

Table 28 (cont.)

Guideline	Total	Within Guideline Range	Upward Departure ⁴				Government Sponsored			Downward Departure ⁵			
			Gdline with		Above Range		\$5K1.1	\$5K3.1	Other Gov't	Gdline with		Below Range	
			Only	Booker	with Booker	All Others				Only	Booker	with Booker	All Others
§2H4.1	9	5	0	0	1	0	0	0	2	0	0	1	0
§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	156	58	1	0	4	1	29	0	14	0	1	46	2
§2J1.3	54	24	1	0	1	0	7	0	2	3	1	15	0
§2J1.4	24	16	0	1	1	0	3	0	1	0	0	1	1
§2J1.5	0	0	0	0	0	0	0	0	0	0	0	0	0
§2J1.6	65	50	0	0	2	0	1	1	3	0	1	7	0
§2J1.7	1	0	0	0	0	0	0	0	0	0	0	1	0
§2J1.8	0	0	0	0	0	0	0	0	0	0	0	0	0
§2J1.9	1	1	0	0	0	0	0	0	0	0	0	0	0
§2K1.1	2	2	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	13	5	0	0	0	0	5	0	0	1	0	2	0
§2K1.4	84	37	4	0	2	2	24	0	2	1	1	11	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	6,104	3,735	42	16	113	14	517	7	300	113	74	1,112	61
§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	14	10	2	0	2	0	0	0	0	0	0	0	0
§2K2.6	3	1	0	0	0	0	0	0	0	0	0	2	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	2,627	1,388	15	4	19	3	176	693	80	35	11	175	28
§2L1.2	19,893	11,287	52	14	230	11	64	5,236	530	691	111	1,510	157
§2L1.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2L2.1	338	183	1	0	7	0	49	0	26	1	3	57	11
§2L2.2	1,486	1,267	6	1	21	4	6	65	13	7	2	75	19
§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	1	0	0	0	0	0	0	0	0	0	1	0	0
§2M2.1	0	0	0	0	0	0	0	0	0	0	0	0	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	1	0	0	0	0	0	0	0	0	0	0	0
§2M3.2	2	0	0	0	1	0	0	0	1	0	0	0	0
§2M3.3	2	0	0	0	0	0	0	0	1	0	1	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	2	0	0	0	0	3	0	1	0	0	4	0
§2M5.2	62	27	2	0	2	0	15	0	2	7	1	6	0
§2M5.3	21	1	0	0	0	0	9	0	3	2	4	2	0
§2M6.1	0	0	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	4	0	0	0	1	0	0	0	3	0	0	0	0
§2N1.2	1	0	0	0	0	0	0	0	1	0	0	0	0

Table 28 (cont.)

Guideline	Total	Within Guideline Range	Upward Departure ⁴		Above Range		Government Sponsored			Downward Departure ⁵		Below Range	
			Gdline Only	with Booker	with Booker	All Others	§5K1.1	§5K3.1	Other Gov't	Gdline Only	with Booker	with Booker	All Others
§2N1.3	1	0	0	0	0	0	0	0	0	0	0	0	1
§2N2.1	35	32	0	0	2	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	239	176	0	2	6	0	7	3	4	3	2	32	4
§2P1.2	120	88	0	0	1	0	3	0	19	2	0	6	1
§2P1.3	17	14	0	0	1	0	1	0	1	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	42	18	0	0	0	0	2	0	4	4	2	12	0
§2Q1.3	32	14	0	0	0	0	5	0	5	5	0	3	0
§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	75	46	1	0	0	0	3	0	3	2	3	14	3
§2Q2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2R1.1	11	2	0	0	0	0	4	0	0	1	1	3	0
§2S1.1	952	293	0	0	4	0	347	2	60	15	11	207	13
§2S1.2	1	0	0	0	0	0	1	0	0	0	0	0	0
§2S1.3	313	138	1	0	0	0	33	17	41	11	4	61	7
§2S1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.1	544	183	0	2	4	0	87	0	35	20	10	187	16
§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	128	51	0	0	1	0	15	0	7	6	4	41	3
§2T1.5	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.6	22	5	0	0	0	0	2	0	0	7	0	8	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	22	6	0	0	1	0	7	0	0	3	2	3	0
§2T2.1	2	2	0	0	0	0	0	0	0	0	0	0	0
§2T2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T3.1	21	7	0	0	0	0	4	1	1	0	2	6	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	38	13	0	0	0	0	7	0	2	2	0	14	0
§2X2.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X3.1	99	49	0	0	2	0	17	0	7	0	2	20	2
§2X4.1	415	210	2	0	6	2	49	4	27	8	5	93	9
§2X5.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X5.2	192	174	0	2	8	1	0	0	1	0	1	3	2
§2X6.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X7.1	1	0	0	0	0	0	0	0	0	0	0	1	0
§2X7.2	4	2	0	0	0	0	1	0	0	0	0	1	0
TOTAL	74,796	39,287	334	117	894	111	9,345	7,360	3,097	1,632	858	10,902	859

¹ Of the 83,946 cases, 9,150 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 (2,087) or missing guideline applied (9,039). Descriptions of variables used in this table are provided in Appendix A.

² In 830 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 830 cases the conviction for this crime did not affect the guideline calculation for the underlying offense.

³ In 2,360 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 2,360 cases the conviction for this crime did not affect the guideline calculation for the underlying offense.

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

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