

**United  
States  
Sentencing  
Commission**



***Statistical Information Packet***

***Fiscal Year 2019***

***Second Circuit***

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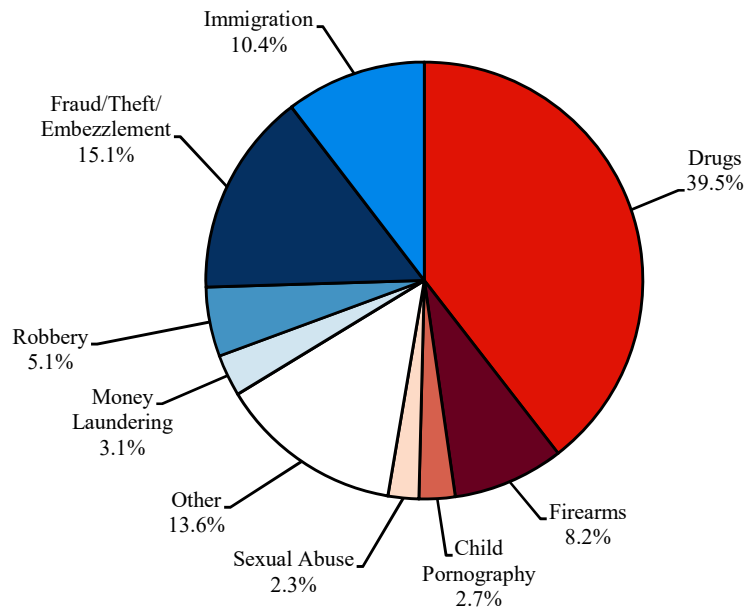
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**Figure A**  
**FEDERAL OFFENDERS BY TYPE OF CRIME**  
**Fiscal Year 2019**

**National**



**Second Circuit**



The National figure includes the 76,538 cases reported to the Commission. The Drugs category includes trafficking and simple possession.

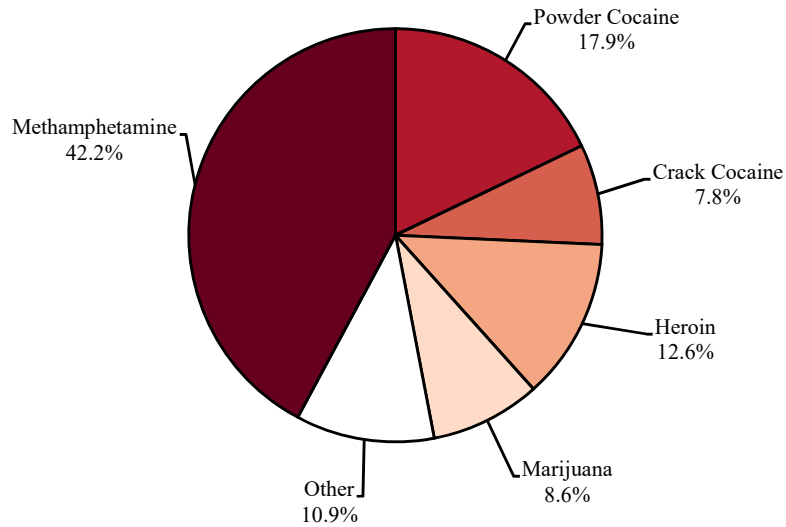
The Second Circuit figure includes the 3,564 cases reported to the Commission.

SOURCE: U.S. Sentencing Commission, 2019 Datafile, USSCFY19.

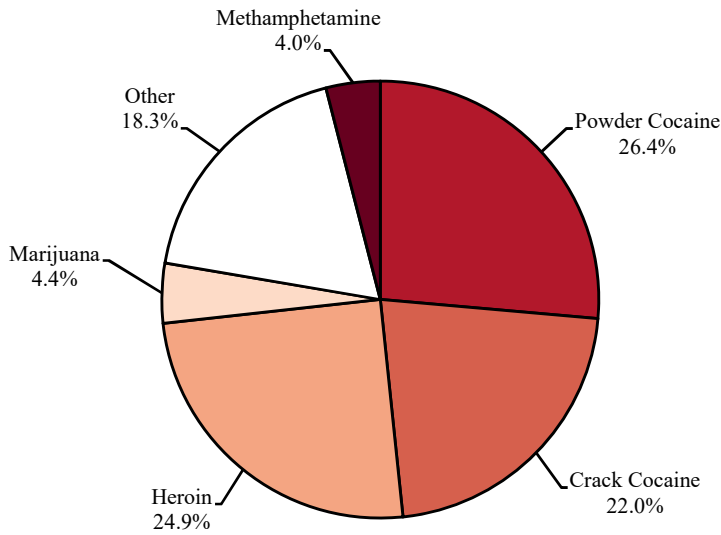
**Figure B**

**DISTRIBUTION OF PRIMARY DRUG TYPE IN FEDERAL DRUG CASES  
Fiscal Year 2019**

**National**



**Second Circuit**



Of the 76,538 National cases, in 20,085 the offender was sentenced under USSG Chapter Two, Part D (Drugs). Of these, one was excluded due to missing information on drug type.

Of the 3,564 cases from the Second Circuit, in 1,425 the offender was sentenced under USSG Chapter Two, Part D (Drugs).

SOURCE: U.S. Sentencing Commission, 2019 Datafile, USSCFY19.

**Table 1**  
**DISTRIBUTION OF FEDERAL OFFENDERS**  
**BY TYPE OF CRIME**  
**Fiscal Year 2019**

| TYPE OF CRIME                | National      |              | Second Circuit |              |
|------------------------------|---------------|--------------|----------------|--------------|
|                              | N             | %            | N              | %            |
| <b>TOTAL</b>                 | <b>76,538</b> | <b>100.0</b> | <b>3,564</b>   | <b>100.0</b> |
| Administration of Justice    | 698           | 0.9          | 35             | 1.0          |
| Antitrust                    | 20            | 0.0          | 0              | 0.0          |
| Arson                        | 68            | 0.1          | 7              | 0.2          |
| Assault                      | 787           | 1.0          | 61             | 1.7          |
| Bribery/Corruption           | 341           | 0.4          | 50             | 1.4          |
| Burglary/Trespass            | 64            | 0.1          | 1              | 0.0          |
| Child Pornography            | 1,368         | 1.8          | 95             | 2.7          |
| Commercialized Vice          | 90            | 0.1          | 12             | 0.3          |
| Drug Possession              | 563           | 0.7          | 17             | 0.5          |
| Drug Trafficking             | 19,830        | 25.9         | 1,391          | 39.0         |
| Environmental                | 179           | 0.2          | 8              | 0.2          |
| Extortion/Racketeering       | 185           | 0.2          | 39             | 1.1          |
| Firearms                     | 8,481         | 11.1         | 293            | 8.2          |
| Food and Drug                | 48            | 0.1          | 2              | 0.1          |
| Forgery/Counter/Copyright    | 276           | 0.4          | 9              | 0.3          |
| Fraud/Theft/Embezzlement     | 6,390         | 8.3          | 537            | 15.1         |
| Immigration                  | 29,354        | 38.4         | 371            | 10.4         |
| Individual Rights            | 68            | 0.1          | 5              | 0.1          |
| Kidnapping                   | 96            | 0.1          | 14             | 0.4          |
| Manslaughter                 | 74            | 0.1          | 0              | 0.0          |
| Money Laundering             | 1,177         | 1.5          | 110            | 3.1          |
| Murder                       | 373           | 0.5          | 80             | 2.2          |
| National Defense             | 195           | 0.3          | 8              | 0.2          |
| Obscenity/Other Sex Offenses | 393           | 0.5          | 15             | 0.4          |
| Prison Offenses              | 628           | 0.8          | 16             | 0.4          |
| Robbery                      | 1,825         | 2.4          | 183            | 5.1          |
| Sexual Abuse                 | 1,165         | 1.5          | 81             | 2.3          |
| Stalking/Harassing           | 223           | 0.3          | 11             | 0.3          |
| Tax                          | 547           | 0.7          | 73             | 2.0          |
| Other                        | 1,032         | 1.3          | 40             | 1.1          |

SOURCE: U.S. Sentencing Commission, 2019 Datafile, USSCFY19.

**Table 2**

**GUILTY PLEAS AND TRIALS IN EACH CIRCUIT AND DISTRICT  
Fiscal Year 2019**

| CIRCUIT<br>District   | TOTAL         | PLEA          |             | TRIAL        |            |
|-----------------------|---------------|---------------|-------------|--------------|------------|
|                       |               | N             | %           | N            | %          |
| <b>TOTAL</b>          | <b>76,538</b> | <b>74,709</b> | <b>97.6</b> | <b>1,829</b> | <b>2.4</b> |
| <b>D.C. CIRCUIT</b>   | <b>331</b>    | <b>315</b>    | <b>95.2</b> | <b>16</b>    | <b>4.8</b> |
| District of Columbia  | 331           | 315           | 95.2        | 16           | 4.8        |
| <b>FIRST CIRCUIT</b>  | <b>2,134</b>  | <b>2,061</b>  | <b>96.6</b> | <b>73</b>    | <b>3.4</b> |
| Maine                 | 162           | 156           | 96.3        | 6            | 3.7        |
| Massachusetts         | 476           | 442           | 92.9        | 34           | 7.1        |
| New Hampshire         | 196           | 193           | 98.5        | 3            | 1.5        |
| Puerto Rico           | 1,165         | 1,137         | 97.6        | 28           | 2.4        |
| Rhode Island          | 135           | 133           | 98.5        | 2            | 1.5        |
| <b>SECOND CIRCUIT</b> | <b>3,564</b>  | <b>3,408</b>  | <b>95.6</b> | <b>156</b>   | <b>4.4</b> |
| Connecticut           | 349           | 337           | 96.6        | 12           | 3.4        |
| New York              |               |               |             |              |            |
| Eastern               | 622           | 600           | 96.5        | 22           | 3.5        |
| Northern              | 392           | 370           | 94.4        | 22           | 5.6        |
| Southern              | 1,515         | 1,433         | 94.6        | 82           | 5.4        |
| Western               | 520           | 505           | 97.1        | 15           | 2.9        |
| Vermont               | 166           | 163           | 98.2        | 3            | 1.8        |
| <b>THIRD CIRCUIT</b>  | <b>2,343</b>  | <b>2,219</b>  | <b>94.7</b> | <b>124</b>   | <b>5.3</b> |
| Delaware              | 122           | 117           | 95.9        | 5            | 4.1        |
| New Jersey            | 620           | 598           | 96.5        | 22           | 3.5        |
| Pennsylvania          |               |               |             |              |            |
| Eastern               | 627           | 583           | 93.0        | 44           | 7.0        |
| Middle                | 505           | 476           | 94.3        | 29           | 5.7        |
| Western               | 383           | 372           | 97.1        | 11           | 2.9        |
| Virgin Islands        | 86            | 73            | 84.9        | 13           | 15.1       |
| <b>FOURTH CIRCUIT</b> | <b>5,790</b>  | <b>5,610</b>  | <b>96.9</b> | <b>180</b>   | <b>3.1</b> |
| Maryland              | 777           | 737           | 94.9        | 40           | 5.1        |
| North Carolina        |               |               |             |              |            |
| Eastern               | 876           | 851           | 97.1        | 25           | 2.9        |
| Middle                | 490           | 482           | 98.4        | 8            | 1.6        |
| Western               | 538           | 521           | 96.8        | 17           | 3.2        |
| South Carolina        | 1,058         | 1,034         | 97.7        | 24           | 2.3        |
| Virginia              |               |               |             |              |            |
| Eastern               | 1,211         | 1,173         | 96.9        | 38           | 3.1        |
| Western               | 243           | 235           | 96.7        | 8            | 3.3        |
| West Virginia         |               |               |             |              |            |
| Northern              | 282           | 275           | 97.5        | 7            | 2.5        |
| Southern              | 315           | 302           | 95.9        | 13           | 4.1        |

| CIRCUIT<br>District    | TOTAL         | PLEA          |             | TRIAL      |            |
|------------------------|---------------|---------------|-------------|------------|------------|
|                        |               | N             | %           | N          | %          |
| <b>FIFTH CIRCUIT</b>   | <b>21,369</b> | <b>21,168</b> | <b>99.1</b> | <b>201</b> | <b>0.9</b> |
| <b>Louisiana</b>       |               |               |             |            |            |
| Eastern                | 294           | 283           | 96.3        | 11         | 3.7        |
| Middle                 | 186           | 174           | 93.5        | 12         | 6.5        |
| Western                | 381           | 369           | 96.9        | 12         | 3.1        |
| <b>Mississippi</b>     |               |               |             |            |            |
| Northern               | 188           | 187           | 99.5        | 1          | 0.5        |
| Southern               | 456           | 444           | 97.4        | 12         | 2.6        |
| <b>Texas</b>           |               |               |             |            |            |
| Eastern                | 724           | 710           | 98.1        | 14         | 1.9        |
| Northern               | 1,556         | 1,518         | 97.6        | 38         | 2.4        |
| Southern               | 7,815         | 7,756         | 99.2        | 59         | 0.8        |
| Western                | 9,769         | 9,727         | 99.6        | 42         | 0.4        |
| <b>SIXTH CIRCUIT</b>   | <b>5,321</b>  | <b>5,108</b>  | <b>96.0</b> | <b>213</b> | <b>4.0</b> |
| <b>Kentucky</b>        |               |               |             |            |            |
| Eastern                | 557           | 510           | 91.6        | 47         | 8.4        |
| Western                | 349           | 338           | 96.8        | 11         | 3.2        |
| <b>Michigan</b>        |               |               |             |            |            |
| Eastern                | 879           | 843           | 95.9        | 36         | 4.1        |
| Western                | 392           | 374           | 95.4        | 18         | 4.6        |
| <b>Ohio</b>            |               |               |             |            |            |
| Northern               | 901           | 860           | 95.4        | 41         | 4.6        |
| Southern               | 562           | 553           | 98.4        | 9          | 1.6        |
| <b>Tennessee</b>       |               |               |             |            |            |
| Eastern                | 751           | 733           | 97.6        | 18         | 2.4        |
| Middle                 | 324           | 308           | 95.1        | 16         | 4.9        |
| Western                | 606           | 589           | 97.2        | 17         | 2.8        |
| <b>SEVENTH CIRCUIT</b> | <b>2,456</b>  | <b>2,364</b>  | <b>96.3</b> | <b>92</b>  | <b>3.7</b> |
| <b>Illinois</b>        |               |               |             |            |            |
| Central                | 226           | 215           | 95.1        | 11         | 4.9        |
| Northern               | 655           | 621           | 94.8        | 34         | 5.2        |
| Southern               | 286           | 279           | 97.6        | 7          | 2.4        |
| <b>Indiana</b>         |               |               |             |            |            |
| Northern               | 360           | 348           | 96.7        | 12         | 3.3        |
| Southern               | 472           | 455           | 96.4        | 17         | 3.6        |
| <b>Wisconsin</b>       |               |               |             |            |            |
| Eastern                | 269           | 262           | 97.4        | 7          | 2.6        |
| Western                | 188           | 184           | 97.9        | 4          | 2.1        |
| <b>EIGHTH CIRCUIT</b>  | <b>5,441</b>  | <b>5,278</b>  | <b>97.0</b> | <b>163</b> | <b>3.0</b> |
| <b>Arkansas</b>        |               |               |             |            |            |
| Eastern                | 564           | 560           | 99.3        | 4          | 0.7        |
| Western                | 258           | 257           | 99.6        | 1          | 0.4        |
| <b>Iowa</b>            |               |               |             |            |            |
| Northern               | 415           | 396           | 95.4        | 19         | 4.6        |
| Southern               | 493           | 474           | 96.1        | 19         | 3.9        |
| <b>Minnesota</b>       | <b>382</b>    | 354           | 92.7        | 28         | 7.3        |
| <b>Missouri</b>        |               |               |             |            |            |
| Eastern                | 1,192         | 1,178         | 98.8        | 14         | 1.2        |
| Western                | 772           | 748           | 96.9        | 24         | 3.1        |
| <b>Nebraska</b>        | <b>527</b>    | 515           | 97.7        | 12         | 2.3        |
| <b>North Dakota</b>    | <b>329</b>    | 318           | 96.7        | 11         | 3.3        |
| <b>South Dakota</b>    | <b>509</b>    | 478           | 93.9        | 31         | 6.1        |

| CIRCUIT<br>District      | TOTAL         | PLEA          |             | TRIAL      |            |
|--------------------------|---------------|---------------|-------------|------------|------------|
|                          |               | N             | %           | N          | %          |
| <b>NINTH CIRCUIT</b>     | <b>14,785</b> | <b>14,502</b> | <b>98.1</b> | <b>283</b> | <b>1.9</b> |
| Alaska                   | 193           | 186           | 96.4        | 7          | 3.6        |
| Arizona                  | 5,610         | 5,570         | 99.3        | 40         | 0.7        |
| California               |               |               |             |            |            |
| Central                  | 1,143         | 1,071         | 93.7        | 72         | 6.3        |
| Eastern                  | 511           | 490           | 95.9        | 21         | 4.1        |
| Northern                 | 485           | 465           | 95.9        | 20         | 4.1        |
| Southern                 | 4,089         | 4,033         | 98.6        | 56         | 1.4        |
| Guam                     | 49            | 48            | 98.0        | 1          | 2.0        |
| Hawaii                   | 154           | 145           | 94.2        | 9          | 5.8        |
| Idaho                    | 372           | 364           | 97.8        | 8          | 2.2        |
| Montana                  | 385           | 373           | 96.9        | 12         | 3.1        |
| Nevada                   | 482           | 467           | 96.9        | 15         | 3.1        |
| Northern Mariana Islands | 11            | 11            | 100.0       | 0          | 0.0        |
| Oregon                   | 475           | 466           | 98.1        | 9          | 1.9        |
| Washington               |               |               |             |            |            |
| Eastern                  | 360           | 355           | 98.6        | 5          | 1.4        |
| Western                  | 466           | 458           | 98.3        | 8          | 1.7        |
| <b>TENTH CIRCUIT</b>     | <b>6,526</b>  | <b>6,458</b>  | <b>99.0</b> | <b>68</b>  | <b>1.0</b> |
| Colorado                 | 529           | 511           | 96.6        | 18         | 3.4        |
| Kansas                   | 465           | 454           | 97.6        | 11         | 2.4        |
| New Mexico               | 3,951         | 3,938         | 99.7        | 13         | 0.3        |
| Oklahoma                 |               |               |             |            |            |
| Eastern                  | 101           | 94            | 93.1        | 7          | 6.9        |
| Northern                 | 217           | 212           | 97.7        | 5          | 2.3        |
| Western                  | 407           | 401           | 98.5        | 6          | 1.5        |
| Utah                     | 674           | 670           | 99.4        | 4          | 0.6        |
| Wyoming                  | 182           | 178           | 97.8        | 4          | 2.2        |
| <b>ELEVENTH CIRCUIT</b>  | <b>6,478</b>  | <b>6,218</b>  | <b>96.0</b> | <b>260</b> | <b>4.0</b> |
| Alabama                  |               |               |             |            |            |
| Middle                   | 260           | 249           | 95.8        | 11         | 4.2        |
| Northern                 | 545           | 528           | 96.9        | 17         | 3.1        |
| Southern                 | 376           | 365           | 97.1        | 11         | 2.9        |
| Florida                  |               |               |             |            |            |
| Middle                   | 1,594         | 1,517         | 95.2        | 77         | 4.8        |
| Northern                 | 309           | 292           | 94.5        | 17         | 5.5        |
| Southern                 | 1,987         | 1,902         | 95.7        | 85         | 4.3        |
| Georgia                  |               |               |             |            |            |
| Middle                   | 420           | 401           | 95.5        | 19         | 4.5        |
| Northern                 | 513           | 497           | 96.9        | 16         | 3.1        |
| Southern                 | 474           | 467           | 98.5        | 7          | 1.5        |

Of the 76,538 National cases, no cases were excluded.

SOURCE: U.S. Sentencing Commission, 2019 Datafile, USSCFY19.



**Table 3****GUILTY PLEAS AND TRIALS BY TYPE OF CRIME  
Fiscal Year 2019**

| TYPE OF CRIME                | TOTAL         | National      |             |              |            | Second Circuit |             |            |            |
|------------------------------|---------------|---------------|-------------|--------------|------------|----------------|-------------|------------|------------|
|                              |               | PLEA          |             | TRIAL        |            | PLEA           |             | TRIAL      |            |
|                              |               | N             | %           | N            | %          | N              | %           | N          | %          |
| <b>TOTAL</b>                 | <b>76,538</b> | <b>74,709</b> | <b>97.6</b> | <b>1,829</b> | <b>2.4</b> | <b>3,408</b>   | <b>95.6</b> | <b>156</b> | <b>4.4</b> |
| Administration of Justice    | 698           | 660           | 94.6        | 38           | 5.4        | 31             | 88.6        | 4          | 11.4       |
| Antitrust                    | 20            | 20            | 100.0       | 0            | 0.0        | 0              | --          | 0          | --         |
| Arson                        | 68            | 58            | 85.3        | 10           | 14.7       | 5              | 71.4        | 2          | 28.6       |
| Assault                      | 787           | 733           | 93.1        | 54           | 6.9        | 59             | 96.7        | 2          | 3.3        |
| Bribery/Corruption           | 341           | 307           | 90.0        | 34           | 10.0       | 43             | 86.0        | 7          | 14.0       |
| Burglary/Trespass            | 64            | 62            | 96.9        | 2            | 3.1        | 1              | 100.0       | 0          | 0.0        |
| Child Pornography            | 1,368         | 1,326         | 96.9        | 42           | 3.1        | 94             | 98.9        | 1          | 1.1        |
| Commercialized Vice          | 90            | 82            | 91.1        | 8            | 8.9        | 10             | 83.3        | 2          | 16.7       |
| Drug Possession              | 563           | 560           | 99.5        | 3            | 0.5        | 17             | 100.0       | 0          | 0.0        |
| Drug Trafficking             | 19,830        | 19,335        | 97.5        | 495          | 2.5        | 1,354          | 97.3        | 37         | 2.7        |
| Environmental                | 179           | 176           | 98.3        | 3            | 1.7        | 8              | 100.0       | 0          | 0.0        |
| Extortion/Racketeering       | 185           | 179           | 96.8        | 6            | 3.2        | 39             | 100.0       | 0          | 0.0        |
| Firearms                     | 8,481         | 8,254         | 97.3        | 227          | 2.7        | 287            | 98.0        | 6          | 2.0        |
| Food and Drug                | 48            | 47            | 97.9        | 1            | 2.1        | 2              | 100.0       | 0          | 0.0        |
| Forgery/Counter/Copyright    | 276           | 275           | 99.6        | 1            | 0.4        | 9              | 100.0       | 0          | 0.0        |
| Fraud/Theft/Embezzlement     | 6,390         | 6,093         | 95.4        | 297          | 4.6        | 507            | 94.4        | 30         | 5.6        |
| Immigration                  | 29,354        | 29,239        | 99.6        | 115          | 0.4        | 360            | 97.0        | 11         | 3.0        |
| Individual Rights            | 68            | 61            | 89.7        | 7            | 10.3       | 4              | 80.0        | 1          | 20.0       |
| Kidnapping                   | 96            | 84            | 87.5        | 12           | 12.5       | 12             | 85.7        | 2          | 14.3       |
| Manslaughter                 | 74            | 70            | 94.6        | 4            | 5.4        | 0              | --          | 0          | --         |
| Money Laundering             | 1,177         | 1,081         | 91.8        | 96           | 8.2        | 94             | 85.5        | 16         | 14.5       |
| Murder                       | 373           | 292           | 78.3        | 81           | 21.7       | 64             | 80.0        | 16         | 20.0       |
| National Defense             | 195           | 189           | 96.9        | 6            | 3.1        | 7              | 87.5        | 1          | 12.5       |
| Obscenity/Other Sex Offenses | 393           | 390           | 99.2        | 3            | 0.8        | 14             | 93.3        | 1          | 6.7        |
| Prison Offenses              | 628           | 617           | 98.2        | 11           | 1.8        | 15             | 93.8        | 1          | 6.3        |
| Robbery                      | 1,825         | 1,727         | 94.6        | 98           | 5.4        | 178            | 97.3        | 5          | 2.7        |
| Sexual Abuse                 | 1,165         | 1,057         | 90.7        | 108          | 9.3        | 75             | 92.6        | 6          | 7.4        |
| Stalking/Harassing           | 223           | 207           | 92.8        | 16           | 7.2        | 10             | 90.9        | 1          | 9.1        |
| Tax                          | 547           | 513           | 93.8        | 34           | 6.2        | 69             | 94.5        | 4          | 5.5        |
| Other                        | 1,032         | 1,015         | 98.4        | 17           | 1.6        | 40             | 100.0       | 0          | 0.0        |

Of the 76,538 National cases, no cases were excluded.

Of the 3,564 cases from the Second Circuit, no cases were excluded.

SOURCE: U.S. Sentencing Commission, 2019 Datafile, USSCFY19.

**Table 4**  
**SENTENCE TYPE BY TYPE OF CRIME**  
**Fiscal Year 2019**

**National**

| TYPE OF CRIME                | TOTAL         | Prison Only   |             | Prison and Alternatives |            | Probation and Alternatives |            | Probation Only |            | Fine Only  |            |
|------------------------------|---------------|---------------|-------------|-------------------------|------------|----------------------------|------------|----------------|------------|------------|------------|
|                              |               | N             | %           | N                       | %          | N                          | %          | N              | %          | N          | %          |
| <b>TOTAL</b>                 | <b>76,538</b> | <b>68,138</b> | <b>89.0</b> | <b>2,093</b>            | <b>2.7</b> | <b>1,330</b>               | <b>1.7</b> | <b>4,558</b>   | <b>6.0</b> | <b>419</b> | <b>0.5</b> |
| Administration of Justice    | 698           | 459           | 65.8        | 45                      | 6.4        | 37                         | 5.3        | 157            | 22.5       | 0          | 0.0        |
| Antitrust                    | 20            | 17            | 85.0        | 0                       | 0.0        | 3                          | 15.0       | 0              | 0.0        | 0          | 0.0        |
| Arson                        | 68            | 62            | 91.2        | 4                       | 5.9        | 0                          | 0.0        | 2              | 2.9        | 0          | 0.0        |
| Assault                      | 787           | 633           | 80.4        | 54                      | 6.9        | 6                          | 0.8        | 87             | 11.1       | 7          | 0.9        |
| Bribery/Corruption           | 341           | 231           | 67.7        | 19                      | 5.6        | 35                         | 10.3       | 50             | 14.7       | 6          | 1.8        |
| Burglary/Trespass            | 64            | 46            | 71.9        | 10                      | 15.6       | 1                          | 1.6        | 6              | 9.4        | 1          | 1.6        |
| Child Pornography            | 1,368         | 1,325         | 96.9        | 29                      | 2.1        | 3                          | 0.2        | 10             | 0.7        | 1          | 0.1        |
| Commercialized Vice          | 90            | 72            | 80.0        | 3                       | 3.3        | 6                          | 6.7        | 8              | 8.9        | 1          | 1.1        |
| Drug Possession              | 563           | 289           | 51.3        | 8                       | 1.4        | 7                          | 1.2        | 158            | 28.1       | 101        | 17.9       |
| Drug Trafficking             | 19,830        | 18,458        | 93.1        | 641                     | 3.2        | 208                        | 1.0        | 521            | 2.6        | 2          | 0.0        |
| Environmental                | 179           | 42            | 23.5        | 5                       | 2.8        | 27                         | 15.1       | 84             | 46.9       | 21         | 11.7       |
| Extortion/Racketeering       | 185           | 140           | 75.7        | 11                      | 5.9        | 6                          | 3.2        | 28             | 15.1       | 0          | 0.0        |
| Firearms                     | 8,481         | 7,700         | 90.8        | 294                     | 3.5        | 181                        | 2.1        | 306            | 3.6        | 0          | 0.0        |
| Food and Drug                | 48            | 13            | 27.1        | 0                       | 0.0        | 2                          | 4.2        | 33             | 68.8       | 0          | 0.0        |
| Forgery/Counter/Copyright    | 276           | 198           | 71.7        | 14                      | 5.1        | 29                         | 10.5       | 35             | 12.7       | 0          | 0.0        |
| Fraud/Theft/Embezzlement     | 6,390         | 4,384         | 68.6        | 354                     | 5.5        | 381                        | 6.0        | 1,192          | 18.7       | 79         | 1.2        |
| Immigration                  | 29,354        | 27,715        | 94.4        | 276                     | 0.9        | 193                        | 0.7        | 1,168          | 4.0        | 2          | 0.0        |
| Individual Rights            | 68            | 35            | 51.5        | 2                       | 2.9        | 4                          | 5.9        | 20             | 29.4       | 7          | 10.3       |
| Kidnapping                   | 96            | 89            | 92.7        | 7                       | 7.3        | 0                          | 0.0        | 0              | 0.0        | 0          | 0.0        |
| Manslaughter                 | 74            | 66            | 89.2        | 5                       | 6.8        | 0                          | 0.0        | 3              | 4.1        | 0          | 0.0        |
| Money Laundering             | 1,177         | 985           | 83.7        | 55                      | 4.7        | 48                         | 4.1        | 89             | 7.6        | 0          | 0.0        |
| Murder                       | 373           | 353           | 94.6        | 19                      | 5.1        | 0                          | 0.0        | 1              | 0.3        | 0          | 0.0        |
| National Defense             | 195           | 160           | 82.1        | 10                      | 5.1        | 5                          | 2.6        | 18             | 9.2        | 2          | 1.0        |
| Obscenity/Other Sex Offenses | 393           | 337           | 85.8        | 37                      | 9.4        | 6                          | 1.5        | 12             | 3.1        | 1          | 0.3        |
| Prison Offenses              | 628           | 586           | 93.3        | 21                      | 3.3        | 7                          | 1.1        | 14             | 2.2        | 0          | 0.0        |
| Robbery                      | 1,825         | 1,727         | 94.6        | 73                      | 4.0        | 8                          | 0.4        | 17             | 0.9        | 0          | 0.0        |
| Sexual Abuse                 | 1,165         | 1,125         | 96.6        | 33                      | 2.8        | 3                          | 0.3        | 4              | 0.3        | 0          | 0.0        |
| Stalking/Harassing           | 223           | 187           | 83.9        | 17                      | 7.6        | 5                          | 2.2        | 14             | 6.3        | 0          | 0.0        |
| Tax                          | 547           | 320           | 58.5        | 31                      | 5.7        | 71                         | 13.0       | 121            | 22.1       | 4          | 0.7        |
| Other                        | 1,032         | 384           | 37.2        | 16                      | 1.6        | 48                         | 4.7        | 400            | 38.8       | 184        | 17.8       |

Of the 76,538 National cases, no cases were excluded.

Alternatives include all cases in which offenders received conditions of confinement as described in USSG §5C1.1.

SOURCE: U.S. Sentencing Commission, 2019 Datafile, USSCFY19.

**Table 5**  
**SENTENCE TYPE BY TYPE OF CRIME**  
**Fiscal Year 2019**

**Second Circuit**

| TYPE OF CRIME                | TOTAL        | Prison Only  |             | Prison and Alternatives |            | Probation and Alternatives |            | Probation Only |            | Fine Only |            |
|------------------------------|--------------|--------------|-------------|-------------------------|------------|----------------------------|------------|----------------|------------|-----------|------------|
|                              |              | N            | %           | N                       | %          | N                          | %          | N              | %          | N         | %          |
| <b>TOTAL</b>                 | <b>3,564</b> | <b>3,106</b> | <b>87.1</b> | <b>167</b>              | <b>4.7</b> | <b>73</b>                  | <b>2.0</b> | <b>204</b>     | <b>5.7</b> | <b>14</b> | <b>0.4</b> |
| Administration of Justice    | 35           | 22           | 62.9        | 6                       | 17.1       | 2                          | 5.7        | 5              | 14.3       | 0         | 0.0        |
| Antitrust                    | 0            | 0            | --          | 0                       | --         | 0                          | --         | 0              | --         | 0         | --         |
| Arson                        | 7            | 6            | 85.7        | 1                       | 14.3       | 0                          | 0.0        | 0              | 0.0        | 0         | 0.0        |
| Assault                      | 61           | 55           | 90.2        | 1                       | 1.6        | 0                          | 0.0        | 5              | 8.2        | 0         | 0.0        |
| Bribery/Corruption           | 50           | 39           | 78.0        | 3                       | 6.0        | 4                          | 8.0        | 3              | 6.0        | 1         | 2.0        |
| Burglary/Trespass            | 1            | 0            | 0.0         | 1                       | 100.0      | 0                          | 0.0        | 0              | 0.0        | 0         | 0.0        |
| Child Pornography            | 95           | 88           | 92.6        | 2                       | 2.1        | 0                          | 0.0        | 5              | 5.3        | 0         | 0.0        |
| Commercialized Vice          | 12           | 9            | 75.0        | 1                       | 8.3        | 0                          | 0.0        | 1              | 8.3        | 1         | 8.3        |
| Drug Possession              | 17           | 5            | 29.4        | 1                       | 5.9        | 0                          | 0.0        | 11             | 64.7       | 0         | 0.0        |
| Drug Trafficking             | 1,391        | 1,278        | 91.9        | 57                      | 4.1        | 21                         | 1.5        | 35             | 2.5        | 0         | 0.0        |
| Environmental                | 8            | 1            | 12.5        | 0                       | 0.0        | 0                          | 0.0        | 6              | 75.0       | 1         | 12.5       |
| Extortion/Racketeering       | 39           | 33           | 84.6        | 2                       | 5.1        | 2                          | 5.1        | 2              | 5.1        | 0         | 0.0        |
| Firearms                     | 293          | 266          | 90.8        | 15                      | 5.1        | 3                          | 1.0        | 9              | 3.1        | 0         | 0.0        |
| Food and Drug                | 2            | 0            | 0.0         | 0                       | 0.0        | 0                          | 0.0        | 2              | 100.0      | 0         | 0.0        |
| Forgery/Counter/Copyright    | 9            | 7            | 77.8        | 0                       | 0.0        | 1                          | 11.1       | 1              | 11.1       | 0         | 0.0        |
| Fraud/Theft/Embezzlement     | 537          | 408          | 76.0        | 40                      | 7.4        | 26                         | 4.8        | 63             | 11.7       | 0         | 0.0        |
| Immigration                  | 371          | 355          | 95.7        | 3                       | 0.8        | 1                          | 0.3        | 12             | 3.2        | 0         | 0.0        |
| Individual Rights            | 5            | 3            | 60.0        | 1                       | 20.0       | 0                          | 0.0        | 0              | 0.0        | 1         | 20.0       |
| Kidnapping                   | 14           | 13           | 92.9        | 1                       | 7.1        | 0                          | 0.0        | 0              | 0.0        | 0         | 0.0        |
| Manslaughter                 | 0            | 0            | --          | 0                       | --         | 0                          | --         | 0              | --         | 0         | --         |
| Money Laundering             | 110          | 93           | 84.5        | 7                       | 6.4        | 3                          | 2.7        | 7              | 6.4        | 0         | 0.0        |
| Murder                       | 80           | 77           | 96.3        | 3                       | 3.8        | 0                          | 0.0        | 0              | 0.0        | 0         | 0.0        |
| National Defense             | 8            | 7            | 87.5        | 1                       | 12.5       | 0                          | 0.0        | 0              | 0.0        | 0         | 0.0        |
| Obscenity/Other Sex Offenses | 15           | 9            | 60.0        | 3                       | 20.0       | 2                          | 13.3       | 1              | 6.7        | 0         | 0.0        |
| Prison Offenses              | 16           | 15           | 93.8        | 0                       | 0.0        | 0                          | 0.0        | 1              | 6.3        | 0         | 0.0        |
| Robbery                      | 183          | 169          | 92.3        | 11                      | 6.0        | 1                          | 0.5        | 2              | 1.1        | 0         | 0.0        |
| Sexual Abuse                 | 81           | 79           | 97.5        | 2                       | 2.5        | 0                          | 0.0        | 0              | 0.0        | 0         | 0.0        |
| Stalking/Harassing           | 11           | 8            | 72.7        | 2                       | 18.2       | 1                          | 9.1        | 0              | 0.0        | 0         | 0.0        |
| Tax                          | 73           | 39           | 53.4        | 3                       | 4.1        | 6                          | 8.2        | 23             | 31.5       | 2         | 2.7        |
| Other                        | 40           | 22           | 55.0        | 0                       | 0.0        | 0                          | 0.0        | 10             | 25.0       | 8         | 20.0       |

Of the 3,564 cases from the Second Circuit, no cases were excluded.

Alternatives include all cases in which offenders received conditions of confinement as described in USSG §5C1.1.

SOURCE: U.S. Sentencing Commission, 2019 Datafile, USSCFY19.

**Table 6**

**INCARCERATION RATE OF U.S. CITIZEN OFFENDERS ELIGIBLE FOR NON-PRISON SENTENCES  
BY TYPE OF CRIME  
Fiscal Year 2019**

| TYPE OF CRIME                | TOTAL        | National        |             |                     |             | Second Circuit  |             |                     |             |
|------------------------------|--------------|-----------------|-------------|---------------------|-------------|-----------------|-------------|---------------------|-------------|
|                              |              | Prison Sentence |             | Non-Prison Sentence |             | Prison Sentence |             | Non-Prison Sentence |             |
|                              |              | N               | %           | N                   | %           | N               | %           | N                   | %           |
| <b>TOTAL</b>                 | <b>4,729</b> | <b>2,212</b>    | <b>46.8</b> | <b>2,517</b>        | <b>53.2</b> | <b>110</b>      | <b>56.1</b> | <b>86</b>           | <b>43.9</b> |
| Administration of Justice    | 151          | 62              | 41.1        | 89                  | 58.9        | 4               | 80.0        | 1                   | 20.0        |
| Antitrust                    | 6            | 6               | 100.0       | 0                   | 0.0         | 0               | --          | 0                   | --          |
| Arson                        | 1            | 1               | 100.0       | 0                   | 0.0         | 0               | --          | 0                   | --          |
| Assault                      | 132          | 74              | 56.1        | 58                  | 43.9        | 0               | 0.0         | 1                   | 100.0       |
| Bribery/Corruption           | 25           | 5               | 20.0        | 20                  | 80.0        | 0               | 0.0         | 1                   | 100.0       |
| Burglary/Trespass            | 16           | 8               | 50.0        | 8                   | 50.0        | 0               | --          | 0                   | --          |
| Child Pornography            | 0            | 0               | --          | 0                   | --          | 0               | --          | 0                   | --          |
| Commercialized Vice          | 9            | 3               | 33.3        | 6                   | 66.7        | 1               | 33.3        | 2                   | 66.7        |
| Drug Possession              | 316          | 128             | 40.5        | 188                 | 59.5        | 6               | 37.5        | 10                  | 62.5        |
| Drug Trafficking             | 562          | 353             | 62.8        | 209                 | 37.2        | 22              | 75.9        | 7                   | 24.1        |
| Environmental                | 78           | 8               | 10.3        | 70                  | 89.7        | 0               | 0.0         | 4                   | 100.0       |
| Extortion/Racketeering       | 17           | 5               | 29.4        | 12                  | 70.6        | 1               | 100.0       | 0                   | 0.0         |
| Firearms                     | 145          | 54              | 37.2        | 91                  | 62.8        | 6               | 75.0        | 2                   | 25.0        |
| Food and Drug                | 33           | 3               | 9.1         | 30                  | 90.9        | 0               | 0.0         | 2                   | 100.0       |
| Forgery/Counter/Copyright    | 62           | 41              | 66.1        | 21                  | 33.9        | 0               | --          | 0                   | --          |
| Fraud/Theft/Embezzlement     | 1,542        | 563             | 36.5        | 979                 | 63.5        | 43              | 53.1        | 38                  | 46.9        |
| Immigration                  | 677          | 443             | 65.4        | 234                 | 34.6        | 16              | 76.2        | 5                   | 23.8        |
| Individual Rights            | 11           | 3               | 27.3        | 8                   | 72.7        | 1               | 50.0        | 1                   | 50.0        |
| Kidnapping                   | 0            | 0               | --          | 0                   | --          | 0               | --          | 0                   | --          |
| Manslaughter                 | 2            | 0               | 0.0         | 2                   | 100.0       | 0               | --          | 0                   | --          |
| Money Laundering             | 52           | 20              | 38.5        | 32                  | 61.5        | 1               | 33.3        | 2                   | 66.7        |
| Murder                       | 0            | 0               | --          | 0                   | --          | 0               | --          | 0                   | --          |
| National Defense             | 7            | 1               | 14.3        | 6                   | 85.7        | 0               | --          | 0                   | --          |
| Obscenity/Other Sex Offenses | 12           | 9               | 75.0        | 3                   | 25.0        | 1               | 100.0       | 0                   | 0.0         |
| Prison Offenses              | 283          | 267             | 94.3        | 16                  | 5.7         | 5               | 83.3        | 1                   | 16.7        |
| Robbery                      | 0            | 0               | --          | 0                   | --          | 0               | --          | 0                   | --          |
| Sexual Abuse                 | 8            | 7               | 87.5        | 1                   | 12.5        | 0               | --          | 0                   | --          |
| Stalking/Harassing           | 23           | 16              | 69.6        | 7                   | 30.4        | 0               | --          | 0                   | --          |
| Tax                          | 28           | 7               | 25.0        | 21                  | 75.0        | 1               | 33.3        | 2                   | 66.7        |
| Other                        | 531          | 125             | 23.5        | 406                 | 76.5        | 2               | 22.2        | 7                   | 77.8        |

Of the 76,538 National cases, a U.S. Citizen was the offender in 42,136 cases. Of these, 37,407 cases were excluded because the offender was ineligible for a non-prison sentence.

Of the 3,564 cases from the Second Circuit, a U.S. Citizen was the offender in 2,697 cases. Of these, 2,501 cases were excluded because the offender was ineligible for a non-prison sentence.

SOURCE: U.S. Sentencing Commission, 2019 Datafile, USSCFY19.

**Table 7**

**SENTENCE LENGTH BY TYPE OF CRIME  
Fiscal Year 2019**

| TYPE OF CRIME                | National    |               |               | Second Circuit |               |              |
|------------------------------|-------------|---------------|---------------|----------------|---------------|--------------|
|                              | Mean Months | Median Months | N             | Mean Months    | Median Months | N            |
| <b>TOTAL</b>                 | <b>42</b>   | <b>18</b>     | <b>76,538</b> | <b>49</b>      | <b>27</b>     | <b>3,564</b> |
| Administration of Justice    | 12          | 8             | 698           | 12             | 8             | 35           |
| Antitrust                    | 6           | 4             | 20            | --             | --            | 0            |
| Arson                        | 76          | 60            | 68            | 72             | 60            | 7            |
| Assault                      | 64          | 36            | 787           | 78             | 72            | 61           |
| Bribery/Corruption           | 22          | 12            | 341           | 14             | 6             | 50           |
| Burglary/Trespass            | 16          | 14            | 64            | --             | --            | 1            |
| Child Pornography            | 103         | 84            | 1,368         | 97             | 72            | 95           |
| Commercialized Vice          | 24          | 20            | 90            | 30             | 19            | 12           |
| Drug Possession              | 2           | 0             | 563           | 1              | 0             | 17           |
| Drug Trafficking             | 76          | 60            | 19,830        | 53             | 41            | 1,391        |
| Environmental                | 3           | 0             | 179           | 1              | 0             | 8            |
| Extortion/Racketeering       | 32          | 27            | 185           | 32             | 27            | 39           |
| Firearms                     | 50          | 39            | 8,481         | 50             | 42            | 293          |
| Food and Drug                | 9           | 0             | 48            | --             | --            | 2            |
| Forgery/Counter/Copyright    | 15          | 12            | 276           | 15             | 12            | 9            |
| Fraud/Theft/Embezzlement     | 21          | 12            | 6,390         | 19             | 12            | 537          |
| Immigration                  | 9           | 6             | 29,354        | 8              | 3             | 371          |
| Individual Rights            | 29          | 3             | 68            | 62             | 3             | 5            |
| Kidnapping                   | 171         | 120           | 96            | 104            | 102           | 14           |
| Manslaughter                 | 70          | 60            | 74            | --             | --            | 0            |
| Money Laundering             | 61          | 33            | 1,177         | 53             | 22            | 110          |
| Murder                       | 255         | 240           | 373           | 208            | 180           | 80           |
| National Defense             | 42          | 24            | 195           | 177            | 192           | 8            |
| Obscenity/Other Sex Offenses | 20          | 18            | 393           | 14             | 12            | 15           |
| Prison Offenses              | 11          | 8             | 628           | 11             | 6             | 16           |
| Robbery                      | 109         | 92            | 1,825         | 76             | 60            | 183          |
| Sexual Abuse                 | 205         | 180           | 1,165         | 179            | 180           | 81           |
| Stalking/Harassing           | 29          | 24            | 223           | 31             | 27            | 11           |
| Tax                          | 16          | 12            | 547           | 11             | 6             | 73           |
| Other                        | 3           | 0             | 1,032         | 11             | 0             | 40           |

Of the 76,538 National cases, no cases were excluded.

Of the 3,564 cases from the Second Circuit, no cases were excluded.

Sentences of 470 months or greater (including life) and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1.

SOURCE: U.S. Sentencing Commission, 2019 Datafile, USSCFY19.

**Table 8**

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE<sup>1</sup>**  
**Fiscal Year 2019**

|  | <b>National</b> |              | <b>Second Circuit</b> |              |
|--|-----------------|--------------|-----------------------|--------------|
|  | <b>N</b>        | <b>%</b>     | <b>N</b>              | <b>%</b>     |
| <b>TOTAL CASES</b>                           | <b>76,034</b>   | <b>100.0</b> | <b>3,549</b>          | <b>100.0</b> |
| <b>SENTENCES UNDER THE GUIDELINES MANUAL</b> | <b>56,995</b>   | <b>75.0</b>  | <b>1,915</b>          | <b>54.0</b>  |
| Within Guideline Range                       | 39,078          | 51.4         | 1,119                 | 31.5         |
| Upward Departure <sup>2</sup>                | 364             | 0.5          | 10                    | 0.3          |
| Downward Departure                           |                 |              |                       |              |
| §5K1.1 Substantial Assistance                | 7,272           | 9.6          | 627                   | 17.7         |
| §5K3.1 Early Disposition Program             | 7,119           | 9.4          | 9                     | 0.3          |
| Other Government Motion <sup>3</sup>         | 1,410           | 1.9          | 41                    | 1.2          |
| Non-Government Departure <sup>4</sup>        | 1,752           | 2.3          | 109                   | 3.1          |
| <b>VARIANCES</b>                             | <b>19,039</b>   | <b>25.0</b>  | <b>1,634</b>          | <b>46.0</b>  |
| Upward Variance <sup>5</sup>                 | 1,431           | 1.9          | 39                    | 1.1          |
| Downward Variance                            |                 |              |                       |              |
| Government Motion <sup>6</sup>               | 4,083           | 5.4          | 241                   | 6.8          |
| Non-Government Variance <sup>7</sup>         | 13,525          | 17.8         | 1,354                 | 38.2         |

<sup>1</sup> This table reflects the 76,538 cases reported to the Commission in fiscal year 2019, 3,564 of which were from the Second Circuit. Of these, 504 cases nationally and 15 cases from the Second 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> Cases in which the sentence imposed was above the applicable guideline range and for which the court cited a reason on Part V of the Statement of Reasons form, other than §5K1.1 or §5K3.1.

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

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

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

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

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

SOURCE: U.S. Sentencing Commission, 2019 Datafile, USSCFY19.

Table 9

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE  
IN EACH CIRCUIT AND DISTRICT<sup>1</sup>  
Fiscal Year 2019**

| CIRCUIT<br>District   | TOTAL        | WITHIN<br>GUIDELINE<br>RANGE |             | DEPARTURE |            |            |             |           |            |            |             | VARIANCE     |             |
|-----------------------|--------------|------------------------------|-------------|-----------|------------|------------|-------------|-----------|------------|------------|-------------|--------------|-------------|
|                       |              | N                            | %           | UPWARD    |            | §5K1.1     |             | §5K3.1    |            | DOWNWARD   |             | N            | %           |
| TOTAL                 | 76,034       | 39,078                       | 51.4        | 364       | 0.5        | 7,272      | 9.6         | 7,119     | 9.4        | 3,162      | 4.2         | 19,039       | 25.0        |
| <b>D.C. CIRCUIT</b>   | <b>330</b>   | <b>139</b>                   | <b>42.1</b> | <b>3</b>  | <b>0.9</b> | <b>32</b>  | <b>9.7</b>  | <b>2</b>  | <b>0.6</b> | <b>35</b>  | <b>10.6</b> | <b>119</b>   | <b>36.1</b> |
| District of Columbia  | 330          | 139                          | 42.1        | 3         | 0.9        | 32         | 9.7         | 2         | 0.6        | 35         | 10.6        | 119          | 36.1        |
| <b>FIRST CIRCUIT</b>  | <b>2,134</b> | <b>1,042</b>                 | <b>48.8</b> | <b>15</b> | <b>0.7</b> | <b>172</b> | <b>8.1</b>  | <b>1</b>  | <b>0.0</b> | <b>85</b>  | <b>4.0</b>  | <b>819</b>   | <b>38.4</b> |
| Maine                 | 162          | 58                           | 35.8        | 2         | 1.2        | 25         | 15.4        | 0         | 0.0        | 6          | 3.7         | 71           | 43.8        |
| Massachusetts         | 476          | 177                          | 37.2        | 7         | 1.5        | 46         | 9.7         | 1         | 0.2        | 26         | 5.5         | 219          | 46.0        |
| New Hampshire         | 196          | 72                           | 36.7        | 0         | 0.0        | 29         | 14.8        | 0         | 0.0        | 7          | 3.6         | 88           | 44.9        |
| Puerto Rico           | 1,165        | 708                          | 60.8        | 6         | 0.5        | 59         | 5.1         | 0         | 0.0        | 46         | 3.9         | 346          | 29.7        |
| Rhode Island          | 135          | 27                           | 20.0        | 0         | 0.0        | 13         | 9.6         | 0         | 0.0        | 0          | 0.0         | 95           | 70.4        |
| <b>SECOND CIRCUIT</b> | <b>3,549</b> | <b>1,119</b>                 | <b>31.5</b> | <b>10</b> | <b>0.3</b> | <b>627</b> | <b>17.7</b> | <b>9</b>  | <b>0.3</b> | <b>150</b> | <b>4.2</b>  | <b>1,634</b> | <b>46.0</b> |
| Connecticut           | 349          | 120                          | 34.4        | 3         | 0.9        | 51         | 14.6        | 0         | 0.0        | 46         | 13.2        | 129          | 37.0        |
| New York              |              |                              |             |           |            |            |             |           |            |            |             |              |             |
| Eastern               | 622          | 166                          | 26.7        | 2         | 0.3        | 114        | 18.3        | 0         | 0.0        | 60         | 9.6         | 280          | 45.0        |
| Northern              | 381          | 216                          | 56.7        | 2         | 0.5        | 56         | 14.7        | 1         | 0.3        | 8          | 2.1         | 98           | 25.7        |
| Southern              | 1,514        | 377                          | 24.9        | 0         | 0.0        | 241        | 15.9        | 8         | 0.5        | 28         | 1.8         | 860          | 56.8        |
| Western               | 518          | 204                          | 39.4        | 2         | 0.4        | 142        | 27.4        | 0         | 0.0        | 7          | 1.4         | 163          | 31.5        |
| Vermont               | 165          | 36                           | 21.8        | 1         | 0.6        | 23         | 13.9        | 0         | 0.0        | 1          | 0.6         | 104          | 63.0        |
| <b>THIRD CIRCUIT</b>  | <b>2,336</b> | <b>1,019</b>                 | <b>43.6</b> | <b>11</b> | <b>0.5</b> | <b>432</b> | <b>18.5</b> | <b>19</b> | <b>0.8</b> | <b>61</b>  | <b>2.6</b>  | <b>794</b>   | <b>34.0</b> |
| Delaware              | 122          | 53                           | 43.4        | 4         | 3.3        | 11         | 9.0         | 12        | 9.8        | 3          | 2.5         | 39           | 32.0        |
| New Jersey            | 615          | 261                          | 42.4        | 0         | 0.0        | 107        | 17.4        | 0         | 0.0        | 8          | 1.3         | 239          | 38.9        |
| Pennsylvania          |              |                              |             |           |            |            |             |           |            |            |             |              |             |
| Eastern               | 627          | 248                          | 39.6        | 2         | 0.3        | 163        | 26.0        | 2         | 0.3        | 31         | 4.9         | 181          | 28.9        |
| Middle                | 505          | 257                          | 50.9        | 1         | 0.2        | 97         | 19.2        | 5         | 1.0        | 15         | 3.0         | 130          | 25.7        |
| Western               | 382          | 150                          | 39.3        | 3         | 0.8        | 49         | 12.8        | 0         | 0.0        | 3          | 0.8         | 177          | 46.3        |
| Virgin Islands        | 85           | 50                           | 58.8        | 1         | 1.2        | 5          | 5.9         | 0         | 0.0        | 1          | 1.2         | 28           | 32.9        |
| <b>FOURTH CIRCUIT</b> | <b>5,691</b> | <b>3,209</b>                 | <b>56.4</b> | <b>47</b> | <b>0.8</b> | <b>700</b> | <b>12.3</b> | <b>3</b>  | <b>0.1</b> | <b>176</b> | <b>3.1</b>  | <b>1,556</b> | <b>27.3</b> |
| Maryland              | 759          | 263                          | 34.7        | 8         | 1.1        | 137        | 18.1        | 0         | 0.0        | 52         | 6.9         | 299          | 39.4        |
| North Carolina        |              |                              |             |           |            |            |             |           |            |            |             |              |             |
| Eastern               | 822          | 501                          | 60.9        | 14        | 1.7        | 161        | 19.6        | 1         | 0.1        | 10         | 1.2         | 135          | 16.4        |
| Middle                | 490          | 267                          | 54.5        | 5         | 1.0        | 59         | 12.0        | 0         | 0.0        | 6          | 1.2         | 153          | 31.2        |
| Western               | 538          | 317                          | 58.9        | 2         | 0.4        | 102        | 19.0        | 0         | 0.0        | 6          | 1.1         | 111          | 20.6        |
| South Carolina        | 1,049        | 587                          | 56.0        | 8         | 0.8        | 128        | 12.2        | 0         | 0.0        | 38         | 3.6         | 288          | 27.5        |
| Virginia              |              |                              |             |           |            |            |             |           |            |            |             |              |             |
| Eastern               | 1,200        | 782                          | 65.2        | 7         | 0.6        | 54         | 4.5         | 0         | 0.0        | 41         | 3.4         | 316          | 26.3        |
| Western               | 241          | 124                          | 51.5        | 1         | 0.4        | 27         | 11.2        | 2         | 0.8        | 14         | 5.8         | 73           | 30.3        |
| West Virginia         |              |                              |             |           |            |            |             |           |            |            |             |              |             |
| Northern              | 280          | 182                          | 65.0        | 0         | 0.0        | 26         | 9.3         | 0         | 0.0        | 4          | 1.4         | 68           | 24.3        |
| Southern              | 312          | 186                          | 59.6        | 2         | 0.6        | 6          | 1.9         | 0         | 0.0        | 5          | 1.6         | 113          | 36.2        |

| CIRCUIT<br>District    | TOTAL         | WITHIN<br>GUIDELINE<br>RANGE |             | DEPARTURE  |            |              |             |            |            |              |            |              |             |
|------------------------|---------------|------------------------------|-------------|------------|------------|--------------|-------------|------------|------------|--------------|------------|--------------|-------------|
|                        |               | N                            | %           | UPWARD     |            | §5K1.1       |             | §5K3.1     |            | DOWNWARD     |            | VARIANCE     |             |
|                        |               |                              |             | N          | %          | N            | %           | N          | %          | N            | %          | N            | %           |
| <b>FIFTH CIRCUIT</b>   | <b>21,294</b> | <b>14,911</b>                | <b>70.0</b> | <b>125</b> | <b>0.6</b> | <b>1,124</b> | <b>5.3</b>  | <b>716</b> | <b>3.4</b> | <b>1,208</b> | <b>5.7</b> | <b>3,210</b> | <b>15.1</b> |
| Louisiana              |               |                              |             |            |            |              |             |            |            |              |            |              |             |
| Eastern                | 288           | 169                          | 58.7        | 2          | 0.7        | 44           | 15.3        | 0          | 0.0        | 6            | 2.1        | 67           | 23.3        |
| Middle                 | 182           | 95                           | 52.2        | 2          | 1.1        | 40           | 22.0        | 1          | 0.5        | 1            | 0.5        | 43           | 23.6        |
| Western                | 372           | 266                          | 71.5        | 4          | 1.1        | 36           | 9.7         | 0          | 0.0        | 3            | 0.8        | 63           | 16.9        |
| Mississippi            |               |                              |             |            |            |              |             |            |            |              |            |              |             |
| Northern               | 185           | 69                           | 37.3        | 1          | 0.5        | 50           | 27.0        | 0          | 0.0        | 4            | 2.2        | 61           | 33.0        |
| Southern               | 453           | 330                          | 72.8        | 2          | 0.4        | 46           | 10.2        | 8          | 1.8        | 3            | 0.7        | 64           | 14.1        |
| Texas                  |               |                              |             |            |            |              |             |            |            |              |            |              |             |
| Eastern                | 724           | 517                          | 71.4        | 3          | 0.4        | 24           | 3.3         | 1          | 0.1        | 10           | 1.4        | 169          | 23.3        |
| Northern               | 1,556         | 971                          | 62.4        | 16         | 1.0        | 184          | 11.8        | 0          | 0.0        | 31           | 2.0        | 354          | 22.8        |
| Southern               | 7,809         | 4,587                        | 58.7        | 88         | 1.1        | 422          | 5.4         | 489        | 6.3        | 897          | 11.5       | 1,326        | 17.0        |
| Western                | 9,725         | 7,907                        | 81.3        | 7          | 0.1        | 278          | 2.9         | 217        | 2.2        | 253          | 2.6        | 1,063        | 10.9        |
| <b>SIXTH CIRCUIT</b>   | <b>5,297</b>  | <b>2,444</b>                 | <b>46.1</b> | <b>13</b>  | <b>0.2</b> | <b>1,055</b> | <b>19.9</b> | <b>10</b>  | <b>0.2</b> | <b>198</b>   | <b>3.7</b> | <b>1,577</b> | <b>29.8</b> |
| Kentucky               |               |                              |             |            |            |              |             |            |            |              |            |              |             |
| Eastern                | 557           | 318                          | 57.1        | 0          | 0.0        | 91           | 16.3        | 0          | 0.0        | 9            | 1.6        | 139          | 25.0        |
| Western                | 348           | 161                          | 46.3        | 3          | 0.9        | 87           | 25.0        | 2          | 0.6        | 12           | 3.4        | 83           | 23.9        |
| Michigan               |               |                              |             |            |            |              |             |            |            |              |            |              |             |
| Eastern                | 879           | 376                          | 42.8        | 1          | 0.1        | 116          | 13.2        | 1          | 0.1        | 26           | 3.0        | 359          | 40.8        |
| Western                | 392           | 201                          | 51.3        | 2          | 0.5        | 68           | 17.3        | 0          | 0.0        | 4            | 1.0        | 117          | 29.8        |
| Ohio                   |               |                              |             |            |            |              |             |            |            |              |            |              |             |
| Northern               | 900           | 447                          | 49.7        | 4          | 0.4        | 190          | 21.1        | 0          | 0.0        | 24           | 2.7        | 235          | 26.1        |
| Southern               | 561           | 164                          | 29.2        | 1          | 0.2        | 133          | 23.7        | 5          | 0.9        | 89           | 15.9       | 169          | 30.1        |
| Tennessee              |               |                              |             |            |            |              |             |            |            |              |            |              |             |
| Eastern                | 743           | 388                          | 52.2        | 2          | 0.3        | 210          | 28.3        | 0          | 0.0        | 14           | 1.9        | 129          | 17.4        |
| Middle                 | 315           | 89                           | 28.3        | 0          | 0.0        | 71           | 22.5        | 0          | 0.0        | 15           | 4.8        | 140          | 44.4        |
| Western                | 602           | 300                          | 49.8        | 0          | 0.0        | 89           | 14.8        | 2          | 0.3        | 5            | 0.8        | 206          | 34.2        |
| <b>SEVENTH CIRCUIT</b> | <b>2,448</b>  | <b>899</b>                   | <b>36.7</b> | <b>5</b>   | <b>0.2</b> | <b>243</b>   | <b>9.9</b>  | <b>2</b>   | <b>0.1</b> | <b>127</b>   | <b>5.2</b> | <b>1,172</b> | <b>47.9</b> |
| Illinois               |               |                              |             |            |            |              |             |            |            |              |            |              |             |
| Central                | 225           | 81                           | 36.0        | 0          | 0.0        | 32           | 14.2        | 0          | 0.0        | 7            | 3.1        | 105          | 46.7        |
| Northern               | 655           | 192                          | 29.3        | 2          | 0.3        | 46           | 7.0         | 2          | 0.3        | 50           | 7.6        | 363          | 55.4        |
| Southern               | 285           | 146                          | 51.2        | 2          | 0.7        | 35           | 12.3        | 0          | 0.0        | 2            | 0.7        | 100          | 35.1        |
| Indiana                |               |                              |             |            |            |              |             |            |            |              |            |              |             |
| Northern               | 356           | 148                          | 41.6        | 0          | 0.0        | 44           | 12.4        | 0          | 0.0        | 19           | 5.3        | 145          | 40.7        |
| Southern               | 472           | 219                          | 46.4        | 0          | 0.0        | 51           | 10.8        | 0          | 0.0        | 5            | 1.1        | 197          | 41.7        |
| Wisconsin              |               |                              |             |            |            |              |             |            |            |              |            |              |             |
| Eastern                | 267           | 41                           | 15.4        | 0          | 0.0        | 29           | 10.9        | 0          | 0.0        | 2            | 0.7        | 195          | 73.0        |
| Western                | 188           | 72                           | 38.3        | 1          | 0.5        | 6            | 3.2         | 0          | 0.0        | 42           | 22.3       | 67           | 35.6        |
| <b>EIGHTH CIRCUIT</b>  | <b>5,423</b>  | <b>2,437</b>                 | <b>44.9</b> | <b>35</b>  | <b>0.6</b> | <b>674</b>   | <b>12.4</b> | <b>73</b>  | <b>1.3</b> | <b>116</b>   | <b>2.1</b> | <b>2,088</b> | <b>38.5</b> |
| Arkansas               |               |                              |             |            |            |              |             |            |            |              |            |              |             |
| Eastern                | 552           | 334                          | 60.5        | 3          | 0.5        | 42           | 7.6         | 0          | 0.0        | 12           | 2.2        | 161          | 29.2        |
| Western                | 258           | 128                          | 49.6        | 0          | 0.0        | 39           | 15.1        | 2          | 0.8        | 3            | 1.2        | 86           | 33.3        |
| Iowa                   |               |                              |             |            |            |              |             |            |            |              |            |              |             |
| Northern               | 415           | 217                          | 52.3        | 11         | 2.7        | 89           | 21.4        | 0          | 0.0        | 6            | 1.4        | 92           | 22.2        |
| Southern               | 493           | 196                          | 39.8        | 1          | 0.2        | 73           | 14.8        | 0          | 0.0        | 5            | 1.0        | 218          | 44.2        |
| Minnesota              | 380           | 116                          | 30.5        | 2          | 0.5        | 71           | 18.7        | 2          | 0.5        | 17           | 4.5        | 172          | 45.3        |
| Missouri               |               |                              |             |            |            |              |             |            |            |              |            |              |             |
| Eastern                | 1,190         | 465                          | 39.1        | 4          | 0.3        | 87           | 7.3         | 0          | 0.0        | 9            | 0.8        | 625          | 52.5        |
| Western                | 772           | 297                          | 38.5        | 2          | 0.3        | 115          | 14.9        | 0          | 0.0        | 29           | 3.8        | 329          | 42.6        |
| Nebraska               | 527           | 266                          | 50.5        | 1          | 0.2        | 18           | 3.4         | 57         | 10.8       | 5            | 0.9        | 180          | 34.2        |
| North Dakota           | 328           | 100                          | 30.5        | 0          | 0.0        | 130          | 39.6        | 10         | 3.0        | 4            | 1.2        | 84           | 25.6        |
| South Dakota           | 508           | 318                          | 62.6        | 11         | 2.2        | 10           | 2.0         | 2          | 0.4        | 26           | 5.1        | 141          | 27.8        |



| CIRCUIT<br>District      | TOTAL         | WITHIN<br>GUIDELINE<br>RANGE |             | DEPARTURE |            |              |             |              |             |            |            |              |             |
|--------------------------|---------------|------------------------------|-------------|-----------|------------|--------------|-------------|--------------|-------------|------------|------------|--------------|-------------|
|                          |               | N                            | %           | UPWARD    |            | §5K1.1       |             | §5K3.1       |             | DOWNWARD   |            | VARIANCE     |             |
|                          |               |                              |             | N         | %          | N            | %           | N            | %           | N          | %          | N            | %           |
| <b>NINTH CIRCUIT</b>     | <b>14,689</b> | <b>4,552</b>                 | <b>31.0</b> | <b>53</b> | <b>0.4</b> | <b>1,098</b> | <b>7.5</b>  | <b>5,358</b> | <b>36.5</b> | <b>581</b> | <b>4.0</b> | <b>3,047</b> | <b>20.7</b> |
| Alaska                   | 193           | 56                           | 29.0        | 2         | 1.0        | 25           | 13.0        | 0            | 0.0         | 4          | 2.1        | 106          | 54.9        |
| Arizona                  | 5,529         | 1,951                        | 35.3        | 33        | 0.6        | 130          | 2.4         | 2,735        | 49.5        | 88         | 1.6        | 592          | 10.7        |
| <b>California</b>        |               |                              |             |           |            |              |             |              |             |            |            |              |             |
| Central                  | 1,138         | 386                          | 33.9        | 1         | 0.1        | 147          | 12.9        | 94           | 8.3         | 87         | 7.6        | 423          | 37.2        |
| Eastern                  | 510           | 228                          | 44.7        | 1         | 0.2        | 80           | 15.7        | 21           | 4.1         | 17         | 3.3        | 163          | 32.0        |
| Northern                 | 483           | 146                          | 30.2        | 0         | 0.0        | 60           | 12.4        | 9            | 1.9         | 15         | 3.1        | 253          | 52.4        |
| Southern                 | 4,087         | 746                          | 18.3        | 8         | 0.2        | 235          | 5.7         | 2,426        | 59.4        | 295        | 7.2        | 377          | 9.2         |
| Guam                     | 49            | 30                           | 61.2        | 0         | 0.0        | 12           | 24.5        | 0            | 0.0         | 2          | 4.1        | 5            | 10.2        |
| Hawaii                   | 154           | 59                           | 38.3        | 0         | 0.0        | 36           | 23.4        | 0            | 0.0         | 1          | 0.6        | 58           | 37.7        |
| Idaho                    | 372           | 151                          | 40.6        | 1         | 0.3        | 82           | 22.0        | 24           | 6.5         | 19         | 5.1        | 95           | 25.5        |
| Montana                  | 384           | 139                          | 36.2        | 2         | 0.5        | 99           | 25.8        | 1            | 0.3         | 4          | 1.0        | 139          | 36.2        |
| Nevada                   | 482           | 190                          | 39.4        | 2         | 0.4        | 39           | 8.1         | 2            | 0.4         | 14         | 2.9        | 235          | 48.8        |
| Northern Mariana Islands | 11            | 8                            | 72.7        | 0         | 0.0        | 1            | 9.1         | 0            | 0.0         | 0          | 0.0        | 2            | 18.2        |
| Oregon                   | 473           | 118                          | 24.9        | 2         | 0.4        | 70           | 14.8        | 0            | 0.0         | 25         | 5.3        | 258          | 54.5        |
| <b>Washington</b>        |               |                              |             |           |            |              |             |              |             |            |            |              |             |
| Eastern                  | 358           | 153                          | 42.7        | 0         | 0.0        | 64           | 17.9        | 14           | 3.9         | 4          | 1.1        | 123          | 34.4        |
| Western                  | 466           | 191                          | 41.0        | 1         | 0.2        | 18           | 3.9         | 32           | 6.9         | 6          | 1.3        | 218          | 46.8        |
| <b>TENTH CIRCUIT</b>     | <b>6,478</b>  | <b>3,731</b>                 | <b>57.6</b> | <b>35</b> | <b>0.5</b> | <b>368</b>   | <b>5.7</b>  | <b>895</b>   | <b>13.8</b> | <b>355</b> | <b>5.5</b> | <b>1,094</b> | <b>16.9</b> |
| Colorado                 | 523           | 186                          | 35.6        | 1         | 0.2        | 99           | 18.9        | 76           | 14.5        | 13         | 2.5        | 148          | 28.3        |
| Kansas                   | 451           | 192                          | 42.6        | 5         | 1.1        | 84           | 18.6        | 2            | 0.4         | 5          | 1.1        | 163          | 36.1        |
| New Mexico               | 3,948         | 2,736                        | 69.3        | 7         | 0.2        | 56           | 1.4         | 690          | 17.5        | 183        | 4.6        | 276          | 7.0         |
| <b>Oklahoma</b>          |               |                              |             |           |            |              |             |              |             |            |            |              |             |
| Eastern                  | 100           | 60                           | 60.0        | 1         | 1.0        | 18           | 18.0        | 0            | 0.0         | 0          | 0.0        | 21           | 21.0        |
| Northern                 | 215           | 88                           | 40.9        | 10        | 4.7        | 30           | 14.0        | 0            | 0.0         | 34         | 15.8       | 53           | 24.7        |
| Western                  | 407           | 227                          | 55.8        | 0         | 0.0        | 24           | 5.9         | 4            | 1.0         | 3          | 0.7        | 149          | 36.6        |
| Utah                     | 656           | 187                          | 28.5        | 9         | 1.4        | 39           | 5.9         | 110          | 16.8        | 101        | 15.4       | 210          | 32.0        |
| Wyoming                  | 178           | 55                           | 30.9        | 2         | 1.1        | 18           | 10.1        | 13           | 7.3         | 16         | 9.0        | 74           | 41.6        |
| <b>ELEVENTH CIRCUIT</b>  | <b>6,365</b>  | <b>3,576</b>                 | <b>56.2</b> | <b>12</b> | <b>0.2</b> | <b>747</b>   | <b>11.7</b> | <b>31</b>    | <b>0.5</b>  | <b>70</b>  | <b>1.1</b> | <b>1,929</b> | <b>30.3</b> |
| <b>Alabama</b>           |               |                              |             |           |            |              |             |              |             |            |            |              |             |
| Middle                   | 260           | 145                          | 55.8        | 0         | 0.0        | 43           | 16.5        | 2            | 0.8         | 5          | 1.9        | 65           | 25.0        |
| Northern                 | 542           | 317                          | 58.5        | 2         | 0.4        | 100          | 18.5        | 1            | 0.2         | 5          | 0.9        | 117          | 21.6        |
| Southern                 | 376           | 267                          | 71.0        | 0         | 0.0        | 42           | 11.2        | 2            | 0.5         | 3          | 0.8        | 62           | 16.5        |
| <b>Florida</b>           |               |                              |             |           |            |              |             |              |             |            |            |              |             |
| Middle                   | 1,594         | 772                          | 48.4        | 4         | 0.3        | 265          | 16.6        | 20           | 1.3         | 15         | 0.9        | 518          | 32.5        |
| Northern                 | 302           | 144                          | 47.7        | 2         | 0.7        | 54           | 17.9        | 6            | 2.0         | 3          | 1.0        | 93           | 30.8        |
| Southern                 | 1,903         | 1,128                        | 59.3        | 1         | 0.1        | 106          | 5.6         | 0            | 0.0         | 14         | 0.7        | 654          | 34.4        |
| <b>Georgia</b>           |               |                              |             |           |            |              |             |              |             |            |            |              |             |
| Middle                   | 407           | 280                          | 68.8        | 1         | 0.2        | 39           | 9.6         | 0            | 0.0         | 7          | 1.7        | 80           | 19.7        |
| Northern                 | 507           | 176                          | 34.7        | 2         | 0.4        | 30           | 5.9         | 0            | 0.0         | 17         | 3.4        | 282          | 55.6        |
| Southern                 | 474           | 347                          | 73.2        | 0         | 0.0        | 68           | 14.3        | 0            | 0.0         | 1          | 0.2        | 58           | 12.2        |

Of the 76,538 National cases, 504 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range.

SOURCE: U.S. Sentencing Commission, 2019 Datafile, USSCFY19.

**Table 10**

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

**Fiscal Year 2019**

**National**

| TYPE OF CRIME                | TOTAL         | WITHIN<br>GUIDELINE<br>RANGE |             | DEPARTURE  |            |              |            |              |            |              |            | VARIANCE      |             |
|------------------------------|---------------|------------------------------|-------------|------------|------------|--------------|------------|--------------|------------|--------------|------------|---------------|-------------|
|                              |               | N                            | %           | UPWARD     |            | §5K1.1       |            | §5K3.1       |            | DOWNWARD     |            | N             | %           |
|                              |               |                              |             | N          | %          | N            | %          | N            | %          | N            | %          |               |             |
| <b>TOTAL</b>                 | <b>76,034</b> | <b>39,078</b>                | <b>51.4</b> | <b>364</b> | <b>0.5</b> | <b>7,272</b> | <b>9.6</b> | <b>7,119</b> | <b>9.4</b> | <b>3,162</b> | <b>4.2</b> | <b>19,039</b> | <b>25.0</b> |
| Child Pornography            | 1,368         | 413                          | 30.2        | 10         | 0.7        | 30           | 2.2        | 0            | 0.0        | 95           | 6.9        | 820           | 59.9        |
| Drug Trafficking             | 19,813        | 6,734                        | 34.0        | 64         | 0.3        | 4,460        | 22.5       | 1,224        | 6.2        | 846          | 4.3        | 6,485         | 32.7        |
| Firearms                     | 8,474         | 4,618                        | 54.5        | 56         | 0.7        | 563          | 6.6        | 8            | 0.1        | 305          | 3.6        | 2,924         | 34.5        |
| Fraud/Theft/Embezzlement     | 6,273         | 2,991                        | 47.7        | 19         | 0.3        | 830          | 13.2       | 17           | 0.3        | 205          | 3.3        | 2,211         | 35.2        |
| Immigration                  | 29,239        | 19,193                       | 65.6        | 103        | 0.4        | 205          | 0.7        | 5,852        | 20.0       | 1,141        | 3.9        | 2,745         | 9.4         |
| Money Laundering             | 1,174         | 289                          | 24.6        | 4          | 0.3        | 333          | 28.4       | 7            | 0.6        | 67           | 5.7        | 474           | 40.4        |
| Robbery                      | 1,825         | 711                          | 39.0        | 29         | 1.6        | 262          | 14.4       | 0            | 0.0        | 100          | 5.5        | 723           | 39.6        |
| Sexual Abuse                 | 1,165         | 458                          | 39.3        | 14         | 1.2        | 58           | 5.0        | 0            | 0.0        | 77           | 6.6        | 558           | 47.9        |
| Other Miscellaneous Offenses | 6,703         | 3,671                        | 54.8        | 65         | 1.0        | 531          | 7.9        | 11           | 0.2        | 326          | 4.9        | 2,099         | 31.3        |

**Second Circuit**

| TYPE OF CRIME                | TOTAL        | WITHIN<br>GUIDELINE<br>RANGE |             | DEPARTURE |            |            |             |          |            |            |            | VARIANCE     |             |
|------------------------------|--------------|------------------------------|-------------|-----------|------------|------------|-------------|----------|------------|------------|------------|--------------|-------------|
|                              |              | N                            | %           | UPWARD    |            | §5K1.1     |             | §5K3.1   |            | DOWNWARD   |            | N            | %           |
|                              |              |                              |             | N         | %          | N          | %           | N        | %          | N          | %          |              |             |
| <b>TOTAL</b>                 | <b>3,549</b> | <b>1,119</b>                 | <b>31.5</b> | <b>10</b> | <b>0.3</b> | <b>627</b> | <b>17.7</b> | <b>9</b> | <b>0.3</b> | <b>150</b> | <b>4.2</b> | <b>1,634</b> | <b>46.0</b> |
| Child Pornography            | 95           | 25                           | 26.3        | 0         | 0.0        | 1          | 1.1         | 0        | 0.0        | 3          | 3.2        | 66           | 69.5        |
| Drug Trafficking             | 1,391        | 321                          | 23.1        | 4         | 0.3        | 328        | 23.6        | 0        | 0.0        | 71         | 5.1        | 667          | 48.0        |
| Firearms                     | 293          | 141                          | 48.1        | 1         | 0.3        | 23         | 7.8         | 0        | 0.0        | 15         | 5.1        | 113          | 38.6        |
| Fraud/Theft/Embezzlement     | 535          | 140                          | 26.2        | 0         | 0.0        | 91         | 17.0        | 0        | 0.0        | 14         | 2.6        | 290          | 54.2        |
| Immigration                  | 370          | 274                          | 74.1        | 1         | 0.3        | 9          | 2.4         | 9        | 2.4        | 7          | 1.9        | 70           | 18.9        |
| Money Laundering             | 110          | 15                           | 13.6        | 0         | 0.0        | 48         | 43.6        | 0        | 0.0        | 5          | 4.5        | 42           | 38.2        |
| Robbery                      | 183          | 33                           | 18.0        | 2         | 1.1        | 32         | 17.5        | 0        | 0.0        | 10         | 5.5        | 106          | 57.9        |
| Sexual Abuse                 | 81           | 23                           | 28.4        | 0         | 0.0        | 6          | 7.4         | 0        | 0.0        | 7          | 8.6        | 45           | 55.6        |
| Other Miscellaneous Offenses | 491          | 147                          | 29.9        | 2         | 0.4        | 89         | 18.1        | 0        | 0.0        | 18         | 3.7        | 235          | 47.9        |

Of the 76,538 National cases, 504 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range.

Of the 3,564 cases from the Second Circuit, 15 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, 2019 Datafile, USSCFY19.