

U.S. Sentencing Commission Preliminary Quarterly Data Report



**2nd Quarter Release
Preliminary Fiscal Year 2014 Data
Through March 31, 2014**

Introduction

As part of its ongoing mission, the United States Sentencing Commission provides Congress, the judiciary, the executive branch, and the general public with data extracted and analyzed from sentencing documents submitted by courts to the Commission.¹ Data is reported on an annual basis in the Commission's *Annual Report* and *Sourcebook of Federal Sentencing Statistics*.² After the Supreme Court's decision in *United States v. Booker* on January 12, 2005, which rendered the sentencing guidelines advisory instead of mandatory, many people expressed an interest in knowing what changes, if any, in federal sentencing practices would result. The Commission responded by reconfiguring its data collection, analysis, and reporting efforts to provide real-time data reporting from the submitted documents.

The Commission first reported data on February 10, 2005 to Congress³ and began reporting data approximately monthly shortly thereafter. The types of data reported increased over time to accommodate various requests for the additional information. In March 2006, the Commission released a comprehensive report, *Final Report on the Impact of United States v. Booker on Federal Sentencing*,⁴ based on cases sentenced one year since the *Booker* decision. Because the report included additional analyses that had not been included in the monthly reports, not all the data presented in the report was comparable with the monthly releases, which made comparing data over time difficult.

In an effort to standardize the Commission's post-*Booker* analyses and to facilitate the identification of emerging trends going forward, the Commission began generating a new set of tables and charts on a quarterly basis for public release on the Commission's website beginning with the third quarter of fiscal year 2006. These quarterly data reports are similar in format and methodology to tables and figures produced in the *Sourcebook* or in the Commission's *Booker* report. Some of the figures include data from fiscal years before the *Booker* decision to facilitate analysis of sentencing trends over time. Other figures and all of the tables contain cumulative data (*i.e.*, data from the start of the fiscal year through the most current quarter). Appendix B cross-references the quarterly table numbers and figure letters as well as the corresponding number or letter in the *Sourcebook* (if it exists in the *Sourcebook*) so that the quarterly data can

¹ In each felony or Class A misdemeanor case sentenced in federal court, sentencing courts are required to submit the following documents to the Commission: the Judgment and Commitment Order, the Statement of Reasons, the plea agreement (if applicable), the indictment or other charging document, and the presentence report. See 28 U.S.C. § 994(w).

² Electronic copies of the 1995-2013 *Annual Report* and *Sourcebook of Federal Sentencing Statistics* are available at the Commission's website, www.ussc.gov.

³ See www.ussc.gov/bf.htm for an electronic copy of the prepared testimony of Ricardo H. Hinojosa, chair of the United States Sentencing Commission, before the Subcommittee on Crime, Terrorism, and Homeland Security, Committee on the Judiciary, United States House of Representatives, February 10, 2005.

⁴ See www.ussc.gov/bf.htm for an electronic copy of the Commission's *Final Report on the Impact of United States v. Booker on Federal Sentencing*.

be compared easily with data from prior fiscal years.⁵ In Appendix A are descriptions of datafile and variable definitions.

Users of the quarterly releases are cautioned that the quarterly data are preliminary only and subject to change as the Commission collects, analyzes, and reports on additional cases throughout the fiscal year. When data for each new quarter is made available, the Commission will update the previous preliminary quarterly totals in the most recent release until the release of the final fiscal year data in the Commission's *Sourcebook*. For example, the data reported in the initial release for the second quarter of the fiscal year may change as the Commission receives and analyzes documents during the remaining quarters for additional cases sentenced during the second quarter.⁶ Any subsequent changes in the quarterly data for the second quarter would be reflected initially in the subsequent quarterly releases and finally in the Commission's *Annual Report and Sourcebook of Federal Sentencing Statistics*. As a result, **quarterly data should not be considered final until publication of the Commission's *Annual Report and Sourcebook*.**

⁵ The Commission has tried to maintain the same table numbers and figure letters over the past several years but, due to slight differences in reporting categories between pre- and post-*Booker* time periods, the numbers and letters may not correspond exactly over time. Please refer to the table of contents for each of the prior *Sourcebook* years to determine the corresponding table number or figure letter.

⁶ The reasons for data changes in previous quarters is due to one or more of the following reasons: the courts have up to 30 days to submit court documents to the Commission; the Commission both extracts information from the documents and screens cases through the quality control procedures and does not include any case in a data release unless it has been fully entered and reviewed; some documents are sent in later than other documents and the datafiles are then updated with the new information; the Commission receives amended court documents and updates the datafile based on the new information; the Commission matches its datafile to datafiles from the Administrative Office of the United States Courts and requests any case documents not received - a process that can only be completed after the documents have been received and the information entered into the Commission's database. For all of the above reasons, data may be excluded/included or reported differently from one quarter to another.

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**NATIONAL COMPARISON OF SENTENCE IMPOSED AND
POSITION RELATIVE TO THE GUIDELINE RANGE¹**
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)

	N	%
TOTAL CASES	37,350	100.0
CASES SENTENCED WITHIN GUIDELINE RANGE	18,155	48.6
CASES SENTENCED ABOVE GUIDELINE RANGE	915	2.4
DEPARTURE ABOVE GUIDELINE RANGE	239	0.6
Upward Departure From Guideline Range ²	179	0.5
Upward Departure With <i>Booker</i> /18 U.S.C. § 3553 ³	60	0.2
OTHERWISE ABOVE GUIDELINE RANGE	676	1.8
Above Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 ⁴	609	1.6
All Remaining Cases Above Guideline Range ⁵	67	0.2
GOVERNMENT SPONSORED BELOW RANGE⁶	10,659	28.5
§5K1.1 Substantial Assistance Departure	4,787	12.8
§5K3.1 Early Disposition Program Departure	3,454	9.2
Other Government Sponsored Below Range	2,418	6.5
NON-GOVERNMENT SPONSORED BELOW RANGE	7,621	20.4
DEPARTURE BELOW GUIDELINE RANGE	1,325	3.5
Downward Departure From Guideline Range ²	958	2.6
Downward Departure With <i>Booker</i> /18 U.S.C. § 3553 ³	367	1.0
OTHERWISE BELOW GUIDELINE RANGE	6,296	16.9
Below Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 ⁴	6,058	16.2
All Remaining Cases Below Guideline Range ⁵	238	0.6

¹ This table reflects the 37,646 cases sentenced on or after October 1, 2013, with court documentation cumulatively received, coded, and edited at the U.S. Sentencing Commission by June 10, 2014. Of these, 296 cases 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 All cases with departures in which the court did not indicate as a reason either *United States v. Booker*, 18 U.S.C. § 3553, or a factor or reason specifically prohibited in the provisions, policy statements, or commentary of the *Guidelines Manual*.

³ All cases sentenced outside of the guideline range in which the court indicated both a departure (see footnote 2) and a reference to either *United States v. Booker*, 18 U.S.C. § 3553, or related factors as a reason for sentencing outside of the guideline system.

⁴ All cases sentenced outside of the guideline range in which no departure was indicated and in which the court cited *United States v. Booker*, 18 U.S.C. § 3553, or related factors as one of the reasons for sentencing outside of the guideline system.

⁵ All cases sentenced outside of the guideline range that could not be classified into any of the three previous outside of the range categories. This category includes cases in which no reason was provided for a sentence outside of the guideline range.

⁶ Cases in which a reason for the sentence indicated that the prosecution initiated, proposed, or stipulated to a sentence outside of the guideline range, either pursuant to a plea agreement or as part of a non-plea negotiation with the defendant.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through March 31, 2014).

Table 2

SENTENCES RELATIVE TO THE GUIDELINE RANGE BY CIRCUIT AND DISTRICT¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE		UPWARD DEPARTURE W/ BOOKER		ABOVE RANGE W/ BOOKER		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
TOTAL	37,350	18,155	48.6	179	0.5	60	0.2	609	1.6	67	0.2
D.C. CIRCUIT	175	57	32.6	0	0.0	0	0.0	2	1.1	0	0.0
District of Columbia	175	57	32.6	0	0.0	0	0.0	2	1.1	0	0.0
FIRST CIRCUIT	1,224	663	54.2	5	0.4	3	0.2	43	3.5	12	1.0
Maine	105	37	35.2	0	0.0	0	0.0	3	2.9	0	0.0
Massachusetts	236	63	26.7	0	0.0	0	0.0	1	0.4	0	0.0
New Hampshire	61	29	47.5	0	0.0	1	1.6	3	4.9	0	0.0
Puerto Rico	728	495	68.0	5	0.7	2	0.3	35	4.8	12	1.6
Rhode Island	94	39	41.5	0	0.0	0	0.0	1	1.1	0	0.0
SECOND CIRCUIT	2,000	650	32.5	4	0.2	6	0.3	18	0.9	0	0.0
Connecticut	195	68	34.9	0	0.0	0	0.0	2	1.0	0	0.0
New York											
Eastern	466	120	25.8	2	0.4	3	0.6	3	0.6	0	0.0
Northern	196	96	49.0	0	0.0	1	0.5	1	0.5	0	0.0
Southern	751	229	30.5	0	0.0	2	0.3	12	1.6	0	0.0
Western	280	110	39.3	1	0.4	0	0.0	0	0.0	0	0.0
Vermont	112	27	24.1	1	0.9	0	0.0	0	0.0	0	0.0
THIRD CIRCUIT	1,277	458	35.9	3	0.2	1	0.1	18	1.4	1	0.1
Delaware	52	21	40.4	0	0.0	0	0.0	2	3.8	0	0.0
New Jersey	342	126	36.8	1	0.3	0	0.0	1	0.3	0	0.0
Pennsylvania											
Eastern	422	109	25.8	0	0.0	1	0.2	7	1.7	1	0.2
Middle	185	90	48.6	1	0.5	0	0.0	0	0.0	0	0.0
Western	253	99	39.1	1	0.4	0	0.0	7	2.8	0	0.0
Virgin Islands	23	13	56.5	0	0.0	0	0.0	1	4.3	0	0.0
FOURTH CIRCUIT	2,995	1,633	54.5	19	0.6	10	0.3	37	1.2	3	0.1
Maryland	403	130	32.3	4	1.0	0	0.0	10	2.5	2	0.5
North Carolina											
Eastern	340	172	50.6	3	0.9	7	2.1	3	0.9	0	0.0
Middle	265	175	66.0	1	0.4	1	0.4	3	1.1	0	0.0
Western	297	153	51.5	1	0.3	0	0.0	4	1.3	0	0.0
South Carolina	353	207	58.6	3	0.8	1	0.3	2	0.6	1	0.3
Virginia											
Eastern	800	518	64.8	6	0.8	1	0.1	8	1.0	0	0.0
Western	188	89	47.3	0	0.0	0	0.0	5	2.7	0	0.0
West Virginia											
Northern	176	94	53.4	1	0.6	0	0.0	0	0.0	0	0.0
Southern	173	95	54.9	0	0.0	0	0.0	2	1.2	0	0.0

Table 2 (cont.)

CIRCUIT District	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE		DOWNWARD DEPARTURE W/ BOOKER		BELOW RANGE W/ BOOKER		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	4,787	12.8	3,454	9.2	2,418	6.5	958	2.6	367	1.0	6,058	16.2	238	0.6
D.C. CIRCUIT	42	24.0	3	1.7	17	9.7	8	4.6	12	6.9	31	17.7	3	1.7
District of Columbia	42	24.0	3	1.7	17	9.7	8	4.6	12	6.9	31	17.7	3	1.7
FIRST CIRCUIT	154	12.6	11	0.9	121	9.9	15	1.2	15	1.2	167	13.6	15	1.2
Maine	30	28.6	0	0.0	4	3.8	2	1.9	1	1.0	27	25.7	1	1.0
Massachusetts	38	16.1	1	0.4	61	25.8	5	2.1	4	1.7	61	25.8	2	0.8
New Hampshire	7	11.5	0	0.0	8	13.1	0	0.0	1	1.6	12	19.7	0	0.0
Puerto Rico	69	9.5	10	1.4	32	4.4	8	1.1	9	1.2	39	5.4	12	1.6
Rhode Island	10	10.6	0	0.0	16	17.0	0	0.0	0	0.0	28	29.8	0	0.0
SECOND CIRCUIT	409	20.5	57	2.9	103	5.2	72	3.6	34	1.7	636	31.8	11	0.6
Connecticut	30	15.4	0	0.0	14	7.2	18	9.2	0	0.0	62	31.8	1	0.5
New York														
Eastern	104	22.3	51	10.9	41	8.8	12	2.6	14	3.0	114	24.5	2	0.4
Northern	50	25.5	0	0.0	1	0.5	1	0.5	2	1.0	44	22.4	0	0.0
Southern	115	15.3	6	0.8	22	2.9	28	3.7	12	1.6	318	42.3	7	0.9
Western	83	29.6	0	0.0	14	5.0	2	0.7	2	0.7	67	23.9	1	0.4
Vermont	27	24.1	0	0.0	11	9.8	11	9.8	4	3.6	31	27.7	0	0.0
THIRD CIRCUIT	399	31.2	11	0.9	73	5.7	21	1.6	15	1.2	269	21.1	8	0.6
Delaware	6	11.5	0	0.0	4	7.7	1	1.9	0	0.0	17	32.7	1	1.9
New Jersey	122	35.7	4	1.2	18	5.3	5	1.5	6	1.8	58	17.0	1	0.3
Pennsylvania														
Eastern	184	43.6	3	0.7	17	4.0	2	0.5	3	0.7	93	22.0	2	0.5
Middle	41	22.2	4	2.2	17	9.2	3	1.6	0	0.0	28	15.1	1	0.5
Western	45	17.8	0	0.0	17	6.7	10	4.0	6	2.4	66	26.1	2	0.8
Virgin Islands	1	4.3	0	0.0	0	0.0	0	0.0	0	0.0	7	30.4	1	4.3
FOURTH CIRCUIT	516	17.2	8	0.3	166	5.5	41	1.4	33	1.1	514	17.2	15	0.5
Maryland	122	30.3	1	0.2	59	14.6	5	1.2	9	2.2	59	14.6	2	0.5
North Carolina														
Eastern	105	30.9	0	0.0	1	0.3	3	0.9	4	1.2	40	11.8	2	0.6
Middle	36	13.6	0	0.0	1	0.4	0	0.0	0	0.0	47	17.7	1	0.4
Western	71	23.9	0	0.0	26	8.8	2	0.7	4	1.3	35	11.8	1	0.3
South Carolina	67	19.0	3	0.8	19	5.4	1	0.3	2	0.6	46	13.0	1	0.3
Virginia														
Eastern	34	4.3	1	0.1	17	2.1	29	3.6	10	1.3	170	21.3	6	0.8
Western	47	25.0	0	0.0	15	8.0	1	0.5	1	0.5	29	15.4	1	0.5
West Virginia														
Northern	15	8.5	2	1.1	24	13.6	0	0.0	1	0.6	39	22.2	0	0.0
Southern	19	11.0	1	0.6	4	2.3	0	0.0	2	1.2	49	28.3	1	0.6

Table 2 (cont.)

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE		UPWARD DEPARTURE W/ BOOKER		ABOVE RANGE W/ BOOKER		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	8,325	5,340	64.1	40	0.5	17	0.2	110	1.3	2	0.0
Louisiana											
Eastern	148	95	64.2	1	0.7	0	0.0	2	1.4	0	0.0
Middle	88	49	55.7	0	0.0	0	0.0	0	0.0	0	0.0
Western	151	97	64.2	2	1.3	1	0.7	2	1.3	0	0.0
Mississippi											
Northern	108	68	63.0	0	0.0	0	0.0	2	1.9	0	0.0
Southern	122	83	68.0	0	0.0	0	0.0	0	0.0	0	0.0
Texas											
Eastern	408	266	65.2	2	0.5	2	0.5	4	1.0	0	0.0
Northern	668	377	56.4	2	0.3	6	0.9	20	3.0	0	0.0
Southern	3,310	1,999	60.4	24	0.7	8	0.2	35	1.1	0	0.0
Western	3,322	2,306	69.4	9	0.3	0	0.0	45	1.4	2	0.1
SIXTH CIRCUIT	2,548	1,176	46.2	12	0.5	5	0.2	33	1.3	2	0.1
Kentucky											
Eastern	293	159	54.3	0	0.0	1	0.3	9	3.1	0	0.0
Western	145	74	51.0	0	0.0	0	0.0	0	0.0	0	0.0
Michigan											
Eastern	462	231	50.0	2	0.4	0	0.0	5	1.1	0	0.0
Western	201	117	58.2	2	1.0	1	0.5	2	1.0	0	0.0
Ohio											
Northern	350	154	44.0	2	0.6	0	0.0	3	0.9	0	0.0
Southern	303	84	27.7	1	0.3	2	0.7	4	1.3	1	0.3
Tennessee											
Eastern	411	207	50.4	0	0.0	1	0.2	5	1.2	0	0.0
Middle	134	44	32.8	4	3.0	0	0.0	2	1.5	0	0.0
Western	249	106	42.6	1	0.4	0	0.0	3	1.2	1	0.4
SEVENTH CIRCUIT	1,476	606	41.1	5	0.3	6	0.4	21	1.4	2	0.1
Illinois											
Central	202	79	39.1	1	0.5	0	0.0	4	2.0	0	0.0
Northern	448	132	29.5	1	0.2	0	0.0	3	0.7	0	0.0
Southern	207	139	67.1	0	0.0	5	2.4	5	2.4	1	0.5
Indiana											
Northern	197	101	51.3	1	0.5	0	0.0	2	1.0	0	0.0
Southern	183	87	47.5	1	0.5	1	0.5	3	1.6	1	0.5
Wisconsin											
Eastern	165	41	24.8	0	0.0	0	0.0	4	2.4	0	0.0
Western	74	27	36.5	1	1.4	0	0.0	0	0.0	0	0.0
EIGHTH CIRCUIT	2,313	1,135	49.1	13	0.6	5	0.2	39	1.7	1	0.0
Arkansas											
Eastern	187	107	57.2	1	0.5	1	0.5	3	1.6	1	0.5
Western	168	99	58.9	1	0.6	0	0.0	5	3.0	0	0.0
Iowa											
Northern	168	89	53.0	3	1.8	0	0.0	2	1.2	0	0.0
Southern	152	41	27.0	0	0.0	1	0.7	4	2.6	0	0.0
Minnesota	128	48	37.5	2	1.6	0	0.0	3	2.3	0	0.0
Missouri											
Eastern	373	168	45.0	0	0.0	1	0.3	7	1.9	0	0.0
Western	404	184	45.5	0	0.0	0	0.0	8	2.0	0	0.0
Nebraska	292	148	50.7	0	0.0	0	0.0	2	0.7	0	0.0
North Dakota	156	67	42.9	1	0.6	1	0.6	0	0.0	0	0.0
South Dakota	285	184	64.6	5	1.8	1	0.4	5	1.8	0	0.0

Table 2 (cont.)

CIRCUIT District	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE		DOWNWARD DEPARTURE W/ BOOKER		BELOW RANGE W/ BOOKER		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	749	9.0	320	3.8	261	3.1	441	5.3	35	0.4	933	11.2	77	0.9
Louisiana														
Eastern	16	10.8	0	0.0	2	1.4	6	4.1	1	0.7	25	16.9	0	0.0
Middle	16	18.2	6	6.8	0	0.0	0	0.0	0	0.0	17	19.3	0	0.0
Western	19	12.6	0	0.0	0	0.0	3	2.0	4	2.6	23	15.2	0	0.0
Mississippi														
Northern	21	19.4	0	0.0	1	0.9	1	0.9	0	0.0	15	13.9	0	0.0
Southern	17	13.9	0	0.0	2	1.6	1	0.8	1	0.8	16	13.1	2	1.6
Texas														
Eastern	42	10.3	3	0.7	74	18.1	3	0.7	0	0.0	11	2.7	1	0.2
Northern	124	18.6	2	0.3	17	2.5	10	1.5	2	0.3	106	15.9	2	0.3
Southern	216	6.5	246	7.4	65	2.0	313	9.5	18	0.5	381	11.5	5	0.2
Western	278	8.4	63	1.9	100	3.0	104	3.1	9	0.3	339	10.2	67	2.0
SIXTH CIRCUIT	557	21.9	11	0.4	204	8.0	33	1.3	21	0.8	480	18.8	14	0.5
Kentucky														
Eastern	40	13.7	0	0.0	22	7.5	3	1.0	1	0.3	57	19.5	1	0.3
Western	22	15.2	4	2.8	25	17.2	4	2.8	0	0.0	16	11.0	0	0.0
Michigan														
Eastern	73	15.8	1	0.2	15	3.2	3	0.6	2	0.4	130	28.1	0	0.0
Western	32	15.9	1	0.5	3	1.5	7	3.5	3	1.5	32	15.9	1	0.5
Ohio														
Northern	98	28.0	0	0.0	13	3.7	5	1.4	3	0.9	67	19.1	5	1.4
Southern	85	28.1	4	1.3	59	19.5	4	1.3	9	3.0	49	16.2	1	0.3
Tennessee														
Eastern	129	31.4	0	0.0	16	3.9	1	0.2	0	0.0	50	12.2	2	0.5
Middle	33	24.6	0	0.0	27	20.1	4	3.0	0	0.0	20	14.9	0	0.0
Western	45	18.1	1	0.4	24	9.6	2	0.8	3	1.2	59	23.7	4	1.6
SEVENTH CIRCUIT	205	13.9	7	0.5	95	6.4	42	2.8	86	5.8	382	25.9	19	1.3
Illinois														
Central	42	20.8	0	0.0	18	8.9	6	3.0	6	3.0	46	22.8	0	0.0
Northern	48	10.7	4	0.9	10	2.2	19	4.2	56	12.5	168	37.5	7	1.6
Southern	16	7.7	0	0.0	6	2.9	2	1.0	13	6.3	17	8.2	3	1.4
Indiana														
Northern	37	18.8	1	0.5	9	4.6	2	1.0	0	0.0	38	19.3	6	3.0
Southern	27	14.8	0	0.0	23	12.6	1	0.5	2	1.1	37	20.2	0	0.0
Wisconsin														
Eastern	32	19.4	0	0.0	28	17.0	2	1.2	3	1.8	52	31.5	3	1.8
Western	3	4.1	2	2.7	1	1.4	10	13.5	6	8.1	24	32.4	0	0.0
EIGHTH CIRCUIT	327	14.1	42	1.8	169	7.3	36	1.6	19	0.8	510	22.0	17	0.7
Arkansas														
Eastern	25	13.4	0	0.0	6	3.2	3	1.6	3	1.6	36	19.3	1	0.5
Western	27	16.1	1	0.6	4	2.4	1	0.6	1	0.6	27	16.1	2	1.2
Iowa														
Northern	52	31.0	0	0.0	1	0.6	1	0.6	1	0.6	19	11.3	0	0.0
Southern	28	18.4	2	1.3	22	14.5	0	0.0	0	0.0	53	34.9	1	0.7
Minnesota	22	17.2	3	2.3	6	4.7	3	2.3	2	1.6	38	29.7	1	0.8
Missouri														
Eastern	30	8.0	0	0.0	56	15.0	1	0.3	4	1.1	104	27.9	2	0.5
Western	72	17.8	0	0.0	36	8.9	2	0.5	0	0.0	97	24.0	5	1.2
Nebraska	16	5.5	27	9.2	21	7.2	11	3.8	2	0.7	63	21.6	2	0.7
North Dakota	49	31.4	6	3.8	10	6.4	2	1.3	2	1.3	16	10.3	2	1.3
South Dakota	6	2.1	3	1.1	7	2.5	12	4.2	4	1.4	57	20.0	1	0.4

Table 2 (cont.)

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE		UPWARD DEPARTURE W/ BOOKER		ABOVE RANGE W/ BOOKER		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	8,375	2,933	35.0	64	0.8	5	0.1	217	2.6	40	0.5
Alaska	81	27	33.3	0	0.0	0	0.0	0	0.0	0	0.0
Arizona	3,184	1,439	45.2	56	1.8	2	0.1	168	5.3	35	1.1
California											
Central	634	158	24.9	2	0.3	0	0.0	4	0.6	2	0.3
Eastern	441	162	36.7	0	0.0	0	0.0	4	0.9	0	0.0
Northern	325	126	38.8	1	0.3	0	0.0	5	1.5	0	0.0
Southern	2,088	359	17.2	3	0.1	2	0.1	12	0.6	2	0.1
Guam	36	21	58.3	0	0.0	0	0.0	0	0.0	0	0.0
Hawaii	149	47	31.5	0	0.0	0	0.0	1	0.7	0	0.0
Idaho	148	61	41.2	0	0.0	0	0.0	0	0.0	0	0.0
Montana	165	100	60.6	2	1.2	0	0.0	4	2.4	0	0.0
Nevada	290	152	52.4	0	0.0	0	0.0	3	1.0	0	0.0
Northern Mariana Islands	2	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0
Oregon	291	99	34.0	0	0.0	0	0.0	4	1.4	1	0.3
Washington											
Eastern	182	81	44.5	0	0.0	0	0.0	10	5.5	0	0.0
Western	359	100	27.9	0	0.0	1	0.3	2	0.6	0	0.0
TENTH CIRCUIT	3,252	1,689	51.9	11	0.3	1	0.0	27	0.8	0	0.0
Colorado	265	80	30.2	0	0.0	0	0.0	5	1.9	0	0.0
Kansas	329	140	42.6	2	0.6	0	0.0	11	3.3	0	0.0
New Mexico	1,885	1,151	61.1	4	0.2	1	0.1	4	0.2	0	0.0
Oklahoma											
Eastern	36	19	52.8	0	0.0	0	0.0	1	2.8	0	0.0
Northern	113	39	34.5	0	0.0	0	0.0	0	0.0	0	0.0
Western	190	104	54.7	0	0.0	0	0.0	3	1.6	0	0.0
Utah	283	96	33.9	3	1.1	0	0.0	2	0.7	0	0.0
Wyoming	151	60	39.7	2	1.3	0	0.0	1	0.7	0	0.0
ELEVENTH CIRCUIT	3,390	1,815	53.5	3	0.1	1	0.0	44	1.3	4	0.1
Alabama											
Middle	130	52	40.0	0	0.0	0	0.0	1	0.8	0	0.0
Northern	224	137	61.2	1	0.4	0	0.0	5	2.2	1	0.4
Southern	216	124	57.4	0	0.0	0	0.0	1	0.5	0	0.0
Florida											
Middle	710	278	39.2	1	0.1	0	0.0	3	0.4	1	0.1
Northern	183	88	48.1	0	0.0	1	0.5	2	1.1	0	0.0
Southern	1,133	650	57.4	1	0.1	0	0.0	12	1.1	2	0.2
Georgia											
Middle	244	180	73.8	0	0.0	0	0.0	3	1.2	0	0.0
Northern	286	108	37.8	0	0.0	0	0.0	6	2.1	0	0.0
Southern	264	198	75.0	0	0.0	0	0.0	11	4.2	0	0.0

Table 2 (cont.)

CIRCUIT District	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE		DOWNWARD DEPARTURE W/ BOOKER		BELOW RANGE W/ BOOKER		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	708	8.5	2,394	28.6	806	9.6	153	1.8	49	0.6	971	11.6	35	0.4
Alaska	14	17.3	0	0.0	14	17.3	1	1.2	2	2.5	23	28.4	0	0.0
Arizona	104	3.3	930	29.2	183	5.7	22	0.7	5	0.2	236	7.4	4	0.1
California														
Central	104	16.4	95	15.0	96	15.1	19	3.0	19	3.0	123	19.4	12	1.9
Eastern	71	16.1	85	19.3	48	10.9	2	0.5	4	0.9	63	14.3	2	0.5
Northern	23	7.1	22	6.8	64	19.7	3	0.9	2	0.6	79	24.3	0	0.0
Southern	167	8.0	1,185	56.8	110	5.3	85	4.1	8	0.4	138	6.6	17	0.8
Guam	7	19.4	0	0.0	1	2.8	1	2.8	0	0.0	6	16.7	0	0.0
Hawaii	49	32.9	0	0.0	4	2.7	0	0.0	1	0.7	47	31.5	0	0.0
Idaho	42	28.4	4	2.7	4	2.7	5	3.4	1	0.7	31	20.9	0	0.0
Montana	26	15.8	0	0.0	6	3.6	0	0.0	0	0.0	27	16.4	0	0.0
Nevada	33	11.4	17	5.9	31	10.7	11	3.8	0	0.0	43	14.8	0	0.0
Northern Mariana Islands	0	0.0	0	0.0	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0
Oregon	35	12.0	9	3.1	77	26.5	1	0.3	0	0.0	65	22.3	0	0.0
Washington														
Eastern	17	9.3	13	7.1	37	20.3	2	1.1	3	1.6	19	10.4	0	0.0
Western	16	4.5	34	9.5	130	36.2	1	0.3	4	1.1	71	19.8	0	0.0
TENTH CIRCUIT	231	7.1	564	17.3	249	7.7	43	1.3	25	0.8	404	12.4	8	0.2
Colorado	66	24.9	39	14.7	12	4.5	4	1.5	2	0.8	56	21.1	1	0.4
Kansas	51	15.5	6	1.8	76	23.1	5	1.5	2	0.6	36	10.9	0	0.0
New Mexico	39	2.1	435	23.1	94	5.0	24	1.3	14	0.7	115	6.1	4	0.2
Oklahoma														
Eastern	9	25.0	0	0.0	2	5.6	1	2.8	0	0.0	4	11.1	0	0.0
Northern	20	17.7	2	1.8	1	0.9	2	1.8	2	1.8	47	41.6	0	0.0
Western	19	10.0	0	0.0	0	0.0	0	0.0	0	0.0	63	33.2	1	0.5
Utah	11	3.9	75	26.5	39	13.8	4	1.4	1	0.4	51	18.0	1	0.4
Wyoming	16	10.6	7	4.6	25	16.6	3	2.0	4	2.6	32	21.2	1	0.7
ELEVENTH CIRCUIT	490	14.5	26	0.8	154	4.5	53	1.6	23	0.7	761	22.4	16	0.5
Alabama														
Middle	47	36.2	3	2.3	5	3.8	0	0.0	1	0.8	21	16.2	0	0.0
Northern	42	18.8	0	0.0	9	4.0	1	0.4	1	0.4	26	11.6	1	0.4
Southern	37	17.1	0	0.0	2	0.9	2	0.9	0	0.0	50	23.1	0	0.0
Florida														
Middle	136	19.2	11	1.5	16	2.3	13	1.8	10	1.4	234	33.0	7	1.0
Northern	47	25.7	1	0.5	0	0.0	11	6.0	2	1.1	31	16.9	0	0.0
Southern	103	9.1	9	0.8	40	3.5	16	1.4	8	0.7	285	25.2	7	0.6
Georgia														
Middle	28	11.5	1	0.4	3	1.2	2	0.8	0	0.0	26	10.7	1	0.4
Northern	21	7.3	0	0.0	73	25.5	7	2.4	1	0.3	70	24.5	0	0.0
Southern	29	11.0	1	0.4	6	2.3	1	0.4	0	0.0	18	6.8	0	0.0

¹ Of the 37,646 cases, 296 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. The information needed to determine the relationship between the sentence imposed and the guideline range was missing in five percent or more of the cases received from: Middle Tennessee (8.8%), and Eastern North Carolina (8.1%). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through March 31, 2014).

Table 3

**SENTENCES RELATIVE TO THE GUIDELINE RANGE
BY EACH PRIMARY OFFENSE CATEGORY¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**

PRIMARY OFFENSE	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURES		UPWARD DEPARTURES W/ BOOKER		ABOVE RANGE W/ BOOKER		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
TOTAL	37,350	18,155	48.6	179	0.5	60	0.2	609	1.6	67	0.2
Murder	39	21	53.8	3	7.7	0	0.0	0	0.0	0	0.0
Manslaughter	22	14	63.6	4	18.2	0	0.0	0	0.0	0	0.0
Kidnapping/Hostage Taking	19	5	26.3	0	0.0	0	0.0	0	0.0	0	0.0
Sexual Abuse	261	145	55.6	6	2.3	1	0.4	5	1.9	1	0.4
Assault	379	207	54.6	5	1.3	1	0.3	20	5.3	0	0.0
Robbery	372	190	51.1	5	1.3	4	1.1	7	1.9	1	0.3
Arson	26	12	46.2	0	0.0	2	7.7	2	7.7	0	0.0
Drugs - Trafficking	10,650	3,617	34.0	27	0.3	8	0.1	48	0.5	3	0.0
Drugs - Communication Facility	178	74	41.6	0	0.0	0	0.0	3	1.7	0	0.0
Drugs - Simple Possession	1,103	904	82.0	2	0.2	1	0.1	155	14.1	32	2.9
Firearms	4,027	2,245	55.7	33	0.8	19	0.5	117	2.9	13	0.3
Burglary/B&E	18	14	77.8	1	5.6	0	0.0	0	0.0	0	0.0
Auto Theft	51	32	62.7	0	0.0	0	0.0	1	2.0	1	2.0
Larceny	681	428	62.8	2	0.3	1	0.1	4	0.6	1	0.1
Fraud	3,730	1,679	45.0	11	0.3	4	0.1	50	1.3	4	0.1
Embezzlement	162	99	61.1	0	0.0	0	0.0	0	0.0	0	0.0
Forgery/Counterfeiting	332	198	59.6	3	0.9	0	0.0	10	3.0	2	0.6
Bribery	124	36	29.0	0	0.0	0	0.0	1	0.8	0	0.0
Tax	343	121	35.3	0	0.0	0	0.0	1	0.3	0	0.0
Money Laundering	448	132	29.5	5	1.1	0	0.0	1	0.2	0	0.0
Racketeering/Extortion	461	191	41.4	4	0.9	0	0.0	7	1.5	0	0.0
Gambling/Lottery	47	17	36.2	0	0.0	0	0.0	0	0.0	0	0.0
Civil Rights	35	10	28.6	1	2.9	0	0.0	0	0.0	0	0.0
Immigration	10,968	6,229	56.8	51	0.5	12	0.1	122	1.1	6	0.1
Child Pornography	919	283	30.8	5	0.5	3	0.3	13	1.4	0	0.0
Prison Offenses	211	144	68.2	0	0.0	1	0.5	5	2.4	1	0.5
Administration of Justice Offenses	573	321	56.0	7	1.2	2	0.3	10	1.7	2	0.3
Environmental/Wildlife	95	55	57.9	0	0.0	0	0.0	1	1.1	0	0.0
National Defense	49	16	32.7	0	0.0	0	0.0	1	2.0	0	0.0
Antitrust	12	2	16.7	0	0.0	0	0.0	2	16.7	0	0.0
Food & Drug	53	39	73.6	0	0.0	0	0.0	2	3.8	0	0.0
Other Miscellaneous Offenses	962	675	70.2	4	0.4	1	0.1	21	2.2	0	0.0

Table 3 (cont.)

PRIMARY OFFENSE	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		BELOW DOWNWARD DEPARTURE		DOWNWARD DEPARTURE W/ BOOKER		BELOW RANGE W/ BOOKER		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	4,787	12.8	3,454	9.2	2,418	6.5	958	2.6	367	1.0	6,058	16.2	238	0.6
Murder	7	17.9	0	0.0	3	7.7	0	0.0	1	2.6	4	10.3	0	0.0
Manslaughter	0	0.0	0	0.0	0	0.0	2	9.1	1	4.5	1	4.5	0	0.0
Kidnapping/Hostage Taking	10	52.6	0	0.0	3	15.8	0	0.0	0	0.0	1	5.3	0	0.0
Sexual Abuse	13	5.0	0	0.0	45	17.2	3	1.1	5	1.9	36	13.8	1	0.4
Assault	1	0.3	5	1.3	54	14.2	14	3.7	4	1.1	66	17.4	2	0.5
Robbery	49	13.2	0	0.0	33	8.9	10	2.7	6	1.6	65	17.5	2	0.5
Arson	2	7.7	0	0.0	4	15.4	0	0.0	0	0.0	4	15.4	0	0.0
Drugs - Trafficking	2,838	26.6	768	7.2	984	9.2	232	2.2	117	1.1	1,963	18.4	45	0.4
Drugs - Communication Facility	34	19.1	2	1.1	15	8.4	0	0.0	2	1.1	48	27.0	0	0.0
Drugs - Simple Possession	1	0.1	1	0.1	0	0.0	2	0.2	0	0.0	4	0.4	1	0.1
Firearms	420	10.4	10	0.2	317	7.9	77	1.9	46	1.1	704	17.5	26	0.6
Burglary/B&E	1	5.6	0	0.0	0	0.0	0	0.0	0	0.0	2	11.1	0	0.0
Auto Theft	8	15.7	0	0.0	2	3.9	0	0.0	0	0.0	7	13.7	0	0.0
Larceny	44	6.5	3	0.4	42	6.2	13	1.9	7	1.0	125	18.4	11	1.6
Fraud	718	19.2	2	0.1	238	6.4	76	2.0	56	1.5	862	23.1	30	0.8
Embezzlement	9	5.6	0	0.0	6	3.7	4	2.5	2	1.2	41	25.3	1	0.6
Forgery/Counterfeiting	37	11.1	0	0.0	13	3.9	5	1.5	5	1.5	57	17.2	2	0.6
Bribery	33	26.6	1	0.8	7	5.6	2	1.6	2	1.6	40	32.3	2	1.6
Tax	44	12.8	0	0.0	33	9.6	9	2.6	6	1.7	124	36.2	5	1.5
Money Laundering	109	24.3	3	0.7	69	15.4	11	2.5	3	0.7	112	25.0	3	0.7
Racketeering/Extortion	110	23.9	0	0.0	55	11.9	10	2.2	8	1.7	74	16.1	2	0.4
Gambling/Lottery	4	8.5	0	0.0	7	14.9	0	0.0	1	2.1	18	38.3	0	0.0
Civil Rights	5	14.3	0	0.0	6	17.1	1	2.9	3	8.6	9	25.7	0	0.0
Immigration	132	1.2	2,654	24.2	162	1.5	431	3.9	57	0.5	1,029	9.4	83	0.8
Child Pornography	33	3.6	1	0.1	170	18.5	23	2.5	21	2.3	357	38.8	10	1.1
Prison Offenses	5	2.4	1	0.5	10	4.7	6	2.8	2	0.9	35	16.6	1	0.5
Administration of Justice Offenses	40	7.0	2	0.3	56	9.8	9	1.6	3	0.5	119	20.8	2	0.3
Environmental/Wildlife	7	7.4	1	1.1	12	12.6	0	0.0	0	0.0	17	17.9	2	2.1
National Defense	16	32.7	0	0.0	5	10.2	0	0.0	1	2.0	10	20.4	0	0.0
Antitrust	5	41.7	0	0.0	0	0.0	0	0.0	1	8.3	2	16.7	0	0.0
Food & Drug	3	5.7	0	0.0	2	3.8	0	0.0	0	0.0	7	13.2	0	0.0
Other Miscellaneous Offenses	49	5.1	0	0.0	65	6.8	18	1.9	7	0.7	115	12.0	7	0.7

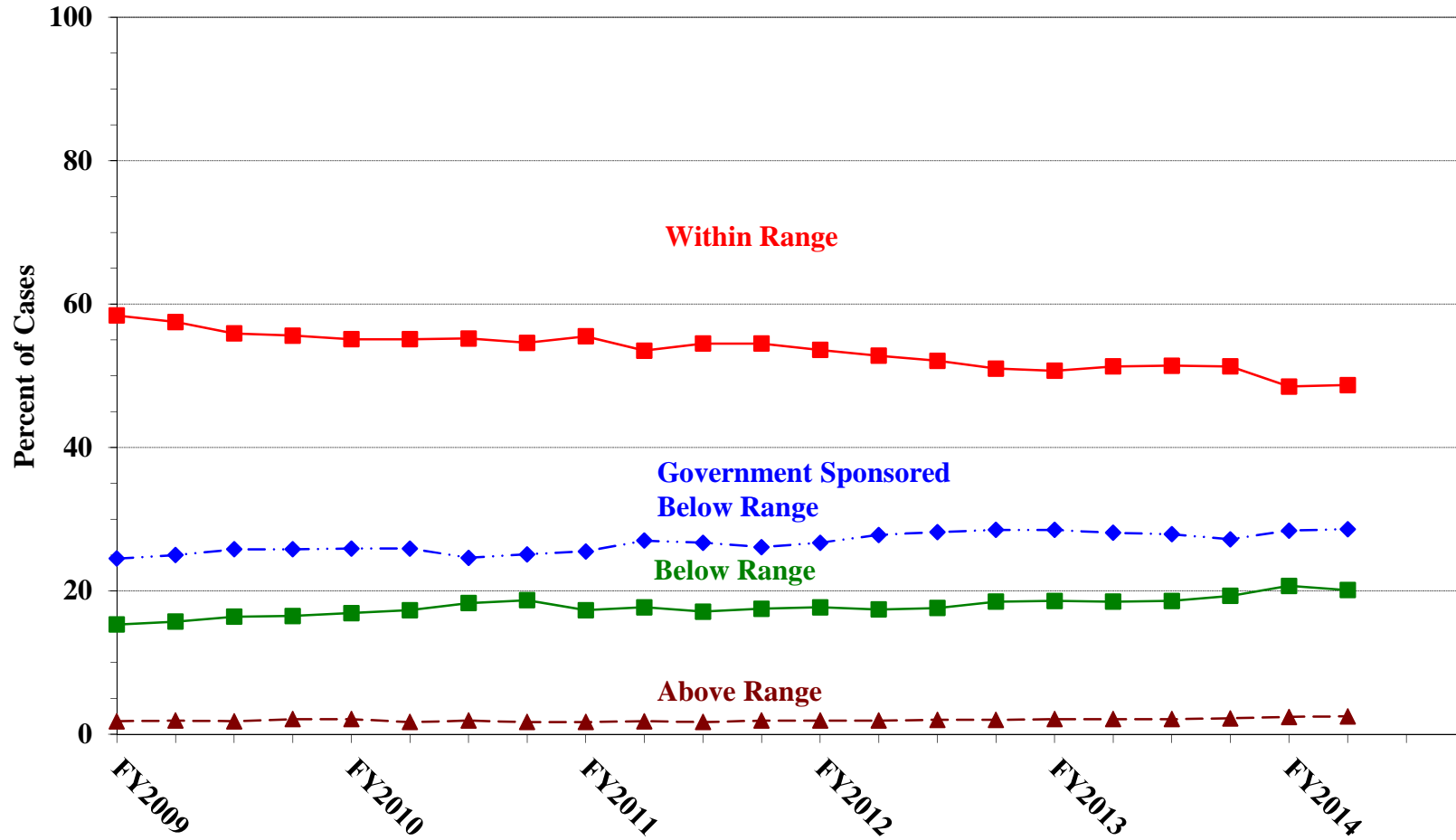
¹ Of the 37,646 cases, 296 were excluded due to information that was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through March 31, 2014).

Figure A

QUARTERLY DATA FOR WITHIN RANGE AND OUT OF RANGE SENTENCES¹

**Fiscal Years 2009 - 2013,
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**

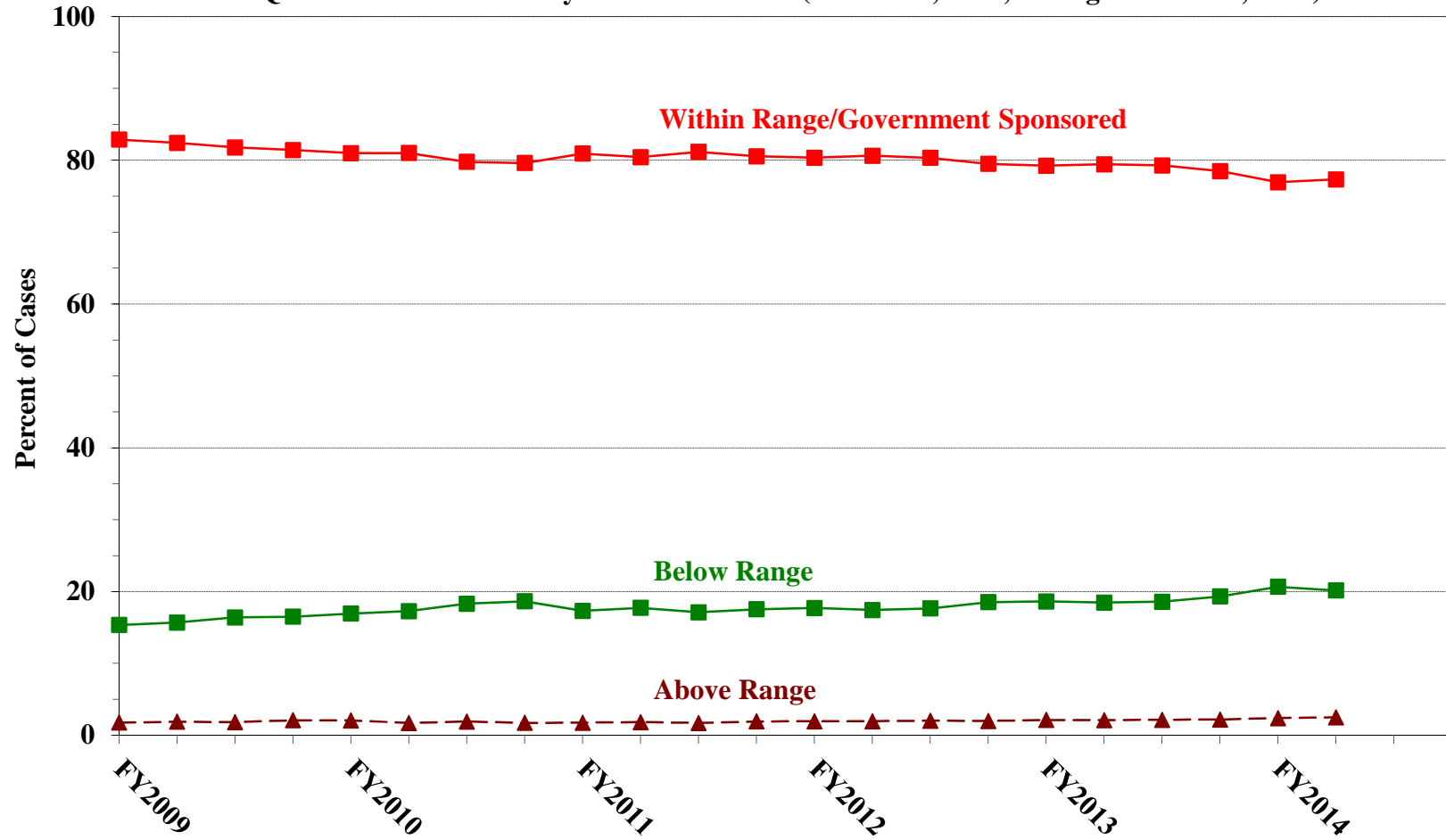


¹ Descriptions of variables used in this figure are provided in Appendix A.

Figure B

**QUARTERLY DATA FOR WITHIN RANGE/GOVERNMENT SPONSORED
AND OTHER OUT OF RANGE SENTENCES¹**

**Fiscal Years 2009 - 2013,
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**



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

Table 4

QUARTERLY DATA FOR WITHIN RANGE AND OUT OF RANGE SENTENCES¹
Fiscal Years 2009 - 2013,
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)

FISCAL YEAR	WITHIN GUIDELINE RANGE	GOVERNMENT SPONSORED BELOW RANGE	BELOW RANGE	ABOVE RANGE
Quarter	%	%	%	%
FY2009				
1st Quarter	58.4	24.5	15.3	1.8
2ndQuarter	57.5	25.0	15.7	1.9
3rd Quarter	55.9	25.8	16.4	1.8
4th Quarter	55.6	25.8	16.5	2.1
FY2010				
1st Quarter	55.1	25.9	16.9	2.1
2ndQuarter	55.1	25.9	17.3	1.7
3rd Quarter	55.2	24.6	18.3	1.9
4th Quarter	54.6	25.1	18.7	1.7
FY2011				
1st Quarter	55.5	25.5	17.3	1.7
2ndQuarter	53.5	27.0	17.7	1.8
3rd Quarter	54.5	26.7	17.1	1.7
4th Quarter	54.5	26.1	17.5	1.9
FY2012				
1st Quarter	53.6	26.7	17.7	1.9
2ndQuarter	52.8	27.8	17.4	1.9
3rd Quarter	52.1	28.2	17.6	2.0
4th Quarter	51.0	28.5	18.5	2.0
FY2013				
1st Quarter	50.7	28.5	18.6	2.1
2ndQuarter	51.3	28.1	18.5	2.1
3rd Quarter	51.4	27.9	18.6	2.1
4th Quarter	51.3	27.2	19.3	2.2
FY2014				
1st Quarter	48.5	28.4	20.7	2.4
2ndQuarter	48.7	28.6	20.1	2.5
3rd Quarter	--	--	--	--
4th Quarter	--	--	--	--

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

Table 5 (cont.)

Guideline	Total	Within Guideline Range	Upward				Government Sponsored			Downward		Below Range	
			Gdline Only	with Booker	Above Range with Booker	All Others	\$5K1.1	\$5K3.1	Other Gov't	Gdline Only	with Booker	with Booker	All Others
§2N1.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2N2.1	29	29	0	0	0	0	0	0	0	0	0	0	0
§2N3.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2P1.1	105	67	0	1	3	1	4	0	3	5	1	20	0
§2P1.2	77	57	0	0	0	0	0	0	5	1	0	13	1
§2P1.3	2	2	0	0	0	0	0	0	0	0	0	0	0
§2P1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.2	25	10	0	0	0	0	2	0	4	0	0	8	1
§2Q1.3	17	6	0	0	0	0	2	0	2	0	1	5	1
§2Q1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.5	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.6	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q2.1	65	37	0	0	1	0	4	0	10	0	0	12	1
§2Q2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2R1.1	7	2	0	0	2	0	1	0	0	0	0	2	0
§2S1.1	635	162	2	1	2	0	183	2	104	16	7	154	2
§2S1.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2S1.3	149	62	3	0	2	0	17	1	26	5	0	31	2
§2S1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.1	292	101	1	0	1	0	40	0	27	7	7	106	2
§2T1.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.4	91	32	1	0	0	0	17	0	7	3	2	29	0
§2T1.5	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.6	17	3	0	0	0	0	0	0	2	0	0	10	2
§2T1.7	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.8	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.9	15	4	0	0	0	0	8	0	0	1	0	1	1
§2T2.1	2	1	0	0	0	0	0	0	0	0	0	1	0
§2T2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T3.1	7	4	0	0	0	0	1	0	2	0	0	0	0
§2T3.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T4.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X1.1	15	8	1	0	0	0	1	0	4	0	0	1	0
§2X2.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X3.1	44	13	0	0	0	0	11	0	6	4	1	9	0
§2X4.1	164	84	6	0	0	0	23	1	18	3	1	27	1
§2X5.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X5.2	99	93	1	0	0	0	0	0	1	1	0	1	2
§2X6.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X7.1	1	0	0	0	0	0	0	1	0	0	0	0	0
§2X7.2	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	34,303	15,720	170	54	424	30	4,760	3,248	2,370	945	364	5,997	221

¹ Of the 37,646 cases, 3,343 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 (296) or missing guideline applied (3,330). Descriptions of variables used in this table are provided in Appendix A.

² In 520 cases, the defendant was convicted of one or more counts of violating 18 U.S.C. § 1028A. By statute, the punishment for this crime must be served consecutively to any other punishment; therefore, in these 520 cases the conviction for this crime did not affect the guideline calculation for the underlying offense.

³ In 1,120 cases, the defendant was convicted of one or more counts of violating 18 U.S.C. § 924(c). By statute, the punishment for this crime must be served consecutively to any other punishment; therefore, in these 1,120 cases the conviction for this crime did not affect the guideline calculation for the underlying offense.

ATTRIBUTION CATEGORY FOR CASES OUTSIDE OF THE GUIDELINE RANGE¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)

	Pursuant to a Plea Agreement										
	TOTAL CASES	§5K1.1 Plea Agreement		§5K3.1 Plea Agreement		Binding Plea Accepted by Court		Plea w/ Departure Court Finds Reasonable		Plea Agreement States Gov't Will Not Oppose	
		N	%	N	%	N	%	N	%	N	%
TOTAL	19,195	2,986	15.6	3,254	17.0	1,804	9.4	1,283	6.7	194	1.0
Above Range	915	4	0.4	4	0.4	144	15.7	65	7.1	0	0.0
Upward Departure From Guideline Range	179	0	0.0	1	0.6	61	34.1	32	17.9	0	0.0
Upward Departure With <i>Booker</i> /18 U.S.C. § 3553	60	2	3.3	0	0.0	7	11.7	5	8.3	0	0.0
Above Guideline Range With <i>Booker</i> /18 U.S.C. § 3553	609	0	0.0	0	0.0	71	11.7	24	3.9	0	0.0
All Remaining Cases Above Guideline Range	67	2	3.0	3	4.5	5	7.5	4	6.0	0	0.0
Government Sponsored Below Range	10,659	2,982	28.0	3,250	30.5	1,660	15.6	1,218	11.4	194	1.8
§5K1.1 Substantial Assistance Departure	4,787	2,982	62.3	91	1.9	112	2.3	133	2.8	21	0.4
§5K3.1 Early Disposition Program Departure	3,454	0	0.0	3,159	91.5	641	18.6	334	9.7	19	0.6
Other Government Sponsored Below Range	2,418	0	0.0	0	0.0	907	37.5	751	31.1	154	6.4
Non-Government Sponsored Below Range	7,621	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Downward Departure From Guideline Range	958	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Downward Departure With <i>Booker</i> /18 U.S.C. § 3553	367	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Below Guideline Range With <i>Booker</i> /18 U.S.C. § 3553	6,058	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
All Remaining Cases Below Guideline Range	238	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

Table 6 (cont.)

	Pursuant to a Motion Not in a Plea Agreement													
	§5K1.1 Government Motion		§5K3.1 Government Motion		Other Government Motion		Defense Motion/ Government Did Not Object		Defense Motion/ Government Did Object		Other than a Plea/Motion by Parties		No Information Available	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	1,709	8.9	81	0.4	995	5.2	2,929	15.3	2,625	13.7	2,942	15.3	2,036	10.6
Above Range	4	0.4	0	0.0	98	10.7	6	0.7	3	0.3	336	36.7	304	33.2
Upward Departure From Guideline Range	0	0.0	0	0.0	28	15.6	1	0.6	0	0.0	55	30.7	21	11.7
Upward Departure With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	14	23.3	0	0.0	2	3.3	39	65.0	5	8.3
Above Guideline Range With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	55	9.0	5	0.8	1	0.2	240	39.4	222	36.5
All Remaining Cases Above Guideline Range	4	6.0	0	0.0	1	1.5	0	0.0	0	0.0	2	3.0	56	83.6
Government Sponsored Below Range	1,705	16.0	81	0.8	897	8.4	749	7.0	528	5.0	484	4.5	253	2.4
§5K1.1 Substantial Assistance Departure	1,705	35.6	2	0.0	203	4.2	362	7.6	208	4.3	278	5.8	77	1.6
§5K3.1 Early Disposition Program Departure	0	0.0	79	2.3	68	2.0	133	3.9	209	6.1	98	2.8	110	3.2
Other Government Sponsored Below Range	0	0.0	0	0.0	626	25.9	254	10.5	111	4.6	108	4.5	66	2.7
Non-Government Sponsored Below Range	0	0.0	0	0.0	0	0.0	2,174	28.5	2,094	27.5	2,122	27.8	1,479	19.4
Downward Departure From Guideline Range	0	0.0	0	0.0	0	0.0	447	46.7	148	15.4	260	27.1	132	13.8
Downward Departure With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	0	0.0	112	30.5	122	33.2	125	34.1	60	16.3
Below Guideline Range With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	0	0.0	1,615	26.7	1,822	30.1	1,732	28.6	1,056	17.4
All Remaining Cases Below Guideline Range	0	0.0	0	0.0	0	0.0	0	0.0	2	0.8	5	2.1	231	97.1

¹ Multiple attributions may be made on the SOR. Therefore, the numbers reported in this table may exceed the number of total cases. For example, among SORs with an attribution, 3,124 cases indicated more than one attribution. Note that only outside of the range cases are included in this table. Descriptions of variables used in this table are provided in Appendix A.

**§5K1.1 SUBSTANTIAL ASSISTANCE DEPARTURE CASES: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	4,583	36	33	50.0
Murder	5	156	160	44.4
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	10	42	63	68.2
Sexual Abuse	13	72	51	33.3
Assault	1	--	--	--
Robbery	48	44	22	34.5
Arson	2	--	--	--
Drugs - Trafficking	2,717	48	44	47.8
Drugs - Communication Facility	33	15	19	59.2
Drugs - Simple Possession	1	--	--	--
Firearms	398	60	40	44.3
Burglary/B&E	1	--	--	--
Auto Theft	8	17	22	61.1
Larceny	42	11	12	59.0
Fraud	693	8	21	74.3
Embezzlement	7	12	6	29.2
Forgery/Counterfeiting	36	5	8	64.0
Bribery	33	12	24	61.9
Tax	43	0	17	100.0
Money Laundering	107	8	25	82.8
Racketeering/Extortion	103	42	36	42.7
Gambling/Lottery	3	0	7	100.0
Civil Rights	4	30	30	56.8
Immigration	128	12	12	49.6
Child Pornography	33	120	75	33.3
Prison Offenses	5	12	6	27.8
Administration of Justice Offenses	40	1	12	96.5
Environmental/Wildlife	6	2	11	86.5
National Defense	14	29	22	41.3
Antitrust	1	--	--	--
Food & Drug	3	0	23	100.0
Other Miscellaneous Offenses	45	15	17	50.0

¹ Of the 37,646 cases, 4,787 received a §5K1.1 substantial assistance departure. Of these, 4,626 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, an additional 41 cases were also excluded from this table. Of the remaining 4,585 cases, two were excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through March 31, 2014).

**§5K3.1 EARLY DISPOSITION PROGRAM DEPARTURE CASES: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	3,146	14	8	40.0
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	0	--	--	--
Assault	5	24	3	13.0
Robbery	0	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	699	24	21	47.1
Drugs - Communication Facility	2	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	10	34	13	34.2
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	2	--	--	--
Fraud	2	--	--	--
Embezzlement	0	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	1	--	--	--
Tax	0	--	--	--
Money Laundering	3	24	10	50.0
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	2,418	12	7	37.5
Child Pornography	1	--	--	--
Prison Offenses	0	--	--	--
Administration of Justice Offenses	2	--	--	--
Environmental/Wildlife	1	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	0	--	--	--

¹ Of the 37,646 cases, 3,454 received a §5K3.1 early disposition program departure. Of these, 3,147 cases had complete guideline application information. Of these, one was excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through March 31, 2014).

**OTHER GOVERNMENT SPONSORED BELOW RANGE CASES: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹**
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	2,312	37	22	40.6
Murder	2	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	3	168	120	35.9
Sexual Abuse	40	120	55	36.2
Assault	50	20	13	47.3
Robbery	33	60	34	28.6
Arson	4	37	22	55.3
Drugs - Trafficking	952	60	30	35.3
Drugs - Communication Facility	15	0	24	100.0
Drugs - Simple Possession	0	--	--	--
Firearms	304	55	18	30.2
Burglary/B&E	0	--	--	--
Auto Theft	2	--	--	--
Larceny	38	0	10	100.0
Fraud	227	12	15	71.4
Embezzlement	5	0	6	100.0
Forgery/Counterfeiting	12	11	6	38.2
Bribery	5	8	12	35.1
Tax	32	0	12	100.0
Money Laundering	67	18	17	58.6
Racketeering/Extortion	52	48	22	38.8
Gambling/Lottery	7	0	6	100.0
Civil Rights	5	0	12	100.0
Immigration	153	15	12	42.1
Child Pornography	166	72	55	44.4
Prison Offenses	8	9	7	50.0
Administration of Justice Offenses	55	5	12	77.0
Environmental/Wildlife	10	0	11	100.0
National Defense	5	27	10	21.7
Antitrust	0	--	--	--
Food & Drug	2	--	--	--
Other Miscellaneous Offenses	58	0	12	99.8

¹ Of the 37,646 cases, 2,418 received an other government sponsored downward departure. Of these, 2,328 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, an additional 15 cases were also excluded from this table. Of the remaining 2,313 cases, one was excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**DOWNWARD DEPARTURES FROM GUIDELINE RANGE: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹**
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	930	24	13	35.1
Murder	0	--	--	--
Manslaughter	2	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	2	--	--	--
Assault	12	24	10	34.2
Robbery	10	27	11	21.8
Arson	0	--	--	--
Drugs - Trafficking	227	40	17	33.3
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	1	--	--	--
Firearms	74	41	10	19.9
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	13	0	10	100.0
Fraud	75	15	12	49.9
Embezzlement	4	18	14	43.4
Forgery/Counterfeiting	5	12	4	33.3
Bribery	2	--	--	--
Tax	9	12	6	33.2
Money Laundering	10	4	11	84.2
Racketeering/Extortion	10	41	18	33.7
Gambling/Lottery	0	--	--	--
Civil Rights	1	--	--	--
Immigration	421	21	13	39.1
Child Pornography	22	71	38	37.3
Prison Offenses	6	10	5	40.0
Administration of Justice Offenses	9	0	12	98.3
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	15	2	8	80.0

¹ Of the 37,646 cases, 958 received a downward departure from the guideline range. Of these, 933 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, an additional two cases were also excluded from this table. Of the remaining 931 cases, one was excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**DOWNWARD DEPARTURES WITH *BOOKER* /18 U.S.C. § 3553: DEGREE
OF DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	349	30	20	40.5
Murder	1	--	--	--
Manslaughter	1	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	5	100	21	20.0
Assault	2	--	--	--
Robbery	6	51	21	30.7
Arson	0	--	--	--
Drugs - Trafficking	108	60	28	34.8
Drugs - Communication Facility	2	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	44	39	16	34.5
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	7	12	6	33.2
Fraud	54	13	18	49.2
Embezzlement	1	--	--	--
Forgery/Counterfeiting	5	12	12	50.0
Bribery	2	--	--	--
Tax	6	0	18	100.0
Money Laundering	3	48	22	47.8
Racketeering/Extortion	8	29	25	37.3
Gambling/Lottery	1	--	--	--
Civil Rights	3	0	16	100.0
Immigration	56	22	18	47.8
Child Pornography	21	84	48	35.8
Prison Offenses	1	--	--	--
Administration of Justice Offenses	3	12	6	33.2
Environmental/Wildlife	0	--	--	--
National Defense	1	--	--	--
Antitrust	1	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	7	6	10	50.0

¹ Of the 37,646 cases, 367 received a downward departure from the guideline range with *Booker*/18 U.S.C. § 3553. Of these, 349 cases had complete guideline application information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through March 31, 2014).

**BELOW GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE
OF DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	5,844	24	15	36.8
Murder	4	78	20	21.1
Manslaughter	1	--	--	--
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	33	51	27	40.0
Assault	61	12	11	45.5
Robbery	64	43	15	21.0
Arson	4	30	10	19.7
Drugs - Trafficking	1,888	48	20	31.0
Drugs - Communication Facility	47	12	15	69.9
Drugs - Simple Possession	1	--	--	--
Firearms	692	36	13	26.1
Burglary/B&E	2	--	--	--
Auto Theft	7	18	21	59.5
Larceny	122	0	10	100.0
Fraud	836	12	12	50.9
Embezzlement	38	0	10	99.6
Forgery/Counterfeiting	55	8	9	54.0
Bribery	39	4	18	76.4
Tax	122	0	12	100.0
Money Laundering	105	14	18	59.7
Racketeering/Extortion	72	29	16	27.5
Gambling/Lottery	18	0	10	100.0
Civil Rights	8	12	12	59.0
Immigration	982	18	10	34.8
Child Pornography	353	72	49	40.0
Prison Offenses	32	8	6	45.4
Administration of Justice Offenses	113	7	10	54.5
Environmental/Wildlife	17	4	7	73.8
National Defense	9	33	22	34.8
Antitrust	2	--	--	--
Food & Drug	7	0	25	100.0
Other Miscellaneous Offenses	109	3	12	83.3

¹ Of the 37,646 cases, 6,058 were sentenced below the guideline range with *Booker*/ 18 U.S.C § 3553. Of these, 5,868 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, an additional 17 cases were also excluded from this table. Of the remaining 5,851 cases, seven were excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through March 31, 2014).

**ALL REMAINING BELOW GUIDELINE RANGE CASES: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	205	5	6	60.9
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	1	--	--	--
Assault	2	--	--	--
Robbery	2	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	36	50	15	36.1
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	1	--	--	--
Firearms	23	60	18	25.9
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	10	0	6	100.0
Fraud	26	3	8	81.5
Embezzlement	0	--	--	--
Forgery/Counterfeiting	2	--	--	--
Bribery	2	--	--	--
Tax	5	6	12	50.0
Money Laundering	3	3	3	44.5
Racketeering/Extortion	1	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	72	0	2	100.0
Child Pornography	9	120	60	25.0
Prison Offenses	1	--	--	--
Administration of Justice Offenses	2	--	--	--
Environmental/Wildlife	1	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	6	0	7	100.0

¹ Of the 37,646 cases, 238 were otherwise sentenced below the guideline range. Of these, 205 cases had complete guideline application information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through March 31, 2014).

**UPWARD DEPARTURES FROM GUIDELINE RANGE: DEGREE OF
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹**
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	164	48	13	33.3
Murder	3	384	122	46.6
Manslaughter	4	84	38	59.3
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	6	126	33	33.3
Assault	5	90	27	46.3
Robbery	5	96	18	23.1
Arson	0	--	--	--
Drugs - Trafficking	25	40	9	24.0
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	2	--	--	--
Firearms	23	102	21	24.6
Burglary/B&E	1	--	--	--
Auto Theft	0	--	--	--
Larceny	2	--	--	--
Fraud	10	48	10	40.4
Embezzlement	0	--	--	--
Forgery/Counterfeiting	3	60	19	46.3
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	5	33	10	33.3
Racketeering/Extortion	4	119	21	27.8
Gambling/Lottery	0	--	--	--
Civil Rights	1	--	--	--
Immigration	49	28	6	33.3
Child Pornography	5	120	49	69.0
Prison Offenses	0	--	--	--
Administration of Justice Offenses	7	36	7	33.3
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	4	13	4	25.0

¹ Of the 37,646 cases, 179 received an upward departure from the guideline range. Of these, 166 cases had complete guideline application information. Furthermore, two cases were excluded due to several logical criteria. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through March 31, 2014).

**UPWARD DEPARTURES WITH *BOOKER*/18 U.S.C. § 3553: DEGREE OF
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	53	72	18	50.0
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	1	--	--	--
Assault	1	--	--	--
Robbery	4	198	57	53.5
Arson	2	--	--	--
Drugs - Trafficking	7	96	23	50.0
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	1	--	--	--
Firearms	15	72	18	35.2
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	1	--	--	--
Fraud	4	54	20	51.9
Embezzlement	0	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	10	27	10	73.9
Child Pornography	3	144	24	19.2
Prison Offenses	1	--	--	--
Administration of Justice Offenses	2	--	--	--
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	1	--	--	--

¹ Of the 37,646 cases, 60 received an upward departure from the guideline range with *Booker*/18 U.S.C § 3553. Of these, 54 cases had complete guideline application information. Furthermore, one case was excluded due to several logical criteria. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through March 31, 2014).

**ABOVE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE
OF INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	410	60	14	46.1
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	5	90	19	27.7
Assault	16	60	27	67.2
Robbery	7	142	31	42.9
Arson	2	--	--	--
Drugs - Trafficking	44	90	21	34.3
Drugs - Communication Facility	2	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	91	72	19	33.3
Burglary/B&E	0	--	--	--
Auto Theft	1	--	--	--
Larceny	4	18	5	38.8
Fraud	48	51	13	44.6
Embezzlement	0	--	--	--
Forgery/Counterfeiting	8	38	11	50.0
Bribery	1	--	--	--
Tax	1	--	--	--
Money Laundering	1	--	--	--
Racketeering/Extortion	6	210	50	33.3
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	118	27	8	50.0
Child Pornography	13	240	60	27.7
Prison Offenses	5	60	28	71.4
Administration of Justice Offenses	10	48	21	62.2
Environmental/Wildlife	1	--	--	--
National Defense	1	--	--	--
Antitrust	2	--	--	--
Food & Drug	2	--	--	--
Other Miscellaneous Offenses	21	60	19	52.4

¹ Of the 37,646 cases, 609 were sentenced above the guideline range with *Booker*/18 U.S.C § 3553. Of these, 416 cases had complete guideline application information. Furthermore, six cases were excluded due to several logical criteria. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**ALL REMAINING ABOVE GUIDELINE RANGE CASES: DEGREE OF
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	18	81	18	31.9
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	1	--	--	--
Assault	0	--	--	--
Robbery	1	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	3	60	14	30.4
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	8	96	24	32.9
Burglary/B&E	0	--	--	--
Auto Theft	1	--	--	--
Larceny	0	--	--	--
Fraud	2	--	--	--
Embezzlement	0	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	2	--	--	--
Child Pornography	0	--	--	--
Prison Offenses	0	--	--	--
Administration of Justice Offenses	0	--	--	--
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	0	--	--	--

¹ Of the 37,646 cases, 67 were otherwise sentenced above the guideline range. Of these, 27 cases had complete guideline application information. Furthermore, nine cases were excluded due to several logical criteria. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through March 31, 2014).

OFFENDERS RECEIVING SENTENCING OPTIONS IN EACH PRIMARY OFFENSE CATEGORY¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)

PRIMARY OFFENSE	TOTAL	TOTAL RECEIVING IMPRISONMENT		Prison Only		Prison/Community Split Sentence ²		TOTAL RECEIVING PROBATION		Probation and Confinement		Probation Only	
		N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	37,367	33,719	90.2	32,618	87.3	1,101	2.9	3,648	9.8	1,043	2.8	2,605	7.0
Murder	39	39	100.0	38	97.4	1	2.6	0	0.0	0	0.0	0	0.0
Manslaughter	22	22	100.0	20	90.9	2	9.1	0	0.0	0	0.0	0	0.0
Kidnapping/Hostage Taking	19	19	100.0	16	84.2	3	15.8	0	0.0	0	0.0	0	0.0
Sexual Abuse	261	255	97.7	246	94.3	9	3.4	6	2.3	3	1.1	3	1.1
Assault	389	336	86.4	307	78.9	29	7.5	53	13.6	15	3.9	38	9.8
Robbery	374	368	98.4	362	96.8	6	1.6	6	1.6	4	1.1	2	0.5
Arson	26	23	88.5	23	88.5	0	0.0	3	11.5	1	3.8	2	7.7
Drugs - Trafficking	10,654	10,217	95.9	9,885	92.8	332	3.1	437	4.1	132	1.2	305	2.9
Drugs - Communication Facility	179	145	81.0	139	77.7	6	3.4	34	19.0	13	7.3	21	11.7
Drugs - Simple Possession	1,131	1,038	91.8	1,036	91.6	2	0.2	93	8.2	5	0.4	88	7.8
Firearms	4,026	3,813	94.7	3,712	92.2	101	2.5	213	5.3	85	2.1	128	3.2
Burglary/B&E	18	18	100.0	17	94.4	1	5.6	0	0.0	0	0.0	0	0.0
Auto Theft	51	48	94.1	48	94.1	0	0.0	3	5.9	3	5.9	0	0.0
Larceny	665	314	47.2	274	41.2	40	6.0	351	52.8	91	13.7	260	39.1
Fraud	3,778	2,944	77.9	2,728	72.2	216	5.7	834	22.1	317	8.4	517	13.7
Embezzlement	159	87	54.7	69	43.4	18	11.3	72	45.3	19	11.9	53	33.3
Forgery/Counterfeiting	333	267	80.2	241	72.4	26	7.8	66	19.8	30	9.0	36	10.8
Bribery	123	89	72.4	79	64.2	10	8.1	34	27.6	14	11.4	20	16.3
Tax	343	193	56.3	165	48.1	28	8.2	150	43.7	59	17.2	91	26.5
Money Laundering	448	341	76.1	312	69.6	29	6.5	107	23.9	29	6.5	78	17.4
Racketeering/Extortion	460	442	96.1	431	93.7	11	2.4	18	3.9	6	1.3	12	2.6
Gambling/Lottery	46	18	39.1	15	32.6	3	6.5	28	60.9	11	23.9	17	37.0
Civil Rights	35	24	68.6	23	65.7	1	2.9	11	31.4	6	17.1	5	14.3
Immigration	11,012	10,556	95.9	10,446	94.9	110	1.0	456	4.1	75	0.7	381	3.5
Child Pornography	922	917	99.5	896	97.2	21	2.3	5	0.5	2	0.2	3	0.3
Prison Offenses	215	203	94.4	188	87.4	15	7.0	12	5.6	2	0.9	10	4.7
Administration of Justice Offenses	574	441	76.8	406	70.7	35	6.1	133	23.2	33	5.7	100	17.4
Environmental/Wildlife	106	36	34.0	26	24.5	10	9.4	70	66.0	4	3.8	66	62.3
National Defense	49	49	100.0	49	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Antitrust	12	10	83.3	10	83.3	0	0.0	2	16.7	2	16.7	0	0.0
Food & Drug	56	12	21.4	10	17.9	2	3.6	44	78.6	9	16.1	35	62.5
Other Miscellaneous Offenses	842	435	51.7	401	47.6	34	4.0	407	48.3	73	8.7	334	39.7

¹ Of the 37,646 cases, 279 were excluded due to one of the following reasons: the offender received neither imprisonment nor probation (278), or missing sentencing information (1). Descriptions of variables used in this table are provided in Appendix A.

² Prison/Community Split Sentence includes all cases in which offenders received prison and conditions of confinement as described in USSG §5C1.1.

Table 19

SENTENCE LENGTH IN EACH PRIMARY OFFENSE CATEGORY¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)

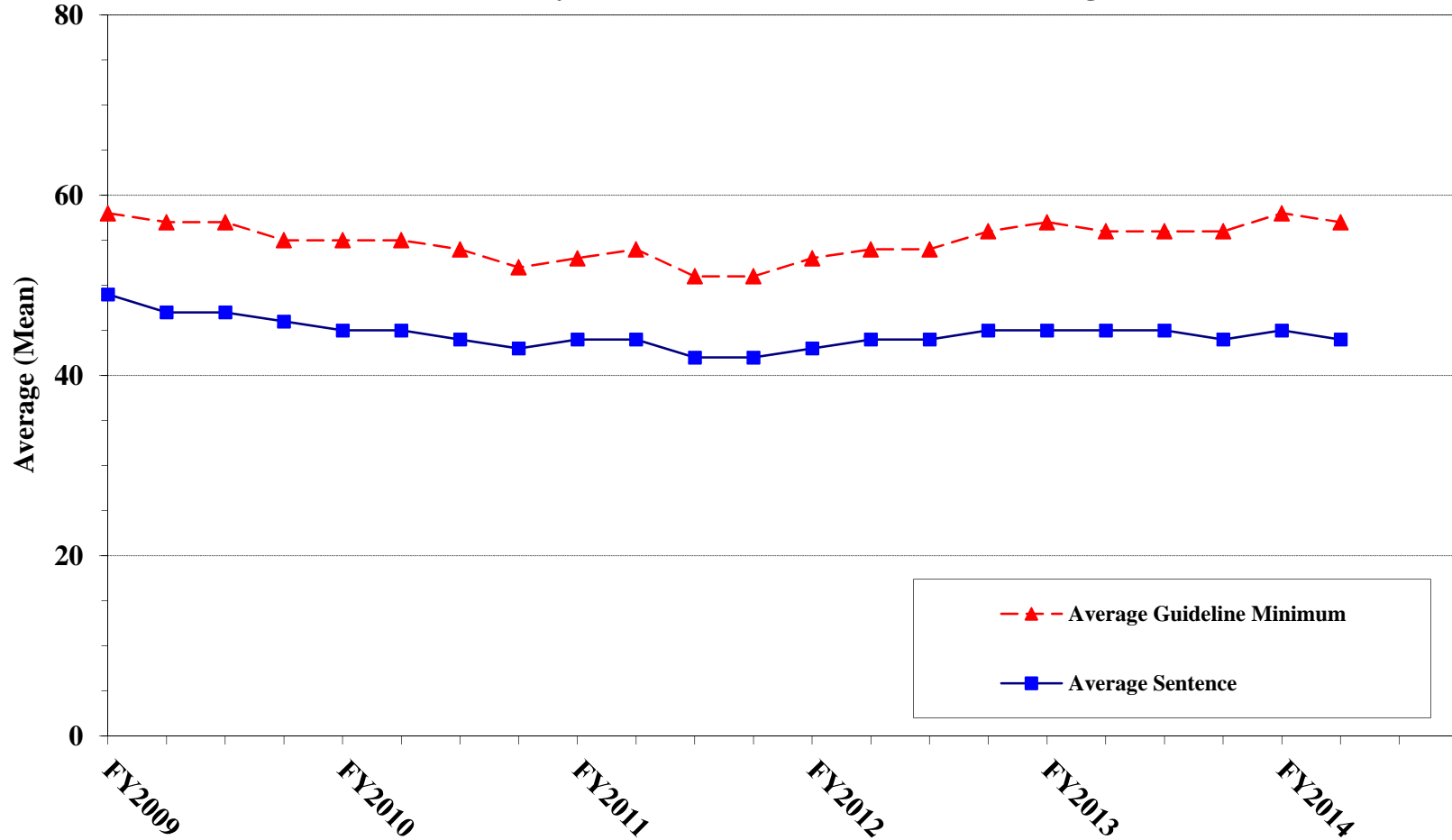
PRIMARY OFFENSE	Mean Months	Median Months	N
TOTAL	45	24	37,646
Murder	284	262	39
Manslaughter	49	35	22
Kidnapping/Hostage Taking	147	112	19
Sexual Abuse	127	120	261
Assault	31	18	393
Robbery	79	60	374
Arson	70	60	26
Drugs - Trafficking	70	56	10,654
Drugs - Communication Facility	30	24	179
Drugs - Simple Possession	5	6	1,144
Firearms	79	57	4,029
Burglary/B&E	31	23	18
Auto Theft	63	42	51
Larceny	10	3	702
Fraud	27	15	3,792
Embezzlement	10	6	163
Forgery/Counterfeiting	18	12	335
Bribery	19	15	124
Tax	13	10	344
Money Laundering	31	20	448
Racketeering/Extortion	95	60	461
Gambling/Lottery	5	6	47
Civil Rights	41	14	35
Immigration	16	10	11,021
Child Pornography	133	97	922
Prison Offenses	14	10	215
Administration of Justice Offenses	18	13	576
Environmental/Wildlife	3	0	109
National Defense	55	36	49
Antitrust	25	16	12
Food & Drug	11	0	59
Other Miscellaneous Offenses	17	0	1,023

¹ Sentences of probation only are included in this table as zero months of imprisonment. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

Figure C

**AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM
QUARTERLY DATA FOR ALL CASES¹**

**Fiscal Years 2009 - 2013,
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**

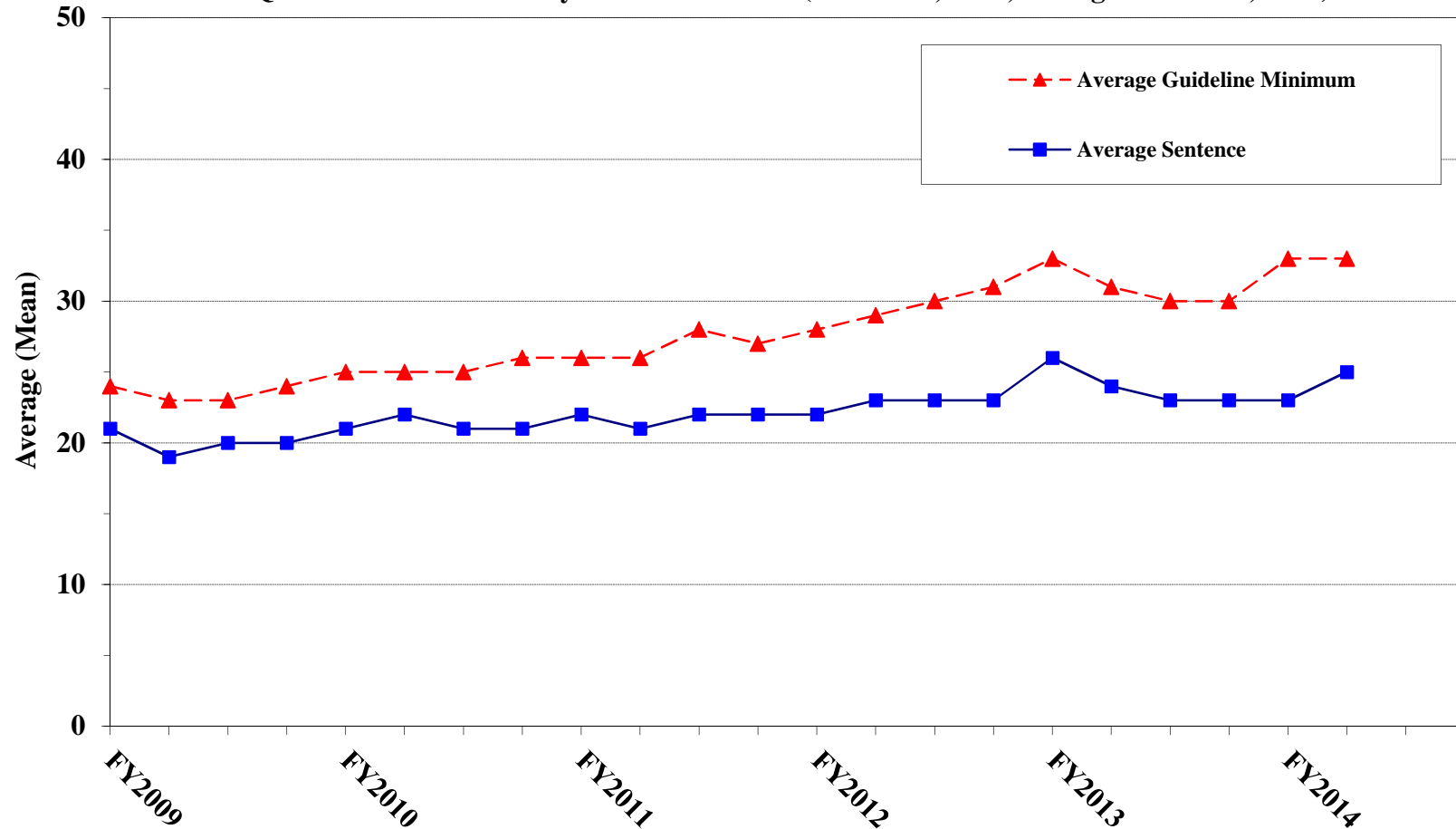


¹ Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure D

AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM QUARTERLY DATA FOR §2B1.1 OFFENDERS (THEFT, PROPERTY DESTRUCTION, AND FRAUD)¹

**Fiscal Years 2009 - 2013,
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**

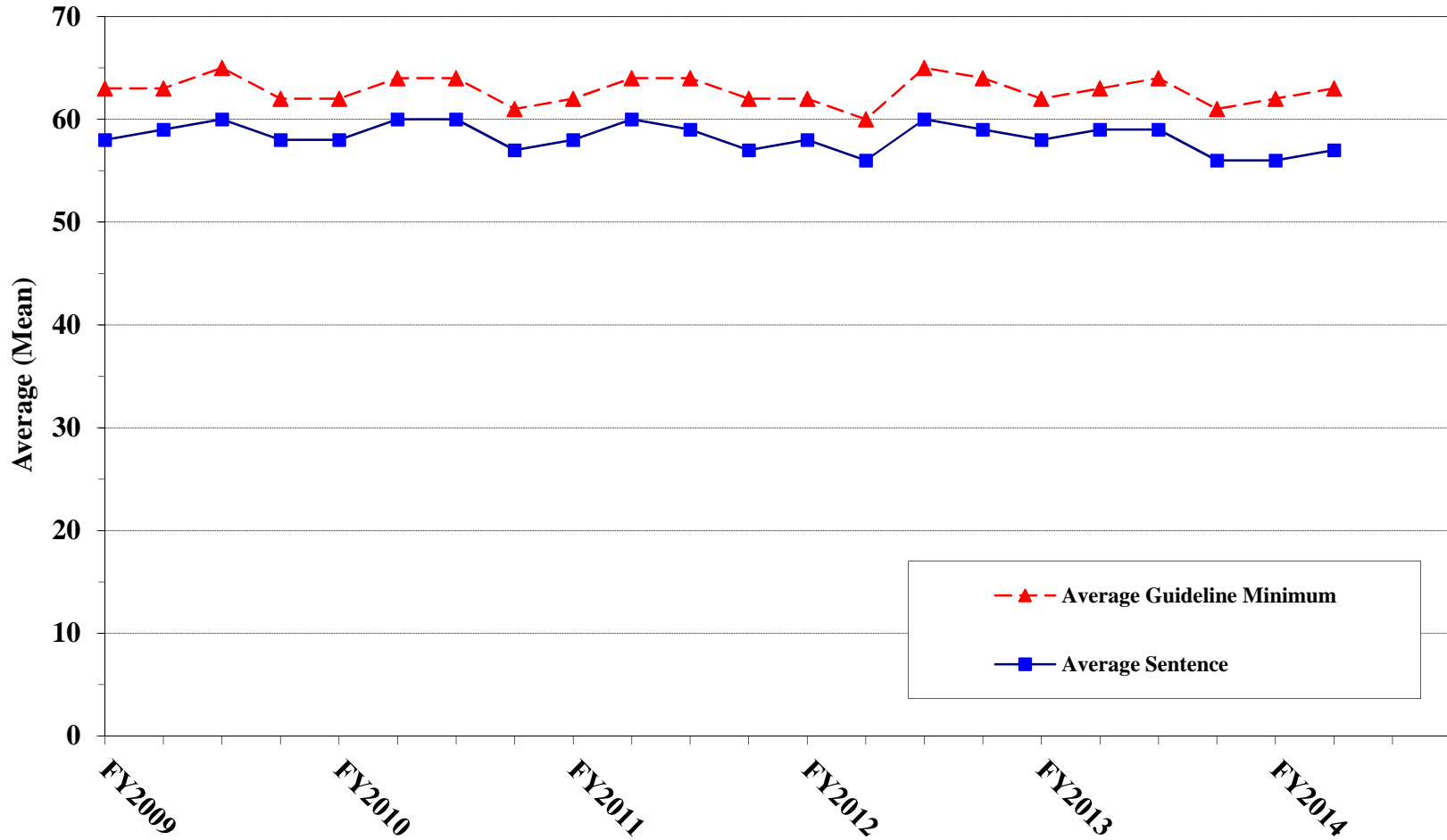


¹ Figure includes only cases with a primary sentencing guideline of USSG §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit Bearer Obligation of the United States). Additionally, cases with an amendment year prior to 2001 were excluded from this figure because prior to this time fraud cases were reported separately as USSG §2F1.1. Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure E

AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM QUARTERLY DATA FOR §2K2.1 OFFENDERS (UNLAWFUL POSSESSION OF OR TRANSACTION IN FIREARMS)¹

**Fiscal Years 2009 - 2013,
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**

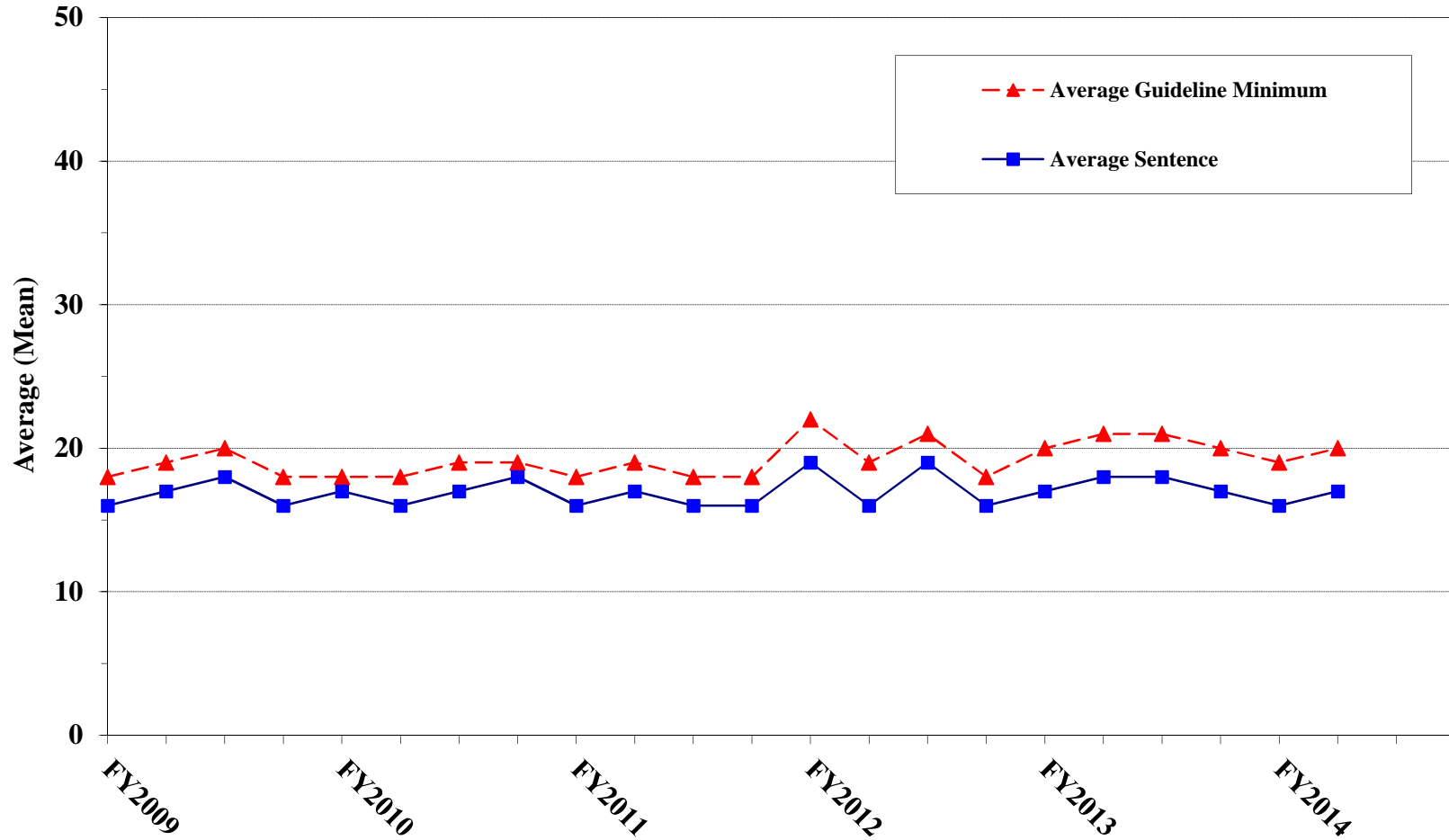


¹ Figure includes only cases with a primary sentencing guideline of USSG §2K2.1 (Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition; Prohibited Transactions Involving Firearms or Ammunition). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure F

**AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM
QUARTERLY DATA FOR §2L1.1 OFFENDERS (ALIEN SMUGGLING)¹**

**Fiscal Years 2009 - 2013,
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**

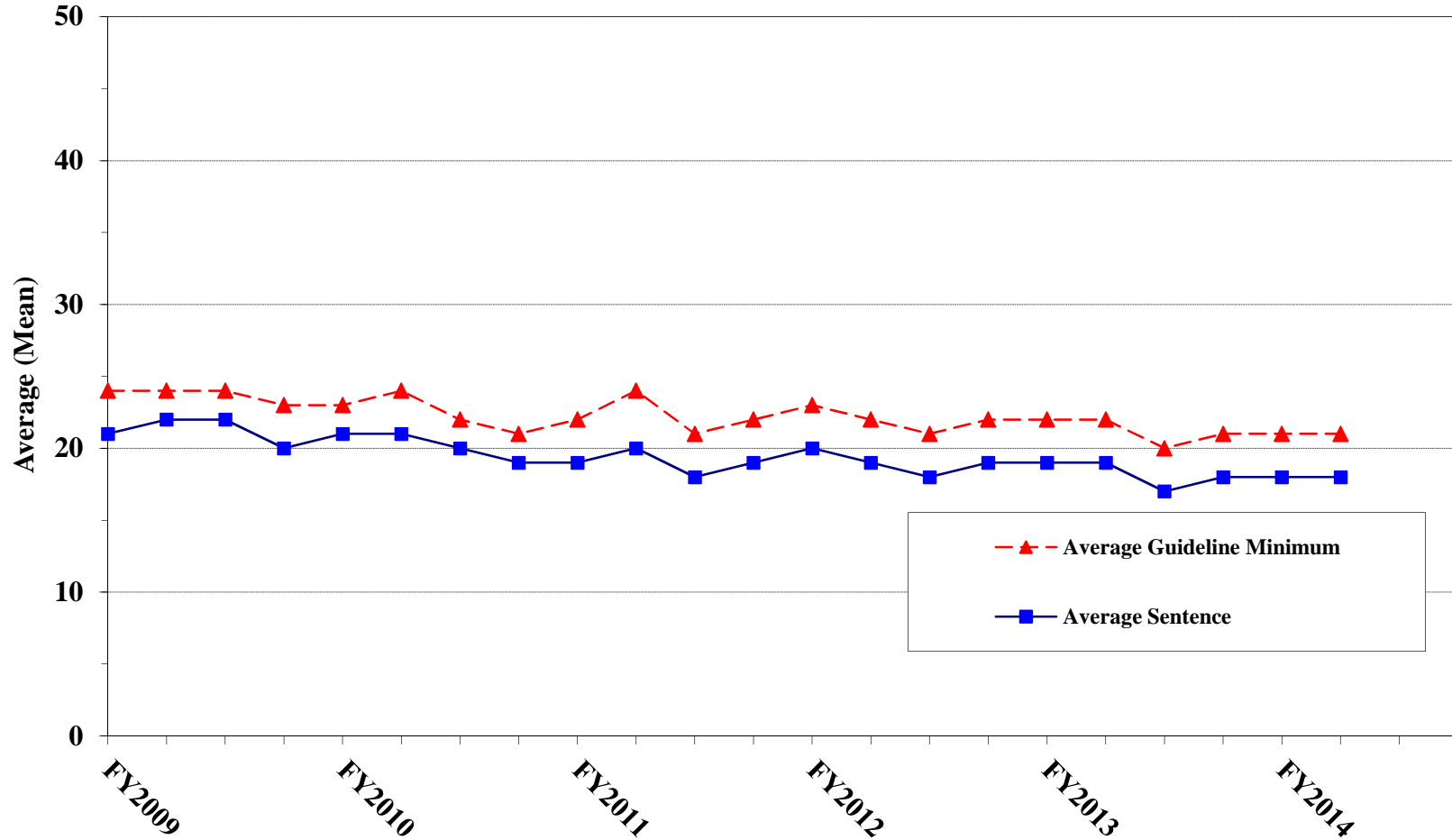


¹ Figure includes only cases with a primary sentencing guideline of USSG §2L1.1 (Smuggling, Transporting, or Harboring an Unlawful Alien). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure G

AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM QUARTERLY DATA FOR §2L1.2 OFFENDERS (UNLAWFUL ENTERING OR REMAINING IN THE UNITED STATES)¹

**Fiscal Years 2009 - 2013,
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**

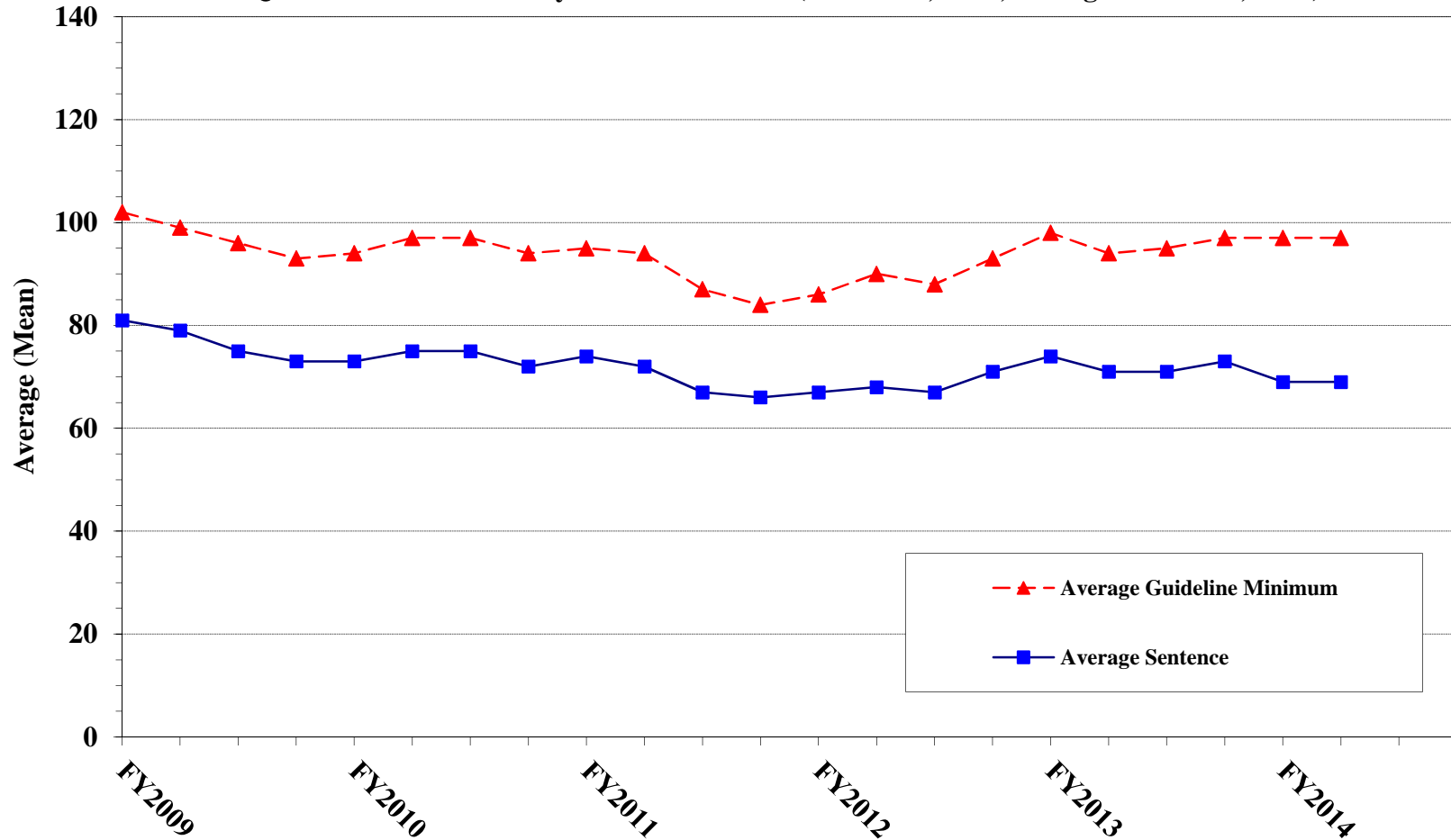


¹ Figure includes only cases with a primary sentencing guideline of USSG §2L1.2. Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure H

AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM QUARTERLY DATA FOR §2D1.1 OFFENDERS (UNLAWFUL DRUG TRAFFICKING OR MANUFACTURING)¹

**Fiscal Years 2009 - 2013,
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**

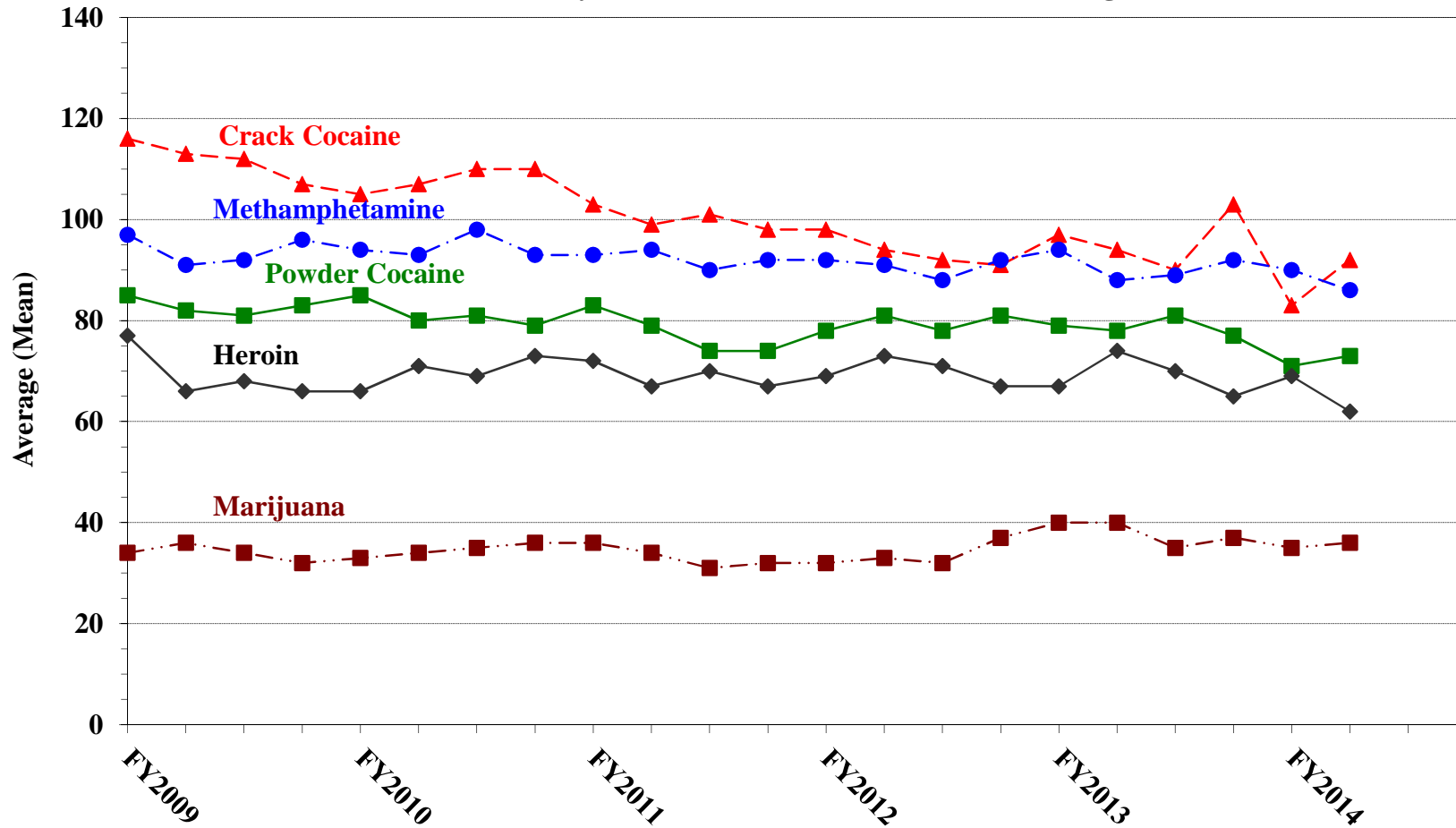


¹ Figure includes only cases with a primary sentencing guideline of USSG §2D1.1 (Unlawful Manufacturing, Importing, Exporting, or Trafficking (Including Possession with Intent to Commit These Offenses); Attempt or Conspiracy). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure I

AVERAGE SENTENCE LENGTH FOR EACH DRUG TYPE¹

Fiscal Years 2009 - 2013,
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)



¹ Only cases sentenced under USSG §§2D1.1 (Drug Trafficking), 2D1.2 (Protected Locations), 2D1.5 (Continuing Criminal Enterprise), 2D1.6 (Use of Communication Facility), 2D1.8 (Rent/Manage Drug Establishment), or 2D2.1 (Simple Possession) are depicted in this figure. Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

**WITHIN RANGE CASES: POSITION OF SENTENCE FOR OFFENDERS
IN EACH PRIMARY OFFENSE CATEGORY¹**
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)

PRIMARY OFFENSE	TOTAL	Guideline Minimum		Lower Half of Range		Midpoint of Range		Upper Half of Range		Guideline Maximum	
		N	%	N	%	N	%	N	%	N	%
TOTAL	14,609	7,590	52.0	3,017	20.7	1,242	8.5	1,117	7.6	1,643	11.2
Murder	11	2	18.2	2	18.2	0	0.0	1	9.1	6	54.5
Manslaughter	14	8	57.1	2	14.3	1	7.1	0	0.0	3	21.4
Kidnapping/Hostage Taking	3	2	66.7	1	33.3	0	0.0	0	0.0	0	0.0
Sexual Abuse	100	47	47.0	15	15.0	12	12.0	8	8.0	18	18.0
Assault	165	75	45.5	19	11.5	17	10.3	20	12.1	34	20.6
Robbery	173	81	46.8	34	19.7	12	6.9	21	12.1	25	14.5
Arson	8	4	50.0	2	25.0	1	12.5	0	0.0	1	12.5
Drugs - Trafficking	3,269	2,287	70.0	425	13.0	193	5.9	149	4.6	215	6.6
Drugs - Communication Facility	37	22	59.5	2	5.4	2	5.4	4	10.8	7	18.9
Drugs - Simple Possession	57	38	66.7	7	12.3	5	8.8	2	3.5	5	8.8
Firearms	1,955	1,052	53.8	264	13.5	209	10.7	133	6.8	297	15.2
Burglary/B&E	14	5	35.7	1	7.1	2	14.3	1	7.1	5	35.7
Auto Theft	31	10	32.3	8	25.8	3	9.7	2	6.5	8	25.8
Larceny	348	225	64.7	40	11.5	18	5.2	21	6.0	44	12.6
Fraud	1,441	816	56.6	208	14.4	120	8.3	117	8.1	180	12.5
Embezzlement	90	71	78.9	9	10.0	2	2.2	3	3.3	5	5.6
Forgery/Counterfeiting	185	96	51.9	21	11.4	15	8.1	18	9.7	35	18.9
Bribery	35	26	74.3	3	8.6	1	2.9	1	2.9	4	11.4
Tax	111	82	73.9	13	11.7	6	5.4	2	1.8	8	7.2
Money Laundering	117	83	70.9	13	11.1	8	6.8	6	5.1	7	6.0
Racketeering/Extortion	135	68	50.4	24	17.8	8	5.9	13	9.6	22	16.3
Gambling/Lottery	17	12	70.6	0	0.0	1	5.9	1	5.9	3	17.6
Civil Rights	8	5	62.5	1	12.5	0	0.0	1	12.5	1	12.5
Immigration	5,259	1,861	35.4	1,756	33.4	532	10.1	536	10.2	574	10.9
Child Pornography	217	131	60.4	33	15.2	11	5.1	21	9.7	21	9.7
Prison Offenses	122	60	49.2	19	15.6	11	9.0	11	9.0	21	17.2
Administration of Justice Offenses	285	146	51.2	38	13.3	30	10.5	12	4.2	59	20.7
Environmental/Wildlife	43	35	81.4	5	11.6	2	4.7	0	0.0	1	2.3
National Defense	14	8	57.1	2	14.3	0	0.0	2	14.3	2	14.3
Antitrust	2	1	50.0	0	0.0	0	0.0	0	0.0	1	50.0
Food & Drug	34	31	91.2	3	8.8	0	0.0	0	0.0	0	0.0
Other Miscellaneous Offenses	309	200	64.7	47	15.2	20	6.5	11	3.6	31	10.0

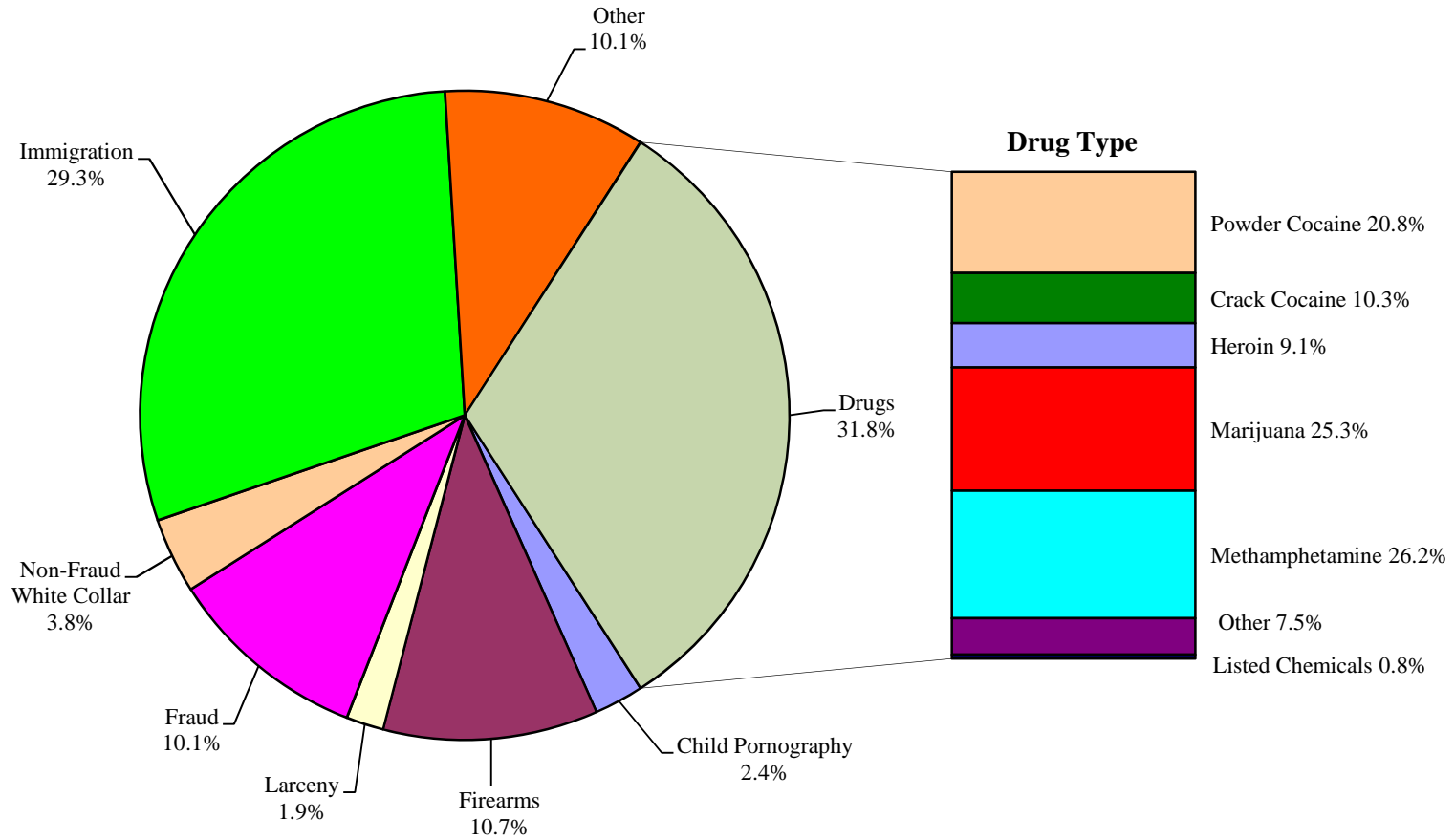
¹ Of the 37,646 cases, 18,155 were sentenced within the applicable guideline range. Of those, 15,439 cases had complete guideline application information. An additional 830 cases were excluded due to several logical criteria. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through March 31, 2014).

Figure J

OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹

2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)



¹ Of the 37,646 guideline cases, 6 drug cases were excluded from this figure due to cases missing drug type. The Drug category includes the following offense types: trafficking, use of a communication facility, and simple possession. Descriptions of variables used in this figure are provided in Appendix A.

² The Non-Fraud White Collar category includes the following offense types: embezzlement, forgery/counterfeiting, bribery, money laundering, and tax.

SOURCE: U.S. Sentencing Commission, Preliminary 2014 Datafile, USSCFY14 (October 1, 2013, through March 31, 2014).

Table 21

GUIDELINE OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)

PRIMARY OFFENSE	N	%
TOTAL	37,646	100.0
Murder	39	0.1
Manslaughter	22	0.1
Kidnapping/Hostage Taking	19	0.1
Sexual Abuse	261	0.7
Assault	393	1.0
Robbery	374	1.0
Arson	26	0.1
Drugs - Trafficking	10,654	28.3
Drugs - Communication Facility	179	0.5
Drugs - Simple Possession	1,144	3.0
Firearms	4,029	10.7
Burglary/B&E	18	0.0
Auto Theft	51	0.1
Larceny	702	1.9
Fraud	3,792	10.1
Embezzlement	163	0.4
Forgery/Counterfeiting	335	0.9
Bribery	124	0.3
Tax	344	0.9
Money Laundering	448	1.2
Racketeering/Extortion	461	1.2
Gambling/Lottery	47	0.1
Civil Rights	35	0.1
Immigration	11,021	29.3
Child Pornography	922	2.4
Prison Offenses	215	0.6
Administration of Justice Offenses	576	1.5
Environmental/Wildlife	109	0.3
National Defense	49	0.1
Antitrust	12	0.0
Food & Drug	59	0.2
Other Miscellaneous Offenses	1,023	2.7

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

Table 22

GUILTY PLEAS AND TRIALS IN EACH PRIMARY OFFENSE CATEGORY¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)

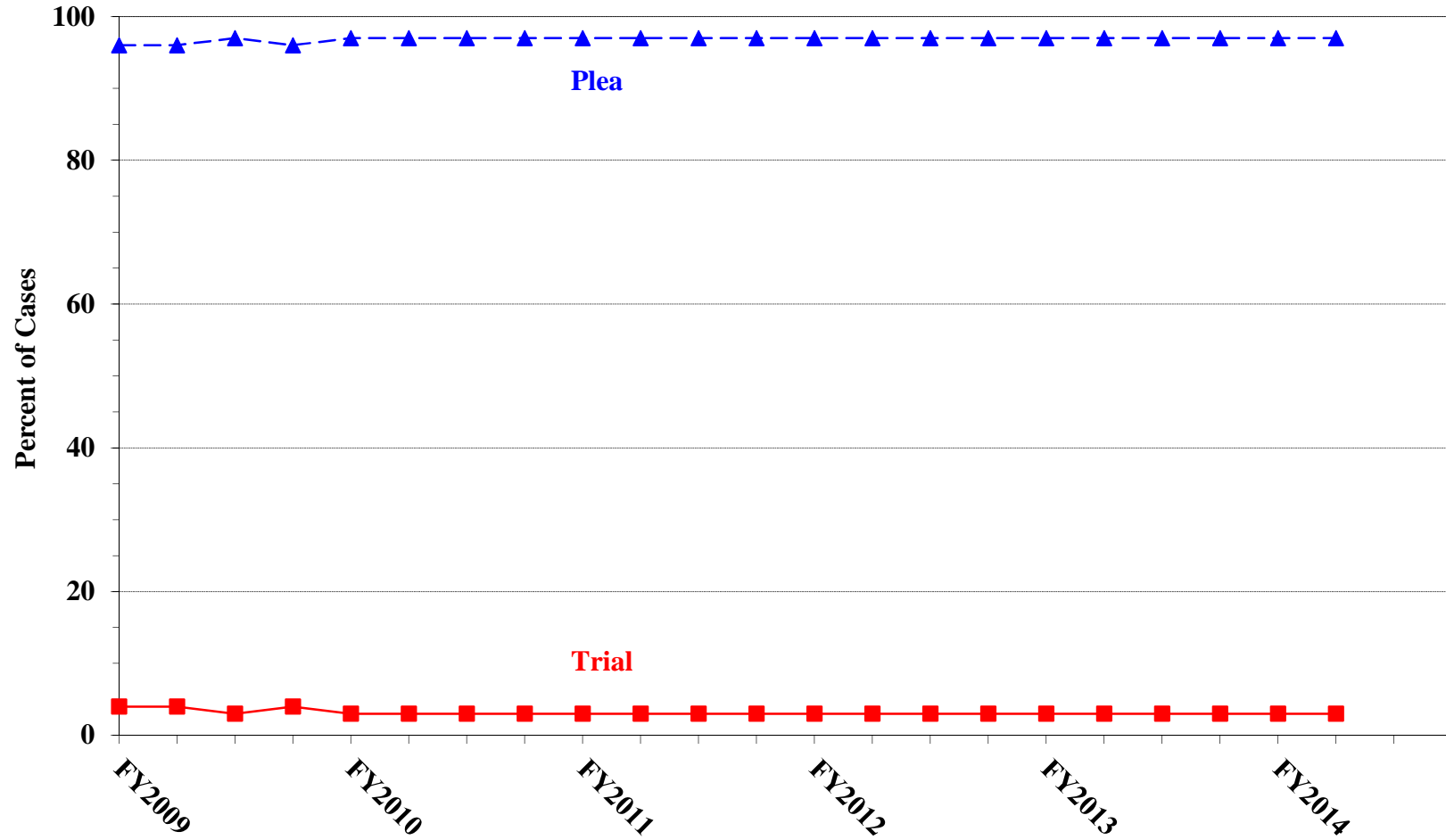
PRIMARY OFFENSE	TOTAL	PLEA		TRIAL	
		N	%	N	%
TOTAL	37,646	36,534	97.0	1,112	3.0
Murder	39	33	84.6	6	15.4
Manslaughter	22	20	90.9	2	9.1
Kidnapping/Hostage Taking	19	17	89.5	2	10.5
Sexual Abuse	261	221	84.7	40	15.3
Assault	393	366	93.1	27	6.9
Robbery	374	361	96.5	13	3.5
Arson	26	21	80.8	5	19.2
Drugs - Trafficking	10,654	10,387	97.5	267	2.5
Drugs - Communication Facility	179	179	100.0	0	0.0
Drugs - Simple Possession	1,144	1,144	100.0	0	0.0
Firearms	4,029	3,802	94.4	227	5.6
Burglary/B&E	18	17	94.4	1	5.6
Auto Theft	51	48	94.1	3	5.9
Larceny	702	692	98.6	10	1.4
Fraud	3,792	3,557	93.8	235	6.2
Embezzlement	163	162	99.4	1	0.6
Forgery/Counterfeiting	335	329	98.2	6	1.8
Bribery	124	120	96.8	4	3.2
Tax	344	322	93.6	22	6.4
Money Laundering	448	425	94.9	23	5.1
Racketeering/Extortion	461	423	91.8	38	8.2
Gambling/Lottery	47	44	93.6	3	6.4
Civil Rights	35	30	85.7	5	14.3
Immigration	11,021	10,940	99.3	81	0.7
Child Pornography	922	891	96.6	31	3.4
Prison Offenses	215	214	99.5	1	0.5
Administration of Justice Offenses	576	557	96.7	19	3.3
Environmental/Wildlife	109	108	99.1	1	0.9
National Defense	49	41	83.7	8	16.3
Antitrust	12	10	83.3	2	16.7
Food & Drug	59	59	100.0	0	0.0
Other Miscellaneous Offenses	1,023	994	97.2	29	2.8

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

Figure K

QUARTERLY DATA FOR GUILTY PLEAS AND TRIALS¹

Fiscal Years 2009 - 2013,
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)



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

Table 23

RACE OF OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)

PRIMARY OFFENSE	TOTAL	WHITE		BLACK		HISPANIC		OTHER	
		N	%	N	%	N	%	N	%
TOTAL	36,848	8,707	23.6	7,444	20.2	19,124	51.9	1,573	4.3
Murder	39	12	30.8	1	2.6	10	25.6	16	41.0
Manslaughter	22	0	0.0	0	0.0	0	0.0	22	100.0
Kidnapping/Hostage Taking	18	5	27.8	10	55.6	1	5.6	2	11.1
Sexual Abuse	261	82	31.4	52	19.9	36	13.8	91	34.9
Assault	389	105	27.0	45	11.6	59	15.2	180	46.3
Robbery	374	152	40.6	161	43.0	42	11.2	19	5.1
Arson	26	14	53.8	7	26.9	1	3.8	4	15.4
Drugs - Trafficking	10,638	2,675	25.1	2,628	24.7	4,982	46.8	353	3.3
Drugs - Communication Facility	176	56	31.8	50	28.4	64	36.4	6	3.4
Drugs - Simple Possession	1,114	70	6.3	36	3.2	983	88.2	25	2.2
Firearms	4,019	1,083	26.9	1,954	48.6	859	21.4	123	3.1
Burglary/B&E	18	5	27.8	1	5.6	1	5.6	11	61.1
Auto Theft	51	17	33.3	13	25.5	21	41.2	0	0.0
Larceny	661	282	42.7	218	33.0	99	15.0	62	9.4
Fraud	3,759	1,577	42.0	1,129	30.0	811	21.6	242	6.4
Embezzlement	162	96	59.3	30	18.5	21	13.0	15	9.3
Forgery/Counterfeiting	332	138	41.6	134	40.4	45	13.6	15	4.5
Bribery	124	50	40.3	31	25.0	34	27.4	9	7.3
Tax	343	205	59.8	71	20.7	36	10.5	31	9.0
Money Laundering	446	152	34.1	56	12.6	188	42.2	50	11.2
Racketeering/Extortion	461	117	25.4	169	36.7	161	34.9	14	3.0
Gambling/Lottery	47	35	74.5	1	2.1	2	4.3	9	19.1
Civil Rights	34	21	61.8	10	29.4	3	8.8	0	0.0
Immigration	10,635	207	1.9	192	1.8	10,180	95.7	56	0.5
Child Pornography	921	737	80.0	37	4.0	119	12.9	28	3.0
Prison Offenses	214	49	22.9	94	43.9	55	25.7	16	7.5
Administration of Justice Offenses	570	251	44.0	116	20.4	148	26.0	55	9.6
Environmental/Wildlife	100	65	65.0	6	6.0	8	8.0	21	21.0
National Defense	48	19	39.6	2	4.2	17	35.4	10	20.8
Antitrust	11	9	81.8	0	0.0	0	0.0	2	18.2
Food & Drug	53	31	58.5	1	1.9	10	18.9	11	20.8
Other Miscellaneous Offenses	782	390	49.9	189	24.2	128	16.4	75	9.6

¹ Of the 37,646 cases, 798 were excluded due to missing information on offender's race. Descriptions of variables used in this table are provided in Appendix A.

Table 24

GENDER OF OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)

PRIMARY OFFENSE	TOTAL	MALE		FEMALE	
		N	%	N	%
TOTAL	37,425	32,254	86.2	5,171	13.8
Murder	39	34	87.2	5	12.8
Manslaughter	22	14	63.6	8	36.4
Kidnapping/Hostage Taking	19	12	63.2	7	36.8
Sexual Abuse	261	242	92.7	19	7.3
Assault	393	347	88.3	46	11.7
Robbery	374	332	88.8	42	11.2
Arson	26	23	88.5	3	11.5
Drugs - Trafficking	10,653	8,967	84.2	1,686	15.8
Drugs - Communication Facility	179	139	77.7	40	22.3
Drugs - Simple Possession	1,139	1,058	92.9	81	7.1
Firearms	4,027	3,865	96.0	162	4.0
Burglary/B&E	18	17	94.4	1	5.6
Auto Theft	51	49	96.1	2	3.9
Larceny	682	422	61.9	260	38.1
Fraud	3,790	2,717	71.7	1,073	28.3
Embezzlement	162	68	42.0	94	58.0
Forgery/Counterfeiting	333	233	70.0	100	30.0
Bribery	124	98	79.0	26	21.0
Tax	344	273	79.4	71	20.6
Money Laundering	448	315	70.3	133	29.7
Racketeering/Extortion	461	410	88.9	51	11.1
Gambling/Lottery	47	44	93.6	3	6.4
Civil Rights	34	32	94.1	2	5.9
Immigration	10,898	10,067	92.4	831	7.6
Child Pornography	922	913	99.0	9	1.0
Prison Offenses	215	188	87.4	27	12.6
Administration of Justice Offenses	575	447	77.7	128	22.3
Environmental/Wildlife	108	100	92.6	8	7.4
National Defense	49	45	91.8	4	8.2
Antitrust	12	12	100.0	0	0.0
Food & Drug	55	45	81.8	10	18.2
Other Miscellaneous Offenses	965	726	75.2	239	24.8

¹ Of the 37,646 cases, 221 were excluded due to missing information on offender's gender. Descriptions of variables used in this table are provided in Appendix A.

Table 25

AGE, RACE, AND GENDER OF OFFENDERS¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)

Gender and Age	White		Black		Hispanic		Other	
	N	%	N	%	N	%	N	%
Males	6,975	100.0	6,354	100.0	17,189	100.0	1,236	100.0
Under 21	83	1.2	153	2.4	730	4.2	43	3.5
21 - 25	569	8.2	1,013	15.9	2,602	15.1	171	13.8
26 - 30	950	13.6	1,271	20.0	3,251	18.9	220	17.8
31 - 35	1,030	14.8	1,364	21.5	3,336	19.4	214	17.3
36 - 40	903	12.9	891	14.0	2,823	16.4	167	13.5
41 - 50	1,675	24.0	1,113	17.5	3,267	19.0	248	20.1
Over 50	1,765	25.3	549	8.6	1,180	6.9	173	14.0
Females	1,725	100.0	1,088	100.0	1,920	100.0	334	100.0
Under 21	23	1.3	10	0.9	111	5.8	10	3.0
21 - 25	187	10.8	149	13.7	317	16.5	31	9.3
26 - 30	259	15.0	189	17.4	303	15.8	46	13.8
31 - 35	265	15.4	205	18.8	346	18.0	59	17.7
36 - 40	227	13.2	141	13.0	292	15.2	38	11.4
41 - 50	419	24.3	238	21.9	369	19.2	88	26.3
Over 50	345	20.0	156	14.3	182	9.5	62	18.6

¹ Of the 37,646 cases, 825 were excluded due to one or more of the following reasons: missing information on offender's race (798), missing information on offender's gender (221), or missing information on offender's age (70). Descriptions of variables used in this table are provided in Appendix A.

Table 26

CITIZENSHIP OF OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)

PRIMARY OFFENSE	TOTAL	U.S. CITIZEN		NON-U.S. CITIZEN	
		N	%	N	%
TOTAL	37,350	21,838	58.5	15,512	41.5
Murder	39	33	84.6	6	15.4
Manslaughter	22	22	100.0	0	0.0
Kidnapping/Hostage Taking	19	12	63.2	7	36.8
Sexual Abuse	261	233	89.3	28	10.7
Assault	389	368	94.6	21	5.4
Robbery	374	364	97.3	10	2.7
Arson	26	25	96.2	1	3.8
Drugs - Trafficking	10,645	7,987	75.0	2,658	25.0
Drugs - Communication Facility	178	146	82.0	32	18.0
Drugs - Simple Possession	1,124	198	17.6	926	82.4
Firearms	4,026	3,742	92.9	284	7.1
Burglary/B&E	18	18	100.0	0	0.0
Auto Theft	51	42	82.4	9	17.6
Larceny	673	638	94.8	35	5.2
Fraud	3,775	3,104	82.2	671	17.8
Embezzlement	162	160	98.8	2	1.2
Forgery/Counterfeiting	332	312	94.0	20	6.0
Bribery	124	115	92.7	9	7.3
Tax	343	326	95.0	17	5.0
Money Laundering	446	305	68.4	141	31.6
Racketeering/Extortion	459	401	87.4	58	12.6
Gambling/Lottery	47	45	95.7	2	4.3
Civil Rights	35	35	100.0	0	0.0
Immigration	11,012	701	6.4	10,311	93.6
Child Pornography	922	881	95.6	41	4.4
Prison Offenses	214	196	91.6	18	8.4
Administration of Justice Offenses	572	508	88.8	64	11.2
Environmental/Wildlife	100	92	92.0	8	8.0
National Defense	49	23	46.9	26	53.1
Antitrust	11	9	81.8	2	18.2
Food & Drug	53	46	86.8	7	13.2
Other Miscellaneous Offenses	849	751	88.5	98	11.5

¹ Of the 37,646 cases, 296 were excluded due to missing information on the offender's citizenship status. Descriptions of variables used in this table are provided in Appendix A.

Table 27

DOCUMENT SUBMISSION BY EACH CIRCUIT AND DISTRICT¹
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)

CIRCUIT District	Number of Cases	Total Documents	J & C	Statement of Reasons	Plea Agreement ²		Indictment/ Information	Presentence Report	
		Received N	Received N	Received N	Received N	No Written Plea/Trial N	Received N	Received N	Waived N
TOTAL	37,646	175,555	37,646	37,369	28,163	9,424	37,638	34,739	2,907
D.C. CIRCUIT	175	861	175	175	163	12	175	173	2
District of Columbia	175	861	175	175	163	12	175	173	2
FIRST CIRCUIT	1,226	5,863	1,226	1,226	989	235	1,226	1,196	30
Maine	105	477	105	105	57	48	105	105	0
Massachusetts	237	1,066	237	237	122	114	237	233	4
New Hampshire	61	299	61	61	55	6	61	61	0
Puerto Rico	728	3,575	728	728	687	40	728	704	24
Rhode Island	95	446	95	95	68	27	95	93	2
SECOND CIRCUIT	2,001	9,598	2,001	2,000	1,644	356	2,000	1,953	48
Connecticut	195	965	195	195	185	10	195	195	0
New York									
Eastern	466	2,273	466	466	412	54	466	463	3
Northern	197	897	197	196	131	66	197	176	21
Southern	751	3,549	751	751	551	200	750	746	5
Western	280	1,366	280	280	261	18	280	265	15
Vermont	112	548	112	112	104	8	112	108	4
THIRD CIRCUIT	1,282	6,153	1,282	1,277	1,051	226	1,282	1,261	21
Delaware	52	258	52	52	50	2	52	52	0
New Jersey	343	1,687	343	342	319	24	343	340	3
Pennsylvania									
Eastern	425	2,014	425	422	321	99	425	421	4
Middle	186	900	186	185	158	28	186	185	1
Western	253	1,184	253	253	185	68	253	240	13
Virgin Islands	23	110	23	23	18	5	23	23	0
FOURTH CIRCUIT	3,040	13,991	3,040	2,997	2,242	796	3,040	2,672	368
Maryland	408	1,973	408	402	363	45	408	392	16
North Carolina									
Eastern	370	1,676	370	339	267	103	370	330	40
Middle	265	1,308	265	265	249	16	265	264	1
Western	297	1,400	297	297	212	85	297	297	0
South Carolina	354	1,663	354	353	249	105	354	353	1
Virginia									
Eastern	806	3,337	806	801	421	383	806	503	303
Western	188	916	188	188	164	24	188	188	0
West Virginia									
Northern	176	871	176	176	170	6	176	173	3
Southern	176	847	176	176	147	29	176	172	4

Table 27 (cont.)

CIRCUIT District	Number of Cases	Total Documents	J & C	Statement of Reasons	Plea Agreement ²		Indictment/ Information	Presentence Report	
		Received	Received	Received	Received	No Written Plea/Trial	Received	Received	Waived
		N	N	N	N	N	N	N	N
FIFTH CIRCUIT	8,427	37,404	8,427	8,328	4,406	4,008	8,424	7,819	608
Louisiana									
Eastern	149	703	149	148	110	39	148	148	1
Middle	88	419	88	88	67	21	88	88	0
Western	157	754	157	151	139	18	157	150	7
Mississippi									
Northern	108	538	108	108	106	2	108	108	0
Southern	124	600	124	122	109	15	124	121	3
Texas									
Eastern	408	2,031	408	408	399	9	408	408	0
Northern	669	3,110	669	669	436	233	669	667	2
Southern	3,311	14,876	3,311	3,311	1,737	1,572	3,310	3,207	104
Western	3,413	14,373	3,413	3,323	1,303	2,099	3,412	2,922	491
SIXTH CIRCUIT	2,569	12,269	2,569	2,551	2,078	476	2,568	2,503	66
Kentucky									
Eastern	293	1,423	293	293	259	34	293	285	8
Western	145	688	145	145	128	17	145	125	20
Michigan									
Eastern	465	2,230	465	462	385	80	464	454	11
Western	202	921	202	202	119	83	202	196	6
Ohio									
Northern	353	1,673	353	352	266	87	353	349	4
Southern	303	1,503	303	303	292	11	303	302	1
Tennessee									
Eastern	412	1,987	412	411	341	71	412	411	1
Middle	147	660	147	134	98	34	147	134	13
Western	249	1,184	249	249	190	59	249	247	2
SEVENTH CIRCUIT	1,479	7,158	1,479	1,476	1,251	228	1,479	1,473	6
Illinois									
Central	203	952	203	202	143	60	203	201	2
Northern	448	2,178	448	448	386	62	448	448	0
Southern	207	971	207	207	143	64	207	207	0
Indiana									
Northern	198	970	198	197	180	18	198	197	1
Southern	183	895	183	183	164	19	183	182	1
Wisconsin									
Eastern	166	823	166	165	162	4	166	164	2
Western	74	369	74	74	73	1	74	74	0
EIGHTH CIRCUIT	2,316	11,133	2,316	2,313	1,884	432	2,316	2,304	12
Arkansas									
Eastern	187	896	187	186	149	38	187	187	0
Western	168	827	168	168	155	13	168	168	0
Iowa									
Northern	168	761	168	168	89	79	168	168	0
Southern	153	727	153	152	116	37	153	153	0
Minnesota	128	630	128	128	120	8	128	126	2
Missouri									
Eastern	373	1,855	373	373	364	9	373	372	1
Western	406	1,925	406	405	305	101	406	403	3
Nebraska	292	1,377	292	292	209	83	292	292	0
North Dakota	156	728	156	156	104	52	156	156	0
South Dakota	285	1,407	285	285	273	12	285	279	6

Table 27 (cont.)

CIRCUIT District	Number of Cases	Total Documents	J & C	Statement of Reasons	Plea Agreement ²		Indictment/ Information	Presentence Report	
		Received	Received	Received	Received	No Written Plea/Trial	Received	Received	Waived
		N	N	N	N	N	N	N	N
NINTH CIRCUIT	8,449	40,020	8,449	8,386	7,851	580	8,447	6,887	1,562
Alaska	81	394	81	81	74	7	81	77	4
Arizona	3,238	14,896	3,238	3,190	3,091	147	3,238	2,139	1,099
California									
Central	640	3,125	640	638	578	62	640	629	11
Eastern	441	2,160	441	441	397	32	441	440	1
Northern	329	1,579	329	325	281	48	328	316	13
Southern	2,089	10,008	2,089	2,087	1,991	95	2,088	1,753	336
Guam	36	177	36	36	33	3	36	36	0
Hawaii	149	699	149	149	103	46	149	149	0
Idaho	148	722	148	148	130	18	148	148	0
Montana	165	789	165	165	129	36	165	165	0
Nevada	290	1,400	290	289	241	49	290	290	0
Northern Mariana Islands	2	9	2	2	1	1	2	2	0
Oregon	297	1,416	297	292	285	12	297	245	52
Washington									
Eastern	182	894	182	182	172	7	182	176	6
Western	362	1,752	362	361	345	17	362	322	40
TENTH CIRCUIT	3,264	15,045	3,264	3,251	2,097	1,165	3,264	3,169	95
Colorado	267	1,303	267	264	257	10	267	248	19
Kansas	336	1,631	336	332	305	31	336	322	14
New Mexico	1,887	8,478	1,887	1,882	937	949	1,887	1,885	2
Oklahoma									
Eastern	36	160	36	36	16	20	36	36	0
Northern	113	525	113	113	73	40	113	113	0
Western	191	851	191	190	108	82	191	171	20
Utah	283	1,359	283	283	266	17	283	244	39
Wyoming	151	738	151	151	135	16	151	150	1
ELEVENTH CIRCUIT	3,418	16,060	3,418	3,389	2,507	910	3,417	3,329	89
Alabama									
Middle	130	638	130	130	118	12	130	130	0
Northern	225	1,080	225	224	192	33	225	214	11
Southern	216	1,042	216	216	178	38	216	216	0
Florida									
Middle	712	3,307	712	710	465	247	712	708	4
Northern	185	886	185	185	150	35	185	181	4
Southern	1,148	5,347	1,148	1,131	789	358	1,148	1,131	17
Georgia									
Middle	250	1,155	250	244	175	75	250	236	14
Northern	288	1,400	288	285	254	34	287	286	2
Southern	264	1,205	264	264	186	78	264	227	37

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

² The figures presented in this table regarding Plea Agreement Submission exclude from the analysis ten cases for which the Commission was unable to determine definitively whether the defendant's guilty plea was entered pursuant to a written plea agreement.

Table 28

**RATE OF SUBMISSION OF STATEMENT OF REASONS FORM
BY EACH CIRCUIT AND DISTRICT
2nd Quarter 2014 Preliminary Cumulative Data (October 1, 2013, through March 31, 2014)**

CIRCUIT District	Total	Form AO 245B ¹		Other Forms ²		No Form Received	
		N	%	N	%	N	%
TOTAL	37,646	36,151	96.0	1,228	3.3	267	0.7
D.C. CIRCUIT	175	175	100.0	0	0.0	0	0.0
District of Columbia	175	175	100.0	0	0.0	0	0.0
FIRST CIRCUIT	1,226	1,225	99.9	1	0.1	0	0.0
Maine	105	105	100.0	0	0.0	0	0.0
Massachusetts	237	237	100.0	0	0.0	0	0.0
New Hampshire	61	61	100.0	0	0.0	0	0.0
Puerto Rico	728	727	99.9	1	0.1	0	0.0
Rhode Island	95	95	100.0	0	0.0	0	0.0
SECOND CIRCUIT	2,001	1,980	99.0	20	1.0	1	0.0
Connecticut	195	195	100.0	0	0.0	0	0.0
New York							
Eastern	466	449	96.4	17	3.6	0	0.0
Northern	197	196	99.5	0	0.0	1	0.5
Southern	751	751	100.0	0	0.0	0	0.0
Western	280	280	100.0	0	0.0	0	0.0
Vermont	112	109	97.3	3	2.7	0	0.0
THIRD CIRCUIT	1,282	1,277	99.6	0	0.0	5	0.4
Delaware	52	52	100.0	0	0.0	0	0.0
New Jersey	343	342	99.7	0	0.0	1	0.3
Pennsylvania							
Eastern	425	422	99.3	0	0.0	3	0.7
Middle	186	185	99.5	0	0.0	1	0.5
Western	253	253	100.0	0	0.0	0	0.0
Virgin Islands	23	23	100.0	0	0.0	0	0.0
FOURTH CIRCUIT	3,040	2,938	96.6	62	2.0	40	1.3
Maryland	408	404	99.0	0	0.0	4	1.0
North Carolina							
Eastern	370	339	91.6	0	0.0	31	8.4
Middle	265	265	100.0	0	0.0	0	0.0
Western	297	297	100.0	0	0.0	0	0.0
South Carolina	354	354	100.0	0	0.0	0	0.0
Virginia							
Eastern	806	739	91.7	62	7.7	5	0.6
Western	188	188	100.0	0	0.0	0	0.0
West Virginia							
Northern	176	176	100.0	0	0.0	0	0.0
Southern	176	176	100.0	0	0.0	0	0.0

Table 28 (cont.)

CIRCUIT District	Total	Form AO 245B ¹		Other Forms ²		No Form Received	
		N	%	N	%	N	%
FIFTH CIRCUIT	8,427	7,627	90.5	701	8.3	99	1.2
Louisiana							
Eastern	149	148	99.3	0	0.0	1	0.7
Middle	88	88	100.0	0	0.0	0	0.0
Western	157	131	83.4	20	12.7	6	3.8
Mississippi							
Northern	108	108	100.0	0	0.0	0	0.0
Southern	124	122	98.4	0	0.0	2	1.6
Texas							
Eastern	408	408	100.0	0	0.0	0	0.0
Northern	669	669	100.0	0	0.0	0	0.0
Southern	3,311	3,310	100.0	1	0.0	0	0.0
Western	3,413	2,643	77.4	680	19.9	90	2.6
SIXTH CIRCUIT	2,569	2,500	97.3	54	2.1	15	0.6
Kentucky							
Eastern	293	293	100.0	0	0.0	0	0.0
Western	145	145	100.0	0	0.0	0	0.0
Michigan							
Eastern	465	464	99.8	0	0.0	1	0.2
Western	202	202	100.0	0	0.0	0	0.0
Ohio							
Northern	353	353	100.0	0	0.0	0	0.0
Southern	303	282	93.1	21	6.9	0	0.0
Tennessee							
Eastern	412	411	99.8	0	0.0	1	0.2
Middle	147	101	68.7	33	22.4	13	8.8
Western	249	249	100.0	0	0.0	0	0.0
SEVENTH CIRCUIT	1,479	1,438	97.2	38	2.6	3	0.2
Illinois							
Central	203	202	99.5	0	0.0	1	0.5
Northern	448	448	100.0	0	0.0	0	0.0
Southern	207	207	100.0	0	0.0	0	0.0
Indiana							
Northern	198	195	98.5	2	1.0	1	0.5
Southern	183	183	100.0	0	0.0	0	0.0
Wisconsin							
Eastern	166	129	77.7	36	21.7	1	0.6
Western	74	74	100.0	0	0.0	0	0.0
EIGHTH CIRCUIT	2,316	2,294	99.1	19	0.8	3	0.1
Arkansas							
Eastern	187	178	95.2	8	4.3	1	0.5
Western	168	168	100.0	0	0.0	0	0.0
Iowa							
Northern	168	168	100.0	0	0.0	0	0.0
Southern	153	152	99.3	0	0.0	1	0.7
Minnesota	128	118	92.2	10	7.8	0	0.0
Missouri							
Eastern	373	373	100.0	0	0.0	0	0.0
Western	406	405	99.8	0	0.0	1	0.2
Nebraska	292	292	100.0	0	0.0	0	0.0
North Dakota	156	155	99.4	1	0.6	0	0.0
South Dakota	285	285	100.0	0	0.0	0	0.0

Table 28 (cont.)

CIRCUIT District	Total	Form AO 245B ¹		Other Forms ²		No Form Received	
		N	%	N	%	N	%
NINTH CIRCUIT	8,449	8,097	95.8	292	3.5	60	0.7
Alaska	81	81	100.0	0	0.0	0	0.0
Arizona	3,238	3,190	98.5	1	0.0	47	1.5
California							
Central	640	639	99.8	0	0.0	1	0.2
Eastern	441	441	100.0	0	0.0	0	0.0
Northern	329	325	98.8	0	0.0	4	1.2
Southern	2,089	2,087	99.9	0	0.0	2	0.1
Guam	36	36	100.0	0	0.0	0	0.0
Hawaii	149	149	100.0	0	0.0	0	0.0
Idaho	148	148	100.0	0	0.0	0	0.0
Montana	165	165	100.0	0	0.0	0	0.0
Nevada	290	289	99.7	0	0.0	1	0.3
Northern Mariana Islands	2	2	100.0	0	0.0	0	0.0
Oregon	297	2	0.7	291	98.0	4	1.3
Washington							
Eastern	182	182	100.0	0	0.0	0	0.0
Western	362	361	99.7	0	0.0	1	0.3
TENTH CIRCUIT	3,264	3,225	98.8	27	0.8	12	0.4
Colorado	267	264	98.9	0	0.0	3	1.1
Kansas	336	332	98.8	1	0.3	3	0.9
New Mexico	1,887	1,879	99.6	3	0.2	5	0.3
Oklahoma							
Eastern	36	36	100.0	0	0.0	0	0.0
Northern	113	113	100.0	0	0.0	0	0.0
Western	191	190	99.5	0	0.0	1	0.5
Utah	283	260	91.9	23	8.1	0	0.0
Wyoming	151	151	100.0	0	0.0	0	0.0
ELEVENTH CIRCUIT	3,418	3,375	98.7	14	0.4	29	0.8
Alabama							
Middle	130	130	100.0	0	0.0	0	0.0
Northern	225	224	99.6	0	0.0	1	0.4
Southern	216	216	100.0	0	0.0	0	0.0
Florida							
Middle	712	710	99.7	0	0.0	2	0.3
Northern	185	185	100.0	0	0.0	0	0.0
Southern	1,148	1,131	98.5	0	0.0	17	1.5
Georgia							
Middle	250	244	97.6	0	0.0	6	2.4
Northern	288	271	94.1	14	4.9	3	1.0
Southern	264	264	100.0	0	0.0	0	0.0

¹ Cases included in this category are those in which the court submitted Form AO 245B (Revision 06/05, 09/08, or 09/11) to the Commission. Only cases in which all required pages of this form were submitted with no deletions or substantive changes are included in this category. Form AO 245B was approved by the Executive Committee of the Judicial Conference of the United States in June 2005.

² Cases are included in this category for one or more of the following reasons: one or more of the required pages of Form AO 245B were missing; deletions or substantive changes were made in Form AO 245B that prevented the USSC from collecting the information required to be submitted by 18 U.S.C. §3553(c); an outdated version of Form AO 245B was submitted; or a unique, district created, or modified form was submitted.

Appendix A

Descriptions of Datafiles and Variables

Introduction

Federal courts are required to forward to the Commission sentencing documentation on all offenders sentenced under the Sentencing Reform Act of 1984 (SRA), except in cases that solely involve petty offenses. Standard information on each case is extracted from sentencing documents received and computerized for analysis.

Given the nature of the datafile and reporting requirements, the following are not included: cases initiated but for which no convictions were obtained, offenders convicted for whom no sentences were yet issued, and offenders sentenced but for whom no sentencing documents were submitted to the Commission. Because the Commission collects information only on cases sentenced under the guidelines, information on cases sentenced under prior law (pre-guidelines) during the current fiscal year is not available in this dataset. When cases are sentenced under both prior law and the guidelines, only the guideline relevant information is coded in the dataset. Cases in which a sentence of death was imposed also are not available in this dataset for this same reason.

Note that for all tables, total percentages may not add up to exactly 100 percent due to rounding.

Variables

The following section describes the variables used in this report.

Above Guideline Range with *Booker*/18 U.S.C. § 3553

Above Guideline Range with Booker/18 U.S.C. § 3553 consists of cases with a sentence above the guideline range with no departure indicated and that cite *U.S. v. Booker*, 18 U.S.C. § 3553, or related factors as one of the reasons for sentencing outside of the guideline system.

Age

The *Age* of the offender on the day of sentencing is calculated using the date of sentencing as reported in the Judgment and Commitment Order and the offender's date of birth as reported either in the Presentence Report or in the case submission information provided by the court when submitting the case to the Commission.

All Remaining Cases Above Guideline Range

All Remaining Cases Above Guideline Range consists of cases sentenced above the guideline range that cannot be classified into any of the other three above the range categories. This category includes, for example, cases in which no reason is provided for a sentence above the guideline range.

All Remaining Cases Below Guideline Range

All Remaining Cases Below Guideline Range consists of cases sentenced below the guideline range that cannot be classified into any of the other three below the range categories. This category includes, for example, cases in which no reason is provided for a sentence below the guideline range.

Below Guideline Range with *Booker*/18 U.S.C. § 3553

Below Guideline Range with Booker/18 U.S.C. § 3553 consists of cases with a sentence below the guideline range with no departure indicated and that cite *U.S. v. Booker*, 18 U.S.C. § 3553, or related factors as one of the reasons for sentencing outside of the guideline system.

Circuit

Information on judicial *Circuit* is generated by computer using the location of the judicial district in which the offender was sentenced.

Citizenship Status

Information on the *Citizenship Status* of offenders is obtained from the presentence report. Offenders are categorized as one of the following: “U.S. citizen,” “resident alien,” “illegal alien,” “extradited alien,” and “non-U.S. citizen, alien status unknown.” The latter four categories are collapsed into the category of “non-U.S. citizen.”

Starting in Fiscal Year 2014, for cases in which the Commission does not receive the PSR (most commonly when the court waives the preparation of the PSR), values for several demographic variables are taken from the Probation and Pretrial Services Automated Case Tracking System (PACTS) datafile created by the Probation and Pretrial Services Office at the Administrative Office of the U.S. Courts. Cases are matched using unique case identifiers and the demographic information which would otherwise be missing in these cases due to the lack of a PSR is imported from the PACTS datafile.

Degree of Decrease

Degree of Decrease is calculated based on the difference between the length of imprisonment (not including any months of alternative confinement as defined in USSG §5C1.1) and the guideline minimum for the following categories of below range cases: downward departure from guideline range, downward departure with *Booker*/18 U.S.C. § 3553, below guideline range with *Booker*/18 U.S.C. § 3553, all remaining cases below guideline range, USSG §5K1.1 substantial assistance cases, USSG §5K3.1 early disposition program cases, and other government sponsored cases. Life sentences and cases where the guideline minimum is zero months or life are all excluded from all degree of decrease calculations due to the logical difficulty in calculating a decrease from these values.

Degree of Increase

Degree of Increase is calculated based on the difference between the guideline maximum and the length of imprisonment (not including any months of alternative confinement as defined in USSG §5C1.1) for the following categories of above range cases: upward departure from guideline range, upward departure with *Booker*/18 U.S.C. § 3553, above guideline range with *Booker*/18 U.S.C. § 3553, all remaining cases above guideline range. Life sentences, sentences of probation, and cases where the guideline minimum is life are all excluded from all degree of increase calculations due to the logical difficulty in calculating an increase from these values.

District

Information on the judicial *District* in which sentencing occurred is obtained from the Judgment and Commitment Order.

Document Submission Rates

Five documents are represented in the document submission rate table: Judgment and Commitment Order (J&C), Presentence Report (PSR), Statement of Reasons (SOR), Indictment/Information (Ind), and Plea Agreements (Plea). The J&C and PSR generally are submitted in a standardized format. PSRs waived by the court are indicated in a separate column. Standardized forms for the Statement of Reasons are most frequently submitted; however, transcripts or partial transcripts from the sentencing hearing are also included as *Statement of Reasons Received*. Cases in which the Commission was unable to determine definitively whether the offender’s guilty plea was entered pursuant to a written agreement are excluded from the Plea Agreement totals. The total requested documents received column is derived from adding the total number of received documents from the Judgment and Commitment Order (J&C), Presentence Report (PSR), Statement of Reasons (SOR), Indictment/Information (Ind), and Plea Agreements (Plea). The total requested documents not received column is derived from adding the total number of not received documents from the Judgment and Commitment Order (J&C), Presentence Report (PSR), Statement of Reasons (SOR), Indictment/Information (Ind), and Plea Agreements (Plea). Cases where the PSR is waived, there is no written plea agreement/trial, and where the Commission was unable to

definitively determine whether the offender's guilty plea was entered pursuant to a written plea agreement are all excluded from the calculations for the total received documents column.

Downward Departure From Guideline Range

Downward Departure From Guideline Range consists of cases with departures below the guideline range that do not cite as a reason either *U.S. v. Booker*, 18 U.S.C. § 3553, or factors or reasons specifically prohibited in the provisions, policy statements, or commentary of the federal guidelines manual.

Downward Departures with Booker/18 U.S.C. § 3553

Downward Departures with Booker/18 U.S.C. § 3553 consists of cases with a sentence below the guideline range that include both a departure (see Downward Departure From Guideline Range) as well as a sentence outside the guideline system mentioning either *U.S. v. Booker*, 18 U.S.C. § 3553, or related factors as a reason for sentencing below the guideline range.

Drug Offense Guideline

Drug Offense Guideline information is obtained from the Presentence Report and is based on the guidelines in USSG Chapter Two, Part D. The six guidelines featured in the tables (USSG §2D1.1, §2D1.2, §2D1.5, §2D1.6, §2D1.8, and §2D2.1) represent the vast majority of drug cases.

Drug Type

Information on *Drug Type* is obtained from the Presentence Report, Judgment and Commitment Order or Plea Agreement. It is recorded only if at least one of the statutes of conviction recorded by the Commission is a title 21 U.S. Code offense or an offense under another title when the underlying conduct involves a controlled substance. Information about type of drug in the text and tables is derived from the primary drug type (*i.e.*, the type that produces the highest base offense level). The category *Marijuana* includes Hashish and Hashish oil. The category *Methamphetamine* includes pure (actual) methamphetamine, "ICE," methamphetamine mixture, and methamphetamine precursors sentenced under any drug guideline other than USSG §2D1.11 (for example ephedrine and pseudoephedrine). The category *Listed Chemicals* includes any chemicals listed under USSG §2D1.11. All drug types not listed separately in this report are collapsed into the "other" drug category.

Education

Information on education of the offender is obtained from the Presentence Report and is collapsed into general categories. Technical, military, and vocational training as well as course work at community colleges is included in the *Some College* category. A general equivalency degree (GED) is included in the *High School Graduate* category.

Gender

Gender of the defendant is obtained from the Presentence Report.

Starting in Fiscal Year 2014, for cases in which the Commission does not receive the PSR (most commonly when the court waives the preparation of the PSR), values for several demographic variables are taken from the Probation and Pretrial Services Automated Case Tracking System (PACTS) datafile created by the Probation and Pretrial Services Office at the Administrative Office of the U.S. Courts. Cases are matched using unique case identifiers and the demographic information which would otherwise be missing in these cases due to the lack of a PSR is imported from the PACTS datafile.

Government Sponsored Below Range

Government sponsorship of a below range sentence is determined by a yearly case review by USSC staff of both the reasons for the below range sentence and the coding by USSC staff of any indication of government sponsorship as indicated on the Statement of Reasons for below range cases. The SOR form has specific check-boxes to indicate the origins of the departure, but cases that do not use this form may also indicate in writing the origins of the departure. Additionally, all cases with one or more of the following reasons were classified as being sponsored by the government regardless of whether the SOR indicated sponsorship: pursuant to a plea agreement (binding, non-binding, or unknown), fast track, savings to the government, early plea, deportation, waiver of indictment and/or appeal, other government

motion, global disposition, due to stipulations, facilitated early release of a material witness, joint recommendation, and large number of immigration cases. Note that because the USSC reviews the reasons on a yearly basis, this list might be modified slightly from year to year. Unless otherwise broken out in the table or chart, this category also includes cases with USSG §5K3.1 Early Disposition Program (EDP) departures and USSG §5K1.1 substantial assistance departures.

Guideline Offenders Sentenced

Each *Guideline Offender Sentenced* or case, as recorded by the USSC, involves a single sentencing event for a single offender. Multiple counts, and even multiple indictments, are considered a single sentencing event if sentenced at the same time by the same judge. A single offender may appear in more than one case if involved in more than one sentencing event during the fiscal year. Co-offenders in the same sentencing will each appear as separate cases.

Guideline Sentencing Range

The *Guideline Sentencing Range* is taken from the Statement of Reasons provided by the sentencing court. Alternatively, if the Statement of Reasons is missing, then the information is taken from the presentence report.

For tables in this report, unless otherwise indicated, the guideline sentencing range does not take into account applicable statutory restrictions on either the maximum or the minimum of the range; therefore, it may differ from the available range, which does take into account the statutory restrictions.

Mode of Conviction

Information on *Mode of Conviction* is obtained from the Judgment and Commitment Order. Offenders sentenced subsequent to a plea of guilty or *nolo contendere* are included in the *Plea* category. Offenders sentenced subsequent to a trial by judge or jury are included in the *Trial* category. Rare cases involving both a plea and a trial are included in the *Trial* category.

Outside of the Range Attribution Categories

All categories replicate the list of checkboxes available on the SOR Form. Not all checkbox categories are available in both the departure section and sentences outside the guideline system section on this form and multiple checkboxes may be indicated in a single case so that totals in a table may exceed the total number of cases. USSC uses these checkboxes in determining government sponsorship: all cases in which one of the pursuant to a plea agreement boxes is indicated are attributed to the government. Additionally cases where a USSG §5K1.1, USSG §5K3.1, or other government motion checkbox was indicated in the pursuant to a motion not in a plea agreement section are also attributed to one of the government sponsored categories. Additionally, other types of SOR forms may indicate sponsorship in writing, and these attributions are also included in the appropriate category.

Position of Sentence

The *Position of Sentence* describes within-range guideline sentences in terms of their relative positions within their applicable guideline ranges. Only cases with complete information from the Statement of Reasons are used for this table. The *Position of Sentence* is determined by dividing the available range in half. This allows a sentence to fall into one of five distinct categories: the guideline minimum; the exact midpoint of the range; the guideline maximum; the lower-half of the range (when not at the guideline minimum); and the upper-half of the range (when not at the guideline maximum). The “available range” is the guideline range with applicable statutory restrictions on either the maximum or the minimum of the range taken into account. (For cases in which guideline USSG §5C1.2 was applied, in accordance with the provisions of the guideline, the statutory restrictions on the minimum of the range are removed according to 18 U.S.C. § 3553(f).) In cases in which the sentence is located outside the available sentencing range, departure information is provided as reported by the sentencing court. Differences in the number and percentage of cases in each range quarter may differ from other tables presented in this report; this is due to the exclusion of any case missing both complete information from the Statement of Reasons and information on statutory minima and maxima.

Primary Offense Category

Information on *Primary Offense Category* is obtained from the Judgment and Commitment Order. The “primary” offense for the case is determined to be the offense applicable to the count of conviction with the highest statutory maximum. If two or more counts are found to have the same statutory maximum, “primary” offense is selected according to which count of conviction has the highest statutory minimum. Finally, in the event of a small number of cases still tied, the offense type that best represented the nature of the criminal behavior is chosen.

For convenience in analysis, a summary variable describing “primary offense category” is derived. This is generated by grouping similar primary offenses into a smaller set of categories. Note that the primary offense categories differ between the individual and organizational offender datafiles. Listed below are the offense types that are grouped into each of the primary offense categories used in the individual datafile tables for this report:

Murder includes first degree murder, felony with death resulting, second degree murder, and conspiracy to murder (with death resulting).

Manslaughter includes both involuntary and voluntary manslaughter.

Kidnapping/Hostage Taking includes ransom taking and hostage/kidnapping.

Sexual Abuse includes sexual abuse of a minor, transportation of minor for sex, sexual abuse of a ward, criminal sexual abuse, and abusive sexual contact.

Assault includes attempt to commit murder, assault with intent to murder, threatening communication, aggravated assault, conspiracy with attempt to murder, obstructing or impeding officers, minor assault, and conspiracy that includes assault with attempt to murder.

Robbery includes bank robbery, aggravated bank robbery, Hobbs Act robbery, mail robbery, other robbery, and carjacking.

Arson also includes damage by explosives.

Drugs - Trafficking includes drug distribution/manufacture, drug distribution/manufacture – conspiracy, continuing criminal enterprise, drug distribution – employee under 21, drug distribution near school, drug import/export, drug distribution to person under 21, and establish/rent drug operation.

Drugs - Communication Facility includes use of a communication facility in a drug trafficking offense.

Drugs - Simple Possession includes distribution of a small amount of marijuana and simple possession.

Firearms includes unlawful possession/transportation of firearms or ammunition; possession of guns/explosives on aircraft; unlawful trafficking, etc. in explosives; possession of guns/explosives in federal facility/schools; use of fire or explosives to commit felony; and use of firearms or ammunition during crime.

Burglary/Breaking & Entering includes post office burglary, burglary of DEA premises (pharmacy), burglary of other structure, bank burglary, and burglary of a residence.

Auto Theft includes auto theft (including parts), receipt/possession of stolen auto or parts, and altered identification numbers/trafficking in altered (auto).

Larceny includes bank larceny, theft from benefit plans, other theft – mail/post office, receipt/possession of stolen property (not auto), other theft – property, larceny/theft-mail/post office, larceny/theft – property (not auto), and theft from labor union.

Fraud includes odometer laws and regulations, insider trading, and fraud and deceit.

Embezzlement includes embezzlement – property, embezzlement from labor unions, embezzlement – mail/post office, embezzlement from benefit plans, and bank embezzlement.

Forgery/Counterfeiting includes counterfeit bearer obligations and forgery/counterfeit (non-bearer obligations).

Bribery includes payment to obtain office, bribe involving officials, bribery – bank loan/commercial, loan or gratuity to bank examiner, etc., gratuity involving officials, and bribe or gratuity affecting employee plan.

Tax includes receipt/trafficking in smuggled property, aid, etc., in tax fraud; fraud – tax returns, statements, etc.; fraud, false statement – perjury; failure to file or pay; tax evasion; evading import duties (smuggling); failure to collect or account for taxes; regulatory offenses – taxes; failure to deposit taxes in trust account; non-payment of taxes; conspiracy to avoid taxes; and offenses relating to withholding statements.

Money Laundering includes laundering of monetary instruments, monetary transaction from unlawful activity, failure to file currency report, and failure to report monetary transactions.

Racketeering/Extortion includes extortionate extension of credit, blackmail, extortion by force or threat, Hobbs Act extortion, travel in aid of racketeering, crime relating to racketeering, and violent crimes in aid of racketeering.

Gambling/Lottery includes engaging in a gambling business, transmission of wagering information, obstruction to facilitate gambling, and interstate transportation of wagering paraphernalia.

Civil Rights includes interference with rights under color of law; force or threats to deny benefits or rights; obstructing an election or registration; manufacture, etc. – eavesdropping device; other deprivations/discrimination; obstructing correspondence; peonage, servitude, and slave trade; intercept communication or eavesdropping; and conspiracy to deprive individual of civil rights.

Immigration includes trafficking in U.S. passports; trafficking in entry documents; failure to surrender naturalization certificate; fraudulently acquiring U.S. passports; smuggling, etc.; unlawful alien; fraudulently acquiring entry documents; and unlawfully entering the U.S.

Pornography/Prostitution includes dealing in obscene matter, transportation of minor for prostitution, transportation for prostitution/sex (adult), sexual exploitation of minors, materials involving sexual exploitation of minors, obscene telephone or broadcasting, and selling or buying children for pornography. This primary offense category was discontinued in fiscal year 2010. Some of the offenses that were grouped into this primary offense category in prior fiscal years are grouped into the *Child Pornography* primary offense type. All other offenses that were grouped into this primary offense category in prior fiscal years are included in the *Other Miscellaneous Offenses* primary offense category.

Child Pornography includes the sale, distribution, transportation, shipment, receipt, or possession of materials involving the sexual exploitation of minors. This primary offense category was created in fiscal year 2010.

Prison Offenses includes contraband in prisons, riots in federal facilities, and escape.

Administration of Justice Offenses includes commission of offense while on release, bribery of a witness, failure to appear by offender, contempt, failure to appear by material witness, obstruction of justice, payment of witness, perjury or subornation of perjury, misprision of a felony, and accessory after the fact.

Environmental/Wildlife includes waste discharge, specially protected fish, wildlife, and plants (waste discharge is presented as a separate offense category in Tables 51 and 52).

National Defense includes evasion of export controls and exportation of arms, etc., without license.

Antitrust includes bid-rigging, price-fixing, and market allocation agreement.

Food & Drug includes false information or tampering with products, tampering to injure business, tampering with risk of death or injury, and violation of regulations involving food, drugs, etc.

Other Miscellaneous Offenses includes illegal use of regulatory number – drugs; illegal transfer of drugs; illegal regulatory number to get drugs; drug paraphernalia; forgery/fraud for drugs; dangerous devices to protect drugs; manufacture drugs against quota; endangering life while manufacturing drugs; operate carrier under drugs; endangerment from hazardous/toxic substances; mishandling substances, records, etc.; threat of tampering with public water system; hazardous devices on federal lands; mishandling other pollutants, records, etc.; improper storage of explosives; recordkeeping violation – explosives; possession of other weapon – on aircraft, in federal facility; failure to report theft of explosives; feloniously mailing injurious articles; transport of hazardous material in commerce; interference with flight crew, other offense – aboard aircraft; criminal infringement of copyright/trademark; conflict of interest; unauthorized payment; non-drug forfeiture; impersonation; false statement to Employee Act; reporting offenses – labor related; criminal infringement of trademark; unlawful conduct relating to control/cigarettes; trespass; destruction of property; destruction of mail; aircraft piracy; conspiracy to murder (no death, assault, or attempt); conspiracy to commit murder; and all other miscellaneous offenses not previously listed in any of the other categories.

Race

Information on *Race* of the offender is obtained from the Presentence Report in separate categories of race and ethnicity (*White, Black, Native American or Alaskan Native, Asian or Pacific Islander, Multiracial, and "Other"*). Ethnicity data indicate whether an offender is of Hispanic origin. (For purposes of this report, offenders whose ethnic background is designated as Hispanic are represented as Hispanic in all tables regardless of racial background.) The *Other* category includes offenders of Native American, Alaskan Native, Asian or Pacific Islander, Multiracial, and "Other" origin.

Starting in Fiscal Year 2014, for cases in which the Commission does not receive the PSR (most commonly when the court waives the preparation of the PSR), values for several demographic variables are taken from the Probation and Pretrial Services Automated Case Tracking System (PACTS) datafile created by the Probation and Pretrial Services Office at the Administrative Office of the U.S. Courts. Cases are matched using unique case identifiers and the demographic information which would otherwise be missing in these cases due to the lack of a PSR is imported from the PACTS datafile.

Sentence Length

Sentence Length reports the mean and median terms of the sentence imposed in months. This information is obtained from the Judgment and Commitment Order. Sentence lengths expressed in days are rounded to the nearest month.

Probation sentences are included as zero months. Any portion of a sentence which is an alternative confinement as described in USSG §5C1.1 is included. Cases in which a sentence is imposed, but where the length is indeterminable, are excluded. However, sentences in cases where the court imposed a sentence of time served but did not report the amount of time that was served are included as zero months.

In cases where the court imposes a sentence of life imprisonment, a numeric value is necessary to include these cases in any sentence length analysis. Accordingly, life sentences are reported as 470 months, a length consistent with the average life expectancy of federal criminal offenders given the average age of federal offenders. Also, sentences of greater than 470 months are also reported as 470 months for some analyses. The footnote in the relevant tables and figures indicates when this occurs.

Type of Guideline Sentence Imposed

Using sentencing information obtained from the Judgment and Commitment Order, the *Total Receiving Prison* column includes the number of offenders sentenced (and percent of *Total Cases*) who received a commitment to the Bureau of Prisons. This column is the sum of cases in *Prison* and the *Prison/Community Split Sentence* categories.

The *Prison* category includes offenders sentenced to a term of imprisonment only, with no additional conditions of community confinement, home detention or intermittent confinement.

The *Prison/Community Split Sentence* category includes all cases in which offenders received prison and conditions of alternative confinement as defined in USSG §5C1.1. This category includes, but is not limited to, Zone A, Zone B, or Zone C cases receiving prison with additional conditions of a term of community confinement, home detention, or intermittent confinement.

The *Total Receiving Probation* column includes the number of offenders sentenced (and the percent of *Total Cases*) who received a term of probation with or without a condition of community confinement, intermittent confinement, or home detention. This column also represents the total of the *Probation Only* and *Probation and Confinement* categories.

The *Probation Only* column includes the number of offenders who received a term of probation without a condition of community confinement, intermittent confinement, or home detention.

Probation and Confinement includes the number of offenders who received a term of probation with a condition of community confinement, intermittent confinement, or home detention.

Upward Departure From Guideline Range

Upward Departure From Guideline Range consists of cases with departures above the guideline range which do not cite as a reason either *U.S. v. Booker*, 18 U.S.C. § 3553, or factors or reasons specifically prohibited in the provisions, policy statements, or commentary of the federal guidelines manual.

Upward Departure with Booker/18 U.S.C. § 3553

Upward Departure with Booker/18 U.S.C. § 3553 consists of cases with a sentence above the guideline range that includes both a departure (see Upward Departure From Guideline Range) as well as a sentence outside the guideline system mentioning either *U.S. v. Booker*, 18 U.S.C. § 3553, or related factors as a reason for sentencing above the guideline system.

Year

Information on *Year* is obtained from the Judgment and Commitment Order. Unless otherwise indicated, the sentencing year is defined as the fiscal year in which the defendant was sentenced.

Zone

The *Sentencing Table* is categorized into sentencing *Zones*. Courts may impose various types of punishment as alternatives to imprisonment. Alternative types of punishment include probation, home detention, community confinement, and intermittent confinement. Imposition of alternative types of punishment is restricted to defendants within specific sentencing zones.

Zone A: a guideline range is in Zone A when the minimum term of imprisonment specified is zero months;

Zone B: a guideline range is in Zone B when the minimum term of imprisonment specified is at least one but not more than six months;

Zone C: a guideline range is in Zone C when the minimum term of imprisonment specified is eight months when criminal history category is four or less, and nine months if the criminal history category is greater than four;

Zone D: a guideline range is in Zone D when the minimum term of imprisonment specified is 12 months or more.

See Chapter 5 of the *Guidelines Manual* for a description of alternatives to imprisonment and the conditions under which they are applicable.

**Appendix B:
List of Quarterly Report Tables and Figures
and Comparable FY13 *Sourcebook* Number/Letter**

<u>Quarterly Report Tables/Figures</u>	<u>Comparable <i>Sourcebook</i> Tables/Figures</u>
Table 1	Table N
Table 2	Table 26
Table 3	Table 27
Figure A	N/A
Figure B	N/A
Table 4	N/A
Table 5	Table 28
Table 6	Table 28A
Table 7	Table 30
Table 8	Table 30A
Table 9	Table 31
Table 10	Table 31A
Table 11	Table 31B
Table 12	Table 31C
Table 13	Table 31D
Table 14	Table 32
Table 15	Table 32A
Table 16	Table 32B
Table 17	Table 32C
Table 18	Table 12
Table 19	Table 13
Figure C	N/A
Figure D	N/A
Figure E	N/A
Figure F	N/A
Figure G	N/A
Figure H	N/A
Figure I	N/A
Table 20	Table 29
Figure J	Figure A
Table 21	Table 3
Table 22	Table 11
Figure K	N/A

Table 23	Table 4
Table 24	Table 5
Table 25	Table 7
Table 26	Table 9
Table 27	Table 1
Table 28	N/A