

# **United States Sentencing Commission Quarterly Data Report**



**1st Quarter Release  
Preliminary Fiscal Year 2025 Data  
Through December 31, 2024**

## 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 to the Commission by the courts.<sup>1</sup> Data is reported on an annual basis in the Commission's *Annual Report* and *Sourcebook of Federal Sentencing Statistics*.<sup>2</sup> Additional information on Commission data can be found through the Commission's "Interactive Data Analyzer" at <https://ida.ussc.gov>.

After the Supreme Court's decision in *United States v. Booker* on January 12, 2005, the Commission began reporting data on a quarterly basis in order to provide real-time data concerning the sentences imposed in the federal courts. The types of data reported increased over time to accommodate various requests for additional information. These reports were eventually standardized in a format that was largely unchanged through fiscal year 2015. In fiscal year 2016, the Commission revised the format for its *Quarterly Data Reports*, to include information not previously reported on a quarterly basis, and to make it easier to understand the data that was presented.

Beginning in 2018, the Commission again updated the way it presents quarterly data. Now, all analyses that involve a comparison of the sentence imposed relative to the guideline range that applied in the case are presented in a new way. Sentences are now grouped into two broad categories: Sentences Under the Guidelines Manual and Variances. The former category comprises all cases in which the sentence imposed was within the applicable guideline range or, if outside the range, where the court indicated that one or more of the departure reasons in the Commission's *Guidelines Manual* was a basis for the sentence. Variance cases are those where the sentence was outside the guideline range (either above or below) and where the court did not cite any guideline reason for the sentence. Data for important subgroups within these two categories are also reported.

This report reflects other methodological changes that began with fiscal year 2018 data. Principal among them is the way cases are assigned to a "type of crime" (previously called offense type). Beginning with fiscal year 2018, the guideline (or guidelines) that the court applied in determining the sentence largely determines the crime type category to which a case is assigned. Previously, the maximum penalty provided under the statute of conviction was used for this categorization. Also, the names of some of the crime type categories have been revised and some outdated categories have been removed from the tables and figures.

Additionally, cases involving the production of child pornography have been assigned to the sexual abuse crime type. Previously, these cases were assigned to the child pornography offense type in the *Sourcebook*. This change reflects the way in which the production of child

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<sup>1</sup> In each federal felony or Class A misdemeanor case, 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).

<sup>2</sup> Electronic copies of the *Annual Report* and *Sourcebook of Federal Sentencing Statistics* for fiscal years 1995 through 2024 are available at the Commission's website, [www.ussc.gov](http://www.ussc.gov).

pornography is treated under the sentencing guidelines.

Another important methodological change is that sentences are capped at 470 months for all analyses. This is consistent with the Commission's long-standing practice of assigning a value of 470 months to any life imprisonment sentence.

Because of these methodological changes, direct comparisons between data for fiscal year 2018 and later years cannot always be made to data reported in the *Quarterly Data Reports* released before the Final Fiscal Year 2018 *Quarterly Data Report*.

The data in this report is preliminary and subject to change as the Commission collects, analyzes, and reports on data from 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*.<sup>3</sup>

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<sup>3</sup> Data for previous quarters may change for many reasons. For example, the courts have up to 30 days after the entry of judgment in a case 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.

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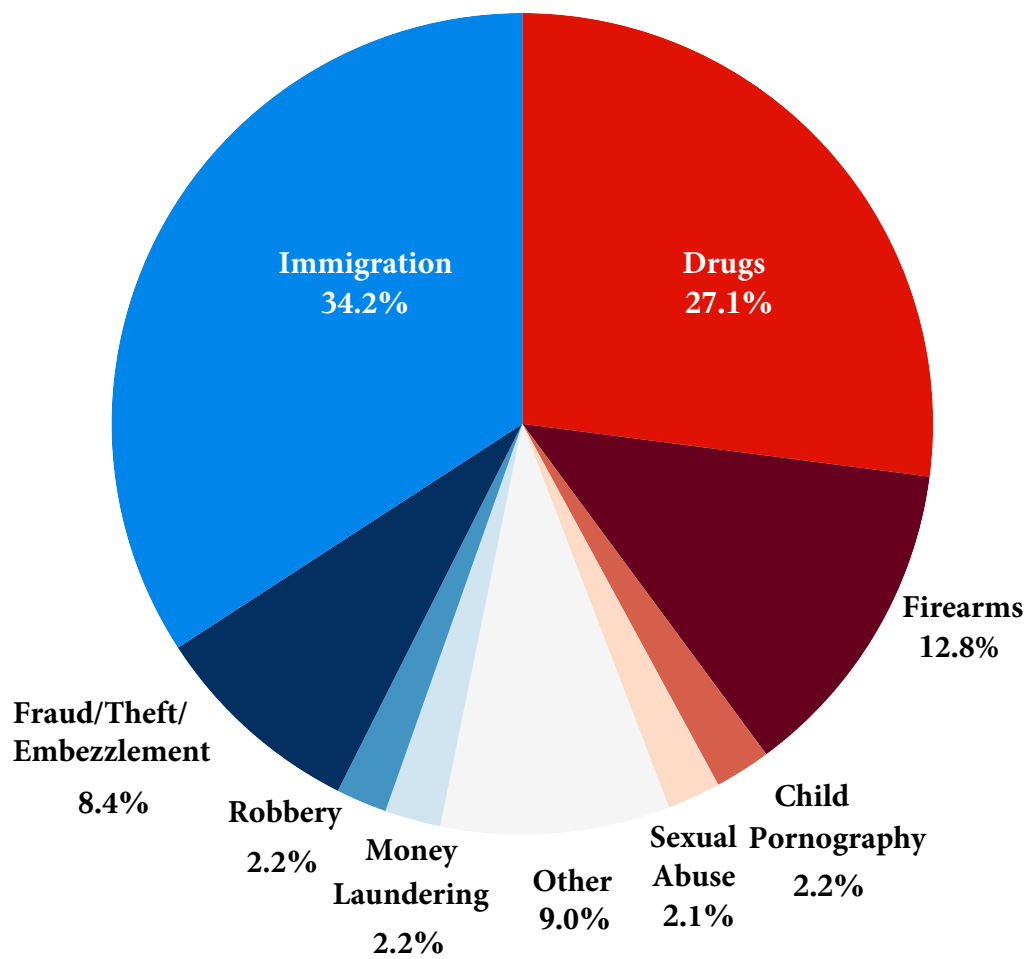
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Figure 1

**SENTENCED INDIVIDUALS BY TYPE OF CRIME<sup>1</sup>**

**1st Quarter 2025 Preliminary Cumulative Data  
(October 1, 2024, through December 31, 2024)**



<sup>1</sup> This figure includes the 14,782 cases reported to the Commission. The Drugs category includes trafficking and simple possession. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through December 31, 2024).

Table 1

SENTENCED INDIVIDUALS BY TYPE OF CRIME<sup>1</sup>

1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)

TYPE OF CRIME	N	%
<b>TOTAL</b>	<b>14,782</b>	<b>100.0</b>
Administration of Justice	145	1.0
Antitrust	2	0.0
Arson	23	0.2
Assault	215	1.5
Bribery/Corruption	89	0.6
Burglary/Trespass	13	0.1
Child Pornography	329	2.2
Commercialized Vice	22	0.1
Drug Possession	22	0.1
Drug Trafficking	3,976	26.9
Environmental	34	0.2
Extortion/Racketeering	17	0.1
Firearms	1,898	12.8
Food and Drug	10	0.1
Forgery/Counter/Copyright	20	0.1
Fraud/Theft/Embezzlement	1,247	8.4
Immigration	5,045	34.1
Individual Rights	14	0.1
Kidnapping	27	0.2
Manslaughter	10	0.1
Money Laundering	323	2.2
Murder	100	0.7
National Defense	68	0.5
Obscenity/Other Sex Offenses	76	0.5
Prison Offenses	86	0.6
Robbery	303	2.0
Sexual Abuse	313	2.1
Stalking/Harassing	73	0.5
Tax	105	0.7
Other	177	1.2

<sup>1</sup> Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through December 31, 2024).

Table 2

SENTENCED INDIVIDUALS IN EACH CIRCUIT AND DISTRICT<sup>1</sup>

1st Quarter 2025 Preliminary Cumulative Data  
(October 1, 2024, through December 31, 2024)

CIRCUIT			CIRCUIT		
District	N	%	District	N	%
<b>TOTAL</b>	<b>14,782</b>	<b>100.0</b>			
<b>D.C. CIRCUIT</b>	<b>151</b>	<b>1.0</b>	<b>FIFTH CIRCUIT</b>	<b>4,521</b>	<b>30.6</b>
District of Columbia	151	1.0	Louisiana		
			Eastern	71	0.5
			Middle	26	0.2
			Western	71	0.5
<b>FIRST CIRCUIT</b>	<b>435</b>	<b>2.9</b>	Mississippi		
Maine	35	0.2	Northern	32	0.2
Massachusetts	114	0.8	Southern	79	0.5
New Hampshire	38	0.3	Texas		
Puerto Rico	225	1.5	Eastern	249	1.7
Rhode Island	23	0.2	Northern	270	1.8
			Southern	1,586	10.7
<b>SECOND CIRCUIT</b>	<b>654</b>	<b>4.4</b>	Western	2,137	14.5
Connecticut	61	0.4			
New York			<b>SIXTH CIRCUIT</b>	<b>949</b>	<b>6.4</b>
Eastern	122	0.8	Kentucky		
Northern	95	0.6	Eastern	77	0.5
Southern	220	1.5	Western	79	0.5
Western	108	0.7	Michigan		
Vermont	48	0.3	Eastern	167	1.1
			Western	55	0.4
<b>THIRD CIRCUIT</b>	<b>562</b>	<b>3.8</b>	Ohio		
Delaware	27	0.2	Northern	188	1.3
New Jersey	201	1.4	Southern	131	0.9
Pennsylvania			Tennessee		
Eastern	126	0.9	Eastern	113	0.8
Middle	80	0.5	Middle	71	0.5
Western	108	0.7	Western	68	0.5
Virgin Islands	20	0.1			
			<b>SEVENTH CIRCUIT</b>	<b>509</b>	<b>3.4</b>
<b>FOURTH CIRCUIT</b>	<b>1,011</b>	<b>6.8</b>	Illinois		
Maryland	92	0.6	Central	53	0.4
North Carolina			Northern	135	0.9
Eastern	217	1.5	Southern	55	0.4
Middle	88	0.6	Indiana		
Western	71	0.5	Northern	69	0.5
South Carolina	133	0.9	Southern	80	0.5
Virginia			Wisconsin		
Eastern	209	1.4	Eastern	85	0.6
Western	70	0.5	Western	32	0.2
West Virginia					
Northern	81	0.5			
Southern	50	0.3			



Table 2 (cont.)

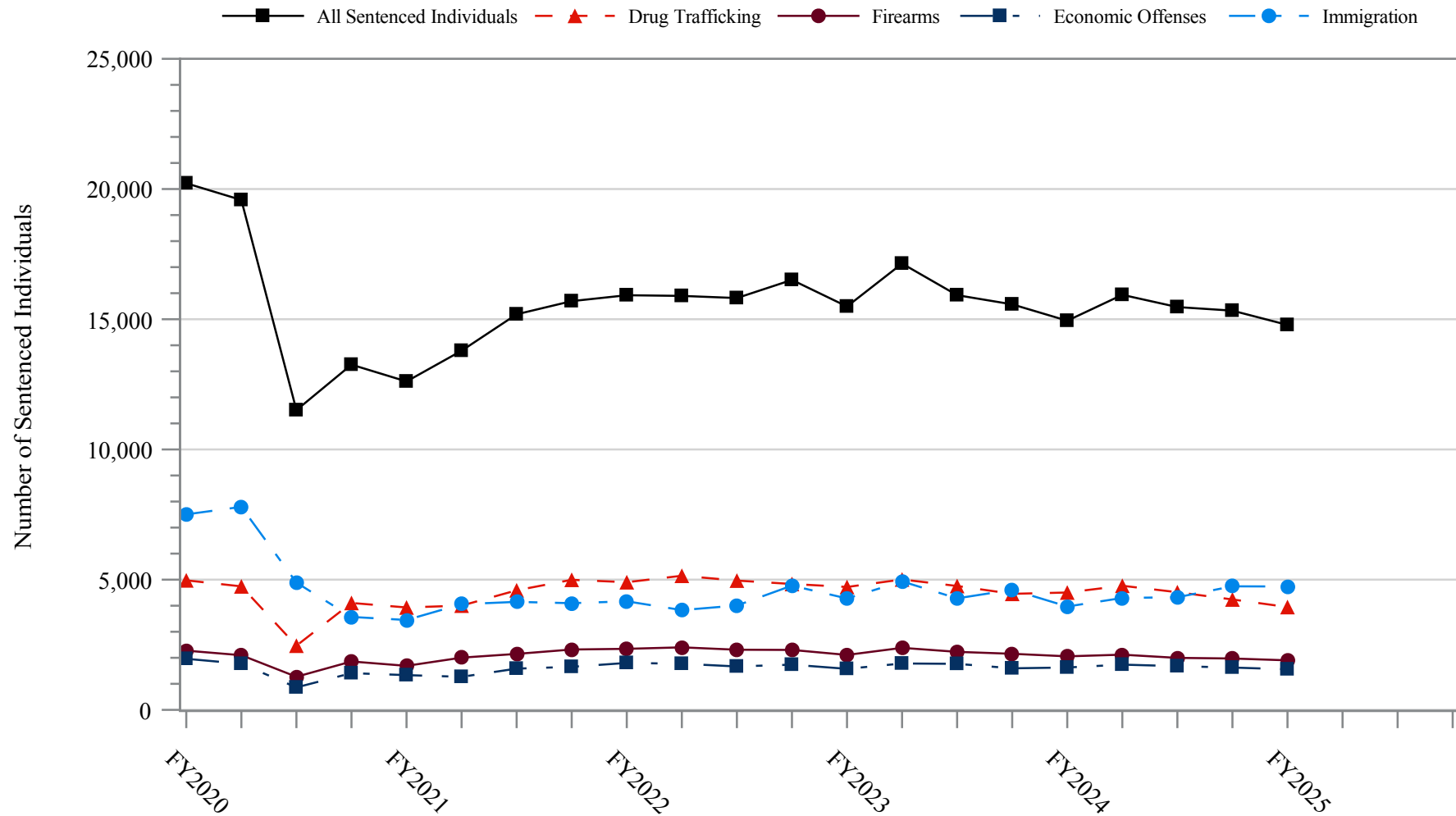
CIRCUIT			CIRCUIT		
District	N	%	District	N	%
<b>EIGHTH CIRCUIT</b>	<b>1,093</b>	<b>7.4</b>	<b>TENTH CIRCUIT</b>	<b>1,231</b>	<b>8.3</b>
Arkansas			Colorado	90	0.6
Eastern	156	1.1	Kansas	87	0.6
Western	30	0.2	New Mexico	501	3.4
Iowa			Oklahoma		
Northern	67	0.5	Eastern	75	0.5
Southern	79	0.5	Northern	123	0.8
Minnesota	116	0.8	Western	144	1.0
Missouri			Utah	156	1.1
Eastern	224	1.5	Wyoming	55	0.4
Western	131	0.9			
Nebraska	106	0.7	<b>ELEVENTH CIRCUIT</b>	<b>1,212</b>	<b>8.2</b>
North Dakota	68	0.5	Alabama		
South Dakota	116	0.8	Middle	43	0.3
			Northern	121	0.8
<b>NINTH CIRCUIT</b>	<b>2,454</b>	<b>16.6</b>	Southern	78	0.5
Alaska	27	0.2	Florida		
Arizona	955	6.5	Middle	367	2.5
California			Northern	55	0.4
Central	171	1.2	Southern	296	2.0
Eastern	101	0.7	Georgia		
Northern	98	0.7	Middle	92	0.6
Southern	620	4.2	Northern	87	0.6
Guam	3	0.0	Southern	73	0.5
Hawaii	25	0.2			
Idaho	87	0.6			
Montana	86	0.6			
Nevada	46	0.3			
Northern Mariana Islands	3	0.0			
Oregon	83	0.6			
Washington					
Eastern	63	0.4			
Western	86	0.6			

<sup>1</sup> Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through December 31, 2024).

Figure 2

**NUMBER OF SENTENCED INDIVIDUALS BY SELECTED PRIMARY GUIDELINES<sup>1</sup>**  
**Fiscal Years 2020 - 2024,**  
**1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**



<sup>1</sup> The *Drug Trafficking* category includes individuals sentenced under §§2D1.1, 2D1.2, 2D1.5, 2D1.6, 2D1.8, 2D1.10, or 2D1.14. The *Firearms* category includes individuals sentenced under §§2K1.3, 2K1.4, 2K2.1, 2K2.4, or 2K2.5. The *Economic Offenses* category includes individuals sentenced under §§2B1.1, 2B1.4, 2B1.5, 2B2.1, 2B3.1, 2B3.2, 2B4.1, 2B5.1, or 2B5.3. The *Immigration* category includes individuals sentenced under §§2L1.1, 2L1.2, 2L2.1, or 2L2.2. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2020 - 2024 Datafiles, USSCFY20 - USSCFY24, and Preliminary Data from USSCFY25 (October 1, 2024, through December 31, 2024).

Table 3

### RACE OF SENTENCED INDIVIDUALS BY TYPE OF CRIME<sup>1</sup>

1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)

TYPE OF CRIME	TOTAL	WHITE		BLACK		HISPANIC		OTHER	
		N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>14,693</b>	<b>2,963</b>	<b>20.2</b>	<b>3,492</b>	<b>23.8</b>	<b>7,620</b>	<b>51.9</b>	<b>618</b>	<b>4.2</b>
Administration of Justice	145	59	40.7	17	11.7	54	37.2	15	10.3
Antitrust	2	2	100.0	0	0.0	0	0.0	0	0.0
Arson	23	5	21.7	9	39.1	3	13.0	6	26.1
Assault	215	63	29.3	49	22.8	33	15.3	70	32.6
Bribery/Corruption	89	36	40.4	23	25.8	20	22.5	10	11.2
Burglary/Trespass	13	7	53.8	2	15.4	2	15.4	2	15.4
Child Pornography	329	249	75.7	16	4.9	51	15.5	13	4.0
Commercialized Vice	22	6	27.3	5	22.7	9	40.9	2	9.1
Drug Possession	22	10	45.5	4	18.2	5	22.7	3	13.6
Drug Trafficking	3,975	976	24.6	1,194	30.0	1,677	42.2	128	3.2
Environmental	34	17	50.0	3	8.8	8	23.5	6	17.6
Extortion/Racketeering	16	7	43.8	1	6.3	6	37.5	2	12.5
Firearms	1,895	387	20.4	1,097	57.9	345	18.2	66	3.5
Food and Drug	10	8	80.0	1	10.0	1	10.0	0	0.0
Forgery/Counter/Copyright	20	8	40.0	8	40.0	0	0.0	4	20.0
Fraud/Theft/Embezzlement	1,240	464	37.4	448	36.1	251	20.2	77	6.2
Immigration	5,022	131	2.6	88	1.8	4,771	95.0	32	0.6
Individual Rights	13	10	76.9	2	15.4	1	7.7	0	0.0
Kidnapping	27	3	11.1	12	44.4	11	40.7	1	3.7
Manslaughter	10	0	0.0	1	10.0	0	0.0	9	90.0
Money Laundering	322	70	21.7	96	29.8	119	37.0	37	11.5
Murder	100	15	15.0	30	30.0	43	43.0	12	12.0
National Defense	68	11	16.2	8	11.8	46	67.6	3	4.4
Obscenity/Other Sex Offenses	76	27	35.5	12	15.8	6	7.9	31	40.8
Prison Offenses	85	15	17.6	36	42.4	25	29.4	9	10.6
Robbery	303	38	12.5	208	68.6	45	14.9	12	4.0
Sexual Abuse	311	179	57.6	47	15.1	53	17.0	32	10.3
Stalking/Harassing	71	41	57.7	12	16.9	10	14.1	8	11.3
Tax	105	61	58.1	20	19.0	9	8.6	15	14.3
Other	130	58	44.6	43	33.1	16	12.3	13	10.0

<sup>1</sup> Of the 14,782 cases, 89 were excluded due to missing information on sentenced individual's race. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through December 31, 2024).

Table 4

GENDER OF SENTENCED INDIVIDUALS BY TYPE OF CRIME<sup>1</sup>

1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)

TYPE OF CRIME	TOTAL	MALE		FEMALE	
		N	%	N	%
<b>TOTAL</b>	<b>14,761</b>	<b>12,975</b>	<b>87.9</b>	<b>1,786</b>	<b>12.1</b>
Administration of Justice	145	112	77.2	33	22.8
Antitrust	2	2	100.0	0	0.0
Arson	23	20	87.0	3	13.0
Assault	215	192	89.3	23	10.7
Bribery/Corruption	89	64	71.9	25	28.1
Burglary/Trespass	13	12	92.3	1	7.7
Child Pornography	329	325	98.8	4	1.2
Commercialized Vice	22	16	72.7	6	27.3
Drug Possession	22	17	77.3	5	22.7
Drug Trafficking	3,976	3,352	84.3	624	15.7
Environmental	34	31	91.2	3	8.8
Extortion/Racketeering	17	15	88.2	2	11.8
Firearms	1,898	1,819	95.8	79	4.2
Food and Drug	10	7	70.0	3	30.0
Forgery/Counter/Copyright	20	16	80.0	4	20.0
Fraud/Theft/Embezzlement	1,246	908	72.9	338	27.1
Immigration	5,040	4,642	92.1	398	7.9
Individual Rights	14	13	92.9	1	7.1
Kidnapping	27	26	96.3	1	3.7
Manslaughter	10	9	90.0	1	10.0
Money Laundering	323	239	74.0	84	26.0
Murder	100	91	91.0	9	9.0
National Defense	68	57	83.8	11	16.2
Obscenity/Other Sex Offenses	76	75	98.7	1	1.3
Prison Offenses	86	72	83.7	14	16.3
Robbery	303	287	94.7	16	5.3
Sexual Abuse	313	285	91.1	28	8.9
Stalking/Harassing	73	70	95.9	3	4.1
Tax	105	81	77.1	24	22.9
Other	162	120	74.1	42	25.9

<sup>1</sup> Of the 14,782 cases, 21 were excluded due to missing information on sentenced individual's gender. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through December 31, 2024).

Table 5

CITIZENSHIP OF SENTENCED INDIVIDUALS BY TYPE OF CRIME<sup>1</sup>

1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)

TYPE OF CRIME	TOTAL	U.S. CITIZEN		NON-U.S. CITIZEN	
		N	%	N	%
<b>TOTAL</b>	<b>14,732</b>	<b>9,163</b>	<b>62.2</b>	<b>5,569</b>	<b>37.8</b>
Administration of Justice	145	119	82.1	26	17.9
Antitrust	2	2	100.0	0	0.0
Arson	23	20	87.0	3	13.0
Assault	213	209	98.1	4	1.9
Bribery/Corruption	89	82	92.1	7	7.9
Burglary/Trespass	13	12	92.3	1	7.7
Child Pornography	329	313	95.1	16	4.9
Commercialized Vice	22	19	86.4	3	13.6
Drug Possession	22	21	95.5	1	4.5
Drug Trafficking	3,968	3,193	80.5	775	19.5
Environmental	33	22	66.7	11	33.3
Extortion/Racketeering	16	12	75.0	4	25.0
Firearms	1,897	1,822	96.0	75	4.0
Food and Drug	10	9	90.0	1	10.0
Forgery/Counter/Copyright	20	17	85.0	3	15.0
Fraud/Theft/Embezzlement	1,244	1,085	87.2	159	12.8
Immigration	5,042	747	14.8	4,295	85.2
Individual Rights	13	12	92.3	1	7.7
Kidnapping	27	20	74.1	7	25.9
Manslaughter	10	10	100.0	0	0.0
Money Laundering	323	230	71.2	93	28.8
Murder	100	88	88.0	12	12.0
National Defense	68	43	63.2	25	36.8
Obscenity/Other Sex Offenses	76	76	100.0	0	0.0
Prison Offenses	86	83	96.5	3	3.5
Robbery	302	288	95.4	14	4.6
Sexual Abuse	313	298	95.2	15	4.8
Stalking/Harassing	72	70	97.2	2	2.8
Tax	105	103	98.1	2	1.9
Other	149	138	92.6	11	7.4

<sup>1</sup> Of the 14,782 cases, 50 were excluded due to missing information on sentenced individual's citizenship status. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through December 31, 2024).

Table 6

SENTENCE LENGTH BY TYPE OF CRIME<sup>1</sup>

1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)

TYPE OF CRIME	Mean Months	Median Months	N
<b>TOTAL</b>	<b>51</b>	<b>24</b>	<b>14,782</b>
Administration of Justice	12	6	145
Antitrust	--	--	2
Arson	59	60	23
Assault	78	40	215
Bribery/Corruption	16	9	89
Burglary/Trespass	9	0	13
Child Pornography	118	97	329
Commercialized Vice	6	0	22
Drug Possession	2	0	22
Drug Trafficking	87	70	3,976
Environmental	6	0	34
Extortion/Racketeering	51	30	17
Firearms	50	41	1,898
Food and Drug	1	0	10
Forgery/Counter/Copyright	17	13	20
Fraud/Theft/Embezzlement	22	12	1,247
Immigration	11	6	5,045
Individual Rights	18	14	14
Kidnapping	199	168	27
Manslaughter	88	94	10
Money Laundering	61	30	323
Murder	294	300	100
National Defense	23	11	68
Obscenity/Other Sex Offenses	24	21	76
Prison Offenses	12	12	86
Robbery	112	96	303
Sexual Abuse	230	210	313
Stalking/Harassing	31	27	73
Tax	17	12	105
Other	2	0	177

<sup>1</sup> Sentences greater than 470 months (including life) and probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through December 31, 2024).

Table 7

SENTENCE TYPE BY TYPE OF CRIME<sup>1</sup>

1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)

TYPE OF CRIME	TOTAL	TOTAL RECEIVING IMPRISONMENT		Prison Only		Prison and Alternatives <sup>2</sup>		TOTAL RECEIVING PROBATION		Probation and Alternatives <sup>2</sup>		Probation Only		TOTAL RECEIVING FINE ONLY	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>14,782</b>	<b>13,528</b>	<b>91.5</b>	<b>13,125</b>	<b>88.8</b>	<b>403</b>	<b>2.7</b>	<b>1,195</b>	<b>8.1</b>	<b>175</b>	<b>1.2</b>	<b>1,020</b>	<b>6.9</b>	<b>59</b>	<b>0.4</b>
Administration of Justice	145	107	73.8	101	69.7	6	4.1	37	25.5	10	6.9	27	18.6	1	0.7
Antitrust	2	2	100.0	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Arson	23	23	100.0	23	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Assault	215	199	92.6	191	88.8	8	3.7	16	7.4	2	0.9	14	6.5	0	0.0
Bribery/Corruption	89	59	66.3	55	61.8	4	4.5	30	33.7	6	6.7	24	27.0	0	0.0
Burglary/Trespass	13	5	38.5	5	38.5	0	0.0	8	61.5	3	23.1	5	38.5	0	0.0
Child Pornography	329	328	99.7	323	98.2	5	1.5	1	0.3	1	0.3	0	0.0	0	0.0
Commercialized Vice	22	15	68.2	14	63.6	1	4.5	6	27.3	1	4.5	5	22.7	1	4.5
Drug Possession	22	16	72.7	16	72.7	0	0.0	4	18.2	0	0.0	4	18.2	2	9.1
Drug Trafficking	3,976	3,853	96.9	3,718	93.5	135	3.4	123	3.1	26	0.7	97	2.4	0	0.0
Environmental	34	16	47.1	16	47.1	0	0.0	16	47.1	4	11.8	12	35.3	2	5.9
Extortion/Racketeering	17	11	64.7	11	64.7	0	0.0	6	35.3	3	17.6	3	17.6	0	0.0
Firearms	1,898	1,779	93.7	1,728	91.0	51	2.7	118	6.2	21	1.1	97	5.1	1	0.1
Food and Drug	10	1	10.0	1	10.0	0	0.0	8	80.0	1	10.0	7	70.0	1	10.0
Forgery/Counter/Copyright	20	17	85.0	17	85.0	0	0.0	3	15.0	0	0.0	3	15.0	0	0.0
Fraud/Theft/Embezzlement	1,247	928	74.4	885	71.0	43	3.4	315	25.3	49	3.9	266	21.3	4	0.3
Immigration	5,045	4,761	94.4	4,663	92.4	98	1.9	284	5.6	23	0.5	261	5.2	0	0.0
Individual Rights	14	10	71.4	10	71.4	0	0.0	4	28.6	1	7.1	3	21.4	0	0.0
Kidnapping	27	27	100.0	27	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Manslaughter	10	9	90.0	9	90.0	0	0.0	1	10.0	0	0.0	1	10.0	0	0.0
Money Laundering	323	278	86.1	267	82.7	11	3.4	45	13.9	8	2.5	37	11.5	0	0.0
Murder	100	99	99.0	97	97.0	2	2.0	1	1.0	0	0.0	1	1.0	0	0.0
National Defense	68	51	75.0	47	69.1	4	5.9	7	10.3	0	0.0	7	10.3	10	14.7
Obscenity/Other Sex Offenses	76	71	93.4	65	85.5	6	7.9	5	6.6	1	1.3	4	5.3	0	0.0
Prison Offenses	86	84	97.7	78	90.7	6	7.0	2	2.3	0	0.0	2	2.3	0	0.0
Robbery	303	303	100.0	295	97.4	8	2.6	0	0.0	0	0.0	0	0.0	0	0.0
Sexual Abuse	313	312	99.7	304	97.1	8	2.6	1	0.3	0	0.0	1	0.3	0	0.0
Stalking/Harassing	73	64	87.7	61	83.6	3	4.1	9	12.3	2	2.7	7	9.6	0	0.0
Tax	105	73	69.5	70	66.7	3	2.9	32	30.5	10	9.5	22	21.0	0	0.0
Other	177	27	15.3	26	14.7	1	0.6	113	63.8	3	1.7	110	62.1	37	20.9

<sup>1</sup> Descriptions of variables used in this table are provided in Appendix A.<sup>2</sup> Alternatives include all cases in which sentenced individuals received conditions of confinement as described in USSG §5C1.1.

**Table 8**

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE<sup>1</sup>**  
**1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**

	N	%
<b>TOTAL CASES</b>	<b>14,733</b>	<b>100.0</b>
<b>SENTENCES UNDER THE GUIDELINES MANUAL</b>	<b>9,908</b>	<b>67.3</b>
Within Guideline Range	7,042	47.8
Upward Departure <sup>2</sup>	56	0.4
Downward Departure		
§5K1.1 Substantial Assistance	1,320	9.0
§5K3.1 Early Disposition Program	1,012	6.9
Other Government Motion <sup>3</sup>	225	1.5
Non-Government Departure <sup>4</sup>	253	1.7
<b>VARIANCES</b>	<b>4,825</b>	<b>32.7</b>
Upward Variance <sup>5</sup>	578	3.9
Downward Variance		
Government Motion <sup>6</sup>	1,525	10.4
Non-Government Variance <sup>7</sup>	2,722	18.5

<sup>1</sup> This table reflects the 14,782 cases sentenced on or after October 1, 2024, with court documentation cumulatively received, coded, and edited at the U.S. Sentencing Commission by Mar 20, 2025. Of these, 49 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.

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

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

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

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

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

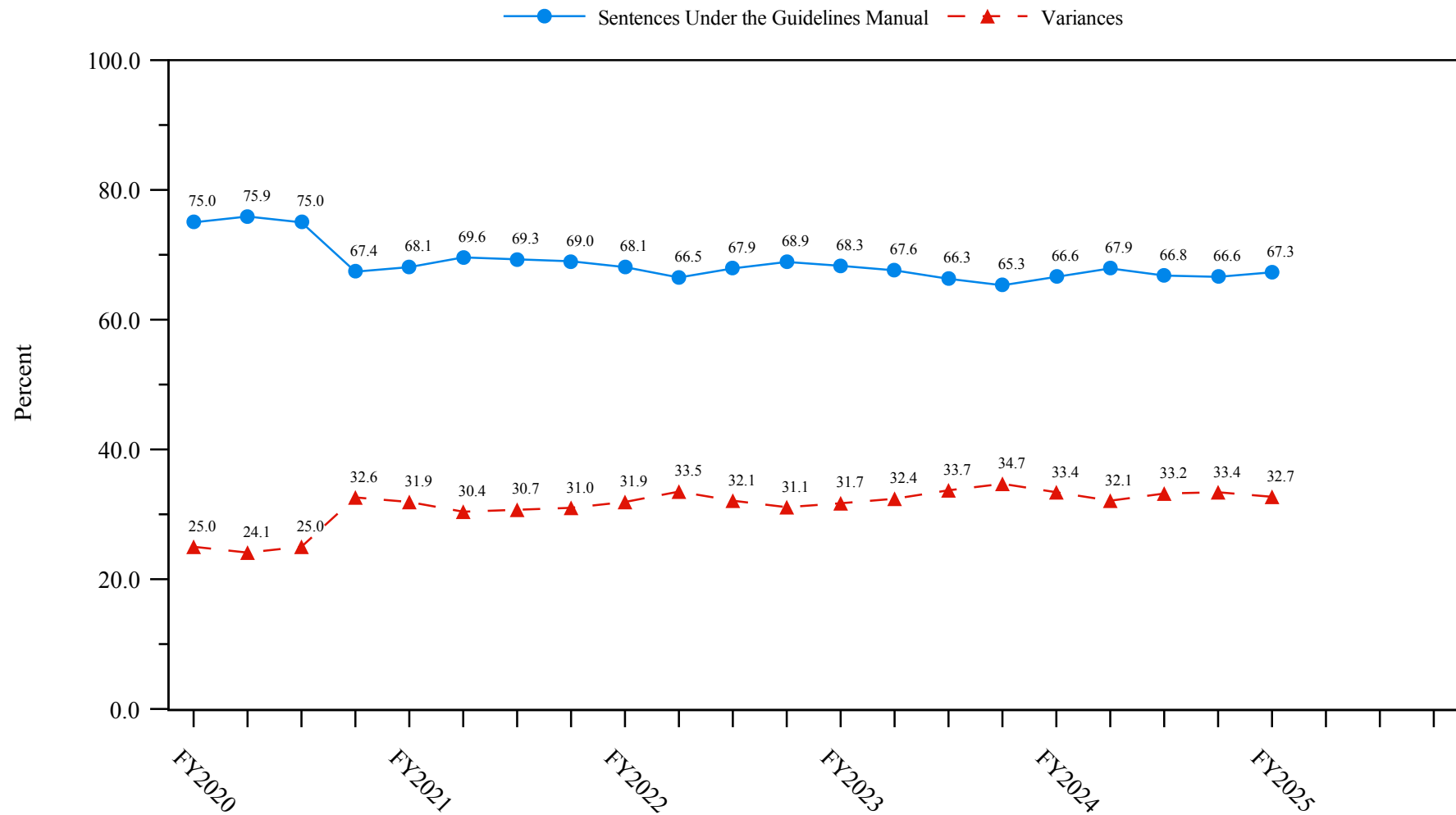
<sup>7</sup> Cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form, or where no reason was given, and where the prosecution did not initiate, propose, or stipulate to the sentence.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through December 31, 2024).



**Figure 3****SENTENCES UNDER THE GUIDELINES MANUAL AND VARIANCES QUARTERLY DATA<sup>1</sup>**

**Fiscal Years 2020 - 2024,  
1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**

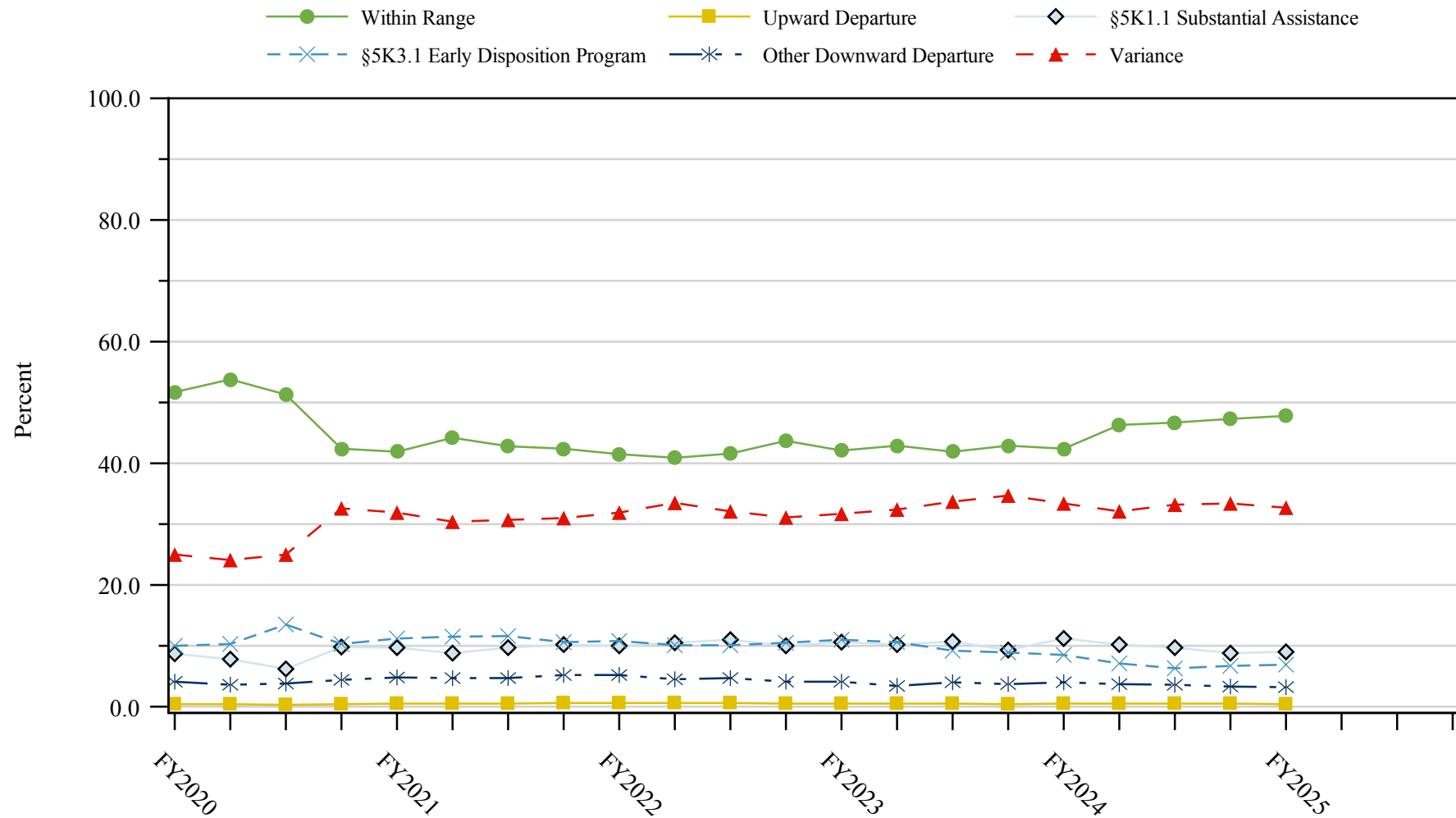


<sup>1</sup> Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2020 - 2024 Datafiles, USSCFY20 - USSCFY24, and Preliminary Data from USSCFY25 (October 1, 2024, through December 31, 2024).

Figure 4

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE QUARTERLY DATA<sup>1</sup>**  
**Fiscal Years 2020 - 2024,**  
**1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**



<sup>1</sup> Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2020 - 2024 Datafiles, USSCFY20 - USSCFY24, and Preliminary Data from USSCFY25 (October 1, 2024, through December 31, 2024).

Table 9

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE  
IN EACH CIRCUIT AND DISTRICT<sup>1</sup>**

**1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**

CIRCUIT	TOTAL	WITHIN GUIDELINE RANGE		DEPARTURE								VARIANCE	
		N	%	UPWARD		\$5K1.1		\$5K3.1		DOWNWARD		N	%
District				N	%	N	%	N	%	N	%		
<b>TOTAL</b>	<b>14,733</b>	<b>7,042</b>	<b>47.8</b>	<b>56</b>	<b>0.4</b>	<b>1,320</b>	<b>9.0</b>	<b>1,012</b>	<b>6.9</b>	<b>478</b>	<b>3.2</b>	<b>4,825</b>	<b>32.7</b>
<b>D.C. CIRCUIT</b>	<b>151</b>	<b>63</b>	<b>41.7</b>	<b>2</b>	<b>1.3</b>	<b>19</b>	<b>12.6</b>	<b>0</b>	<b>0.0</b>	<b>2</b>	<b>1.3</b>	<b>65</b>	<b>43.0</b>
District of Columbia	151	63	41.7	2	1.3	19	12.6	0	0.0	2	1.3	65	43.0
<b>FIRST CIRCUIT</b>	<b>435</b>	<b>159</b>	<b>36.6</b>	<b>2</b>	<b>0.5</b>	<b>45</b>	<b>10.3</b>	<b>1</b>	<b>0.2</b>	<b>18</b>	<b>4.1</b>	<b>210</b>	<b>48.3</b>
Maine	35	11	31.4	0	0.0	5	14.3	0	0.0	1	2.9	18	51.4
Massachusetts	114	25	21.9	0	0.0	17	14.9	1	0.9	9	7.9	62	54.4
New Hampshire	38	10	26.3	0	0.0	4	10.5	0	0.0	3	7.9	21	55.3
Puerto Rico	225	109	48.4	2	0.9	16	7.1	0	0.0	5	2.2	93	41.3
Rhode Island	23	4	17.4	0	0.0	3	13.0	0	0.0	0	0.0	16	69.6
<b>SECOND CIRCUIT</b>	<b>654</b>	<b>195</b>	<b>29.8</b>	<b>0</b>	<b>0.0</b>	<b>128</b>	<b>19.6</b>	<b>0</b>	<b>0.0</b>	<b>20</b>	<b>3.1</b>	<b>311</b>	<b>47.6</b>
Connecticut	61	10	16.4	0	0.0	8	13.1	0	0.0	10	16.4	33	54.1
New York													
Eastern	122	28	23.0	0	0.0	32	26.2	0	0.0	5	4.1	57	46.7
Northern	95	52	54.7	0	0.0	20	21.1	0	0.0	2	2.1	21	22.1
Southern	220	50	22.7	0	0.0	26	11.8	0	0.0	3	1.4	141	64.1
Western	108	42	38.9	0	0.0	30	27.8	0	0.0	0	0.0	36	33.3
Vermont	48	13	27.1	0	0.0	12	25.0	0	0.0	0	0.0	23	47.9
<b>THIRD CIRCUIT</b>	<b>562</b>	<b>202</b>	<b>35.9</b>	<b>2</b>	<b>0.4</b>	<b>102</b>	<b>18.1</b>	<b>3</b>	<b>0.5</b>	<b>10</b>	<b>1.8</b>	<b>243</b>	<b>43.2</b>
Delaware	27	9	33.3	1	3.7	3	11.1	3	11.1	0	0.0	11	40.7
New Jersey	201	50	24.9	1	0.5	51	25.4	0	0.0	1	0.5	98	48.8
Pennsylvania													
Eastern	126	48	38.1	0	0.0	24	19.0	0	0.0	4	3.2	50	39.7
Middle	80	37	46.3	0	0.0	10	12.5	0	0.0	4	5.0	29	36.3
Western	108	45	41.7	0	0.0	14	13.0	0	0.0	1	0.9	48	44.4
Virgin Islands	20	13	65.0	0	0.0	0	0.0	0	0.0	0	0.0	7	35.0
<b>FOURTH CIRCUIT</b>	<b>998</b>	<b>461</b>	<b>46.2</b>	<b>5</b>	<b>0.5</b>	<b>140</b>	<b>14.0</b>	<b>1</b>	<b>0.1</b>	<b>14</b>	<b>1.4</b>	<b>377</b>	<b>37.8</b>
Maryland	91	25	27.5	2	2.2	21	23.1	0	0.0	3	3.3	40	44.0
North Carolina													
Eastern	212	133	62.7	0	0.0	46	21.7	0	0.0	0	0.0	33	15.6
Middle	88	46	52.3	0	0.0	6	6.8	1	1.1	0	0.0	35	39.8
Western	71	33	46.5	0	0.0	8	11.3	0	0.0	0	0.0	30	42.3
South Carolina	133	37	27.8	1	0.8	25	18.8	0	0.0	3	2.3	67	50.4
Virginia													
Eastern	202	106	52.5	2	1.0	11	5.4	0	0.0	6	3.0	77	38.1
Western	70	18	25.7	0	0.0	17	24.3	0	0.0	1	1.4	34	48.6
West Virginia													
Northern	81	38	46.9	0	0.0	3	3.7	0	0.0	0	0.0	40	49.4
Southern	50	25	50.0	0	0.0	3	6.0	0	0.0	1	2.0	21	42.0

Table 9 (cont.)

CIRCUIT	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		\$5K1.1		\$5K3.1		DOWNWARD			
		N	%	N	%	N	%	N	%	N	%	N	%
<b>FIFTH CIRCUIT</b>	<b>4,518</b>	<b>3,212</b>	<b>71.1</b>	<b>18</b>	<b>0.4</b>	<b>169</b>	<b>3.7</b>	<b>51</b>	<b>1.1</b>	<b>144</b>	<b>3.2</b>	<b>924</b>	<b>20.5</b>
Louisiana													
Eastern	71	51	71.8	0	0.0	7	9.9	0	0.0	0	0.0	13	18.3
Middle	26	17	65.4	0	0.0	4	15.4	0	0.0	0	0.0	5	19.2
Western	70	46	65.7	2	2.9	5	7.1	0	0.0	0	0.0	17	24.3
Mississippi													
Northern	32	15	46.9	0	0.0	5	15.6	0	0.0	2	6.3	10	31.3
Southern	79	45	57.0	0	0.0	7	8.9	0	0.0	0	0.0	27	34.2
Texas													
Eastern	249	139	55.8	7	2.8	20	8.0	0	0.0	4	1.6	79	31.7
Northern	270	186	68.9	2	0.7	22	8.1	0	0.0	2	0.7	58	21.5
Southern	1,585	1,022	64.5	6	0.4	55	3.5	43	2.7	124	7.8	335	21.1
Western	2,136	1,691	79.2	1	0.0	44	2.1	8	0.4	12	0.6	380	17.8
<b>SIXTH CIRCUIT</b>	<b>949</b>	<b>307</b>	<b>32.3</b>	<b>2</b>	<b>0.2</b>	<b>136</b>	<b>14.3</b>	<b>4</b>	<b>0.4</b>	<b>59</b>	<b>6.2</b>	<b>441</b>	<b>46.5</b>
Kentucky													
Eastern	77	34	44.2	0	0.0	18	23.4	0	0.0	3	3.9	22	28.6
Western	79	23	29.1	0	0.0	14	17.7	3	3.8	3	3.8	36	45.6
Michigan													
Eastern	167	47	28.1	0	0.0	15	9.0	0	0.0	9	5.4	96	57.5
Western	55	28	50.9	1	1.8	1	1.8	0	0.0	7	12.7	18	32.7
Ohio													
Northern	188	56	29.8	0	0.0	31	16.5	0	0.0	6	3.2	95	50.5
Southern	131	27	20.6	1	0.8	7	5.3	1	0.8	28	21.4	67	51.1
Tennessee													
Eastern	113	47	41.6	0	0.0	30	26.5	0	0.0	1	0.9	35	31.0
Middle	71	14	19.7	0	0.0	11	15.5	0	0.0	2	2.8	44	62.0
Western	68	31	45.6	0	0.0	9	13.2	0	0.0	0	0.0	28	41.2
<b>SEVENTH CIRCUIT</b>	<b>508</b>	<b>187</b>	<b>36.8</b>	<b>0</b>	<b>0.0</b>	<b>51</b>	<b>10.0</b>	<b>0</b>	<b>0.0</b>	<b>17</b>	<b>3.3</b>	<b>253</b>	<b>49.8</b>
Illinois													
Central	53	14	26.4	0	0.0	12	22.6	0	0.0	2	3.8	25	47.2
Northern	134	46	34.3	0	0.0	6	4.5	0	0.0	7	5.2	75	56.0
Southern	55	29	52.7	0	0.0	7	12.7	0	0.0	2	3.6	17	30.9
Indiana													
Northern	69	35	50.7	0	0.0	11	15.9	0	0.0	0	0.0	23	33.3
Southern	80	35	43.8	0	0.0	13	16.3	0	0.0	0	0.0	32	40.0
Wisconsin													
Eastern	85	18	21.2	0	0.0	2	2.4	0	0.0	1	1.2	64	75.3
Western	32	10	31.3	0	0.0	0	0.0	0	0.0	5	15.6	17	53.1
<b>EIGHTH CIRCUIT</b>	<b>1,091</b>	<b>435</b>	<b>39.9</b>	<b>9</b>	<b>0.8</b>	<b>150</b>	<b>13.7</b>	<b>7</b>	<b>0.6</b>	<b>16</b>	<b>1.5</b>	<b>474</b>	<b>43.4</b>
Arkansas													
Eastern	156	77	49.4	0	0.0	17	10.9	0	0.0	0	0.0	62	39.7
Western	30	6	20.0	0	0.0	3	10.0	0	0.0	0	0.0	21	70.0
Iowa													
Northern	67	22	32.8	4	6.0	14	20.9	0	0.0	1	1.5	26	38.8
Southern	79	27	34.2	0	0.0	7	8.9	0	0.0	1	1.3	44	55.7
Minnesota	116	32	27.6	2	1.7	27	23.3	0	0.0	8	6.9	47	40.5
Missouri													
Eastern	223	92	41.3	0	0.0	28	12.6	0	0.0	0	0.0	103	46.2
Western	131	48	36.6	0	0.0	21	16.0	0	0.0	1	0.8	61	46.6
Nebraska	105	43	41.0	0	0.0	2	1.9	6	5.7	1	1.0	53	50.5
North Dakota	68	23	33.8	0	0.0	30	44.1	1	1.5	0	0.0	14	20.6
South Dakota	116	65	56.0	3	2.6	1	0.9	0	0.0	4	3.4	43	37.1

Table 9 (cont.)

CIRCUIT	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		\$5K1.1		\$5K3.1		DOWNWARD			
		N	%	N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	2,437	669	27.5	7	0.3	186	7.6	766	31.4	115	4.7	694	28.5
Alaska	27	10	37.0	0	0.0	2	7.4	0	0.0	1	3.7	14	51.9
Arizona	949	306	32.2	3	0.3	22	2.3	420	44.3	18	1.9	180	19.0
California													
Central	167	65	38.9	1	0.6	20	12.0	0	0.0	13	7.8	68	40.7
Eastern	101	30	29.7	1	1.0	21	20.8	0	0.0	2	2.0	47	46.5
Northern	98	13	13.3	0	0.0	11	11.2	0	0.0	7	7.1	67	68.4
Southern	614	124	20.2	0	0.0	24	3.9	338	55.0	63	10.3	65	10.6
Guam	3	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0	2	66.7
Hawaii	25	6	24.0	0	0.0	8	32.0	0	0.0	0	0.0	11	44.0
Idaho	87	28	32.2	0	0.0	19	21.8	1	1.1	4	4.6	35	40.2
Montana	86	24	27.9	1	1.2	19	22.1	0	0.0	1	1.2	41	47.7
Nevada	45	8	17.8	0	0.0	2	4.4	5	11.1	3	6.7	27	60.0
Northern Mariana Islands	3	2	66.7	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0
Oregon	83	18	21.7	0	0.0	18	21.7	0	0.0	0	0.0	47	56.6
Washington													
Eastern	63	13	20.6	0	0.0	17	27.0	1	1.6	2	3.2	30	47.6
Western	86	21	24.4	0	0.0	3	3.5	1	1.2	1	1.2	60	69.8
TENTH CIRCUIT	1,231	513	41.7	7	0.6	75	6.1	179	14.5	56	4.5	401	32.6
Colorado	90	23	25.6	0	0.0	20	22.2	3	3.3	0	0.0	44	48.9
Kansas	87	27	31.0	1	1.1	11	12.6	5	5.7	6	6.9	37	42.5
New Mexico	501	234	46.7	2	0.4	16	3.2	138	27.5	28	5.6	83	16.6
Oklahoma													
Eastern	75	50	66.7	1	1.3	5	6.7	0	0.0	0	0.0	19	25.3
Northern	123	70	56.9	3	2.4	8	6.5	0	0.0	13	10.6	29	23.6
Western	144	57	39.6	0	0.0	5	3.5	0	0.0	0	0.0	82	56.9
Utah	156	24	15.4	0	0.0	7	4.5	29	18.6	6	3.8	90	57.7
Wyoming	55	28	50.9	0	0.0	3	5.5	4	7.3	3	5.5	17	30.9
ELEVENTH CIRCUIT	1,199	639	53.3	2	0.2	119	9.9	0	0.0	7	0.6	432	36.0
Alabama													
Middle	43	20	46.5	0	0.0	4	9.3	0	0.0	1	2.3	18	41.9
Northern	121	72	59.5	0	0.0	15	12.4	0	0.0	0	0.0	34	28.1
Southern	78	50	64.1	0	0.0	15	19.2	0	0.0	2	2.6	11	14.1
Florida													
Middle	367	164	44.7	1	0.3	55	15.0	0	0.0	0	0.0	147	40.1
Northern	54	23	42.6	0	0.0	4	7.4	0	0.0	2	3.7	25	46.3
Southern	284	170	59.9	0	0.0	10	3.5	0	0.0	1	0.4	103	36.3
Georgia													
Middle	92	63	68.5	0	0.0	1	1.1	0	0.0	0	0.0	28	30.4
Northern	87	20	23.0	0	0.0	9	10.3	0	0.0	1	1.1	57	65.5
Southern	73	57	78.1	1	1.4	6	8.2	0	0.0	0	0.0	9	12.3

<sup>1</sup> Of the 14,782 cases, 49 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through December 31, 2024).

Table 10

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE  
BY TYPE OF CRIME<sup>1</sup>**

**1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**

TYPE OF CRIME	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		\$5K1.1		\$5K3.1		DOWNWARD			
		N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	14,733	7,042	47.8	56	0.4	1,320	9.0	1,012	6.9	478	3.2	4,825	32.7
Administration of Justice	145	70	48.3	3	2.1	11	7.6	0	0.0	5	3.4	56	38.6
Antitrust	2	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Arson	23	12	52.2	1	4.3	1	4.3	0	0.0	1	4.3	8	34.8
Assault	212	84	39.6	9	4.2	3	1.4	0	0.0	6	2.8	110	51.9
Bribery/Corruption	88	17	19.3	0	0.0	28	31.8	0	0.0	5	5.7	38	43.2
Burglary/Trespass	13	11	84.6	0	0.0	1	7.7	0	0.0	0	0.0	1	7.7
Child Pornography	329	119	36.2	0	0.0	6	1.8	0	0.0	6	1.8	198	60.2
Commercialized Vice	22	12	54.5	1	4.5	1	4.5	0	0.0	0	0.0	8	36.4
Drug Possession	20	17	85.0	0	0.0	0	0.0	0	0.0	0	0.0	3	15.0
Drug Trafficking	3,975	1,151	29.0	7	0.2	764	19.2	192	4.8	158	4.0	1,703	42.8
Environmental	34	17	50.0	0	0.0	7	20.6	0	0.0	3	8.8	7	20.6
Extortion/Racketeering	17	8	47.1	0	0.0	3	17.6	0	0.0	0	0.0	6	35.3
Firearms	1,894	928	49.0	11	0.6	107	5.6	1	0.1	54	2.9	793	41.9
Food and Drug	10	8	80.0	0	0.0	0	0.0	0	0.0	0	0.0	2	20.0
Forgery/Counter/Copyright	20	9	45.0	0	0.0	2	10.0	0	0.0	1	5.0	8	40.0
Fraud/Theft/Embezzlement	1,238	535	43.2	2	0.2	191	15.4	3	0.2	27	2.2	480	38.8
Immigration	5,030	3,307	65.7	8	0.2	34	0.7	812	16.1	144	2.9	725	14.4
Individual Rights	14	6	42.9	0	0.0	1	7.1	0	0.0	0	0.0	7	50.0
Kidnapping	27	9	33.3	1	3.7	4	14.8	0	0.0	3	11.1	10	37.0
Manslaughter	10	5	50.0	1	10.0	0	0.0	0	0.0	1	10.0	3	30.0
Money Laundering	323	79	24.5	1	0.3	78	24.1	3	0.9	15	4.6	147	45.5
Murder	100	44	44.0	1	1.0	21	21.0	0	0.0	1	1.0	33	33.0
National Defense	68	28	41.2	0	0.0	7	10.3	0	0.0	3	4.4	30	44.1
Obscenity/Other Sex Offenses	76	37	48.7	0	0.0	1	1.3	0	0.0	2	2.6	36	47.4
Prison Offenses	86	54	62.8	0	0.0	1	1.2	0	0.0	4	4.7	27	31.4
Robbery	302	125	41.4	6	2.0	23	7.6	0	0.0	17	5.6	131	43.4
Sexual Abuse	311	132	42.4	3	1.0	12	3.9	1	0.3	13	4.2	150	48.2
Stalking/Harassing	72	30	41.7	1	1.4	0	0.0	0	0.0	3	4.2	38	52.8
Tax	105	24	22.9	0	0.0	12	11.4	0	0.0	6	5.7	63	60.0
Other	167	162	97.0	0	0.0	1	0.6	0	0.0	0	0.0	4	2.4

<sup>1</sup> Of the 14,782 cases, 49 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through December 31, 2024).

Table 11

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE BY PRIMARY SENTENCING GUIDELINE<sup>1</sup>

1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)

Guideline	Within Guideline		Departure				Variance	Guideline	Within Guideline		Departure				Variance
	Total	Range	Up	\$5K1.1	\$5K3.1	Down			Total	Range	Up	\$5K1.1	\$5K3.1	Down	
§2A1.1	70	28	0	16	0	1	25	§2D1.8	0	0	0	0	0	0	0
§2A1.2	19	10	1	2	0	0	6	§2D1.9	0	0	0	0	0	0	0
§2A1.3	6	3	1	0	0	1	1	§2D1.10	0	0	0	0	0	0	0
§2A1.4	4	2	0	0	0	0	2	§2D1.11	0	0	0	0	0	0	0
§2A1.5	6	4	0	1	0	0	1	§2D1.12	1	0	0	1	0	0	0
§2A2.1	45	21	0	2	0	1	21	§2D1.13	0	0	0	0	0	0	0
§2A2.2	141	50	8	0	0	5	78	§2D1.14	0	0	0	0	0	0	0
§2A2.3	18	10	1	0	0	0	7	§2D2.1	15	13	0	0	0	0	2
§2A2.4	70	38	1	0	0	3	28	§2D2.2	7	5	0	0	0	0	2
§2A3.1	34	17	0	1	0	2	14	§2D2.3	0	0	0	0	0	0	0
§2A3.2	5	3	1	0	0	0	1	§2D3.1	1	1	0	0	0	0	0
§2A3.3	1	0	0	0	0	0	1	§2D3.2	0	0	0	0	0	0	0
§2A3.4	9	3	0	0	0	0	6	§2D3.3	0	0	0	0	0	0	0
§2A3.5	65	35	0	0	0	2	28	§2D3.4	0	0	0	0	0	0	0
§2A4.1	26	9	1	4	0	3	9	§2D3.5	0	0	0	0	0	0	0
§2A4.2	0	0	0	0	0	0	0	§2E1.1	0	0	0	0	0	0	0
§2A5.1	0	0	0	0	0	0	0	§2E1.2	1	1	0	0	0	0	0
§2A5.2	5	3	0	0	0	0	2	§2E1.3	0	0	0	0	0	0	0
§2A5.3	0	0	0	0	0	0	0	§2E1.4	0	0	0	0	0	0	0
§2A6.1	39	15	0	0	0	2	22	§2E1.5	0	0	0	0	0	0	0
§2A6.2	30	15	1	0	0	1	13	§2E2.1	0	0	0	0	0	0	0
§2B1.1	1,184	499	2	186	3	27	467	§2E3.1	20	12	1	1	0	0	6
§2B1.2	0	0	0	0	0	0	0	§2E3.2	0	0	0	0	0	0	0
§2B1.3	0	0	0	0	0	0	0	§2E3.3	0	0	0	0	0	0	0
§2B1.4	8	0	0	2	0	0	6	§2E4.1	3	1	0	2	0	0	0
§2B1.5	6	2	0	0	0	0	4	§2E5.1	0	0	0	0	0	0	0
§2B1.6 <sup>2</sup>	11	10	0	1	0	0	0	§2E5.2	0	0	0	0	0	0	0
§2B2.1	4	2	0	1	0	0	1	§2E5.3	0	0	0	0	0	0	0
§2B2.2	0	0	0	0	0	0	0	§2E5.4	0	0	0	0	0	0	0
§2B2.3	8	8	0	0	0	0	0	§2E5.5	0	0	0	0	0	0	0
§2B3.1	296	123	6	23	0	17	127	§2E5.6	0	0	0	0	0	0	0
§2B3.2	11	6	0	1	0	0	4	§2F1.1	0	0	0	0	0	0	0
§2B3.3	2	0	0	0	0	0	2	§2F1.2	0	0	0	0	0	0	0
§2B4.1	28	3	0	15	0	0	10	§2G1.1	7	4	0	0	0	0	3
§2B5.1	12	7	0	0	0	1	4	§2G1.2	0	0	0	0	0	0	0
§2B5.2	0	0	0	0	0	0	0	§2G1.3	78	39	1	4	1	0	33
§2B5.3	8	2	0	2	0	0	4	§2G2.1	176	66	1	6	0	11	92
§2B5.4	0	0	0	0	0	0	0	§2G2.2	329	119	0	6	0	6	198
§2B6.1	1	0	0	1	0	0	0	§2G2.3	0	0	0	0	0	0	0
§2C1.1	59	14	0	13	0	5	27	§2G2.4	0	0	0	0	0	0	0
§2C1.2	1	0	0	0	0	0	1	§2G2.5	0	0	0	0	0	0	0
§2C1.3	0	0	0	0	0	0	0	§2G2.6	0	0	0	0	0	0	0
§2C1.4	0	0	0	0	0	0	0	§2G3.1	10	1	0	1	0	0	8
§2C1.5	0	0	0	0	0	0	0	§2G3.2	0	0	0	0	0	0	0
§2C1.6	0	0	0	0	0	0	0	§2H1.1	11	4	0	1	0	0	6
§2C1.7	0	0	0	0	0	0	0	§2H1.2	0	0	0	0	0	0	0
§2C1.8	0	0	0	0	0	0	0	§2H1.3	0	0	0	0	0	0	0
§2D1.1	3,920	1,138	7	762	191	156	1,666	§2H1.4	0	0	0	0	0	0	0
§2D1.2	28	11	0	2	0	1	14	§2H1.5	0	0	0	0	0	0	0
§2D1.3	0	0	0	0	0	0	0	§2H2.1	1	0	0	0	0	0	1
§2D1.4	0	0	0	0	0	0	0	§2H3.1	0	0	0	0	0	0	0
§2D1.5	0	0	0	0	0	0	0	§2H3.2	0	0	0	0	0	0	0
§2D1.6	0	0	0	0	0	0	0	§2H3.3	2	2	0	0	0	0	0
§2D1.7	0	0	0	0	0	0	0	§2H4.1	0	0	0	0	0	0	0

Table 11 (cont.)

Guideline	Within Guideline				Departure				Guideline	Within Guideline				Departure			
	Total	Range	Up	\$5K1.1	\$5K3.1	Down	Variance	Total		Range	Up	\$5K1.1	\$5K3.1	Down	Variance		
§2H4.2	0	0	0	0	0	0	0	§2M5.2	46	14	0	5	0	2	25		
§2J1.1	0	0	0	0	0	0	0	§2M5.3	2	0	0	1	0	0	1		
§2J1.2	33	10	1	10	0	1	11	§2M6.1	1	0	0	0	0	0	1		
§2J1.3	0	0	0	0	0	0	0	§2M6.2	0	0	0	0	0	0	0		
§2J1.4	2	1	0	0	0	0	1	§2N1.1	1	0	0	0	0	0	1		
§2J1.5	0	0	0	0	0	0	0	§2N1.2	0	0	0	0	0	0	0		
§2J1.6	3	1	0	0	0	0	2	§2N1.3	0	0	0	0	0	0	0		
§2J1.7	0	0	0	0	0	0	0	§2N2.1	9	8	0	0	0	0	1		
§2J1.8	0	0	0	0	0	0	0	§2N3.1	0	0	0	0	0	0	0		
§2J1.9	0	0	0	0	0	0	0	§2P1.1	59	44	0	0	0	1	14		
§2K1.1	1	1	0	0	0	0	0	§2P1.2	23	8	0	1	0	2	12		
§2K1.2	0	0	0	0	0	0	0	§2P1.3	0	0	0	0	0	0	0		
§2K1.3	4	3	0	1	0	0	0	§2P1.4	0	0	0	0	0	0	0		
§2K1.4	23	12	1	1	0	1	8	§2Q1.1	0	0	0	0	0	0	0		
§2K1.5	1	0	0	0	0	0	1	§2Q1.2	8	2	0	2	0	0	4		
§2K1.6	0	0	0	0	0	0	0	§2Q1.3	4	0	0	2	0	2	0		
§2K1.7	0	0	0	0	0	0	0	§2Q1.4	0	0	0	0	0	0	0		
§2K2.1	1,806	872	9	101	1	53	770	§2Q1.5	0	0	0	0	0	0	0		
§2K2.2	0	0	0	0	0	0	0	§2Q1.6	0	0	0	0	0	0	0		
§2K2.3	0	0	0	0	0	0	0	§2Q2.1	20	14	0	2	0	1	3		
§2K2.4 <sup>3</sup>	68	47	2	5	0	0	14	§2Q2.2	0	0	0	0	0	0	0		
§2K2.5	0	0	0	0	0	0	0	§2R1.1	2	2	0	0	0	0	0		
§2K2.6	0	0	0	0	0	0	0	§2S1.1	274	62	0	73	3	12	124		
§2K3.1	0	0	0	0	0	0	0	§2S1.2	0	0	0	0	0	0	0		
§2K3.2	0	0	0	0	0	0	0	§2S1.3	44	17	1	4	0	3	19		
§2L1.1	1,075	543	4	27	292	18	191	§2S1.4	0	0	0	0	0	0	0		
§2L1.2	3,549	2,434	3	7	469	126	510	§2T1.1	60	16	0	8	0	6	30		
§2L1.3	0	0	0	0	0	0	0	§2T1.2	0	0	0	0	0	0	0		
§2L2.1	8	7	0	0	0	0	1	§2T1.3	0	0	0	0	0	0	0		
§2L2.2	105	87	0	0	0	0	18	§2T1.4	30	5	0	3	0	0	22		
§2L2.3	0	0	0	0	0	0	0	§2T1.5	0	0	0	0	0	0	0		
§2L2.4	0	0	0	0	0	0	0	§2T1.6	12	2	0	1	0	0	9		
§2L2.5	0	0	0	0	0	0	0	§2T1.7	0	0	0	0	0	0	0		
§2M1.1	0	0	0	0	0	0	0	§2T1.8	0	0	0	0	0	0	0		
§2M2.1	0	0	0	0	0	0	0	§2T1.9	3	1	0	0	0	0	2		
§2M2.2	0	0	0	0	0	0	0	§2T2.1	0	0	0	0	0	0	0		
§2M2.3	0	0	0	0	0	0	0	§2T2.2	0	0	0	0	0	0	0		
§2M2.4	0	0	0	0	0	0	0	§2T3.1	0	0	0	0	0	0	0		
§2M3.1	0	0	0	0	0	0	0	§2T3.2	0	0	0	0	0	0	0		
§2M3.2	1	0	0	0	0	1	0	§2T4.1	0	0	0	0	0	0	0		
§2M3.3	0	0	0	0	0	0	0	§2X1.1	2	0	0	2	0	0	0		
§2M3.4	0	0	0	0	0	0	0	§2X2.1	0	0	0	0	0	0	0		
§2M3.5	0	0	0	0	0	0	0	§2X3.1	19	4	0	4	0	0	11		
§2M3.6	0	0	0	0	0	0	0	§2X4.1	36	20	1	1	0	1	13		
§2M3.7	0	0	0	0	0	0	0	§2X5.1	0	0	0	0	0	0	0		
§2M3.8	0	0	0	0	0	0	0	§2X5.2	35	35	0	0	0	0	0		
§2M3.9	0	0	0	0	0	0	0	§2X6.1	0	0	0	0	0	0	0		
§2M4.1	0	0	0	0	0	0	0	§2X7.1	0	0	0	0	0	0	0		
§2M5.1	4	0	0	1	0	0	3	§2X7.2	0	0	0	0	0	0	0		
TOTAL								14,215	6,631	55	1,319	960	475	4,775			



Table 12

**ATTRIBUTION CATEGORY FOR SENTENCES OUTSIDE OF THE GUIDELINE RANGE<sup>1</sup>**  
**1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**

	TOTAL CASES	Pursuant to a Plea Agreement									
		§5K1.1 Substantial Assistance <sup>2</sup>		§5K3.1 Early Disposition <sup>2</sup>		Binding Plea Accepted by Court		Plea with Departure Court Finds Reasonable		Plea States Gov't Will Not Oppose	
		N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>7,691</b>	<b>1,326</b>	<b>17.2</b>	<b>1,026</b>	<b>13.3</b>	<b>1,166</b>	<b>15.2</b>	<b>1,380</b>	<b>17.9</b>	<b>91</b>	<b>1.2</b>
<b>Departures</b>	<b>2,866</b>	<b>1,320</b>	<b>46.1</b>	<b>1,024</b>	<b>35.7</b>	<b>669</b>	<b>23.3</b>	<b>949</b>	<b>33.1</b>	<b>32</b>	<b>1.1</b>
Upward Departure	56	0	0.0	0	0.0	14	25.0	11	19.6	0	0.0
Downward Departure											
§5K1.1 Substantial Assistance	1,320	1,320	100.0	12	0.9	39	3.0	291	22.0	1	0.1
§5K3.1 Early Disposition Program	1,012	0	0.0	1,012	100.0	530	52.4	555	54.8	27	2.7
Other Government Motion	225	0	0.0	0	0.0	86	38.2	92	40.9	4	1.8
Non-Government Departure	253	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
<b>Variances</b>	<b>4,825</b>	<b>6</b>	<b>0.1</b>	<b>2</b>	<b>0.0</b>	<b>497</b>	<b>10.3</b>	<b>431</b>	<b>8.9</b>	<b>59</b>	<b>1.2</b>
Upward Variance	578	6	1.0	2	0.3	58	10.0	32	5.5	0	0.0
Downward Variance											
Government Motion	1,525	0	0.0	0	0.0	439	28.8	399	26.2	59	3.9
Non-Government Variance	2,722	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

Table 12 (cont.)

	Pursuant to a Motion Not in a Plea Agreement											
	Other Government Motion		Defense Motion/Gov't Did Not Object		Defense Motion/Gov't Did Object		Joint Motion		Other than a Plea/Motion by Parties		No Information Available	
	N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>1,256</b>	<b>16.3</b>	<b>1,152</b>	<b>15.0</b>	<b>1,722</b>	<b>22.4</b>	<b>584</b>	<b>7.6</b>	<b>1,269</b>	<b>16.5</b>	<b>453</b>	<b>5.9</b>
<b>Departures</b>	<b>1,011</b>	<b>35.3</b>	<b>459</b>	<b>16.0</b>	<b>374</b>	<b>13.0</b>	<b>227</b>	<b>7.9</b>	<b>187</b>	<b>6.5</b>	<b>45</b>	<b>1.6</b>
Upward Departure	17	30.4	1	1.8	1	1.8	1	1.8	11	19.6	6	10.7
Downward Departure												
§5K1.1 Substantial Assistance	905	68.6	172	13.0	184	13.9	114	8.6	104	7.9	0	0.0
§5K3.1 Early Disposition Program	65	6.4	125	12.4	108	10.7	73	7.2	17	1.7	0	0.0
Other Government Motion	24	10.7	21	9.3	20	8.9	39	17.3	14	6.2	8	3.6
Non-Government Departure	0	0.0	140	55.3	61	24.1	0	0.0	41	16.2	31	12.3
<b>Variances</b>	<b>245</b>	<b>5.1</b>	<b>693</b>	<b>14.4</b>	<b>1,348</b>	<b>27.9</b>	<b>357</b>	<b>7.4</b>	<b>1,082</b>	<b>22.4</b>	<b>408</b>	<b>8.5</b>
Upward Variance	97	16.8	1	0.2	3	0.5	7	1.2	335	58.0	56	9.7
Downward Variance												
Government Motion	148	9.7	110	7.2	72	4.7	350	23.0	147	9.6	24	1.6
Non-Government Variance	0	0.0	582	21.4	1,273	46.8	0	0.0	600	22.0	328	12.0

<sup>1</sup> Multiple attributions may be made on the Statement of Reasons (SOR). Therefore, the numbers reported in this table may exceed the number of total cases. For example, among SORs with an attribution, 2,828 cases indicated more than one attribution. Only sentenced individuals whose sentence is outside the guideline range are included in this table. Descriptions of variables used in this table are provided in Appendix A.

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

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through December 31, 2024).

Table 13

**EXTENT OF UPWARD DEPARTURES  
BY TYPE OF CRIME<sup>1</sup>**

**1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Increase In Months	Percent Increase	Sentence In Months	Increase In Months	Percent Increase
<b>TOTAL</b>	55	<b>114</b>	<b>41</b>	<b>93.6</b>	<b>96</b>	<b>21</b>	<b>35.1</b>
Administration of Justice	3	20	10	94.4	15	9	100.0
Antitrust	0	--	--	--	--	--	--
Arson	1	--	--	--	--	--	--
Assault	9	103	42	77.3	96	18	30.4
Bribery/Corruption	0	--	--	--	--	--	--
Burglary/Trespass	0	--	--	--	--	--	--
Child Pornography	0	--	--	--	--	--	--
Commercialized Vice	1	--	--	--	--	--	--
Drug Possession	0	--	--	--	--	--	--
Drug Trafficking	7	124	46	116.8	63	17	50.0
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	0	--	--	--	--	--	--
Firearms	11	101	31	75.0	96	21	30.4
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	0	--	--	--	--	--	--
Fraud/Theft/Embezzlement	2	--	--	--	--	--	--
Immigration	8	50	29	105.4	33	8	41.7
Individual Rights	0	--	--	--	--	--	--
Kidnapping	1	--	--	--	--	--	--
Manslaughter	1	--	--	--	--	--	--
Money Laundering	1	--	--	--	--	--	--
Murder	1	--	--	--	--	--	--
National Defense	0	--	--	--	--	--	--
Obscenity/Other Sex Offenses	0	--	--	--	--	--	--
Prison Offenses	0	--	--	--	--	--	--
Robbery	5	184	44	31.3	168	40	27.7
Sexual Abuse	3	212	57	53.9	180	65	27.7
Stalking/Harassing	1	--	--	--	--	--	--
Tax	0	--	--	--	--	--	--
Other	0	--	--	--	--	--	--

<sup>1</sup> Of the 14,782 cases, in 56 the sentence was an upward departure from the guideline range. Due to an inability to calculate the extent of departure for cases with a sentence of life, one case was excluded from this table. Sentences greater than 470 months and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through December 31, 2024).

Table 14

**EXTENT OF UPWARD VARIANCES  
BY TYPE OF CRIME<sup>1</sup>**

**1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Increase In Months	Percent Increase	Sentence In Months	Increase In Months	Percent Increase
<b>TOTAL</b>	<b>572</b>	<b>67</b>	<b>22</b>	<b>71.1</b>	<b>37</b>	<b>9</b>	<b>41.1</b>
Administration of Justice	11	28	10	50.6	24	8	50.0
Antitrust	0	--	--	--	--	--	--
Arson	2	--	--	--	--	--	--
Assault	15	141	50	69.9	120	19	46.3
Bribery/Corruption	0	--	--	--	--	--	--
Burglary/Trespass	0	--	--	--	--	--	--
Child Pornography	12	212	73	59.8	186	43	46.9
Commercialized Vice	0	--	--	--	--	--	--
Drug Possession	1	--	--	--	--	--	--
Drug Trafficking	59	124	39	87.1	96	20	27.7
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	1	--	--	--	--	--	--
Firearms	120	89	28	60.7	83	19	31.2
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	1	--	--	--	--	--	--
Fraud/Theft/Embezzlement	23	79	23	42.5	60	9	23.7
Immigration	269	21	8	66.3	12	4	50.0
Individual Rights	0	--	--	--	--	--	--
Kidnapping	0	--	--	--	--	--	--
Manslaughter	2	--	--	--	--	--	--
Money Laundering	9	112	41	60.4	90	12	42.9
Murder	3	297	75	42.8	360	98	37.4
National Defense	0	--	--	--	--	--	--
Obscenity/Other Sex Offenses	7	71	43	488.3	54	18	50.0
Prison Offenses	2	--	--	--	--	--	--
Robbery	14	163	46	45.3	162	36	32.5
Sexual Abuse	10	157	57	80.9	120	63	59.2
Stalking/Harassing	8	72	27	65.0	60	21	62.2
Tax	3	56	20	62.1	48	24	56.5
Other	0	--	--	--	--	--	--

<sup>1</sup> Of the 14,782 cases, in 578 the sentence was a variance above the guideline range. Due to an inability to calculate the extent of departure for cases with a sentence of life, one case was excluded from this table. Also, five cases were excluded due to several logical criteria. Sentences greater than 470 months and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through December 31, 2024).

Table 15

**EXTENT OF §5K1.1 SUBSTANTIAL ASSISTANCE DEPARTURES  
BY TYPE OF CRIME<sup>1</sup>**

**1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
<b>TOTAL</b>	<b>1,285</b>	<b>53</b>	<b>55</b>	<b>56.6</b>	<b>36</b>	<b>37</b>	<b>50.0</b>
Administration of Justice	11	2	13	87.6	0	12	100.0
Antitrust	0	--	--	--	--	--	--
Arson	1	--	--	--	--	--	--
Assault	3	60	108	68.2	44	31	86.6
Bribery/Corruption	28	13	32	84.5	0	24	99.9
Burglary/Trespass	1	--	--	--	--	--	--
Child Pornography	5	116	54	34.5	96	52	42.9
Commercialized Vice	1	--	--	--	--	--	--
Drug Possession	0	--	--	--	--	--	--
Drug Trafficking	749	70	64	49.8	60	49	45.8
Environmental	7	1	10	92.0	0	10	99.8
Extortion/Racketeering	3	0	43	100.0	0	46	100.0
Firearms	107	34	29	53.0	24	22	47.8
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	2	--	--	--	--	--	--
Fraud/Theft/Embezzlement	191	14	37	75.1	6	21	85.1
Immigration	34	16	12	43.8	15	8	39.4
Individual Rights	1	--	--	--	--	--	--
Kidnapping	3	127	122	44.9	120	172	58.9
Manslaughter	0	--	--	--	--	--	--
Money Laundering	71	35	64	68.2	15	36	67.1
Murder	11	132	125	53.6	151	138	55.4
National Defense	7	13	60	63.7	18	22	60.9
Obscenity/Other Sex Offenses	1	--	--	--	--	--	--
Prison Offenses	1	--	--	--	--	--	--
Robbery	23	75	63	49.0	60	53	50.4
Sexual Abuse	11	110	97	52.8	84	60	46.7
Stalking/Harassing	0	--	--	--	--	--	--
Tax	12	5	15	81.6	0	13	99.9
Other	1	--	--	--	--	--	--

<sup>1</sup> Of the 14,782 cases, in 1,320 the sentenced individual received a §5K1.1 substantial assistance departure below the guideline range. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, 25 cases were excluded from this table. Also, ten cases were excluded due to several logical criteria. Sentences greater than 470 months and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

Table 16

**EXTENT OF §5K3.1 EARLY DISPOSITION PROGRAM DEPARTURES  
BY TYPE OF CRIME<sup>1</sup>**

**1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
<b>TOTAL</b>	<b>1,012</b>	<b>12</b>	<b>14</b>	<b>50.9</b>	<b>8</b>	<b>6</b>	<b>47.4</b>
Administration of Justice	0	--	--	--	--	--	--
Antitrust	0	--	--	--	--	--	--
Arson	0	--	--	--	--	--	--
Assault	0	--	--	--	--	--	--
Bribery/Corruption	0	--	--	--	--	--	--
Burglary/Trespass	0	--	--	--	--	--	--
Child Pornography	0	--	--	--	--	--	--
Commercialized Vice	0	--	--	--	--	--	--
Drug Possession	0	--	--	--	--	--	--
Drug Trafficking	192	24	40	62.9	21	36	63.0
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	0	--	--	--	--	--	--
Firearms	1	--	--	--	--	--	--
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	0	--	--	--	--	--	--
Fraud/Theft/Embezzlement	3	0	16	100.0	0	12	100.0
Immigration	812	9	7	48.0	6	6	41.6
Individual Rights	0	--	--	--	--	--	--
Kidnapping	0	--	--	--	--	--	--
Manslaughter	0	--	--	--	--	--	--
Money Laundering	3	69	52	40.0	70	17	50.0
Murder	0	--	--	--	--	--	--
National Defense	0	--	--	--	--	--	--
Obscenity/Other Sex Offenses	0	--	--	--	--	--	--
Prison Offenses	0	--	--	--	--	--	--
Robbery	0	--	--	--	--	--	--
Sexual Abuse	1	--	--	--	--	--	--
Stalking/Harassing	0	--	--	--	--	--	--
Tax	0	--	--	--	--	--	--
Other	0	--	--	--	--	--	--

<sup>1</sup> Of the 14,782 cases, in 1,012 the sentenced individual received a §5K3.1 early disposition program departure below the guideline range. Sentences greater than 470 months and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through December 31, 2024).

Table 17

**EXTENT OF OTHER DOWNWARD DEPARTURES  
BY TYPE OF CRIME<sup>1</sup>**

**1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
<b>TOTAL</b>	<b>469</b>	<b>42</b>	<b>30</b>	<b>45.8</b>	<b>24</b>	<b>16</b>	<b>41.7</b>
Administration of Justice	5	1	10	84.7	0	10	100.0
Antitrust	0	--	--	--	--	--	--
Arson	1	--	--	--	--	--	--
Assault	6	77	15	39.6	21	17	40.2
Bribery/Corruption	5	5	42	91.3	0	34	99.6
Burglary/Trespass	0	--	--	--	--	--	--
Child Pornography	6	96	34	34.4	62	28	35.8
Commercialized Vice	0	--	--	--	--	--	--
Drug Possession	0	--	--	--	--	--	--
Drug Trafficking	154	67	49	46.0	60	37	42.9
Environmental	3	8	9	73.3	0	6	100.0
Extortion/Racketeering	0	--	--	--	--	--	--
Firearms	54	34	19	38.4	28	13	34.5
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	1	--	--	--	--	--	--
Fraud/Theft/Embezzlement	27	23	17	53.6	15	10	42.7
Immigration	144	15	11	42.1	12	9	38.3
Individual Rights	0	--	--	--	--	--	--
Kidnapping	3	130	54	26.6	96	55	32.2
Manslaughter	1	--	--	--	--	--	--
Money Laundering	14	27	32	60.9	7	19	62.1
Murder	1	--	--	--	--	--	--
National Defense	3	64	23	56.3	13	24	64.8
Obscenity/Other Sex Offenses	2	--	--	--	--	--	--
Prison Offenses	4	13	10	41.6	15	5	27.8
Robbery	17	77	30	35.1	70	28	40.0
Sexual Abuse	9	105	124	52.9	96	79	50.0
Stalking/Harassing	3	12	13	67.6	0	15	100.0
Tax	6	9	9	58.7	6	8	58.3
Other	0	--	--	--	--	--	--

<sup>1</sup> Of the 14,782 cases, in 478 the sentence was a downward departure from the guideline range, either due to a government motion for a departure (225) or a non-government departure (253). Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, four cases were excluded from this table. Also, five cases were excluded due to several logical criteria. Sentences greater than 470 months and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through December 31, 2024).

Table 18

**EXTENT OF DOWNWARD VARIANCES  
BY TYPE OF CRIME<sup>1</sup>**

**1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**

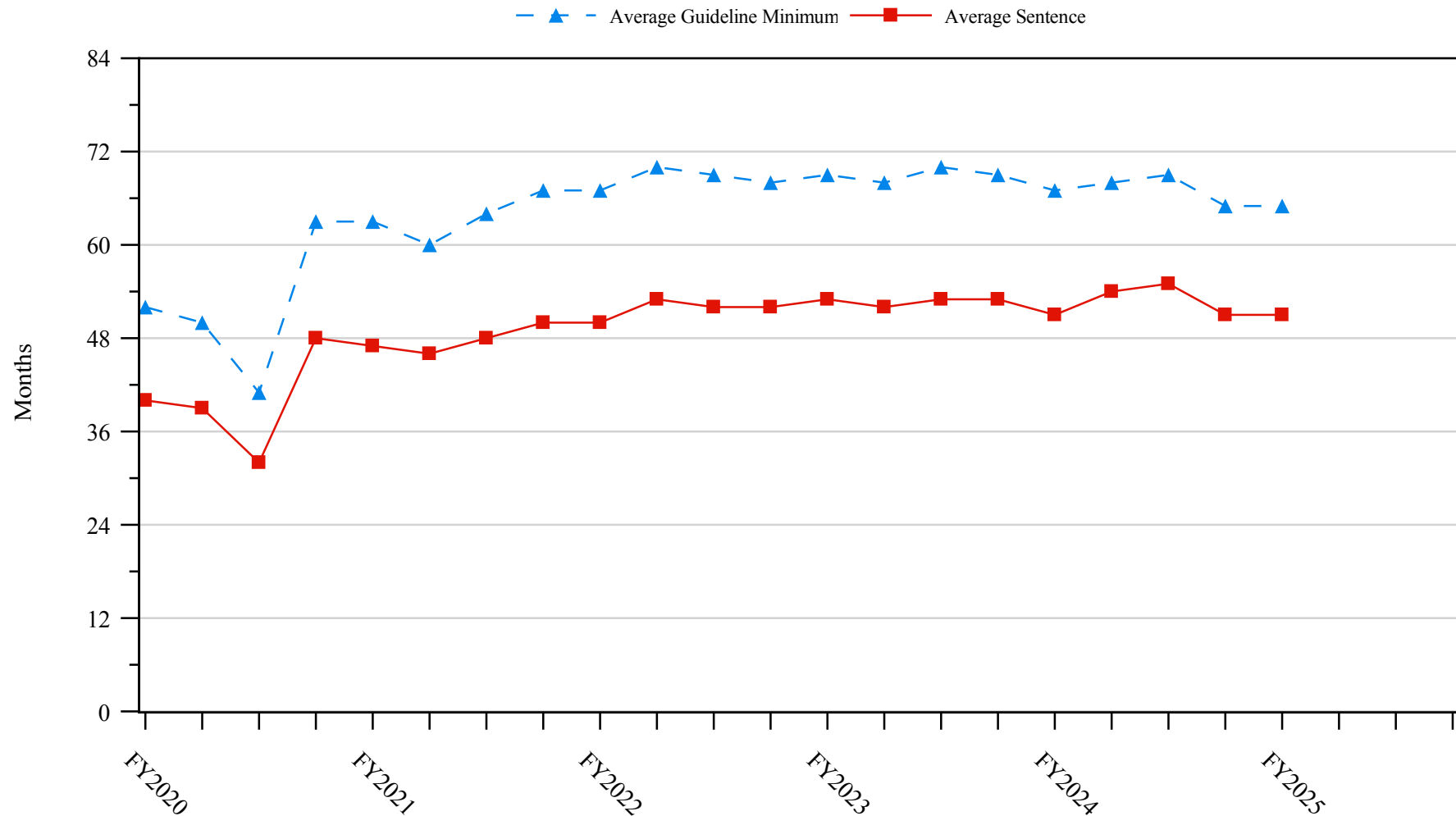
TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
<b>TOTAL</b>	<b>4,112</b>	<b>56</b>	<b>30</b>	<b>42.8</b>	<b>36</b>	<b>17</b>	<b>33.3</b>
Administration of Justice	45	9	11	63.5	2	6	75.3
Antitrust	0	--	--	--	--	--	--
Arson	6	46	33	58.5	16	38	58.9
Assault	90	43	18	40.9	25	11	32.1
Bribery/Corruption	38	15	16	56.1	9	10	50.0
Burglary/Trespass	1	--	--	--	--	--	--
Child Pornography	180	85	46	35.6	78	37	35.1
Commercialized Vice	8	2	9	90.5	0	7	99.7
Drug Possession	2	--	--	--	--	--	--
Drug Trafficking	1,609	80	42	38.7	70	30	31.3
Environmental	7	7	13	68.7	4	12	77.8
Extortion/Racketeering	5	34	13	30.9	21	9	30.0
Firearms	670	38	18	43.0	27	12	33.1
Food and Drug	2	--	--	--	--	--	--
Forgery/Counter/Copyright	7	7	13	68.7	0	12	99.9
Fraud/Theft/Embezzlement	447	20	18	57.1	12	11	49.9
Immigration	451	14	8	41.6	10	6	33.3
Individual Rights	7	26	11	39.2	20	10	33.3
Kidnapping	5	56	73	55.7	44	84	53.3
Manslaughter	1	--	--	--	--	--	--
Money Laundering	130	49	35	50.6	27	16	41.6
Murder	15	222	66	22.6	235	55	17.8
National Defense	29	19	18	51.8	12	16	49.2
Obscenity/Other Sex Offenses	29	13	9	48.7	12	9	37.5
Prison Offenses	25	11	9	48.1	9	6	49.0
Robbery	115	88	27	26.9	84	21	20.9
Sexual Abuse	98	168	71	30.2	174	60	27.4
Stalking/Harassing	27	14	14	57.8	13	12	50.0
Tax	59	12	12	58.2	8	9	49.9
Other	4	8	3	58.9	2	3	60.9

<sup>1</sup> Of the 14,782 cases, in 4,247 the sentence was a variance below the guideline range, either due to a government motion for a variance (1,525) or a non-government variance (2,722). Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, 59 cases were excluded from this table. Also, 76 cases were excluded due to several logical criteria. Sentences greater than 470 months and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through December 31, 2024).



**Figure 5**  
**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA**  
**FOR SENTENCED INDIVIDUALS<sup>1</sup>**  
**Fiscal Years 2020 - 2024,**  
**1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**

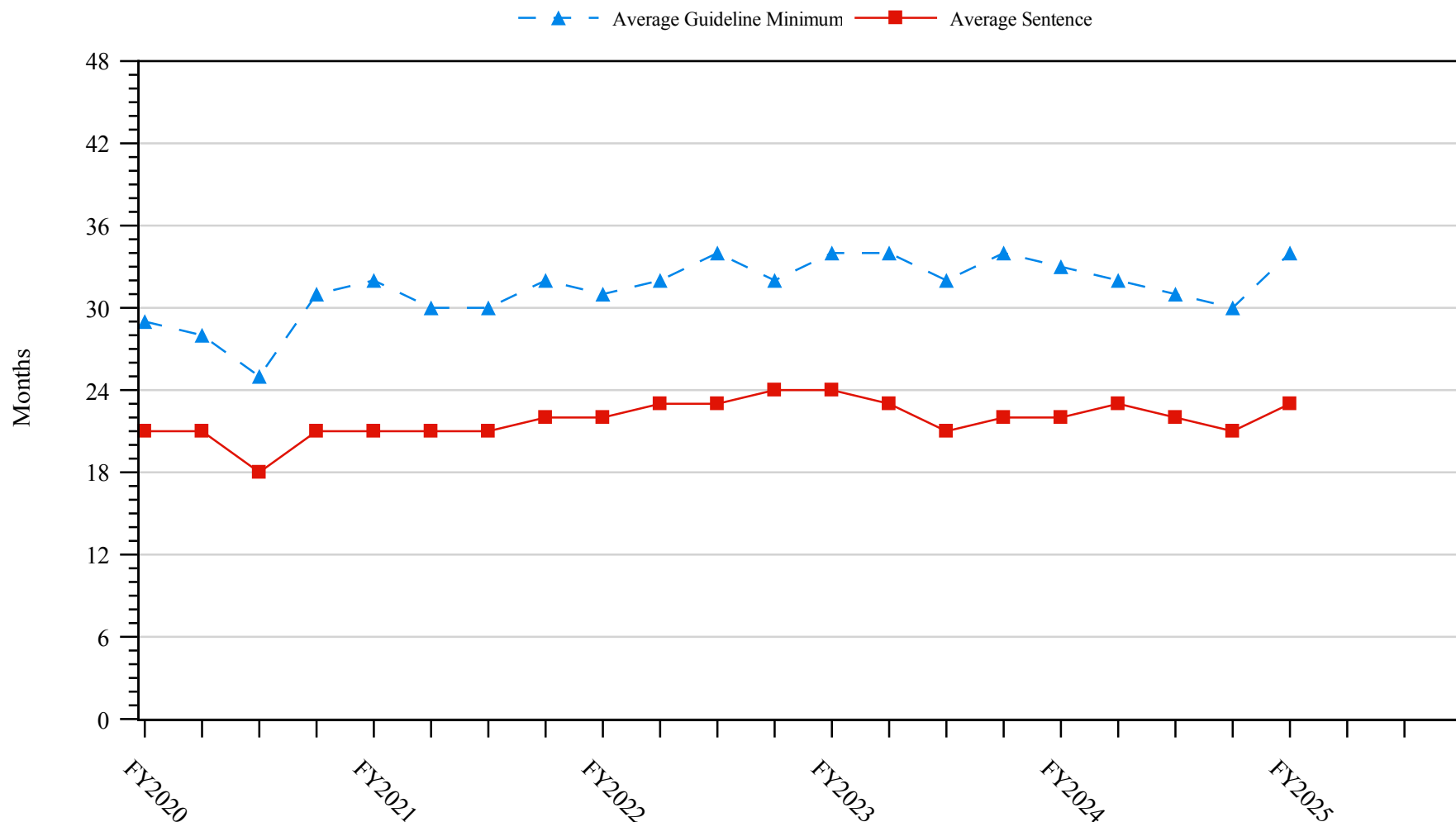


<sup>1</sup> Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. Cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. The information presented in this figure includes conditions 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 6

**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA  
FOR INDIVIDUALS SENTENCED UNDER §2B1.1 (THEFT, PROPERTY DESTRUCTION, AND FRAUD)<sup>1</sup>**

**Fiscal Years 2020 - 2024,  
1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**

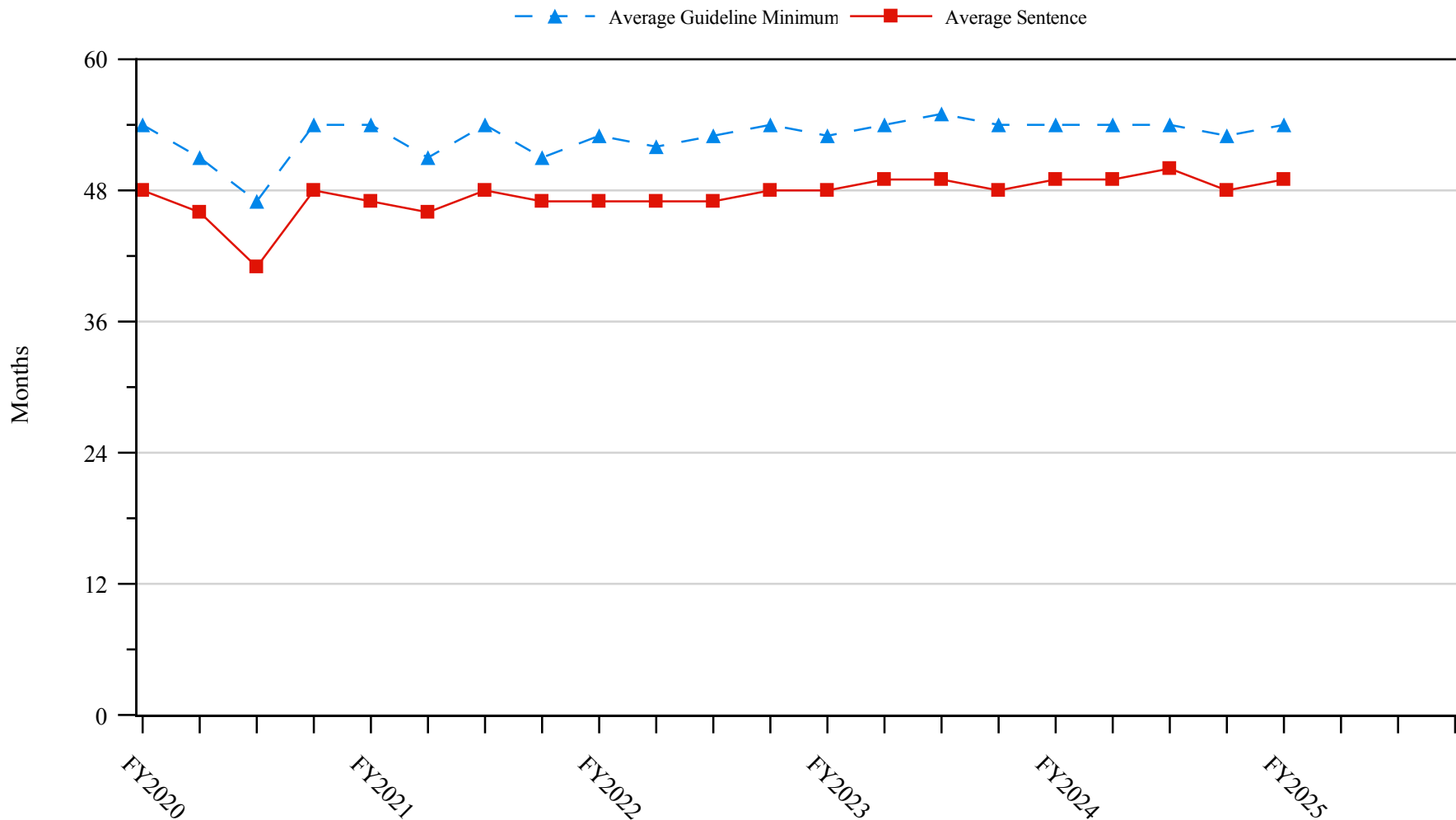


<sup>1</sup> Figure includes only cases with a primary sentencing guideline of USSG §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit Bearer Obligations 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. 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. The information presented in this figure includes conditions 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.

SOURCE: U.S. Sentencing Commission, 2020 - 2024 Datafiles, USSCFY20 - USSCFY24, and Preliminary Data from USSCFY25 (October 1, 2024, through December 31, 2024).

**Figure 7**

**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA  
FOR INDIVIDUALS SENTENCED UNDER §2K2.1 (UNLAWFUL POSSESSION OF OR TRANSACTION IN FIREARMS)<sup>1</sup>  
Fiscal Years 2020 - 2024,  
1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**

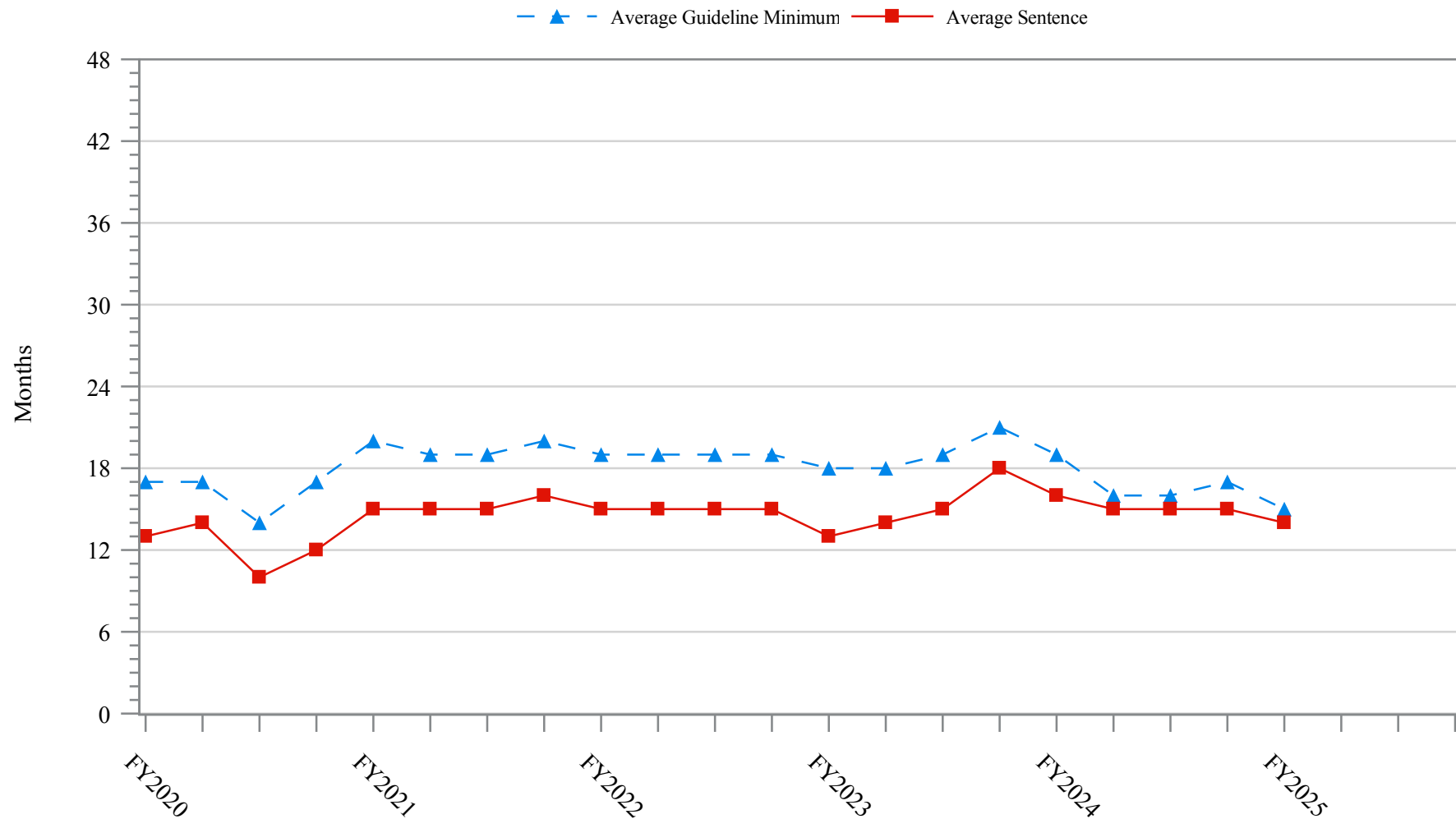


<sup>1</sup> Figure includes only cases with a primary sentencing guideline of USSG §2K2.1 (Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition; Prohibited Transactions Involving Firearms or Ammunition). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. 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. The information presented in this figure includes conditions 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 8**

**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA  
FOR INDIVIDUALS SENTENCED UNDER §2L1.1 (ALIEN SMUGGLING)<sup>1</sup>**

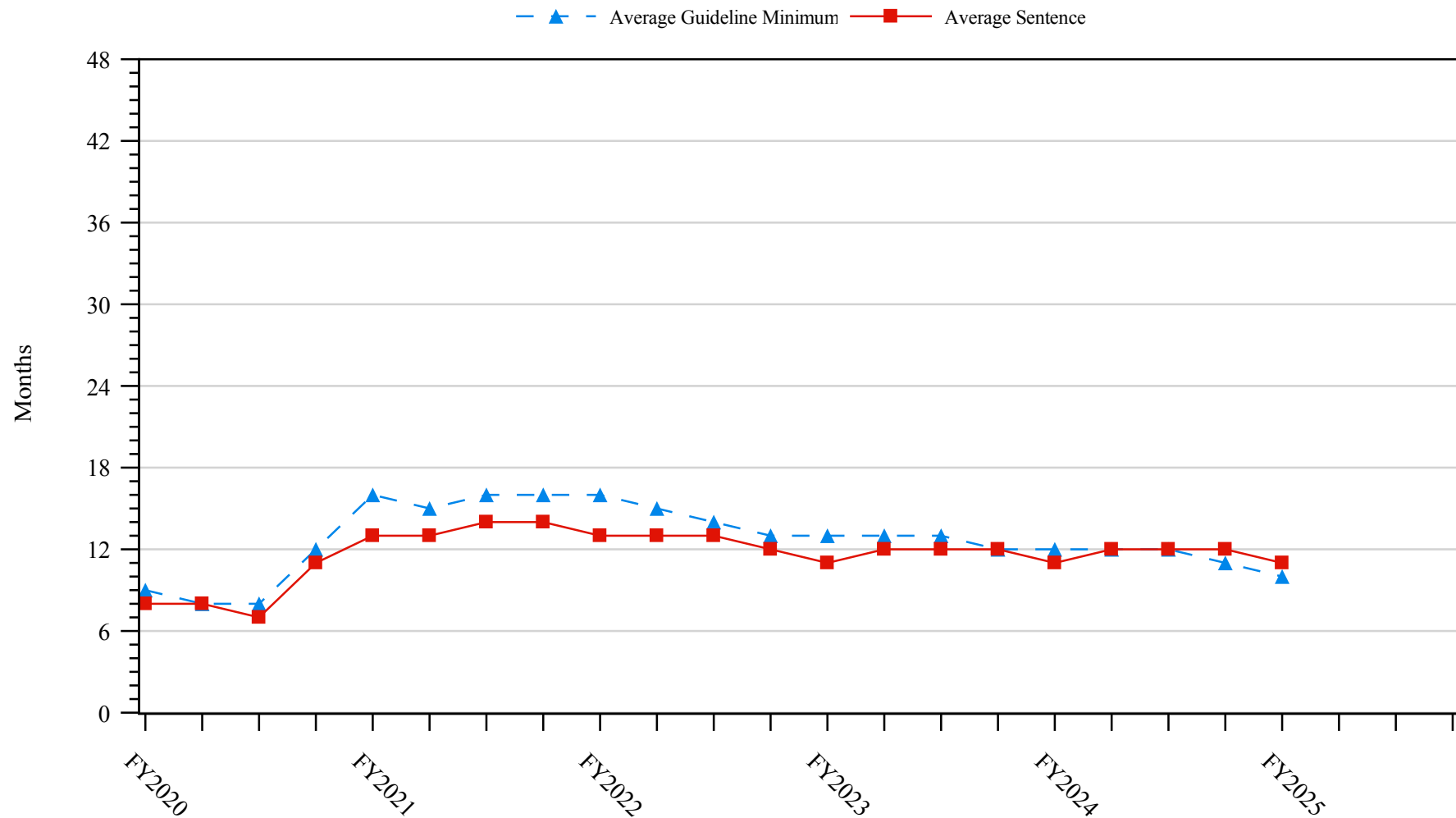
**Fiscal Years 2020 - 2024,  
1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**



<sup>1</sup> 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. 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. The information presented in this figure includes conditions 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 9**

**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA  
FOR INDIVIDUALS SENTENCED UNDER §2L1.2 (UNLAWFUL ENTERING OR REMAINING IN THE UNITED STATES)<sup>1</sup>  
Fiscal Years 2020 - 2024,  
1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**

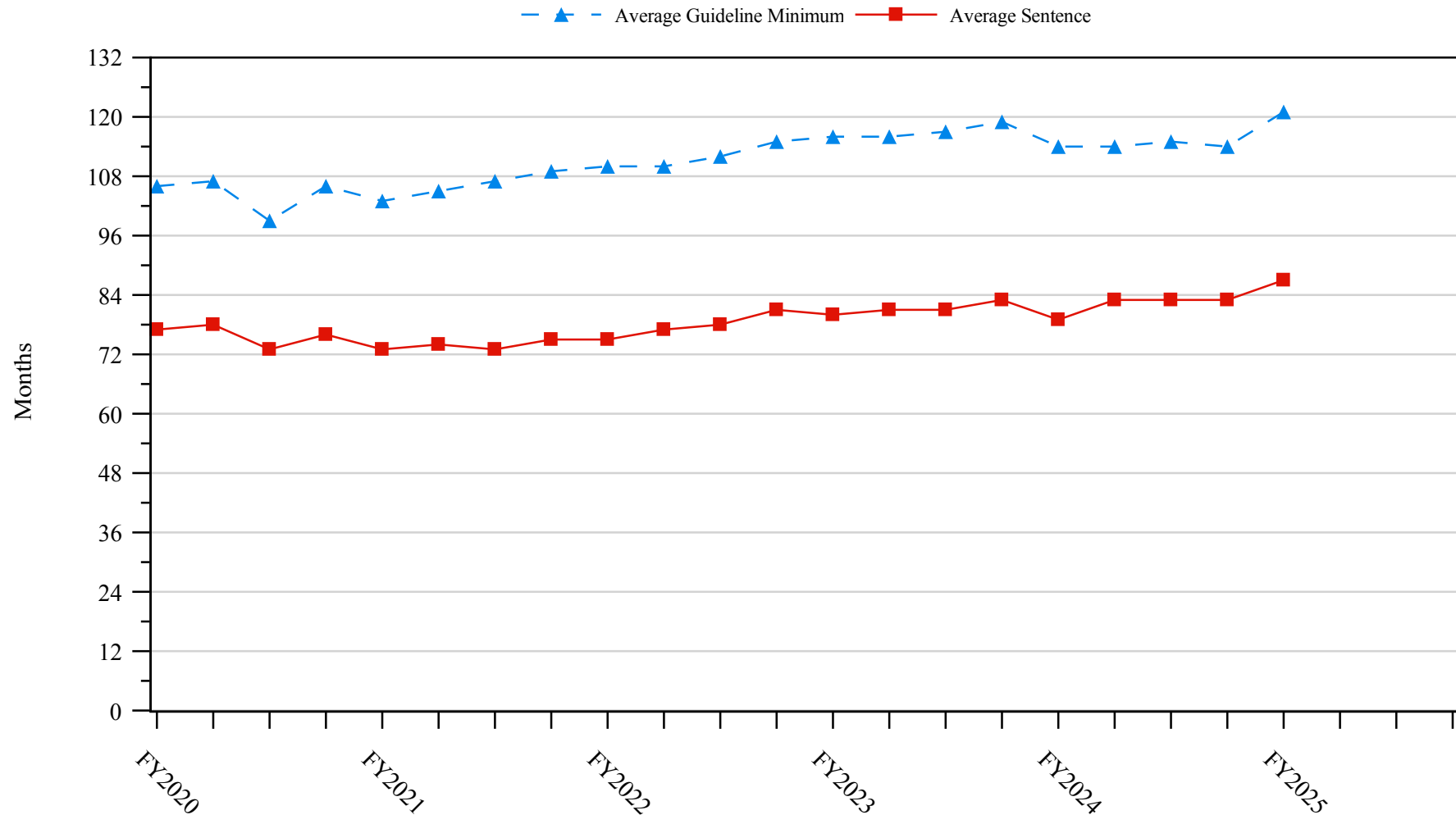


<sup>1</sup> Figure includes only cases with a primary sentencing guideline of USSG §2L1.2 (Unlawful Entering or Remaining in the United States). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. 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. The information presented in this figure includes conditions 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.

SOURCE: U.S. Sentencing Commission, 2020 - 2024 Datafiles, USSCFY20 - USSCFY24, and Preliminary Data from USSCFY25 (October 1, 2024, through December 31, 2024).

Figure 10

**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA  
FOR INDIVIDUALS SENTENCED UNDER §2D1.1 (UNLAWFUL DRUG TRAFFICKING OR MANUFACTURING)<sup>1</sup>**  
**Fiscal Years 2020 - 2024,**  
**1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)**

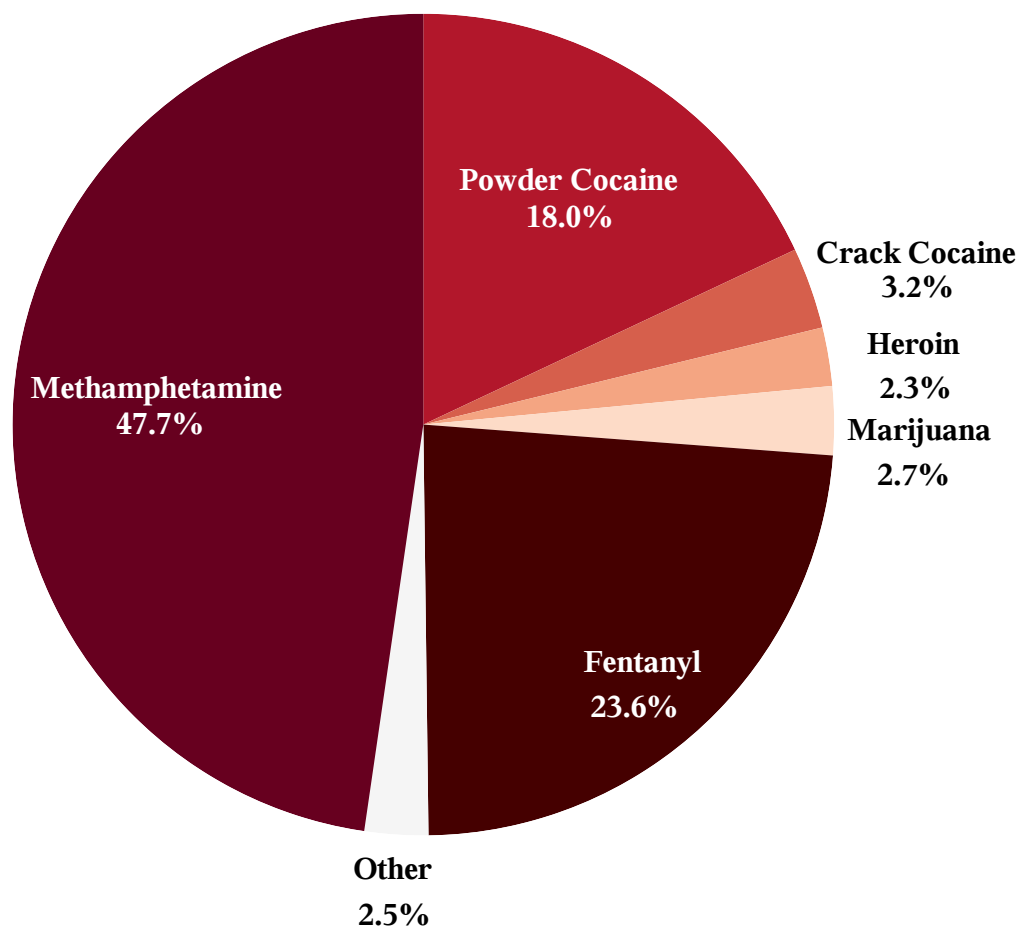


<sup>1</sup> Figure includes only cases with a primary sentencing guideline of USSG §2D1.1 (Unlawful Manufacturing, Importing, Exporting, or Trafficking (Including Possession with Intent to Commit These Offenses); Attempt or Conspiracy). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. 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. The information presented in this figure includes conditions 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.

SOURCE: U.S. Sentencing Commission, 2020 - 2024 Datafiles, USSCFY20 - USSCFY24, and Preliminary Data from USSCFY25 (October 1, 2024, through December 31, 2024).

**Figure 11**  
**DISTRIBUTION OF PRIMARY DRUG TYPE**  
**IN FEDERAL DRUG CASES<sup>1,2</sup>**

**1st Quarter 2025 Preliminary Cumulative Data**  
**(October 1, 2024, through December 31, 2024)**



<sup>1</sup> Of the 14,782 cases, in 3,973 the individual was sentenced under USSG Chapter Two, Part D (Drugs). The 'Fentanyl' category includes both Fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] Propanamide) and Fentanyl Analogue. Descriptions of variables used in this figure are provided in Appendix A.

<sup>2</sup> The 'Other' drug category includes the remaining primary drug types of which the following have more than 50 cases: Oxycodone/Oxycontin (51).

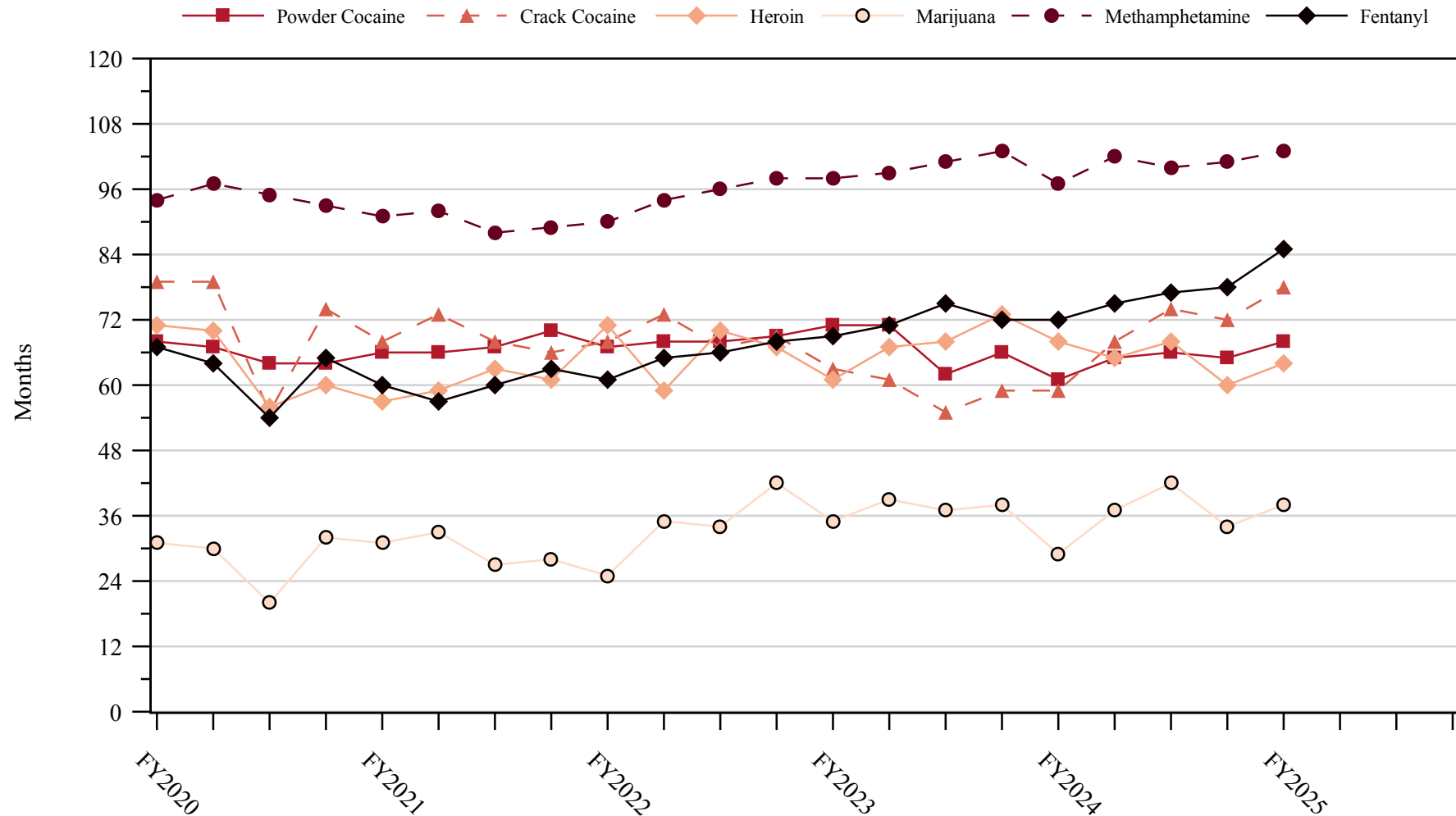
SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through December 31, 2024).

Figure 12

## SENTENCE LENGTH IN DRUG TRAFFICKING CASES

BY MAJOR DRUG TYPE QUARTERLY DATA<sup>1</sup>

Fiscal Years 2020 - 2024,  
1st Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through December 31, 2024)



<sup>1</sup> Only individuals sentenced under §§2D1.1 (Drug Trafficking), 2D1.2 (Protected Locations), 2D1.5 (Continuing Criminal Enterprise), 2D1.6 (Use of a Communication Facility), 2D1.8 (Rent/Manage Drug Establishment), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism) are depicted in this figure. Sentences of 470 months or greater (including life) and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this figure includes conditions of confinement as described in USSG §5C1.1. Cases missing drug type or sentencing information were also excluded. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2020 - 2024 Datafiles, USSCFY20 - USSCFY24, and Preliminary Data from USSCFY25 (October 1, 2024, through December 31, 2024).



## Appendix A

### Descriptions of Datafiles and Variables

#### Introduction

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The Commission collects and analyzes data on federal sentences to support its various activities. As authorized by Congress, the Commission's numerous research responsibilities include (1) the establishment of a research and development program to serve as a clearinghouse and information center for the collection, preparation, and dissemination of information on federal sentencing practices; (2) the publication of data concerning the sentencing process; (3) the systematic collection and dissemination of information concerning sentences actually imposed and the relationship of such sentences to the factors set forth in section 3553(a) of title 18, United States Code; and (4) the systematic collection and dissemination of information regarding the effectiveness of sentences imposed.<sup>1</sup>

The Commission maintains a comprehensive, computerized data collection system which forms the basis for its clearinghouse of federal sentencing information and which contributes to the agency's research mission.

Pursuant to 28 U.S.C. § 994(w), the chief judge of each district is required to ensure that within 30 days of entry of judgment in a criminal case, the sentencing court submits a report of sentence to the Commission that includes (1) the judgment and commitment order; (2) the written statement of reasons; (3) any plea agreement; (4) the indictment or other charging document; (5) the presentence report; and (6) any other information the Commission requests. Information on minor and petty offenses are not reported to the Commission as the sentencing guidelines do not apply in those cases.<sup>2</sup> Cases in which a sentence of death was imposed also are not available in this dataset for this same reason.<sup>3</sup>

Standard information on each case is extracted from sentencing documents received and computerized for analysis. Note that for all tables, total percentages may not add up to exactly 100 percent due to rounding.

#### Variables

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The following section describes the variables used in this report.

##### **Attribution Category for Sentences Outside the Range**

All categories replicate the list of checkboxes available on the Statement of Reasons 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. The Commission 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, other types of Statement of Reasons forms may indicate sponsorship in writing, and these attributions are also included in the appropriate category.

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<sup>1</sup> 28 U.S.C. §§ 995(a)(12) and (14) – (16).

<sup>2</sup> See U.S. SENTENCING COMM'N, *Guidelines Manual*, §1B1.9 (Nov. 2023).

<sup>3</sup> See 18 U.S.C. §§ 3591-99 for the sentencing procedures that apply in death penalty cases.

**Circuit**

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

**Citizenship Status**

Information on the *Citizenship Status* of sentenced individuals is obtained from the Presentence Report. Persons are categorized as one of the following: “U.S. citizen,” “resident alien,” “illegal alien,” “extradited alien,” or “non-U.S. citizen, alien status unknown.” The latter four categories are collapsed into the category of “non-U.S. citizen.”

**District**

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

**Downward Departure**

*Downward Departure* consists of cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part V of the Statement of Reasons form (Departures Pursuant to the Guidelines Manual). In these cases, the court may also have cited 18 U.S.C. § 3553 or factors or reasons specifically prohibited in the provisions, policy statements, or commentary of the sentencing guidelines as additional reasons. This category includes departures that result from government motions as well as from motions by the parties.

**Downward Variance**

*Downward Variance* consists of cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form (Court Determination for a Variance). This category includes variances which result from government motions as well as from motions by the defendant.

**Extent of Decrease**

*Extent of Decrease* is calculated based on the difference between the sentence length (including any months of alternative confinement as defined in USSG §5C1.1) and the guideline minimum (including any statutory trumps) for below range cases. Life imprisonment sentences and cases where the guideline minimum is zero months or life are excluded from all extent of decrease calculations due to the logical difficulty in calculating a decrease from these values. High values of the sentence are capped at 470 months for analytical purposes.

**Extent of Increase**

*Extent of Increase* is calculated based on the difference between the guideline maximum (including any statutory trumps) and the sentence length (including any months of alternative confinement as defined in USSG §5C1.1) for above range cases. Life sentences and cases where the guideline minimum is life are excluded from all extent of increase calculations due to the logical difficulty in calculating an increase from these values. High values of the sentence are capped at 470 months for analytical purposes.

**Gender**

*Gender* is obtained from the Presentence Report.

**Government Motion (Variance)**

*Government Motion (Variance)* consists of cases in which the sentence imposed was below the applicable guideline range pursuant to a government motion and for which the court cited a reason on Part VI of the Statement of Reasons (SOR) form (Court Determination for a Variance). These cases are determined by a yearly case review by Commission staff of both the reasons for the below range sentence and the coding by Commission staff of any indication of government sponsorship as indicated on the Statement of Reasons for below range cases. The SOR form has specific checkboxes to indicate the origins of the variance, but cases that do not use this form may also indicate in writing the origins of the variance. 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, waiver of indictment and/or appeal, other government motion, global disposition, due to stipulations, facilitated early release of a material witness, joint recommendation, and a large number of immigration cases. This category does not include cases with USSG §5K1.1 Substantial Assistance departures or USSG §5K3.1 Early Disposition Program (EDP) departures.

### **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.

### **Non-Government Departure**

*Non-Government Departure* consists of cases in which the sentence imposed was outside the applicable guideline range and for which the court cited a reason on Part V of the Statement of Reasons form (Departures Pursuant to the Guidelines Manual) other than USSG §5K1.1 or USSG §5K3.1, and where the government did not initiate, propose, or stipulate to the sentence.

### **Non-Government Variance**

*Non-Government Variance* consists of cases in which the sentence imposed was outside the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form (Court Determination for a Variance), and where the government did not initiate, propose, or stipulate to the sentence.

### **Other Government Motion (Downward Departure)**

*Other Government Motion* is determined by a yearly case review by Commission staff of both the reasons for the below range sentence and the coding by Commission staff of any indication of government sponsorship as indicated on the Statement of Reasons for below range cases. The SOR form has specific checkboxes 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, waiver of indictment and/or appeal, other government motion, global disposition, due to stipulations, facilitated early release of a material witness, joint recommendation, and a large number of immigration cases. This category does not include cases with USSG §5K1.1 Substantial Assistance departures or USSG §5K3.1 Early Disposition Program (EDP) departures.

### **Primary Drug Type**

Information on *Primary 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 an offense under title 21 of the United States Code 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 *Fentanyl* includes cases in which the drug involved is Fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] Propanamide) and cases in which the court determined the substance involved to be a Fentanyl analogue, as defined in the *Guidelines Manual*. 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 trafficking guideline other than USSG §2D1.11 (for example ephedrine and pseudoephedrine). All drug types not listed separately in this report are collapsed into the “Other” drug category.

### Primary Guideline

When more than one sentencing guideline is applied in a case, the *Primary Guideline* is the guideline that has the highest adjusted offense level (this includes the Base Offense Level, all applicable Specific Offense Characteristics, and Chapter Three Adjustments prior to the application of Multiple Count Units).

### Race

Information on *Race* 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 indicates whether a sentenced individual is of Hispanic origin. For purposes of this report, individuals whose ethnic background is designated as Hispanic are represented as Hispanic in all tables regardless of racial background. The *Other* race category includes individuals of Native American or Alaskan Native, Asian or Pacific Islander, Multiracial, and “Other” origin.

### Sentence Imposed or Sentence Length

*Sentence Imposed* or *Sentence Length* reports the mean and median terms of the sentence imposed in months. It also includes any time served amounts and imprisonment under USSG §5G1.3. This information is obtained from the Judgment and Commitment Order. Mean and median sentence lengths are rounded to the nearest month. Probation sentences are included as zero months. Any portion of a sentence that 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. When sentences are expressed as “time served” on the Judgment and Commitment Order, Commission staff uses the dates in federal custody to determine the length of time served when an individual has been in custody the entire time. If the individual has been in and out of custody, or the start date is unclear/missing, then the Commission assigns a value of one day as a minimal time served amount for these cases. 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 individuals sentenced for federal offenses given the average age of those person. Sentences of greater than 470 months are also reported as 470 months. The footnote in the relevant tables and figures indicates when this occurs.

### Sentenced Individuals

Each *Sentenced Individual* or case, as recorded by the Commission, involves a single sentencing event for a single person. Multiple counts of conviction, including counts of conviction charged on multiple indictments, are considered a single sentencing event if a single sentence was imposed for the counts on the same day at the same time by the same judge. An individual may account for more than one case if the person was involved in more than one sentencing event during the fiscal year. Data on co-defendants in the same sentencing will appear as separate cases.

### Sentence Type

Using sentencing information obtained from the Judgment and Commitment Order, the *Total Receiving Imprisonment* category includes the number of individuals sentenced (and percent of *Total Cases*) who received a commitment to the Bureau of Prisons. This category is the sum of cases in *Prison Only* and the *Prison and Alternatives* categories.

The *Total Receiving Probation* category includes the number of individuals 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 category is the sum of *Probation Only* and *Probation and Alternatives* categories.

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

The *Prison and Alternatives* category includes all cases in which individuals 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 *Probation Only* category includes the number of individuals who received a term of probation without a condition of community confinement, intermittent confinement, or home detention.

The *Probation and Alternatives* category includes the number of individuals who received a term of probation with a condition of community confinement, intermittent confinement, or home detention.

The *Fine Only* category includes the number of individuals who received no prison, no probation, and no time of alternative confinement as defined in USSG §5C1.1. Most of these sentenced individuals received a fine and/or a special assessment.

### **Sentences Under the Guidelines Manual**

This category includes individuals whose sentences are determined to be either within the guideline range or outside the guideline range and for which the court cited a reason on Part V of the Statement of Reasons form (Departures Pursuant to the Guidelines Manual). In these cases, the court may also have cited 18 U.S.C. § 3553 or factors or reasons specifically prohibited in the provisions, policy statements, or commentary of the sentencing guidelines as additional reasons. This category includes departures which result from government motions as well as from motions by the sentenced individual.

### **Type of Crime**

Information on *Type of Crime* is obtained from the primary guideline detailed in the Presentence Report. If the primary guideline is an “attempt/conspiracy” guideline such as USSG §2X1.1, then the underlying guideline is used to determine the type of crime category. If there is no primary guideline provided, then information about the type of crime category is obtained from the statutes of conviction listed on the Judgment and Commitment Order. When the “type of crime” for the case is determined from the statutes of conviction, the offense applicable to the count of conviction with the highest statutory maximum becomes the “type of crime.” If two or more counts are found to have the same statutory maximum, the “type of crime” 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 “type of crime” that best represented the nature of the criminal behavior is chosen. For convenience in analysis, a summary variable describing “type of crime” is derived. This is generated by grouping similar primary offenses into a smaller set of categories. Note that the crime categories differ between the individual and organizational datafiles. Listed below are the type of crimes that are grouped into each of the crime categories used in the individual datafile tables for this report:

*Administration of Justice* includes obstructing or impeding officers, contempt, obstruction of justice, perjury or subornation of perjury, bribery of a witness, impersonation, failure to appear by defendant, failure to appear by material witness, commission of offense while on release, payment of witness, and misprision of a felony. This category includes persons sentenced under §§2A2.4, 2J1.1, 2J1.2, 2J1.3, 2J1.4, 2J1.6, 2J1.9, and 2X4.1 of the *Guidelines Manual*.

*Antitrust* includes bid-rigging, price-fixing, and market allocation agreement. This category includes individuals sentenced under §2R1.1 of the *Guidelines Manual*.

*Arson* includes property damage by explosives and use of fire or explosives to commit a federal felony. This category includes persons sentenced under §§2K1.4 and 2K1.7 (deleted) of the *Guidelines Manual*.

*Assault* includes attempt to commit murder, assault with intent to murder, threatening communication, aggravated assault, minor assault, and conspiracy that includes assault with attempt to murder. This category includes persons sentenced under §§2A2.1, 2A2.2, and 2A2.3 of the *Guidelines Manual*.

*Bribery/Corruption* includes offenses involving public officials and violations of federal election campaign laws, bribe involving officials, bribery — bank loan/commercial, loan or gratuity to bank examiner, *etc.*, gratuity involving officials, bribe or gratuity affecting employee plan, conflict of interest, payment or receipt of unauthorized compensation, and making, receiving, or failing to report a contribution, donation, or expenditure in violation of the Federal Election Campaign Act. This category includes persons sentenced under §§2B4.1, 2C1.1, 2C1.2, 2C1.3, 2C1.4 (deleted), 2C1.5, 2C1.6 (deleted), 2C1.7 (deleted), and 2C1.8 of the *Guidelines Manual*.

*Burglary/Trespass* includes burglary of a residence and burglary of a structure other than a residence, post office burglary, burglary of DEA premises (pharmacy), bank burglary, and trespass. This category includes persons sentenced under §§2B2.1, 2B2.2 (deleted), and 2B2.3 of the *Guidelines Manual*.

*Child Pornography* includes the receipt or possession of materials involving the sexual exploitation of minors. This category includes persons sentenced under §§2G2.2 and 2G2.4 (deleted) of the *Guidelines Manual*.

*Commercialized Vice* includes gambling, animal fighting, and prostitution offenses. This category includes persons sentenced under §2G1.1 where the court did NOT apply a Base Offense Level of 34, and all individuals sentenced under §§2E3.1, 2E3.2 (deleted), and 2E3.3 (deleted) of the *Guidelines Manual*.

*Drug Possession* includes simple possession of all drug types. This category includes persons sentenced under §2D2.1 of the *Guidelines Manual*.

*Drug Trafficking* includes 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, establish/rent drug operation, endangering human life while manufacturing, and narco-terrorism. This category includes persons sentenced under §§2D1.1, 2D1.2, 2D1.5, 2D1.6, 2D1.8, 2D1.10, and 2D1.14 of the *Guidelines Manual*.

*Environmental* includes waste discharge; specially protected fish, wildlife, and plants; recordkeeping; tampering; and falsification; tampering with a public water system; mishandling of environmental pollutants; and hazardous devices on federal lands. This category includes persons sentenced under §§2K3.1 (deleted), 2Q1.1, 2Q1.2, 2Q1.3, 2Q1.4, 2Q1.5 (deleted), 2Q1.6, 2Q2.1, and 2Q2.2 (deleted) of the *Guidelines Manual*.

*Extortion/Racketeering* includes extortion by force, or threat of injury or serious damage, extortionate extension of credit, blackmail, Hobbs Act extortion, travel in aid of racketeering, crime relating to racketeering, and violent crimes in aid of racketeering, unlawful conduct relating to contraband cigarettes, and labor racketeering. This category includes persons sentenced under §§2B3.2, 2B3.3, 2E1.1, 2E1.2, 2E1.3, 2E1.4, 2E1.5 (deleted), 2E2.1, 2E4.1, 2E5.1, 2E5.2 (deleted), 2E5.3, 2E5.4 (deleted), 2E5.5 (deleted), and 2E5.6 (deleted) of the *Guidelines Manual*.

*Firearms* includes unlawful receipt/possession/transportation of firearms, ammunition, or explosive material; prohibited transactions involving 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; use of firearms or ammunition during crime; improper storage of explosive materials; and failure to report theft of explosive materials. This category includes persons sentenced under §§2K1.1, 2K1.2, 2K1.3, 2K1.5, 2K1.6, 2K2.1, 2K2.2, 2K2.3, 2K2.4, 2K2.5, 2K2.6, and 2K3.2 of the *Guidelines Manual*.

*Food and Drug* includes tampering with risk of death or injury, providing false information or tampering with products, tampering to injure business, odometer laws and regulations, and violation of regulations involving food, drugs, etc. This category includes persons sentenced under §§2N1.1, 2N1.2, 2N1.3, 2N2.1, and 2N3.1 of the *Guidelines Manual*.

*Forgery/Counterfeiting/Copyright* includes counterfeit bearer obligations and forgery/counterfeit (non-bearer obligations) as well as criminal infringement of copyright or trademark. This category includes persons sentenced under §§2B5.1, 2B5.2 (deleted), 2B5.3, and 2B5.4 (deleted) of the *Guidelines Manual*.

*Fraud/Theft/Embezzlement* includes fraud and deceit, embezzlement — property, embezzlement from labor unions, embezzlement — mail/post office, embezzlement from benefit plans, bank embezzlement, bank larceny, theft from benefit plans, other theft — mail/post office, receipt/possession of stolen property, theft from labor union, theft or damage to cultural heritage resources, insider trading, and aggravated identity theft. This category includes persons sentenced under §§2B1.1, 2B1.2 (deleted), 2B1.3 (deleted), 2B1.4, 2B1.5, 2B1.6, 2F1.1 (deleted), and 2F1.2 (deleted) of the *Guidelines Manual*.

*Immigration* includes trafficking in U.S. passports, trafficking in entry documents, failure to surrender naturalization certificate, fraudulently acquiring U.S. passports, smuggling, transporting, or harboring an unlawful alien, fraudulently acquiring entry documents, and unlawfully entering or remaining in the U.S. This category includes persons sentenced under §§2L1.1, 2L1.2, 2L1.3 (deleted), 2L2.1, 2L2.2, 2L2.3 (deleted), 2L2.4 (deleted), and 2L2.5 of the *Guidelines Manual*.

*Individual 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. This category includes persons sentenced under §§2H1.1, 2H1.2 (deleted), 2H1.3 (deleted), 2H1.4 (deleted), 2H1.5 (deleted), 2H2.1, 2H3.1, 2H3.2, 2H3.3, 2H4.1, and 2H4.2 of the *Guidelines Manual*.

*Kidnapping* includes hostage and ransom taking, abduction, unlawful restraint, and aircraft piracy. This category includes persons sentenced under §§2A4.1, 2A4.2, and 2A5.1 of the *Guidelines Manual*.

*Manslaughter* includes both involuntary and voluntary manslaughter. This category includes persons sentenced under §§2A1.3 and 2A1.4 of the *Guidelines Manual*.

*Money Laundering* includes laundering of monetary instruments, monetary transaction from unlawful activity, failure to file currency report, and failure to report monetary transactions. This category includes persons sentenced under §§2S1.1, 2S1.2 (deleted), 2S1.3, and 2S1.4 (deleted) of the *Guidelines Manual*.

*Murder* includes first degree murder, second degree murder, and conspiracy or solicitation to commit murder. This category includes persons sentenced under §§2A1.1, 2A1.2, and 2A1.5 of the *Guidelines Manual*.

*National Defense* includes treason, sabotage, espionage, evasion of military service, prohibited financial transactions and exports, providing material support to designated foreign terrorist organizations, nuclear, biological, and chemical weapons, and weapons of mass destruction. This category includes persons sentenced under §§2M1.1, 2M2.1, 2M2.2 (deleted), 2M2.3, 2M2.4 (deleted), 2M3.1, 2M3.2, 2M3.3, 2M3.4, 2M3.5, 2M3.6

(deleted), 2M3.7 (deleted), 2M3.8 (deleted), 2M3.9, 2M4.1, 2M5.1, 2M5.2, 2M5.3, 2M6.1, and 2M6.2 of the *Guidelines Manual*.

*Obscenity/Other Sex Offenses* includes failure to register as a sex offender, recordkeeping offenses involving production of sexually explicit material, and importing, mailing, transporting, or broadcasting obscene material. This category includes persons sentenced under §§2A3.5, 2A3.6, 2G2.5, 2G3.1, and 2G3.2 of the *Guidelines Manual*.

*Prison Offenses* includes contraband in prisons, riots in federal facilities, and escape. This category includes persons sentenced under §§2P1.1, 2P1.2, 2P1.3, and 2P1.4 (deleted) of the *Guidelines Manual*.

*Robbery* includes bank robbery, Hobbs Act robbery, post office robbery, other robbery, and carjacking. This category includes persons sentenced under §2B3.1 of the *Guidelines Manual*.

*Sexual Abuse* includes criminal sexual abuse, sexual abuse of a minor, sexual abuse of a ward, abusive sexual contact, transportation of minor for sex, sex trafficking of children, sex trafficking of adults by force, fraud or coercion, child pornography production, and child exploitation enterprises. This category includes persons sentenced under §2G1.1 who received a Base Offense Level of 34, and all individuals sentenced under §§2A3.1, 2A3.2, 2A3.3, 2A3.4, 2G1.2 (deleted), 2G1.3, 2G2.1, 2G2.3, and 2G2.6 of the *Guidelines Manual*.

*Stalking/Harassing* includes threatening or harassing communications, hoaxes, false liens, stalking, and domestic violence. This category includes persons sentenced under §§2A6.1 and 2A6.2 of the *Guidelines Manual*.

*Tax* includes non-payment of taxes, conspiracy to avoid taxes, offenses relating to withholding statements, aiding or advising tax fraud, failing to collect or truthfully account for and pay over taxes, failing to deposit collected taxes in required accounts after notice, alcohol and tobacco tax offenses, and customs taxes. This category includes persons sentenced under §§2T1.1, 2T1.2 (deleted), 2T1.3 (deleted), 2T1.4, 2T1.5 (deleted), 2T1.6, 2T1.7, 2T1.8, 2T1.9, 2T2.1, 2T2.2, 2T3.1, and 2T3.2 (deleted) of the *Guidelines Manual*.

*Other Miscellaneous Offenses* includes interference with a flight crew, unlawful sale, transportation, possession, manufacturing, or importation of drug paraphernalia, distributing, importing, or exporting listed chemicals, evading reporting or recordkeeping requirements involving chemicals, acquiring a controlled substance by fraud or forgery, border tunnels and subterranean passages, and all other felony and miscellaneous offenses not previously listed in any of the other categories or covered by specific guidelines. This category includes persons sentenced under §§2A5.2, 2D1.7, 2D1.11, 2D1.12, 2D1.13, 2D2.2, 2D2.3, 2D3.1, 2X5.1, 2X5.2, and 2X7.1 of the *Guidelines Manual*. In addition, this category includes persons sentenced under §§2X1.1, 2X2.1, 2X3.1, 2X6.1, and 2X7.2 of the *Guidelines Manual* if no underlying guideline was provided.

## **Upward Departure**

*Upward Departure* consists of cases in which the sentence imposed was above the applicable guideline range and for which the court cited a reason on Part V of the Statement of Reasons form (Departures Pursuant to the Guidelines Manual). In these cases, the court may also have cited 18 U.S.C. § 3553 or factors or reasons specifically prohibited in the provisions, policy statements, or commentary of the sentencing guidelines as additional reasons. This category includes departures which result from government motions as well as from motions by the parties.



**Upward Variance**

*Upward Variance* consists of cases in which the sentence imposed was above the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form (Court Determination for a Variance). This category includes variances which result from government motions as well as from motions by the defendant.

**Within Guideline Range**

Cases are classified in this category when the sentence is within both the guideline range and within the statutory minimum and maximum. The sentence must meet minimum zone requirements as well. In rare instances when a very small departure or variance is granted, but the sentence is still within the original guideline range, the sentence is reported as within range.

**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 individual was sentenced.