

Table 30

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE  
IN EACH CIRCUIT AND DISTRICT<sup>1</sup>  
Fiscal Year 2020**

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		DEPARTURE						VARIANCE			
		N	%	UPWARD		§5K1.1		§5K3.1		DOWNWARD		N	%
				N	%	N	%	N	%	N	%		
<b>TOTAL</b>	<b>64,233</b>	<b>32,358</b>	<b>50.4</b>	<b>261</b>	<b>0.4</b>	<b>5,270</b>	<b>8.2</b>	<b>6,918</b>	<b>10.8</b>	<b>2,534</b>	<b>3.9</b>	<b>16,892</b>	<b>26.3</b>
<b>D.C. CIRCUIT</b>	<b>270</b>	<b>96</b>	<b>35.6</b>	<b>2</b>	<b>0.7</b>	<b>31</b>	<b>11.5</b>	<b>0</b>	<b>0.0</b>	<b>36</b>	<b>13.3</b>	<b>105</b>	<b>38.9</b>
District of Columbia	270	96	35.6	2	0.7	31	11.5	0	0.0	36	13.3	105	38.9
<b>FIRST CIRCUIT</b>	<b>1,725</b>	<b>825</b>	<b>47.8</b>	<b>12</b>	<b>0.7</b>	<b>129</b>	<b>7.5</b>	<b>2</b>	<b>0.1</b>	<b>82</b>	<b>4.8</b>	<b>675</b>	<b>39.1</b>
Maine	117	50	42.7	0	0.0	23	19.7	0	0.0	5	4.3	39	33.3
Massachusetts	386	145	37.6	6	1.6	35	9.1	2	0.5	23	6.0	175	45.3
New Hampshire	200	61	30.5	0	0.0	35	17.5	0	0.0	8	4.0	96	48.0
Puerto Rico	922	547	59.3	4	0.4	28	3.0	0	0.0	46	5.0	297	32.2
Rhode Island	100	22	22.0	2	2.0	8	8.0	0	0.0	0	0.0	68	68.0
<b>SECOND CIRCUIT</b>	<b>2,439</b>	<b>727</b>	<b>29.8</b>	<b>9</b>	<b>0.4</b>	<b>431</b>	<b>17.7</b>	<b>7</b>	<b>0.3</b>	<b>94</b>	<b>3.9</b>	<b>1,171</b>	<b>48.0</b>
Connecticut	353	135	38.2	2	0.6	48	13.6	0	0.0	35	9.9	133	37.7
New York													
Eastern	360	93	25.8	2	0.6	73	20.3	1	0.3	32	8.9	159	44.2
Northern	297	153	51.5	2	0.7	51	17.2	0	0.0	3	1.0	88	29.6
Southern	924	168	18.2	0	0.0	163	17.6	6	0.6	21	2.3	566	61.3
Western	350	152	43.4	2	0.6	54	15.4	0	0.0	1	0.3	141	40.3
Vermont	155	26	16.8	1	0.6	42	27.1	0	0.0	2	1.3	84	54.2
<b>THIRD CIRCUIT</b>	<b>1,927</b>	<b>815</b>	<b>42.3</b>	<b>8</b>	<b>0.4</b>	<b>349</b>	<b>18.1</b>	<b>9</b>	<b>0.5</b>	<b>46</b>	<b>2.4</b>	<b>700</b>	<b>36.3</b>
Delaware	89	39	43.8	2	2.2	20	22.5	5	5.6	3	3.4	20	22.5
New Jersey	592	259	43.8	1	0.2	97	16.4	0	0.0	7	1.2	228	38.5
Pennsylvania													
Eastern	492	169	34.3	1	0.2	114	23.2	2	0.4	15	3.0	191	38.8
Middle	360	167	46.4	1	0.3	77	21.4	2	0.6	11	3.1	102	28.3
Western	357	151	42.3	3	0.8	39	10.9	0	0.0	8	2.2	156	43.7
Virgin Islands	37	30	81.1	0	0.0	2	5.4	0	0.0	2	5.4	3	8.1
<b>FOURTH CIRCUIT</b>	<b>4,200</b>	<b>2,182</b>	<b>52.0</b>	<b>20</b>	<b>0.5</b>	<b>544</b>	<b>13.0</b>	<b>5</b>	<b>0.1</b>	<b>126</b>	<b>3.0</b>	<b>1,323</b>	<b>31.5</b>
Maryland	456	153	33.6	4	0.9	66	14.5	0	0.0	45	9.9	188	41.2
North Carolina													
Eastern	665	365	54.9	3	0.5	155	23.3	0	0.0	12	1.8	130	19.5
Middle	404	225	55.7	3	0.7	34	8.4	0	0.0	9	2.2	133	32.9
Western	512	275	53.7	1	0.2	96	18.8	0	0.0	3	0.6	137	26.8
South Carolina	575	277	48.2	1	0.2	95	16.5	0	0.0	11	1.9	191	33.2
Virginia													
Eastern	805	486	60.4	6	0.7	33	4.1	0	0.0	36	4.5	244	30.3
Western	287	107	37.3	2	0.7	39	13.6	3	1.0	7	2.4	129	44.9
West Virginia													
Northern	235	138	58.7	0	0.0	18	7.7	2	0.9	1	0.4	76	32.3
Southern	261	156	59.8	0	0.0	8	3.1	0	0.0	2	0.8	95	36.4

**Table 30 (cont.)**

CIRCUIT District	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		§5K1.1		§5K3.1		DOWNWARD			
		N	%	N	%	N	%	N	%	N	%	N	%
<b>FIFTH CIRCUIT</b>	<b>20,196</b>	<b>13,910</b>	<b>68.9</b>	<b>59</b>	<b>0.3</b>	<b>713</b>	<b>3.5</b>	<b>1,356</b>	<b>6.7</b>	<b>857</b>	<b>4.2</b>	<b>3,301</b>	<b>16.3</b>
Louisiana													
Eastern	177	106	59.9	0	0.0	28	15.8	0	0.0	4	2.3	39	22.0
Middle	120	71	59.2	0	0.0	20	16.7	0	0.0	1	0.8	28	23.3
Western	284	201	70.8	5	1.8	27	9.5	0	0.0	8	2.8	43	15.1
Mississippi													
Northern	130	65	50.0	0	0.0	26	20.0	0	0.0	1	0.8	38	29.2
Southern	386	234	60.6	0	0.0	25	6.5	31	8.0	3	0.8	93	24.1
Texas													
Eastern	698	494	70.8	3	0.4	20	2.9	1	0.1	6	0.9	174	24.9
Northern	1,377	888	64.5	8	0.6	152	11.0	0	0.0	29	2.1	300	21.8
Southern	8,535	5,170	60.6	38	0.4	257	3.0	1,104	12.9	595	7.0	1,371	16.1
Western	8,489	6,681	78.7	5	0.1	158	1.9	220	2.6	210	2.5	1,215	14.3
<b>SIXTH CIRCUIT</b>	<b>4,134</b>	<b>1,831</b>	<b>44.3</b>	<b>20</b>	<b>0.5</b>	<b>739</b>	<b>17.9</b>	<b>8</b>	<b>0.2</b>	<b>211</b>	<b>5.1</b>	<b>1,325</b>	<b>32.1</b>
Kentucky													
Eastern	431	249	57.8	3	0.7	62	14.4	0	0.0	5	1.2	112	26.0
Western	347	129	37.2	1	0.3	90	25.9	4	1.2	21	6.1	102	29.4
Michigan													
Eastern	528	231	43.8	2	0.4	57	10.8	0	0.0	9	1.7	229	43.4
Western	320	175	54.7	8	2.5	52	16.3	0	0.0	5	1.6	80	25.0
Ohio													
Northern	787	374	47.5	1	0.1	159	20.2	0	0.0	26	3.3	227	28.8
Southern	548	168	30.7	4	0.7	83	15.1	4	0.7	106	19.3	183	33.4
Tennessee													
Eastern	604	273	45.2	0	0.0	168	27.8	0	0.0	16	2.6	147	24.3
Middle	230	63	27.4	1	0.4	27	11.7	0	0.0	19	8.3	120	52.2
Western	339	169	49.9	0	0.0	41	12.1	0	0.0	4	1.2	125	36.9
<b>SEVENTH CIRCUIT</b>	<b>2,268</b>	<b>883</b>	<b>38.9</b>	<b>3</b>	<b>0.1</b>	<b>246</b>	<b>10.8</b>	<b>0</b>	<b>0.0</b>	<b>98</b>	<b>4.3</b>	<b>1,038</b>	<b>45.8</b>
Illinois													
Central	226	98	43.4	0	0.0	31	13.7	0	0.0	1	0.4	96	42.5
Northern	540	171	31.7	0	0.0	31	5.7	0	0.0	37	6.9	301	55.7
Southern	234	118	50.4	0	0.0	43	18.4	0	0.0	1	0.4	72	30.8
Indiana													
Northern	315	138	43.8	0	0.0	41	13.0	0	0.0	15	4.8	121	38.4
Southern	537	247	46.0	0	0.0	73	13.6	0	0.0	4	0.7	213	39.7
Wisconsin													
Eastern	265	56	21.1	0	0.0	19	7.2	0	0.0	2	0.8	188	70.9
Western	151	55	36.4	3	2.0	8	5.3	0	0.0	38	25.2	47	31.1
<b>EIGHTH CIRCUIT</b>	<b>4,691</b>	<b>2,073</b>	<b>44.2</b>	<b>31</b>	<b>0.7</b>	<b>469</b>	<b>10.0</b>	<b>47</b>	<b>1.0</b>	<b>103</b>	<b>2.2</b>	<b>1,968</b>	<b>42.0</b>
Arkansas													
Eastern	474	271	57.2	0	0.0	12	2.5	0	0.0	5	1.1	186	39.2
Western	247	116	47.0	0	0.0	33	13.4	0	0.0	0	0.0	98	39.7
Iowa													
Northern	365	179	49.0	13	3.6	54	14.8	0	0.0	6	1.6	113	31.0
Southern	421	156	37.1	0	0.0	59	14.0	0	0.0	5	1.2	201	47.7
Minnesota	334	93	27.8	2	0.6	54	16.2	8	2.4	15	4.5	162	48.5
Missouri													
Eastern	925	352	38.1	1	0.1	57	6.2	0	0.0	12	1.3	503	54.4
Western	695	287	41.3	4	0.6	90	12.9	0	0.0	20	2.9	294	42.3
Nebraska	482	233	48.3	0	0.0	12	2.5	35	7.3	3	0.6	199	41.3
North Dakota	252	88	34.9	4	1.6	89	35.3	3	1.2	4	1.6	64	25.4
South Dakota	496	298	60.1	7	1.4	9	1.8	1	0.2	33	6.7	148	29.8

**Table 30 (cont.)**

CIRCUIT	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		§5K1.1		§5K3.1		DOWNWARD		N	%
District		N	%	N	%	N	%	N	%	N	%	N	%
<b>NINTH CIRCUIT</b>	<b>11,949</b>	<b>3,361</b>	<b>28.1</b>	<b>50</b>	<b>0.4</b>	<b>793</b>	<b>6.6</b>	<b>4,636</b>	<b>38.8</b>	<b>490</b>	<b>4.1</b>	<b>2,619</b>	<b>21.9</b>
Alaska	108	28	25.9	0	0.0	9	8.3	0	0.0	1	0.9	70	64.8
Arizona	4,511	1,629	36.1	17	0.4	74	1.6	2,389	53.0	48	1.1	354	7.8
California													
Central	909	265	29.2	4	0.4	128	14.1	37	4.1	81	8.9	394	43.3
Eastern	398	156	39.2	0	0.0	64	16.1	10	2.5	6	1.5	162	40.7
Northern	552	141	25.5	0	0.0	41	7.4	4	0.7	14	2.5	352	63.8
Southern	3,495	459	13.1	29	0.8	181	5.2	2,131	61.0	296	8.5	399	11.4
Guam	42	24	57.1	0	0.0	8	19.0	0	0.0	0	0.0	10	23.8
Hawaii	124	58	46.8	0	0.0	34	27.4	0	0.0	0	0.0	32	25.8
Idaho	321	146	45.5	0	0.0	57	17.8	18	5.6	6	1.9	94	29.3
Montana	323	115	35.6	0	0.0	85	26.3	1	0.3	4	1.2	118	36.5
Nevada	292	74	25.3	0	0.0	16	5.5	12	4.1	21	7.2	169	57.9
Northern Mariana Islands	10	7	70.0	0	0.0	1	10.0	0	0.0	0	0.0	2	20.0
Oregon	362	87	24.0	0	0.0	46	12.7	0	0.0	8	2.2	221	61.0
Washington													
Eastern	237	87	36.7	0	0.0	36	15.2	15	6.3	4	1.7	95	40.1
Western	265	85	32.1	0	0.0	13	4.9	19	7.2	1	0.4	147	55.5
<b>TENTH CIRCUIT</b>	<b>5,544</b>	<b>3,062</b>	<b>55.2</b>	<b>29</b>	<b>0.5</b>	<b>281</b>	<b>5.1</b>	<b>819</b>	<b>14.8</b>	<b>323</b>	<b>5.8</b>	<b>1,030</b>	<b>18.6</b>
Colorado	393	159	40.5	0	0.0	60	15.3	41	10.4	7	1.8	126	32.1
Kansas	307	127	41.4	0	0.0	54	17.6	8	2.6	12	3.9	106	34.5
New Mexico	3,189	2,114	66.3	5	0.2	39	1.2	630	19.8	133	4.2	268	8.4
Oklahoma													
Eastern	105	66	62.9	0	0.0	10	9.5	0	0.0	0	0.0	29	27.6
Northern	239	96	40.2	15	6.3	32	13.4	0	0.0	40	16.7	56	23.4
Western	471	234	49.7	0	0.0	25	5.3	3	0.6	11	2.3	198	42.0
Utah	681	200	29.4	7	1.0	48	7.0	125	18.4	116	17.0	185	27.2
Wyoming	159	66	41.5	2	1.3	13	8.2	12	7.5	4	2.5	62	39.0
<b>ELEVENTH CIRCUIT</b>	<b>4,890</b>	<b>2,593</b>	<b>53.0</b>	<b>18</b>	<b>0.4</b>	<b>545</b>	<b>11.1</b>	<b>29</b>	<b>0.6</b>	<b>68</b>	<b>1.4</b>	<b>1,637</b>	<b>33.5</b>
Alabama													
Middle	140	72	51.4	0	0.0	23	16.4	0	0.0	1	0.7	44	31.4
Northern	448	234	52.2	1	0.2	70	15.6	0	0.0	8	1.8	135	30.1
Southern	301	166	55.1	5	1.7	50	16.6	1	0.3	7	2.3	72	23.9
Florida													
Middle	1,220	606	49.7	6	0.5	163	13.4	17	1.4	12	1.0	416	34.1
Northern	273	153	56.0	1	0.4	36	13.2	7	2.6	4	1.5	72	26.4
Southern	1,271	649	51.1	3	0.2	72	5.7	3	0.2	19	1.5	525	41.3
Georgia													
Middle	347	246	70.9	1	0.3	30	8.6	0	0.0	1	0.3	69	19.9
Northern	482	183	38.0	0	0.0	31	6.4	0	0.0	12	2.5	256	53.1
Southern	408	284	69.6	1	0.2	70	17.2	1	0.2	4	1.0	48	11.8

<sup>1</sup> Of the 64,565 cases, 332 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2020 Datafile, USSCFY20.