

Table 29

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE¹**Fiscal Year 2024**

	N	%
TOTAL CASES	61,331	100.0
SENTENCES UNDER THE GUIDELINES MANUAL	41,076	67.0
Within Guideline Range	28,038	45.7
Upward Departure ²	326	0.5
Downward Departure		
§5K1.1 Substantial Assistance	6,099	9.9
§5K3.1 Early Disposition Program	4,374	7.1
Other Government Motion ³	1,145	1.9
Non-Government Departure ⁴	1,094	1.8
VARIANCES	20,255	33.0
Upward Variance ⁵	2,108	3.4
Downward Variance		
Government Motion ⁶	6,269	10.2
Non-Government Variance ⁷	11,878	19.4

¹ Of the 61,678 cases, 347 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.

² Cases in which the sentence imposed was above the applicable guideline range and for which the court cited a reason on Part V of the Statement of Reasons form, other than §5K1.1 or §5K3.1.

³ Cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part V of the Statement of Reasons form, other than §5K1.1 or §5K3.1, and where the prosecution initiated, proposed, or stipulated to the sentence.

⁴ Cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part V of the Statement of Reasons form, other than §5K1.1 or §5K3.1, and where the prosecution did not initiate, propose, or stipulate to the sentence.

⁵ Cases in which the sentence imposed was above the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form.

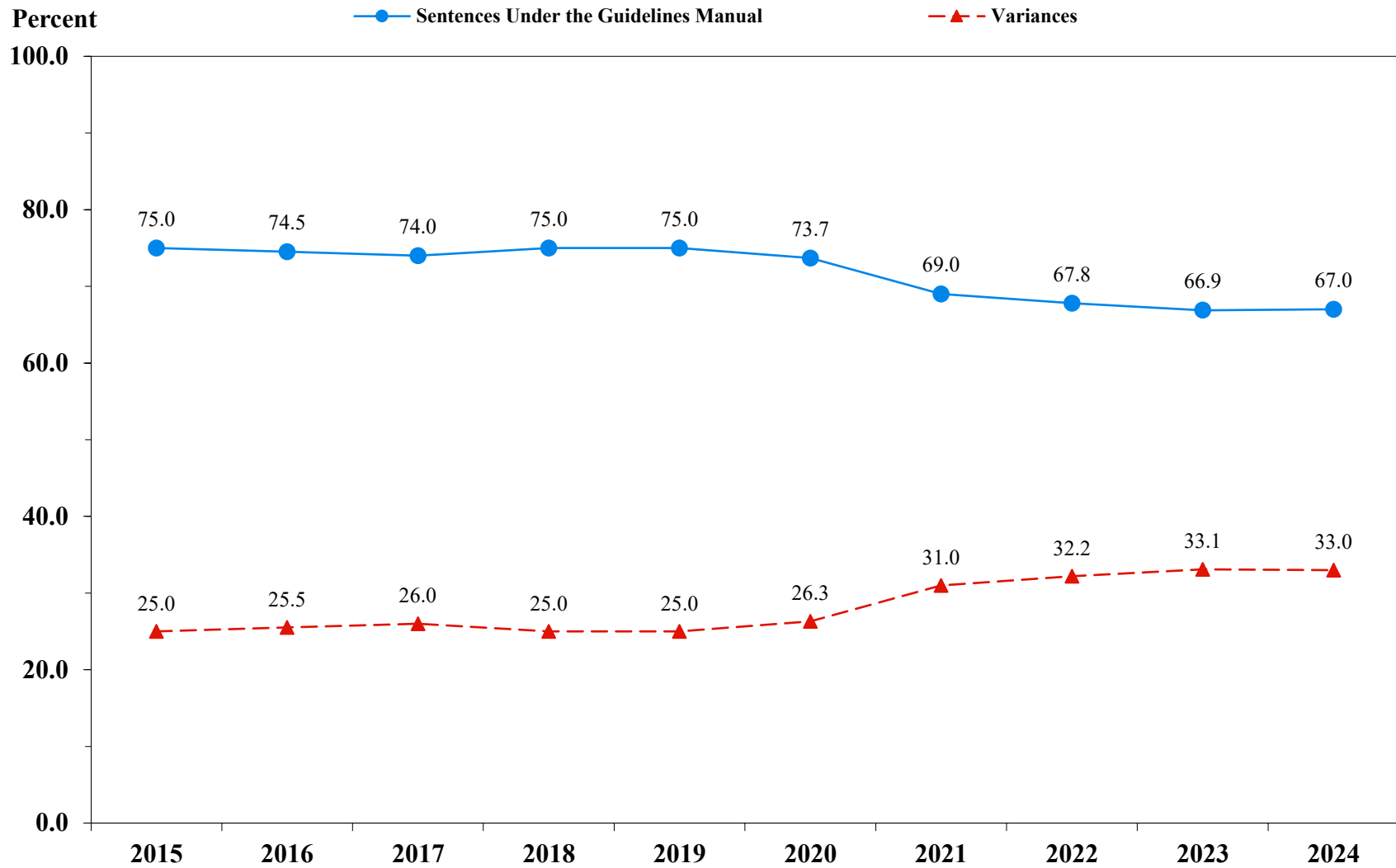
⁶ Cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form, and where the prosecution initiated, proposed, or stipulated to the sentence.

⁷ Cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form, or where no reason was given, and where the prosecution did not initiate, propose, or stipulate to the sentence.

SOURCE: U.S. Sentencing Commission, 2024 Datafile, USSCFY24.

Figure 8

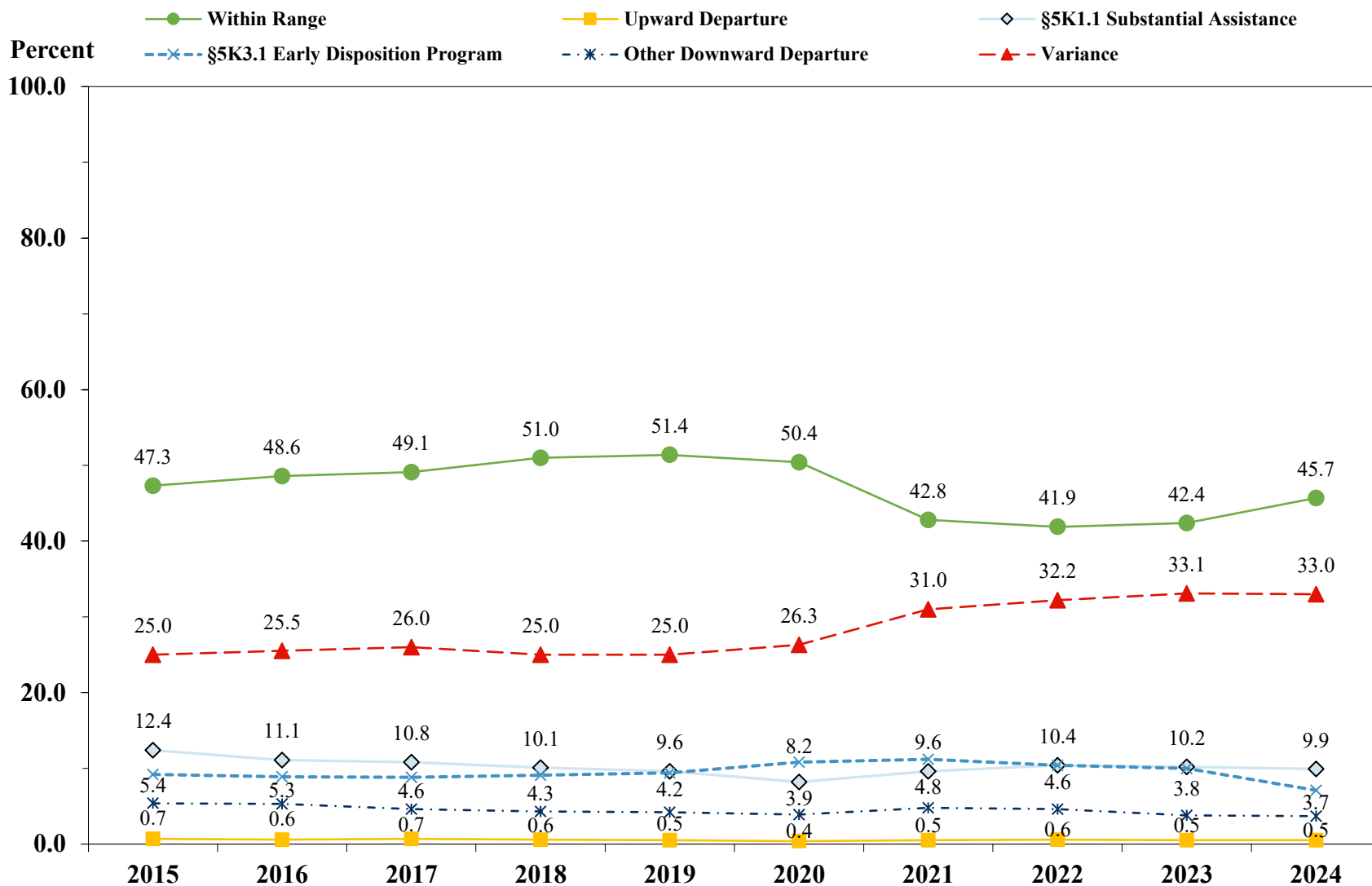
SENTENCES UNDER THE GUIDELINES MANUAL AND VARIANCES OVER TIME¹
Fiscal Years 2015 - 2024



¹ Descriptions of variables used in this figure are provided in Appendix A.

Figure 9

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE OVER TIME¹
Fiscal Years 2015 - 2024



¹ Descriptions of variables used in this figure are provided in Appendix A.

Table 30

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2024**

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		DEPARTURE								VARIANCE	
		N	%	UPWARD		\$5K1.1		\$5K3.1		DOWNWARD		N	%
				N	%	N	%	N	%	N	%		
TOTAL	61,331	28,038	45.7	326	0.5	6,099	9.9	4,374	7.1	2,239	3.7	20,255	33.0
D.C. CIRCUIT	535	270	50.5	6	1.1	59	11.0	0	0.0	10	1.9	190	35.5
District of Columbia	535	270	50.5	6	1.1	59	11.0	0	0.0	10	1.9	190	35.5
FIRST CIRCUIT	2,010	708	35.2	4	0.2	230	11.4	1	0.0	65	3.2	1,002	49.9
Maine	132	35	26.5	1	0.8	25	18.9	0	0.0	3	2.3	68	51.5
Massachusetts	531	123	23.2	1	0.2	74	13.9	1	0.2	21	4.0	311	58.6
New Hampshire	118	26	22.0	0	0.0	16	13.6	0	0.0	5	4.2	71	60.2
Puerto Rico	1,120	496	44.3	2	0.2	110	9.8	0	0.0	35	3.1	477	42.6
Rhode Island	109	28	25.7	0	0.0	5	4.6	0	0.0	1	0.9	75	68.8
SECOND CIRCUIT	3,050	931	30.5	13	0.4	450	14.8	3	0.1	98	3.2	1,555	51.0
Connecticut	249	56	22.5	2	0.8	36	14.5	0	0.0	21	8.4	134	53.8
New York													
Eastern	727	168	23.1	1	0.1	127	17.5	1	0.1	37	5.1	393	54.1
Northern	504	269	53.4	6	1.2	91	18.1	0	0.0	22	4.4	116	23.0
Southern	1,042	239	22.9	0	0.0	104	10.0	2	0.2	14	1.3	683	65.5
Western	364	153	42.0	4	1.1	68	18.7	0	0.0	2	0.5	137	37.6
Vermont	164	46	28.0	0	0.0	24	14.6	0	0.0	2	1.2	92	56.1
THIRD CIRCUIT	2,482	934	37.6	4	0.2	475	19.1	14	0.6	60	2.4	995	40.1
Delaware	95	48	50.5	0	0.0	9	9.5	11	11.6	3	3.2	24	25.3
New Jersey	826	260	31.5	0	0.0	174	21.1	0	0.0	7	0.8	385	46.6
Pennsylvania													
Eastern	487	169	34.7	0	0.0	116	23.8	2	0.4	8	1.6	192	39.4
Middle	454	194	42.7	2	0.4	85	18.7	1	0.2	23	5.1	149	32.8
Western	523	193	36.9	2	0.4	83	15.9	0	0.0	16	3.1	229	43.8
Virgin Islands	97	70	72.2	0	0.0	8	8.2	0	0.0	3	3.1	16	16.5
FOURTH CIRCUIT	3,946	1,775	45.0	25	0.6	513	13.0	3	0.1	95	2.4	1,535	38.9
Maryland	435	121	27.8	0	0.0	72	16.6	0	0.0	25	5.7	217	49.9
North Carolina													
Eastern	823	454	55.2	13	1.6	210	25.5	0	0.0	5	0.6	141	17.1
Middle	283	131	46.3	1	0.4	13	4.6	0	0.0	1	0.4	137	48.4
Western	304	149	49.0	1	0.3	27	8.9	0	0.0	4	1.3	123	40.5
South Carolina	568	211	37.1	4	0.7	99	17.4	0	0.0	19	3.3	235	41.4
Virginia													
Eastern	761	382	50.2	4	0.5	28	3.7	0	0.0	30	3.9	317	41.7
Western	196	60	30.6	1	0.5	33	16.8	0	0.0	3	1.5	99	50.5
West Virginia													
Northern	346	181	52.3	0	0.0	20	5.8	3	0.9	1	0.3	141	40.8
Southern	230	86	37.4	1	0.4	11	4.8	0	0.0	7	3.0	125	54.3

Table 30 (cont.)

CIRCUIT	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		\$5K1.1		\$5K3.1		DOWNWARD			
		N	%	N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	17,614	11,881	67.5	68	0.4	958	5.4	370	2.1	622	3.5	3,715	21.1
Louisiana													
Eastern	342	193	56.4	1	0.3	46	13.5	1	0.3	4	1.2	97	28.4
Middle	94	46	48.9	1	1.1	20	21.3	0	0.0	0	0.0	27	28.7
Western	277	208	75.1	3	1.1	11	4.0	0	0.0	1	0.4	54	19.5
Mississippi													
Northern	178	77	43.3	3	1.7	40	22.5	0	0.0	3	1.7	55	30.9
Southern	322	219	68.0	1	0.3	35	10.9	0	0.0	3	0.9	64	19.9
Texas													
Eastern	1,134	664	58.6	14	1.2	71	6.3	0	0.0	6	0.5	379	33.4
Northern	1,219	752	61.7	12	1.0	122	10.0	0	0.0	11	0.9	322	26.4
Southern	6,122	3,504	57.2	26	0.4	388	6.3	349	5.7	540	8.8	1,315	21.5
Western	7,926	6,218	78.5	7	0.1	225	2.8	20	0.3	54	0.7	1,402	17.7
SIXTH CIRCUIT	4,322	1,564	36.2	13	0.3	783	18.1	9	0.2	221	5.1	1,732	40.1
Kentucky													
Eastern	437	216	49.4	1	0.2	84	19.2	0	0.0	11	2.5	125	28.6
Western	357	115	32.2	4	1.1	90	25.2	3	0.8	27	7.6	118	33.1
Michigan													
Eastern	639	191	29.9	1	0.2	69	10.8	0	0.0	13	2.0	365	57.1
Western	226	128	56.6	0	0.0	26	11.5	0	0.0	9	4.0	63	27.9
Ohio													
Northern	829	315	38.0	0	0.0	165	19.9	1	0.1	19	2.3	329	39.7
Southern	577	138	23.9	4	0.7	78	13.5	4	0.7	122	21.1	231	40.0
Tennessee													
Eastern	538	245	45.5	1	0.2	147	27.3	0	0.0	10	1.9	135	25.1
Middle	329	79	24.0	0	0.0	62	18.8	1	0.3	9	2.7	178	54.1
Western	390	137	35.1	2	0.5	62	15.9	0	0.0	1	0.3	188	48.2
SEVENTH CIRCUIT	2,009	684	34.0	7	0.3	198	9.9	0	0.0	75	3.7	1,045	52.0
Illinois													
Central	248	71	28.6	0	0.0	27	10.9	0	0.0	0	0.0	150	60.5
Northern	546	155	28.4	1	0.2	49	9.0	0	0.0	39	7.1	302	55.3
Southern	224	124	55.4	4	1.8	31	13.8	0	0.0	6	2.7	59	26.3
Indiana													
Northern	236	108	45.8	0	0.0	26	11.0	0	0.0	3	1.3	99	41.9
Southern	352	147	41.8	0	0.0	47	13.4	0	0.0	2	0.6	156	44.3
Wisconsin													
Eastern	286	49	17.1	0	0.0	12	4.2	0	0.0	4	1.4	221	77.3
Western	117	30	25.6	2	1.7	6	5.1	0	0.0	21	17.9	58	49.6
EIGHTH CIRCUIT	4,858	2,102	43.3	37	0.8	555	11.4	20	0.4	89	1.8	2,055	42.3
Arkansas													
Eastern	517	268	51.8	1	0.2	41	7.9	0	0.0	4	0.8	203	39.3
Western	207	80	38.6	2	1.0	22	10.6	0	0.0	0	0.0	103	49.8
Iowa													
Northern	295	167	56.6	14	4.7	42	14.2	0	0.0	3	1.0	69	23.4
Southern	328	122	37.2	0	0.0	41	12.5	0	0.0	1	0.3	164	50.0
Minnesota	375	130	34.7	2	0.5	38	10.1	0	0.0	31	8.3	174	46.4
Missouri													
Eastern	1,011	461	45.6	6	0.6	85	8.4	0	0.0	8	0.8	451	44.6
Western	783	290	37.0	0	0.0	153	19.5	0	0.0	7	0.9	333	42.5
Nebraska	440	179	40.7	0	0.0	10	2.3	18	4.1	3	0.7	230	52.3
North Dakota	327	106	32.4	2	0.6	117	35.8	2	0.6	5	1.5	95	29.1
South Dakota	575	299	52.0	10	1.7	6	1.0	0	0.0	27	4.7	233	40.5

Table 30 (cont.)

CIRCUIT	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		\$5K1.1		\$5K3.1		DOWNWARD			
		N	%	N	%	N	%	N	%	N	%		
District													
NINTH CIRCUIT	10,694	2,794	26.1	67	0.6	948	8.9	3,361	31.4	564	5.3	2,960	27.7
Alaska	134	34	25.4	1	0.7	18	13.4	0	0.0	2	1.5	79	59.0
Arizona	3,836	1,239	32.3	19	0.5	76	2.0	1,874	48.9	59	1.5	569	14.8
California													
Central	917	242	26.4	5	0.5	162	17.7	4	0.4	55	6.0	449	49.0
Eastern	444	174	39.2	3	0.7	80	18.0	5	1.1	7	1.6	175	39.4
Northern	477	65	13.6	3	0.6	61	12.8	2	0.4	12	2.5	334	70.0
Southern	2,634	402	15.3	19	0.7	164	6.2	1,432	54.4	391	14.8	226	8.6
Guam	39	16	41.0	0	0.0	12	30.8	0	0.0	0	0.0	11	28.2
Hawaii	108	35	32.4	0	0.0	26	24.1	0	0.0	1	0.9	46	42.6
Idaho	304	104	34.2	4	1.3	51	16.8	10	3.3	16	5.3	119	39.1
Montana	366	128	35.0	1	0.3	69	18.9	0	0.0	4	1.1	164	44.8
Nevada	271	50	18.5	0	0.0	14	5.2	33	12.2	3	1.1	171	63.1
Northern Mariana Islands	40	30	75.0	0	0.0	4	10.0	0	0.0	2	5.0	4	10.0
Oregon	521	84	16.1	9	1.7	142	27.3	0	0.0	3	0.6	283	54.3
Washington													
Eastern	286	81	28.3	1	0.3	63	22.0	0	0.0	6	2.1	135	47.2
Western	317	110	34.7	2	0.6	6	1.9	1	0.3	3	0.9	195	61.5
TENTH CIRCUIT	4,863	1,999	41.1	68	1.4	336	6.9	586	12.1	271	5.6	1,603	33.0
Colorado	378	118	31.2	0	0.0	67	17.7	18	4.8	10	2.6	165	43.7
Kansas	337	162	48.1	4	1.2	56	16.6	5	1.5	6	1.8	104	30.9
New Mexico	1,695	662	39.1	12	0.7	59	3.5	478	28.2	117	6.9	367	21.7
Oklahoma													
Eastern	304	208	68.4	8	2.6	16	5.3	0	0.0	3	1.0	69	22.7
Northern	635	331	52.1	41	6.5	58	9.1	4	0.6	113	17.8	88	13.9
Western	682	322	47.2	0	0.0	32	4.7	1	0.1	2	0.3	325	47.7
Utah	653	138	21.1	1	0.2	34	5.2	68	10.4	12	1.8	400	61.3
Wyoming	179	58	32.4	2	1.1	14	7.8	12	6.7	8	4.5	85	47.5
ELEVENTH CIRCUIT	4,948	2,396	48.4	14	0.3	594	12.0	7	0.1	69	1.4	1,868	37.8
Alabama													
Middle	272	116	42.6	0	0.0	44	16.2	0	0.0	7	2.6	105	38.6
Northern	438	238	54.3	2	0.5	64	14.6	0	0.0	10	2.3	124	28.3
Southern	237	116	48.9	0	0.0	37	15.6	2	0.8	3	1.3	79	33.3
Florida													
Middle	1,135	521	45.9	3	0.3	158	13.9	1	0.1	8	0.7	444	39.1
Northern	259	97	37.5	0	0.0	50	19.3	3	1.2	3	1.2	106	40.9
Southern	1,341	687	51.2	4	0.3	102	7.6	1	0.1	13	1.0	534	39.8
Georgia													
Middle	425	256	60.2	0	0.0	43	10.1	0	0.0	4	0.9	122	28.7
Northern	474	139	29.3	1	0.2	41	8.6	0	0.0	18	3.8	275	58.0
Southern	367	226	61.6	4	1.1	55	15.0	0	0.0	3	0.8	79	21.5

[†] Of the 61,678 cases, 347 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, 2024 Datafile, USSCFY24.

Table 31

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE
BY TYPE OF CRIME¹
Fiscal Year 2024**

TYPE OF CRIME	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		§5K1.1		§5K3.1		DOWNWARD			
		N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	61,331	28,038	45.7	326	0.5	6,099	9.9	4,374	7.1	2,239	3.7	20,255	33.0
Administration of Justice	657	318	48.4	10	1.5	33	5.0	1	0.2	23	3.5	272	41.4
Antitrust	8	1	12.5	0	0.0	5	62.5	0	0.0	0	0.0	2	25.0
Arson	84	34	40.5	4	4.8	7	8.3	0	0.0	8	9.5	31	36.9
Assault	896	417	46.5	36	4.0	42	4.7	0	0.0	56	6.3	345	38.5
Bribery/Corruption	362	61	16.9	1	0.3	118	32.6	0	0.0	14	3.9	168	46.4
Burglary/Trespass	98	69	70.4	4	4.1	1	1.0	1	1.0	1	1.0	22	22.4
Child Pornography	1,375	520	37.8	3	0.2	25	1.8	1	0.1	44	3.2	782	56.9
Commercialized Vice	72	38	52.8	3	4.2	11	15.3	0	0.0	3	4.2	17	23.6
Drug Possession	99	87	87.9	2	2.0	0	0.0	0	0.0	2	2.0	8	8.1
Drug Trafficking	18,164	5,177	28.5	65	0.4	3,694	20.3	950	5.2	737	4.1	7,541	41.5
Environmental	127	67	52.8	0	0.0	12	9.4	0	0.0	8	6.3	40	31.5
Extortion/Racketeering	108	35	32.4	2	1.9	25	23.1	0	0.0	5	4.6	41	38.0
Firearms	8,123	4,124	50.8	61	0.8	447	5.5	8	0.1	238	2.9	3,245	39.9
Food and Drug	35	24	68.6	0	0.0	2	5.7	0	0.0	0	0.0	9	25.7
Forgery/Counter/Copyright	95	36	37.9	0	0.0	8	8.4	0	0.0	5	5.3	46	48.4
Fraud/Theft/Embezzlement	5,279	2,277	43.1	17	0.3	738	14.0	7	0.1	191	3.6	2,049	38.8
Immigration	18,305	11,482	62.7	44	0.2	162	0.9	3,386	18.5	583	3.2	2,648	14.5
Individual Rights	125	34	27.2	1	0.8	13	10.4	0	0.0	13	10.4	64	51.2
Kidnapping	146	42	28.8	0	0.0	35	24.0	0	0.0	5	3.4	64	43.8
Manslaughter	111	51	45.9	13	11.7	1	0.9	0	0.0	10	9.0	36	32.4
Money Laundering	1,289	308	23.9	3	0.2	325	25.2	16	1.2	77	6.0	560	43.4
Murder	523	231	44.2	13	2.5	108	20.7	0	0.0	29	5.5	142	27.2
National Defense	228	77	33.8	0	0.0	27	11.8	0	0.0	19	8.3	105	46.1
Obscenity/Other Sex Offenses	339	170	50.1	5	1.5	3	0.9	0	0.0	9	2.7	152	44.8
Prison Offenses	437	261	59.7	4	0.9	4	0.9	3	0.7	18	4.1	147	33.6
Robbery	1,321	529	40.0	16	1.2	134	10.1	1	0.1	47	3.6	594	45.0
Sexual Abuse	1,429	598	41.8	11	0.8	59	4.1	0	0.0	63	4.4	698	48.8
Stalking/Harassing	254	114	44.9	5	2.0	4	1.6	0	0.0	9	3.5	122	48.0
Tax	440	118	26.8	1	0.2	53	12.0	0	0.0	16	3.6	252	57.3
Other	802	738	92.0	2	0.2	3	0.4	0	0.0	6	0.7	53	6.6

¹ Of the 61,678 cases, 347 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, 2024 Datafile, USSCFY24.

Table 32

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE BY PRIMARY SENTENCING GUIDELINE¹

Fiscal Year 2024

Within Guideline								Within Guideline							
Departure				Departure				Departure				Departure			
Guideline	Total	Range	Up	\$5K1.1	\$5K3.1	Down	Variance	Guideline	Total	Range	Up	\$5K1.1	\$5K3.1	Down	Variance
\$2A1.1	344	148	3	88	0	16	89	\$2D1.8	13	2	0	3	0	0	8
\$2A1.2	105	53	10	6	0	9	27	\$2D1.9	0	0	0	0	0	0	0
\$2A1.3	50	24	9	0	0	5	12	\$2D1.10	1	0	0	0	0	0	1
\$2A1.4	60	27	4	0	0	5	24	\$2D1.11	1	0	0	0	0	0	1
\$2A1.5	43	18	0	7	0	3	15	\$2D1.12	7	2	1	1	0	0	3
\$2A2.1	226	105	2	25	0	11	83	\$2D1.13	0	0	0	0	0	0	0
\$2A2.2	582	250	31	16	0	40	245	\$2D1.14	1	0	0	1	0	0	0
\$2A2.3	51	40	2	0	0	1	8	\$2D2.1	67	56	2	0	0	1	8
\$2A2.4	245	149	3	1	0	11	81	\$2D2.2	34	28	0	0	0	1	5
\$2A3.1	154	69	3	2	0	16	64	\$2D2.3	1	1	0	0	0	0	0
\$2A3.2	40	26	0	0	0	1	13	\$2D3.1	10	8	1	0	0	0	1
\$2A3.3	7	1	0	1	0	0	5	\$2D3.2	1	1	0	0	0	0	0
\$2A3.4	39	21	1	0	0	0	17	\$2D3.3	0	0	0	0	0	0	0
\$2A3.5	310	161	1	2	0	9	137	\$2D3.4	0	0	0	0	0	0	0
\$2A4.1	141	40	0	33	0	5	63	\$2D3.5	0	0	0	0	0	0	0
\$2A4.2	0	0	0	0	0	0	0	\$2E1.1	22	3	2	4	0	1	12
\$2A5.1	0	0	0	0	0	0	0	\$2E1.2	1	1	0	0	0	0	0
\$2A5.2	30	14	0	0	0	2	14	\$2E1.3	0	0	0	0	0	0	0
\$2A5.3	0	0	0	0	0	0	0	\$2E1.4	10	5	0	1	0	0	4
\$2A6.1	176	84	2	2	0	7	81	\$2E1.5	0	0	0	0	0	0	0
\$2A6.2	73	28	3	2	0	2	38	\$2E2.1	8	1	0	0	0	1	6
\$2B1.1	5,013	2,074	16	729	6	186	2,002	\$2E3.1	41	23	0	9	0	1	8
\$2B1.2	0	0	0	0	0	0	0	\$2E3.2	0	0	0	0	0	0	0
\$2B1.3	0	0	0	0	0	0	0	\$2E3.3	0	0	0	0	0	0	0
\$2B1.4	36	6	0	5	0	0	25	\$2E4.1	22	7	0	12	0	0	3
\$2B1.5	11	2	0	1	0	1	7	\$2E5.1	1	0	0	1	0	0	0
\$2B1.6 ²	63	60	0	3	0	0	0	\$2E5.2	0	0	0	0	0	0	0
\$2B2.1	52	25	4	1	1	1	20	\$2E5.3	0	0	0	0	0	0	0
\$2B2.2	0	0	0	0	0	0	0	\$2E5.4	0	0	0	0	0	0	0
\$2B2.3	41	41	0	0	0	0	0	\$2E5.5	0	0	0	0	0	0	0
\$2B3.1	1,304	519	16	130	1	46	592	\$2E5.6	0	0	0	0	0	0	0
\$2B3.2	28	8	0	7	0	1	12	\$2F1.1	0	0	0	0	0	0	0
\$2B3.3	6	5	0	0	0	1	0	\$2F1.2	0	0	0	0	0	0	0
\$2B4.1	127	9	0	61	0	3	54	\$2G1.1	56	23	3	7	0	2	21
\$2B5.1	60	31	0	3	0	2	24	\$2G1.2	0	0	0	0	0	0	0
\$2B5.2	0	0	0	0	0	0	0	\$2G1.3	406	192	5	24	0	21	164
\$2B5.3	35	5	0	5	0	3	22	\$2G2.1	749	279	2	27	0	24	417
\$2B5.4	0	0	0	0	0	0	0	\$2G2.2	1,374	519	3	25	1	44	782
\$2B6.1	2	1	0	0	0	0	1	\$2G2.3	0	0	0	0	0	0	0
\$2C1.1	220	48	1	54	0	10	107	\$2G2.4	0	0	0	0	0	0	0
\$2C1.2	9	2	0	3	0	0	4	\$2G2.5	0	0	0	0	0	0	0
\$2C1.3	2	2	0	0	0	0	0	\$2G2.6	3	2	0	0	0	0	1
\$2C1.4	0	0	0	0	0	0	0	\$2G3.1	26	8	4	1	0	0	13
\$2C1.5	0	0	0	0	0	0	0	\$2G3.2	0	0	0	0	0	0	0
\$2C1.6	0	0	0	0	0	0	0	\$2H1.1	97	17	0	11	0	13	56
\$2C1.7	0	0	0	0	0	0	0	\$2H1.2	0	0	0	0	0	0	0
\$2C1.8	2	0	0	0	0	0	2	\$2H1.3	0	0	0	0	0	0	0
\$2D1.1	17,767	5,051	58	3,650	945	720	7,343	\$2H1.4	0	0	0	0	0	0	0
\$2D1.2	229	97	7	28	0	14	83	\$2H1.5	0	0	0	0	0	0	0
\$2D1.3	0	0	0	0	0	0	0	\$2H2.1	4	2	0	0	0	0	2
\$2D1.4	0	0	0	0	0	0	0	\$2H3.1	5	2	1	0	0	0	2
\$2D1.5	14	1	0	10	0	1	2	\$2H3.2	0	0	0	0	0	0	0
\$2D1.6	0	0	0	0	0	0	0	\$2H3.3	3	3	0	0	0	0	0
\$2D1.7	0	0	0	0	0	0	0	\$2H4.1	13	7	0	2	0	0	4

Table 32 (cont.)

Guideline	Within Guideline				Departure				Guideline	Within Guideline				Departure			
	Total	Range	Up	\$5K1.1	\$5K3.1	Down	Variance	Total		Range	Up	\$5K1.1	\$5K3.1	Down	Variance		
§2H4.2	0	0	0	0	0	0	0	§2M5.2	178	53	0	20	0	18	87		
§2J1.1	0	0	0	0	0	0	0	§2M5.3	9	2	0	2	0	0	5		
§2J1.2	148	52	2	14	0	5	75	§2M6.1	0	0	0	0	0	0	0		
§2J1.3	20	7	0	1	0	1	11	§2M6.2	2	2	0	0	0	0	0		
§2J1.4	7	4	0	0	0	0	3	§2N1.1	10	0	0	2	0	0	8		
§2J1.5	2	1	0	0	0	0	1	§2N1.2	0	0	0	0	0	0	0		
§2J1.6	30	14	1	2	1	0	12	§2N1.3	0	0	0	0	0	0	0		
§2J1.7	0	0	0	0	0	0	0	§2N2.1	22	21	0	0	0	0	1		
§2J1.8	0	0	0	0	0	0	0	§2N3.1	0	0	0	0	0	0	0		
§2J1.9	0	0	0	0	0	0	0	§2P1.1	287	188	4	3	1	8	83		
§2K1.1	2	1	0	0	0	0	1	§2P1.2	121	58	0	1	1	7	54		
§2K1.2	0	0	0	0	0	0	0	§2P1.3	0	0	0	0	0	0	0		
§2K1.3	14	2	0	4	0	0	8	§2P1.4	0	0	0	0	0	0	0		
§2K1.4	84	34	4	7	0	8	31	§2Q1.1	0	0	0	0	0	0	0		
§2K1.5	4	2	0	0	0	0	2	§2Q1.2	35	9	0	7	0	2	17		
§2K1.6	0	0	0	0	0	0	0	§2Q1.3	10	3	0	1	0	3	3		
§2K1.7	0	0	0	0	0	0	0	§2Q1.4	0	0	0	0	0	0	0		
§2K2.1	7,741	3,864	54	423	8	235	3,157	§2Q1.5	0	0	0	0	0	0	0		
§2K2.2	0	0	0	0	0	0	0	§2Q1.6	0	0	0	0	0	0	0		
§2K2.3	0	0	0	0	0	0	0	§2Q2.1	57	31	0	4	0	3	19		
§2K2.4 ³	293	225	6	20	0	1	41	§2Q2.2	0	0	0	0	0	0	0		
§2K2.5	12	9	1	0	0	0	2	§2R1.1	8	1	0	5	0	0	2		
§2K2.6	1	0	0	0	0	0	1	§2S1.1	1,095	230	0	302	14	65	484		
§2K3.1	0	0	0	0	0	0	0	§2S1.2	0	0	0	0	0	0	0		
§2K3.2	0	0	0	0	0	0	0	§2S1.3	177	70	3	23	2	11	68		
§2L1.1	4,345	2,281	11	119	1,123	100	711	§2S1.4	0	0	0	0	0	0	0		
§2L1.2	12,548	8,164	30	28	2,084	472	1,770	§2T1.1	248	73	0	34	0	10	131		
§2L1.3	0	0	0	0	0	0	0	§2T1.2	0	0	0	0	0	0	0		
§2L2.1	47	16	0	13	0	2	16	§2T1.3	0	0	0	0	0	0	0		
§2L2.2	394	297	3	1	0	2	91	§2T1.4	112	31	1	11	0	3	66		
§2L2.3	0	0	0	0	0	0	0	§2T1.5	0	0	0	0	0	0	0		
§2L2.4	0	0	0	0	0	0	0	§2T1.6	57	5	0	3	0	2	47		
§2L2.5	0	0	0	0	0	0	0	§2T1.7	0	0	0	0	0	0	0		
§2M1.1	0	0	0	0	0	0	0	§2T1.8	0	0	0	0	0	0	0		
§2M2.1	0	0	0	0	0	0	0	§2T1.9	9	1	0	3	0	1	4		
§2M2.2	0	0	0	0	0	0	0	§2T2.1	0	0	0	0	0	0	0		
§2M2.3	0	0	0	0	0	0	0	§2T2.2	1	1	0	0	0	0	0		
§2M2.4	0	0	0	0	0	0	0	§2T3.1	9	5	0	2	0	0	2		
§2M3.1	2	0	0	0	0	1	1	§2T3.2	0	0	0	0	0	0	0		
§2M3.2	1	0	0	0	0	0	1	§2T4.1	0	0	0	0	0	0	0		
§2M3.3	0	0	0	0	0	0	0	§2X1.1	10	5	0	1	0	1	3		
§2M3.4	0	0	0	0	0	0	0	§2X2.1	0	0	0	0	0	0	0		
§2M3.5	0	0	0	0	0	0	0	§2X3.1	90	33	0	16	0	7	34		
§2M3.6	0	0	0	0	0	0	0	§2X4.1	170	73	4	14	0	3	76		
§2M3.7	0	0	0	0	0	0	0	§2X5.1	0	0	0	0	0	0	0		
§2M3.8	0	0	0	0	0	0	0	§2X5.2	201	185	0	0	0	1	15		
§2M3.9	0	0	0	0	0	0	0	§2X6.1	0	0	0	0	0	0	0		
§2M4.1	0	0	0	0	0	0	0	§2X7.1	1	1	0	0	0	0	0		
§2M5.1	14	1	0	4	0	0	9	§2X7.2	11	8	0	0	0	0	3		
TOTAL									59,313	26,500	324	6,094	4,188	2,213	19,994		

¹ Of the 61,678 cases, 2,365 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 (347) or missing guideline applied (2,347). 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 33

ATTRIBUTION CATEGORY FOR SENTENCES OUTSIDE OF THE GUIDELINE RANGE¹
Fiscal Year 2024

	TOTAL CASES	§5K1.1 Substantial Assistance ²		§5K3.1 Early Disposition ²		Pursuant to a Plea Agreement					
						Binding Plea Accepted by Court		Plea with Departure Court Finds Reasonable		Plea States Gov't Will Not Oppose	
		N	%	N	%	N	%	N	%	N	%
TOTAL	33,293	6,120	18.4	4,440	13.3	5,233	15.7	6,213	18.7	368	1.1
Departures	13,038	6,099	46.8	4,436	34.0	3,023	23.2	4,366	33.5	206	1.6
Upward Departure	326	0	0.0	0	0.0	86	26.4	61	18.7	0	0.0
Downward Departure											
§5K1.1 Substantial Assistance	6,099	6,099	100.0	62	1.0	225	3.7	1,354	22.2	30	0.5
§5K3.1 Early Disposition Program	4,374	0	0.0	4,374	100.0	2,236	51.1	2,466	56.4	161	3.7
Other Government Motion	1,145	0	0.0	0	0.0	476	41.6	485	42.4	15	1.3
Non-Government Departure	1,094	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Variances	20,255	21	0.1	4	0.0	2,210	10.9	1,847	9.1	162	0.8
Upward Variance	2,108	21	1.0	4	0.2	263	12.5	142	6.7	1	0.0
Downward Variance											
Government Motion	6,269	0	0.0	0	0.0	1,947	31.1	1,705	27.2	161	2.6
Non-Government Variance	11,878	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

Table 33 (cont.)

	Pursuant to a Motion Not in a Plea Agreement								Other than a Plea/Motion by Parties		No Information Available	
	Other Government Motion		Defense Motion/Gov't Did Not Object		Defense Motion/Gov't Did Object		Joint Motion					
	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	5,646	17.0	5,162	15.5	7,112	21.4	2,318	7.0	5,289	15.9	2,138	6.4
Departures	4,696	36.0	2,025	15.5	1,549	11.9	964	7.4	1,091	8.4	161	1.2
Upward Departure	86	26.4	0	0.0	2	0.6	11	3.4	83	25.5	33	10.1
Downward Departure												
§5K1.1 Substantial Assistance	4,189	68.7	750	12.3	751	12.3	457	7.5	535	8.8	0	0.0
§5K3.1 Early Disposition Program	272	6.2	584	13.4	462	10.6	337	7.7	172	3.9	0	0.0
Other Government Motion	149	13.0	121	10.6	88	7.7	159	13.9	49	4.3	13	1.1
Non-Government Departure	0	0.0	570	52.1	246	22.5	0	0.0	252	23.0	115	10.5
Variances	950	4.7	3,137	15.5	5,563	27.5	1,354	6.7	4,198	20.7	1,977	9.8
Upward Variance	359	17.0	4	0.2	13	0.6	23	1.1	1,102	52.3	255	12.1
Downward Variance												
Government Motion	591	9.4	477	7.6	267	4.3	1,331	21.2	494	7.9	169	2.7
Non-Government Variance	0	0.0	2,656	22.4	5,283	44.5	0	0.0	2,602	21.9	1,553	13.1

¹ Multiple attributions may be made on the Statement of Reasons (SOR). Therefore, the numbers reported in this table may exceed the number of total cases. For example, among SORs with an attribution, 12,419 cases indicated more than one attribution. Only sentenced individuals whose sentence is outside the guideline range are included in this table. Descriptions of variables used in this table are provided in Appendix A.

² For cases in which the court submitted a SOR form with a revision date of 11/15 or later, information for these categories was taken from Part V.C. of the SOR. For cases in which the court submitted the prior version of the SOR form, the information was taken from Part V.B. of the SOR form.

Table 34

**POSITION OF WITHIN GUIDELINE RANGE SENTENCES
BY TYPE OF CRIME¹
Fiscal Year 2024**

TYPE OF CRIME	TOTAL	Guideline Minimum		Lower Half of Range		Midpoint of Range		Upper Half of Range		Guideline Maximum	
		N	%	N	%	N	%	N	%	N	%
TOTAL	25,163	10,031	39.9	5,389	21.4	2,603	10.3	3,322	13.2	3,818	15.2
Administration of Justice	294	128	43.5	76	25.9	21	7.1	21	7.1	48	16.3
Antitrust	1	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0
Arson	22	11	50.0	4	18.2	2	9.1	1	4.5	4	18.2
Assault	369	127	34.4	67	18.2	46	12.5	43	11.7	86	23.3
Bribery/Corruption	58	26	44.8	15	25.9	5	8.6	3	5.2	9	15.5
Burglary/Trespass	66	23	34.8	24	36.4	9	13.6	4	6.1	6	9.1
Child Pornography	387	167	43.2	86	22.2	29	7.5	48	12.4	57	14.7
Commercialized Vice	35	11	31.4	4	11.4	1	2.9	5	14.3	14	40.0
Drug Possession	76	40	52.6	30	39.5	1	1.3	3	3.9	2	2.6
Drug Trafficking	4,622	2,761	59.7	752	16.3	292	6.3	372	8.0	445	9.6
Environmental	66	51	77.3	9	13.6	3	4.5	2	3.0	1	1.5
Extortion/Racketeering	29	13	44.8	7	24.1	1	3.4	4	13.8	4	13.8
Firearms	3,746	1,559	41.6	544	14.5	470	12.5	371	9.9	802	21.4
Food and Drug	24	23	95.8	0	0.0	0	0.0	0	0.0	1	4.2
Forgery/Counter/Copyright	30	9	30.0	7	23.3	3	10.0	5	16.7	6	20.0
Fraud/Theft/Embezzlement	2,119	1,132	53.4	432	20.4	172	8.1	148	7.0	235	11.1
Immigration	10,508	2,526	24.0	2,802	26.7	1,397	13.3	2,029	19.3	1,754	16.7
Individual Rights	30	14	46.7	7	23.3	0	0.0	5	16.7	4	13.3
Kidnapping	29	7	24.1	8	27.6	0	0.0	9	31.0	5	17.2
Manslaughter	49	19	38.8	4	8.2	6	12.2	8	16.3	12	24.5
Money Laundering	278	144	51.8	60	21.6	18	6.5	31	11.2	25	9.0
Murder	73	13	17.8	27	37.0	2	2.7	18	24.7	13	17.8
National Defense	72	51	70.8	12	16.7	4	5.6	3	4.2	2	2.8
Obscenity/Other Sex Offenses	164	67	40.9	24	14.6	25	15.2	12	7.3	36	22.0
Prison Offenses	247	86	34.8	62	25.1	26	10.5	30	12.1	43	17.4
Robbery	514	234	45.5	87	16.9	29	5.6	81	15.8	83	16.1
Sexual Abuse	360	143	39.7	94	26.1	10	2.8	43	11.9	70	19.4
Stalking/Harassing	105	27	25.7	21	20.0	12	11.4	14	13.3	31	29.5
Tax	114	63	55.3	25	21.9	7	6.1	5	4.4	14	12.3
Other	676	556	82.2	98	14.5	12	1.8	4	0.6	6	0.9

¹ Of the 61,678 cases, 28,038 individuals were sentenced within the applicable guideline range. An additional 2,875 cases were excluded due to several logical criteria. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2024 Datafile, USSCFY24.

Table 35

**EXTENT OF UPWARD DEPARTURES
BY TYPE OF CRIME¹
Fiscal Year 2024**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Increase In Months	Percent Increase	Sentence In Months	Increase In Months	Percent Increase
TOTAL	324	103	35	90.9	73	20	50.0
Administration of Justice	10	46	30	203.8	35	11	108.6
Antitrust	0	--	--	--	--	--	--
Arson	4	87	27	45.9	84	26	43.4
Assault	35	114	34	57.7	108	22	39.4
Bribery/Corruption	1	--	--	--	--	--	--
Burglary/Trespass	4	80	29	69.0	75	15	38.0
Child Pornography	3	102	27	47.0	97	24	20.0
Commercialized Vice	3	131	91	374.5	120	73	221.2
Drug Possession	2	--	--	--	--	--	--
Drug Trafficking	65	117	50	155.6	108	35	71.4
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	2	--	--	--	--	--	--
Firearms	61	78	22	56.2	66	17	31.0
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	0	--	--	--	--	--	--
Fraud/Theft/Embezzlement	17	55	18	104.9	24	15	83.3
Immigration	44	27	10	65.3	24	6	50.0
Individual Rights	1	--	--	--	--	--	--
Kidnapping	0	--	--	--	--	--	--
Manslaughter	13	145	60	67.4	120	47	62.2
Money Laundering	3	12	6	94.8	12	6	100.5
Murder	12	394	101	39.0	420	81	22.4
National Defense	0	--	--	--	--	--	--
Obscenity/Other Sex Offenses	5	52	24	93.2	48	25	119.1
Prison Offenses	4	36	16	76.6	33	11	65.7
Robbery	16	172	48	57.5	170	22	20.3
Sexual Abuse	11	229	74	57.0	264	33	26.8
Stalking/Harassing	5	66	23	53.5	60	22	47.4
Tax	1	--	--	--	--	--	--
Other	2	--	--	--	--	--	--

¹ Of the 61,678 cases, in 326 the sentence was an upward departure from the guideline range. Due to an inability to calculate the extent of departure for cases with a sentence of life, one sentenced individual was excluded from this table. Also, one individual was excluded due to several logical criteria. Sentences greater than 470 months 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.

SOURCE: U.S. Sentencing Commission, 2024 Datafile, USSCFY24.

Table 36

**EXTENT OF UPWARD VARIANCES
BY TYPE OF CRIME¹
Fiscal Year 2024**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Increase In Months	Percent Increase	Sentence In Months	Increase In Months	Percent Increase
TOTAL	2,073	76	22	63.4	48	12	42.9
Administration of Justice	32	37	19	117.8	24	12	87.8
Antitrust	0	--	--	--	--	--	--
Arson	12	127	42	55.9	111	31	43.3
Assault	53	140	44	54.3	120	30	37.1
Bribery/Corruption	3	92	25	38.5	60	23	33.3
Burglary/Trespass	4	69	31	93.4	66	31	88.2
Child Pornography	50	157	41	49.8	129	32	31.9
Commercialized Vice	5	52	26	100.7	60	27	81.8
Drug Possession	3	18	11	141.7	12	6	100.0
Drug Trafficking	275	113	27	67.4	96	18	27.7
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	1	--	--	--	--	--	--
Firearms	463	85	25	51.6	78	18	36.7
Food and Drug	1	--	--	--	--	--	--
Forgery/Counter/Copyright	4	52	10	25.5	50	8	20.6
Fraud/Theft/Embezzlement	101	76	24	62.3	48	11	33.3
Immigration	771	22	8	67.0	14	5	50.0
Individual Rights	4	157	30	35.6	174	30	19.3
Kidnapping	3	357	56	16.4	420	65	16.1
Manslaughter	18	110	41	81.0	94	32	69.9
Money Laundering	22	83	24	56.4	75	13	34.5
Murder	13	324	104	54.6	360	65	37.9
National Defense	1	--	--	--	--	--	--
Obscenity/Other Sex Offenses	26	65	39	154.3	60	27	85.7
Prison Offenses	22	43	19	103.5	35	9	47.7
Robbery	73	201	52	45.8	180	35	27.7
Sexual Abuse	64	203	45	36.6	210	33	23.7
Stalking/Harassing	32	75	31	69.7	60	19	48.3
Tax	2	--	--	--	--	--	--
Other	15	11	5	78.1	10	4	66.7

¹ Of the 61,678 cases, in 2,108 the sentence was a variance above the guideline range. Due to an inability to calculate the extent of departure for cases with a sentence of life, four sentenced individuals were excluded from this table. Also, 31 individuals were excluded due to several logical criteria. Sentences greater than 470 months 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.

SOURCE: U.S. Sentencing Commission, 2024 Datafile, USSCFY24.

Table 37

**EXTENT OF §5K1.1 SUBSTANTIAL ASSISTANCE DEPARTURES
BY TYPE OF CRIME¹
Fiscal Year 2024**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
TOTAL	5,971	51	54	56.5	36	38	50.4
Administration of Justice	33	9	12	76.7	0	10	100.0
Antitrust	5	0	18	100.0	0	15	100.0
Arson	7	34	87	69.3	37	60	60.3
Assault	39	44	118	65.1	32	87	71.4
Bribery/Corruption	118	9	29	74.3	6	25	78.6
Burglary/Trespass	1	--	--	--	--	--	--
Child Pornography	25	88	44	34.9	78	42	31.7
Commercialized Vice	11	6	8	72.0	0	8	100.0
Drug Possession	0	--	--	--	--	--	--
Drug Trafficking	3,650	64	62	52.5	51	48	48.2
Environmental	12	3	9	85.7	0	8	100.0
Extortion/Racketeering	25	8	33	83.5	0	17	99.9
Firearms	446	32	31	55.1	21	21	48.7
Food and Drug	2	--	--	--	--	--	--
Forgery/Counter/Copyright	8	13	20	59.1	15	16	55.6
Fraud/Theft/Embezzlement	738	16	29	68.5	10	20	72.9
Immigration	162	20	16	52.2	12	12	44.7
Individual Rights	13	43	26	51.6	24	26	41.3
Kidnapping	32	113	113	50.1	101	102	43.7
Manslaughter	1	--	--	--	--	--	--
Money Laundering	309	36	68	68.5	18	46	69.2
Murder	55	98	177	64.5	84	173	60.2
National Defense	26	25	30	54.3	19	22	50.7
Obscenity/Other Sex Offenses	3	18	9	33.5	18	6	25.0
Prison Offenses	4	10	14	61.9	12	14	53.8
Robbery	133	73	64	49.1	64	51	48.8
Sexual Abuse	53	125	77	39.3	120	57	37.8
Stalking/Harassing	4	14	16	57.7	14	16	52.9
Tax	53	9	18	76.0	3	18	87.5
Other	3	0	19	99.9	0	21	99.9

¹ Of the 61,678 cases, in 6,099 the sentenced individual received a §5K1.1 substantial assistance departure below the guideline range. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, 74 sentenced individuals were excluded from this table. Also, 54 individuals were excluded due to several logical criteria. Sentences greater than 470 months 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.

SOURCE: U.S. Sentencing Commission, 2024 Datafile, USSCFY24.

Table 38

**EXTENT OF §5K3.1 EARLY DISPOSITION PROGRAM DEPARTURES
BY TYPE OF CRIME¹
Fiscal Year 2024**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
TOTAL	4,371	13	15	50.5	9	8	47.9
Administration of Justice	1	--	--	--	--	--	--
Antitrust	0	--	--	--	--	--	--
Arson	0	--	--	--	--	--	--
Assault	0	--	--	--	--	--	--
Bribery/Corruption	0	--	--	--	--	--	--
Burglary/Trespass	1	--	--	--	--	--	--
Child Pornography	1	--	--	--	--	--	--
Commercialized Vice	0	--	--	--	--	--	--
Drug Possession	0	--	--	--	--	--	--
Drug Trafficking	950	23	40	63.9	21	35	62.9
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	0	--	--	--	--	--	--
Firearms	8	26	9	31.3	13	7	33.3
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	0	--	--	--	--	--	--
Fraud/Theft/Embezzlement	7	20	14	40.3	21	3	33.2
Immigration	3,384	10	8	46.7	7	6	41.3
Individual Rights	0	--	--	--	--	--	--
Kidnapping	0	--	--	--	--	--	--
Manslaughter	0	--	--	--	--	--	--
Money Laundering	15	29	31	61.6	7	15	68.2
Murder	0	--	--	--	--	--	--
National Defense	0	--	--	--	--	--	--
Obscenity/Other Sex Offenses	0	--	--	--	--	--	--
Prison Offenses	3	4	8	75.3	6	9	66.7
Robbery	1	--	--	--	--	--	--
Sexual Abuse	0	--	--	--	--	--	--
Stalking/Harassing	0	--	--	--	--	--	--
Tax	0	--	--	--	--	--	--
Other	0	--	--	--	--	--	--

¹ Of the 61,678 cases, in 4,374 the sentenced individual received a §5K3.1 early disposition program departure below the guideline range. Of these, three individuals were excluded due to several logical criteria. Sentences greater than 470 months 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.

SOURCE: U.S. Sentencing Commission, 2024 Datafile, USSCFY24.

Table 39

**EXTENT OF OTHER DOWNWARD DEPARTURES
BY TYPE OF CRIME¹
Fiscal Year 2024**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
TOTAL	2,203	44	30	44.7	24	15	38.4
Administration of Justice	23	5	11	67.7	2	8	66.7
Antitrust	0	--	--	--	--	--	--
Arson	8	23	17	44.7	23	15	39.1
Assault	55	46	20	35.2	35	13	28.3
Bribery/Corruption	14	17	12	63.7	7	10	70.9
Burglary/Trespass	1	--	--	--	--	--	--
Child Pornography	43	75	55	43.2	71	47	41.3
Commercialized Vice	3	21	6	25.4	24	6	20.0
Drug Possession	2	--	--	--	--	--	--
Drug Trafficking	727	66	50	45.6	57	34	42.1
Environmental	8	3	10	85.9	0	6	100.0
Extortion/Racketeering	5	19	9	35.2	18	5	29.4
Firearms	238	38	19	41.2	30	15	31.4
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	5	8	23	87.9	0	12	100.0
Fraud/Theft/Embezzlement	191	22	19	56.7	13	12	50.0
Immigration	583	14	9	39.5	12	7	35.1
Individual Rights	11	4	25	82.4	3	22	84.6
Kidnapping	5	173	49	25.5	156	31	10.5
Manslaughter	10	37	18	46.9	29	19	36.0
Money Laundering	77	42	45	54.8	27	21	52.3
Murder	24	174	87	32.6	178	72	28.9
National Defense	18	33	26	58.5	24	22	48.0
Obscenity/Other Sex Offenses	9	13	9	42.2	11	6	26.8
Prison Offenses	18	9	7	45.4	10	6	47.2
Robbery	46	91	28	24.4	72	19	19.7
Sexual Abuse	49	148	75	31.5	139	48	28.6
Stalking/Harassing	9	17	12	56.1	14	11	31.6
Tax	15	7	16	68.1	6	12	66.7
Other	6	0	8	91.5	0	10	99.8

¹ Of the 61,678 cases, in 2,239 the sentence was a downward departure from the guideline range, either due to a government motion for a departure (1,145) or a non-government departure (1,094). Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, 19 sentenced individuals were excluded from this table. Also, 17 individuals were excluded due to several logical criteria. Sentences greater than 470 months 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.

SOURCE: U.S. Sentencing Commission, 2024 Datafile, USSCFY24.

Table 40

**EXTENT OF DOWNWARD VARIANCES
BY TYPE OF CRIME¹
Fiscal Year 2024**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
TOTAL	17,680	56	30	43.3	35	17	34.3
Administration of Justice	233	10	12	63.3	4	8	62.1
Antitrust	2	--	--	--	--	--	--
Arson	19	31	22	45.2	24	18	37.7
Assault	276	50	26	40.6	28	15	30.9
Bribery/Corruption	165	21	22	56.7	12	15	57.9
Burglary/Trespass	17	16	13	57.1	9	10	59.3
Child Pornography	700	85	46	36.7	72	37	34.6
Commercialized Vice	12	3	11	82.2	0	11	98.8
Drug Possession	4	0	4	87.6	0	4	100.0
Drug Trafficking	7,157	78	40	38.6	63	27	31.3
Environmental	40	4	7	76.0	0	6	100.0
Extortion/Racketeering	40	33	23	49.5	21	12	40.5
Firearms	2,769	36	19	43.0	27	12	31.4
Food and Drug	8	11	35	75.7	11	36	74.4
Forgery/Counter/Copyright	42	12	19	67.9	5	15	85.6
Fraud/Theft/Embezzlement	1,932	20	16	57.2	12	10	50.0
Immigration	1,860	14	9	44.3	12	6	34.1
Individual Rights	57	31	20	45.4	21	12	36.8
Kidnapping	48	133	66	36.7	128	55	33.3
Manslaughter	18	25	22	55.9	19	18	56.7
Money Laundering	511	48	34	51.4	24	19	47.4
Murder	87	178	65	29.4	180	48	20.0
National Defense	103	25	25	56.3	16	19	51.4
Obscenity/Other Sex Offenses	126	11	10	49.8	12	8	35.4
Prison Offenses	125	9	8	49.7	7	6	44.7
Robbery	503	90	29	27.9	80	21	21.2
Sexual Abuse	455	169	70	31.3	180	60	26.0
Stalking/Harassing	87	22	14	50.7	12	12	42.9
Tax	246	12	13	64.2	6	12	66.7
Other	38	7	13	79.1	0	8	99.4

¹ Of the 61,678 cases, in 18,147 the sentence was a variance below the guideline range, either due to a government motion for a variance (6,269) or a non-government variance (11,878). Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, 209 sentenced individuals were excluded from this table. Also, 258 individuals were excluded due to several logical criteria. Sentences greater than 470 months 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.

SOURCE: U.S. Sentencing Commission, 2024 Datafile, USSCFY24.

Table 41

**REASONS GIVEN BY SENTENCING COURTS FOR
UPWARD DEPARTURES FROM THE GUIDELINE RANGE¹**

Fiscal Year 2024

REASONS	N	%
Criminal history issues	133	14.8
General aggravating circumstances (§5K2.0)	104	11.6
Dismissed and uncharged conduct (§5K2.21)	80	8.9
Reflect seriousness of offense/promotes respect for law/just punishment	56	6.2
Pursuant to plea agreement	51	5.7
Afford adequate deterrence to criminal conduct	50	5.6
Protect public from further crimes	41	4.6
Death (§5K2.1)	40	4.5
The nature and circumstances of the offense	40	4.5
The history and characteristics of the defendant	37	4.1
Extreme conduct (§5K2.8)	20	2.2
Avoid unwarranted sentencing disparity	17	1.9
Victim impact	16	1.8
Physical injury (§5K2.2)	14	1.6
Weapons/dangerous instrumentalities (§5K2.6)	11	1.2
Drug dependence and alcohol abuse (§5H1.4)	10	1.1
Provide educational or vocational training	10	1.1
Mental and emotional conditions	9	1.0
Provide correctional treatment	8	0.9
Provide restitution to any victims	5	0.6
Propensity for violence	5	0.6
Advisory nature of guidelines	5	0.6
Lack of remorse	5	0.6
General guideline adequacy issues	5	0.6
Age (§5H1.1)	4	0.4
Discharge terms of imprisonment (§5K2.23)	4	0.4
Role in the offense	4	0.4
Sufficient punishment	4	0.4
Nature or seriousness of the offense	4	0.4
Conduct while on release, bond, or supervision	4	0.4
Not representative of heartland	4	0.4
Lack of youthful guidance/tragic or troubled childhood	4	0.4
Other	93	10.4
TOTAL	897	100.0

¹ Of the 61,678 cases, in 326 the sentence was an upward departure. Courts may cite multiple reasons for sentencing outside the guideline range; consequently, the total number of reasons cited generally exceeds the total number of cases. In this table, 897 reasons were cited for the 326 cases. The 'Other' category includes all reasons cited fewer than four times among relevant cases and 11 cases where the Statement of Reasons was received, but there was insufficient documentation provided to determine some of the reasons for the sentence. Descriptions of the variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2024 Datafile, USSCFY24.

Table 42

**REASONS GIVEN BY SENTENCING COURTS FOR
UPWARD VARIANCES FROM THE GUIDELINE RANGE¹**

Fiscal Year 2024

REASONS	N	%
Reflect seriousness of offense/promotes respect for law/just punishment	1,632	16.8
Afford adequate deterrence to criminal conduct	1,196	12.3
The history and characteristics of the defendant	1,106	11.4
Protect public from further crimes	1,093	11.2
The nature and circumstances of the offense	1,029	10.6
Criminal history issues	846	8.7
General aggravating circumstances (§5K2.0)	292	3.0
Avoid unwarranted sentencing disparity	183	1.9
Extreme conduct (§5K2.8)	176	1.8
Pursuant to plea agreement	159	1.6
Dismissed and uncharged conduct (§5K2.21)	145	1.5
Victim impact	139	1.4
Role in the offense	122	1.3
Provide correctional treatment	103	1.1
Provide educational or vocational training	97	1.0
Drug dependence and alcohol abuse (§5H1.4)	94	1.0
Party motion/agreement/consent (reason unspecified)	67	0.7
Lack of remorse	65	0.7
Age (§5H1.1)	56	0.6
Acceptance of responsibility	52	0.5
Propensity for violence	51	0.5
Provide medical care	49	0.5
Mental and emotional conditions	49	0.5
Conduct while on release, bond, or supervision	47	0.5
Lack of youthful guidance/tragic or troubled childhood	46	0.5
Family ties and responsibilities (§5H1.6)	43	0.4
General guideline adequacy issues	27	0.3
Previous employment record (§5H1.5)	26	0.3
Provide restitution to any victims	24	0.2
Weapons/dangerous instrumentalities (§5K2.6)	20	0.2
Aberrant behavior (§5K2.20)	20	0.2
Mens Rea	20	0.2
Deported on one or more prior occasions (§§2L2.2, 2L2.4)	20	0.2
Other	638	6.6
TOTAL	9,732	100.0

¹ Of the 61,678 cases, in 2,108 the sentence was a variance above the guideline range. Courts may cite multiple reasons for sentencing outside the guideline range; consequently, the total number of reasons cited generally exceeds the total number of cases. In this table, 9,732 reasons were cited for the 2,108 cases. The 'Other' category includes all reasons cited fewer than 20 times among relevant cases and 96 cases where the Statement of Reasons was received, but there was insufficient documentation provided to determine some of the reasons for the sentence. Descriptions of the variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2024 Datafile, USSCFY24.

Table 43

**REASONS GIVEN BY SENTENCING COURTS FOR
DOWNWARD DEPARTURES FROM THE GUIDELINE RANGE¹
Fiscal Year 2024**

REASONS	N	%
Substantial assistance with government motion (§5K1.1)	6,099	14.1
Early disposition program (EDP) (§5K3.1)	4,436	10.2
The history and characteristics of the defendant	3,695	8.5
Family ties and responsibilities (§5H1.6)	2,144	4.9
Reflect seriousness of offense/promotes respect for law/just punishment	1,716	4.0
The nature and circumstances of the offense	1,611	3.7
Afford adequate deterrence to criminal conduct	1,555	3.6
Criminal history issues	1,536	3.5
General mitigating circumstances (§5K2.0)	1,440	3.3
Age (§5H1.1)	1,236	2.8
Avoid unwarranted sentencing disparity	1,162	2.7
Remorse	1,073	2.5
Drug dependence and alcohol abuse (§5H1.4)	1,030	2.4
Rehabilitation	1,022	2.4
Protect public from further crimes	977	2.3
Previous employment record (§5H1.5)	887	2.0
Acceptance of responsibility	866	2.0
Mental and emotional conditions	862	2.0
Lack of youthful guidance/tragic or troubled childhood	781	1.8
Pursuant to plea agreement	620	1.4
Waiver of appeal	564	1.3
Role in the offense	562	1.3
Conduct while on release, bond, or supervision	517	1.2
Nonviolent offense	477	1.1
Physical condition (§5H1.4)	473	1.1
Aberrant behavior (§5K2.20)	465	1.1
Applied proposed guideline amendment (Amendment 821)	332	0.8
Provide correctional treatment	287	0.7
Community ties (§5H1.6)	286	0.7
Early plea	243	0.6
Provide educational or vocational training	236	0.5
Waiver of indictment	228	0.5
Other	3,985	9.2
TOTAL	43,403	100.0

¹ Of the 61,678 cases, in 12,712 the sentence was a downward departure from the guideline range. Courts may cite multiple reasons for sentencing outside the guideline range; consequently, the total number of reasons cited generally exceeds the total number of cases. In this table, 43,403 reasons were cited for the 12,712 cases. The 'Other' category includes all reasons cited fewer than 200 times among relevant cases and 324 cases where the Statement of Reasons was received, but there was insufficient documentation provided to determine some of the reasons for the sentence. Descriptions of the variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2024 Datafile, USSCFY24.

Table 44

**REASONS GIVEN BY SENTENCING COURTS FOR
DOWNWARD VARIANCES FROM THE GUIDELINE RANGE¹**

Fiscal Year 2024

REASONS	N	%
The history and characteristics of the defendant	12,013	12.3
Reflect seriousness of offense/promotes respect for law/just punishment	8,378	8.6
Afford adequate deterrence to criminal conduct	7,076	7.3
The nature and circumstances of the offense	6,413	6.6
Protect public from further crimes	4,961	5.1
Avoid unwarranted sentencing disparity	4,323	4.4
Family ties and responsibilities (§5H1.6)	4,176	4.3
Criminal history issues	3,859	4.0
Age (§5H1.1)	3,022	3.1
Acceptance of responsibility	2,985	3.1
Drug dependence and alcohol abuse (§5H1.4)	2,894	3.0
Remorse	2,612	2.7
Mental and emotional conditions	2,530	2.6
Lack of youthful guidance/tragic or troubled childhood	2,336	2.4
Previous employment record (§5H1.5)	2,179	2.2
Rehabilitation	2,041	2.1
Role in the offense	1,884	1.9
Provide correctional treatment	1,578	1.6
Conduct while on release, bond, or supervision	1,341	1.4
Nonviolent offense	1,310	1.3
Provide educational or vocational training	1,229	1.3
Physical condition (§5H1.4)	1,224	1.3
General mitigating circumstances (§5K2.0)	1,191	1.2
Pursuant to plea agreement	1,001	1.0
Community ties (§5H1.6)	866	0.9
Provide medical care	798	0.8
Waiver of appeal	763	0.8
Early plea	753	0.8
Cooperation without motion (not §5K1.1)	719	0.7
Provide restitution to any victims	697	0.7
Aberrant behavior (§5K2.20)	652	0.7
Applied proposed guideline amendment (Amendment 821)	493	0.5
Time served/ <i>U.S. v. Barrera-Saucedo</i>	490	0.5
Charitable service/good works	480	0.5
Other	8,292	8.5
TOTAL	97,559	100.0

¹ Of the 61,678 cases, in 18,147 the sentence was a variance below the guideline range. Courts may cite multiple reasons for sentencing outside the guideline range; consequently, the total number of reasons cited generally exceeds the total number of cases. In this table, 97,559 reasons were cited for the 18,147 cases. The 'Other' category includes all reasons cited fewer than 480 times among relevant cases and 978 cases where the Statement of Reasons was received, but there was insufficient documentation provided to determine some of the reasons for the sentence. Descriptions of the variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2024 Datafile, USSCFY24.