

Table 31

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE
BY TYPE OF CRIME¹
Fiscal Year 2021**

TYPE OF CRIME	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		§5K1.1		§5K3.1		DOWNWARD			
		N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	57,041	24,434	42.8	296	0.5	5,493	9.6	6,387	11.2	2,762	4.8	17,669	31.0
Administration of Justice	509	261	51.3	0	0.0	24	4.7	3	0.6	28	5.5	193	37.9
Antitrust	6	0	0.0	0	0.0	4	66.7	0	0.0	0	0.0	2	33.3
Arson	79	36	45.6	2	2.5	10	12.7	0	0.0	6	7.6	25	31.6
Assault	657	321	48.9	15	2.3	20	3.0	0	0.0	57	8.7	244	37.1
Bribery/Corruption	247	48	19.4	1	0.4	81	32.8	0	0.0	9	3.6	108	43.7
Burglary/Trespass	62	31	50.0	3	4.8	4	6.5	0	0.0	7	11.3	17	27.4
Child Pornography	1,215	400	32.9	7	0.6	16	1.3	2	0.2	59	4.9	731	60.2
Commercialized Vice	114	57	50.0	0	0.0	11	9.6	0	0.0	7	6.1	39	34.2
Drug Possession	280	256	91.4	0	0.0	1	0.4	0	0.0	2	0.7	21	7.5
Drug Trafficking	17,595	4,994	28.4	56	0.3	3,487	19.8	1,741	9.9	838	4.8	6,479	36.8
Environmental	161	88	54.7	0	0.0	18	11.2	0	0.0	7	4.3	48	29.8
Extortion/Racketeering	116	34	29.3	1	0.9	24	20.7	0	0.0	6	5.2	51	44.0
Firearms	8,145	4,130	50.7	65	0.8	413	5.1	12	0.1	339	4.2	3,186	39.1
Food and Drug	45	28	62.2	0	0.0	0	0.0	0	0.0	0	0.0	17	37.8
Forgery/Counter/Copyright	137	68	49.6	1	0.7	11	8.0	0	0.0	4	2.9	53	38.7
Fraud/Theft/Embezzlement	4,527	1,942	42.9	48	1.1	556	12.3	18	0.4	170	3.8	1,793	39.6
Immigration	16,906	9,000	53.2	34	0.2	148	0.9	4,594	27.2	907	5.4	2,223	13.1
Individual Rights	65	34	52.3	0	0.0	10	15.4	0	0.0	0	0.0	21	32.3
Kidnapping	92	22	23.9	0	0.0	19	20.7	0	0.0	9	9.8	42	45.7
Manslaughter	56	22	39.3	10	17.9	1	1.8	0	0.0	8	14.3	15	26.8
Money Laundering	1,028	240	23.3	12	1.2	274	26.7	9	0.9	57	5.5	436	42.4
Murder	257	81	31.5	5	1.9	59	23.0	0	0.0	23	8.9	89	34.6
National Defense	216	96	44.4	1	0.5	26	12.0	2	0.9	19	8.8	72	33.3
Obscenity/Other Sex Offenses	298	147	49.3	6	2.0	1	0.3	1	0.3	18	6.0	125	41.9
Prison Offenses	523	328	62.7	1	0.2	9	1.7	2	0.4	22	4.2	161	30.8
Robbery	1,300	503	38.7	10	0.8	157	12.1	1	0.1	62	4.8	567	43.6
Sexual Abuse	1,061	419	39.5	11	1.0	63	5.9	1	0.1	56	5.3	511	48.2
Stalking/Harassing	219	94	42.9	7	3.2	2	0.9	1	0.5	17	7.8	98	44.7
Tax	421	98	23.3	0	0.0	42	10.0	0	0.0	22	5.2	259	61.5
Other	704	656	93.2	0	0.0	2	0.3	0	0.0	3	0.4	43	6.1

¹ Of the 57,287 cases, 246 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, 2021 Datafile, USSCFY21.