

# United States Sentencing Commission



## *Statistical Information Packet*

*Fiscal Year 2015*

*Third Circuit*

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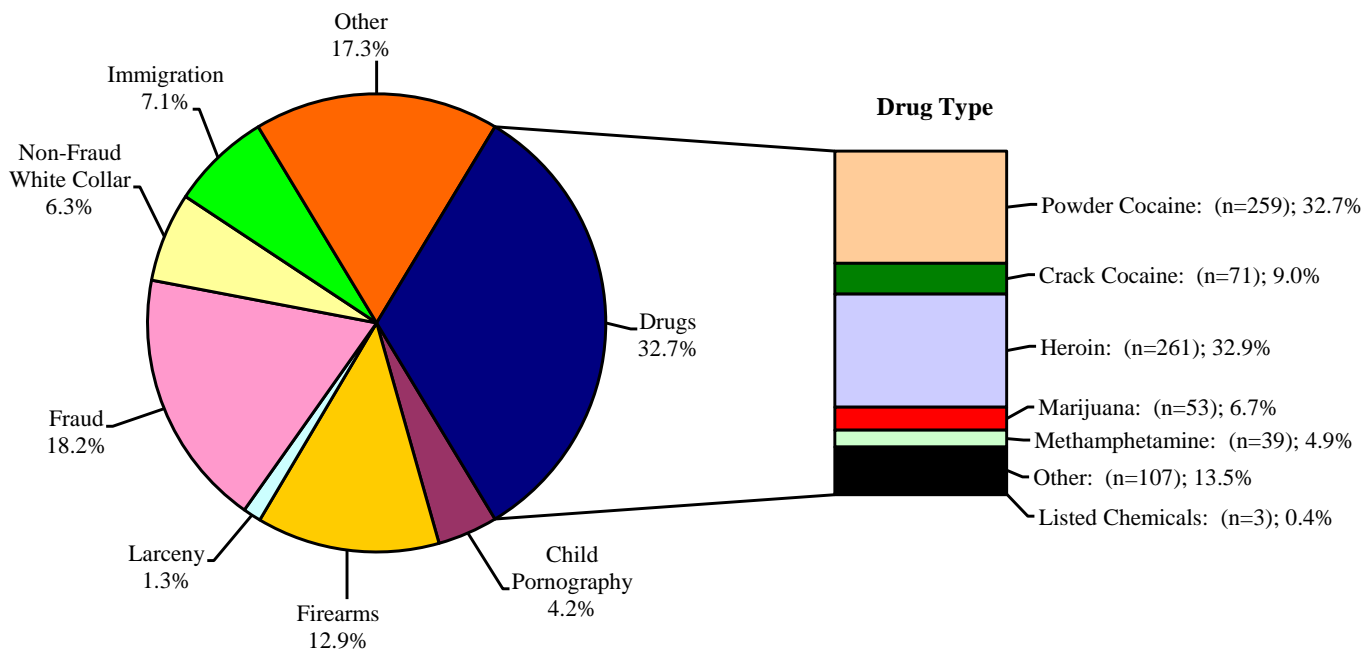
**Figure A**

**OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**Fiscal Year 2015**

**National**



**Third Circuit**



<sup>1</sup> Of the 71,003 guideline cases, no cases were excluded.

Of the 2,424 guideline cases from the Third Circuit, no cases were excluded.

The Drugs category includes the following offense types: trafficking, use of a communication facility, and simple possession. The Non-Fraud White Collar category includes the following offense types: embezzlement, forgery/counterfeiting, bribery, money laundering, and tax.

**Table 1**

**DISTRIBUTION OF GUIDELINE OFFENDERS IN EACH  
PRIMARY OFFENSE CATEGORY  
Fiscal Year 2015**

| PRIMARY OFFENSE                    | National      |              | Third Circuit |              |
|------------------------------------|---------------|--------------|---------------|--------------|
|                                    | N             | %            | N             | %            |
| <b>TOTAL</b>                       | <b>71,003</b> | <b>100.0</b> | <b>2,424</b>  | <b>100.0</b> |
| Murder                             | 93            | 0.1          | 4             | 0.2          |
| Manslaughter                       | 52            | 0.1          | 1             | 0.0          |
| Kidnapping/Hostage Taking          | 43            | 0.1          | 1             | 0.0          |
| Sexual Abuse                       | 528           | 0.7          | 27            | 1.1          |
| Assault                            | 757           | 1.1          | 19            | 0.8          |
| Robbery                            | 739           | 1.0          | 41            | 1.7          |
| Arson                              | 59            | 0.1          | 7             | 0.3          |
| Drugs - Trafficking                | 20,038        | 28.2         | 756           | 31.2         |
| Drugs - Communication Facility     | 316           | 0.4          | 8             | 0.3          |
| Drugs - Simple Possession          | 2,277         | 3.2          | 29            | 1.2          |
| Firearms                           | 7,069         | 10.0         | 313           | 12.9         |
| Burglary/B&E                       | 36            | 0.1          | 0             | 0.0          |
| Auto Theft                         | 62            | 0.1          | 5             | 0.2          |
| Larceny                            | 914           | 1.3          | 31            | 1.3          |
| Fraud                              | 7,420         | 10.5         | 441           | 18.2         |
| Embezzlement                       | 342           | 0.5          | 18            | 0.7          |
| Forgery/Counterfeiting             | 511           | 0.7          | 41            | 1.7          |
| Bribery                            | 217           | 0.3          | 19            | 0.8          |
| Tax                                | 561           | 0.8          | 54            | 2.2          |
| Money Laundering                   | 669           | 0.9          | 21            | 0.9          |
| Racketeering/Extortion             | 1,006         | 1.4          | 125           | 5.2          |
| Gambling/Lottery                   | 77            | 0.1          | 11            | 0.5          |
| Civil Rights                       | 48            | 0.1          | 3             | 0.1          |
| Immigration                        | 20,771        | 29.3         | 171           | 7.1          |
| Child Pornography                  | 1,903         | 2.7          | 103           | 4.2          |
| Prison Offenses                    | 485           | 0.7          | 41            | 1.7          |
| Administration of Justice Offenses | 1,175         | 1.7          | 45            | 1.9          |
| Environmental/Wildlife             | 158           | 0.2          | 8             | 0.3          |
| National Defense                   | 100           | 0.1          | 7             | 0.3          |
| Antitrust                          | 15            | 0.0          | 1             | 0.0          |
| Food & Drug                        | 147           | 0.2          | 4             | 0.2          |
| Other Miscellaneous Offenses       | 2,415         | 3.4          | 69            | 2.8          |

Of the 71,003 guideline cases, no cases were excluded.

Of the 2,424 guideline cases from the Third Circuit, no cases were excluded.

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

Table 2

**GUILTY PLEAS AND TRIALS IN EACH CIRCUIT AND DISTRICT  
Fiscal Year 2015**

| CIRCUIT<br>District   | TOTAL         | PLEA          |             | TRIAL        |            |
|-----------------------|---------------|---------------|-------------|--------------|------------|
|                       |               | N             | %           | N            | %          |
| <b>TOTAL</b>          | <b>71,003</b> | <b>68,915</b> | <b>97.1</b> | <b>2,088</b> | <b>2.9</b> |
| <b>D.C. CIRCUIT</b>   | <b>256</b>    | <b>233</b>    | <b>91.0</b> | <b>23</b>    | <b>9.0</b> |
| District of Columbia  | 256           | 233           | 91.0        | 23           | 9.0        |
| <b>FIRST CIRCUIT</b>  | <b>2,454</b>  | <b>2,362</b>  | <b>96.3</b> | <b>92</b>    | <b>3.7</b> |
| Maine                 | 188           | 173           | 92.0        | 15           | 8.0        |
| Massachusetts         | 524           | 489           | 93.3        | 35           | 6.7        |
| New Hampshire         | 144           | 140           | 97.2        | 4            | 2.8        |
| Puerto Rico           | 1,478         | 1,447         | 97.9        | 31           | 2.1        |
| Rhode Island          | 120           | 113           | 94.2        | 7            | 5.8        |
| <b>SECOND CIRCUIT</b> | <b>3,820</b>  | <b>3,630</b>  | <b>95.0</b> | <b>190</b>   | <b>5.0</b> |
| Connecticut           | 334           | 321           | 96.1        | 13           | 3.9        |
| New York              |               |               |             |              |            |
| Eastern               | 795           | 760           | 95.6        | 35           | 4.4        |
| Northern              | 344           | 325           | 94.5        | 19           | 5.5        |
| Southern              | 1,648         | 1,546         | 93.8        | 102          | 6.2        |
| Western               | 520           | 504           | 96.9        | 16           | 3.1        |
| Vermont               | 179           | 174           | 97.2        | 5            | 2.8        |
| <b>THIRD CIRCUIT</b>  | <b>2,424</b>  | <b>2,310</b>  | <b>95.3</b> | <b>114</b>   | <b>4.7</b> |
| Delaware              | 90            | 87            | 96.7        | 3            | 3.3        |
| New Jersey            | 701           | 670           | 95.6        | 31           | 4.4        |
| Pennsylvania          |               |               |             |              |            |
| Eastern               | 717           | 677           | 94.4        | 40           | 5.6        |
| Middle                | 382           | 374           | 97.9        | 8            | 2.1        |
| Western               | 474           | 455           | 96.0        | 19           | 4.0        |
| Virgin Islands        | 60            | 47            | 78.3        | 13           | 21.7       |
| <b>FOURTH CIRCUIT</b> | <b>5,744</b>  | <b>5,553</b>  | <b>96.7</b> | <b>191</b>   | <b>3.3</b> |
| Maryland              | 775           | 732           | 94.5        | 43           | 5.5        |
| North Carolina        |               |               |             |              |            |
| Eastern               | 586           | 573           | 97.8        | 13           | 2.2        |
| Middle                | 508           | 497           | 97.8        | 11           | 2.2        |
| Western               | 693           | 655           | 94.5        | 38           | 5.5        |
| South Carolina        | 642           | 625           | 97.4        | 17           | 2.6        |
| Virginia              |               |               |             |              |            |
| Eastern               | 1,461         | 1,414         | 96.8        | 47           | 3.2        |
| Western               | 376           | 366           | 97.3        | 10           | 2.7        |
| West Virginia         |               |               |             |              |            |
| Northern              | 419           | 411           | 98.1        | 8            | 1.9        |
| Southern              | 284           | 280           | 98.6        | 4            | 1.4        |

| CIRCUIT<br>District    | TOTAL         | PLEA          |             | TRIAL      |            |
|------------------------|---------------|---------------|-------------|------------|------------|
|                        |               | N             | %           | N          | %          |
| <b>FIFTH CIRCUIT</b>   | <b>16,344</b> | <b>16,111</b> | <b>98.6</b> | <b>233</b> | <b>1.4</b> |
| Louisiana              |               |               |             |            |            |
| Eastern                | 389           | 378           | 97.2        | 11         | 2.8        |
| Middle                 | 167           | 157           | 94.0        | 10         | 6.0        |
| Western                | 238           | 231           | 97.1        | 7          | 2.9        |
| Mississippi            |               |               |             |            |            |
| Northern               | 158           | 154           | 97.5        | 4          | 2.5        |
| Southern               | 278           | 264           | 95.0        | 14         | 5.0        |
| Texas                  |               |               |             |            |            |
| Eastern                | 1,031         | 1,008         | 97.8        | 23         | 2.2        |
| Northern               | 1,375         | 1,341         | 97.5        | 34         | 2.5        |
| Southern               | 6,229         | 6,152         | 98.8        | 77         | 1.2        |
| Western                | 6,479         | 6,426         | 99.2        | 53         | 0.8        |
| <b>SIXTH CIRCUIT</b>   | <b>4,725</b>  | <b>4,512</b>  | <b>95.5</b> | <b>213</b> | <b>4.5</b> |
| Kentucky               |               |               |             |            |            |
| Eastern                | 513           | 483           | 94.2        | 30         | 5.8        |
| Western                | 270           | 263           | 97.4        | 7          | 2.6        |
| Michigan               |               |               |             |            |            |
| Eastern                | 849           | 779           | 91.8        | 70         | 8.2        |
| Western                | 394           | 378           | 95.9        | 16         | 4.1        |
| Ohio                   |               |               |             |            |            |
| Northern               | 680           | 642           | 94.4        | 38         | 5.6        |
| Southern               | 590           | 582           | 98.6        | 8          | 1.4        |
| Tennessee              |               |               |             |            |            |
| Eastern                | 668           | 652           | 97.6        | 16         | 2.4        |
| Middle                 | 272           | 260           | 95.6        | 12         | 4.4        |
| Western                | 489           | 473           | 96.7        | 16         | 3.3        |
| <b>SEVENTH CIRCUIT</b> | <b>2,476</b>  | <b>2,351</b>  | <b>95.0</b> | <b>125</b> | <b>5.0</b> |
| Illinois               |               |               |             |            |            |
| Central                | 329           | 316           | 96.0        | 13         | 4.0        |
| Northern               | 725           | 665           | 91.7        | 60         | 8.3        |
| Southern               | 398           | 384           | 96.5        | 14         | 3.5        |
| Indiana                |               |               |             |            |            |
| Northern               | 273           | 264           | 96.7        | 9          | 3.3        |
| Southern               | 375           | 359           | 95.7        | 16         | 4.3        |
| Wisconsin              |               |               |             |            |            |
| Eastern                | 257           | 252           | 98.1        | 5          | 1.9        |
| Western                | 119           | 111           | 93.3        | 8          | 6.7        |
| <b>EIGHTH CIRCUIT</b>  | <b>4,578</b>  | <b>4,411</b>  | <b>96.4</b> | <b>167</b> | <b>3.6</b> |
| Arkansas               |               |               |             |            |            |
| Eastern                | 353           | 334           | 94.6        | 19         | 5.4        |
| Western                | 277           | 270           | 97.5        | 7          | 2.5        |
| Iowa                   |               |               |             |            |            |
| Northern               | 361           | 348           | 96.4        | 13         | 3.6        |
| Southern               | 309           | 291           | 94.2        | 18         | 5.8        |
| Minnesota              | 377           | 351           | 93.1        | 26         | 6.9        |
| Missouri               |               |               |             |            |            |
| Eastern                | 554           | 537           | 96.9        | 17         | 3.1        |
| Western                | 897           | 878           | 97.9        | 19         | 2.1        |
| Nebraska               | 590           | 571           | 96.8        | 19         | 3.2        |
| North Dakota           | 424           | 412           | 97.2        | 12         | 2.8        |
| South Dakota           | 436           | 419           | 96.1        | 17         | 3.9        |

| CIRCUIT<br>District      | TOTAL         | PLEA          |             | TRIAL      |            |
|--------------------------|---------------|---------------|-------------|------------|------------|
|                          |               | N             | %           | N          | %          |
| <b>NINTH CIRCUIT</b>     | <b>15,082</b> | <b>14,728</b> | <b>97.7</b> | <b>354</b> | <b>2.3</b> |
| Alaska                   | 165           | 155           | 93.9        | 10         | 6.1        |
| Arizona                  | 6,154         | 6,109         | 99.3        | 45         | 0.7        |
| California               |               |               |             |            |            |
| Central                  | 1,078         | 995           | 92.3        | 83         | 7.7        |
| Eastern                  | 734           | 716           | 97.5        | 18         | 2.5        |
| Northern                 | 568           | 542           | 95.4        | 26         | 4.6        |
| Southern                 | 3,391         | 3,326         | 98.1        | 65         | 1.9        |
| Guam                     | 91            | 86            | 94.5        | 5          | 5.5        |
| Hawaii                   | 239           | 229           | 95.8        | 10         | 4.2        |
| Idaho                    | 264           | 261           | 98.9        | 3          | 1.1        |
| Montana                  | 363           | 338           | 93.1        | 25         | 6.9        |
| Nevada                   | 552           | 526           | 95.3        | 26         | 4.7        |
| Northern Mariana Islands | 13            | 13            | 100.0       | 0          | 0.0        |
| Oregon                   | 582           | 576           | 99.0        | 6          | 1.0        |
| Washington               |               |               |             |            |            |
| Eastern                  | 380           | 361           | 95.0        | 19         | 5.0        |
| Western                  | 508           | 495           | 97.4        | 13         | 2.6        |
| <b>TENTH CIRCUIT</b>     | <b>6,959</b>  | <b>6,865</b>  | <b>98.6</b> | <b>94</b>  | <b>1.4</b> |
| Colorado                 | 437           | 424           | 97.0        | 13         | 3.0        |
| Kansas                   | 595           | 577           | 97.0        | 18         | 3.0        |
| New Mexico               | 4,434         | 4,415         | 99.6        | 19         | 0.4        |
| Oklahoma                 |               |               |             |            |            |
| Eastern                  | 99            | 92            | 92.9        | 7          | 7.1        |
| Northern                 | 186           | 175           | 94.1        | 11         | 5.9        |
| Western                  | 337           | 327           | 97.0        | 10         | 3.0        |
| Utah                     | 618           | 610           | 98.7        | 8          | 1.3        |
| Wyoming                  | 253           | 245           | 96.8        | 8          | 3.2        |
| <b>ELEVENTH CIRCUIT</b>  | <b>6,141</b>  | <b>5,849</b>  | <b>95.2</b> | <b>292</b> | <b>4.8</b> |
| Alabama                  |               |               |             |            |            |
| Middle                   | 201           | 191           | 95.0        | 10         | 5.0        |
| Northern                 | 347           | 337           | 97.1        | 10         | 2.9        |
| Southern                 | 329           | 320           | 97.3        | 9          | 2.7        |
| Florida                  |               |               |             |            |            |
| Middle                   | 1,384         | 1,304         | 94.2        | 80         | 5.8        |
| Northern                 | 255           | 237           | 92.9        | 18         | 7.1        |
| Southern                 | 2,236         | 2,119         | 94.8        | 117        | 5.2        |
| Georgia                  |               |               |             |            |            |
| Middle                   | 377           | 360           | 95.5        | 17         | 4.5        |
| Northern                 | 592           | 573           | 96.8        | 19         | 3.2        |
| Southern                 | 420           | 408           | 97.1        | 12         | 2.9        |

Of the 71,003 guideline cases, no cases were excluded.

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

**Table 3**

**GUILTY PLEAS AND TRIALS IN EACH PRIMARY OFFENSE CATEGORY  
Fiscal Year 2015**

| PRIMARY OFFENSE                           | TOTAL         | National      |             |              |            | Third Circuit |             |            |            |
|---|---------------|---------------|-------------|--------------|------------|---------------|-------------|------------|------------|
|   |               | PLEA          |             | TRIAL        |            | PLEA          |             | TRIAL      |            |
|   |               | N             | %           | N            | %          | N             | %           | N          | %          |
| <b>TOTAL</b>                              | <b>71,003</b> | <b>68,915</b> | <b>97.1</b> | <b>2,088</b> | <b>2.9</b> | <b>2,310</b>  | <b>95.3</b> | <b>114</b> | <b>4.7</b> |
| <b>Murder</b>                             | <b>93</b>     | 71            | 76.3        | 22           | 23.7       | 4             | 100.0       | 0          | 0.0        |
| <b>Manslaughter</b>                       | <b>52</b>     | 47            | 90.4        | 5            | 9.6        | 1             | 100.0       | 0          | 0.0        |
| <b>Kidnapping/Hostage Taking</b>          | <b>43</b>     | 38            | 88.4        | 5            | 11.6       | 1             | 100.0       | 0          | 0.0        |
| <b>Sexual Abuse</b>                       | <b>528</b>    | 475           | 90.0        | 53           | 10.0       | 24            | 88.9        | 3          | 11.1       |
| <b>Assault</b>                            | <b>757</b>    | 709           | 93.7        | 48           | 6.3        | 17            | 89.5        | 2          | 10.5       |
| <b>Robbery</b>                            | <b>739</b>    | 715           | 96.8        | 24           | 3.2        | 38            | 92.7        | 3          | 7.3        |
| <b>Arson</b>                              | <b>59</b>     | 51            | 86.4        | 8            | 13.6       | 6             | 85.7        | 1          | 14.3       |
| <b>Drugs - Trafficking</b>                | <b>20,038</b> | 19,479        | 97.2        | 559          | 2.8        | 735           | 97.2        | 21         | 2.8        |
| <b>Drugs - Communication Facility</b>     | <b>316</b>    | 316           | 100.0       | 0            | 0.0        | 8             | 100.0       | 0          | 0.0        |
| <b>Drugs - Simple Possession</b>          | <b>2,277</b>  | 2,272         | 99.8        | 5            | 0.2        | 29            | 100.0       | 0          | 0.0        |
| <b>Firearms</b>                           | <b>7,069</b>  | 6,707         | 94.9        | 362          | 5.1        | 285           | 91.1        | 28         | 8.9        |
| <b>Burglary/B&amp;E</b>                   | <b>36</b>     | 35            | 97.2        | 1            | 2.8        | 0             | --          | 0          | --         |
| <b>Auto Theft</b>                         | <b>62</b>     | 58            | 93.5        | 4            | 6.5        | 5             | 100.0       | 0          | 0.0        |
| <b>Larceny</b>                            | <b>914</b>    | 890           | 97.4        | 24           | 2.6        | 30            | 96.8        | 1          | 3.2        |
| <b>Fraud</b>                              | <b>7,420</b>  | 6,954         | 93.7        | 466          | 6.3        | 421           | 95.5        | 20         | 4.5        |
| <b>Embezzlement</b>                       | <b>342</b>    | 331           | 96.8        | 11           | 3.2        | 16            | 88.9        | 2          | 11.1       |
| <b>Forgery/Counterfeiting</b>             | <b>511</b>    | 500           | 97.8        | 11           | 2.2        | 41            | 100.0       | 0          | 0.0        |
| <b>Bribery</b>                            | <b>217</b>    | 208           | 95.9        | 9            | 4.1        | 19            | 100.0       | 0          | 0.0        |
| <b>Tax</b>                                | <b>561</b>    | 530           | 94.5        | 31           | 5.5        | 52            | 96.3        | 2          | 3.7        |
| <b>Money Laundering</b>                   | <b>669</b>    | 634           | 94.8        | 35           | 5.2        | 21            | 100.0       | 0          | 0.0        |
| <b>Racketeering/Extortion</b>             | <b>1,006</b>  | 919           | 91.4        | 87           | 8.6        | 114           | 91.2        | 11         | 8.8        |
| <b>Gambling/Lottery</b>                   | <b>77</b>     | 76            | 98.7        | 1            | 1.3        | 11            | 100.0       | 0          | 0.0        |
| <b>Civil Rights</b>                       | <b>48</b>     | 41            | 85.4        | 7            | 14.6       | 1             | 33.3        | 2          | 66.7       |
| <b>Immigration</b>                        | <b>20,771</b> | 20,655        | 99.4        | 116          | 0.6        | 169           | 98.8        | 2          | 1.2        |
| <b>Child Pornography</b>                  | <b>1,903</b>  | 1,837         | 96.5        | 66           | 3.5        | 102           | 99.0        | 1          | 1.0        |
| <b>Prison Offenses</b>                    | <b>485</b>    | 478           | 98.6        | 7            | 1.4        | 40            | 97.6        | 1          | 2.4        |
| <b>Administration of Justice Offenses</b> | <b>1,175</b>  | 1,131         | 96.3        | 44           | 3.7        | 40            | 88.9        | 5          | 11.1       |
| <b>Environmental/Wildlife</b>             | <b>158</b>    | 147           | 93.0        | 11           | 7.0        | 1             | 12.5        | 7          | 87.5       |
| <b>National Defense</b>                   | <b>100</b>    | 90            | 90.0        | 10           | 10.0       | 6             | 85.7        | 1          | 14.3       |
| <b>Antitrust</b>                          | <b>15</b>     | 12            | 80.0        | 3            | 20.0       | 1             | 100.0       | 0          | 0.0        |
| <b>Food &amp; Drug</b>                    | <b>147</b>    | 146           | 99.3        | 1            | 0.7        | 4             | 100.0       | 0          | 0.0        |
| <b>Other Miscellaneous Offenses</b>       | <b>2,415</b>  | 2,363         | 97.8        | 52           | 2.2        | 68            | 98.6        | 1          | 1.4        |

Of the 71,003 guideline cases, no cases were excluded.

Of the 2,424 guideline cases from the Third Circuit, no cases were excluded.

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



Table 4

**TYPE OF SENTENCE IMPOSED BY PRIMARY OFFENSE CATEGORY  
Fiscal Year 2015**

**National**

| PRIMARY OFFENSE                    | TOTAL         | Prison Only   |             | Prison/Community Split Sentence |            | Probation and Confinement |            | Probation Only |            |
|------------------------------------|---------------|---------------|-------------|---------------------------------|------------|---------------------------|------------|----------------|------------|
|                                    |               | N             | %           | N                               | %          | N                         | %          | N              | %          |
| <b>TOTAL</b>                       | <b>70,428</b> | <b>61,450</b> | <b>87.3</b> | <b>2,046</b>                    | <b>2.9</b> | <b>1,849</b>              | <b>2.6</b> | <b>5,083</b>   | <b>7.2</b> |
| Murder                             | 93            | 93            | 100.0       | 0                               | 0.0        | 0                         | 0.0        | 0              | 0.0        |
| Manslaughter                       | 52            | 49            | 94.2        | 1                               | 1.9        | 1                         | 1.9        | 1              | 1.9        |
| Kidnapping/Hostage Taking          | 43            | 41            | 95.3        | 1                               | 2.3        | 0                         | 0.0        | 1              | 2.3        |
| Sexual Abuse                       | 528           | 499           | 94.5        | 24                              | 4.5        | 2                         | 0.4        | 3              | 0.6        |
| Assault                            | 751           | 581           | 77.4        | 59                              | 7.9        | 23                        | 3.1        | 88             | 11.7       |
| Robbery                            | 739           | 686           | 92.8        | 35                              | 4.7        | 5                         | 0.7        | 13             | 1.8        |
| Arson                              | 59            | 52            | 88.1        | 2                               | 3.4        | 0                         | 0.0        | 5              | 8.5        |
| Drugs - Trafficking                | 20,037        | 18,540        | 92.5        | 626                             | 3.1        | 310                       | 1.5        | 561            | 2.8        |
| Drugs - Communication Facility     | 316           | 242           | 76.6        | 10                              | 3.2        | 17                        | 5.4        | 47             | 14.9       |
| Drugs - Simple Possession          | 2,230         | 1,965         | 88.1        | 6                               | 0.3        | 9                         | 0.4        | 250            | 11.2       |
| Firearms                           | 7,051         | 6,542         | 92.8        | 199                             | 2.8        | 119                       | 1.7        | 191            | 2.7        |
| Burglary/B&E                       | 36            | 25            | 69.4        | 6                               | 16.7       | 2                         | 5.6        | 3              | 8.3        |
| Auto Theft                         | 62            | 51            | 82.3        | 3                               | 4.8        | 3                         | 4.8        | 5              | 8.1        |
| Larceny                            | 882           | 361           | 40.9        | 56                              | 6.3        | 97                        | 11.0       | 368            | 41.7       |
| Fraud                              | 7,394         | 5,332         | 72.1        | 431                             | 5.8        | 544                       | 7.4        | 1,087          | 14.7       |
| Embezzlement                       | 330           | 127           | 38.5        | 21                              | 6.4        | 43                        | 13.0       | 139            | 42.1       |
| Forgery/Counterfeiting             | 508           | 355           | 69.9        | 45                              | 8.9        | 40                        | 7.9        | 68             | 13.4       |
| Bribery                            | 217           | 146           | 67.3        | 9                               | 4.1        | 25                        | 11.5       | 37             | 17.1       |
| Tax                                | 559           | 291           | 52.1        | 42                              | 7.5        | 91                        | 16.3       | 135            | 24.2       |
| Money Laundering                   | 668           | 462           | 69.2        | 42                              | 6.3        | 61                        | 9.1        | 103            | 15.4       |
| Racketeering/Extortion             | 1,006         | 899           | 89.4        | 40                              | 4.0        | 35                        | 3.5        | 32             | 3.2        |
| Gambling/Lottery                   | 75            | 18            | 24.0        | 13                              | 17.3       | 16                        | 21.3       | 28             | 37.3       |
| Civil Rights                       | 47            | 31            | 66.0        | 3                               | 6.4        | 3                         | 6.4        | 10             | 21.3       |
| Immigration                        | 20,762        | 19,859        | 95.7        | 160                             | 0.8        | 106                       | 0.5        | 637            | 3.1        |
| Child Pornography                  | 1,903         | 1,847         | 97.1        | 29                              | 1.5        | 8                         | 0.4        | 19             | 1.0        |
| Prison Offenses                    | 485           | 446           | 92.0        | 23                              | 4.7        | 3                         | 0.6        | 13             | 2.7        |
| Administration of Justice Offenses | 1,163         | 802           | 69.0        | 72                              | 6.2        | 71                        | 6.1        | 218            | 18.7       |
| Environmental/Wildlife             | 148           | 44            | 29.7        | 11                              | 7.4        | 19                        | 12.8       | 74             | 50.0       |
| National Defense                   | 99            | 87            | 87.9        | 0                               | 0.0        | 5                         | 5.1        | 7              | 7.1        |
| Antitrust                          | 15            | 13            | 86.7        | 0                               | 0.0        | 0                         | 0.0        | 2              | 13.3       |
| Food & Drug                        | 138           | 46            | 33.3        | 4                               | 2.9        | 10                        | 7.2        | 78             | 56.5       |
| Other Miscellaneous Offenses       | 2,032         | 918           | 45.2        | 73                              | 3.6        | 181                       | 8.9        | 860            | 42.3       |

Of the 71,003 guideline cases, 575 cases were excluded due to one of the following reasons: missing sentencing information (6), or cases in which the defendant received no imprisonment or probation (569).

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

**Table 5**  
**TYPE OF SENTENCE IMPOSED BY PRIMARY OFFENSE CATEGORY**  
**Fiscal Year 2015**

**Third Circuit**

| PRIMARY OFFENSE                    | TOTAL        | Prison Only  |             | Prison/Community Split Sentence |            | Probation and Confinement |            | Probation Only |            |
|------------------------------------|--------------|--------------|-------------|---------------------------------|------------|---------------------------|------------|----------------|------------|
|                                    |              | N            | %           | N                               | %          | N                         | %          | N              | %          |
| <b>TOTAL</b>                       | <b>2,418</b> | <b>1,884</b> | <b>77.9</b> | <b>122</b>                      | <b>5.0</b> | <b>178</b>                | <b>7.4</b> | <b>234</b>     | <b>9.7</b> |
| Murder                             | 4            | 4            | 100.0       | 0                               | 0.0        | 0                         | 0.0        | 0              | 0.0        |
| Manslaughter                       | 1            | 1            | 100.0       | 0                               | 0.0        | 0                         | 0.0        | 0              | 0.0        |
| Kidnapping/Hostage Taking          | 1            | 0            | 0.0         | 0                               | 0.0        | 0                         | 0.0        | 1              | 100.0      |
| Sexual Abuse                       | 27           | 26           | 96.3        | 1                               | 3.7        | 0                         | 0.0        | 0              | 0.0        |
| Assault                            | 19           | 14           | 73.7        | 1                               | 5.3        | 2                         | 10.5       | 2              | 10.5       |
| Robbery                            | 41           | 40           | 97.6        | 1                               | 2.4        | 0                         | 0.0        | 0              | 0.0        |
| Arson                              | 7            | 6            | 85.7        | 1                               | 14.3       | 0                         | 0.0        | 0              | 0.0        |
| Drugs - Trafficking                | 756          | 656          | 86.8        | 26                              | 3.4        | 29                        | 3.8        | 45             | 6.0        |
| Drugs - Communication Facility     | 8            | 6            | 75.0        | 0                               | 0.0        | 0                         | 0.0        | 2              | 25.0       |
| Drugs - Simple Possession          | 29           | 7            | 24.1        | 2                               | 6.9        | 1                         | 3.4        | 19             | 65.5       |
| Firearms                           | 311          | 283          | 91.0        | 7                               | 2.3        | 14                        | 4.5        | 7              | 2.3        |
| Burglary/B&E                       | 0            | 0            | --          | 0                               | --         | 0                         | --         | 0              | --         |
| Auto Theft                         | 5            | 3            | 60.0        | 0                               | 0.0        | 1                         | 20.0       | 1              | 20.0       |
| Larceny                            | 29           | 14           | 48.3        | 3                               | 10.3       | 8                         | 27.6       | 4              | 13.8       |
| Fraud                              | 441          | 297          | 67.3        | 27                              | 6.1        | 47                        | 10.7       | 70             | 15.9       |
| Embezzlement                       | 18           | 8            | 44.4        | 1                               | 5.6        | 4                         | 22.2       | 5              | 27.8       |
| Forgery/Counterfeiting             | 41           | 29           | 70.7        | 4                               | 9.8        | 6                         | 14.6       | 2              | 4.9        |
| Bribery                            | 19           | 3            | 15.8        | 1                               | 5.3        | 9                         | 47.4       | 6              | 31.6       |
| Tax                                | 54           | 20           | 37.0        | 10                              | 18.5       | 14                        | 25.9       | 10             | 18.5       |
| Money Laundering                   | 21           | 15           | 71.4        | 0                               | 0.0        | 1                         | 4.8        | 5              | 23.8       |
| Racketeering/Extortion             | 125          | 85           | 68.0        | 18                              | 14.4       | 13                        | 10.4       | 9              | 7.2        |
| Gambling/Lottery                   | 11           | 2            | 18.2        | 3                               | 27.3       | 2                         | 18.2       | 4              | 36.4       |
| Civil Rights                       | 3            | 1            | 33.3        | 0                               | 0.0        | 1                         | 33.3       | 1              | 33.3       |
| Immigration                        | 171          | 160          | 93.6        | 3                               | 1.8        | 0                         | 0.0        | 8              | 4.7        |
| Child Pornography                  | 103          | 97           | 94.2        | 5                               | 4.9        | 1                         | 1.0        | 0              | 0.0        |
| Prison Offenses                    | 41           | 34           | 82.9        | 1                               | 2.4        | 2                         | 4.9        | 4              | 9.8        |
| Administration of Justice Offenses | 45           | 29           | 64.4        | 3                               | 6.7        | 7                         | 15.6       | 6              | 13.3       |
| Environmental/Wildlife             | 8            | 5            | 62.5        | 1                               | 12.5       | 1                         | 12.5       | 1              | 12.5       |
| National Defense                   | 7            | 4            | 57.1        | 0                               | 0.0        | 1                         | 14.3       | 2              | 28.6       |
| Antitrust                          | 1            | 0            | 0.0         | 0                               | 0.0        | 0                         | 0.0        | 1              | 100.0      |
| Food & Drug                        | 4            | 2            | 50.0        | 0                               | 0.0        | 0                         | 0.0        | 2              | 50.0       |
| Other Miscellaneous Offenses       | 67           | 33           | 49.3        | 3                               | 4.5        | 14                        | 20.9       | 17             | 25.4       |

Of the 2,424 guideline cases from the Third Circuit, six cases were excluded due to cases in which the defendant received no imprisonment or probation.

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

**Table 6**

**INCARCERATION RATE OF U.S. CITIZEN DEFENDANTS ELIGIBLE FOR NON-PRISON SENTENCES  
BY PRIMARY OFFENSE CATEGORY  
Fiscal Year 2015**

| PRIMARY OFFENSE                     | TOTAL        | National        |             |                     |             | Third Circuit   |             |                     |             |
|-------------------------------------|--------------|-----------------|-------------|---------------------|-------------|-----------------|-------------|---------------------|-------------|
|                                     |              | Prison Sentence |             | Non-Prison Sentence |             | Prison Sentence |             | Non-Prison Sentence |             |
|                                     |              | N               | %           | N                   | %           | N               | %           | N                   | %           |
| <b>TOTAL</b>                        | <b>4,976</b> | <b>1,873</b>    | <b>37.6</b> | <b>3,103</b>        | <b>62.4</b> | <b>66</b>       | <b>34.0</b> | <b>128</b>          | <b>66.0</b> |
| <b>Fraud</b>                        | <b>1,153</b> | 415             | 36.0        | 738                 | 64.0        | 19              | 38.0        | 31                  | 62.0        |
| <b>Larceny</b>                      | <b>393</b>   | 84              | 21.4        | 309                 | 78.6        | 1               | 14.3        | 6                   | 85.7        |
| <b>Immigration</b>                  | <b>362</b>   | 216             | 59.7        | 146                 | 40.3        | 1               | 33.3        | 2                   | 66.7        |
| <b>Embezzlement</b>                 | <b>147</b>   | 24              | 16.3        | 123                 | 83.7        | 1               | 20.0        | 4                   | 80.0        |
| <b>Drugs - Trafficking</b>          | <b>458</b>   | 218             | 47.6        | 240                 | 52.4        | 4               | 20.0        | 16                  | 80.0        |
| <b>Drugs - Simple Possession</b>    | <b>291</b>   | 103             | 35.4        | 188                 | 64.6        | 8               | 30.8        | 18                  | 69.2        |
| <b>Firearms</b>                     | <b>149</b>   | 94              | 63.1        | 55                  | 36.9        | 2               | 50.0        | 2                   | 50.0        |
| <b>Forgery/Counterfeiting</b>       | <b>125</b>   | 62              | 49.6        | 63                  | 50.4        | 5               | 55.6        | 4                   | 44.4        |
| <b>Other Miscellaneous Offenses</b> | <b>1,898</b> | 657             | 34.6        | 1,241               | 65.4        | 25              | 35.7        | 45                  | 64.3        |

Of the 71,003 guideline cases, a U.S. Citizen was the defendant in 41,059 cases. Of these, 36,083 cases were excluded due to one or both of the following reasons: defendant ineligible for non-prison sentence (36,083), or missing sentencing information (5).

Of the 2,424 guideline cases from the Third Circuit, a U.S. Citizen was the defendant in 2,039 cases. Of these, 1,845 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, 2015 Datafile, USSCFY15.

**Table 7**

**LENGTH OF IMPRISONMENT BY PRIMARY OFFENSE CATEGORY  
Fiscal Year 2015**

| PRIMARY OFFENSE                           | National       |                  |               | Third Circuit  |                  |              |
|---|----------------|------------------|---------------|----------------|------------------|--------------|
|   | Mean<br>Months | Median<br>Months | N             | Mean<br>Months | Median<br>Months | N            |
| <b>TOTAL</b>                              | <b>50</b>      | <b>28</b>        | <b>61,130</b> | <b>63</b>      | <b>40</b>        | <b>1,936</b> |
| <b>Murder</b>                             | 287            | 300              | 93            | 210            | 236              | 4            |
| <b>Manslaughter</b>                       | 81             | 65               | 50            | --             | --               | 1            |
| <b>Kidnapping/Hostage Taking</b>          | 240            | 240              | 42            | --             | --               | 0            |
| <b>Sexual Abuse</b>                       | 129            | 120              | 520           | 177            | 120              | 26           |
| <b>Assault</b>                            | 36             | 24               | 611           | 62             | 30               | 14           |
| <b>Robbery</b>                            | 80             | 63               | 709           | 86             | 75               | 39           |
| <b>Arson</b>                              | 89             | 60               | 54            | 79             | 66               | 7            |
| <b>Drugs - Trafficking</b>                | 71             | 57               | 18,792        | 70             | 60               | 668          |
| <b>Drugs - Communication Facility</b>     | 36             | 33               | 248           | 30             | 37               | 6            |
| <b>Drugs - Simple Possession</b>          | 6              | 6                | 1,904         | 3              | 2                | 8            |
| <b>Firearms</b>                           | 83             | 60               | 6,658         | 93             | 78               | 289          |
| <b>Burglary/B&amp;E</b>                   | 29             | 20               | 30            | --             | --               | 0            |
| <b>Auto Theft</b>                         | 95             | 66               | 54            | 58             | 27               | 3            |
| <b>Larceny</b>                            | 22             | 13               | 395           | 20             | 15               | 17           |
| <b>Fraud</b>                              | 35             | 24               | 5,420         | 36             | 24               | 311          |
| <b>Embezzlement</b>                       | 21             | 12               | 141           | 31             | 18               | 9            |
| <b>Forgery/Counterfeiting</b>             | 20             | 18               | 382           | 19             | 18               | 30           |
| <b>Bribery</b>                            | 38             | 29               | 151           | 30             | 37               | 3            |
| <b>Tax</b>                                | 20             | 18               | 322           | 17             | 11               | 30           |
| <b>Money Laundering</b>                   | 38             | 26               | 480           | 36             | 30               | 14           |
| <b>Racketeering/Extortion</b>             | 86             | 60               | 915           | 42             | 27               | 102          |
| <b>Gambling/Lottery</b>                   | 8              | 6                | 29            | 8              | 8                | 5            |
| <b>Civil Rights</b>                       | 43             | 12               | 33            | --             | --               | 1            |
| <b>Immigration</b>                        | 16             | 11               | 18,833        | 21             | 18               | 138          |
| <b>Child Pornography</b>                  | 157            | 97               | 1,858         | 131            | 96               | 101          |
| <b>Prison Offenses</b>                    | 13             | 12               | 458           | 12             | 12               | 33           |
| <b>Administration of Justice Offenses</b> | 23             | 18               | 826           | 17             | 18               | 31           |
| <b>Environmental/Wildlife</b>             | 11             | 6                | 51            | 17             | 17               | 6            |
| <b>National Defense</b>                   | 71             | 46               | 85            | 79             | 32               | 4            |
| <b>Antitrust</b>                          | 48             | 18               | 13            | --             | --               | 0            |
| <b>Food &amp; Drug</b>                    | 17             | 13               | 46            | --             | --               | 2            |
| <b>Other Miscellaneous Offenses</b>       | 40             | 12               | 927           | 72             | 18               | 34           |

Of the 71,003 guideline cases, 9,873 cases were excluded due to one of the following reasons: zero months of prison ordered (9,303), or missing or indeterminable sentencing information (570).

Of the 2,424 guideline cases from the Third Circuit, 488 cases were excluded due to one of the following reasons: zero months of prison ordered (482) or missing or indeterminable sentencing information (6).

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

Table 8

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

|   | National      |              | Third Circuit |              |
|---|---------------|--------------|---------------|--------------|
|   | N             | %            | N             | %            |
| <b>TOTAL CASES<sup>1</sup></b>  | <b>68,270</b> | <b>100.0</b> | <b>2,415</b>  | <b>100.0</b> |
| <b>CASES SENTENCED WITHIN GUIDELINE RANGE</b>                           | <b>32,262</b> | <b>47.3</b>  | <b>885</b>    | <b>36.6</b>  |
| <b>CASES SENTENCED ABOVE GUIDELINE RANGE</b>                            | <b>1,506</b>  | <b>2.2</b>   | <b>33</b>     | <b>1.4</b>   |
| <b>DEPARTURE ABOVE GUIDELINE RANGE</b>                                  | <b>444</b>    | <b>0.7</b>   | <b>4</b>      | <b>0.2</b>   |
| Upward Departure From Guideline Range <sup>2</sup>                      | 349           | 0.5          | 4             | 0.2          |
| Upward Departure With <i>Booker</i> /18 U.S.C. § 3553 <sup>3</sup>      | 95            | 0.1          | 0             | 0.0          |
| <b>OTHERWISE ABOVE GUIDELINE RANGE</b>                                  | <b>1,062</b>  | <b>1.6</b>   | <b>29</b>     | <b>1.2</b>   |
| Above Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 <sup>4</sup> | 1,002         | 1.5          | 28            | 1.2          |
| All Remaining Cases Above Guideline Range <sup>5</sup>                  | 60            | 0.1          | 1             | 0.0          |
| <b>GOVERNMENT SPONSORED BELOW RANGE<sup>6</sup></b>                     | <b>19,988</b> | <b>29.3</b>  | <b>861</b>    | <b>35.7</b>  |
| §5K1.1 Substantial Assistance Departure                                 | 8,470         | 12.4         | 670           | 27.7         |
| §5K3.1 Early Disposition Program Departure                              | 6,294         | 9.2          | 12            | 0.5          |
| Other Government Sponsored Below Range                                  | 5,224         | 7.7          | 179           | 7.4          |
| <b>NON-GOVERNMENT SPONSORED BELOW RANGE</b>                             | <b>14,514</b> | <b>21.3</b>  | <b>636</b>    | <b>26.3</b>  |
| <b>DEPARTURE BELOW GUIDELINE RANGE</b>                                  | <b>2,104</b>  | <b>3.1</b>   | <b>49</b>     | <b>2.0</b>   |
| Downward Departure From Guideline Range <sup>2</sup>                    | 1,521         | 2.2          | 27            | 1.1          |
| Downward Departure With <i>Booker</i> /18 U.S.C. § 3553 <sup>3</sup>    | 583           | 0.9          | 22            | 0.9          |
| <b>OTHERWISE BELOW GUIDELINE RANGE</b>                                  | <b>12,410</b> | <b>18.2</b>  | <b>587</b>    | <b>24.3</b>  |
| Below Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 <sup>4</sup> | 12,032        | 17.6         | 566           | 23.4         |
| All Remaining Cases Below Guideline Range <sup>5</sup>                  | 378           | 0.6          | 21            | 0.9          |

<sup>1</sup> This table reflects the 71,003 cases sentenced nationally in Fiscal Year 2015, 2,424 of which were from the Third Circuit. Of these, 2,733 cases nationally and nine cases from the Third Circuit 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, 2015 Datafile, USSCFY15.

**Table 9**

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

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

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

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



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

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

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

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

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

**Table 10**

**SENTENCES RELATIVE TO THE GUIDELINE RANGE  
BY SELECTED PRIMARY OFFENSE CATEGORY  
Fiscal Year 2015**

**National**

| PRIMARY OFFENSE              | TOTAL         | WITHIN<br>GUIDELINE<br>RANGE |             | UPWARD<br>DEPARTURE |            | UPWARD<br>DEPARTURE<br>W/BOOKER |            | ABOVE RANGE<br>W/BOOKER |            | REMAINING<br>ABOVE RANGE |            |
|------------------------------|---------------|------------------------------|-------------|---------------------|------------|---------------------------------|------------|-------------------------|------------|--------------------------|------------|
|                              |               | N                            | %           | N                   | %          | N                               | %          | N                       | %          | N                        | %          |
| <b>TOTAL</b>                 | <b>68,270</b> | <b>32,262</b>                | <b>47.3</b> | <b>349</b>          | <b>0.5</b> | <b>95</b>                       | <b>0.1</b> | <b>1,002</b>            | <b>1.5</b> | <b>60</b>                | <b>0.1</b> |
| Robbery                      | 738           | 349                          | 47.3        | 13                  | 1.8        | 5                               | 0.7        | 29                      | 3.9        | 0                        | 0.0        |
| Drugs - Trafficking          | 20,027        | 7,028                        | 35.1        | 79                  | 0.4        | 12                              | 0.1        | 179                     | 0.9        | 12                       | 0.1        |
| Drugs - Simple Possession    | 448           | 429                          | 95.8        | 0                   | 0.0        | 0                               | 0.0        | 3                       | 0.7        | 0                        | 0.0        |
| Firearms                     | 7,049         | 3,713                        | 52.7        | 65                  | 0.9        | 19                              | 0.3        | 250                     | 3.5        | 15                       | 0.2        |
| Larceny                      | 873           | 486                          | 55.7        | 2                   | 0.2        | 0                               | 0.0        | 14                      | 1.6        | 0                        | 0.0        |
| Fraud                        | 7,047         | 2,836                        | 40.2        | 30                  | 0.4        | 6                               | 0.1        | 97                      | 1.4        | 8                        | 0.1        |
| Embezzlement                 | 329           | 182                          | 55.3        | 0                   | 0.0        | 0                               | 0.0        | 2                       | 0.6        | 0                        | 0.0        |
| Forgery/Counterfeiting       | 511           | 302                          | 59.1        | 1                   | 0.2        | 0                               | 0.0        | 12                      | 2.3        | 1                        | 0.2        |
| Immigration                  | 20,608        | 11,822                       | 57.4        | 82                  | 0.4        | 24                              | 0.1        | 210                     | 1.0        | 16                       | 0.1        |
| Other Miscellaneous Offenses | 10,640        | 5,115                        | 48.1        | 77                  | 0.7        | 29                              | 0.3        | 206                     | 1.9        | 8                        | 0.1        |

**Third Circuit**

| PRIMARY OFFENSE              | TOTAL        | WITHIN<br>GUIDELINE<br>RANGE |             | UPWARD<br>DEPARTURE |            | UPWARD<br>DEPARTURE<br>W/BOOKER |            | ABOVE RANGE<br>W/BOOKER |            | REMAINING<br>ABOVE RANGE |            |
|------------------------------|--------------|------------------------------|-------------|---------------------|------------|---------------------------------|------------|-------------------------|------------|--------------------------|------------|
|                              |              | N                            | %           | N                   | %          | N                               | %          | N                       | %          | N                        | %          |
| <b>TOTAL</b>                 | <b>2,415</b> | <b>885</b>                   | <b>36.6</b> | <b>4</b>            | <b>0.2</b> | <b>0</b>                        | <b>0.0</b> | <b>28</b>               | <b>1.2</b> | <b>1</b>                 | <b>0.0</b> |
| Robbery                      | 41           | 19                           | 46.3        | 1                   | 2.4        | 0                               | 0.0        | 0                       | 0.0        | 0                        | 0.0        |
| Drugs - Trafficking          | 756          | 206                          | 27.2        | 0                   | 0.0        | 0                               | 0.0        | 10                      | 1.3        | 0                        | 0.0        |
| Drugs - Simple Possession    | 27           | 25                           | 92.6        | 0                   | 0.0        | 0                               | 0.0        | 0                       | 0.0        | 0                        | 0.0        |
| Firearms                     | 311          | 125                          | 40.2        | 1                   | 0.3        | 0                               | 0.0        | 4                       | 1.3        | 1                        | 0.3        |
| Larceny                      | 31           | 13                           | 41.9        | 0                   | 0.0        | 0                               | 0.0        | 0                       | 0.0        | 0                        | 0.0        |
| Fraud                        | 441          | 143                          | 32.4        | 1                   | 0.2        | 0                               | 0.0        | 4                       | 0.9        | 0                        | 0.0        |
| Embezzlement                 | 17           | 8                            | 47.1        | 0                   | 0.0        | 0                               | 0.0        | 0                       | 0.0        | 0                        | 0.0        |
| Forgery/Counterfeiting       | 41           | 23                           | 56.1        | 0                   | 0.0        | 0                               | 0.0        | 0                       | 0.0        | 0                        | 0.0        |
| Immigration                  | 170          | 103                          | 60.6        | 0                   | 0.0        | 0                               | 0.0        | 3                       | 1.8        | 0                        | 0.0        |
| Other Miscellaneous Offenses | 580          | 220                          | 37.9        | 1                   | 0.2        | 0                               | 0.0        | 7                       | 1.2        | 0                        | 0.0        |

### National

| PRIMARY OFFENSE              | §5K1.1<br>SUBSTANTIAL<br>ASSISTANCE |             | §5K3.1<br>EARLY<br>DISPOSITION |            | OTHER<br>GOV'T<br>SPONSORED |            | DOWNWARD<br>DEPARTURE |            | DOWNWARD<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>8,470</b>                        | <b>12.4</b> | <b>6,294</b>                   | <b>9.2</b> | <b>5,224</b>                | <b>7.7</b> | <b>1,521</b>          | <b>2.2</b> | <b>583</b>                        | <b>0.9</b> | <b>12,032</b>              | <b>17.6</b> | <b>378</b>                  | <b>0.6</b> |
| Robbery                      | 74                                  | 10.0        | 1                              | 0.1        | 71                          | 9.6        | 18                    | 2.4        | 13                                | 1.8        | 164                        | 22.2        | 1                           | 0.1        |
| Drugs - Trafficking          | 4,931                               | 24.6        | 1,222                          | 6.1        | 2,059                       | 10.3       | 338                   | 1.7        | 219                               | 1.1        | 3,869                      | 19.3        | 79                          | 0.4        |
| Drugs - Simple Possession    | 1                                   | 0.2         | 2                              | 0.4        | 4                           | 0.9        | 0                     | 0.0        | 0                                 | 0.0        | 7                          | 1.6         | 2                           | 0.4        |
| Firearms                     | 763                                 | 10.8        | 13                             | 0.2        | 636                         | 9.0        | 127                   | 1.8        | 47                                | 0.7        | 1,370                      | 19.4        | 31                          | 0.4        |
| Larceny                      | 55                                  | 6.3         | 0                              | 0.0        | 70                          | 8.0        | 22                    | 2.5        | 13                                | 1.5        | 196                        | 22.5        | 15                          | 1.7        |
| Fraud                        | 1,337                               | 19.0        | 3                              | 0.0        | 607                         | 8.6        | 107                   | 1.5        | 80                                | 1.1        | 1,870                      | 26.5        | 66                          | 0.9        |
| Embezzlement                 | 16                                  | 4.9         | 1                              | 0.3        | 27                          | 8.2        | 13                    | 4.0        | 0                                 | 0.0        | 86                         | 26.1        | 2                           | 0.6        |
| Forgery/Counterfeiting       | 47                                  | 9.2         | 0                              | 0.0        | 26                          | 5.1        | 14                    | 2.7        | 8                                 | 1.6        | 96                         | 18.8        | 4                           | 0.8        |
| Immigration                  | 250                                 | 1.2         | 5,032                          | 24.4       | 441                         | 2.1        | 723                   | 3.5        | 80                                | 0.4        | 1,829                      | 8.9         | 99                          | 0.5        |
| Other Miscellaneous Offenses | 996                                 | 9.4         | 20                             | 0.2        | 1,283                       | 12.1       | 159                   | 1.5        | 123                               | 1.2        | 2,545                      | 23.9        | 79                          | 0.7        |

### Third Circuit

| PRIMARY OFFENSE              | §5K1.1<br>SUBSTANTIAL<br>ASSISTANCE |             | §5K3.1<br>EARLY<br>DISPOSITION |            | OTHER<br>GOV'T<br>SPONSORED |            | DOWNWARD<br>DEPARTURE |            | DOWNWARD<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>670</b>                          | <b>27.7</b> | <b>12</b>                      | <b>0.5</b> | <b>179</b>                  | <b>7.4</b> | <b>27</b>             | <b>1.1</b> | <b>22</b>                         | <b>0.9</b> | <b>566</b>                 | <b>23.4</b> | <b>21</b>                   | <b>0.9</b> |
| Robbery                      | 7                                   | 17.1        | 0                              | 0.0        | 3                           | 7.3        | 0                     | 0.0        | 1                                 | 2.4        | 10                         | 24.4        | 0                           | 0.0        |
| Drugs - Trafficking          | 296                                 | 39.2        | 0                              | 0.0        | 64                          | 8.5        | 10                    | 1.3        | 6                                 | 0.8        | 163                        | 21.6        | 1                           | 0.1        |
| Drugs - Simple Possession    | 0                                   | 0.0         | 0                              | 0.0        | 0                           | 0.0        | 0                     | 0.0        | 0                                 | 0.0        | 1                          | 3.7         | 1                           | 3.7        |
| Firearms                     | 79                                  | 25.4        | 0                              | 0.0        | 33                          | 10.6       | 2                     | 0.6        | 3                                 | 1.0        | 60                         | 19.3        | 3                           | 1.0        |
| Larceny                      | 2                                   | 6.5         | 0                              | 0.0        | 0                           | 0.0        | 2                     | 6.5        | 0                                 | 0.0        | 14                         | 45.2        | 0                           | 0.0        |
| Fraud                        | 149                                 | 33.8        | 0                              | 0.0        | 20                          | 4.5        | 5                     | 1.1        | 4                                 | 0.9        | 109                        | 24.7        | 6                           | 1.4        |
| Embezzlement                 | 0                                   | 0.0         | 0                              | 0.0        | 0                           | 0.0        | 0                     | 0.0        | 0                                 | 0.0        | 9                          | 52.9        | 0                           | 0.0        |
| Forgery/Counterfeiting       | 6                                   | 14.6        | 0                              | 0.0        | 0                           | 0.0        | 0                     | 0.0        | 1                                 | 2.4        | 10                         | 24.4        | 1                           | 2.4        |
| Immigration                  | 12                                  | 7.1         | 12                             | 7.1        | 0                           | 0.0        | 1                     | 0.6        | 2                                 | 1.2        | 36                         | 21.2        | 1                           | 0.6        |
| Other Miscellaneous Offenses | 119                                 | 20.5        | 0                              | 0.0        | 59                          | 10.2       | 7                     | 1.2        | 5                                 | 0.9        | 154                        | 26.6        | 8                           | 1.4        |

Of the 71,003 guideline cases, 2,733 cases were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range.

Of the 2,424 guideline cases from the Third Circuit, nine cases were excluded because information was missing from the from the submitted documents that prevented the comparison of the sentence and the guideline range.

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