| Eastern                | 472           | 458           | 97.0        | 14         | 3.0        |
| Western                | 210           | 204           | 97.1        | 6          | 2.9        |
| <b>EIGHTH CIRCUIT</b>  | <b>4,929</b>  | <b>4,748</b>  | <b>96.3</b> | <b>181</b> | <b>3.7</b> |
| Arkansas               |               |               |             |            |            |
| Eastern                | 392           | 379           | 96.7        | 13         | 3.3        |
| Western                | 258           | 251           | 97.3        | 7          | 2.7        |
| Iowa                   |               |               |             |            |            |
| Northern               | 344           | 330           | 95.9        | 14         | 4.1        |
| Southern               | 456           | 423           | 92.8        | 33         | 7.2        |
| Minnesota              | 505           | 486           | 96.2        | 19         | 3.8        |
| Missouri               |               |               |             |            |            |
| Eastern                | 1,048         | 1,028         | 98.1        | 20         | 1.9        |
| Western                | 659           | 640           | 97.1        | 19         | 2.9        |
| Nebraska               | 602           | 582           | 96.7        | 20         | 3.3        |
| North Dakota           | 261           | 245           | 93.9        | 16         | 6.1        |
| South Dakota           | 404           | 384           | 95.0        | 20         | 5.0        |

| CIRCUIT<br>District      | TOTAL         | PLEA          |             | TRIAL      |            |
|--------------------------|---------------|---------------|-------------|------------|------------|
|                          |               | N             | %           | N          | %          |
| <b>NINTH CIRCUIT</b>     | <b>19,014</b> | <b>18,593</b> | <b>97.8</b> | <b>421</b> | <b>2.2</b> |
| Alaska                   | 158           | 144           | 91.1        | 14         | 8.9        |
| Arizona                  | 6,792         | 6,745         | 99.3        | 47         | 0.7        |
| California               |               |               |             |            |            |
| Central                  | 2,127         | 2,032         | 95.5        | 95         | 4.5        |
| Eastern                  | 1,004         | 966           | 96.2        | 38         | 3.8        |
| Northern                 | 884           | 863           | 97.6        | 21         | 2.4        |
| Southern                 | 4,586         | 4,512         | 98.4        | 74         | 1.6        |
| Guam                     | 58            | 53            | 91.4        | 5          | 8.6        |
| Hawaii                   | 166           | 160           | 96.4        | 6          | 3.6        |
| Idaho                    | 301           | 292           | 97.0        | 9          | 3.0        |
| Montana                  | 378           | 346           | 91.5        | 32         | 8.5        |
| Nevada                   | 620           | 594           | 95.8        | 26         | 4.2        |
| Northern Mariana Islands | 28            | 23            | 82.1        | 5          | 17.9       |
| Oregon                   | 633           | 620           | 97.9        | 13         | 2.1        |
| Washington               |               |               |             |            |            |
| Eastern                  | 404           | 398           | 98.5        | 6          | 1.5        |
| Western                  | 875           | 845           | 96.6        | 30         | 3.4        |
| <b>TENTH CIRCUIT</b>     | <b>6,986</b>  | <b>6,850</b>  | <b>98.1</b> | <b>136</b> | <b>1.9</b> |
| Colorado                 | 531           | 515           | 97.0        | 16         | 3.0        |
| Kansas                   | 728           | 694           | 95.3        | 34         | 4.7        |
| New Mexico               | 3,723         | 3,708         | 99.6        | 15         | 0.4        |
| Oklahoma                 |               |               |             |            |            |
| Eastern                  | 113           | 106           | 93.8        | 7          | 6.2        |
| Northern                 | 155           | 142           | 91.6        | 13         | 8.4        |
| Western                  | 419           | 402           | 95.9        | 17         | 4.1        |
| Utah                     | 900           | 878           | 97.6        | 22         | 2.4        |
| Wyoming                  | 417           | 405           | 97.1        | 12         | 2.9        |
| <b>ELEVENTH CIRCUIT</b>  | <b>7,245</b>  | <b>6,886</b>  | <b>95.0</b> | <b>359</b> | <b>5.0</b> |
| Alabama                  |               |               |             |            |            |
| Middle                   | 243           | 225           | 92.6        | 18         | 7.4        |
| Northern                 | 432           | 416           | 96.3        | 16         | 3.7        |
| Southern                 | 307           | 291           | 94.8        | 16         | 5.2        |
| Florida                  |               |               |             |            |            |
| Middle                   | 1,678         | 1,594         | 95.0        | 84         | 5.0        |
| Northern                 | 396           | 356           | 89.9        | 40         | 10.1       |
| Southern                 | 2,355         | 2,237         | 95.0        | 118        | 5.0        |
| Georgia                  |               |               |             |            |            |
| Middle                   | 421           | 414           | 98.3        | 7          | 1.7        |
| Northern                 | 703           | 654           | 93.0        | 49         | 7.0        |
| Southern                 | 710           | 699           | 98.5        | 11         | 1.5        |

Of the 83,946 guideline cases, five cases were excluded due to missing information on mode of conviction.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, OPAFY10.

**Table 3**

**GUILTY PLEAS AND TRIALS IN EACH PRIMARY OFFENSE CATEGORY  
Fiscal Year 2010**

| PRIMARY OFFENSE                           | TOTAL         | National      |             |              |            | Western Missouri |             |           |            |
|---|---------------|---------------|-------------|--------------|------------|------------------|-------------|-----------|------------|
|   |               | PLEA          |             | TRIAL        |            | PLEA             |             | TRIAL     |            |
|   |               | N             | %           | N            | %          | N                | %           | N         | %          |
| <b>TOTAL</b>                              | <b>83,941</b> | <b>81,217</b> | <b>96.8</b> | <b>2,724</b> | <b>3.2</b> | <b>640</b>       | <b>97.1</b> | <b>19</b> | <b>2.9</b> |
| <b>Murder</b>                             | <b>66</b>     | 45            | 68.2        | 21           | 31.8       | 2                | 100.0       | 0         | 0.0        |
| <b>Manslaughter</b>                       | <b>64</b>     | 60            | 93.8        | 4            | 6.3        | 0                | --          | 0         | --         |
| <b>Kidnapping/Hostage Taking</b>          | <b>39</b>     | 36            | 92.3        | 3            | 7.7        | 0                | --          | 0         | --         |
| <b>Sexual Abuse</b>                       | <b>384</b>    | 336           | 87.5        | 48           | 12.5       | 9                | 100.0       | 0         | 0.0        |
| <b>Assault</b>                            | <b>631</b>    | 568           | 90.0        | 63           | 10.0       | 3                | 100.0       | 0         | 0.0        |
| <b>Robbery</b>                            | <b>1,081</b>  | 1,040         | 96.2        | 41           | 3.8        | 16               | 94.1        | 1         | 5.9        |
| <b>Arson</b>                              | <b>75</b>     | 65            | 86.7        | 10           | 13.3       | 4                | 100.0       | 0         | 0.0        |
| <b>Drugs - Trafficking</b>                | <b>23,506</b> | 22,649        | 96.4        | 857          | 3.6        | 206              | 96.7        | 7         | 3.3        |
| <b>Drugs - Communication Facility</b>     | <b>512</b>    | 511           | 99.8        | 1            | 0.2        | 1                | 100.0       | 0         | 0.0        |
| <b>Drugs - Simple Possession</b>          | <b>1,024</b>  | 1,004         | 98.0        | 20           | 2.0        | 4                | 100.0       | 0         | 0.0        |
| <b>Firearms</b>                           | <b>7,986</b>  | 7,485         | 93.7        | 501          | 6.3        | 174              | 98.9        | 2         | 1.1        |
| <b>Burglary/B&amp;E</b>                   | <b>36</b>     | 36            | 100.0       | 0            | 0.0        | 0                | --          | 0         | --         |
| <b>Auto Theft</b>                         | <b>91</b>     | 89            | 97.8        | 2            | 2.2        | 1                | 100.0       | 0         | 0.0        |
| <b>Larceny</b>                            | <b>1,621</b>  | 1,579         | 97.4        | 42           | 2.6        | 14               | 93.3        | 1         | 6.7        |
| <b>Fraud</b>                              | <b>8,067</b>  | 7,675         | 95.1        | 392          | 4.9        | 80               | 95.2        | 4         | 4.8        |
| <b>Embezzlement</b>                       | <b>435</b>    | 417           | 95.9        | 18           | 4.1        | 6                | 100.0       | 0         | 0.0        |
| <b>Forgery/Counterfeiting</b>             | <b>880</b>    | 873           | 99.2        | 7            | 0.8        | 5                | 100.0       | 0         | 0.0        |
| <b>Bribery</b>                            | <b>224</b>    | 204           | 91.1        | 20           | 8.9        | 0                | --          | 0         | --         |
| <b>Tax</b>                                | <b>665</b>    | 602           | 90.5        | 63           | 9.5        | 10               | 83.3        | 2         | 16.7       |
| <b>Money Laundering</b>                   | <b>806</b>    | 750           | 93.1        | 56           | 6.9        | 6                | 85.7        | 1         | 14.3       |
| <b>Racketeering/Extortion</b>             | <b>675</b>    | 623           | 92.3        | 52           | 7.7        | 4                | 100.0       | 0         | 0.0        |
| <b>Gambling/Lottery</b>                   | <b>76</b>     | 73            | 96.1        | 3            | 3.9        | 2                | 100.0       | 0         | 0.0        |
| <b>Civil Rights</b>                       | <b>61</b>     | 51            | 83.6        | 10           | 16.4       | 0                | --          | 0         | --         |
| <b>Immigration</b>                        | <b>28,504</b> | 28,321        | 99.4        | 183          | 0.6        | 34               | 100.0       | 0         | 0.0        |
| <b>Child Pornography</b>                  | <b>1,886</b>  | 1,801         | 95.5        | 85           | 4.5        | 29               | 96.7        | 1         | 3.3        |
| <b>Prison Offenses</b>                    | <b>424</b>    | 419           | 98.8        | 5            | 1.2        | 2                | 100.0       | 0         | 0.0        |
| <b>Administration of Justice Offenses</b> | <b>1,157</b>  | 1,090         | 94.2        | 67           | 5.8        | 6                | 100.0       | 0         | 0.0        |
| <b>Environmental/Wildlife</b>             | <b>188</b>    | 176           | 93.6        | 12           | 6.4        | 5                | 100.0       | 0         | 0.0        |
| <b>National Defense</b>                   | <b>70</b>     | 64            | 91.4        | 6            | 8.6        | 0                | --          | 0         | --         |
| <b>Antitrust</b>                          | <b>16</b>     | 15            | 93.8        | 1            | 6.3        | 0                | --          | 0         | --         |
| <b>Food &amp; Drug</b>                    | <b>84</b>     | 80            | 95.2        | 4            | 4.8        | 3                | 100.0       | 0         | 0.0        |
| <b>Other Miscellaneous Offenses</b>       | <b>2,607</b>  | 2,480         | 95.1        | 127          | 4.9        | 14               | 100.0       | 0         | 0.0        |

Of the 83,946 guideline cases, five cases were excluded due to missing mode of conviction.

Of the 659 guideline cases from the Western District of Missouri, no case was excluded.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, OPAFY10.



**Table 4**  
**TYPE OF SENTENCE IMPOSED BY PRIMARY OFFENSE CATEGORY**  
**Fiscal Year 2010**

**National**

| PRIMARY OFFENSE                    | TOTAL         | Prison        |             | Prison/Community Split Sentence |            | Probation and Confinement |            | Probation Only |            |
|------------------------------------|---------------|---------------|-------------|---------------------------------|------------|---------------------------|------------|----------------|------------|
|                                    |               | N             | %           | N                               | %          | N                         | %          | N              | %          |
| <b>TOTAL</b>                       | <b>83,120</b> | <b>72,615</b> | <b>87.4</b> | <b>2,045</b>                    | <b>2.5</b> | <b>2,356</b>              | <b>2.8</b> | <b>6,104</b>   | <b>7.3</b> |
| Murder                             | 66            | 64            | 97.0        | 1                               | 1.5        | 0                         | 0.0        | 1              | 1.5        |
| Manslaughter                       | 64            | 61            | 95.3        | 2                               | 3.1        | 1                         | 1.6        | 0              | 0.0        |
| Kidnapping/Hostage Taking          | 38            | 38            | 100.0       | 0                               | 0.0        | 0                         | 0.0        | 0              | 0.0        |
| Sexual Abuse                       | 383           | 364           | 95.0        | 7                               | 1.8        | 7                         | 1.8        | 5              | 1.3        |
| Assault                            | 622           | 492           | 79.1        | 26                              | 4.2        | 23                        | 3.7        | 81             | 13.0       |
| Robbery                            | 1,080         | 1,002         | 92.8        | 35                              | 3.2        | 20                        | 1.9        | 23             | 2.1        |
| Arson                              | 75            | 68            | 90.7        | 4                               | 5.3        | 1                         | 1.3        | 2              | 2.7        |
| Drugs - Trafficking                | 23,499        | 22,081        | 94.0        | 582                             | 2.5        | 319                       | 1.4        | 517            | 2.2        |
| Drugs - Communication Facility     | 512           | 413           | 80.7        | 10                              | 2.0        | 29                        | 5.7        | 60             | 11.7       |
| Drugs - Simple Possession          | 986           | 676           | 68.6        | 1                               | 0.1        | 24                        | 2.4        | 285            | 28.9       |
| Firearms                           | 7,976         | 7,344         | 92.1        | 187                             | 2.3        | 186                       | 2.3        | 259            | 3.2        |
| Burglary/B&E                       | 36            | 27            | 75.0        | 0                               | 0.0        | 5                         | 13.9       | 4              | 11.1       |
| Auto Theft                         | 91            | 68            | 74.7        | 2                               | 2.2        | 8                         | 8.8        | 13             | 14.3       |
| Larceny                            | 1,506         | 542           | 36.0        | 70                              | 4.6        | 225                       | 14.9       | 669            | 44.4       |
| Fraud                              | 8,028         | 5,766         | 71.8        | 467                             | 5.8        | 625                       | 7.8        | 1,170          | 14.6       |
| Embezzlement                       | 423           | 149           | 35.2        | 41                              | 9.7        | 52                        | 12.3       | 181            | 42.8       |
| Forgery/Counterfeiting             | 879           | 581           | 66.1        | 53                              | 6.0        | 80                        | 9.1        | 165            | 18.8       |
| Bribery                            | 223           | 148           | 66.4        | 15                              | 6.7        | 26                        | 11.7       | 34             | 15.2       |
| Tax                                | 661           | 355           | 53.7        | 61                              | 9.2        | 115                       | 17.4       | 130            | 19.7       |
| Money Laundering                   | 806           | 584           | 72.5        | 36                              | 4.5        | 53                        | 6.6        | 133            | 16.5       |
| Racketeering/Extortion             | 674           | 589           | 87.4        | 18                              | 2.7        | 17                        | 2.5        | 50             | 7.4        |
| Gambling/Lottery                   | 76            | 23            | 30.3        | 1                               | 1.3        | 19                        | 25.0       | 33             | 43.4       |
| Civil Rights                       | 59            | 40            | 67.8        | 1                               | 1.7        | 8                         | 13.6       | 10             | 16.9       |
| Immigration                        | 28,499        | 27,258        | 95.6        | 223                             | 0.8        | 170                       | 0.6        | 848            | 3.0        |
| Child Pornography                  | 1,884         | 1,821         | 96.7        | 36                              | 1.9        | 11                        | 0.6        | 16             | 0.8        |
| Prison Offenses                    | 423           | 383           | 90.5        | 20                              | 4.7        | 6                         | 1.4        | 14             | 3.3        |
| Administration of Justice Offenses | 1,137         | 747           | 65.7        | 65                              | 5.7        | 88                        | 7.7        | 237            | 20.8       |
| Environmental/Wildlife             | 143           | 36            | 25.2        | 7                               | 4.9        | 14                        | 9.8        | 86             | 60.1       |
| National Defense                   | 69            | 60            | 87.0        | 1                               | 1.4        | 3                         | 4.3        | 5              | 7.2        |
| Antitrust                          | 15            | 10            | 66.7        | 2                               | 13.3       | 1                         | 6.7        | 2              | 13.3       |
| Food & Drug                        | 73            | 21            | 28.8        | 5                               | 6.8        | 5                         | 6.8        | 42             | 57.5       |
| Other Miscellaneous Offenses       | 2,114         | 804           | 38.0        | 66                              | 3.1        | 215                       | 10.2       | 1,029          | 48.7       |

Of the 83,946 guideline cases, 826 cases were excluded due to one or more of the following reasons: missing sentencing information (12), or cases in which the defendant received no imprisonment or probation (814).

SOURCE: U.S. Sentencing Commission, 2010 Datafile, OPAFY10.

Table 5

**TYPE OF SENTENCE IMPOSED BY PRIMARY OFFENSE CATEGORY  
Fiscal Year 2010**

**Western Missouri**

| PRIMARY OFFENSE                    | TOTAL      | Prison     |             | Prison/Community Split Sentence |            | Probation and Confinement |            | Probation Only |            |
|------------------------------------|------------|------------|-------------|---------------------------------|------------|---------------------------|------------|----------------|------------|
|                                    |            | N          | %           | N                               | %          | N                         | %          | N              | %          |
| <b>TOTAL</b>                       | <b>657</b> | <b>555</b> | <b>84.5</b> | <b>8</b>                        | <b>1.2</b> | <b>36</b>                 | <b>5.5</b> | <b>58</b>      | <b>8.8</b> |
| Murder                             | 2          | 2          | 100.0       | 0                               | 0.0        | 0                         | 0.0        | 0              | 0.0        |
| Manslaughter                       | 0          | 0          | --          | 0                               | --         | 0                         | --         | 0              | --         |
| Kidnapping/Hostage Taking          | 0          | 0          | --          | 0                               | --         | 0                         | --         | 0              | --         |
| Sexual Abuse                       | 9          | 9          | 100.0       | 0                               | 0.0        | 0                         | 0.0        | 0              | 0.0        |
| Assault                            | 2          | 0          | 0.0         | 0                               | 0.0        | 0                         | 0.0        | 2              | 100.0      |
| Robbery                            | 17         | 15         | 88.2        | 0                               | 0.0        | 2                         | 11.8       | 0              | 0.0        |
| Arson                              | 4          | 4          | 100.0       | 0                               | 0.0        | 0                         | 0.0        | 0              | 0.0        |
| Drugs - Trafficking                | 213        | 199        | 93.4        | 0                               | 0.0        | 7                         | 3.3        | 7              | 3.3        |
| Drugs - Communication Facility     | 1          | 1          | 100.0       | 0                               | 0.0        | 0                         | 0.0        | 0              | 0.0        |
| Drugs - Simple Possession          | 3          | 0          | 0.0         | 0                               | 0.0        | 1                         | 33.3       | 2              | 66.7       |
| Firearms                           | 176        | 172        | 97.7        | 0                               | 0.0        | 3                         | 1.7        | 1              | 0.6        |
| Burglary/B&E                       | 0          | 0          | --          | 0                               | --         | 0                         | --         | 0              | --         |
| Auto Theft                         | 1          | 0          | 0.0         | 0                               | 0.0        | 0                         | 0.0        | 1              | 100.0      |
| Larceny                            | 15         | 6          | 40.0        | 0                               | 0.0        | 2                         | 13.3       | 7              | 46.7       |
| Fraud                              | 84         | 51         | 60.7        | 1                               | 1.2        | 16                        | 19.0       | 16             | 19.0       |
| Embezzlement                       | 6          | 1          | 16.7        | 0                               | 0.0        | 1                         | 16.7       | 4              | 66.7       |
| Forgery/Counterfeiting             | 5          | 3          | 60.0        | 1                               | 20.0       | 0                         | 0.0        | 1              | 20.0       |
| Bribery                            | 0          | 0          | --          | 0                               | --         | 0                         | --         | 0              | --         |
| Tax                                | 12         | 10         | 83.3        | 1                               | 8.3        | 0                         | 0.0        | 1              | 8.3        |
| Money Laundering                   | 7          | 4          | 57.1        | 2                               | 28.6       | 0                         | 0.0        | 1              | 14.3       |
| Racketeering/Extortion             | 4          | 2          | 50.0        | 0                               | 0.0        | 0                         | 0.0        | 2              | 50.0       |
| Gambling/Lottery                   | 2          | 0          | 0.0         | 0                               | 0.0        | 0                         | 0.0        | 2              | 100.0      |
| Civil Rights                       | 0          | 0          | --          | 0                               | --         | 0                         | --         | 0              | --         |
| Immigration                        | 34         | 32         | 94.1        | 1                               | 2.9        | 0                         | 0.0        | 1              | 2.9        |
| Child Pornography                  | 30         | 29         | 96.7        | 1                               | 3.3        | 0                         | 0.0        | 0              | 0.0        |
| Prison Offenses                    | 2          | 2          | 100.0       | 0                               | 0.0        | 0                         | 0.0        | 0              | 0.0        |
| Administration of Justice Offenses | 6          | 4          | 66.7        | 0                               | 0.0        | 0                         | 0.0        | 2              | 33.3       |
| Environmental/Wildlife             | 5          | 1          | 20.0        | 1                               | 20.0       | 2                         | 40.0       | 1              | 20.0       |
| National Defense                   | 0          | 0          | --          | 0                               | --         | 0                         | --         | 0              | --         |
| Antitrust                          | 0          | 0          | --          | 0                               | --         | 0                         | --         | 0              | --         |
| Food & Drug                        | 3          | 0          | 0.0         | 0                               | 0.0        | 1                         | 33.3       | 2              | 66.7       |
| Other Miscellaneous Offenses       | 14         | 8          | 57.1        | 0                               | 0.0        | 1                         | 7.1        | 5              | 35.7       |

Of the 659 guideline cases from the Western District of Missouri, two cases were excluded due to cases in which the defendant received no imprisonment or probation.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, OPAFY10.

**Table 6**

**INCARCERATION RATE OF U.S. CITIZEN DEFENDANTS ELIGIBLE FOR NON-PRISON SENTENCES  
BY PRIMARY OFFENSE CATEGORY  
Fiscal Year 2010**

| PRIMARY OFFENSE                     | TOTAL        | National        |             |                     |             | Western Missouri |             |                     |             |
|-------------------------------------|--------------|-----------------|-------------|---------------------|-------------|------------------|-------------|---------------------|-------------|
|                                     |              | Prison Sentence |             | Non-Prison Sentence |             | Prison Sentence  |             | Non-Prison Sentence |             |
|                                     |              | N               | %           | N                   | %           | N                | %           | N                   | %           |
| <b>TOTAL</b>                        | <b>4,958</b> | <b>1,434</b>    | <b>28.9</b> | <b>3,524</b>        | <b>71.1</b> | <b>15</b>        | <b>26.3</b> | <b>42</b>           | <b>73.7</b> |
| <b>Fraud</b>                        | <b>1,260</b> | 367             | 29.1        | 893                 | 70.9        | 0                | 0.0         | 8                   | 100.0       |
| <b>Larceny</b>                      | <b>724</b>   | 140             | 19.3        | 584                 | 80.7        | 1                | 11.1        | 8                   | 88.9        |
| <b>Immigration</b>                  | <b>336</b>   | 161             | 47.9        | 175                 | 52.1        | 3                | 100.0       | 0                   | 0.0         |
| <b>Embezzlement</b>                 | <b>220</b>   | 25              | 11.4        | 195                 | 88.6        | 0                | 0.0         | 5                   | 100.0       |
| <b>Drugs - Trafficking</b>          | <b>340</b>   | 118             | 34.7        | 222                 | 65.3        | 1                | 33.3        | 2                   | 66.7        |
| <b>Drugs - Simple Possession</b>    | <b>275</b>   | 115             | 41.8        | 160                 | 58.2        | 0                | 0.0         | 3                   | 100.0       |
| <b>Firearms</b>                     | <b>195</b>   | 79              | 40.5        | 116                 | 59.5        | 3                | 75.0        | 1                   | 25.0        |
| <b>Forgery/Counterfeiting</b>       | <b>263</b>   | 99              | 37.6        | 164                 | 62.4        | 1                | 50.0        | 1                   | 50.0        |
| <b>Other Miscellaneous Offenses</b> | <b>1,345</b> | 330             | 24.5        | 1,015               | 75.5        | 6                | 30.0        | 14                  | 70.0        |

Of the 83,946 guideline cases, a U.S. Citizen was the defendant in 42,685 cases. Of these, 37,727 cases were excluded due to one or more of the following reasons: defendant ineligible for non-prison sentence (37,727), or missing sentencing information (7).

Of the 659 guideline cases from the Western District of Missouri, a U.S. Citizen was the defendant in 564 cases. Of these, 507 cases were excluded because the defendant was ineligible for a non-prison sentence.

This table was limited to U.S. Citizens beginning in Fiscal Year 2010.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, OPAFY10.

**Table 7**

**LENGTH OF IMPRISONMENT BY PRIMARY OFFENSE CATEGORY  
Fiscal Year 2010**

| PRIMARY OFFENSE                           | National       |                  |               | Western Missouri |                  |            |
|---|----------------|------------------|---------------|------------------|------------------|------------|
|   | Mean<br>Months | Median<br>Months | Number        | Mean<br>Months   | Median<br>Months | Number     |
| <b>TOTAL</b>                              | <b>51.1</b>    | <b>30.0</b>      | <b>72,170</b> | <b>73.1</b>      | <b>57.0</b>      | <b>562</b> |
| <b>Murder</b>                             | 284.7          | 262.0            | 64            | --               | --               | 2          |
| <b>Manslaughter</b>                       | 73.5           | 46.0             | 63            | --               | --               | 0          |
| <b>Kidnapping/Hostage Taking</b>          | 167.0          | 147.5            | 38            | --               | --               | 0          |
| <b>Sexual Abuse</b>                       | 113.1          | 108.0            | 368           | 144.0            | 120.0            | 9          |
| <b>Assault</b>                            | 47.0           | 30.0             | 499           | --               | --               | 0          |
| <b>Robbery</b>                            | 80.3           | 63.0             | 1,030         | 62.9             | 60.0             | 15         |
| <b>Arson</b>                              | 81.3           | 60.0             | 72            | 65.5             | 60.0             | 4          |
| <b>Drugs - Trafficking</b>                | 78.4           | 60.0             | 22,355        | 88.8             | 72.0             | 198        |
| <b>Drugs - Communication Facility</b>     | 41.2           | 40.0             | 419           | --               | --               | 1          |
| <b>Drugs - Simple Possession</b>          | 5.4            | 4.0              | 632           | --               | --               | 0          |
| <b>Firearms</b>                           | 90.7           | 60.0             | 7,455         | 70.6             | 53.5             | 172        |
| <b>Burglary/B&amp;E</b>                   | 22.1           | 22.5             | 26            | --               | --               | 0          |
| <b>Auto Theft</b>                         | 65.7           | 31.0             | 70            | --               | --               | 0          |
| <b>Larceny</b>                            | 18.0           | 12.0             | 594           | 28.5             | 33.0             | 6          |
| <b>Fraud</b>                              | 30.5           | 18.0             | 5,926         | 32.3             | 24.0             | 52         |
| <b>Embezzlement</b>                       | 15.5           | 12.0             | 183           | --               | --               | 1          |
| <b>Forgery/Counterfeiting</b>             | 19.8           | 15.0             | 603           | 23.5             | 28.5             | 4          |
| <b>Bribery</b>                            | 25.8           | 20.0             | 160           | --               | --               | 0          |
| <b>Tax</b>                                | 23.5           | 18.0             | 410           | 22.3             | 22.0             | 11         |
| <b>Money Laundering</b>                   | 39.7           | 24.0             | 606           | 16.5             | 9.0              | 6          |
| <b>Racketeering/Extortion</b>             | 86.4           | 51.0             | 596           | --               | --               | 2          |
| <b>Gambling/Lottery</b>                   | 14.1           | 12.0             | 24            | --               | --               | 0          |
| <b>Civil Rights</b>                       | 32.5           | 18.0             | 41            | --               | --               | 0          |
| <b>Immigration</b>                        | 18.3           | 12.0             | 25,954        | 16.3             | 12.0             | 33         |
| <b>Child Pornography</b>                  | 120.1          | 82.0             | 1,849         | 162.5            | 120.0            | 30         |
| <b>Prison Offenses</b>                    | 16.3           | 12.0             | 394           | --               | --               | 2          |
| <b>Administration of Justice Offenses</b> | 25.9           | 18.0             | 778           | 44.3             | 21.0             | 4          |
| <b>Environmental/Wildlife</b>             | 11.4           | 10.0             | 38            | --               | --               | 2          |
| <b>National Defense</b>                   | 62.0           | 46.0             | 59            | --               | --               | 0          |
| <b>Antitrust</b>                          | 7.8            | 9.0              | 12            | --               | --               | 0          |
| <b>Food &amp; Drug</b>                    | 33.0           | 13.0             | 25            | --               | --               | 0          |
| <b>Other Miscellaneous Offenses</b>       | 31.3           | 12.0             | 827           | 75.2             | 60.0             | 8          |

Of the 83,946 guideline cases, 11,776 cases were excluded for one or more of the following reasons: zero months prison ordered (10,934), or missing or indeterminable sentencing information (842).

Of the 659 guideline cases from the Western District of Missouri, 97 cases were excluded due to one of the following reasons: zero months prison ordered (95) or missing or indeterminable sentencing information (2).

SOURCE: U.S. Sentencing Commission, 2010 Datafile, OPAFY10.

**Table 8**

**COMPARISON OF SENTENCE IMPOSED AND POSITION  
RELATIVE TO THE GUIDELINE RANGE  
Fiscal Year 2010**

|   | National      |              | Western Missouri |              |
|---|---------------|--------------|------------------|--------------|
|   | N             | %            | N                | %            |
| <b>TOTAL CASES<sup>1</sup></b>  | <b>81,859</b> | <b>100.0</b> | <b>654</b>       | <b>100.0</b> |
| <b>CASES SENTENCED WITHIN GUIDELINE RANGE</b>                           | <b>45,028</b> | <b>55.0</b>  | <b>343</b>       | <b>52.4</b>  |
| <b>CASES SENTENCED ABOVE GUIDELINE RANGE</b>                            | <b>1,512</b>  | <b>1.8</b>   | <b>24</b>        | <b>3.7</b>   |
| <b>DEPARTURE ABOVE GUIDELINE RANGE</b>                                  | <b>469</b>    | <b>0.6</b>   | <b>2</b>         | <b>0.3</b>   |
| Upward Departure From Guideline Range <sup>2</sup>                      | 350           | 0.4          | 2                | 0.3          |
| Upward Departure With <i>Booker</i> /18 U.S.C. § 3553 <sup>3</sup>      | 119           | 0.1          | 0                | 0.0          |
| <b>OTHERWISE ABOVE GUIDELINE RANGE</b>                                  | <b>1,043</b>  | <b>1.3</b>   | <b>22</b>        | <b>3.4</b>   |
| Above Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 <sup>4</sup> | 916           | 1.1          | 21               | 3.2          |
| All Remaining Cases Above Guideline Range <sup>5</sup>                  | 127           | 0.2          | 1                | 0.2          |
| <b>GOVERNMENT SPONSORED BELOW RANGE<sup>6</sup></b>                     | <b>20,754</b> | <b>25.4</b>  | <b>150</b>       | <b>22.9</b>  |
| §5K1.1 Substantial Assistance Departure                                 | 9,421         | 11.5         | 125              | 19.1         |
| §5K3.1 Early Disposition Program Departure                              | 8,119         | 9.9          | 0                | 0.0          |
| Other Government Sponsored Below Range                                  | 3,214         | 3.9          | 25               | 3.8          |
| <b>NON-GOVERNMENT SPONSORED BELOW RANGE</b>                             | <b>14,565</b> | <b>17.8</b>  | <b>137</b>       | <b>20.9</b>  |
| <b>DEPARTURE BELOW GUIDELINE RANGE</b>                                  | <b>2,552</b>  | <b>3.1</b>   | <b>9</b>         | <b>1.4</b>   |
| Downward Departure From Guideline Range <sup>2</sup>                    | 1,687         | 2.1          | 6                | 0.9          |
| Downward Departure With <i>Booker</i> /18 U.S.C. § 3553 <sup>3</sup>    | 865           | 1.1          | 3                | 0.5          |
| <b>OTHERWISE BELOW GUIDELINE RANGE</b>                                  | <b>12,013</b> | <b>14.7</b>  | <b>128</b>       | <b>19.6</b>  |
| Below Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 <sup>4</sup> | 11,116        | 13.6         | 119              | 18.2         |
| All Remaining Cases Below Guideline Range <sup>5</sup>                  | 897           | 1.1          | 9                | 1.4          |

<sup>1</sup> This table reflects the 83,946 cases sentenced nationally in Fiscal Year 2010, 659 of which were from the Western District of Missouri. Of these, 2,087 cases nationally and five cases from the Western District of Missouri were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range.

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

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

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

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

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

SOURCE: U.S. Sentencing Commission, 2010 Datafile, OPAFY10.

**Table 9**

**SENTENCES RELATIVE TO THE GUIDELINE RANGE BY CIRCUIT AND DISTRICT  
Fiscal Year 2010**

| CIRCUIT<br>District   | TOTAL         | SENTENCED<br>WITHIN<br>GUIDELINE RANGE |             | ABOVE<br>RANGE<br>DEPARTURE |            | ABOVE RANGE<br>DEPARTURE<br>W/BOOKER |            | ABOVE<br>RANGE<br>W/BOOKER |            | REMAINING<br>ABOVE<br>RANGE |            |
|-----------------------|---------------|--|-------------|-----------------------------|------------|--------------------------------------|------------|----------------------------|------------|-----------------------------|------------|
|                       |               | N                                      | %           | N                           | %          | N                                    | %          | N                          | %          | N                           | %          |
| <b>TOTAL</b>          | <b>81,859</b> | <b>45,028</b>                          | <b>55.0</b> | <b>350</b>                  | <b>0.4</b> | <b>119</b>                           | <b>0.1</b> | <b>916</b>                 | <b>1.1</b> | <b>127</b>                  | <b>0.2</b> |
| <b>D.C. CIRCUIT</b>   | <b>380</b>    | <b>127</b>                             | <b>33.4</b> | <b>4</b>                    | <b>1.1</b> | <b>2</b>                             | <b>0.5</b> | <b>3</b>                   | <b>0.8</b> | <b>0</b>                    | <b>0.0</b> |
| District of Columbia  | 380           | 127                                    | 33.4        | 4                           | 1.1        | 2                                    | 0.5        | 3                          | 0.8        | 0                           | 0.0        |
| <b>FIRST CIRCUIT</b>  | <b>1,880</b>  | <b>1,029</b>                           | <b>54.7</b> | <b>5</b>                    | <b>0.3</b> | <b>1</b>                             | <b>0.1</b> | <b>17</b>                  | <b>0.9</b> | <b>7</b>                    | <b>0.4</b> |
| Maine                 | 169           | 75                                     | 44.4        | 0                           | 0.0        | 1                                    | 0.6        | 2                          | 1.2        | 0                           | 0.0        |
| Massachusetts         | 442           | 142                                    | 32.1        | 3                           | 0.7        | 0                                    | 0.0        | 5                          | 1.1        | 3                           | 0.7        |
| New Hampshire         | 231           | 98                                     | 42.4        | 1                           | 0.4        | 0                                    | 0.0        | 5                          | 2.2        | 0                           | 0.0        |
| Puerto Rico           | 879           | 642                                    | 73.0        | 1                           | 0.1        | 0                                    | 0.0        | 4                          | 0.5        | 4                           | 0.5        |
| Rhode Island          | 159           | 72                                     | 45.3        | 0                           | 0.0        | 0                                    | 0.0        | 1                          | 0.6        | 0                           | 0.0        |
| <b>SECOND CIRCUIT</b> | <b>4,380</b>  | <b>1,743</b>                           | <b>39.8</b> | <b>11</b>                   | <b>0.3</b> | <b>3</b>                             | <b>0.1</b> | <b>25</b>                  | <b>0.6</b> | <b>5</b>                    | <b>0.1</b> |
| Connecticut           | 425           | 159                                    | 37.4        | 1                           | 0.2        | 1                                    | 0.2        | 4                          | 0.9        | 0                           | 0.0        |
| New York              |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Eastern               | 1,175         | 372                                    | 31.7        | 2                           | 0.2        | 0                                    | 0.0        | 13                         | 1.1        | 1                           | 0.1        |
| Northern              | 505           | 304                                    | 60.2        | 1                           | 0.2        | 0                                    | 0.0        | 0                          | 0.0        | 1                           | 0.2        |
| Southern              | 1,431         | 467                                    | 32.6        | 1                           | 0.1        | 1                                    | 0.1        | 5                          | 0.3        | 1                           | 0.1        |
| Western               | 667           | 362                                    | 54.3        | 5                           | 0.7        | 1                                    | 0.1        | 3                          | 0.4        | 2                           | 0.3        |
| Vermont               | 177           | 79                                     | 44.6        | 1                           | 0.6        | 0                                    | 0.0        | 0                          | 0.0        | 0                           | 0.0        |
| <b>THIRD CIRCUIT</b>  | <b>2,936</b>  | <b>1,301</b>                           | <b>44.3</b> | <b>8</b>                    | <b>0.3</b> | <b>2</b>                             | <b>0.1</b> | <b>22</b>                  | <b>0.7</b> | <b>5</b>                    | <b>0.2</b> |
| Delaware              | 131           | 42                                     | 32.1        | 0                           | 0.0        | 0                                    | 0.0        | 6                          | 4.6        | 0                           | 0.0        |
| New Jersey            | 818           | 402                                    | 49.1        | 2                           | 0.2        | 0                                    | 0.0        | 5                          | 0.6        | 0                           | 0.0        |
| Pennsylvania          |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Eastern               | 928           | 346                                    | 37.3        | 1                           | 0.1        | 0                                    | 0.0        | 5                          | 0.5        | 2                           | 0.2        |
| Middle                | 494           | 210                                    | 42.5        | 4                           | 0.8        | 1                                    | 0.2        | 1                          | 0.2        | 0                           | 0.0        |
| Western               | 492           | 261                                    | 53.0        | 0                           | 0.0        | 0                                    | 0.0        | 4                          | 0.8        | 3                           | 0.6        |
| Virgin Islands        | 73            | 40                                     | 54.8        | 1                           | 1.4        | 1                                    | 1.4        | 1                          | 1.4        | 0                           | 0.0        |
| <b>FOURTH CIRCUIT</b> | <b>6,621</b>  | <b>4,090</b>                           | <b>61.8</b> | <b>42</b>                   | <b>0.6</b> | <b>15</b>                            | <b>0.2</b> | <b>91</b>                  | <b>1.4</b> | <b>6</b>                    | <b>0.1</b> |
| Maryland              | 732           | 338                                    | 46.2        | 11                          | 1.5        | 4                                    | 0.5        | 12                         | 1.6        | 3                           | 0.4        |
| North Carolina        |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Eastern               | 739           | 396                                    | 53.6        | 9                           | 1.2        | 3                                    | 0.4        | 3                          | 0.4        | 0                           | 0.0        |
| Middle                | 552           | 404                                    | 73.2        | 1                           | 0.2        | 1                                    | 0.2        | 14                         | 2.5        | 0                           | 0.0        |
| Western               | 502           | 285                                    | 56.8        | 3                           | 0.6        | 0                                    | 0.0        | 5                          | 1.0        | 0                           | 0.0        |
| South Carolina        | 1,237         | 750                                    | 60.6        | 7                           | 0.6        | 2                                    | 0.2        | 10                         | 0.8        | 3                           | 0.2        |
| Virginia              |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Eastern               | 1,971         | 1,453                                  | 73.7        | 8                           | 0.4        | 4                                    | 0.2        | 25                         | 1.3        | 0                           | 0.0        |
| Western               | 363           | 181                                    | 49.9        | 0                           | 0.0        | 1                                    | 0.3        | 18                         | 5.0        | 0                           | 0.0        |
| West Virginia         |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Northern              | 283           | 155                                    | 54.8        | 1                           | 0.4        | 0                                    | 0.0        | 3                          | 1.1        | 0                           | 0.0        |
| Southern              | 242           | 128                                    | 52.9        | 2                           | 0.8        | 0                                    | 0.0        | 1                          | 0.4        | 0                           | 0.0        |

| CIRCUIT<br>District   | §5K1.1<br>SUBSTANTIAL<br>ASSISTANCE |             | §5K3.1<br>EARLY<br>DISPOSITION |            | OTHER<br>GOV'T<br>SPONSORED |             | BELOW<br>RANGE<br>DEPARTURE |            | BELOW RANGE<br>DEPARTURE<br>W/BOOKER |            | BELOW<br>RANGE<br>W/BOOKER |             | REMAINING<br>BELOW<br>RANGE |            |
|-----------------------|-------------------------------------|-------------|--------------------------------|------------|-----------------------------|-------------|-----------------------------|------------|--------------------------------------|------------|----------------------------|-------------|-----------------------------|------------|
|                       | N                                   | %           | N                              | %          | N                           | %           | N                           | %          | N                                    | %          | N                          | %           | N                           | %          |
| <b>TOTAL</b>          | <b>9,421</b>                        | <b>11.5</b> | <b>8,119</b>                   | <b>9.9</b> | <b>3,214</b>                | <b>3.9</b>  | <b>1,687</b>                | <b>2.1</b> | <b>865</b>                           | <b>1.1</b> | <b>11,116</b>              | <b>13.6</b> | <b>897</b>                  | <b>1.1</b> |
| <b>D.C. CIRCUIT</b>   | <b>115</b>                          | <b>30.3</b> | <b>0</b>                       | <b>0.0</b> | <b>47</b>                   | <b>12.4</b> | <b>10</b>                   | <b>2.6</b> | <b>8</b>                             | <b>2.1</b> | <b>57</b>                  | <b>15.0</b> | <b>7</b>                    | <b>1.8</b> |
| District of Columbia  | 115                                 | 30.3        | 0                              | 0.0        | 47                          | 12.4        | 10                          | 2.6        | 8                                    | 2.1        | 57                         | 15.0        | 7                           | 1.8        |
| <b>FIRST CIRCUIT</b>  | <b>254</b>                          | <b>13.5</b> | <b>31</b>                      | <b>1.6</b> | <b>131</b>                  | <b>7.0</b>  | <b>30</b>                   | <b>1.6</b> | <b>21</b>                            | <b>1.1</b> | <b>338</b>                 | <b>18.0</b> | <b>16</b>                   | <b>0.9</b> |
| Maine                 | 61                                  | 36.1        | 0                              | 0.0        | 1                           | 0.6         | 2                           | 1.2        | 0                                    | 0.0        | 27                         | 16.0        | 0                           | 0.0        |
| Massachusetts         | 49                                  | 11.1        | 0                              | 0.0        | 82                          | 18.6        | 13                          | 2.9        | 8                                    | 1.8        | 133                        | 30.1        | 4                           | 0.9        |
| New Hampshire         | 61                                  | 26.4        | 0                              | 0.0        | 22                          | 9.5         | 2                           | 0.9        | 4                                    | 1.7        | 36                         | 15.6        | 2                           | 0.9        |
| Puerto Rico           | 66                                  | 7.5         | 31                             | 3.5        | 25                          | 2.8         | 13                          | 1.5        | 7                                    | 0.8        | 76                         | 8.6         | 10                          | 1.1        |
| Rhode Island          | 17                                  | 10.7        | 0                              | 0.0        | 1                           | 0.6         | 0                           | 0.0        | 2                                    | 1.3        | 66                         | 41.5        | 0                           | 0.0        |
| <b>SECOND CIRCUIT</b> | <b>846</b>                          | <b>19.3</b> | <b>0</b>                       | <b>0.0</b> | <b>115</b>                  | <b>2.6</b>  | <b>120</b>                  | <b>2.7</b> | <b>122</b>                           | <b>2.8</b> | <b>1,315</b>               | <b>30.0</b> | <b>75</b>                   | <b>1.7</b> |
| Connecticut           | 67                                  | 15.8        | 0                              | 0.0        | 10                          | 2.4         | 33                          | 7.8        | 23                                   | 5.4        | 123                        | 28.9        | 4                           | 0.9        |
| New York              |                                     |             |                                |            |                             |             |                             |            |                                      |            |                            |             |                             |            |
| Eastern               | 263                                 | 22.4        | 0                              | 0.0        | 30                          | 2.6         | 47                          | 4.0        | 45                                   | 3.8        | 382                        | 32.5        | 20                          | 1.7        |
| Northern              | 103                                 | 20.4        | 0                              | 0.0        | 9                           | 1.8         | 7                           | 1.4        | 6                                    | 1.2        | 73                         | 14.5        | 1                           | 0.2        |
| Southern              | 228                                 | 15.9        | 0                              | 0.0        | 27                          | 1.9         | 21                          | 1.5        | 37                                   | 2.6        | 600                        | 41.9        | 43                          | 3.0        |
| Western               | 164                                 | 24.6        | 0                              | 0.0        | 31                          | 4.6         | 3                           | 0.4        | 2                                    | 0.3        | 88                         | 13.2        | 6                           | 0.9        |
| Vermont               | 21                                  | 11.9        | 0                              | 0.0        | 8                           | 4.5         | 9                           | 5.1        | 9                                    | 5.1        | 49                         | 27.7        | 1                           | 0.6        |
| <b>THIRD CIRCUIT</b>  | <b>733</b>                          | <b>25.0</b> | <b>0</b>                       | <b>0.0</b> | <b>94</b>                   | <b>3.2</b>  | <b>47</b>                   | <b>1.6</b> | <b>50</b>                            | <b>1.7</b> | <b>634</b>                 | <b>21.6</b> | <b>40</b>                   | <b>1.4</b> |
| Delaware              | 24                                  | 18.3        | 0                              | 0.0        | 1                           | 0.8         | 1                           | 0.8        | 1                                    | 0.8        | 52                         | 39.7        | 4                           | 3.1        |
| New Jersey            | 225                                 | 27.5        | 0                              | 0.0        | 13                          | 1.6         | 15                          | 1.8        | 7                                    | 0.9        | 142                        | 17.4        | 7                           | 0.9        |
| Pennsylvania          |                                     |             |                                |            |                             |             |                             |            |                                      |            |                            |             |                             |            |
| Eastern               | 297                                 | 32.0        | 0                              | 0.0        | 22                          | 2.4         | 8                           | 0.9        | 19                                   | 2.0        | 209                        | 22.5        | 19                          | 2.0        |
| Middle                | 97                                  | 19.6        | 0                              | 0.0        | 47                          | 9.5         | 12                          | 2.4        | 11                                   | 2.2        | 110                        | 22.3        | 1                           | 0.2        |
| Western               | 75                                  | 15.2        | 0                              | 0.0        | 7                           | 1.4         | 10                          | 2.0        | 12                                   | 2.4        | 115                        | 23.4        | 5                           | 1.0        |
| Virgin Islands        | 15                                  | 20.5        | 0                              | 0.0        | 4                           | 5.5         | 1                           | 1.4        | 0                                    | 0.0        | 6                          | 8.2         | 4                           | 5.5        |
| <b>FOURTH CIRCUIT</b> | <b>1,012</b>                        | <b>15.3</b> | <b>0</b>                       | <b>0.0</b> | <b>207</b>                  | <b>3.1</b>  | <b>92</b>                   | <b>1.4</b> | <b>46</b>                            | <b>0.7</b> | <b>949</b>                 | <b>14.3</b> | <b>71</b>                   | <b>1.1</b> |
| Maryland              | 163                                 | 22.3        | 0                              | 0.0        | 69                          | 9.4         | 12                          | 1.6        | 15                                   | 2.0        | 96                         | 13.1        | 9                           | 1.2        |
| North Carolina        |                                     |             |                                |            |                             |             |                             |            |                                      |            |                            |             |                             |            |
| Eastern               | 262                                 | 35.5        | 0                              | 0.0        | 2                           | 0.3         | 3                           | 0.4        | 1                                    | 0.1        | 54                         | 7.3         | 6                           | 0.8        |
| Middle                | 60                                  | 10.9        | 0                              | 0.0        | 1                           | 0.2         | 4                           | 0.7        | 2                                    | 0.4        | 62                         | 11.2        | 3                           | 0.5        |
| Western               | 140                                 | 27.9        | 0                              | 0.0        | 6                           | 1.2         | 7                           | 1.4        | 1                                    | 0.2        | 51                         | 10.2        | 4                           | 0.8        |
| South Carolina        | 190                                 | 15.4        | 0                              | 0.0        | 42                          | 3.4         | 17                          | 1.4        | 7                                    | 0.6        | 192                        | 15.5        | 17                          | 1.4        |
| Virginia              |                                     |             |                                |            |                             |             |                             |            |                                      |            |                            |             |                             |            |
| Eastern               | 81                                  | 4.1         | 0                              | 0.0        | 39                          | 2.0         | 42                          | 2.1        | 18                                   | 0.9        | 273                        | 13.9        | 28                          | 1.4        |
| Western               | 64                                  | 17.6        | 0                              | 0.0        | 16                          | 4.4         | 5                           | 1.4        | 2                                    | 0.6        | 74                         | 20.4        | 2                           | 0.6        |
| West Virginia         |                                     |             |                                |            |                             |             |                             |            |                                      |            |                            |             |                             |            |
| Northern              | 26                                  | 9.2         | 0                              | 0.0        | 32                          | 11.3        | 1                           | 0.4        | 0                                    | 0.0        | 63                         | 22.3        | 2                           | 0.7        |
| Southern              | 26                                  | 10.7        | 0                              | 0.0        | 0                           | 0.0         | 1                           | 0.4        | 0                                    | 0.0        | 84                         | 34.7        | 0                           | 0.0        |

| CIRCUIT<br>District    | TOTAL         | SENTENCED<br>WITHIN<br>GUIDELINE RANGE |             | ABOVE<br>RANGE<br>DEPARTURE |            | ABOVE RANGE<br>DEPARTURE<br>W/BOOKER |            | ABOVE<br>RANGE<br>W/BOOKER |            | REMAINING<br>ABOVE<br>RANGE |            |
|------------------------|---------------|--|-------------|-----------------------------|------------|--------------------------------------|------------|----------------------------|------------|-----------------------------|------------|
|                        |               | N                                      | %           | N                           | %          | N                                    | %          | N                          | %          | N                           | %          |
| <b>FIFTH CIRCUIT</b>   | <b>19,869</b> | <b>14,170</b>                          | <b>71.3</b> | <b>85</b>                   | <b>0.4</b> | <b>30</b>                            | <b>0.2</b> | <b>301</b>                 | <b>1.5</b> | <b>27</b>                   | <b>0.1</b> |
| <b>Louisiana</b>       |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Eastern                | 413           | 285                                    | 69.0        | 2                           | 0.5        | 7                                    | 1.7        | 10                         | 2.4        | 0                           | 0.0        |
| Middle                 | 202           | 121                                    | 59.9        | 8                           | 4.0        | 1                                    | 0.5        | 4                          | 2.0        | 0                           | 0.0        |
| Western                | 368           | 262                                    | 71.2        | 4                           | 1.1        | 5                                    | 1.4        | 9                          | 2.4        | 6                           | 1.6        |
| <b>Mississippi</b>     |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Northern               | 169           | 102                                    | 60.4        | 0                           | 0.0        | 0                                    | 0.0        | 13                         | 7.7        | 0                           | 0.0        |
| Southern               | 324           | 234                                    | 72.2        | 0                           | 0.0        | 0                                    | 0.0        | 7                          | 2.2        | 1                           | 0.3        |
| <b>Texas</b>           |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Eastern                | 848           | 663                                    | 78.2        | 4                           | 0.5        | 0                                    | 0.0        | 4                          | 0.5        | 2                           | 0.2        |
| Northern               | 931           | 596                                    | 64.0        | 15                          | 1.6        | 10                                   | 1.1        | 44                         | 4.7        | 3                           | 0.3        |
| Southern               | 8,479         | 5,481                                  | 64.6        | 36                          | 0.4        | 4                                    | 0.0        | 79                         | 0.9        | 4                           | 0.0        |
| Western                | 8,135         | 6,426                                  | 79.0        | 16                          | 0.2        | 3                                    | 0.0        | 131                        | 1.6        | 11                          | 0.1        |
| <b>SIXTH CIRCUIT</b>   | <b>5,577</b>  | <b>2,779</b>                           | <b>49.8</b> | <b>24</b>                   | <b>0.4</b> | <b>11</b>                            | <b>0.2</b> | <b>69</b>                  | <b>1.2</b> | <b>7</b>                    | <b>0.1</b> |
| <b>Kentucky</b>        |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Eastern                | 636           | 274                                    | 43.1        | 2                           | 0.3        | 1                                    | 0.2        | 11                         | 1.7        | 0                           | 0.0        |
| Western                | 505           | 270                                    | 53.5        | 1                           | 0.2        | 0                                    | 0.0        | 3                          | 0.6        | 0                           | 0.0        |
| <b>Michigan</b>        |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Eastern                | 749           | 333                                    | 44.5        | 2                           | 0.3        | 0                                    | 0.0        | 5                          | 0.7        | 0                           | 0.0        |
| Western                | 541           | 320                                    | 59.1        | 11                          | 2.0        | 3                                    | 0.6        | 14                         | 2.6        | 0                           | 0.0        |
| <b>Ohio</b>            |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Northern               | 665           | 371                                    | 55.8        | 1                           | 0.2        | 1                                    | 0.2        | 12                         | 1.8        | 4                           | 0.6        |
| Southern               | 679           | 265                                    | 39.0        | 0                           | 0.0        | 3                                    | 0.4        | 9                          | 1.3        | 2                           | 0.3        |
| <b>Tennessee</b>       |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Eastern                | 839           | 477                                    | 56.9        | 1                           | 0.1        | 2                                    | 0.2        | 6                          | 0.7        | 1                           | 0.1        |
| Middle                 | 294           | 127                                    | 43.2        | 5                           | 1.7        | 1                                    | 0.3        | 4                          | 1.4        | 0                           | 0.0        |
| Western                | 669           | 342                                    | 51.1        | 1                           | 0.1        | 0                                    | 0.0        | 5                          | 0.7        | 0                           | 0.0        |
| <b>SEVENTH CIRCUIT</b> | <b>3,043</b>  | <b>1,458</b>                           | <b>47.9</b> | <b>20</b>                   | <b>0.7</b> | <b>13</b>                            | <b>0.4</b> | <b>53</b>                  | <b>1.7</b> | <b>8</b>                    | <b>0.3</b> |
| <b>Illinois</b>        |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Central                | 375           | 207                                    | 55.2        | 1                           | 0.3        | 0                                    | 0.0        | 3                          | 0.8        | 0                           | 0.0        |
| Northern               | 880           | 364                                    | 41.4        | 7                           | 0.8        | 2                                    | 0.2        | 15                         | 1.7        | 1                           | 0.1        |
| Southern               | 318           | 215                                    | 67.6        | 9                           | 2.8        | 9                                    | 2.8        | 5                          | 1.6        | 1                           | 0.3        |
| <b>Indiana</b>         |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Northern               | 460           | 258                                    | 56.1        | 1                           | 0.2        | 0                                    | 0.0        | 9                          | 2.0        | 5                           | 1.1        |
| Southern               | 329           | 167                                    | 50.8        | 1                           | 0.3        | 1                                    | 0.3        | 11                         | 3.3        | 0                           | 0.0        |
| <b>Wisconsin</b>       |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Eastern                | 471           | 140                                    | 29.7        | 0                           | 0.0        | 0                                    | 0.0        | 9                          | 1.9        | 1                           | 0.2        |
| Western                | 210           | 107                                    | 51.0        | 1                           | 0.5        | 1                                    | 0.5        | 1                          | 0.5        | 0                           | 0.0        |
| <b>EIGHTH CIRCUIT</b>  | <b>4,907</b>  | <b>2,614</b>                           | <b>53.3</b> | <b>39</b>                   | <b>0.8</b> | <b>8</b>                             | <b>0.2</b> | <b>70</b>                  | <b>1.4</b> | <b>5</b>                    | <b>0.1</b> |
| <b>Arkansas</b>        |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Eastern                | 391           | 242                                    | 61.9        | 3                           | 0.8        | 1                                    | 0.3        | 10                         | 2.6        | 0                           | 0.0        |
| Western                | 258           | 194                                    | 75.2        | 0                           | 0.0        | 0                                    | 0.0        | 1                          | 0.4        | 0                           | 0.0        |
| <b>Iowa</b>            |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Northern               | 344           | 192                                    | 55.8        | 9                           | 2.6        | 2                                    | 0.6        | 11                         | 3.2        | 2                           | 0.6        |
| Southern               | 452           | 190                                    | 42.0        | 3                           | 0.7        | 0                                    | 0.0        | 5                          | 1.1        | 0                           | 0.0        |
| Minnesota              | 504           | 149                                    | 29.6        | 2                           | 0.4        | 2                                    | 0.4        | 4                          | 0.8        | 0                           | 0.0        |
| <b>Missouri</b>        |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Eastern                | 1,039         | 492                                    | 47.4        | 8                           | 0.8        | 0                                    | 0.0        | 9                          | 0.9        | 0                           | 0.0        |
| Western                | 654           | 343                                    | 52.4        | 2                           | 0.3        | 0                                    | 0.0        | 21                         | 3.2        | 1                           | 0.2        |
| Nebraska               | 601           | 360                                    | 59.9        | 3                           | 0.5        | 0                                    | 0.0        | 2                          | 0.3        | 1                           | 0.2        |
| North Dakota           | 261           | 169                                    | 64.8        | 0                           | 0.0        | 1                                    | 0.4        | 1                          | 0.4        | 1                           | 0.4        |
| South Dakota           | 403           | 283                                    | 70.2        | 9                           | 2.2        | 2                                    | 0.5        | 6                          | 1.5        | 0                           | 0.0        |



| CIRCUIT<br>District    | §5K1.1<br>SUBSTANTIAL<br>ASSISTANCE |             | §5K3.1<br>EARLY<br>DISPOSITION |            | OTHER<br>GOV'T<br>SPONSORED |            | BELOW<br>RANGE<br>DEPARTURE |            | BELOW RANGE<br>DEPARTURE<br>W/BOOKER |            | BELOW RANGE<br>DEPARTURE<br>W/BOOKER |             | REMAINING<br>BELOW<br>RANGE |            |
|------------------------|-------------------------------------|-------------|--------------------------------|------------|-----------------------------|------------|-----------------------------|------------|--------------------------------------|------------|--------------------------------------|-------------|-----------------------------|------------|
|                        | N                                   | %           | N                              | %          | N                           | %          | N                           | %          | N                                    | %          | N                                    | %           | N                           | %          |
| <b>FIFTH CIRCUIT</b>   | <b>1,224</b>                        | <b>6.2</b>  | <b>1,139</b>                   | <b>5.7</b> | <b>315</b>                  | <b>1.6</b> | <b>696</b>                  | <b>3.5</b> | <b>63</b>                            | <b>0.3</b> | <b>1,628</b>                         | <b>8.2</b>  | <b>191</b>                  | <b>1.0</b> |
| <b>Louisiana</b>       |                                     |             |                                |            |                             |            |                             |            |                                      |            |                                      |             |                             |            |
| Eastern                | 28                                  | 6.8         | 0                              | 0.0        | 8                           | 1.9        | 6                           | 1.5        | 4                                    | 1.0        | 55                                   | 13.3        | 8                           | 1.9        |
| Middle                 | 28                                  | 13.9        | 0                              | 0.0        | 0                           | 0.0        | 0                           | 0.0        | 1                                    | 0.5        | 38                                   | 18.8        | 1                           | 0.5        |
| Western                | 33                                  | 9.0         | 0                              | 0.0        | 3                           | 0.8        | 4                           | 1.1        | 6                                    | 1.6        | 22                                   | 6.0         | 14                          | 3.8        |
| <b>Mississippi</b>     |                                     |             |                                |            |                             |            |                             |            |                                      |            |                                      |             |                             |            |
| Northern               | 39                                  | 23.1        | 0                              | 0.0        | 1                           | 0.6        | 0                           | 0.0        | 1                                    | 0.6        | 9                                    | 5.3         | 4                           | 2.4        |
| Southern               | 34                                  | 10.5        | 0                              | 0.0        | 4                           | 1.2        | 2                           | 0.6        | 1                                    | 0.3        | 33                                   | 10.2        | 8                           | 2.5        |
| <b>Texas</b>           |                                     |             |                                |            |                             |            |                             |            |                                      |            |                                      |             |                             |            |
| Eastern                | 59                                  | 7.0         | 0                              | 0.0        | 48                          | 5.7        | 14                          | 1.7        | 4                                    | 0.5        | 45                                   | 5.3         | 5                           | 0.6        |
| Northern               | 130                                 | 14.0        | 0                              | 0.0        | 8                           | 0.9        | 5                           | 0.5        | 5                                    | 0.5        | 110                                  | 11.8        | 5                           | 0.5        |
| Southern               | 403                                 | 4.8         | 1,084                          | 12.8       | 125                         | 1.5        | 495                         | 5.8        | 13                                   | 0.2        | 727                                  | 8.6         | 28                          | 0.3        |
| Western                | 470                                 | 5.8         | 55                             | 0.7        | 118                         | 1.5        | 170                         | 2.1        | 28                                   | 0.3        | 589                                  | 7.2         | 118                         | 1.5        |
| <b>SIXTH CIRCUIT</b>   | <b>1,276</b>                        | <b>22.9</b> | <b>2</b>                       | <b>0.0</b> | <b>208</b>                  | <b>3.7</b> | <b>78</b>                   | <b>1.4</b> | <b>105</b>                           | <b>1.9</b> | <b>945</b>                           | <b>16.9</b> | <b>73</b>                   | <b>1.3</b> |
| <b>Kentucky</b>        |                                     |             |                                |            |                             |            |                             |            |                                      |            |                                      |             |                             |            |
| Eastern                | 259                                 | 40.7        | 0                              | 0.0        | 11                          | 1.7        | 3                           | 0.5        | 2                                    | 0.3        | 70                                   | 11.0        | 3                           | 0.5        |
| Western                | 110                                 | 21.8        | 0                              | 0.0        | 47                          | 9.3        | 3                           | 0.6        | 2                                    | 0.4        | 64                                   | 12.7        | 5                           | 1.0        |
| <b>Michigan</b>        |                                     |             |                                |            |                             |            |                             |            |                                      |            |                                      |             |                             |            |
| Eastern                | 169                                 | 22.6        | 1                              | 0.1        | 19                          | 2.5        | 11                          | 1.5        | 14                                   | 1.9        | 191                                  | 25.5        | 4                           | 0.5        |
| Western                | 70                                  | 12.9        | 0                              | 0.0        | 1                           | 0.2        | 12                          | 2.2        | 9                                    | 1.7        | 96                                   | 17.7        | 5                           | 0.9        |
| <b>Ohio</b>            |                                     |             |                                |            |                             |            |                             |            |                                      |            |                                      |             |                             |            |
| Northern               | 112                                 | 16.8        | 1                              | 0.2        | 9                           | 1.4        | 13                          | 2.0        | 13                                   | 2.0        | 117                                  | 17.6        | 11                          | 1.7        |
| Southern               | 177                                 | 26.1        | 0                              | 0.0        | 64                          | 9.4        | 17                          | 2.5        | 30                                   | 4.4        | 90                                   | 13.3        | 22                          | 3.2        |
| <b>Tennessee</b>       |                                     |             |                                |            |                             |            |                             |            |                                      |            |                                      |             |                             |            |
| Eastern                | 209                                 | 24.9        | 0                              | 0.0        | 6                           | 0.7        | 6                           | 0.7        | 4                                    | 0.5        | 115                                  | 13.7        | 12                          | 1.4        |
| Middle                 | 42                                  | 14.3        | 0                              | 0.0        | 32                          | 10.9       | 6                           | 2.0        | 9                                    | 3.1        | 66                                   | 22.4        | 2                           | 0.7        |
| Western                | 128                                 | 19.1        | 0                              | 0.0        | 19                          | 2.8        | 7                           | 1.0        | 22                                   | 3.3        | 136                                  | 20.3        | 9                           | 1.3        |
| <b>SEVENTH CIRCUIT</b> | <b>462</b>                          | <b>15.2</b> | <b>1</b>                       | <b>0.0</b> | <b>124</b>                  | <b>4.1</b> | <b>63</b>                   | <b>2.1</b> | <b>97</b>                            | <b>3.2</b> | <b>694</b>                           | <b>22.8</b> | <b>50</b>                   | <b>1.6</b> |
| <b>Illinois</b>        |                                     |             |                                |            |                             |            |                             |            |                                      |            |                                      |             |                             |            |
| Central                | 72                                  | 19.2        | 0                              | 0.0        | 8                           | 2.1        | 6                           | 1.6        | 4                                    | 1.1        | 71                                   | 18.9        | 3                           | 0.8        |
| Northern               | 124                                 | 14.1        | 1                              | 0.1        | 10                          | 1.1        | 24                          | 2.7        | 68                                   | 7.7        | 252                                  | 28.6        | 12                          | 1.4        |
| Southern               | 16                                  | 5.0         | 0                              | 0.0        | 6                           | 1.9        | 8                           | 2.5        | 10                                   | 3.1        | 28                                   | 8.8         | 11                          | 3.5        |
| <b>Indiana</b>         |                                     |             |                                |            |                             |            |                             |            |                                      |            |                                      |             |                             |            |
| Northern               | 84                                  | 18.3        | 0                              | 0.0        | 21                          | 4.6        | 10                          | 2.2        | 7                                    | 1.5        | 59                                   | 12.8        | 6                           | 1.3        |
| Southern               | 52                                  | 15.8        | 0                              | 0.0        | 25                          | 7.6        | 4                           | 1.2        | 1                                    | 0.3        | 65                                   | 19.8        | 2                           | 0.6        |
| <b>Wisconsin</b>       |                                     |             |                                |            |                             |            |                             |            |                                      |            |                                      |             |                             |            |
| Eastern                | 99                                  | 21.0        | 0                              | 0.0        | 54                          | 11.5       | 7                           | 1.5        | 3                                    | 0.6        | 142                                  | 30.1        | 16                          | 3.4        |
| Western                | 15                                  | 7.1         | 0                              | 0.0        | 0                           | 0.0        | 4                           | 1.9        | 4                                    | 1.9        | 77                                   | 36.7        | 0                           | 0.0        |
| <b>EIGHTH CIRCUIT</b>  | <b>760</b>                          | <b>15.5</b> | <b>31</b>                      | <b>0.6</b> | <b>194</b>                  | <b>4.0</b> | <b>63</b>                   | <b>1.3</b> | <b>66</b>                            | <b>1.3</b> | <b>1,007</b>                         | <b>20.5</b> | <b>50</b>                   | <b>1.0</b> |
| <b>Arkansas</b>        |                                     |             |                                |            |                             |            |                             |            |                                      |            |                                      |             |                             |            |
| Eastern                | 38                                  | 9.7         | 0                              | 0.0        | 19                          | 4.9        | 10                          | 2.6        | 3                                    | 0.8        | 57                                   | 14.6        | 8                           | 2.0        |
| Western                | 26                                  | 10.1        | 0                              | 0.0        | 0                           | 0.0        | 1                           | 0.4        | 2                                    | 0.8        | 33                                   | 12.8        | 1                           | 0.4        |
| <b>Iowa</b>            |                                     |             |                                |            |                             |            |                             |            |                                      |            |                                      |             |                             |            |
| Northern               | 76                                  | 22.1        | 0                              | 0.0        | 8                           | 2.3        | 1                           | 0.3        | 2                                    | 0.6        | 41                                   | 11.9        | 0                           | 0.0        |
| Southern               | 103                                 | 22.8        | 0                              | 0.0        | 32                          | 7.1        | 1                           | 0.2        | 3                                    | 0.7        | 113                                  | 25.0        | 2                           | 0.4        |
| Minnesota              | 123                                 | 24.4        | 0                              | 0.0        | 9                           | 1.8        | 12                          | 2.4        | 22                                   | 4.4        | 179                                  | 35.5        | 2                           | 0.4        |
| <b>Missouri</b>        |                                     |             |                                |            |                             |            |                             |            |                                      |            |                                      |             |                             |            |
| Eastern                | 198                                 | 19.1        | 0                              | 0.0        | 48                          | 4.6        | 2                           | 0.2        | 12                                   | 1.2        | 258                                  | 24.8        | 12                          | 1.2        |
| Western                | 125                                 | 19.1        | 0                              | 0.0        | 25                          | 3.8        | 6                           | 0.9        | 3                                    | 0.5        | 119                                  | 18.2        | 9                           | 1.4        |
| Nebraska               | 17                                  | 2.8         | 31                             | 5.2        | 37                          | 6.2        | 12                          | 2.0        | 4                                    | 0.7        | 123                                  | 20.5        | 11                          | 1.8        |
| North Dakota           | 47                                  | 18.0        | 0                              | 0.0        | 8                           | 3.1        | 7                           | 2.7        | 3                                    | 1.1        | 21                                   | 8.0         | 3                           | 1.1        |
| South Dakota           | 7                                   | 1.7         | 0                              | 0.0        | 8                           | 2.0        | 11                          | 2.7        | 12                                   | 3.0        | 63                                   | 15.6        | 2                           | 0.5        |

| CIRCUIT<br>District      | TOTAL         | SENTENCED<br>WITHIN<br>GUIDELINE RANGE |             | ABOVE<br>RANGE<br>DEPARTURE |            | ABOVE RANGE<br>DEPARTURE<br>W/BOOKER |            | ABOVE<br>RANGE<br>W/BOOKER |            | REMAINING<br>ABOVE<br>RANGE |            |
|--------------------------|---------------|--|-------------|-----------------------------|------------|--------------------------------------|------------|----------------------------|------------|-----------------------------|------------|
|                          |               | N                                      | %           | N                           | %          | N                                    | %          | N                          | %          | N                           | %          |
| <b>NINTH CIRCUIT</b>     | <b>18,330</b> | <b>7,357</b>                           | <b>40.1</b> | <b>71</b>                   | <b>0.4</b> | <b>18</b>                            | <b>0.1</b> | <b>113</b>                 | <b>0.6</b> | <b>29</b>                   | <b>0.2</b> |
| Alaska                   | 156           | 64                                     | 41.0        | 2                           | 1.3        | 0                                    | 0.0        | 0                          | 0.0        | 0                           | 0.0        |
| Arizona                  | 6,198         | 2,698                                  | 43.5        | 44                          | 0.7        | 5                                    | 0.1        | 25                         | 0.4        | 4                           | 0.1        |
| California               |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Central                  | 2,110         | 721                                    | 34.2        | 3                           | 0.1        | 5                                    | 0.2        | 19                         | 0.9        | 7                           | 0.3        |
| Eastern                  | 995           | 403                                    | 40.5        | 1                           | 0.1        | 2                                    | 0.2        | 12                         | 1.2        | 3                           | 0.3        |
| Northern                 | 876           | 432                                    | 49.3        | 3                           | 0.3        | 1                                    | 0.1        | 10                         | 1.1        | 5                           | 0.6        |
| Southern                 | 4,580         | 1,396                                  | 30.5        | 4                           | 0.1        | 1                                    | 0.0        | 5                          | 0.1        | 8                           | 0.2        |
| Guam                     | 55            | 39                                     | 70.9        | 0                           | 0.0        | 2                                    | 3.6        | 0                          | 0.0        | 0                           | 0.0        |
| Hawaii                   | 166           | 62                                     | 37.3        | 0                           | 0.0        | 0                                    | 0.0        | 3                          | 1.8        | 0                           | 0.0        |
| Idaho                    | 300           | 128                                    | 42.7        | 0                           | 0.0        | 0                                    | 0.0        | 1                          | 0.3        | 0                           | 0.0        |
| Montana                  | 376           | 259                                    | 68.9        | 2                           | 0.5        | 0                                    | 0.0        | 11                         | 2.9        | 1                           | 0.3        |
| Nevada                   | 618           | 385                                    | 62.3        | 4                           | 0.6        | 0                                    | 0.0        | 8                          | 1.3        | 1                           | 0.2        |
| Northern Mariana Islands | 28            | 21                                     | 75.0        | 0                           | 0.0        | 0                                    | 0.0        | 0                          | 0.0        | 0                           | 0.0        |
| Oregon                   | 609           | 246                                    | 40.4        | 0                           | 0.0        | 0                                    | 0.0        | 7                          | 1.1        | 0                           | 0.0        |
| Washington               |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Eastern                  | 403           | 145                                    | 36.0        | 2                           | 0.5        | 2                                    | 0.5        | 7                          | 1.7        | 0                           | 0.0        |
| Western                  | 860           | 358                                    | 41.6        | 6                           | 0.7        | 0                                    | 0.0        | 5                          | 0.6        | 0                           | 0.0        |
| <b>TENTH CIRCUIT</b>     | <b>6,947</b>  | <b>4,110</b>                           | <b>59.2</b> | <b>21</b>                   | <b>0.3</b> | <b>3</b>                             | <b>0.0</b> | <b>45</b>                  | <b>0.6</b> | <b>13</b>                   | <b>0.2</b> |
| Colorado                 | 523           | 301                                    | 57.6        | 0                           | 0.0        | 1                                    | 0.2        | 6                          | 1.1        | 1                           | 0.2        |
| Kansas                   | 708           | 389                                    | 54.9        | 6                           | 0.8        | 2                                    | 0.3        | 18                         | 2.5        | 1                           | 0.1        |
| New Mexico               | 3,719         | 2,284                                  | 61.4        | 9                           | 0.2        | 0                                    | 0.0        | 4                          | 0.1        | 6                           | 0.2        |
| Oklahoma                 |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Eastern                  | 113           | 72                                     | 63.7        | 0                           | 0.0        | 0                                    | 0.0        | 1                          | 0.9        | 0                           | 0.0        |
| Northern                 | 155           | 101                                    | 65.2        | 0                           | 0.0        | 0                                    | 0.0        | 1                          | 0.6        | 0                           | 0.0        |
| Western                  | 415           | 295                                    | 71.1        | 0                           | 0.0        | 0                                    | 0.0        | 8                          | 1.9        | 0                           | 0.0        |
| Utah                     | 897           | 407                                    | 45.4        | 5                           | 0.6        | 0                                    | 0.0        | 4                          | 0.4        | 3                           | 0.3        |
| Wyoming                  | 417           | 261                                    | 62.6        | 1                           | 0.2        | 0                                    | 0.0        | 3                          | 0.7        | 2                           | 0.5        |
| <b>ELEVENTH CIRCUIT</b>  | <b>6,989</b>  | <b>4,250</b>                           | <b>60.8</b> | <b>20</b>                   | <b>0.3</b> | <b>13</b>                            | <b>0.2</b> | <b>107</b>                 | <b>1.5</b> | <b>15</b>                   | <b>0.2</b> |
| Alabama                  |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Middle                   | 243           | 141                                    | 58.0        | 0                           | 0.0        | 0                                    | 0.0        | 4                          | 1.6        | 0                           | 0.0        |
| Northern                 | 423           | 268                                    | 63.4        | 1                           | 0.2        | 1                                    | 0.2        | 4                          | 0.9        | 1                           | 0.2        |
| Southern                 | 307           | 185                                    | 60.3        | 0                           | 0.0        | 2                                    | 0.7        | 6                          | 2.0        | 1                           | 0.3        |
| Florida                  |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Middle                   | 1,677         | 877                                    | 52.3        | 4                           | 0.2        | 1                                    | 0.1        | 29                         | 1.7        | 2                           | 0.1        |
| Northern                 | 390           | 262                                    | 67.2        | 1                           | 0.3        | 2                                    | 0.5        | 4                          | 1.0        | 1                           | 0.3        |
| Southern                 | 2,269         | 1,432                                  | 63.1        | 4                           | 0.2        | 3                                    | 0.1        | 25                         | 1.1        | 8                           | 0.4        |
| Georgia                  |               |  |             |                             |            |                                      |            |                            |            |                             |            |
| Middle                   | 298           | 221                                    | 74.2        | 2                           | 0.7        | 2                                    | 0.7        | 8                          | 2.7        | 2                           | 0.7        |
| Northern                 | 673           | 321                                    | 47.7        | 2                           | 0.3        | 2                                    | 0.3        | 8                          | 1.2        | 0                           | 0.0        |
| Southern                 | 709           | 543                                    | 76.6        | 6                           | 0.8        | 0                                    | 0.0        | 19                         | 2.7        | 0                           | 0.0        |

| CIRCUIT<br>District      | §5K1.1<br>SUBSTANTIAL<br>ASSISTANCE |             | §5K3.1<br>EARLY<br>DISPOSITION |             | OTHER<br>GOV'T<br>SPONSORED |            | BELOW<br>RANGE<br>DEPARTURE |            | BELOW RANGE<br>DEPARTURE<br>W/BOOKER |            | BELOW RANGE<br>W/BOOKER |             | REMAINING<br>BELOW<br>RANGE |            |
|--------------------------|-------------------------------------|-------------|--------------------------------|-------------|-----------------------------|------------|-----------------------------|------------|--------------------------------------|------------|-------------------------|-------------|-----------------------------|------------|
|                          | N                                   | %           | N                              | %           | N                           | %          | N                           | %          | N                                    | %          | N                       | %           | N                           | %          |
| <b>NINTH CIRCUIT</b>     | <b>1,328</b>                        | <b>7.2</b>  | <b>6,050</b>                   | <b>33.0</b> | <b>1,016</b>                | <b>5.5</b> | <b>288</b>                  | <b>1.6</b> | <b>169</b>                           | <b>0.9</b> | <b>1,638</b>            | <b>8.9</b>  | <b>253</b>                  | <b>1.4</b> |
| Alaska                   | 20                                  | 12.8        | 1                              | 0.6         | 23                          | 14.7       | 2                           | 1.3        | 5                                    | 3.2        | 36                      | 23.1        | 3                           | 1.9        |
| Arizona                  | 176                                 | 2.8         | 2,660                          | 42.9        | 143                         | 2.3        | 77                          | 1.2        | 31                                   | 0.5        | 290                     | 4.7         | 45                          | 0.7        |
| <b>California</b>        |                                     |             |                                |             |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Central                  | 243                                 | 11.5        | 419                            | 19.9        | 179                         | 8.5        | 57                          | 2.7        | 51                                   | 2.4        | 315                     | 14.9        | 91                          | 4.3        |
| Eastern                  | 95                                  | 9.5         | 309                            | 31.1        | 49                          | 4.9        | 15                          | 1.5        | 5                                    | 0.5        | 93                      | 9.3         | 8                           | 0.8        |
| Northern                 | 65                                  | 7.4         | 94                             | 10.7        | 96                          | 11.0       | 13                          | 1.5        | 22                                   | 2.5        | 128                     | 14.6        | 7                           | 0.8        |
| Southern                 | 276                                 | 6.0         | 2,386                          | 52.1        | 106                         | 2.3        | 91                          | 2.0        | 27                                   | 0.6        | 231                     | 5.0         | 49                          | 1.1        |
| Guam                     | 7                                   | 12.7        | 0                              | 0.0         | 2                           | 3.6        | 0                           | 0.0        | 0                                    | 0.0        | 4                       | 7.3         | 1                           | 1.8        |
| Hawaii                   | 49                                  | 29.5        | 0                              | 0.0         | 3                           | 1.8        | 0                           | 0.0        | 0                                    | 0.0        | 48                      | 28.9        | 1                           | 0.6        |
| Idaho                    | 74                                  | 24.7        | 33                             | 11.0        | 6                           | 2.0        | 1                           | 0.3        | 3                                    | 1.0        | 49                      | 16.3        | 5                           | 1.7        |
| Montana                  | 48                                  | 12.8        | 0                              | 0.0         | 8                           | 2.1        | 4                           | 1.1        | 3                                    | 0.8        | 39                      | 10.4        | 1                           | 0.3        |
| Nevada                   | 50                                  | 8.1         | 0                              | 0.0         | 43                          | 7.0        | 7                           | 1.1        | 1                                    | 0.2        | 99                      | 16.0        | 20                          | 3.2        |
| Northern Mariana Islands | 1                                   | 3.6         | 0                              | 0.0         | 1                           | 3.6        | 0                           | 0.0        | 2                                    | 7.1        | 3                       | 10.7        | 0                           | 0.0        |
| Oregon                   | 92                                  | 15.1        | 43                             | 7.1         | 102                         | 16.7       | 6                           | 1.0        | 8                                    | 1.3        | 96                      | 15.8        | 9                           | 1.5        |
| <b>Washington</b>        |                                     |             |                                |             |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Eastern                  | 50                                  | 12.4        | 67                             | 16.6        | 35                          | 8.7        | 7                           | 1.7        | 3                                    | 0.7        | 81                      | 20.1        | 4                           | 1.0        |
| Western                  | 82                                  | 9.5         | 38                             | 4.4         | 220                         | 25.6       | 8                           | 0.9        | 8                                    | 0.9        | 126                     | 14.7        | 9                           | 1.0        |
| <b>TENTH CIRCUIT</b>     | <b>421</b>                          | <b>6.1</b>  | <b>865</b>                     | <b>12.5</b> | <b>638</b>                  | <b>9.2</b> | <b>122</b>                  | <b>1.8</b> | <b>47</b>                            | <b>0.7</b> | <b>639</b>              | <b>9.2</b>  | <b>23</b>                   | <b>0.3</b> |
| Colorado                 | 82                                  | 15.7        | 0                              | 0.0         | 21                          | 4.0        | 15                          | 2.9        | 5                                    | 1.0        | 87                      | 16.6        | 4                           | 0.8        |
| Kansas                   | 122                                 | 17.2        | 0                              | 0.0         | 93                          | 13.1       | 1                           | 0.1        | 1                                    | 0.1        | 74                      | 10.5        | 1                           | 0.1        |
| New Mexico               | 70                                  | 1.9         | 659                            | 17.7        | 439                         | 11.8       | 72                          | 1.9        | 20                                   | 0.5        | 148                     | 4.0         | 8                           | 0.2        |
| <b>Oklahoma</b>          |                                     |             |                                |             |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Eastern                  | 25                                  | 22.1        | 0                              | 0.0         | 1                           | 0.9        | 0                           | 0.0        | 0                                    | 0.0        | 14                      | 12.4        | 0                           | 0.0        |
| Northern                 | 25                                  | 16.1        | 0                              | 0.0         | 0                           | 0.0        | 0                           | 0.0        | 0                                    | 0.0        | 28                      | 18.1        | 0                           | 0.0        |
| Western                  | 31                                  | 7.5         | 0                              | 0.0         | 4                           | 1.0        | 0                           | 0.0        | 4                                    | 1.0        | 72                      | 17.3        | 1                           | 0.2        |
| Utah                     | 32                                  | 3.6         | 203                            | 22.6        | 45                          | 5.0        | 26                          | 2.9        | 8                                    | 0.9        | 158                     | 17.6        | 6                           | 0.7        |
| Wyoming                  | 34                                  | 8.2         | 3                              | 0.7         | 35                          | 8.4        | 8                           | 1.9        | 9                                    | 2.2        | 58                      | 13.9        | 3                           | 0.7        |
| <b>ELEVENTH CIRCUIT</b>  | <b>990</b>                          | <b>14.2</b> | <b>0</b>                       | <b>0.0</b>  | <b>125</b>                  | <b>1.8</b> | <b>78</b>                   | <b>1.1</b> | <b>71</b>                            | <b>1.0</b> | <b>1,272</b>            | <b>18.2</b> | <b>48</b>                   | <b>0.7</b> |
| <b>Alabama</b>           |                                     |             |                                |             |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Middle                   | 62                                  | 25.5        | 0                              | 0.0         | 6                           | 2.5        | 0                           | 0.0        | 1                                    | 0.4        | 29                      | 11.9        | 0                           | 0.0        |
| Northern                 | 85                                  | 20.1        | 0                              | 0.0         | 4                           | 0.9        | 1                           | 0.2        | 0                                    | 0.0        | 56                      | 13.2        | 2                           | 0.5        |
| Southern                 | 50                                  | 16.3        | 0                              | 0.0         | 4                           | 1.3        | 2                           | 0.7        | 1                                    | 0.3        | 53                      | 17.3        | 3                           | 1.0        |
| <b>Florida</b>           |                                     |             |                                |             |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Middle                   | 323                                 | 19.3        | 0                              | 0.0         | 27                          | 1.6        | 16                          | 1.0        | 23                                   | 1.4        | 364                     | 21.7        | 11                          | 0.7        |
| Northern                 | 65                                  | 16.7        | 0                              | 0.0         | 1                           | 0.3        | 5                           | 1.3        | 5                                    | 1.3        | 44                      | 11.3        | 0                           | 0.0        |
| Southern                 | 195                                 | 8.6         | 0                              | 0.0         | 38                          | 1.7        | 22                          | 1.0        | 27                                   | 1.2        | 489                     | 21.6        | 26                          | 1.1        |
| <b>Georgia</b>           |                                     |             |                                |             |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Middle                   | 41                                  | 13.8        | 0                              | 0.0         | 8                           | 2.7        | 0                           | 0.0        | 1                                    | 0.3        | 12                      | 4.0         | 1                           | 0.3        |
| Northern                 | 97                                  | 14.4        | 0                              | 0.0         | 28                          | 4.2        | 25                          | 3.7        | 13                                   | 1.9        | 173                     | 25.7        | 4                           | 0.6        |
| Southern                 | 72                                  | 10.2        | 0                              | 0.0         | 9                           | 1.3        | 7                           | 1.0        | 0                                    | 0.0        | 52                      | 7.3         | 1                           | 0.1        |

Of the 83,946 cases, 2,087 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. The information needed to determine the relationship between the sentence imposed and the guideline range was missing in five percent or more of the cases received from: Middle Georgia (29.2%), Arizona (8.7%), Western Texas (7.9%), Maryland (7.8%), Western Louisiana (7.3%), Guam (5.2%), and Eastern Virginia (5.0%).

SOURCE: U.S. Sentencing Commission, 2010 Datafile, OPAFY10.

**Table 10**

**SENTENCES RELATIVE TO THE GUIDELINE RANGE  
BY SELECTED PRIMARY OFFENSE CATEGORY  
Fiscal Year 2010**

**National**

| PRIMARY OFFENSE              | TOTAL         | WITHIN<br>GUIDELINE<br>RANGE |             | ABOVE<br>RANGE<br>DEPARTURE |            | ABOVE RANGE<br>DEPARTURE<br>W/BOOKER |            | ABOVE<br>RANGE<br>W/BOOKER |            | REMAINING<br>ABOVE<br>RANGE |            |
|------------------------------|---------------|------------------------------|-------------|-----------------------------|------------|--------------------------------------|------------|----------------------------|------------|-----------------------------|------------|
|                              |               | N                            | %           | N                           | %          | N                                    | %          | N                          | %          | N                           | %          |
| <b>TOTAL</b>                 | <b>81,859</b> | <b>45,028</b>                | <b>55.0</b> | <b>350</b>                  | <b>0.4</b> | <b>119</b>                           | <b>0.1</b> | <b>916</b>                 | <b>1.1</b> | <b>127</b>                  | <b>0.2</b> |
| Robbery                      | 1,079         | 621                          | 57.6        | 15                          | 1.4        | 5                                    | 0.5        | 30                         | 2.8        | 5                           | 0.5        |
| Drugs - Trafficking          | 23,458        | 10,530                       | 44.9        | 63                          | 0.3        | 16                                   | 0.1        | 110                        | 0.5        | 23                          | 0.1        |
| Drugs - Simple Possession    | 746           | 708                          | 94.9        | 5                           | 0.7        | 1                                    | 0.1        | 4                          | 0.5        | 0                           | 0.0        |
| Firearms                     | 7,969         | 4,667                        | 58.6        | 71                          | 0.9        | 24                                   | 0.3        | 169                        | 2.1        | 33                          | 0.4        |
| Larceny                      | 1,541         | 1,097                        | 71.2        | 6                           | 0.4        | 4                                    | 0.3        | 21                         | 1.4        | 6                           | 0.4        |
| Fraud                        | 7,471         | 4,149                        | 55.5        | 24                          | 0.3        | 19                                   | 0.3        | 112                        | 1.5        | 16                          | 0.2        |
| Embezzlement                 | 432           | 301                          | 69.7        | 1                           | 0.2        | 0                                    | 0.0        | 0                          | 0.0        | 1                           | 0.2        |
| Forgery/Counterfeiting       | 877           | 577                          | 65.8        | 8                           | 0.9        | 3                                    | 0.3        | 22                         | 2.5        | 1                           | 0.1        |
| Immigration                  | 27,922        | 16,763                       | 60.0        | 77                          | 0.3        | 19                                   | 0.1        | 272                        | 1.0        | 23                          | 0.1        |
| Other Miscellaneous Offenses | 10,364        | 5,615                        | 54.2        | 80                          | 0.8        | 28                                   | 0.3        | 176                        | 1.7        | 19                          | 0.2        |

**Western Missouri**

| PRIMARY OFFENSE              | TOTAL      | WITHIN<br>GUIDELINE<br>RANGE |             | ABOVE<br>RANGE<br>DEPARTURE |            | ABOVE RANGE<br>DEPARTURE<br>W/BOOKER |            | ABOVE<br>RANGE<br>W/BOOKER |            | REMAINING<br>ABOVE<br>RANGE |            |
|------------------------------|------------|------------------------------|-------------|-----------------------------|------------|--------------------------------------|------------|----------------------------|------------|-----------------------------|------------|
|                              |            | N                            | %           | N                           | %          | N                                    | %          | N                          | %          | N                           | %          |
| <b>TOTAL</b>                 | <b>654</b> | <b>343</b>                   | <b>52.4</b> | <b>2</b>                    | <b>0.3</b> | <b>0</b>                             | <b>0.0</b> | <b>21</b>                  | <b>3.2</b> | <b>1</b>                    | <b>0.2</b> |
| Robbery                      | 17         | 11                           | 64.7        | 0                           | 0.0        | 0                                    | 0.0        | 0                          | 0.0        | 0                           | 0.0        |
| Drugs - Trafficking          | 213        | 76                           | 35.7        | 0                           | 0.0        | 0                                    | 0.0        | 3                          | 1.4        | 1                           | 0.5        |
| Drugs - Simple Possession    | 3          | 3                            | 100.0       | 0                           | 0.0        | 0                                    | 0.0        | 0                          | 0.0        | 0                           | 0.0        |
| Firearms                     | 176        | 125                          | 71.0        | 0                           | 0.0        | 0                                    | 0.0        | 13                         | 7.4        | 0                           | 0.0        |
| Larceny                      | 15         | 8                            | 53.3        | 0                           | 0.0        | 0                                    | 0.0        | 1                          | 6.7        | 0                           | 0.0        |
| Fraud                        | 83         | 32                           | 38.6        | 0                           | 0.0        | 0                                    | 0.0        | 0                          | 0.0        | 0                           | 0.0        |
| Embezzlement                 | 6          | 5                            | 83.3        | 0                           | 0.0        | 0                                    | 0.0        | 0                          | 0.0        | 0                           | 0.0        |
| Forgery/Counterfeiting       | 5          | 4                            | 80.0        | 0                           | 0.0        | 0                                    | 0.0        | 0                          | 0.0        | 0                           | 0.0        |
| Immigration                  | 34         | 26                           | 76.5        | 0                           | 0.0        | 0                                    | 0.0        | 2                          | 5.9        | 0                           | 0.0        |
| Other Miscellaneous Offenses | 102        | 53                           | 52.0        | 2                           | 2.0        | 0                                    | 0.0        | 2                          | 2.0        | 0                           | 0.0        |

### National

| PRIMARY OFFENSE              | §5K1.1       |             | §5K3.1       |            | OTHER        |            | BELOW        |            | BELOW RANGE |            | BELOW         |             | REMAINING  |            |
|------------------------------|--------------|-------------|--------------|------------|--------------|------------|--------------|------------|-------------|------------|---------------|-------------|------------|------------|
|                              | SUBSTANTIAL  |             | EARLY        |            | GOV'T        |            | RANGE        |            | DEPARTURE   |            | RANGE         |             | BELOW      |            |
|                              | ASSISTANCE   | DISPOSITION | SPONSORED    | DEPARTURE  | W/BOOKER     | W/BOOKER   | RANGE        | DEPARTURE  | W/BOOKER    | W/BOOKER   | RANGE         | BELOW       | RANGE      | BELOW      |
|                              | N            | %           | N            | %          | N            | %          | N            | %          | N           | %          | N             | %           | N          | %          |
| <b>TOTAL</b>                 | <b>9,421</b> | <b>11.5</b> | <b>8,119</b> | <b>9.9</b> | <b>3,214</b> | <b>3.9</b> | <b>1,687</b> | <b>2.1</b> | <b>865</b>  | <b>1.1</b> | <b>11,116</b> | <b>13.6</b> | <b>897</b> | <b>1.1</b> |
| Robbery                      | 100          | 9.3         | 2            | 0.2        | 39           | 3.6        | 36           | 3.3        | 31          | 2.9        | 188           | 17.4        | 7          | 0.6        |
| Drugs - Trafficking          | 5,768        | 24.6        | 1,336        | 5.7        | 986          | 4.2        | 361          | 1.5        | 296         | 1.3        | 3,764         | 16.0        | 205        | 0.9        |
| Drugs - Simple Possession    | 7            | 0.9         | 3            | 0.4        | 4            | 0.5        | 1            | 0.1        | 0           | 0.0        | 7             | 0.9         | 6          | 0.8        |
| Firearms                     | 911          | 11.4        | 9            | 0.1        | 384          | 4.8        | 132          | 1.7        | 98          | 1.2        | 1,368         | 17.2        | 103        | 1.3        |
| Larceny                      | 81           | 5.3         | 3            | 0.2        | 41           | 2.7        | 21           | 1.4        | 10          | 0.6        | 218           | 14.1        | 33         | 2.1        |
| Fraud                        | 1,196        | 16.0        | 4            | 0.1        | 286          | 3.8        | 120          | 1.6        | 106         | 1.4        | 1,322         | 17.7        | 117        | 1.6        |
| Embezzlement                 | 15           | 3.5         | 3            | 0.7        | 19           | 4.4        | 7            | 1.6        | 7           | 1.6        | 70            | 16.2        | 8          | 1.9        |
| Forgery/Counterfeiting       | 84           | 9.6         | 2            | 0.2        | 25           | 2.9        | 12           | 1.4        | 8           | 0.9        | 121           | 13.8        | 14         | 1.6        |
| Immigration                  | 288          | 1.0         | 6,716        | 24.1       | 672          | 2.4        | 782          | 2.8        | 128         | 0.5        | 1,947         | 7.0         | 235        | 0.8        |
| Other Miscellaneous Offenses | 971          | 9.4         | 41           | 0.4        | 758          | 7.3        | 215          | 2.1        | 181         | 1.7        | 2,111         | 20.4        | 169        | 1.6        |

### Western Missouri

| PRIMARY OFFENSE              | §5K1.1      |             | §5K3.1    |            | OTHER     |            | BELOW    |            | BELOW RANGE |            | BELOW      |             | REMAINING |            |
|------------------------------|-------------|-------------|-----------|------------|-----------|------------|----------|------------|-------------|------------|------------|-------------|-----------|------------|
|                              | SUBSTANTIAL |             | EARLY     |            | GOV'T     |            | RANGE    |            | DEPARTURE   |            | RANGE      |             | BELOW     |            |
|                              | ASSISTANCE  | DISPOSITION | SPONSORED | DEPARTURE  | W/BOOKER  | W/BOOKER   | RANGE    | DEPARTURE  | W/BOOKER    | W/BOOKER   | RANGE      | BELOW       | RANGE     | BELOW      |
|                              | N           | %           | N         | %          | N         | %          | N        | %          | N           | %          | N          | %           | N         | %          |
| <b>TOTAL</b>                 | <b>125</b>  | <b>19.1</b> | <b>0</b>  | <b>0.0</b> | <b>25</b> | <b>3.8</b> | <b>6</b> | <b>0.9</b> | <b>3</b>    | <b>0.5</b> | <b>119</b> | <b>18.2</b> | <b>9</b>  | <b>1.4</b> |
| Robbery                      | 2           | 11.8        | 0         | 0.0        | 0         | 0.0        | 0        | 0.0        | 0           | 0.0        | 3          | 17.6        | 1         | 5.9        |
| Drugs - Trafficking          | 83          | 39.0        | 0         | 0.0        | 11        | 5.2        | 1        | 0.5        | 1           | 0.5        | 36         | 16.9        | 1         | 0.5        |
| Drugs - Simple Possession    | 0           | 0.0         | 0         | 0.0        | 0         | 0.0        | 0        | 0.0        | 0           | 0.0        | 0          | 0.0         | 0         | 0.0        |
| Firearms                     | 9           | 5.1         | 0         | 0.0        | 3         | 1.7        | 3        | 1.7        | 0           | 0.0        | 20         | 11.4        | 3         | 1.7        |
| Larceny                      | 0           | 0.0         | 0         | 0.0        | 1         | 6.7        | 0        | 0.0        | 0           | 0.0        | 4          | 26.7        | 1         | 6.7        |
| Fraud                        | 23          | 27.7        | 0         | 0.0        | 3         | 3.6        | 0        | 0.0        | 0           | 0.0        | 24         | 28.9        | 1         | 1.2        |
| Embezzlement                 | 0           | 0.0         | 0         | 0.0        | 0         | 0.0        | 0        | 0.0        | 0           | 0.0        | 1          | 16.7        | 0         | 0.0        |
| Forgery/Counterfeiting       | 0           | 0.0         | 0         | 0.0        | 0         | 0.0        | 1        | 20.0       | 0           | 0.0        | 0          | 0.0         | 0         | 0.0        |
| Immigration                  | 1           | 2.9         | 0         | 0.0        | 0         | 0.0        | 0        | 0.0        | 0           | 0.0        | 4          | 11.8        | 1         | 2.9        |
| Other Miscellaneous Offenses | 7           | 6.9         | 0         | 0.0        | 7         | 6.9        | 1        | 1.0        | 2           | 2.0        | 27         | 26.5        | 1         | 1.0        |

Of the 83,946 guideline cases, 2,087 cases were excluded due to missing information from the submitted documents that prevented the comparison of the sentence and the guideline range.

Of the 659 guideline cases from the Western District of Missouri, five cases were excluded due to missing information from the from the submitted documents that prevented the comparison of the sentence and the guideline range.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, OPAFY10.