

Table 20

INDIVIDUALS SENTENCED UNDER EACH CHAPTER TWO GUIDELINE¹
Fiscal Year 2023

Guideline	As Primary Guideline		As Any Guideline		Guideline	As Primary Guideline		As Any Guideline	
	N	%	N	%		N	%	N	%
§2A1.1	338	0.5	361	0.5	§2D1.10	1	0.0	2	0.0
§2A1.2	110	0.2	120	0.2	§2D1.11	2	0.0	2	0.0
§2A1.3	43	0.1	44	0.1	§2D1.12	1	0.0	2	0.0
§2A1.4	42	0.1	43	0.1	§2D1.13	0	0.0	0	0.0
§2A1.5	23	0.0	53	0.1	§2D1.14	0	0.0	0	0.0
§2A2.1	201	0.3	293	0.4	§2D2.1	80	0.1	94	0.1
§2A2.2	525	0.8	627	0.9	§2D2.2	40	0.1	50	0.1
§2A2.3	62	0.1	85	0.1	§2D2.3	0	0.0	0	0.0
§2A2.4	246	0.4	286	0.4	§2D3.1	1	0.0	2	0.0
§2A3.1	133	0.2	154	0.2	§2D3.2	3	0.0	3	0.0
§2A3.2	43	0.1	56	0.1	§2D3.3	0	0.0	0	0.0
§2A3.3	3	0.0	3	0.0	§2D3.4	0	0.0	0	0.0
§2A3.4	46	0.1	91	0.1	§2D3.5	0	0.0	0	0.0
§2A3.5	282	0.5	295	0.4	§2E1.1	47	0.1	402	0.6
§2A4.1	141	0.2	219	0.3	§2E1.2	1	0.0	85	0.1
§2A4.2	0	0.0	0	0.0	§2E1.3	0	0.0	100	0.1
§2A5.1	0	0.0	0	0.0	§2E1.4	6	0.0	46	0.1
§2A5.2	20	0.0	24	0.0	§2E1.5	0	0.0	0	0.0
§2A5.3	0	0.0	5	0.0	§2E2.1	9	0.0	16	0.0
§2A6.1	163	0.3	173	0.2	§2E3.1	64	0.1	83	0.1
§2A6.2	74	0.1	105	0.2	§2E3.2	0	0.0	0	0.0
§2B1.1	4,904	7.9	5,475	7.9	§2E3.3	0	0.0	0	0.0
§2B1.2	0	0.0	0	0.0	§2E4.1	11	0.0	12	0.0
§2B1.3	0	0.0	0	0.0	§2E5.1	9	0.0	9	0.0
§2B1.4	13	0.0	16	0.0	§2E5.2	0	0.0	0	0.0
§2B1.5	12	0.0	12	0.0	§2E5.3	0	0.0	10	0.0
§2B1.6 ²	65	0.1	--	--	§2E5.4	0	0.0	0	0.0
§2B2.1	48	0.1	57	0.1	§2E5.5	0	0.0	0	0.0
§2B2.2	0	0.0	0	0.0	§2E5.6	0	0.0	0	0.0
§2B2.3	33	0.1	40	0.1	§2F1.1	2	0.0	2	0.0
§2B3.1	1,490	2.4	1,657	2.4	§2F1.2	0	0.0	0	0.0
§2B3.2	31	0.1	64	0.1	§2G1.1	46	0.1	102	0.1
§2B3.3	10	0.0	15	0.0	§2G1.2	0	0.0	0	0.0
§2B4.1	112	0.2	116	0.2	§2G1.3	415	0.7	526	0.8
§2B5.1	67	0.1	73	0.1	§2G2.1	710	1.1	750	1.1
§2B5.2	0	0.0	0	0.0	§2G2.2	1,406	2.3	1,647	2.4
§2B5.3	44	0.1	51	0.1	§2G2.3	0	0.0	2	0.0
§2B5.4	0	0.0	0	0.0	§2G2.4	0	0.0	1	0.0
§2B6.1	2	0.0	2	0.0	§2G2.5	0	0.0	0	0.0
§2C1.1	226	0.4	245	0.4	§2G2.6	11	0.0	13	0.0
§2C1.2	12	0.0	13	0.0	§2G3.1	41	0.1	57	0.1
§2C1.3	7	0.0	7	0.0	§2G3.2	0	0.0	0	0.0
§2C1.4	0	0.0	0	0.0	§2H1.1	69	0.1	96	0.1
§2C1.5	0	0.0	0	0.0	§2H1.2	0	0.0	0	0.0
§2C1.6	0	0.0	0	0.0	§2H1.3	0	0.0	0	0.0
§2C1.7	1	0.0	1	0.0	§2H1.4	0	0.0	0	0.0
§2C1.8	7	0.0	7	0.0	§2H1.5	0	0.0	0	0.0
§2D1.1	18,640	30.1	19,680	28.4	§2H2.1	8	0.0	8	0.0
§2D1.2	276	0.4	281	0.4	§2H3.1	10	0.0	10	0.0
§2D1.3	0	0.0	0	0.0	§2H3.2	0	0.0	0	0.0
§2D1.4	0	0.0	0	0.0	§2H3.3	6	0.0	11	0.0
§2D1.5	7	0.0	9	0.0	§2H4.1	16	0.0	17	0.0
§2D1.6	0	0.0	188	0.3	§2H4.2	0	0.0	0	0.0
§2D1.7	0	0.0	0	0.0	§2J1.1	0	0.0	5	0.0
§2D1.8	15	0.0	70	0.1	§2J1.2	163	0.3	228	0.3
§2D1.9	0	0.0	0	0.0	§2J1.3	15	0.0	29	0.0

Table 20 (cont.)

Guideline	As Primary Guideline		As Any Guideline		Guideline	As Primary Guideline		As Any Guideline	
	N	%	N	%		N	%	N	%
§2J1.4	9	0.0	14	0.0	§2M6.1	3	0.0	3	0.0
§2J1.5	0	0.0	0	0.0	§2M6.2	0	0.0	0	0.0
§2J1.6	31	0.1	32	0.0	§2N1.1	19	0.0	19	0.0
§2J1.7	0	0.0	0	0.0	§2N1.2	0	0.0	0	0.0
§2J1.8	0	0.0	0	0.0	§2N1.3	1	0.0	1	0.0
§2J1.9	0	0.0	0	0.0	§2N2.1	25	0.0	61	0.1
§2K1.1	1	0.0	1	0.0	§2N3.1	0	0.0	0	0.0
§2K1.2	0	0.0	0	0.0	§2P1.1	303	0.5	327	0.5
§2K1.3	20	0.0	24	0.0	§2P1.2	97	0.2	132	0.2
§2K1.4	105	0.2	125	0.2	§2P1.3	6	0.0	6	0.0
§2K1.5	1	0.0	1	0.0	§2P1.4	0	0.0	0	0.0
§2K1.6	0	0.0	0	0.0	§2Q1.1	0	0.0	0	0.0
§2K1.7	0	0.0	0	0.0	§2Q1.2	31	0.1	32	0.0
§2K2.1	8,393	13.6	8,928	12.9	§2Q1.3	9	0.0	10	0.0
§2K2.2	0	0.0	0	0.0	§2Q1.4	0	0.0	0	0.0
§2K2.3	0	0.0	0	0.0	§2Q1.5	0	0.0	0	0.0
§2K2.4 ³	334	0.5	--	--	§2Q1.6	0	0.0	0	0.0
§2K2.5	21	0.0	26	0.0	§2Q2.1	79	0.1	82	0.1
§2K2.6	0	0.0	2	0.0	§2Q2.2	0	0.0	0	0.0
§2K3.1	0	0.0	0	0.0	§2R1.1	17	0.0	18	0.0
§2K3.2	0	0.0	0	0.0	§2S1.1	1,132	1.8	1,175	1.7
§2L1.1	4,731	7.6	4,778	6.9	§2S1.2	0	0.0	0	0.0
§2L1.2	12,869	20.8	13,004	18.7	§2S1.3	172	0.3	180	0.3
§2L1.3	0	0.0	0	0.0	§2S1.4	0	0.0	0	0.0
§2L2.1	69	0.1	75	0.1	§2T1.1	237	0.4	310	0.4
§2L2.2	437	0.7	459	0.7	§2T1.2	0	0.0	0	0.0
§2L2.3	0	0.0	0	0.0	§2T1.3	0	0.0	0	0.0
§2L2.4	0	0.0	0	0.0	§2T1.4	126	0.2	135	0.2
§2L2.5	0	0.0	0	0.0	§2T1.5	0	0.0	0	0.0
§2M1.1	0	0.0	1	0.0	§2T1.6	70	0.1	78	0.1
§2M2.1	0	0.0	0	0.0	§2T1.7	0	0.0	0	0.0
§2M2.2	0	0.0	0	0.0	§2T1.8	0	0.0	0	0.0
§2M2.3	0	0.0	0	0.0	§2T1.9	3	0.0	46	0.1
§2M2.4	0	0.0	0	0.0	§2T2.1	2	0.0	2	0.0
§2M3.1	2	0.0	2	0.0	§2T2.2	0	0.0	0	0.0
§2M3.2	0	0.0	0	0.0	§2T3.1	7	0.0	73	0.1
§2M3.3	3	0.0	3	0.0	§2T3.2	0	0.0	0	0.0
§2M3.4	0	0.0	0	0.0	§2T4.1	0	0.0	0	0.0
§2M3.5	0	0.0	0	0.0	§2X1.1	20	0.0	2,750	4.0
§2M3.6	0	0.0	0	0.0	§2X2.1	0	0.0	25	0.0
§2M3.7	0	0.0	0	0.0	§2X3.1	82	0.1	94	0.1
§2M3.8	0	0.0	0	0.0	§2X4.1	151	0.2	155	0.2
§2M3.9	0	0.0	0	0.0	§2X5.1	0	0.0	89	0.1
§2M4.1	0	0.0	0	0.0	§2X5.2	339	0.5	344	0.5
§2M5.1	14	0.0	15	0.0	§2X6.1	0	0.0	0	0.0
§2M5.2	168	0.3	178	0.3	§2X7.1	0	0.0	0	0.0
§2M5.3	21	0.0	26	0.0	§2X7.2	4	0.0	4	0.0
Total number of guidelines applied:								69,383	
Number of cases with at least one guideline applied:								61,874	

¹ Of the 64,124 cases, 2,250 were excluded due to missing guideline applied. The total for any guideline can exceed that for primary guideline because several guidelines may be applied in a case, but only one primary guideline. For the 'As Any Guideline' section, each unique guideline is only counted once in a case. Descriptions of variables used in this table are provided in Appendix A.

² In these cases, the sentenced individual was convicted of violating 18 U.S.C. § 1028A (Aggravated Identity Theft) as the only count or counts of conviction. The *Guidelines Manual* provides punishment for this type of offense under §2B1.6.

³ In these cases, the sentenced individual was convicted of violating 18 U.S.C. § 924(c) (Use of Firearm, Armor-Piercing Ammunition, or Explosives During or in Relation to Certain Crimes) as the only count or counts of conviction. The *Guidelines Manual* provides punishment for this type of offense under §2K2.4.

Table 21

**SENTENCED INDIVIDUALS RECEIVING
CHAPTER THREE GUIDELINE ADJUSTMENTS¹
Fiscal Year 2023**

VICTIM-RELATED	N	%
Vulnerable Victim (§3A1.1)		
Vulnerable victim involved	354	0.6
No vulnerable victim involved	60,461	99.3
Hate crime	36	0.1
Vulnerable victim involved and large number of victims	48	0.1
Vulnerable victim involved and hate crime	2	0.0
Vulnerable victim involved, hate crime, and large number of victims	0	0.0
Official Victim (§3A1.2)		
Official victim involved	34	0.1
Offense against person or involved substantial risk of serious bodily injury	261	0.4
No official victim involved	60,606	99.5
Restraint of Victim (§3A1.3)		
Offense involved restraint of victim	69	0.1
Offense did not involve restraint of victim	60,832	99.9
Terrorism (§3A1.4)		
Offense involved a federal crime of terrorism	41	0.1
Offense did not involve a federal crime of terrorism	60,858	99.9
Offense committed before adjustment added to guidelines	2	0.0
Serious Human Rights Offense (§3A1.5)		
Sentenced individual convicted of a serious human rights offense	0	0.0
Sentenced individual was not convicted of a serious human rights offense	60,885	100.0
Offense committed before adjustment added to guidelines	16	0.0
CHAPTER 3, PART A TOTAL	60,901	100.0
ROLE IN THE OFFENSE	N	%
Aggravating Role (§3B1.1)		
Organizer or leader	857	1.4
Manager or supervisor	592	1.0
Lesser organizer, leader, manager, or supervisor	1,092	1.8
No aggravating role	58,360	95.8
Mitigating Role (§3B1.2)		
Minimal participant	536	0.9
Less than minor role but not minimal	245	0.4
Minor participant	3,927	6.4
No mitigating role	56,193	92.3
Abuse of Position of Trust or Use of Special Skill (§3B1.3)		
Sentenced individual abused position of trust or used special skill	1,039	1.7
Sentenced individual did not abuse position of trust or use special skill	59,862	98.3

Table 21 (cont.)

Use of a Minor to Commit a Crime (§3B1.4)		
Sentenced individual used a minor	258	0.4
Sentenced individual did not use a minor	60,641	99.6
Offense committed before adjustment added to guidelines	2	0.0
Use of Body Armor to Commit a Crime (§3B1.5)		
Sentenced individual used body armor (+2)	7	0.0
Sentenced individual used body armor (+4)	5	0.0
Sentenced individual did not use body armor	60,875	100.0
Offense committed before adjustment added to guidelines	14	0.0
CHAPTER 3, PART B TOTAL	60,901	100.0
OBSTRUCTION	N	%
Obstruction of Justice (§3C1.1)²		
Sentenced individual obstructed justice	1,454	2.4
Sentenced individual did not obstruct justice	59,447	97.6
Reckless Endangerment During Flight (§3C1.2)		
Offense involved reckless endangerment during flight	1,096	1.8
Offense did not involve reckless endangerment during flight	59,805	98.2
Offense committed before adjustment added to guidelines	0	0.0
Commission of Offense While on Release (§3C1.3)		
Offense involved commission of offense while on release	98	0.2
Offense did not involve commission of offense while on release	60,787	99.8
Offense committed before adjustment added to guidelines	16	0.0
False Registration of Domain Name (§3C1.4)		
Offense involved false registration of domain name	0	0.0
Offense did not involve false registration of domain name	60,885	100.0
Offense committed before adjustment added to guidelines	16	0.0
CHAPTER 3, PART C TOTAL	60,901	100.0
ACCEPTANCE OF RESPONSIBILITY	N	%
Acceptance of Responsibility (§3E1.1)		
Sentenced individual accepted responsibility (-3)	40,551	66.6
Sentenced individual accepted responsibility (-2)	17,443	28.6
Sentenced individual did not accept responsibility	2,927	4.8
CHAPTER 3, PART E TOTAL	60,921	100.0

¹ Of the 64,124 cases, the Commission received complete guideline application information for 60,922 cases. Of these, 21 cases were excluded from the calculations due to missing Chapter Three adjustment information on vulnerable victim, official victim, restraint of victim, terrorism, human rights, aggravating role, mitigating role, abuse of position, use of minor, use of body armor, obstruction of justice, reckless endangerment, commission of offense while on release, and false registration of domain name, and one case due to missing information on acceptance of responsibility. Descriptions of each guideline adjustment can be found in USSG Chapter Three.

² When a sentenced individual uses computer encryption during the commission of an offense or to avoid detection, it may result in the application of the Obstruction of Justice adjustment. In those cases with complete guideline application information, 593 individuals used encryption or scrambling technology and, of those, 41 received an enhancement under §3C1.1.

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.

Table 22

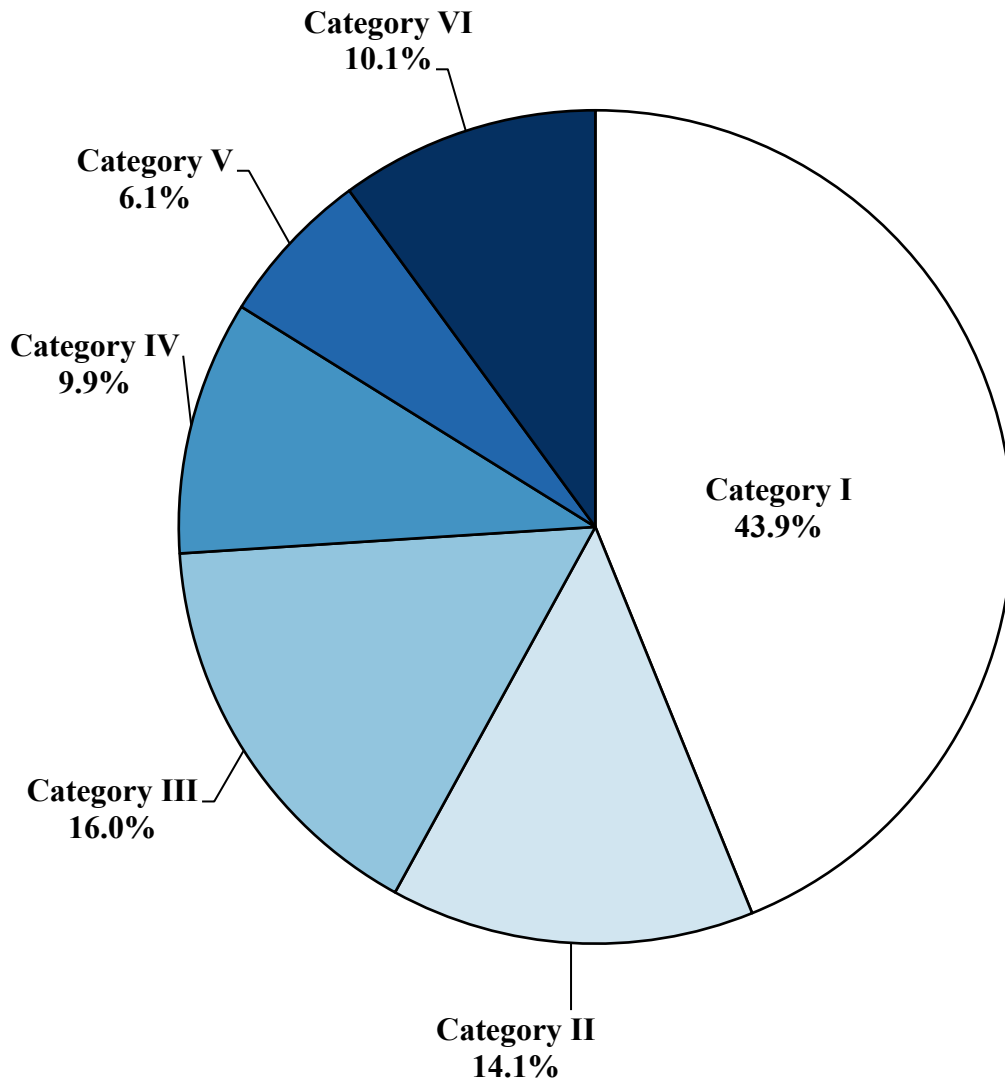
**ACCEPTANCE OF RESPONSIBILITY REDUCTIONS
BY TYPE OF CRIME¹
Fiscal Year 2023**

TYPE OF CRIME	TOTAL	NO ACCEPTANCE ADJUSTMENT		2-LEVEL ADJUSTMENT		3-LEVEL ADJUSTMENT	
		N	%	N	%	N	%
TOTAL	60,921	2,927	4.8	17,443	28.6	40,551	66.6
Administration of Justice	602	105	17.4	335	55.6	162	26.9
Antitrust	18	0	0.0	8	44.4	10	55.6
Arson	105	3	2.9	4	3.8	98	93.3
Assault	788	73	9.3	85	10.8	630	79.9
Bribery/Corruption	360	38	10.6	44	12.2	278	77.2
Burglary/Trespass	81	9	11.1	45	55.6	27	33.3
Child Pornography	1,397	50	3.6	14	1.0	1,333	95.4
Commercialized Vice	82	2	2.4	32	39.0	48	58.5
Drug Possession	78	9	11.5	69	88.5	0	0.0
Drug Trafficking	18,719	738	3.9	829	4.4	17,152	91.6
Environmental	113	8	7.1	78	69.0	27	23.9
Extortion/Racketeering	125	9	7.2	14	11.2	102	81.6
Firearms	8,403	375	4.5	1,319	15.7	6,709	79.8
Food and Drug	45	0	0.0	26	57.8	19	42.2
Forgery/Counter/Copyright	111	8	7.2	64	57.7	39	35.1
Fraud/Theft/Embezzlement	4,892	344	7.0	1,917	39.2	2,631	53.8
Immigration	18,010	475	2.6	11,237	62.4	6,298	35.0
Individual Rights	109	17	15.6	31	28.4	61	56.0
Kidnapping	144	27	18.8	7	4.9	110	76.4
Manslaughter	86	9	10.5	6	7.0	71	82.6
Money Laundering	1,289	133	10.3	140	10.9	1,016	78.8
Murder	481	122	25.4	11	2.3	348	72.3
National Defense	212	10	4.7	34	16.0	168	79.2
Obscenity/Other Sex Offenses	322	8	2.5	148	46.0	166	51.6
Prison Offenses	405	13	3.2	380	93.8	12	3.0
Robbery	1,481	90	6.1	29	2.0	1,362	92.0
Sexual Abuse	1,381	169	12.2	31	2.2	1,181	85.5
Stalking/Harassing	236	25	10.6	71	30.1	140	59.3
Tax	441	47	10.7	53	12.0	341	77.3
Other	405	11	2.7	382	94.3	12	3.0

¹ Of the 64,124 cases, the Commission received complete guideline application information for 60,922 cases. Of these, one was excluded due to missing information on acceptance of responsibility. Descriptions of variables used in this table are provided in Appendix A. The acceptance of responsibility adjustment can be found in USSG §3E1.1.

Figure 7

**CRIMINAL HISTORY CATEGORY
OF SENTENCED INDIVIDUALS¹
Fiscal Year 2023**



¹ Of the 64,124 cases, 419 were excluded due to missing Criminal History Category. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.

Table 23

CRIMINAL HISTORY POINTS OF SENTENCED INDIVIDUALS¹
Fiscal Year 2023

Number of Prior Countable Sentences		
Greater Than 13 Months (§4A1.1(a)) (3-Point Offenses)	N	%
0	38,192	62.7
1	10,891	17.9
2	5,946	9.8
3 or more	5,893	9.7
TOTAL	60,922	100.0

Number of Prior Countable Sentences		
of 60 Days or Greater (§4A1.1(b)) (2-Point Offenses)	N	%
0	45,108	74.0
1	9,383	15.4
2	3,705	6.1
3 or more	2,726	4.5
TOTAL	60,922	100.0

Number of Prior Countable Sentences		
of Less Than 60 Days (§4A1.1(c)) (1-Point Offenses)	N	%
0	36,697	60.2
1	12,100	19.9
2	5,799	9.5
3 or more	6,326	10.4
TOTAL	60,922	100.0

Commission of Offense While Under		
Criminal Justice Sentence (§4A1.1(d))	N	%
Additional points given for commission of instant offense while under criminal justice sentence	15,194	24.9
No additional criminal history points given	45,728	75.1
TOTAL	60,922	100.0

Commission of a Prior Crime of Violence		
Not Receiving Points Under (a), (b), or (c) (§4A1.1(e))	N	%
Additional points given for prior sentences resulting from a crime of violence that did not receive any points under (a), (b), or (c)	683	1.1
No additional criminal history points given	60,239	98.9
TOTAL	60,922	100.0

Table 23 (cont.)

Total Criminal History Points	N	%
0	21,986	36.1
1	4,282	7.0
2	3,108	5.1
3	5,551	9.1
4	3,093	5.1
5	3,424	5.6
6	3,518	5.8
7	2,028	3.3
8	2,451	4.0
9	1,937	3.2
10	1,389	2.3
11	1,473	2.4
12	1,212	2.0
13 or more	5,470	9.0
TOTAL	60,922	100.0

Career Offender (§4B1.1)	N	%
Sentenced individual found to be a career offender	1,351	2.2
Sentenced individual found not to be a career offender	59,571	97.8
TOTAL	60,922	100.0

Criminal Livelihood (§4B1.3)	N	%
Sentenced individual found to have engaged in criminal livelihood	3	0.0
Sentenced individual found not to have engaged in criminal livelihood	60,919	100.0
TOTAL	60,922	100.0

Armed Career Criminal (§4B1.4)	N	%
Sentenced individual found to be an armed career criminal	189	0.3
Sentenced individual found not to be an armed career criminal	60,733	99.7
Offense committed before adjustment was added to guidelines	0	0.0
TOTAL	60,922	100.0

Repeat and Dangerous Sex Offender Against Minors (§4B1.5)	N	%
Sentenced individual found to be a repeat and dangerous sex offender against minors	616	1.0
Sentenced individual found not to be a repeat and dangerous sex offender against minors	60,295	99.0
Offense committed before adjustment was added to guidelines	11	0.0
TOTAL	60,922	100.0

¹ Of the 64,124 cases, the Commission received complete guideline application information for 60,922 cases. Descriptions of each guideline adjustment can be found in USSG Chapter Four.

Table 24

**SENTENCED INDIVIDUALS IN EACH OFFENSE LEVEL
AND CRIMINAL HISTORY CATEGORY¹
Fiscal Year 2023**

OFFENSE LEVEL	TOTAL			CRIMINAL HISTORY CATEGORY					
	N	%	Cumulative %	I	II	III	IV	V	VI
1	4	0.0	0.0	1	0	1	2	0	0
2	85	0.1	0.1	56	8	9	7	2	3
3	20	0.0	0.2	13	0	4	3	0	0
4	1,241	2.0	2.1	1,042	68	55	32	24	20
5	75	0.1	2.2	44	5	8	5	1	12
6	5,672	9.0	11.2	4,468	813	292	48	17	34
7	446	0.7	11.9	127	20	80	78	56	85
8	1,088	1.7	13.6	526	253	213	46	25	25
9	246	0.4	14.0	133	23	37	21	11	21
10	6,136	9.7	23.7	1,655	1,814	1,564	626	263	214
11	632	1.0	24.7	340	40	65	69	41	77
12	2,606	4.1	28.8	903	411	500	312	212	268
13	4,233	6.7	35.5	1,382	896	968	473	270	244
14	512	0.8	36.3	275	59	65	38	25	50
15	3,983	6.3	42.6	1,569	791	792	394	199	238
16	680	1.1	43.7	382	76	88	48	32	54
17	3,377	5.3	49.0	1,020	284	651	616	381	425
18	721	1.1	50.1	428	83	83	52	30	45
19	2,717	4.3	54.4	1,034	240	489	399	285	270
20	682	1.1	55.5	408	59	94	46	29	46
21	3,278	5.2	60.7	971	376	609	514	311	497
22	666	1.1	61.7	401	46	83	54	34	48
23	3,084	4.9	66.6	1,336	312	448	374	273	341
24	846	1.3	67.9	483	67	121	78	37	60
25	2,338	3.7	71.6	976	266	355	298	183	260
26	879	1.4	73.0	497	86	114	62	45	75
27	3,019	4.8	77.8	1,585	277	389	269	219	280
28	757	1.2	79.0	408	109	114	54	39	33
29	2,869	4.5	83.5	836	358	422	304	212	737
30	713	1.1	84.6	336	78	76	69	45	109
31	2,280	3.6	88.2	742	252	326	241	142	577
32	403	0.6	88.8	179	56	46	30	19	73
33	1,637	2.6	91.4	741	187	255	158	90	206
34	831	1.3	92.7	291	47	71	22	28	372
35	1,396	2.2	94.9	621	163	204	124	79	205
36	214	0.3	95.3	109	27	29	17	6	26
37	816	1.3	96.6	374	98	110	74	49	111
38	233	0.4	96.9	122	21	31	15	12	32
39	360	0.6	97.5	185	37	54	33	25	26
40	341	0.5	98.0	154	37	49	45	18	38
41	241	0.4	98.4	128	19	35	20	12	27
42	216	0.3	98.8	117	24	36	14	10	15
43	784	1.2	100.0	432	68	91	53	53	87
TOTAL	63,357	--	--	27,830	8,954	10,126	6,237	3,844	6,366
%		100.0	100.0	43.9	14.1	16.0	9.8	6.1	10.0

¹ Of the 64,124 cases, 767 were excluded due to one or both of the following reasons: missing offense level (765) or missing Criminal History Category (419). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.

Table 25

SENTENCED INDIVIDUALS IN EACH GUIDELINE SENTENCING RANGE¹
Fiscal Year 2023

FINAL GUIDELINE RANGE (in months)	N	%	Cumulative %
0-6	6,441	10.2	10.2
1-7	824	1.3	11.5
2-8	344	0.5	12.0
3-9	0	0.0	12.0
4-10	495	0.8	12.8
6-12	1,960	3.1	15.9
8-14	2,269	3.6	19.5
9-15	29	0.0	19.5
10-16	2,553	4.0	23.5
12-18	1,969	3.1	26.6
15-21	2,407	3.8	30.4
18-24	2,701	4.3	34.7
21-27	1,834	2.9	37.6
24-30	2,616	4.1	41.7
27-33	1,127	1.8	43.5
30-37	2,700	4.3	47.8
33-41	1,048	1.7	49.4
37-46	2,384	3.8	53.2
41-51	1,193	1.9	55.1
46-57	2,825	4.5	59.5
51-63	1,378	2.2	61.7
57-71	2,335	3.7	65.4
63-78	1,237	2.0	67.3
70-87	2,757	4.4	71.7
77-96	607	1.0	72.7
78-97	799	1.3	73.9
84-105	619	1.0	74.9
87-108	1,334	2.1	77.0
92-115	439	0.7	77.7
97-121	808	1.3	79.0
100-125	512	0.8	79.8
108-135	1,242	2.0	81.7
110-137	358	0.6	82.3
120-150	292	0.5	82.8
121-151	811	1.3	84.0
130-162	318	0.5	84.5
135-168	1,192	1.9	86.4
140-175	245	0.4	86.8
151-188	1,504	2.4	89.2
168-210	1,197	1.9	91.1
188-235	1,063	1.7	92.8
210-262	777	1.2	94.0
235-293	606	1.0	94.9
262-327	867	1.4	96.3
292-365	512	0.8	97.1
324-405	309	0.5	97.6
360-Life	736	1.2	98.8
Life	784	1.2	100.0
TOTAL	63,357	100.0	--

¹ Of the 64,124 cases, 767 were excluded due to missing sentencing range. Descriptions of variables used in this table are provided in Appendix A.

Table 26

**NUMBER OF CAREER OFFENDERS AND ARMED CAREER CRIMINALS
BY TYPE OF CRIME¹
Fiscal Year 2023**

TYPE OF CRIME	CAREER OFFENDER		ARMED CAREER CRIMINAL	
	N	%	N	%
TOTAL	1,351	100.0	189	100.0
Administration of Justice	3	0.2	0	0.0
Antitrust	0	0.0	0	0.0
Arson	1	0.1	0	0.0
Assault	16	1.2	6	3.2
Bribery/Corruption	1	0.1	0	0.0
Burglary/Trespass	0	0.0	0	0.0
Child Pornography	0	0.0	0	0.0
Commercialized Vice	0	0.0	0	0.0
Drug Possession	0	0.0	0	0.0
Drug Trafficking	1,057	78.2	30	15.9
Environmental	0	0.0	0	0.0
Extortion/Racketeering	2	0.1	0	0.0
Firearms	157	11.6	143	75.7
Food and Drug	0	0.0	0	0.0
Forgery/Counter/Copyright	0	0.0	0	0.0
Fraud/Theft/Embezzlement	0	0.0	0	0.0
Immigration	0	0.0	0	0.0
Individual Rights	0	0.0	0	0.0
Kidnapping	4	0.3	1	0.5
Manslaughter	0	0.0	0	0.0
Money Laundering	15	1.1	2	1.1
Murder	13	1.0	0	0.0
National Defense	0	0.0	0	0.0
Obscenity/Other Sex Offenses	0	0.0	0	0.0
Prison Offenses	0	0.0	0	0.0
Robbery	75	5.6	7	3.7
Sexual Abuse	3	0.2	0	0.0
Stalking/Harassing	4	0.3	0	0.0
Tax	0	0.0	0	0.0
Other	0	0.0	0	0.0

¹ Of the 64,124 cases, the Commission received complete guideline application information for 60,922 cases. Of these, 1,351 sentenced individuals received the career offender adjustment and 189 received the armed career criminal adjustment. Descriptions of variables used in this table are provided in Appendix A. A description of career offender and armed career criminal adjustments can be found in USSG §§4B1.1 and 4B1.4.

Table 27

SENTENCE LENGTH IN EACH CRIMINAL HISTORY CATEGORY BY TYPE OF CRIME¹
Fiscal Year 2023

TYPE OF CRIME	CRIMINAL HISTORY CATEGORY																						
	TOTAL			I			II			III			IV			V			VI				
	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N		
Mths	Mths		Mths	Mths		Mths	Mths		Mths	Mths		Mths	Mths		Mths	Mths		Mths	Mths		Mths	Mths	
TOTAL	53	24	63,704	39	13	27,948	39	14	8,993	52	24	10,194	64	42	6,282	78	57	3,877	105	84	6,410		
Administration of Justice	17	10	643	13	8	424	15	10	55	15	12	69	21	15	47	18	21	16	60	31	32		
Antitrust	6	6	18	6	6	18	--	--	0	--	--	0	--	--	0	--	--	0	--	--	0		
Arson	58	57	106	46	41	38	73	54	16	52	55	18	60	61	9	41	45	7	81	84	18		
Assault	72	48	837	45	27	320	57	37	86	75	60	154	96	66	97	89	80	65	123	102	115		
Bribery/Corruption	21	14	366	20	12	326	27	18	17	33	25	8	24	21	4	37	38	6	43	50	5		
Burglary/Trespass	17	8	83	6	1	36	13	12	11	23	18	11	41	21	4	23	26	10	34	37	11		
Child Pornography	115	97	1,408	100	78	996	151	120	131	147	120	195	162	120	47	165	142	22	157	151	17		
Commercialized Vice	21	12	84	17	10	59	41	24	9	37	37	5	--	--	2	--	--	2	25	21	7		
Drug Possession	2	0	124	1	0	64	4	0	21	2	0	19	4	0	9	0	0	3	12	8	8		
Drug Trafficking	82	63	19,000	57	41	8,081	72	60	2,250	87	71	2,797	99	84	1,883	109	96	1,151	132	120	2,838		
Environmental	4	0	145	3	0	125	2	0	9	6	5	8	--	--	1	--	--	1	--	--	1		
Extortion/Racketeering	31	24	129	20	9	77	36	34	11	40	33	11	42	33	9	50	50	8	66	61	13		
Firearms	49	40	8,756	22	13	1,604	32	26	823	40	34	1,680	52	46	1,597	60	56	1,194	80	67	1,858		
Food and Drug	11	0	51	8	0	44	28	36	3	20	0	3	--	--	1	--	--	0	--	--	0		
Forgery/Counter/Copyright	18	12	112	16	6	47	12	6	12	15	12	18	20	23	8	21	21	8	28	33	19		
Fraud/Theft/Embezzlement	22	12	5,157	18	8	3,649	26	16	406	26	18	448	29	24	241	36	30	148	42	36	265		
Immigration	12	8	19,141	7	4	7,896	10	8	4,451	14	12	3,869	22	18	1,693	30	27	751	35	30	481		
Individual Rights	57	18	110	43	13	96	--	--	2	161	124	6	32	36	3	202	240	3	--	--	0		
Kidnapping	199	168	151	149	120	39	162	126	29	253	213	31	201	200	15	316	404	12	198	180	25		
Manslaughter	75	69	86	60	60	49	93	108	10	95	108	14	51	44	4	133	110	3	111	96	6		
Money Laundering	63	36	1,312	47	28	948	69	41	132	89	59	111	121	118	48	171	138	24	189	180	49		
Murder	285	276	489	264	240	159	292	282	58	281	264	92	291	297	62	266	240	43	333	420	75		
National Defense	39	24	230	25	20	178	38	42	18	33	28	6	--	--	2	81	84	3	140	144	23		
Obscenity/Other Sex Offenses	23	18	325	24	18	47	18	12	32	18	16	66	20	18	66	28	24	52	28	30	62		
Prison Offenses	14	12	451	7	5	29	4	1	4	8	5	76	11	9	111	17	12	86	19	15	145		
Robbery	110	96	1,502	87	72	426	99	84	169	107	85	264	119	103	220	130	120	156	136	120	267		
Sexual Abuse	213	180	1,393	207	180	954	198	178	120	220	192	129	223	204	63	270	262	86	233	210	41		
Stalking/Harassing	29	20	240	19	13	128	31	22	27	35	27	37	43	24	15	69	53	8	51	40	25		
Tax	15	12	445	13	10	376	26	12	43	19	24	16	19	18	6	39	28	4	--	--	0		
Other	4	0	810	3	0	715	6	0	38	18	2	33	18	4	15	3	0	5	26	23	4		

¹ Of the 64,124 cases, 420 cases were excluded due to one of the following reasons: missing Criminal History Category (419) or missing or indeterminable sentencing information (1). 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. Descriptions of variables used in this table are provided in Appendix A.

Table 28

LENGTH OF IMPRISONMENT BY CRIMINAL HISTORY CATEGORY AND TYPE OF CRIME¹
Fiscal Year 2023

TYPE OF CRIME	CRIMINAL HISTORY CATEGORY																				
	TOTAL			I			II			III			IV			V			VI		
	Mean Mths	Median Mths	N	Mean Mths	Median Mths	N	Mean Mths	Median Mths	N	Mean Mths	Median Mths	N	Mean Mths	Median Mths	N	Mean Mths	Median Mths	N	Mean Mths	Median Mths	N
TOTAL	57	30	59,009	45	20	24,113	40	15	8,603	53	27	9,925	65	44	6,173	79	57	3,833	105	84	6,362
Administration of Justice	20	12	503	17	11	309	18	12	43	16	12	63	23	18	43	19	21	15	65	33	30
Antitrust	6	6	9	6	6	9	--	--	0	--	--	0	--	--	0	--	--	0	--	--	0
Arson	60	60	102	51	44	34	73	54	16	52	53	18	60	61	9	41	45	7	81	84	18
Assault	77	51	776	52	32	276	61	40	80	77	63	149	98	68	94	89	80	65	127	110	112
Bribery/Corruption	26	21	279	25	18	241	27	18	16	38	26	7	24	21	4	37	38	6	43	50	5
Burglary/Trespass	20	17	68	8	2	25	15	14	10	23	18	11	54	37	3	29	30	8	34	37	11
Child Pornography	116	97	1,395	101	79	984	151	120	131	148	120	194	161	120	47	165	142	22	157	151	17
Commercialized Vice	24	12	73	19	12	49	44	35	8	37	37	5	--	--	2	--	--	2	25	21	7
Drug Possession	4	0	67	1	0	26	5	1	14	3	1	10	5	3	8	--	--	2	13	9	7
Drug Trafficking	84	66	18,471	59	45	7,714	74	60	2,186	88	72	2,747	100	84	1,866	110	100	1,138	133	120	2,820
Environmental	11	6	41	12	8	31	2	1	3	7	6	5	--	--	0	--	--	1	--	--	1
Extortion/Racketeering	38	30	105	28	18	54	36	34	11	39	33	11	44	34	8	50	50	8	66	61	13
Firearms	53	42	8,186	28	18	1,227	35	27	748	42	36	1,611	53	46	1,565	61	57	1,184	81	68	1,851
Food and Drug	24	24	21	19	15	17	--	--	2	--	--	1	--	--	1	--	--	0	--	--	0
Forgery/Counter/Copyright	23	19	82	27	14	26	13	6	9	16	12	16	25	25	6	21	21	8	31	33	17
Fraud/Theft/Embezzlement	28	21	3,834	26	18	2,477	30	21	338	29	24	399	31	24	222	37	30	143	44	37	255
Immigration	13	8	18,369	8	5	7,287	10	8	4,354	14	12	3,823	22	18	1,682	31	27	744	35	30	479
Individual Rights	79	41	79	62	37	66	--	--	1	161	124	6	28	24	3	202	240	3	--	--	0
Kidnapping	201	168	150	153	120	38	162	126	29	252	213	31	201	200	15	316	404	12	198	180	25
Manslaughter	77	70	84	62	60	48	93	108	10	102	118	13	51	44	4	133	110	3	111	96	6
Money Laundering	70	42	1,172	54	36	818	70	41	130	93	60	106	126	120	46	178	144	23	189	180	49
Murder	285	276	489	263	240	159	292	282	58	281	264	92	291	297	62	266	240	43	333	420	75
National Defense	45	30	198	30	24	148	41	42	17	40	41	5	--	--	2	81	84	3	140	144	23
Obscenity/Other Sex Offenses	24	20	308	29	21	39	20	12	28	18	16	66	22	18	61	28	24	52	27	30	62
Prison Offenses	14	12	436	9	8	19	4	1	4	8	5	75	12	10	108	17	12	86	19	15	144
Robbery	110	96	1,490	87	72	421	100	87	167	108	85	261	119	105	219	130	120	156	137	120	266
Sexual Abuse	214	180	1,386	209	180	947	198	178	120	220	192	129	223	204	63	270	262	86	233	210	41
Stalking/Harassing	32	24	217	22	16	110	32	23	26	37	30	34	43	24	15	69	53	8	54	41	24
Tax	22	15	289	19	15	239	38	33	29	20	24	13	23	24	5	52	40	3	--	--	0
Other	10	7	330	8	7	275	14	3	15	25	6	24	28	8	10	--	--	2	26	23	4

¹ Of the 64,124 cases, 4,563 with zero months of prison ordered were excluded. In addition, 552 cases were excluded due to one or both of the following reasons: missing Criminal History Category (321) or missing or indeterminable sentencing information (294). Sentences of 470 months or greater (including life) were included in the sentence average computations as 470 months. The information in this table does not include conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.