

U.S. Sentencing Commission Preliminary Quarterly Data Report



**1st Quarter Release
Preliminary Fiscal Year 2015 Data
Through December 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 1995-2014 *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**
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)

	N	%
TOTAL CASES	16,388	100.0
CASES SENTENCED WITHIN GUIDELINE RANGE	7,628	46.5
CASES SENTENCED ABOVE GUIDELINE RANGE	300	1.8
DEPARTURE ABOVE GUIDELINE RANGE	88	0.5
Upward Departure From Guideline Range ²	66	0.4
Upward Departure With <i>Booker</i> /18 U.S.C. § 3553 ³	22	0.1
OTHERWISE ABOVE GUIDELINE RANGE	212	1.3
Above Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 ⁴	196	1.2
All Remaining Cases Above Guideline Range ⁵	16	0.1
GOVERNMENT SPONSORED BELOW RANGE⁶	4,978	30.4
§5K1.1 Substantial Assistance Departure	2,046	12.5
§5K3.1 Early Disposition Program Departure	1,522	9.3
Other Government Sponsored Below Range	1,410	8.6
NON-GOVERNMENT SPONSORED BELOW RANGE	3,482	21.2
DEPARTURE BELOW GUIDELINE RANGE	467	2.8
Downward Departure From Guideline Range ²	332	2.0
Downward Departure With <i>Booker</i> /18 U.S.C. § 3553 ³	135	0.8
OTHERWISE BELOW GUIDELINE RANGE	3,015	18.4
Below Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 ⁴	2,907	17.7
All Remaining Cases Below Guideline Range ⁵	108	0.7

¹ This table reflects the 16,781 cases sentenced on or after October 1, 2014, with court documentation cumulatively received, coded, and edited at the U.S. Sentencing Commission by April 6, 2015. Of these, 393 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 2015 Datafile, USSCFY15 (October 1, 2014, through December 31, 2014).

SENTENCES RELATIVE TO THE GUIDELINE RANGE BY CIRCUIT AND DISTRICT¹
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 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	16,388	7,628	46.5	66	0.4	22	0.1	196	1.2	16	0.1
D.C. CIRCUIT	63	16	25.4	0	0.0	0	0.0	2	3.2	0	0.0
District of Columbia	63	16	25.4	0	0.0	0	0.0	2	3.2	0	0.0
FIRST CIRCUIT	582	306	52.6	4	0.7	0	0.0	14	2.4	4	0.7
Maine	58	20	34.5	0	0.0	0	0.0	0	0.0	0	0.0
Massachusetts	149	31	20.8	0	0.0	0	0.0	3	2.0	0	0.0
New Hampshire	32	20	62.5	0	0.0	0	0.0	2	6.3	0	0.0
Puerto Rico	306	224	73.2	4	1.3	0	0.0	9	2.9	4	1.3
Rhode Island	37	11	29.7	0	0.0	0	0.0	0	0.0	0	0.0
SECOND CIRCUIT	1,019	284	27.9	2	0.2	0	0.0	2	0.2	1	0.1
Connecticut	82	21	25.6	1	1.2	0	0.0	0	0.0	0	0.0
New York											
Eastern	206	45	21.8	1	0.5	0	0.0	0	0.0	0	0.0
Northern	113	54	47.8	0	0.0	0	0.0	0	0.0	0	0.0
Southern	432	99	22.9	0	0.0	0	0.0	2	0.5	1	0.2
Western	140	59	42.1	0	0.0	0	0.0	0	0.0	0	0.0
Vermont	46	6	13.0	0	0.0	0	0.0	0	0.0	0	0.0
THIRD CIRCUIT	609	228	37.4	1	0.2	0	0.0	4	0.7	0	0.0
Delaware	25	5	20.0	0	0.0	0	0.0	0	0.0	0	0.0
New Jersey	158	67	42.4	0	0.0	0	0.0	0	0.0	0	0.0
Pennsylvania											
Eastern	168	47	28.0	1	0.6	0	0.0	2	1.2	0	0.0
Middle	113	55	48.7	0	0.0	0	0.0	1	0.9	0	0.0
Western	136	47	34.6	0	0.0	0	0.0	1	0.7	0	0.0
Virgin Islands	9	7	77.8	0	0.0	0	0.0	0	0.0	0	0.0
FOURTH CIRCUIT	1,400	766	54.7	10	0.7	3	0.2	19	1.4	0	0.0
Maryland	180	48	26.7	1	0.6	1	0.6	5	2.8	0	0.0
North Carolina											
Eastern	129	59	45.7	3	2.3	0	0.0	2	1.6	0	0.0
Middle	144	92	63.9	2	1.4	1	0.7	5	3.5	0	0.0
Western	181	109	60.2	1	0.6	1	0.6	0	0.0	0	0.0
South Carolina	167	93	55.7	2	1.2	0	0.0	1	0.6	0	0.0
Virginia											
Eastern	297	197	66.3	1	0.3	0	0.0	3	1.0	0	0.0
Western	95	44	46.3	0	0.0	0	0.0	2	2.1	0	0.0
West Virginia											
Northern	146	87	59.6	0	0.0	0	0.0	1	0.7	0	0.0
Southern	61	37	60.7	0	0.0	0	0.0	0	0.0	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	2,046	12.5	1,522	9.3	1,410	8.6	332	2.0	135	0.8	2,907	17.7	108	0.7
D.C. CIRCUIT	21	33.3	1	1.6	11	17.5	1	1.6	0	0.0	10	15.9	1	1.6
District of Columbia	21	33.3	1	1.6	11	17.5	1	1.6	0	0.0	10	15.9	1	1.6
FIRST CIRCUIT	50	8.6	7	1.2	78	13.4	13	2.2	4	0.7	96	16.5	6	1.0
Maine	14	24.1	0	0.0	2	3.4	1	1.7	1	1.7	20	34.5	0	0.0
Massachusetts	24	16.1	3	2.0	38	25.5	4	2.7	2	1.3	43	28.9	1	0.7
New Hampshire	4	12.5	0	0.0	2	6.3	0	0.0	1	3.1	3	9.4	0	0.0
Puerto Rico	8	2.6	4	1.3	17	5.6	8	2.6	0	0.0	23	7.5	5	1.6
Rhode Island	0	0.0	0	0.0	19	51.4	0	0.0	0	0.0	7	18.9	0	0.0
SECOND CIRCUIT	221	21.7	27	2.6	51	5.0	20	2.0	19	1.9	386	37.9	6	0.6
Connecticut	15	18.3	1	1.2	8	9.8	4	4.9	1	1.2	31	37.8	0	0.0
New York														
Eastern	46	22.3	19	9.2	17	8.3	9	4.4	6	2.9	62	30.1	1	0.5
Northern	31	27.4	0	0.0	3	2.7	1	0.9	3	2.7	21	18.6	0	0.0
Southern	80	18.5	7	1.6	7	1.6	6	1.4	6	1.4	220	50.9	4	0.9
Western	39	27.9	0	0.0	9	6.4	0	0.0	1	0.7	31	22.1	1	0.7
Vermont	10	21.7	0	0.0	7	15.2	0	0.0	2	4.3	21	45.7	0	0.0
THIRD CIRCUIT	163	26.8	5	0.8	39	6.4	13	2.1	7	1.1	140	23.0	9	1.5
Delaware	6	24.0	0	0.0	1	4.0	0	0.0	1	4.0	12	48.0	0	0.0
New Jersey	40	25.3	1	0.6	14	8.9	2	1.3	2	1.3	31	19.6	1	0.6
Pennsylvania														
Eastern	59	35.1	0	0.0	6	3.6	2	1.2	1	0.6	45	26.8	5	3.0
Middle	20	17.7	4	3.5	5	4.4	5	4.4	0	0.0	21	18.6	2	1.8
Western	36	26.5	0	0.0	13	9.6	4	2.9	3	2.2	31	22.8	1	0.7
Virgin Islands	2	22.2	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
FOURTH CIRCUIT	226	16.1	2	0.1	103	7.4	22	1.6	10	0.7	229	16.4	10	0.7
Maryland	52	28.9	0	0.0	36	20.0	1	0.6	2	1.1	33	18.3	1	0.6
North Carolina														
Eastern	41	31.8	0	0.0	3	2.3	2	1.6	1	0.8	17	13.2	1	0.8
Middle	14	9.7	0	0.0	2	1.4	1	0.7	0	0.0	27	18.8	0	0.0
Western	32	17.7	0	0.0	11	6.1	3	1.7	0	0.0	24	13.3	0	0.0
South Carolina	33	19.8	0	0.0	16	9.6	1	0.6	1	0.6	19	11.4	1	0.6
Virginia														
Eastern	17	5.7	0	0.0	13	4.4	10	3.4	2	0.7	47	15.8	7	2.4
Western	21	22.1	0	0.0	12	12.6	4	4.2	3	3.2	9	9.5	0	0.0
West Virginia														
Northern	13	8.9	0	0.0	10	6.8	0	0.0	1	0.7	34	23.3	0	0.0
Southern	3	4.9	2	3.3	0	0.0	0	0.0	0	0.0	19	31.1	0	0.0

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	3,641	2,270	62.3	12	0.3	8	0.2	56	1.5	2	0.1
Louisiana											
Eastern	105	62	59.0	0	0.0	0	0.0	4	3.8	0	0.0
Middle	37	14	37.8	0	0.0	0	0.0	0	0.0	0	0.0
Western	45	27	60.0	1	2.2	0	0.0	1	2.2	0	0.0
Mississippi											
Northern	45	23	51.1	1	2.2	0	0.0	0	0.0	0	0.0
Southern	67	42	62.7	1	1.5	0	0.0	1	1.5	0	0.0
Texas											
Eastern	191	105	55.0	0	0.0	0	0.0	4	2.1	0	0.0
Northern	366	205	56.0	2	0.5	5	1.4	9	2.5	0	0.0
Southern	1,359	771	56.7	4	0.3	3	0.2	14	1.0	1	0.1
Western	1,426	1,021	71.6	3	0.2	0	0.0	23	1.6	1	0.1
SIXTH CIRCUIT	1,142	520	45.5	7	0.6	0	0.0	13	1.1	1	0.1
Kentucky											
Eastern	139	81	58.3	0	0.0	0	0.0	2	1.4	0	0.0
Western	80	36	45.0	2	2.5	0	0.0	0	0.0	0	0.0
Michigan											
Eastern	182	88	48.4	1	0.5	0	0.0	0	0.0	1	0.5
Western	88	49	55.7	2	2.3	0	0.0	2	2.3	0	0.0
Ohio											
Northern	175	59	33.7	0	0.0	0	0.0	1	0.6	0	0.0
Southern	145	50	34.5	0	0.0	0	0.0	3	2.1	0	0.0
Tennessee											
Eastern	155	88	56.8	1	0.6	0	0.0	1	0.6	0	0.0
Middle	60	23	38.3	1	1.7	0	0.0	0	0.0	0	0.0
Western	118	46	39.0	0	0.0	0	0.0	4	3.4	0	0.0
SEVENTH CIRCUIT	618	242	39.2	0	0.0	2	0.3	3	0.5	3	0.5
Illinois											
Central	96	45	46.9	0	0.0	0	0.0	2	2.1	0	0.0
Northern	174	47	27.0	0	0.0	2	1.1	0	0.0	1	0.6
Southern	90	57	63.3	0	0.0	0	0.0	1	1.1	1	1.1
Indiana											
Northern	82	35	42.7	0	0.0	0	0.0	0	0.0	0	0.0
Southern	77	31	40.3	0	0.0	0	0.0	0	0.0	1	1.3
Wisconsin											
Eastern	67	16	23.9	0	0.0	0	0.0	0	0.0	0	0.0
Western	32	11	34.4	0	0.0	0	0.0	0	0.0	0	0.0
EIGHTH CIRCUIT	1,108	492	44.4	9	0.8	1	0.1	23	2.1	1	0.1
Arkansas											
Eastern	78	35	44.9	0	0.0	0	0.0	2	2.6	1	1.3
Western	89	39	43.8	0	0.0	0	0.0	2	2.2	0	0.0
Iowa											
Northern	90	44	48.9	6	6.7	0	0.0	1	1.1	0	0.0
Southern	90	32	35.6	0	0.0	0	0.0	1	1.1	0	0.0
Minnesota	65	19	29.2	1	1.5	0	0.0	4	6.2	0	0.0
Missouri											
Eastern	144	61	42.4	0	0.0	1	0.7	2	1.4	0	0.0
Western	176	70	39.8	1	0.6	0	0.0	8	4.5	0	0.0
Nebraska	153	74	48.4	0	0.0	0	0.0	0	0.0	0	0.0
North Dakota	114	53	46.5	0	0.0	0	0.0	1	0.9	0	0.0
South Dakota	109	65	59.6	1	0.9	0	0.0	2	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	311	8.5	155	4.3	156	4.3	155	4.3	11	0.3	475	13.0	30	0.8
Louisiana														
Eastern	11	10.5	0	0.0	1	1.0	1	1.0	2	1.9	23	21.9	1	1.0
Middle	11	29.7	0	0.0	0	0.0	0	0.0	0	0.0	12	32.4	0	0.0
Western	9	20.0	0	0.0	0	0.0	0	0.0	0	0.0	7	15.6	0	0.0
Mississippi														
Northern	10	22.2	1	2.2	1	2.2	0	0.0	0	0.0	9	20.0	0	0.0
Southern	9	13.4	0	0.0	0	0.0	0	0.0	0	0.0	14	20.9	0	0.0
Texas														
Eastern	14	7.3	1	0.5	41	21.5	1	0.5	2	1.0	22	11.5	1	0.5
Northern	48	13.1	0	0.0	11	3.0	2	0.5	1	0.3	82	22.4	1	0.3
Southern	102	7.5	125	9.2	65	4.8	124	9.1	3	0.2	146	10.7	1	0.1
Western	97	6.8	28	2.0	37	2.6	27	1.9	3	0.2	160	11.2	26	1.8
SIXTH CIRCUIT	221	19.4	4	0.4	115	10.1	12	1.1	9	0.8	235	20.6	5	0.4
Kentucky														
Eastern	19	13.7	0	0.0	5	3.6	0	0.0	0	0.0	32	23.0	0	0.0
Western	21	26.3	2	2.5	13	16.3	0	0.0	0	0.0	5	6.3	1	1.3
Michigan														
Eastern	20	11.0	0	0.0	9	4.9	1	0.5	2	1.1	60	33.0	0	0.0
Western	12	13.6	0	0.0	1	1.1	3	3.4	2	2.3	17	19.3	0	0.0
Ohio														
Northern	52	29.7	0	0.0	15	8.6	2	1.1	2	1.1	44	25.1	0	0.0
Southern	22	15.2	1	0.7	38	26.2	3	2.1	2	1.4	24	16.6	2	1.4
Tennessee														
Eastern	40	25.8	0	0.0	9	5.8	0	0.0	0	0.0	16	10.3	0	0.0
Middle	13	21.7	0	0.0	17	28.3	1	1.7	1	1.7	4	6.7	0	0.0
Western	22	18.6	1	0.8	8	6.8	2	1.7	0	0.0	33	28.0	2	1.7
SEVENTH CIRCUIT	77	12.5	2	0.3	44	7.1	17	2.8	21	3.4	200	32.4	7	1.1
Illinois														
Central	13	13.5	0	0.0	8	8.3	2	2.1	2	2.1	24	25.0	0	0.0
Northern	25	14.4	2	1.1	7	4.0	4	2.3	9	5.2	72	41.4	5	2.9
Southern	7	7.8	0	0.0	8	8.9	2	2.2	2	2.2	11	12.2	1	1.1
Indiana														
Northern	15	18.3	0	0.0	5	6.1	2	2.4	3	3.7	21	25.6	1	1.2
Southern	8	10.4	0	0.0	4	5.2	2	2.6	0	0.0	31	40.3	0	0.0
Wisconsin														
Eastern	9	13.4	0	0.0	11	16.4	0	0.0	0	0.0	31	46.3	0	0.0
Western	0	0.0	0	0.0	1	3.1	5	15.6	5	15.6	10	31.3	0	0.0
EIGHTH CIRCUIT	166	15.0	17	1.5	109	9.8	9	0.8	9	0.8	263	23.7	9	0.8
Arkansas														
Eastern	13	16.7	0	0.0	3	3.8	0	0.0	2	2.6	20	25.6	2	2.6
Western	11	12.4	0	0.0	7	7.9	0	0.0	0	0.0	30	33.7	0	0.0
Iowa														
Northern	27	30.0	0	0.0	1	1.1	1	1.1	0	0.0	10	11.1	0	0.0
Southern	18	20.0	0	0.0	17	18.9	0	0.0	0	0.0	21	23.3	1	1.1
Minnesota	7	10.8	0	0.0	1	1.5	2	3.1	2	3.1	27	41.5	2	3.1
Missouri														
Eastern	16	11.1	0	0.0	20	13.9	0	0.0	2	1.4	42	29.2	0	0.0
Western	30	17.0	0	0.0	21	11.9	0	0.0	1	0.6	45	25.6	0	0.0
Nebraska	10	6.5	15	9.8	20	13.1	1	0.7	0	0.0	29	19.0	4	2.6
North Dakota	33	28.9	2	1.8	4	3.5	3	2.6	1	0.9	17	14.9	0	0.0
South Dakota	1	0.9	0	0.0	15	13.8	2	1.8	1	0.9	22	20.2	0	0.0

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	3,128	853	27.3	14	0.4	2	0.1	19	0.6	1	0.0
Alaska	31	12	38.7	0	0.0	0	0.0	1	3.2	0	0.0
Arizona	992	263	26.5	12	1.2	0	0.0	5	0.5	1	0.1
California											
Central	251	74	29.5	0	0.0	0	0.0	0	0.0	0	0.0
Eastern	200	75	37.5	1	0.5	0	0.0	1	0.5	0	0.0
Northern	144	59	41.0	0	0.0	0	0.0	3	2.1	0	0.0
Southern	838	122	14.6	1	0.1	0	0.0	1	0.1	0	0.0
Guam	21	9	42.9	0	0.0	0	0.0	0	0.0	0	0.0
Hawaii	58	23	39.7	0	0.0	0	0.0	0	0.0	0	0.0
Idaho	52	21	40.4	0	0.0	1	1.9	0	0.0	0	0.0
Montana	86	27	31.4	0	0.0	0	0.0	0	0.0	0	0.0
Nevada	140	71	50.7	0	0.0	0	0.0	3	2.1	0	0.0
Northern Mariana Islands	5	3	60.0	0	0.0	0	0.0	0	0.0	0	0.0
Oregon	123	32	26.0	0	0.0	0	0.0	1	0.8	0	0.0
Washington											
Eastern	91	27	29.7	0	0.0	0	0.0	4	4.4	0	0.0
Western	96	35	36.5	0	0.0	1	1.0	0	0.0	0	0.0
TENTH CIRCUIT	1,623	862	53.1	7	0.4	2	0.1	8	0.5	1	0.1
Colorado	71	22	31.0	0	0.0	0	0.0	1	1.4	1	1.4
Kansas	162	59	36.4	0	0.0	0	0.0	1	0.6	0	0.0
New Mexico	1,055	639	60.6	2	0.2	1	0.1	2	0.2	0	0.0
Oklahoma											
Eastern	11	6	54.5	0	0.0	0	0.0	0	0.0	0	0.0
Northern	39	17	43.6	0	0.0	0	0.0	0	0.0	0	0.0
Western	72	37	51.4	0	0.0	0	0.0	2	2.8	0	0.0
Utah	129	45	34.9	4	3.1	1	0.8	0	0.0	0	0.0
Wyoming	84	37	44.0	1	1.2	0	0.0	2	2.4	0	0.0
ELEVENTH CIRCUIT	1,455	789	54.2	0	0.0	4	0.3	33	2.3	2	0.1
Alabama											
Middle	49	25	51.0	0	0.0	3	6.1	6	12.2	0	0.0
Northern	68	46	67.6	0	0.0	0	0.0	2	2.9	0	0.0
Southern	96	48	50.0	0	0.0	0	0.0	0	0.0	0	0.0
Florida											
Middle	345	145	42.0	0	0.0	0	0.0	6	1.7	0	0.0
Northern	45	28	62.2	0	0.0	1	2.2	0	0.0	0	0.0
Southern	490	288	58.8	0	0.0	0	0.0	5	1.0	1	0.2
Georgia											
Middle	78	58	74.4	0	0.0	0	0.0	7	9.0	0	0.0
Northern	159	62	39.0	0	0.0	0	0.0	3	1.9	1	0.6
Southern	125	89	71.2	0	0.0	0	0.0	4	3.2	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	316	10.1	987	31.6	444	14.2	44	1.4	24	0.8	407	13.0	17	0.5
Alaska	2	6.5	0	0.0	4	12.9	0	0.0	0	0.0	12	38.7	0	0.0
Arizona	47	4.7	404	40.7	136	13.7	2	0.2	1	0.1	119	12.0	2	0.2
California														
Central	41	16.3	15	6.0	44	17.5	14	5.6	11	4.4	39	15.5	13	5.2
Eastern	38	19.0	23	11.5	28	14.0	2	1.0	1	0.5	31	15.5	0	0.0
Northern	15	10.4	3	2.1	38	26.4	1	0.7	1	0.7	24	16.7	0	0.0
Southern	59	7.0	514	61.3	55	6.6	23	2.7	4	0.5	57	6.8	2	0.2
Guam	11	52.4	0	0.0	0	0.0	0	0.0	0	0.0	1	4.8	0	0.0
Hawaii	24	41.4	0	0.0	0	0.0	1	1.7	1	1.7	9	15.5	0	0.0
Idaho	18	34.6	2	3.8	1	1.9	0	0.0	0	0.0	9	17.3	0	0.0
Montana	14	16.3	0	0.0	8	9.3	0	0.0	0	0.0	37	43.0	0	0.0
Nevada	12	8.6	5	3.6	24	17.1	0	0.0	2	1.4	23	16.4	0	0.0
Northern Mariana Islands	2	40.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Oregon	19	15.4	1	0.8	51	41.5	0	0.0	1	0.8	18	14.6	0	0.0
Washington														
Eastern	8	8.8	12	13.2	29	31.9	1	1.1	0	0.0	10	11.0	0	0.0
Western	6	6.3	8	8.3	26	27.1	0	0.0	2	2.1	18	18.8	0	0.0
TENTH CIRCUIT	103	6.3	302	18.6	151	9.3	10	0.6	10	0.6	162	10.0	5	0.3
Colorado	9	12.7	6	8.5	15	21.1	1	1.4	0	0.0	16	22.5	0	0.0
Kansas	51	31.5	7	4.3	27	16.7	0	0.0	0	0.0	17	10.5	0	0.0
New Mexico	17	1.6	248	23.5	68	6.4	6	0.6	8	0.8	61	5.8	3	0.3
Oklahoma														
Eastern	1	9.1	0	0.0	2	18.2	0	0.0	0	0.0	2	18.2	0	0.0
Northern	6	15.4	0	0.0	3	7.7	1	2.6	1	2.6	11	28.2	0	0.0
Western	3	4.2	0	0.0	0	0.0	2	2.8	0	0.0	28	38.9	0	0.0
Utah	4	3.1	33	25.6	25	19.4	0	0.0	0	0.0	15	11.6	2	1.6
Wyoming	12	14.3	8	9.5	11	13.1	0	0.0	1	1.2	12	14.3	0	0.0
ELEVENTH CIRCUIT	171	11.8	13	0.9	109	7.5	16	1.1	11	0.8	304	20.9	3	0.2
Alabama														
Middle	6	12.2	0	0.0	2	4.1	0	0.0	0	0.0	7	14.3	0	0.0
Northern	6	8.8	0	0.0	1	1.5	0	0.0	0	0.0	13	19.1	0	0.0
Southern	13	13.5	0	0.0	1	1.0	1	1.0	0	0.0	33	34.4	0	0.0
Florida														
Middle	59	17.1	10	2.9	11	3.2	4	1.2	4	1.2	106	30.7	0	0.0
Northern	8	17.8	0	0.0	1	2.2	0	0.0	0	0.0	7	15.6	0	0.0
Southern	46	9.4	2	0.4	34	6.9	2	0.4	7	1.4	102	20.8	3	0.6
Georgia														
Middle	5	6.4	1	1.3	0	0.0	1	1.3	0	0.0	6	7.7	0	0.0
Northern	13	8.2	0	0.0	56	35.2	8	5.0	0	0.0	16	10.1	0	0.0
Southern	15	12.0	0	0.0	3	2.4	0	0.0	0	0.0	14	11.2	0	0.0

¹ Of the 16,781 cases, 393 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: Arizona (21.3%), Eastern North Carolina (9.2%), and Northern California (8.9%). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2015 Datafile, USSCFY15 (October 1, 2014, through December 31, 2014).

Table 3

**SENTENCES RELATIVE TO THE GUIDELINE RANGE
BY EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 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	16,388	7,628	46.5	66	0.4	22	0.1	196	1.2	16	0.1
Murder	22	14	63.6	0	0.0	0	0.0	0	0.0	0	0.0
Manslaughter	14	7	50.0	2	14.3	0	0.0	2	14.3	0	0.0
Kidnapping/Hostage Taking	10	2	20.0	0	0.0	1	10.0	0	0.0	0	0.0
Sexual Abuse	121	62	51.2	1	0.8	0	0.0	4	3.3	0	0.0
Assault	170	98	57.6	5	2.9	2	1.2	9	5.3	1	0.6
Robbery	200	97	48.5	5	2.5	2	1.0	5	2.5	0	0.0
Arson	10	3	30.0	1	10.0	0	0.0	1	10.0	0	0.0
Drugs - Trafficking	4,830	1,498	31.0	9	0.2	3	0.1	24	0.5	4	0.1
Drugs - Communication Facility	62	24	38.7	0	0.0	0	0.0	1	1.6	0	0.0
Drugs - Simple Possession	124	117	94.4	0	0.0	0	0.0	2	1.6	0	0.0
Firearms	1,675	899	53.7	17	1.0	3	0.2	48	2.9	6	0.4
Burglary/B&E	7	3	42.9	0	0.0	0	0.0	1	14.3	0	0.0
Auto Theft	14	9	64.3	0	0.0	0	0.0	0	0.0	0	0.0
Larceny	222	123	55.4	0	0.0	0	0.0	3	1.4	0	0.0
Fraud	1,702	682	40.1	3	0.2	4	0.2	21	1.2	3	0.2
Embezzlement	72	34	47.2	0	0.0	0	0.0	1	1.4	0	0.0
Forgery/Counterfeiting	123	78	63.4	0	0.0	0	0.0	4	3.3	0	0.0
Bribery	36	13	36.1	0	0.0	0	0.0	0	0.0	0	0.0
Tax	152	41	27.0	1	0.7	0	0.0	1	0.7	0	0.0
Money Laundering	150	50	33.3	0	0.0	0	0.0	0	0.0	0	0.0
Racketeering/Extortion	234	105	44.9	0	0.0	0	0.0	2	0.9	0	0.0
Gambling/Lottery	26	17	65.4	0	0.0	0	0.0	1	3.8	0	0.0
Civil Rights	10	2	20.0	0	0.0	0	0.0	0	0.0	0	0.0
Immigration	4,973	2,872	57.8	15	0.3	2	0.0	48	1.0	1	0.0
Child Pornography	463	158	34.1	1	0.2	1	0.2	3	0.6	0	0.0
Prison Offenses	99	62	62.6	0	0.0	0	0.0	4	4.0	1	1.0
Administration of Justice Offenses	276	152	55.1	4	1.4	3	1.1	7	2.5	0	0.0
Environmental/Wildlife	34	14	41.2	0	0.0	1	2.9	0	0.0	0	0.0
National Defense	23	5	21.7	0	0.0	0	0.0	0	0.0	0	0.0
Antitrust	7	1	14.3	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	41	35	85.4	1	2.4	0	0.0	0	0.0	0	0.0
Other Miscellaneous Offenses	486	351	72.2	1	0.2	0	0.0	4	0.8	0	0.0

Table 3 (cont.)

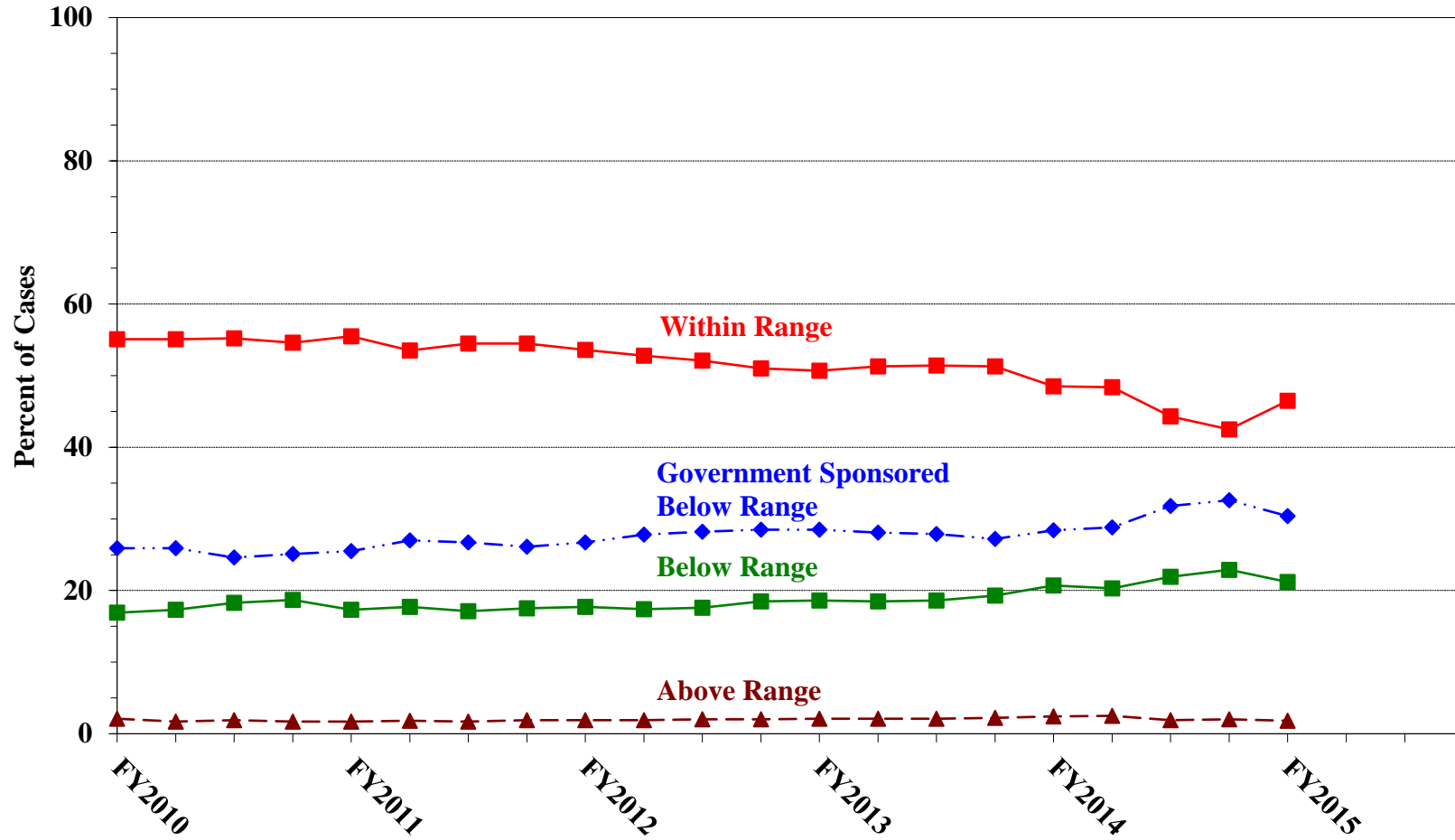
PRIMARY OFFENSE	§5K1.1		§5K3.1		OTHER		BELOW		DOWNWARD		BELOW		REMAINING	
	SUBSTANTIAL		EARLY		GOV'T		DOWNWARD		DEPARTURE		RANGE		BELOW	
	ASSISTANCE		DISPOSITION		SPONSORED		DEPARTURE		W/ BOOKER		W/ BOOKER		RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	2,046	12.5	1,522	9.3	1,410	8.6	332	2.0	135	0.8	2,907	17.7	108	0.7
Murder	4	18.2	0	0.0	2	9.1	0	0.0	0	0.0	2	9.1	0	0.0
Manslaughter	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3	21.4	0	0.0
Kidnapping/Hostage Taking	2	20.0	0	0.0	1	10.0	0	0.0	0	0.0	4	40.0	0	0.0
Sexual Abuse	9	7.4	0	0.0	21	17.4	2	1.7	1	0.8	21	17.4	0	0.0
Assault	1	0.6	1	0.6	23	13.5	1	0.6	2	1.2	24	14.1	3	1.8
Robbery	30	15.0	1	0.5	16	8.0	2	1.0	2	1.0	38	19.0	2	1.0
Arson	3	30.0	0	0.0	2	20.0	0	0.0	0	0.0	0	0.0	0	0.0
Drugs - Trafficking	1,203	24.9	272	5.6	634	13.1	71	1.5	48	1.0	1,037	21.5	27	0.6
Drugs - Communication Facility	10	16.1	1	1.6	10	16.1	0	0.0	0	0.0	16	25.8	0	0.0
Drugs - Simple Possession	0	0.0	1	0.8	2	1.6	0	0.0	0	0.0	1	0.8	1	0.8
Firearms	177	10.6	1	0.1	159	9.5	21	1.3	14	0.8	326	19.5	4	0.2
Burglary/B&E	2	28.6	0	0.0	0	0.0	0	0.0	0	0.0	1	14.3	0	0.0
Auto Theft	3	21.4	0	0.0	0	0.0	1	7.1	0	0.0	1	7.1	0	0.0
Larceny	14	6.3	0	0.0	19	8.6	4	1.8	3	1.4	54	24.3	2	0.9
Fraud	331	19.4	0	0.0	141	8.3	29	1.7	22	1.3	448	26.3	18	1.1
Embezzlement	5	6.9	1	1.4	4	5.6	2	2.8	0	0.0	23	31.9	2	2.8
Forgery/Counterfeiting	8	6.5	0	0.0	3	2.4	3	2.4	1	0.8	25	20.3	1	0.8
Bribery	9	25.0	0	0.0	5	13.9	1	2.8	1	2.8	7	19.4	0	0.0
Tax	23	15.1	0	0.0	17	11.2	5	3.3	3	2.0	60	39.5	1	0.7
Money Laundering	30	20.0	0	0.0	18	12.0	7	4.7	3	2.0	41	27.3	1	0.7
Racketeering/Extortion	38	16.2	0	0.0	41	17.5	3	1.3	2	0.9	39	16.7	4	1.7
Gambling/Lottery	1	3.8	0	0.0	6	23.1	0	0.0	0	0.0	1	3.8	0	0.0
Civil Rights	0	0.0	0	0.0	4	40.0	1	10.0	0	0.0	3	30.0	0	0.0
Immigration	65	1.3	1,244	25.0	109	2.2	162	3.3	18	0.4	408	8.2	29	0.6
Child Pornography	15	3.2	0	0.0	89	19.2	6	1.3	6	1.3	180	38.9	4	0.9
Prison Offenses	3	3.0	0	0.0	13	13.1	1	1.0	1	1.0	13	13.1	1	1.0
Administration of Justice Offenses	21	7.6	0	0.0	24	8.7	3	1.1	2	0.7	59	21.4	1	0.4
Environmental/Wildlife	4	11.8	0	0.0	5	14.7	0	0.0	0	0.0	10	29.4	0	0.0
National Defense	7	30.4	0	0.0	3	13.0	2	8.7	0	0.0	6	26.1	0	0.0
Antitrust	4	57.1	0	0.0	2	28.6	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	3	7.3	0	0.0	0	0.0	0	0.0	1	2.4	1	2.4	0	0.0
Other Miscellaneous Offenses	21	4.3	0	0.0	37	7.6	5	1.0	5	1.0	55	11.3	7	1.4

¹ Of the 16,781 cases, 393 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.

Figure A

QUARTERLY DATA FOR WITHIN RANGE AND OUT OF RANGE SENTENCES¹

Fiscal Years 2010 - 2014,
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)

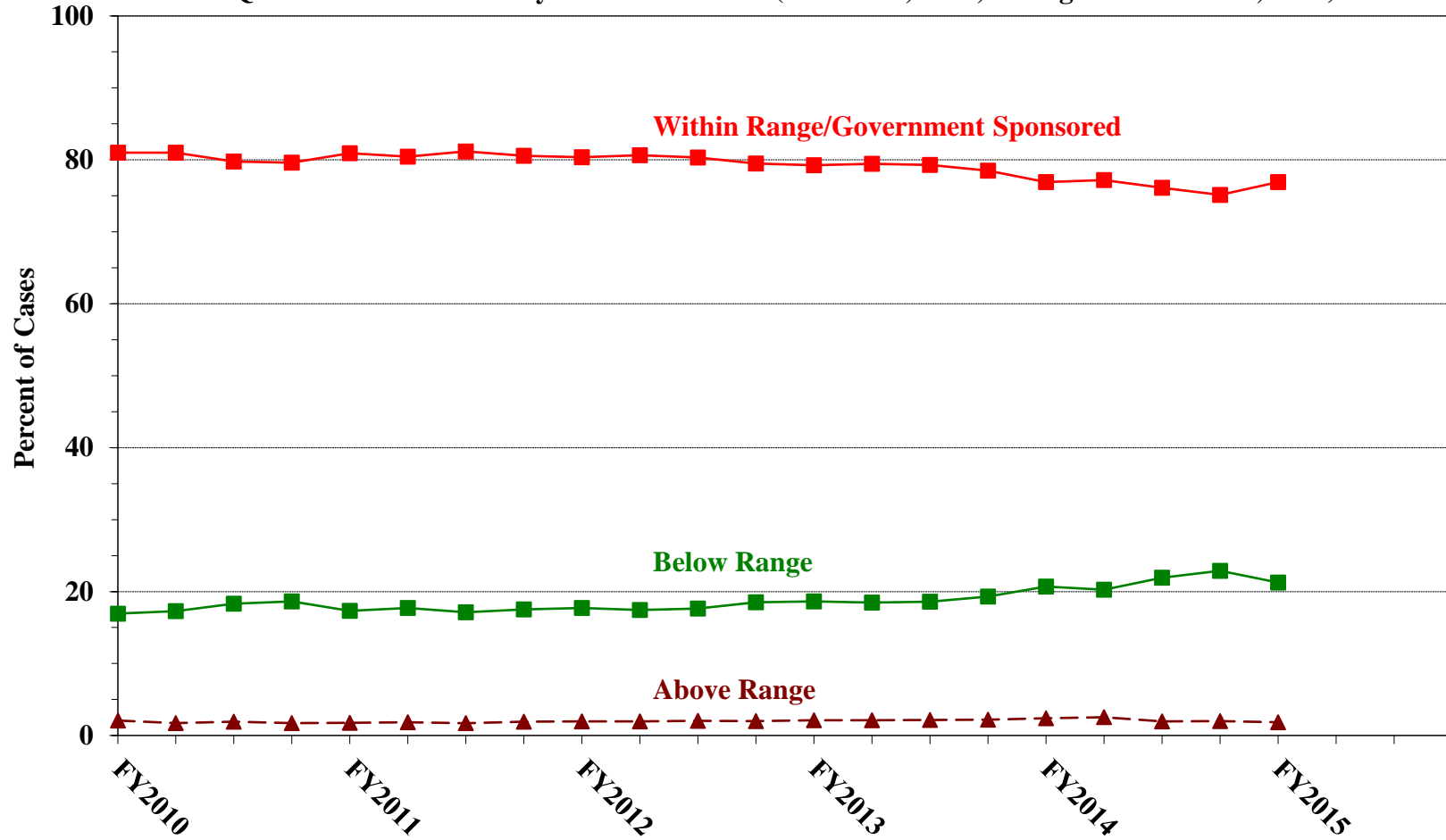


¹ Descriptions of variables used in this figure are provided in Appendix A.

Figure B

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

Fiscal Years 2010 - 2014,
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 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 2010 - 2014,
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)

FISCAL YEAR	WITHIN GUIDELINE RANGE	GOVERNMENT SPONSORED BELOW RANGE	BELOW RANGE	ABOVE RANGE
Quarter	%	%	%	%
FY2010				
1st Quarter	55.1	25.9	16.9	2.1
2nd Quarter	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
2nd Quarter	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
2nd Quarter	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
2nd Quarter	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
2nd Quarter	48.4	28.8	20.3	2.5
3rd Quarter	44.3	31.8	21.9	1.9
4th Quarter	42.5	32.6	22.9	2.0
FY2015				
1st Quarter	46.5	30.4	21.2	1.8
2nd Quarter	--	--	--	--
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	25	25	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	47	31	0	0	2	0	2	0	5	0	1	5	1
§2P1.2	29	22	0	0	1	0	0	0	3	0	0	3	0
§2P1.3	0	0	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	8	2	0	0	0	0	0	0	3	0	0	3	0
§2Q1.3	6	0	0	0	0	0	1	0	1	0	0	4	0
§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	23	9	0	0	0	0	5	0	2	0	0	7	0
§2Q2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2R1.1	1	0	0	0	0	0	1	0	0	0	0	0	0
§2S1.1	235	70	0	0	2	0	81	0	26	6	3	46	1
§2S1.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2S1.3	39	18	0	0	0	0	3	0	7	2	0	9	0
§2S1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.1	131	37	0	0	2	0	25	0	14	5	3	44	1
§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	48	13	1	0	0	0	11	0	1	1	1	20	0
§2T1.5	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.6	10	0	0	0	0	0	0	0	1	1	0	8	0
§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	2	2	0	0	0	0	0	0	0	0	0	0	0
§2T2.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T3.1	2	0	0	0	1	0	0	0	1	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	10	5	0	0	1	0	4	0	0	0	0	0	0
§2X2.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X3.1	32	17	0	0	0	0	8	0	4	0	1	2	0
§2X4.1	75	38	1	0	2	0	6	0	10	0	0	18	0
§2X5.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X5.2	44	42	0	0	0	0	0	0	0	0	0	1	1
§2X6.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X7.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X7.2	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	15,510	6,939	65	22	190	13	2,032	1,427	1,383	328	135	2,876	100

¹ Of the 16,781 cases, 1,271 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 (393) or missing guideline applied (1,257). Descriptions of variables used in this table are provided in Appendix A.

² In 253 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 253 cases the conviction for this crime did not affect the guideline calculation for the underlying offense.

³ In 534 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 534 cases the conviction for this crime did not affect the guideline calculation for the underlying offense.

Table 6

ATTRIBUTION CATEGORY FOR CASES OUTSIDE OF THE GUIDELINE RANGE¹
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)

	TOTAL CASES	Pursuant to a Plea Agreement									
		§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	8,760	1,183	13.5	1,465	16.7	958	10.9	690	7.9	157	1.8
Above Range	300	0	0.0	1	0.3	66	22.0	19	6.3	0	0.0
Upward Departure From Guideline Range	66	0	0.0	0	0.0	28	42.4	7	10.6	0	0.0
Upward Departure With <i>Booker</i> /18 U.S.C. § 3553	22	0	0.0	0	0.0	2	9.1	0	0.0	0	0.0
Above Guideline Range With <i>Booker</i> /18 U.S.C. § 3553	196	0	0.0	0	0.0	35	17.9	11	5.6	0	0.0
All Remaining Cases Above Guideline Range	16	0	0.0	1	6.3	1	6.3	1	6.3	0	0.0
Government Sponsored Below Range	4,978	1,183	23.8	1,464	29.4	892	17.9	671	13.5	157	3.2
§5K1.1 Substantial Assistance Departure	2,046	1,183	57.8	41	2.0	47	2.3	71	3.5	17	0.8
§5K3.1 Early Disposition Program Departure	1,522	0	0.0	1,423	93.5	314	20.6	172	11.3	21	1.4
Other Government Sponsored Below Range	1,410	0	0.0	0	0.0	531	37.7	428	30.4	119	8.4
Non-Government Sponsored Below Range	3,482	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Downward Departure From Guideline Range	332	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	135	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	2,907	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
All Remaining Cases Below Guideline Range	108	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	843	9.6	25	0.3	627	7.2	1,492	17.0	1,141	13.0	1,391	15.9	853	9.7
Above Range	0	0.0	0	0.0	49	16.3	1	0.3	2	0.7	137	45.7	42	14.0
Upward Departure From Guideline Range	0	0.0	0	0.0	14	21.2	0	0.0	0	0.0	14	21.2	9	13.6
Upward Departure With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	8	36.4	0	0.0	0	0.0	13	59.1	0	0.0
Above Guideline Range With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	26	13.3	1	0.5	2	1.0	108	55.1	21	10.7
All Remaining Cases Above Guideline Range	0	0.0	0	0.0	1	6.3	0	0.0	0	0.0	2	12.5	12	75.0
Government Sponsored Below Range	843	16.9	25	0.5	578	11.6	456	9.2	285	5.7	247	5.0	87	1.7
§5K1.1 Substantial Assistance Departure	843	41.2	3	0.1	157	7.7	216	10.6	110	5.4	139	6.8	28	1.4
§5K3.1 Early Disposition Program Departure	0	0.0	22	1.4	46	3.0	78	5.1	104	6.8	30	2.0	33	2.2
Other Government Sponsored Below Range	0	0.0	0	0.0	375	26.6	162	11.5	71	5.0	78	5.5	26	1.8
Non-Government Sponsored Below Range	0	0.0	0	0.0	0	0.0	1,035	29.7	854	24.5	1,007	28.9	724	20.8
Downward Departure From Guideline Range	0	0.0	0	0.0	0	0.0	168	50.6	51	15.4	73	22.0	46	13.9
Downward Departure With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	0	0.0	46	34.1	43	31.9	57	42.2	18	13.3
Below Guideline Range With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	0	0.0	821	28.2	760	26.1	870	29.9	559	19.2
All Remaining Cases Below Guideline Range	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	7	6.5	101	93.5

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, 1,766 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
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	1,927	33	32	50.0
Murder	3	140	180	50.0
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	2	--	--	--
Sexual Abuse	9	100	55	36.6
Assault	1	--	--	--
Robbery	30	42	18	26.9
Arson	3	57	40	41.2
Drugs - Trafficking	1,126	40	42	50.0
Drugs - Communication Facility	10	5	34	91.4
Drugs - Simple Possession	0	--	--	--
Firearms	163	48	32	43.0
Burglary/B&E	2	--	--	--
Auto Theft	3	1	9	90.0
Larceny	14	8	17	66.1
Fraud	317	12	21	70.2
Embezzlement	4	8	11	68.8
Forgery/Counterfeiting	8	15	9	32.4
Bribery	9	0	32	100.0
Tax	23	0	15	100.0
Money Laundering	30	12	29	81.7
Racketeering/Extortion	31	48	37	48.8
Gambling/Lottery	1	--	--	--
Civil Rights	0	--	--	--
Immigration	64	14	9	40.0
Child Pornography	15	157	72	31.4
Prison Offenses	3	10	8	33.7
Administration of Justice Offenses	20	0	10	100.0
Environmental/Wildlife	4	0	15	100.0
National Defense	6	21	25	54.3
Antitrust	2	--	--	--
Food & Drug	3	18	18	50.0
Other Miscellaneous Offenses	21	6	19	75.0

¹ Of the 16,781 cases, 2,046 received a §5K1.1 substantial assistance departure. Of these, 1,947 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 19 cases were also excluded from this table. Of the remaining 1,928 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.

**§5K3.1 EARLY DISPOSITION PROGRAM DEPARTURE CASES: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	1,381	12	8	42.9
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	0	--	--	--
Assault	1	--	--	--
Robbery	1	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	247	24	28	53.6
Drugs - Communication Facility	1	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	1	--	--	--
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	0	--	--	--
Fraud	0	--	--	--
Embezzlement	1	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	1,129	10	6	40.0
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 16,781 cases, 1,522 received a §5K3.1 early disposition program departure. Of these, 1,382 cases had complete guideline application information. Of these 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.

**OTHER GOVERNMENT SPONSORED BELOW RANGE CASES: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹**
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	1,332	36	19	38.1
Murder	2	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	19	120	72	37.3
Assault	20	16	16	48.7
Robbery	14	59	20	23.2
Arson	2	--	--	--
Drugs - Trafficking	610	57	26	33.8
Drugs - Communication Facility	10	23	12	35.1
Drugs - Simple Possession	2	--	--	--
Firearms	147	51	15	23.4
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	18	0	10	100.0
Fraud	135	8	12	64.3
Embezzlement	4	12	10	41.7
Forgery/Counterfeiting	2	--	--	--
Bribery	5	5	18	70.0
Tax	17	0	18	100.0
Money Laundering	17	15	27	75.0
Racketeering/Extortion	34	21	21	46.2
Gambling/Lottery	5	0	8	100.0
Civil Rights	3	24	9	50.0
Immigration	105	15	10	39.1
Child Pornography	88	62	58	47.3
Prison Offenses	9	8	7	49.9
Administration of Justice Offenses	23	6	14	73.3
Environmental/Wildlife	5	0	12	100.0
National Defense	3	12	18	59.9
Antitrust	1	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	32	5	12	69.3

¹ Of the 16,781 cases, 1,410 received an other government sponsored downward departure. Of these, 1,354 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 22 cases were also excluded from this table. 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**
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	317	24	12	34.3
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	2	--	--	--
Assault	1	--	--	--
Robbery	2	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	64	57	21	28.4
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	21	63	13	16.7
Burglary/B&E	0	--	--	--
Auto Theft	1	--	--	--
Larceny	4	2	7	82.6
Fraud	29	21	18	61.9
Embezzlement	2	--	--	--
Forgery/Counterfeiting	3	0	12	100.0
Bribery	1	--	--	--
Tax	4	0	21	100.0
Money Laundering	7	7	10	56.5
Racketeering/Extortion	3	33	18	35.3
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	157	22	11	34.8
Child Pornography	6	54	47	44.3
Prison Offenses	0	--	--	--
Administration of Justice Offenses	3	18	9	25.0
Environmental/Wildlife	0	--	--	--
National Defense	2	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	5	0	8	96.7

¹ Of the 16,781 cases, 332 received a downward departure from the guideline range. Of these, 318 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, one additional case was also excluded from this table. 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
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	132	30	20	42.9
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	1	--	--	--
Assault	2	--	--	--
Robbery	2	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	45	51	33	40.5
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	14	48	21	32.4
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	3	6	12	83.8
Fraud	22	6	16	73.9
Embezzlement	0	--	--	--
Forgery/Counterfeiting	1	--	--	--
Bribery	1	--	--	--
Tax	3	0	18	100.0
Money Laundering	3	12	19	78.9
Racketeering/Extortion	2	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	18	15	12	46.4
Child Pornography	6	92	54	28.3
Prison Offenses	1	--	--	--
Administration of Justice Offenses	2	--	--	--
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	1	--	--	--
Other Miscellaneous Offenses	5	60	10	36.2

¹ Of the 16,781 cases, 135 received a downward departure from the guideline range with *Booker*/18 U.S.C § 3553. Of these, 132 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 2015 Datafile, USSCFY15 (October 1, 2014, through December 31, 2014).

**BELOW GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE
OF DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	2,777	27	15	35.1
Murder	0	--	--	--
Manslaughter	3	16	14	46.7
Kidnapping/Hostage Taking	4	154	48	22.0
Sexual Abuse	20	126	38	31.0
Assault	24	6	12	51.9
Robbery	38	42	22	34.1
Arson	0	--	--	--
Drugs - Trafficking	981	44	18	28.6
Drugs - Communication Facility	16	28	12	31.3
Drugs - Simple Possession	0	--	--	--
Firearms	316	40	12	23.7
Burglary/B&E	1	--	--	--
Auto Theft	1	--	--	--
Larceny	54	0	10	99.1
Fraud	429	14	12	51.4
Embezzlement	21	0	8	99.8
Forgery/Counterfeiting	25	4	8	68.4
Bribery	7	0	10	100.0
Tax	59	6	12	72.2
Money Laundering	39	13	15	51.4
Racketeering/Extortion	37	48	22	38.5
Gambling/Lottery	1	--	--	--
Civil Rights	3	0	12	100.0
Immigration	387	18	10	37.7
Child Pornography	176	80	60	40.0
Prison Offenses	8	17	5	26.1
Administration of Justice Offenses	59	7	9	51.0
Environmental/Wildlife	10	1	12	95.9
National Defense	6	19	39	60.4
Antitrust	0	--	--	--
Food & Drug	1	--	--	--
Other Miscellaneous Offenses	51	1	10	90.0

¹ Of the 16,781 cases, 2,907 were sentenced below the guideline range with *Booker*/18 U.S.C § 3553. Of these, 2,793 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 14 cases were also excluded from this table. Of the remaining 2,779 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.

**ALL REMAINING BELOW GUIDELINE RANGE CASES: DEGREE OF
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹**
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	92	5	8	72.0
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	0	--	--	--
Assault	3	16	8	32.8
Robbery	2	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	23	60	15	28.6
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	1	--	--	--
Firearms	4	91	10	23.8
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	2	--	--	--
Fraud	18	0	6	100.0
Embezzlement	2	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	0	--	--	--
Tax	1	--	--	--
Money Laundering	1	--	--	--
Racketeering/Extortion	3	24	16	41.5
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	21	0	2	100.0
Child Pornography	4	216	139	39.1
Prison Offenses	0	--	--	--
Administration of Justice Offenses	1	--	--	--
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	6	0	12	100.0

¹ Of the 16,781 cases, 108 were otherwise sentenced below the guideline range. Of these, 93 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, one additional case was also excluded from this table. 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.

**UPWARD DEPARTURES FROM GUIDELINE RANGE: DEGREE OF
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹**
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	61	60	15	37.0
Murder	0	--	--	--
Manslaughter	2	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	1	--	--	--
Assault	5	84	24	40.0
Robbery	5	96	6	35.2
Arson	1	--	--	--
Drugs - Trafficking	9	84	19	50.0
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	12	140	21	25.1
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	0	--	--	--
Fraud	3	24	18	70.7
Embezzlement	0	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	0	--	--	--
Tax	1	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	15	36	6	31.7
Child Pornography	1	--	--	--
Prison Offenses	0	--	--	--
Administration of Justice Offenses	4	44	13	38.3
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	1	--	--	--
Other Miscellaneous Offenses	1	--	--	--

¹ Of the 16,781 cases, 66 received an upward departure from the guideline range. Of these, 62 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 2015 Datafile, USSCFY15 (October 1, 2014, through December 31, 2014).

**UPWARD DEPARTURES WITH *BOOKER*/18 U.S.C. § 3553: DEGREE OF
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	19	70	20	50.0
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	0	--	--	--
Assault	2	--	--	--
Robbery	2	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	3	60	14	30.4
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	3	96	42	53.8
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	0	--	--	--
Fraud	3	60	14	19.0
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	3	96	75	312.5
Environmental/Wildlife	1	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	0	--	--	--

¹ Of the 16,781 cases, 22 received an upward departure from the guideline range with *Booker*/18 U.S.C § 3553. Of these, 20 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a sentence of life, one additional case was also excluded from this table. 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.

**ABOVE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE
OF INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	185	50	12	40.0
Murder	0	--	--	--
Manslaughter	2	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	4	96	39	68.4
Assault	9	51	13	46.3
Robbery	4	108	34	44.5
Arson	1	--	--	--
Drugs - Trafficking	23	63	15	30.4
Drugs - Communication Facility	1	--	--	--
Drugs - Simple Possession	2	--	--	--
Firearms	42	114	24	37.4
Burglary/B&E	1	--	--	--
Auto Theft	0	--	--	--
Larceny	3	24	8	50.0
Fraud	19	60	16	27.3
Embezzlement	1	--	--	--
Forgery/Counterfeiting	4	41	14	50.0
Bribery	0	--	--	--
Tax	1	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	2	--	--	--
Gambling/Lottery	1	--	--	--
Civil Rights	0	--	--	--
Immigration	48	18	5	50.0
Child Pornography	3	540	213	65.1
Prison Offenses	3	12	6	100.0
Administration of Justice Offenses	7	36	18	125.0
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	4	75	20	31.5

¹ Of the 16,781 cases, 196 were sentenced above the guideline range with *Booker*/18 U.S.C § 3553. Of these, 187 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.

**ALL REMAINING ABOVE GUIDELINE RANGE CASES: DEGREE OF
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹**
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	9	108	22	14.6
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	0	--	--	--
Assault	1	--	--	--
Robbery	0	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	3	108	4	5.6
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	3	180	23	29.7
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	0	--	--	--
Fraud	1	--	--	--
Embezzlement	0	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	1	--	--	--
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 16,781 cases, 16 were otherwise sentenced above the guideline range. Of these, 11 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.

OFFENDERS RECEIVING SENTENCING OPTIONS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 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	16,655	15,019	90.2	14,584	87.6	435	2.6	1,636	9.8	448	2.7	1,188	7.1
Murder	22	22	100.0	22	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Manslaughter	14	12	85.7	12	85.7	0	0.0	2	14.3	1	7.1	1	7.1
Kidnapping/Hostage Taking	10	10	100.0	10	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Sexual Abuse	121	120	99.2	115	95.0	5	4.1	1	0.8	0	0.0	1	0.8
Assault	183	159	86.9	147	80.3	12	6.6	24	13.1	3	1.6	21	11.5
Robbery	200	192	96.0	182	91.0	10	5.0	8	4.0	3	1.5	5	2.5
Arson	10	10	100.0	10	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Drugs - Trafficking	4,834	4,605	95.3	4,480	92.7	125	2.6	229	4.7	82	1.7	147	3.0
Drugs - Communication Facility	62	49	79.0	46	74.2	3	4.8	13	21.0	5	8.1	8	12.9
Drugs - Simple Possession	348	277	79.6	274	78.7	3	0.9	71	20.4	5	1.4	66	19.0
Firearms	1,676	1,604	95.7	1,563	93.3	41	2.4	72	4.3	20	1.2	52	3.1
Burglary/B&E	7	6	85.7	6	85.7	0	0.0	1	14.3	0	0.0	1	14.3
Auto Theft	14	13	92.9	13	92.9	0	0.0	1	7.1	1	7.1	0	0.0
Larceny	220	120	54.5	105	47.7	15	6.8	100	45.5	24	10.9	76	34.5
Fraud	1,760	1,365	77.6	1,274	72.4	91	5.2	395	22.4	138	7.8	257	14.6
Embezzlement	73	32	43.8	28	38.4	4	5.5	41	56.2	9	12.3	32	43.8
Forgery/Counterfeiting	121	94	77.7	83	68.6	11	9.1	27	22.3	9	7.4	18	14.9
Bribery	36	25	69.4	24	66.7	1	2.8	11	30.6	7	19.4	4	11.1
Tax	152	95	62.5	83	54.6	12	7.9	57	37.5	19	12.5	38	25.0
Money Laundering	150	111	74.0	103	68.7	8	5.3	39	26.0	19	12.7	20	13.3
Racketeering/Extortion	234	217	92.7	211	90.2	6	2.6	17	7.3	4	1.7	13	5.6
Gambling/Lottery	26	13	50.0	7	26.9	6	23.1	13	50.0	2	7.7	11	42.3
Civil Rights	10	8	80.0	7	70.0	1	10.0	2	20.0	1	10.0	1	10.0
Immigration	5,001	4,810	96.2	4,777	95.5	33	0.7	191	3.8	26	0.5	165	3.3
Child Pornography	463	454	98.1	449	97.0	5	1.1	9	1.9	5	1.1	4	0.9
Prison Offenses	101	98	97.0	95	94.1	3	3.0	3	3.0	0	0.0	3	3.0
Administration of Justice Offenses	277	217	78.3	201	72.6	16	5.8	60	21.7	20	7.2	40	14.4
Environmental/Wildlife	36	13	36.1	11	30.6	2	5.6	23	63.9	6	16.7	17	47.2
National Defense	23	19	82.6	19	82.6	0	0.0	4	17.4	2	8.7	2	8.7
Antitrust	7	5	71.4	5	71.4	0	0.0	2	28.6	0	0.0	2	28.6
Food & Drug	35	13	37.1	12	34.3	1	2.9	22	62.9	1	2.9	21	60.0
Other Miscellaneous Offenses	429	231	53.8	210	49.0	21	4.9	198	46.2	36	8.4	162	37.8

¹ Of the 16,781 cases, 126 were excluded due to one of the following reasons: the offender received neither imprisonment nor probation (124), or missing sentencing information (2). 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.

SENTENCE LENGTH IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)

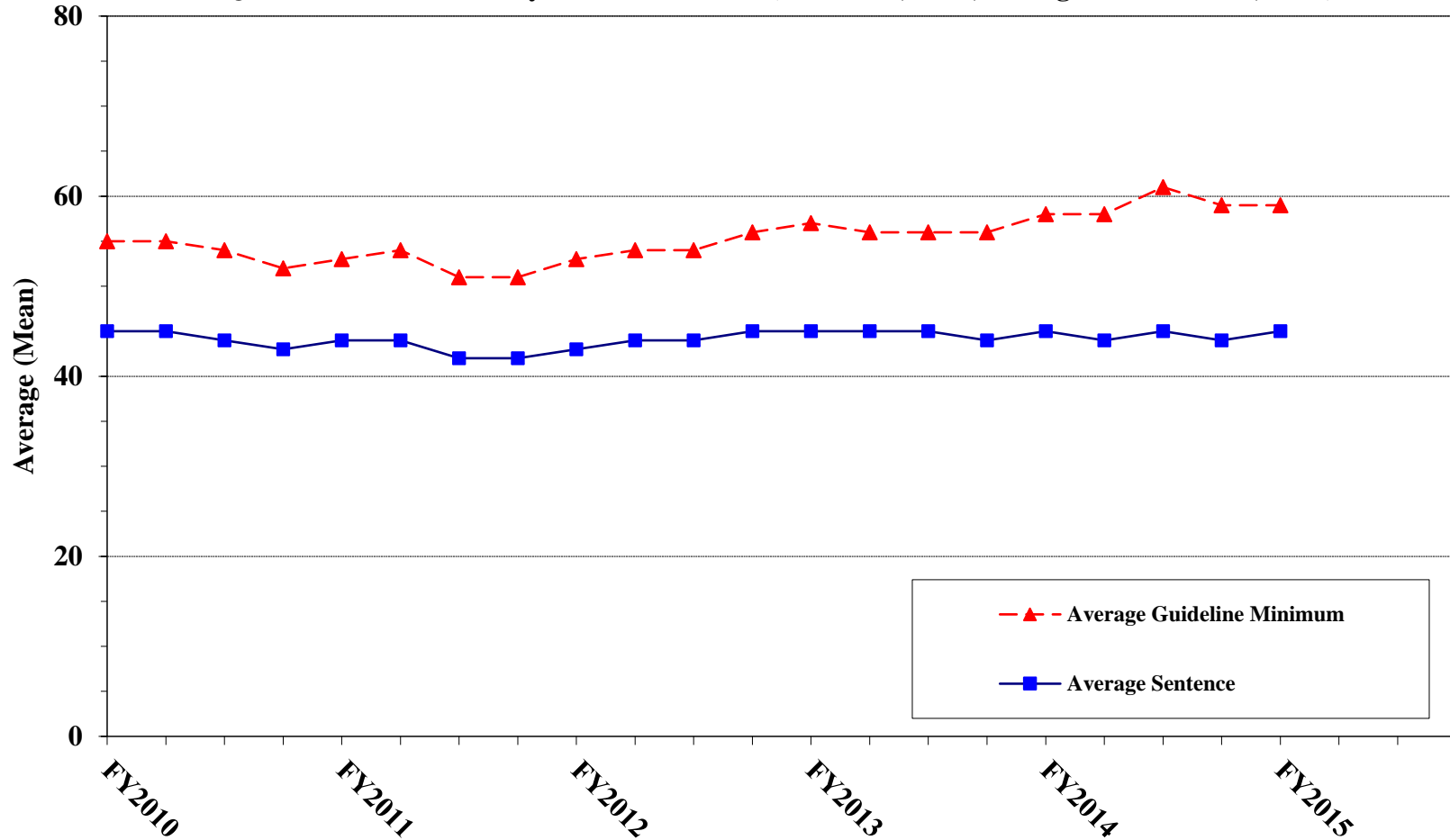
PRIMARY OFFENSE	Mean Months	Median Months	N
TOTAL	46	24	16,781
Murder	297	330	22
Manslaughter	52	46	14
Kidnapping/Hostage Taking	216	212	10
Sexual Abuse	124	120	121
Assault	33	21	183
Robbery	78	60	200
Arson	92	66	10
Drugs - Trafficking	65	48	4,834
Drugs - Communication Facility	31	24	62
Drugs - Simple Possession	4	6	357
Firearms	83	60	1,677
Burglary/B&E	47	21	7
Auto Theft	32	15	14
Larceny	14	6	226
Fraud	29	15	1,765
Embezzlement	8	1	73
Forgery/Counterfeiting	16	12	123
Bribery	29	19	36
Tax	14	12	152
Money Laundering	27	18	150
Racketeering/Extortion	85	60	234
Gambling/Lottery	6	6	26
Civil Rights	53	13	10
Immigration	14	8	5,002
Child Pornography	200	97	464
Prison Offenses	14	12	101
Administration of Justice Offenses	18	12	279
Environmental/Wildlife	5	0	37
National Defense	37	24	23
Antitrust	66	13	7
Food & Drug	4	0	42
Other Miscellaneous Offenses	21	0	520

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**

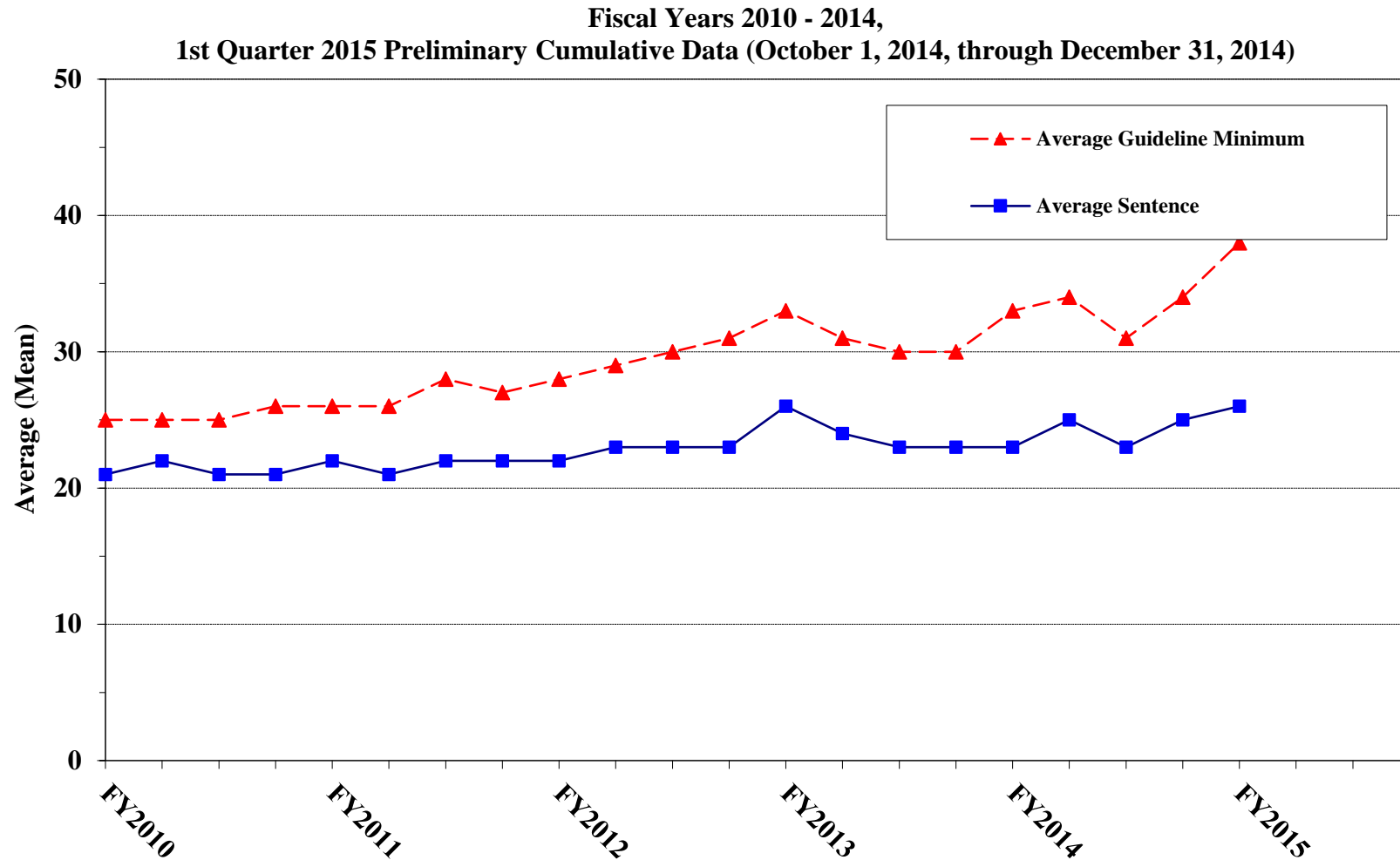
**Fiscal Years 2010 - 2014,
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)**



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**

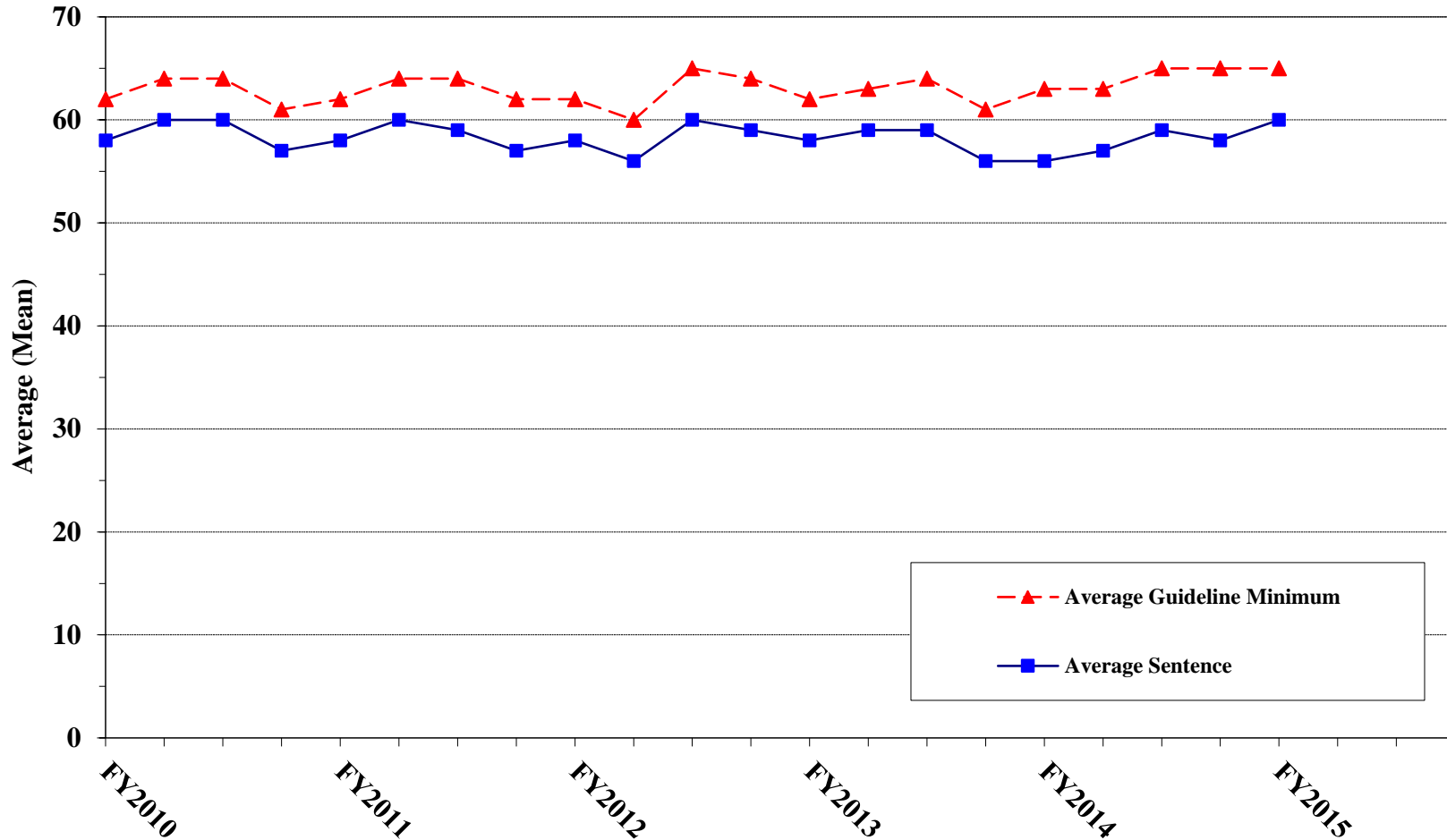


¹ Figure includes only cases with a primary sentencing guideline of USSG §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit 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 2010 - 2014,
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)**

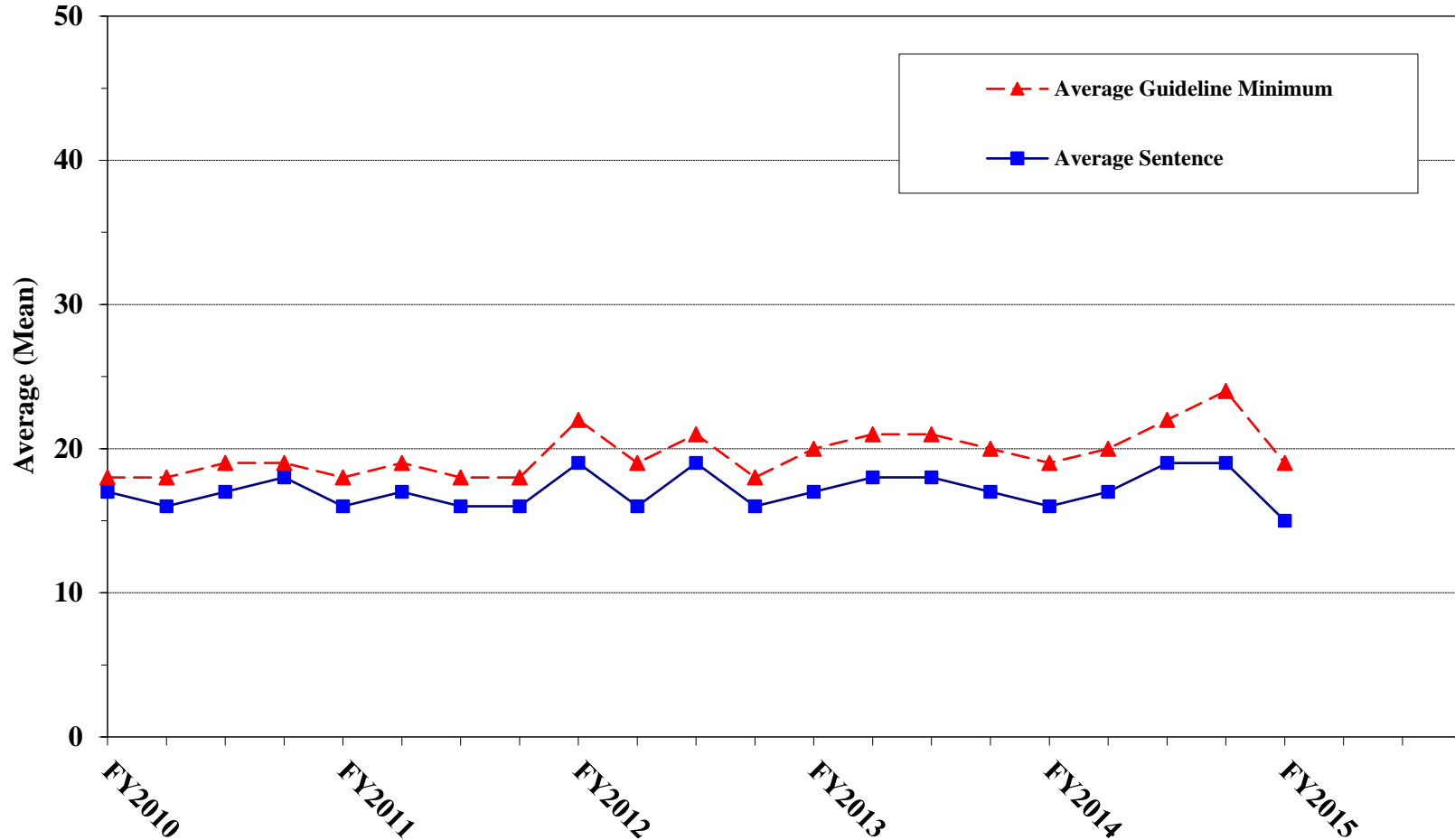


¹ Figure includes only cases with a primary sentencing guideline of USSG §2K2.1 (Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition; Prohibited Transactions Involving Firearms or Ammunition). Cases with guideline minimums of life or probation were included in the guideline minimum 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 2010 - 2014,
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)**

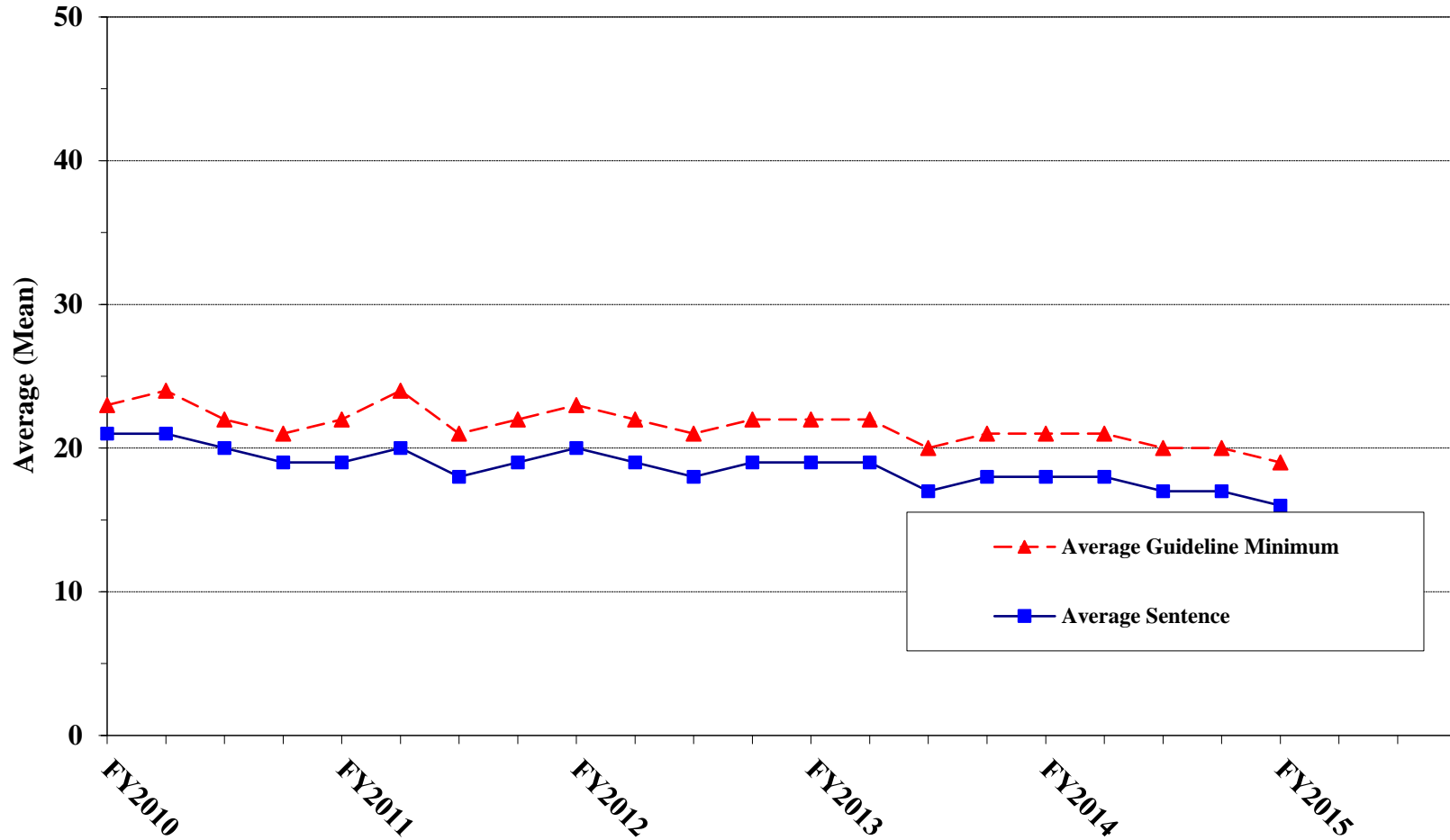


¹ Figure includes only cases with a primary sentencing guideline of USSG §2L1.1 (Smuggling, Transporting, or Harboring an Unlawful Alien). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, 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 2010 - 2014,
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)**

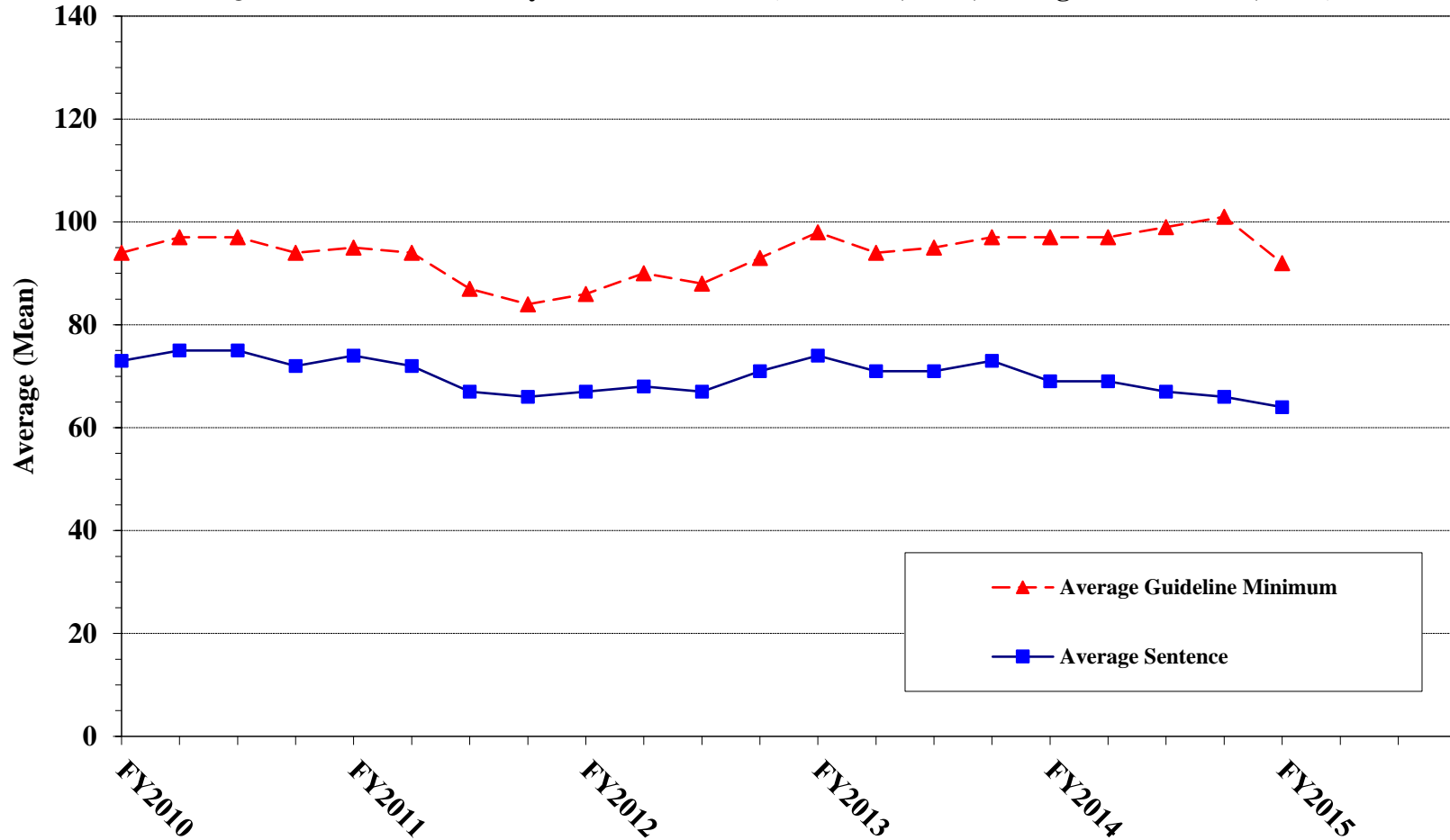


¹ Figure includes only cases with a primary sentencing guideline of USSG §2L1.2. Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including 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 2010 - 2014,
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)**

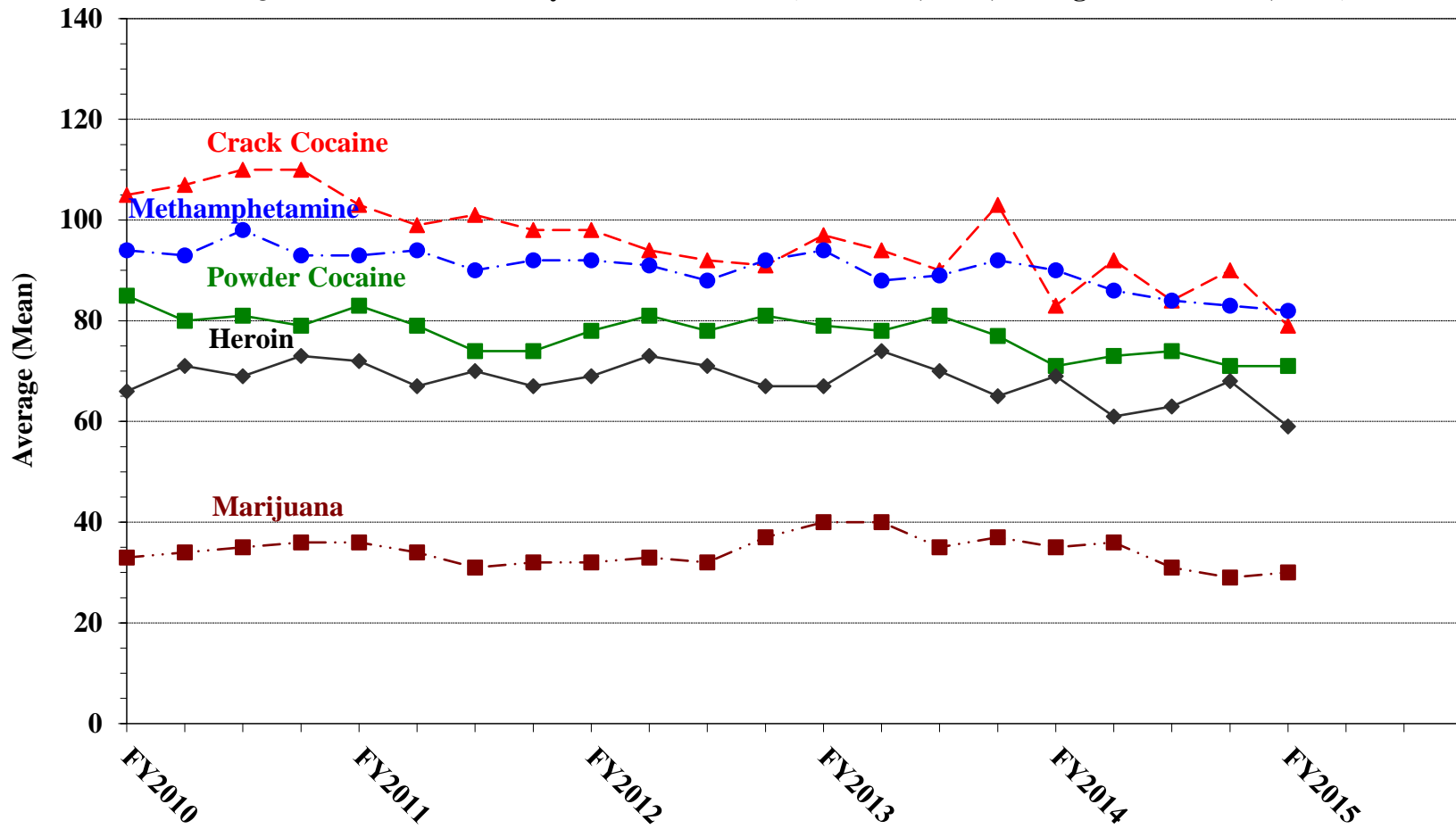


¹ Figure includes only cases with a primary sentencing guideline of USSG §2D1.1 (Unlawful Manufacturing, Importing, Exporting, or Trafficking (Including Possession with Intent to Commit These Offenses); Attempt or Conspiracy). Cases with guideline minimums of life or probation were included in the guideline 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 2010 - 2014,
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 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.

Table 20

**WITHIN RANGE CASES: POSITION OF SENTENCE FOR OFFENDERS
IN EACH PRIMARY OFFENSE CATEGORY¹**
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 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	6,366	3,011	47.3	1,465	23.0	592	9.3	566	8.9	732	11.5
Murder	7	5	71.4	0	0.0	0	0.0	0	0.0	2	28.6
Manslaughter	7	3	42.9	0	0.0	0	0.0	1	14.3	3	42.9
Kidnapping/Hostage Taking	0	0	--	0	--	0	--	0	--	0	--
Sexual Abuse	53	19	35.8	11	20.8	3	5.7	8	15.1	12	22.6
Assault	77	38	49.4	5	6.5	10	13.0	7	9.1	17	22.1
Robbery	91	38	41.8	15	16.5	8	8.8	10	11.0	20	22.0
Arson	2	0	0.0	0	0.0	1	50.0	0	0.0	1	50.0
Drugs - Trafficking	1,269	812	64.0	180	14.2	89	7.0	80	6.3	108	8.5
Drugs - Communication Facility	16	8	50.0	4	25.0	0	0.0	3	18.8	1	6.3
Drugs - Simple Possession	33	22	66.7	3	9.1	4	12.1	2	6.1	2	6.1
Firearms	789	439	55.6	101	12.8	81	10.3	59	7.5	109	13.8
Burglary/B&E	3	1	33.3	0	0.0	2	66.7	0	0.0	0	0.0
Auto Theft	8	3	37.5	0	0.0	2	25.0	1	12.5	2	25.0
Larceny	102	63	61.8	12	11.8	5	4.9	5	4.9	17	16.7
Fraud	598	333	55.7	104	17.4	47	7.9	50	8.4	64	10.7
Embezzlement	30	26	86.7	1	3.3	2	6.7	0	0.0	1	3.3
Forgery/Counterfeiting	72	38	52.8	10	13.9	6	8.3	8	11.1	10	13.9
Bribery	10	5	50.0	2	20.0	1	10.0	1	10.0	1	10.0
Tax	36	24	66.7	2	5.6	1	2.8	1	2.8	8	22.2
Money Laundering	44	25	56.8	5	11.4	4	9.1	6	13.6	4	9.1
Racketeering/Extortion	84	38	45.2	16	19.0	6	7.1	11	13.1	13	15.5
Gambling/Lottery	14	7	50.0	2	14.3	2	14.3	1	7.1	2	14.3
Civil Rights	1	0	0.0	0	0.0	0	0.0	0	0.0	1	100.0
Immigration	2,513	772	30.7	917	36.5	273	10.9	279	11.1	272	10.8
Child Pornography	121	69	57.0	16	13.2	7	5.8	11	9.1	18	14.9
Prison Offenses	54	23	42.6	11	20.4	9	16.7	7	13.0	4	7.4
Administration of Justice Offenses	132	70	53.0	14	10.6	13	9.8	10	7.6	25	18.9
Environmental/Wildlife	9	7	77.8	1	11.1	1	11.1	0	0.0	0	0.0
National Defense	5	1	20.0	1	20.0	1	20.0	1	20.0	1	20.0
Antitrust	1	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	31	24	77.4	2	6.5	2	6.5	2	6.5	1	3.2
Other Miscellaneous Offenses	154	97	63.0	30	19.5	12	7.8	2	1.3	13	8.4

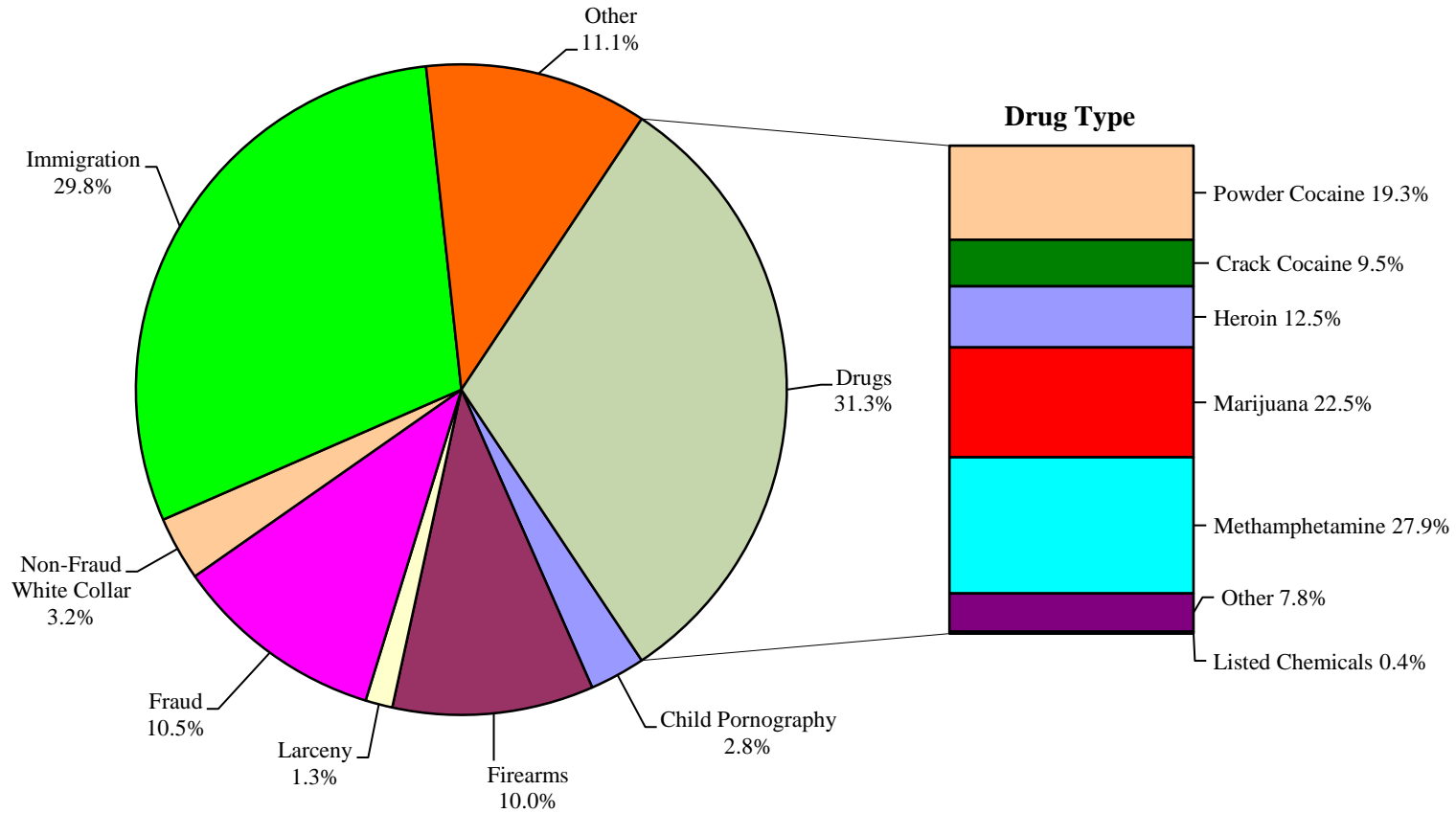
¹ Of the 16,781 cases, 7,628 were sentenced within the applicable guideline range. Of those, 6,780 cases had complete guideline application information. An additional 414 cases were excluded due to several logical criteria. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2015 Datafile, USSCFY15 (October 1, 2014, through December 31, 2014).

Figure J

OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹

1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)



¹ Of the 16,781 guideline cases, one drug case was excluded from this figure due to missing information on drug type. The Drug category includes the following offense types: trafficking, use of a communication facility, and simple possession. The Non-Fraud White Collar category includes the following offense types: embezzlement, forgery/counterfeiting, bribery, money laundering, and tax. Descriptions of variables used in this figure are provided in Appendix A.

Table 21

GUIDELINE OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)

PRIMARY OFFENSE	N	%
TOTAL	16,781	100.0
Murder	22	0.1
Manslaughter	14	0.1
Kidnapping/Hostage Taking	10	0.1
Sexual Abuse	121	0.7
Assault	183	1.1
Robbery	200	1.2
Arson	10	0.1
Drugs - Trafficking	4,834	28.8
Drugs - Communication Facility	62	0.4
Drugs - Simple Possession	357	2.1
Firearms	1,677	10.0
Burglary/B&E	7	0.0
Auto Theft	14	0.1
Larceny	226	1.3
Fraud	1,765	10.5
Embezzlement	73	0.4
Forgery/Counterfeiting	123	0.7
Bribery	36	0.2
Tax	152	0.9
Money Laundering	150	0.9
Racketeering/Extortion	234	1.4
Gambling/Lottery	26	0.2
Civil Rights	10	0.1
Immigration	5,002	29.8
Child Pornography	464	2.8
Prison Offenses	101	0.6
Administration of Justice Offenses	279	1.7
Environmental/Wildlife	37	0.2
National Defense	23	0.1
Antitrust	7	0.0
Food & Drug	42	0.3
Other Miscellaneous Offenses	520	3.1

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

Table 22

GUILTY PLEAS AND TRIALS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)

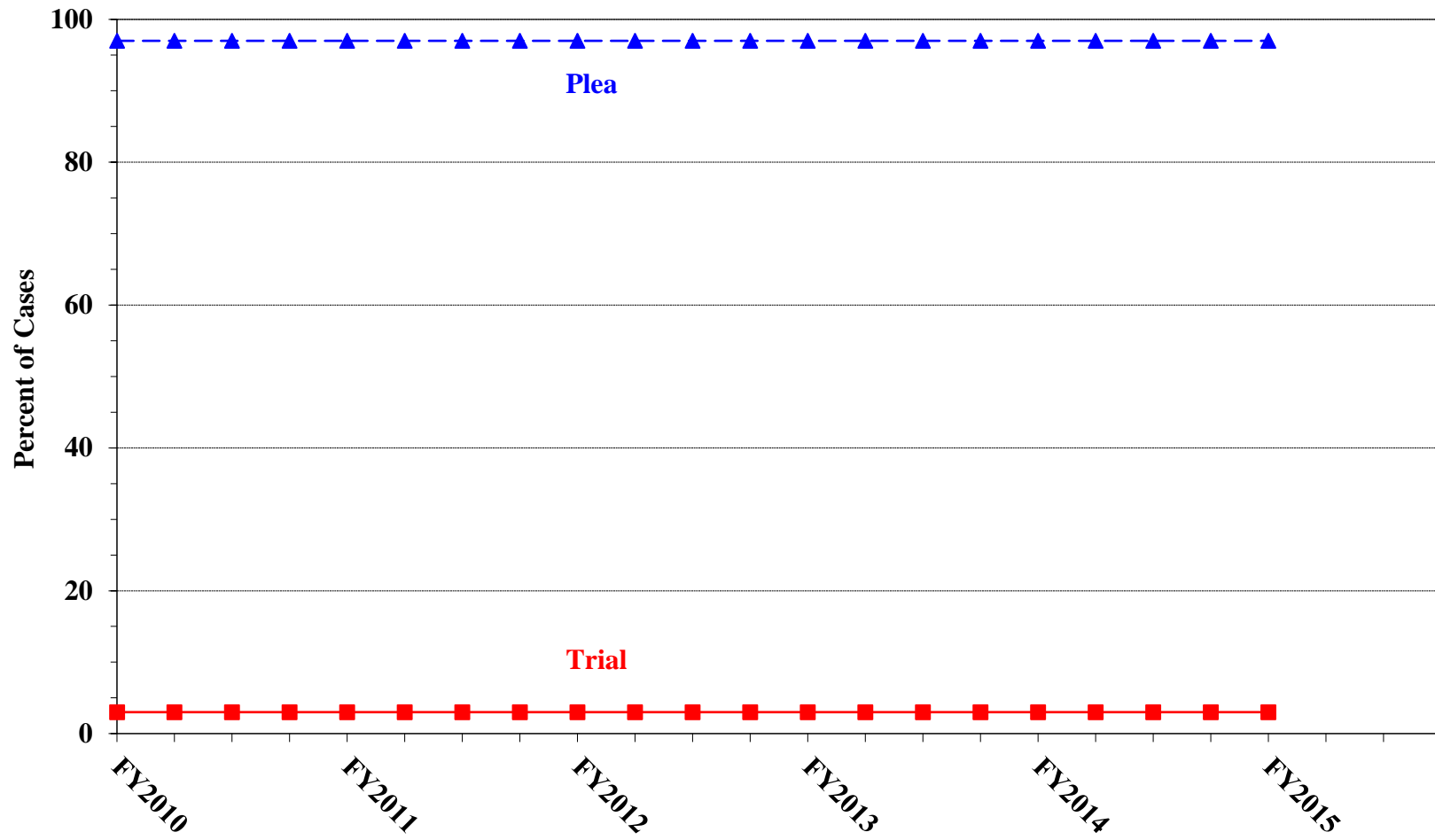
PRIMARY OFFENSE	TOTAL	PLEA		TRIAL	
		N	%	N	%
TOTAL	16,781	16,273	97.0	508	3.0
Murder	22	14	63.6	8	36.4
Manslaughter	14	14	100.0	0	0.0
Kidnapping/Hostage Taking	10	8	80.0	2	20.0
Sexual Abuse	121	111	91.7	10	8.3
Assault	183	173	94.5	10	5.5
Robbery	200	193	96.5	7	3.5
Arson	10	9	90.0	1	10.0
Drugs - Trafficking	4,834	4,685	96.9	149	3.1
Drugs - Communication Facility	62	62	100.0	0	0.0
Drugs - Simple Possession	357	356	99.7	1	0.3
Firearms	1,677	1,589	94.8	88	5.2
Burglary/B&E	7	6	85.7	1	14.3
Auto Theft	14	13	92.9	1	7.1
Larceny	226	221	97.8	5	2.2
Fraud	1,765	1,647	93.3	118	6.7
Embezzlement	73	72	98.6	1	1.4
Forgery/Counterfeiting	123	120	97.6	3	2.4
Bribery	36	33	91.7	3	8.3
Tax	152	141	92.8	11	7.2
Money Laundering	150	145	96.7	5	3.3
Racketeering/Extortion	234	223	95.3	11	4.7
Gambling/Lottery	26	25	96.2	1	3.8
Civil Rights	10	8	80.0	2	20.0
Immigration	5,002	4,983	99.6	19	0.4
Child Pornography	464	448	96.6	16	3.4
Prison Offenses	101	99	98.0	2	2.0
Administration of Justice Offenses	279	266	95.3	13	4.7
Environmental/Wildlife	37	35	94.6	2	5.4
National Defense	23	20	87.0	3	13.0
Antitrust	7	6	85.7	1	14.3
Food & Drug	42	42	100.0	0	0.0
Other Miscellaneous Offenses	520	506	97.3	14	2.7

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

Figure K

QUARTERLY DATA FOR GUILTY PLEAS AND TRIALS¹

Fiscal Years 2010 - 2014,
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 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
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)

PRIMARY OFFENSE	TOTAL	WHITE		BLACK		HISPANIC		OTHER	
		N	%	N	%	N	%	N	%
TOTAL	16,475	4,015	24.4	3,348	20.3	8,422	51.1	690	4.2
Murder	22	4	18.2	4	18.2	8	36.4	6	27.3
Manslaughter	14	3	21.4	0	0.0	1	7.1	10	71.4
Kidnapping/Hostage Taking	10	3	30.0	2	20.0	5	50.0	0	0.0
Sexual Abuse	121	44	36.4	24	19.8	17	14.0	36	29.8
Assault	180	52	28.9	24	13.3	23	12.8	81	45.0
Robbery	198	87	43.9	71	35.9	28	14.1	12	6.1
Arson	10	7	70.0	1	10.0	1	10.0	1	10.0
Drugs - Trafficking	4,829	1,229	25.5	1,255	26.0	2,195	45.5	150	3.1
Drugs - Communication Facility	62	20	32.3	27	43.5	14	22.6	1	1.6
Drugs - Simple Possession	330	43	13.0	26	7.9	252	76.4	9	2.7
Firearms	1,676	425	25.4	820	48.9	384	22.9	47	2.8
Burglary/B&E	7	3	42.9	1	14.3	1	14.3	2	28.6
Auto Theft	14	6	42.9	0	0.0	6	42.9	2	14.3
Larceny	213	100	46.9	60	28.2	34	16.0	19	8.9
Fraud	1,753	767	43.8	530	30.2	340	19.4	116	6.6
Embezzlement	73	46	63.0	18	24.7	3	4.1	6	8.2
Forgery/Counterfeiting	120	50	41.7	38	31.7	22	18.3	10	8.3
Bribery	36	15	41.7	6	16.7	8	22.2	7	19.4
Tax	151	99	65.6	23	15.2	21	13.9	8	5.3
Money Laundering	149	65	43.6	22	14.8	50	33.6	12	8.1
Racketeering/Extortion	234	71	30.3	76	32.5	77	32.9	10	4.3
Gambling/Lottery	26	10	38.5	2	7.7	2	7.7	12	46.2
Civil Rights	10	5	50.0	1	10.0	3	30.0	1	10.0
Immigration	4,894	84	1.7	81	1.7	4,700	96.0	29	0.6
Child Pornography	462	384	83.1	25	5.4	42	9.1	11	2.4
Prison Offenses	99	29	29.3	33	33.3	26	26.3	11	11.1
Administration of Justice Offenses	276	111	40.2	66	23.9	70	25.4	29	10.5
Environmental/Wildlife	37	25	67.6	0	0.0	6	16.2	6	16.2
National Defense	23	10	43.5	1	4.3	9	39.1	3	13.0
Antitrust	7	2	28.6	3	42.9	0	0.0	2	28.6
Food & Drug	41	34	82.9	0	0.0	4	9.8	3	7.3
Other Miscellaneous Offenses	398	182	45.7	108	27.1	70	17.6	38	9.5

¹ Of the 16,781 cases, 306 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
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)

PRIMARY OFFENSE	TOTAL	MALE		FEMALE	
		N	%	N	%
TOTAL	16,690	14,358	86.0	2,332	14.0
Murder	22	21	95.5	1	4.5
Manslaughter	14	10	71.4	4	28.6
Kidnapping/Hostage Taking	10	8	80.0	2	20.0
Sexual Abuse	121	114	94.2	7	5.8
Assault	183	160	87.4	23	12.6
Robbery	200	181	90.5	19	9.5
Arson	10	7	70.0	3	30.0
Drugs - Trafficking	4,833	4,068	84.2	765	15.8
Drugs - Communication Facility	62	50	80.6	12	19.4
Drugs - Simple Possession	345	303	87.8	42	12.2
Firearms	1,676	1,621	96.7	55	3.3
Burglary/B&E	7	7	100.0	0	0.0
Auto Theft	14	14	100.0	0	0.0
Larceny	222	136	61.3	86	38.7
Fraud	1,762	1,236	70.1	526	29.9
Embezzlement	73	31	42.5	42	57.5
Forgery/Counterfeiting	120	82	68.3	38	31.7
Bribery	36	28	77.8	8	22.2
Tax	152	110	72.4	42	27.6
Money Laundering	150	107	71.3	43	28.7
Racketeering/Extortion	234	205	87.6	29	12.4
Gambling/Lottery	26	19	73.1	7	26.9
Civil Rights	10	9	90.0	1	10.0
Immigration	4,971	4,636	93.3	335	6.7
Child Pornography	464	451	97.2	13	2.8
Prison Offenses	101	91	90.1	10	9.9
Administration of Justice Offenses	278	207	74.5	71	25.5
Environmental/Wildlife	37	34	91.9	3	8.1
National Defense	23	23	100.0	0	0.0
Antitrust	7	7	100.0	0	0.0
Food & Drug	42	27	64.3	15	35.7
Other Miscellaneous Offenses	485	355	73.2	130	26.8

¹ Of the 16,781 cases, 91 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
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)

Gender and Age	White		Black		Hispanic		Other	
	N	%	N	%	N	%	N	%
Males	3,191	100.0	2,857	100.0	7,586	100.0	534	100.0
Under 21	40	1.3	61	2.1	301	4.0	16	3.0
21 - 25	281	8.8	446	15.6	1,056	13.9	67	12.5
26 - 30	440	13.8	573	20.1	1,465	19.3	84	15.7
31 - 35	503	15.8	571	20.0	1,557	20.5	86	16.1
36 - 40	389	12.2	490	17.2	1,289	17.0	78	14.6
41 - 50	755	23.7	508	17.8	1,407	18.5	116	21.7
Over 50	783	24.5	208	7.3	511	6.7	87	16.3
Females	823	100.0	490	100.0	826	100.0	156	100.0
Under 21	12	1.5	8	1.6	41	5.0	2	1.3
21 - 25	89	10.8	65	13.3	153	18.5	14	9.0
26 - 30	110	13.4	105	21.4	158	19.1	23	14.7
31 - 35	133	16.2	103	21.0	133	16.1	31	19.9
36 - 40	109	13.2	61	12.4	122	14.8	23	14.7
41 - 50	181	22.0	87	17.8	152	18.4	33	21.2
Over 50	189	23.0	61	12.4	67	8.1	30	19.2

¹ Of the 16,781 cases, 318 were excluded due to one or more of the following reasons: missing information on offender's race (306), missing information on offender's gender (91), or missing information on offender's age (30). Descriptions of variables used in this table are provided in Appendix A.

Table 26

CITIZENSHIP OF OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)

PRIMARY OFFENSE	TOTAL	U.S. CITIZEN		NON-U.S. CITIZEN	
		N	%	N	%
TOTAL	16,610	9,823	59.1	6,787	40.9
Murder	22	18	81.8	4	18.2
Manslaughter	14	14	100.0	0	0.0
Kidnapping/Hostage Taking	10	7	70.0	3	30.0
Sexual Abuse	121	115	95.0	6	5.0
Assault	182	171	94.0	11	6.0
Robbery	199	192	96.5	7	3.5
Arson	10	10	100.0	0	0.0
Drugs - Trafficking	4,827	3,662	75.9	1,165	24.1
Drugs - Communication Facility	62	55	88.7	7	11.3
Drugs - Simple Possession	341	103	30.2	238	69.8
Firearms	1,673	1,560	93.2	113	6.8
Burglary/B&E	7	7	100.0	0	0.0
Auto Theft	14	9	64.3	5	35.7
Larceny	218	197	90.4	21	9.6
Fraud	1,750	1,447	82.7	303	17.3
Embezzlement	73	70	95.9	3	4.1
Forgery/Counterfeiting	122	108	88.5	14	11.5
Bribery	36	31	86.1	5	13.9
Tax	152	136	89.5	16	10.5
Money Laundering	149	110	73.8	39	26.2
Racketeering/Extortion	233	199	85.4	34	14.6
Gambling/Lottery	24	20	83.3	4	16.7
Civil Rights	10	9	90.0	1	10.0
Immigration	4,994	340	6.8	4,654	93.2
Child Pornography	464	450	97.0	14	3.0
Prison Offenses	98	90	91.8	8	8.2
Administration of Justice Offenses	277	232	83.8	45	16.2
Environmental/Wildlife	37	34	91.9	3	8.1
National Defense	23	8	34.8	15	65.2
Antitrust	7	5	71.4	2	28.6
Food & Drug	40	37	92.5	3	7.5
Other Miscellaneous Offenses	421	377	89.5	44	10.5

¹ Of the 16,781 cases, 171 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
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)

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
TOTAL	16,781	78,096	16,781	16,517	12,314	4,439	16,778	15,706	1,075
D.C. CIRCUIT	63	310	63	63	59	4	63	62	1
District of Columbia	63	310	63	63	59	4	63	62	1
FIRST CIRCUIT	583	2,760	583	581	443	140	582	571	12
Maine	58	260	58	58	29	29	57	58	0
Massachusetts	150	670	150	148	76	74	150	146	4
New Hampshire	32	158	32	32	30	2	32	32	0
Puerto Rico	306	1,500	306	306	284	22	306	298	8
Rhode Island	37	172	37	37	24	13	37	37	0
SECOND CIRCUIT	1,023	4,889	1,023	1,019	821	202	1,022	1,004	19
Connecticut	82	407	82	82	79	3	82	82	0
New York									
Eastern	207	1,004	207	206	177	30	207	207	0
Northern	113	528	113	113	83	30	113	106	7
Southern	433	2,032	433	432	304	129	432	431	2
Western	142	693	142	140	136	6	142	133	9
Vermont	46	225	46	46	42	4	46	45	1
THIRD CIRCUIT	610	2,948	610	609	519	91	610	600	10
Delaware	25	123	25	25	23	2	25	25	0
New Jersey	158	780	158	158	149	9	158	157	1
Pennsylvania									
Eastern	169	809	169	168	136	33	169	167	2
Middle	113	547	113	113	96	17	113	112	1
Western	136	645	136	136	107	29	136	130	6
Virgin Islands	9	44	9	9	8	1	9	9	0
FOURTH CIRCUIT	1,422	6,575	1,422	1,402	1,072	349	1,421	1,258	164
Maryland	184	888	184	180	163	21	184	177	7
North Carolina									
Eastern	142	649	142	130	107	35	142	128	14
Middle	144	715	144	144	139	5	144	144	0
Western	181	858	181	181	134	47	181	181	0
South Carolina	167	773	167	165	107	60	167	167	0
Virginia									
Eastern	299	1,198	299	297	140	158	298	164	135
Western	95	463	95	95	83	12	95	95	0
West Virginia									
Northern	146	718	146	146	139	7	146	141	5
Southern	64	313	64	64	60	4	64	61	3

Table 27 (cont.)

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
FIFTH CIRCUIT	3,683	16,274	3,683	3,642	1,833	1,843	3,683	3,433	250
Louisiana									
Eastern	105	489	105	105	69	36	105	105	0
Middle	37	177	37	37	29	7	37	37	0
Western	47	228	47	44	45	2	47	45	2
Mississippi									
Northern	46	226	46	46	44	2	46	44	2
Southern	69	327	69	67	55	14	69	67	2
Texas									
Eastern	191	936	191	191	173	18	191	190	1
Northern	367	1,717	367	366	253	114	367	364	3
Southern	1,359	6,100	1,359	1,359	700	657	1,359	1,323	36
Western	1,462	6,074	1,462	1,427	465	993	1,462	1,258	204
SIXTH CIRCUIT	1,147	5,510	1,147	1,143	949	184	1,147	1,124	23
Kentucky									
Eastern	139	677	139	139	124	15	139	136	3
Western	80	387	80	80	73	7	80	74	6
Michigan									
Eastern	183	877	183	183	148	35	183	180	3
Western	88	408	88	88	60	28	88	84	4
Ohio									
Northern	177	833	177	175	129	48	177	175	2
Southern	147	725	147	145	141	6	147	145	2
Tennessee									
Eastern	155	759	155	155	139	16	155	155	0
Middle	60	276	60	60	38	8	60	58	2
Western	118	568	118	118	97	21	118	117	1
SEVENTH CIRCUIT	619	2,973	619	618	500	119	619	617	2
Illinois									
Central	96	444	96	96	60	36	96	96	0
Northern	175	854	175	174	156	19	175	174	1
Southern	90	411	90	90	51	39	90	90	0
Indiana									
Northern	82	401	82	82	73	9	82	82	0
Southern	77	372	77	77	65	12	77	76	1
Wisconsin									
Eastern	67	333	67	67	65	2	67	67	0
Western	32	158	32	32	30	2	32	32	0
EIGHTH CIRCUIT	1,112	5,327	1,112	1,107	888	224	1,112	1,108	4
Arkansas									
Eastern	78	368	78	78	56	22	78	78	0
Western	91	446	91	89	86	5	91	89	2
Iowa									
Northern	90	423	90	90	63	27	90	90	0
Southern	90	422	90	90	62	28	90	90	0
Minnesota	65	315	65	65	55	10	65	65	0
Missouri									
Eastern	144	716	144	144	140	4	144	144	0
Western	177	846	177	176	140	37	177	176	1
Nebraska	153	720	153	151	110	43	153	153	0
North Dakota	114	527	114	114	72	42	114	113	1
South Dakota	110	544	110	110	104	6	110	110	0

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	3,418	16,209	3,418	3,270	3,200	216	3,418	2,903	515
Alaska	31	143	31	31	21	10	31	29	2
Arizona	1,261	5,855	1,261	1,134	1,221	38	1,261	978	283
California									
Central	251	1,220	251	250	221	30	251	247	4
Eastern	203	995	203	202	188	15	203	199	4
Northern	158	744	158	144	143	15	158	141	17
Southern	840	4,013	840	838	813	27	840	682	158
Guam	21	102	21	21	18	3	21	21	0
Hawaii	59	270	59	59	35	24	59	58	1
Idaho	52	257	52	52	49	3	52	52	0
Montana	86	412	86	86	68	18	86	86	0
Nevada	140	673	140	140	120	20	140	133	7
Northern Mariana Islands	5	25	5	5	5	0	5	5	0
Oregon	124	598	124	121	121	3	124	108	16
Washington									
Eastern	91	448	91	91	86	5	91	89	2
Western	96	454	96	96	91	5	96	75	21
TENTH CIRCUIT	1,629	7,453	1,629	1,610	988	639	1,629	1,597	32
Colorado	71	347	71	71	66	5	71	68	3
Kansas	166	803	166	162	149	17	166	160	6
New Mexico	1,056	4,726	1,056	1,055	504	552	1,056	1,055	1
Oklahoma									
Eastern	11	51	11	11	7	4	11	11	0
Northern	40	185	40	40	26	14	40	39	1
Western	72	311	72	72	34	37	72	61	11
Utah	129	634	129	129	125	4	129	122	7
Wyoming	84	396	84	70	77	6	84	81	3
ELEVENTH CIRCUIT	1,472	6,868	1,472	1,453	1,042	428	1,472	1,429	43
Alabama									
Middle	49	237	49	49	42	7	49	48	1
Northern	68	334	68	68	62	6	68	68	0
Southern	96	465	96	96	81	15	96	96	0
Florida									
Middle	345	1,616	345	345	236	109	345	345	0
Northern	45	215	45	45	35	10	45	45	0
Southern	501	2,302	501	488	323	177	501	489	12
Georgia									
Middle	80	356	80	78	46	34	80	72	8
Northern	163	783	163	159	140	23	163	158	5
Southern	125	560	125	125	77	47	125	108	17

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 11 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
1st Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through December 31, 2014)**

CIRCUIT District	Total	Form AO 245B ¹		Other Forms ²		No Form Received	
		N	%	N	%	N	%
TOTAL	16,781	15,910	94.8	667	4.0	204	1.2
D.C. CIRCUIT	63	63	100.0	0	0.0	0	0.0
District of Columbia	63	63	100.0	0	0.0	0	0.0
FIRST CIRCUIT	583	581	99.7	0	0.0	2	0.3
Maine	58	58	100.0	0	0.0	0	0.0
Massachusetts	150	148	98.7	0	0.0	2	1.3
New Hampshire	32	32	100.0	0	0.0	0	0.0
Puerto Rico	306	306	100.0	0	0.0	0	0.0
Rhode Island	37	37	100.0	0	0.0	0	0.0
SECOND CIRCUIT	1,023	1,013	99.0	6	0.6	4	0.4
Connecticut	82	82	100.0	0	0.0	0	0.0
New York							
Eastern	207	200	96.6	6	2.9	1	0.5
Northern	113	113	100.0	0	0.0	0	0.0
Southern	433	432	99.8	0	0.0	1	0.2
Western	142	140	98.6	0	0.0	2	1.4
Vermont	46	46	100.0	0	0.0	0	0.0
THIRD CIRCUIT	610	608	99.7	2	0.3	0	0.0
Delaware	25	25	100.0	0	0.0	0	0.0
New Jersey	158	158	100.0	0	0.0	0	0.0
Pennsylvania							
Eastern	169	169	100.0	0	0.0	0	0.0
Middle	113	113	100.0	0	0.0	0	0.0
Western	136	134	98.5	2	1.5	0	0.0
Virgin Islands	9	9	100.0	0	0.0	0	0.0
FOURTH CIRCUIT	1,422	1,391	97.8	15	1.1	16	1.1
Maryland	184	184	100.0	0	0.0	0	0.0
North Carolina							
Eastern	142	130	91.5	0	0.0	12	8.5
Middle	144	144	100.0	0	0.0	0	0.0
Western	181	181	100.0	0	0.0	0	0.0
South Carolina	167	165	98.8	0	0.0	2	1.2
Virginia							
Eastern	299	282	94.3	15	5.0	2	0.7
Western	95	95	100.0	0	0.0	0	0.0
West Virginia							
Northern	146	146	100.0	0	0.0	0	0.0
Southern	64	64	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	3,683	3,174	86.2	468	12.7	41	1.1
Louisiana							
Eastern	105	105	100.0	0	0.0	0	0.0
Middle	37	37	100.0	0	0.0	0	0.0
Western	47	31	66.0	13	27.7	3	6.4
Mississippi							
Northern	46	46	100.0	0	0.0	0	0.0
Southern	69	67	97.1	0	0.0	2	2.9
Texas							
Eastern	191	191	100.0	0	0.0	0	0.0
Northern	367	365	99.5	1	0.3	1	0.3
Southern	1,359	1,359	100.0	0	0.0	0	0.0
Western	1,462	973	66.6	454	31.1	35	2.4
SIXTH CIRCUIT	1,147	1,120	97.6	23	2.0	4	0.3
Kentucky							
Eastern	139	139	100.0	0	0.0	0	0.0
Western	80	80	100.0	0	0.0	0	0.0
Michigan							
Eastern	183	183	100.0	0	0.0	0	0.0
Western	88	88	100.0	0	0.0	0	0.0
Ohio							
Northern	177	175	98.9	0	0.0	2	1.1
Southern	147	134	91.2	11	7.5	2	1.4
Tennessee							
Eastern	155	155	100.0	0	0.0	0	0.0
Middle	60	48	80.0	12	20.0	0	0.0
Western	118	118	100.0	0	0.0	0	0.0
SEVENTH CIRCUIT	619	592	95.6	26	4.2	1	0.2
Illinois							
Central	96	95	99.0	1	1.0	0	0.0
Northern	175	174	99.4	0	0.0	1	0.6
Southern	90	90	100.0	0	0.0	0	0.0
Indiana							
Northern	82	82	100.0	0	0.0	0	0.0
Southern	77	77	100.0	0	0.0	0	0.0
Wisconsin							
Eastern	67	42	62.7	25	37.3	0	0.0
Western	32	32	100.0	0	0.0	0	0.0
EIGHTH CIRCUIT	1,112	1,106	99.5	1	0.1	5	0.4
Arkansas							
Eastern	78	78	100.0	0	0.0	0	0.0
Western	91	89	97.8	0	0.0	2	2.2
Iowa							
Northern	90	90	100.0	0	0.0	0	0.0
Southern	90	90	100.0	0	0.0	0	0.0
Minnesota	65	64	98.5	1	1.5	0	0.0
Missouri							
Eastern	144	144	100.0	0	0.0	0	0.0
Western	177	176	99.4	0	0.0	1	0.6
Nebraska	153	151	98.7	0	0.0	2	1.3
North Dakota	114	114	100.0	0	0.0	0	0.0
South Dakota	110	110	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	3,418	3,202	93.7	119	3.5	97	2.8
Alaska	31	31	100.0	0	0.0	0	0.0
Arizona	1,261	1,183	93.8	1	0.1	77	6.1
California							
Central	251	251	100.0	0	0.0	0	0.0
Eastern	203	202	99.5	0	0.0	1	0.5
Northern	158	144	91.1	0	0.0	14	8.9
Southern	840	837	99.6	1	0.1	2	0.2
Guam	21	21	100.0	0	0.0	0	0.0
Hawaii	59	58	98.3	1	1.7	0	0.0
Idaho	52	52	100.0	0	0.0	0	0.0
Montana	86	86	100.0	0	0.0	0	0.0
Nevada	140	140	100.0	0	0.0	0	0.0
Northern Mariana Islands	5	5	100.0	0	0.0	0	0.0
Oregon	124	5	4.0	116	93.5	3	2.4
Washington							
Eastern	91	91	100.0	0	0.0	0	0.0
Western	96	96	100.0	0	0.0	0	0.0
TENTH CIRCUIT	1,629	1,612	99.0	2	0.1	15	0.9
Colorado	71	71	100.0	0	0.0	0	0.0
Kansas	166	165	99.4	1	0.6	0	0.0
New Mexico	1,056	1,055	99.9	0	0.0	1	0.1
Oklahoma							
Eastern	11	11	100.0	0	0.0	0	0.0
Northern	40	40	100.0	0	0.0	0	0.0
Western	72	72	100.0	0	0.0	0	0.0
Utah	129	128	99.2	1	0.8	0	0.0
Wyoming	84	70	83.3	0	0.0	14	16.7
ELEVENTH CIRCUIT	1,472	1,448	98.4	5	0.3	19	1.3
Alabama							
Middle	49	49	100.0	0	0.0	0	0.0
Northern	68	68	100.0	0	0.0	0	0.0
Southern	96	95	99.0	1	1.0	0	0.0
Florida							
Middle	345	345	100.0	0	0.0	0	0.0
Northern	45	44	97.8	1	2.2	0	0.0
Southern	501	488	97.4	0	0.0	13	2.6
Georgia							
Middle	80	78	97.5	0	0.0	2	2.5
Northern	163	156	95.7	3	1.8	4	2.5
Southern	125	125	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 FY14 *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