

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							Variance	Guideline	Within Guideline							Variance
	Total	Range	Up	\$5K1.1	\$5K3.1	Down	Total			Range	Up	\$5K1.1	\$5K3.1	Down			
§2H4.2	0	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	0	§2M5.3	9	2	0	2	0	0	5	
§2J1.2	148	52	2	14	0	5	75	75	§2M6.1	0	0	0	0	0	0	0	
§2J1.3	20	7	0	1	0	1	11	11	§2M6.2	2	2	0	0	0	0	0	
§2J1.4	7	4	0	0	0	0	3	3	§2N1.1	10	0	0	2	0	0	8	
§2J1.5	2	1	0	0	0	0	1	1	§2N1.2	0	0	0	0	0	0	0	
§2J1.6	30	14	1	2	1	0	12	12	§2N1.3	0	0	0	0	0	0	0	
§2J1.7	0	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	0	§2N3.1	0	0	0	0	0	0	0	
§2J1.9	0	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	1	§2P1.2	121	58	0	1	1	7	54	
§2K1.2	0	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	8	§2P1.4	0	0	0	0	0	0	0	
§2K1.4	84	34	4	7	0	8	31	31	§2Q1.1	0	0	0	0	0	0	0	
§2K1.5	4	2	0	0	0	0	2	2	§2Q1.2	35	9	0	7	0	2	17	
§2K1.6	0	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	0	§2Q1.4	0	0	0	0	0	0	0	
§2K2.1	7,741	3,864	54	423	8	235	3,157	3,157	§2Q1.5	0	0	0	0	0	0	0	
§2K2.2	0	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	0	§2Q2.1	57	31	0	4	0	3	19	
§2K2.4 ³	293	225	6	20	0	1	41	41	§2Q2.2	0	0	0	0	0	0	0	
§2K2.5	12	9	1	0	0	0	2	2	§2R1.1	8	1	0	5	0	0	2	
§2K2.6	1	0	0	0	0	0	1	1	§2S1.1	1,095	230	0	302	14	65	484	
§2K3.1	0	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	0	§2S1.3	177	70	3	23	2	11	68	
§2L1.1	4,345	2,281	11	119	1,123	100	711	711	§2S1.4	0	0	0	0	0	0	0	
§2L1.2	12,548	8,164	30	28	2,084	472	1,770	1,770	§2T1.1	248	73	0	34	0	10	131	
§2L1.3	0	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	16	§2T1.3	0	0	0	0	0	0	0	
§2L2.2	394	297	3	1	0	2	91	91	§2T1.4	112	31	1	11	0	3	66	
§2L2.3	0	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	0	§2T1.6	57	5	0	3	0	2	47	
§2L2.5	0	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	0	§2T1.8	0	0	0	0	0	0	0	
§2M2.1	0	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	0	§2T2.1	0	0	0	0	0	0	0	
§2M2.3	0	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	0	§2T3.1	9	5	0	2	0	0	2	
§2M3.1	2	0	0	0	0	1	1	1	§2T3.2	0	0	0	0	0	0	0	
§2M3.2	1	0	0	0	0	0	1	1	§2T4.1	0	0	0	0	0	0	0	
§2M3.3	0	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	0	§2X2.1	0	0	0	0	0	0	0	
§2M3.5	0	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	0	§2X4.1	170	73	4	14	0	3	76	
§2M3.7	0	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	0	§2X5.2	201	185	0	0	0	1	15	
§2M3.9	0	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	0	§2X7.1	1	1	0	0	0	0	0	
§2M5.1	14	1	0	4	0	0	9	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.