

Table 28 (cont.)

Guideline	Total	Within Guideline Range	Upward				Government Sponsored			Downward		Below Range	
			Departure ⁴		Above Range		§5K1.1	§5K3.1	Other Gov't	Departure ⁵		with All	
			Gdline Only	with Booker	with Booker	All Others							Gdline Only
§2H4.1	5	3	0	0	1	0	0	0	0	0	0	0	1
§2H4.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2J1.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2J1.2	151	61	2	1	5	0	29	0	9	6	1	33	4
§2J1.3	70	21	0	0	1	0	11	0	4	3	5	25	0
§2J1.4	21	17	0	0	1	0	0	0	0	0	1	2	0
§2J1.5	1	1	0	0	0	0	0	0	0	0	0	0	0
§2J1.6	61	45	0	1	4	0	0	0	0	0	1	9	1
§2J1.7	1	1	0	0	0	0	0	0	0	0	0	0	0
§2J1.8	0	0	0	0	0	0	0	0	0	0	0	0	0
§2J1.9	0	0	0	0	0	0	0	0	0	0	0	0	0
§2K1.1	5	5	0	0	0	0	0	0	0	0	0	0	0
§2K1.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2K1.3	23	9	0	0	1	0	2	0	5	0	1	4	1
§2K1.4	74	43	0	1	1	0	18	0	3	0	1	7	0
§2K1.5	4	4	0	0	0	0	0	0	0	0	0	0	0
§2K1.6	0	0	0	0	0	0	0	0	0	0	0	0	0
§2K1.7	0	0	0	0	0	0	0	0	0	0	0	0	0
§2K2.1	6,338	4,019	40	26	82	6	581	14	205	139	94	1,073	59
§2K2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2K2.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2K2.4 ³	--	--	--	--	--	--	--	--	--	--	--	--	--
§2K2.5	8	7	0	0	1	0	0	0	0	0	0	0	0
§2K2.6	2	2	0	0	0	0	0	0	0	0	0	0	0
§2K3.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2K3.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2L1.1	3,272	1,615	28	14	18	7	185	981	133	56	17	181	37
§2L1.2	17,301	10,208	61	19	234	14	69	4,426	533	494	100	1,008	135
§2L1.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2L2.1	381	210	1	0	10	1	70	0	22	9	4	44	10
§2L2.2	1,655	1,507	12	3	24	0	15	14	11	10	2	33	24
§2L2.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2L2.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2L2.5	0	0	0	0	0	0	0	0	0	0	0	0	0
§2M1.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2M2.1	2	0	0	0	0	0	0	0	0	0	0	2	0
§2M2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2M2.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2M2.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2M3.1	1	0	0	0	0	0	0	0	1	0	0	0	0
§2M3.2	2	1	0	0	0	0	0	0	1	0	0	0	0
§2M3.3	1	1	0	0	0	0	0	0	0	0	0	0	0
§2M3.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2M3.5	0	0	0	0	0	0	0	0	0	0	0	0	0
§2M3.6	0	0	0	0	0	0	0	0	0	0	0	0	0
§2M3.7	0	0	0	0	0	0	0	0	0	0	0	0	0
§2M3.8	0	0	0	0	0	0	0	0	0	0	0	0	0
§2M3.9	0	0	0	0	0	0	0	0	0	0	0	0	0
§2M4.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2M5.1	10	1	0	0	0	0	4	0	0	0	1	2	2
§2M5.2	63	22	0	0	2	0	9	0	1	7	2	18	2
§2M5.3	11	2	0	0	0	0	1	0	0	0	0	8	0
§2M6.1	3	3	0	0	0	0	0	0	0	0	0	0	0
§2M6.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2N1.1	3	0	0	0	0	0	0	0	1	0	0	2	0
§2N1.2	2	0	0	0	0	0	1	0	0	0	0	1	0

Table 28 (cont.)

Guideline	Total	Within Guideline Range	Upward Departure ⁴				Government Sponsored			Downward Departure ⁵		Below Range	
			Gdline Only	with Booker	Above Range with Booker	All Others	\$5K1.1	\$5K3.1	Other Gov't	Gdline Only	with Booker	with Booker	All Others
§2N1.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2N2.1	39	38	0	0	0	0	1	0	0	0	0	0	0
§2N3.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2P1.1	247	185	1	1	4	2	7	4	7	5	2	26	3
§2P1.2	112	81	0	2	2	1	5	0	12	3	0	5	1
§2P1.3	5	2	0	0	0	0	0	0	3	0	0	0	0
§2P1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.2	36	9	0	0	0	0	5	0	5	5	3	9	0
§2Q1.3	49	23	0	0	0	0	7	0	2	8	1	6	2
§2Q1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.5	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.6	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q2.1	138	69	1	0	0	0	19	0	13	0	1	27	8
§2Q2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2R1.1	12	0	0	0	0	0	11	0	1	0	0	0	0
§2S1.1	967	350	2	2	8	3	302	4	71	11	23	178	13
§2S1.2	3	2	0	0	0	0	0	0	0	0	1	0	0
§2S1.3	250	123	2	0	0	0	32	4	16	1	5	60	7
§2S1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.1	560	211	2	1	2	0	86	0	34	16	25	175	8
§2T1.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.4	136	47	0	1	1	0	26	0	9	4	5	40	3
§2T1.5	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.6	26	13	0	0	0	0	1	0	1	0	1	10	0
§2T1.7	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.8	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.9	7	2	0	0	0	0	1	0	0	0	0	4	0
§2T2.1	9	6	0	0	0	0	0	0	0	1	0	2	0
§2T2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T3.1	16	13	0	0	0	0	1	0	0	0	0	2	0
§2T3.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T4.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X1.1	16	8	0	0	0	0	3	0	1	0	0	4	0
§2X2.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X3.1	136	63	2	1	3	0	27	1	2	4	5	26	2
§2X4.1	446	255	3	1	7	0	52	1	35	14	4	67	7
§2X5.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X5.2	179	162	0	0	8	2	0	0	3	0	0	3	1
§2X6.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X7.1	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	73,186	39,944	364	147	822	104	9,751	6,853	2,792	1,511	854	9,216	828

¹Of the 81,372 cases, 8,186 were excluded due to one or both of the following reasons: information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range (2,219) or missing guideline applied (8,095). Descriptions of variables used in this table are provided in Appendix A.

²In 935 cases, the defendant was convicted of one or more counts of violating 18 U.S.C. § 1028A. By statute, the punishment for this crime must be served consecutively to any other punishment, therefore, in these 935 cases the conviction for this crime did not affect the guideline calculation for the underlying offense.

³In 2,499 cases, the defendant was convicted of one or more counts of violating 18 U.S.C. § 924(c). By statute, the punishment for this crime must be served consecutively to any other punishment, therefore, in these 2,499 cases the conviction for this crime did not affect the guideline calculation for the underlying offense.

⁴See Tables 24-24B for a list of departure reasons comprising these categories.

⁵See Tables 25-25B for a list of departure reasons comprising these categories.