

United States Sentencing Commission Quarterly Data Report



**3rd Quarter Release
Preliminary Fiscal Year 2024 Data
Through June 30, 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.¹ Data is reported on an annual basis in the Commission's *Annual Report* and *Sourcebook of Federal Sentencing Statistics*.² 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

¹ 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).

² Electronic copies of the *Annual Report* and *Sourcebook of Federal Sentencing Statistics* for fiscal years 1995 through 2023 are available at the Commission's website, 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*.³

³ 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.

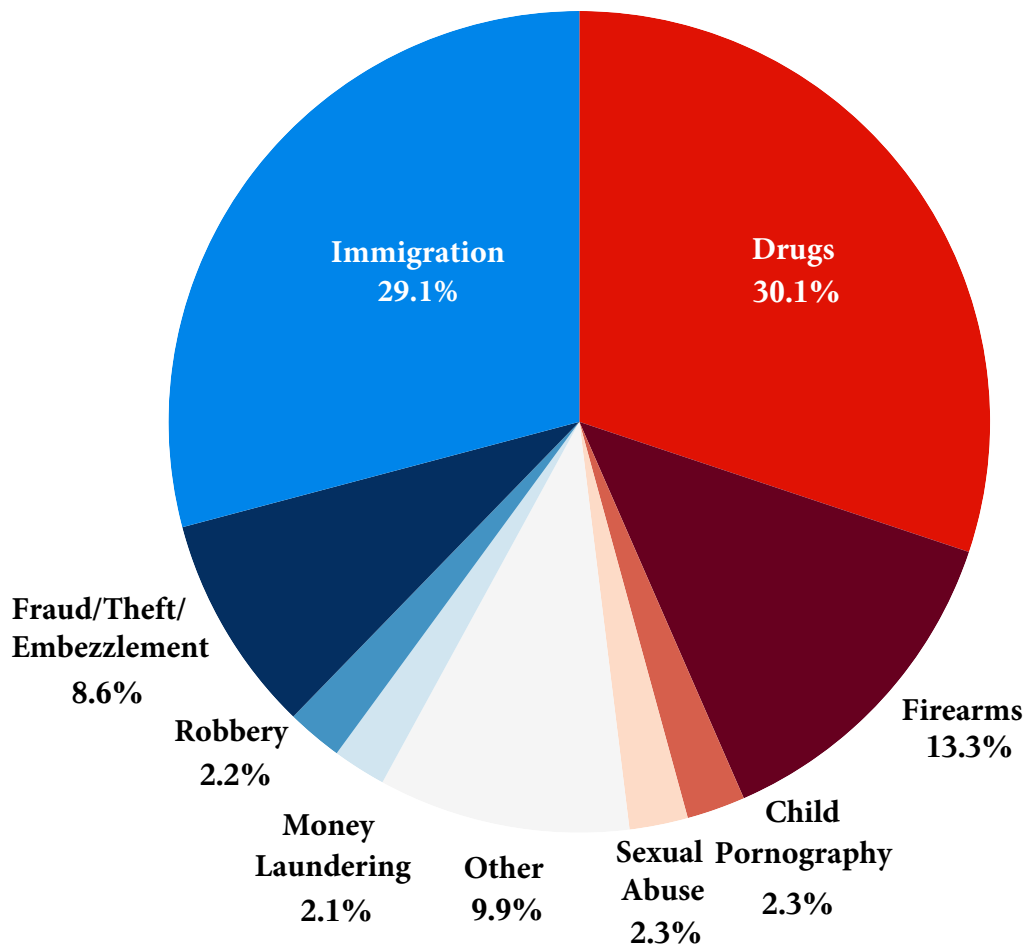
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Figure 1

SENTENCED INDIVIDUALS BY TYPE OF CRIME¹
3rd Quarter 2024 Preliminary Cumulative Data
(October 1, 2023, through June 30, 2024)



¹ This figure includes the 45,785 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 2024 Datafile, USSCFY24 (October 1, 2023, through June 30, 2024).

Table 1

SENTENCED INDIVIDUALS BY TYPE OF CRIME¹

3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

TYPE OF CRIME	N	%
TOTAL	45,785	100.0
Administration of Justice	490	1.1
Antitrust	6	0.0
Arson	68	0.1
Assault	670	1.5
Bribery/Corruption	269	0.6
Burglary/Trespass	72	0.2
Child Pornography	1,035	2.3
Commercialized Vice	55	0.1
Drug Possession	79	0.2
Drug Trafficking	13,723	30.0
Environmental	107	0.2
Extortion/Racketeering	83	0.2
Firearms	6,095	13.3
Food and Drug	24	0.1
Forgery/Counter/Copyright	76	0.2
Fraud/Theft/Embezzlement	3,959	8.6
Immigration	13,329	29.1
Individual Rights	99	0.2
Kidnapping	107	0.2
Manslaughter	81	0.2
Money Laundering	973	2.1
Murder	393	0.9
National Defense	168	0.4
Obscenity/Other Sex Offenses	263	0.6
Prison Offenses	333	0.7
Robbery	986	2.2
Sexual Abuse	1,061	2.3
Stalking/Harassing	193	0.4
Tax	336	0.7
Other	652	1.4

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

SOURCE: U.S. Sentencing Commission, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through June 30, 2024).

Table 2

SENTENCED INDIVIDUALS IN EACH CIRCUIT AND DISTRICT¹

3rd Quarter 2024 Preliminary Cumulative Data
(October 1, 2023, through June 30, 2024)

CIRCUIT			CIRCUIT		
District	N	%	District	N	%
TOTAL	45,785	100.0			
D.C. CIRCUIT	390	0.9	FIFTH CIRCUIT	12,879	28.1
District of Columbia	390	0.9	Louisiana		
FIRST CIRCUIT	1,468	3.2	Eastern	269	0.6
Maine	106	0.2	Middle	70	0.2
Massachusetts	390	0.9	Western	198	0.4
New Hampshire	77	0.2	Mississippi		
Puerto Rico	804	1.8	Northern	146	0.3
Rhode Island	91	0.2	Southern	258	0.6
SECOND CIRCUIT	2,244	4.9	Texas		
Connecticut	171	0.4	Eastern	828	1.8
New York			Northern	925	2.0
Eastern	568	1.2	Southern	4,408	9.6
Northern	381	0.8	Western	5,777	12.6
Southern	716	1.6	SIXTH CIRCUIT	3,252	7.1
Western	288	0.6	Kentucky		
Vermont	120	0.3	Eastern	339	0.7
THIRD CIRCUIT	1,954	4.3	Western	260	0.6
Delaware	76	0.2	Michigan		
New Jersey	676	1.5	Eastern	459	1.0
Pennsylvania			Western	158	0.3
Eastern	373	0.8	Ohio		
Middle	342	0.7	Northern	642	1.4
Western	413	0.9	Southern	456	1.0
Virgin Islands	74	0.2	Tennessee		
FOURTH CIRCUIT	2,921	6.4	Eastern	419	0.9
Maryland	327	0.7	Middle	229	0.5
North Carolina			Western	290	0.6
Eastern	613	1.3	SEVENTH CIRCUIT	1,482	3.2
Middle	199	0.4	Illinois		
Western	215	0.5	Central	172	0.4
South Carolina	440	1.0	Northern	397	0.9
Virginia			Southern	177	0.4
Eastern	569	1.2	Indiana		
Western	130	0.3	Northern	181	0.4
West Virginia			Southern	270	0.6
Eastern			Wisconsin		
Western			Eastern	203	0.4
West Virginia			Western	82	0.2
Northern	264	0.6			
Southern	164	0.4			

Table 2 (cont.)

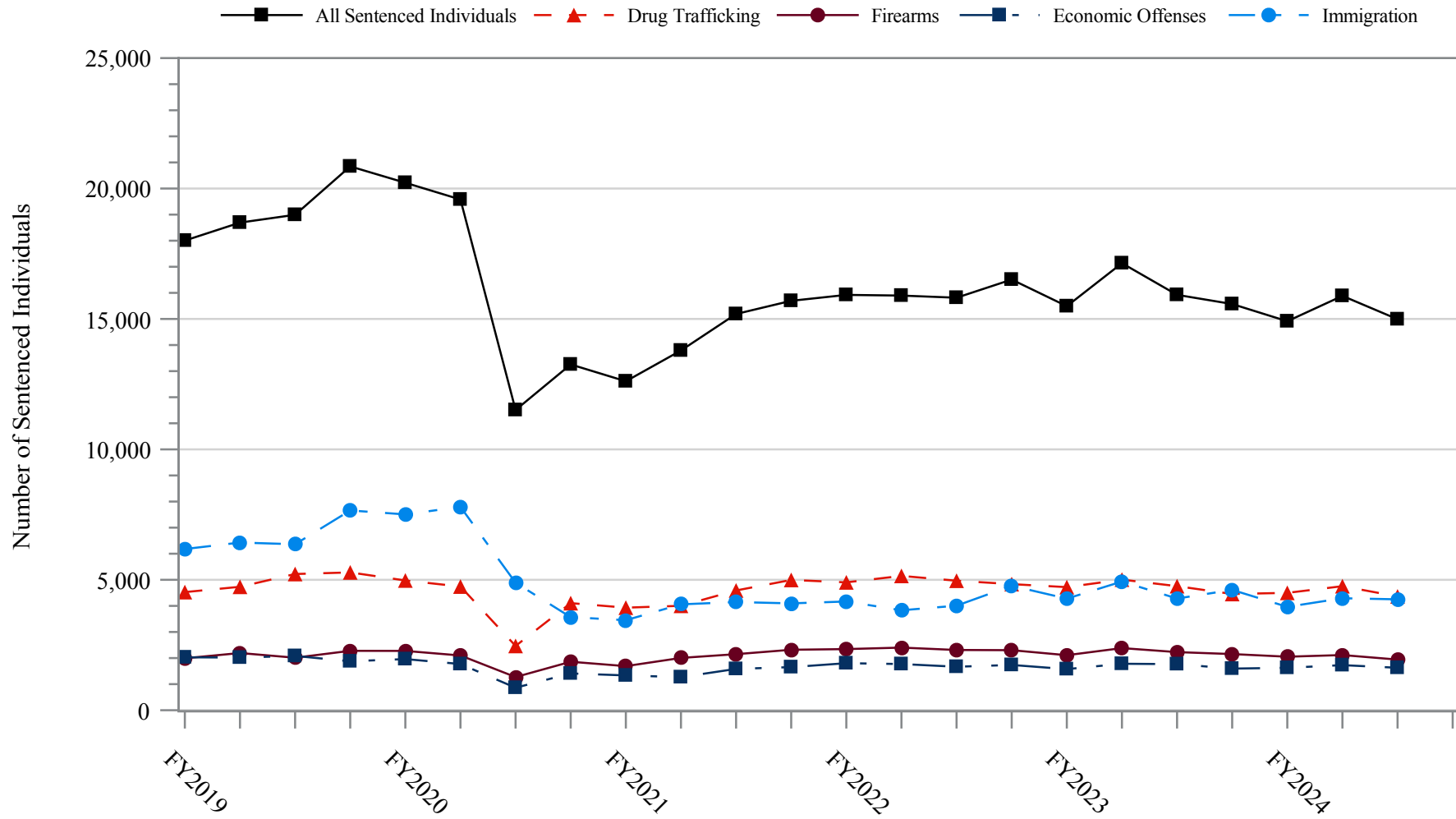
CIRCUIT			CIRCUIT		
District	N	%	District	N	%
EIGHTH CIRCUIT	3,658	8.0	TENTH CIRCUIT	3,628	7.9
Arkansas			Colorado	280	0.6
Eastern	388	0.8	Kansas	241	0.5
Western	127	0.3	New Mexico	1,195	2.6
Iowa			Oklahoma		
Northern	203	0.4	Eastern	248	0.5
Southern	255	0.6	Northern	500	1.1
Minnesota	287	0.6	Western	555	1.2
Missouri			Utah	482	1.1
Eastern	739	1.6	Wyoming	127	0.3
Western	621	1.4			
Nebraska	333	0.7	ELEVENTH CIRCUIT	3,797	8.3
North Dakota	254	0.6	Alabama		
South Dakota	451	1.0	Middle	214	0.5
			Northern	321	0.7
NINTH CIRCUIT	8,112	17.7	Southern	169	0.4
Alaska	106	0.2	Florida		
Arizona	2,813	6.1	Middle	811	1.8
California			Northern	203	0.4
Central	741	1.6	Southern	1,081	2.4
Eastern	336	0.7	Georgia		
Northern	365	0.8	Middle	350	0.8
Southern	2,048	4.5	Northern	362	0.8
Guam	31	0.1	Southern	286	0.6
Hawaii	79	0.2			
Idaho	243	0.5			
Montana	283	0.6			
Nevada	216	0.5			
Northern Mariana Islands	26	0.1			
Oregon	352	0.8			
Washington					
Eastern	232	0.5			
Western	241	0.5			

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

SOURCE: U.S. Sentencing Commission, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through June 30, 2024).

Figure 2

NUMBER OF SENTENCED INDIVIDUALS BY SELECTED PRIMARY GUIDELINES¹
Fiscal Years 2019 - 2023,
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)



¹ 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, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through June 30, 2024).

Table 3

RACE OF SENTENCED INDIVIDUALS BY TYPE OF CRIME¹
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

TYPE OF CRIME	TOTAL	WHITE		BLACK		HISPANIC		OTHER	
		N	%	N	%	N	%	N	%
TOTAL	45,459	9,692	21.3	11,256	24.8	22,284	49.0	2,227	4.9
Administration of Justice	484	188	38.8	94	19.4	153	31.6	49	10.1
Antitrust	6	4	66.7	0	0.0	1	16.7	1	16.7
Arson	68	23	33.8	26	38.2	2	2.9	17	25.0
Assault	664	136	20.5	182	27.4	108	16.3	238	35.8
Bribery/Corruption	266	116	43.6	54	20.3	62	23.3	34	12.8
Burglary/Trespass	72	36	50.0	12	16.7	7	9.7	17	23.6
Child Pornography	1,032	749	72.6	55	5.3	177	17.2	51	4.9
Commercialized Vice	55	20	36.4	25	45.5	8	14.5	2	3.6
Drug Possession	64	30	46.9	12	18.8	17	26.6	5	7.8
Drug Trafficking	13,712	3,249	23.7	3,876	28.3	6,115	44.6	472	3.4
Environmental	96	58	60.4	2	2.1	27	28.1	9	9.4
Extortion/Racketeering	83	33	39.8	17	20.5	27	32.5	6	7.2
Firearms	6,081	1,287	21.2	3,432	56.4	1,120	18.4	242	4.0
Food and Drug	24	17	70.8	0	0.0	5	20.8	2	8.3
Forgery/Counter/Copyright	76	27	35.5	25	32.9	9	11.8	15	19.7
Fraud/Theft/Embezzlement	3,933	1,506	38.3	1,488	37.8	678	17.2	261	6.6
Immigration	13,259	342	2.6	342	2.6	12,453	93.9	122	0.9
Individual Rights	99	56	56.6	21	21.2	16	16.2	6	6.1
Kidnapping	107	38	35.5	24	22.4	34	31.8	11	10.3
Manslaughter	81	5	6.2	9	11.1	8	9.9	59	72.8
Money Laundering	971	281	28.9	223	23.0	380	39.1	87	9.0
Murder	391	61	15.6	143	36.6	124	31.7	63	16.1
National Defense	167	28	16.8	18	10.8	114	68.3	7	4.2
Obscenity/Other Sex Offenses	263	106	40.3	43	16.3	23	8.7	91	34.6
Prison Offenses	333	69	20.7	130	39.0	107	32.1	27	8.1
Robbery	986	174	17.6	610	61.9	163	16.5	39	4.0
Sexual Abuse	1,058	570	53.9	146	13.8	165	15.6	177	16.7
Stalking/Harassing	192	107	55.7	40	20.8	20	10.4	25	13.0
Tax	335	181	54.0	75	22.4	40	11.9	39	11.6
Other	501	195	38.9	132	26.3	121	24.2	53	10.6

¹ Of the 45,785 cases, 326 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 2024 Datafile, USSCFY24 (October 1, 2023, through June 30, 2024).

Table 4

GENDER OF SENTENCED INDIVIDUALS BY TYPE OF CRIME¹
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

TYPE OF CRIME	TOTAL	MALE		FEMALE	
		N	%	N	%
TOTAL	45,760	39,935	87.3	5,825	12.7
Administration of Justice	490	365	74.5	125	25.5
Antitrust	6	6	100.0	0	0.0
Arson	68	61	89.7	7	10.3
Assault	670	619	92.4	51	7.6
Bribery/Corruption	269	213	79.2	56	20.8
Burglary/Trespass	72	63	87.5	9	12.5
Child Pornography	1,035	1,027	99.2	8	0.8
Commercialized Vice	55	43	78.2	12	21.8
Drug Possession	75	57	76.0	18	24.0
Drug Trafficking	13,722	11,558	84.2	2,164	15.8
Environmental	103	93	90.3	10	9.7
Extortion/Racketeering	83	69	83.1	14	16.9
Firearms	6,095	5,855	96.1	240	3.9
Food and Drug	24	13	54.2	11	45.8
Forgery/Counter/Copyright	76	56	73.7	20	26.3
Fraud/Theft/Embezzlement	3,958	2,800	70.7	1,158	29.3
Immigration	13,328	12,155	91.2	1,173	8.8
Individual Rights	99	84	84.8	15	15.2
Kidnapping	107	90	84.1	17	15.9
Manslaughter	80	63	78.8	17	21.3
Money Laundering	973	767	78.8	206	21.2
Murder	393	356	90.6	37	9.4
National Defense	167	145	86.8	22	13.2
Obscenity/Other Sex Offenses	263	262	99.6	1	0.4
Prison Offenses	333	297	89.2	36	10.8
Robbery	986	917	93.0	69	7.0
Sexual Abuse	1,061	992	93.5	69	6.5
Stalking/Harassing	193	176	91.2	17	8.8
Tax	336	259	77.1	77	22.9
Other	640	474	74.1	166	25.9

¹ Of the 45,785 cases, 25 were excluded due to missing information on sentenced individual's gender. Descriptions of variables used in this table are provided in Appendix A.

Table 5

CITIZENSHIP OF SENTENCED INDIVIDUALS BY TYPE OF CRIME¹
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

TYPE OF CRIME	TOTAL	U.S. CITIZEN		NON-U.S. CITIZEN	
		N	%	N	%
TOTAL	45,533	30,127	66.2	15,406	33.8
Administration of Justice	484	376	77.7	108	22.3
Antitrust	6	6	100.0	0	0.0
Arson	68	66	97.1	2	2.9
Assault	664	635	95.6	29	4.4
Bribery/Corruption	269	247	91.8	22	8.2
Burglary/Trespass	71	66	93.0	5	7.0
Child Pornography	1,035	982	94.9	53	5.1
Commercialized Vice	55	49	89.1	6	10.9
Drug Possession	71	65	91.5	6	8.5
Drug Trafficking	13,676	10,981	80.3	2,695	19.7
Environmental	94	76	80.9	18	19.1
Extortion/Racketeering	82	66	80.5	16	19.5
Firearms	6,084	5,832	95.9	252	4.1
Food and Drug	24	24	100.0	0	0.0
Forgery/Counter/Copyright	76	68	89.5	8	10.5
Fraud/Theft/Embezzlement	3,940	3,432	87.1	508	12.9
Immigration	13,317	2,239	16.8	11,078	83.2
Individual Rights	97	92	94.8	5	5.2
Kidnapping	107	90	84.1	17	15.9
Manslaughter	81	80	98.8	1	1.2
Money Laundering	972	689	70.9	283	29.1
Murder	393	344	87.5	49	12.5
National Defense	166	115	69.3	51	30.7
Obscenity/Other Sex Offenses	263	256	97.3	7	2.7
Prison Offenses	332	319	96.1	13	3.9
Robbery	985	947	96.1	38	3.9
Sexual Abuse	1,061	1,009	95.1	52	4.9
Stalking/Harassing	191	185	96.9	6	3.1
Tax	336	311	92.6	25	7.4
Other	533	480	90.1	53	9.9

¹ Of the 45,785 cases, 252 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 2024 Datafile, USSCFY24 (October 1, 2023, through June 30, 2024).

Table 6

SENTENCE LENGTH BY TYPE OF CRIME¹
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

TYPE OF CRIME	Mean Months	Median Months	N
TOTAL	53	24	45,785
Administration of Justice	15	8	490
Antitrust	0	0	6
Arson	71	60	68
Assault	77	48	670
Bribery/Corruption	18	12	269
Burglary/Trespass	19	3	72
Child Pornography	116	97	1,035
Commercialized Vice	22	18	55
Drug Possession	2	0	79
Drug Trafficking	81	63	13,723
Environmental	3	0	107
Extortion/Racketeering	39	16	83
Firearms	50	40	6,095
Food and Drug	4	0	24
Forgery/Counter/Copyright	16	12	76
Fraud/Theft/Embezzlement	22	12	3,959
Immigration	12	8	13,329
Individual Rights	62	24	99
Kidnapping	185	144	107
Manslaughter	77	60	81
Money Laundering	54	27	973
Murder	276	252	393
National Defense	29	18	168
Obscenity/Other Sex Offenses	20	18	263
Prison Offenses	14	12	333
Robbery	108	92	986
Sexual Abuse	217	204	1,061
Stalking/Harassing	32	24	193
Tax	17	11	336
Other	4	0	652

¹ 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.

Table 7

SENTENCE TYPE BY TYPE OF CRIME¹
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

TYPE OF CRIME	TOTAL	TOTAL RECEIVING IMPRISONMENT				Prison and Alternatives ²		TOTAL RECEIVING PROBATION				Probation and Alternatives ²		Probation Only		TOTAL RECEIVING FINE ONLY	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	45,785	41,891	91.5	40,834	89.2	1,057	2.3	3,698	8.1	567	1.2	3,131	6.8	196	0.4		
Administration of Justice	490	354	72.2	333	68.0	21	4.3	134	27.3	35	7.1	99	20.2	2	0.4		
Antitrust	6	0	0.0	0	0.0	0	0.0	6	100.0	0	0.0	6	100.0	0	0.0		
Arson	68	65	95.6	64	94.1	1	1.5	1	1.5	0	0.0	1	1.5	2	2.9		
Assault	670	633	94.5	612	91.3	21	3.1	35	5.2	5	0.7	30	4.5	2	0.3		
Bribery/Corruption	269	200	74.3	192	71.4	8	3.0	69	25.7	22	8.2	47	17.5	0	0.0		
Burglary/Trespass	72	53	73.6	52	72.2	1	1.4	18	25.0	7	9.7	11	15.3	1	1.4		
Child Pornography	1,035	1,028	99.3	1,020	98.6	8	0.8	7	0.7	3	0.3	4	0.4	0	0.0		
Commercialized Vice	55	41	74.5	39	70.9	2	3.6	14	25.5	2	3.6	12	21.8	0	0.0		
Drug Possession	79	42	53.2	41	51.9	1	1.3	25	31.6	3	3.8	22	27.8	12	15.2		
Drug Trafficking	13,723	13,239	96.5	12,846	93.6	393	2.9	483	3.5	80	0.6	403	2.9	1	0.0		
Environmental	107	28	26.2	25	23.4	3	2.8	61	57.0	7	6.5	54	50.5	18	16.8		
Extortion/Racketeering	83	65	78.3	59	71.1	6	7.2	18	21.7	1	1.2	17	20.5	0	0.0		
Firearms	6,095	5,736	94.1	5,622	92.2	114	1.9	355	5.8	58	1.0	297	4.9	4	0.1		
Food and Drug	24	5	20.8	5	20.8	0	0.0	16	66.7	2	8.3	14	58.3	3	12.5		
Forgery/Counter/Copyright	76	63	82.9	60	78.9	3	3.9	13	17.1	1	1.3	12	15.8	0	0.0		
Fraud/Theft/Embezzlement	3,959	2,956	74.7	2,808	70.9	148	3.7	980	24.8	177	4.5	803	20.3	23	0.6		
Immigration	13,329	12,535	94.0	12,346	92.6	189	1.4	793	5.9	74	0.6	719	5.4	1	0.0		
Individual Rights	99	84	84.8	83	83.8	1	1.0	15	15.2	4	4.0	11	11.1	0	0.0		
Kidnapping	107	104	97.2	98	91.6	6	5.6	3	2.8	0	0.0	3	2.8	0	0.0		
Manslaughter	81	79	97.5	75	92.6	4	4.9	2	2.5	1	1.2	1	1.2	0	0.0		
Money Laundering	973	860	88.4	822	84.5	38	3.9	113	11.6	29	3.0	84	8.6	0	0.0		
Murder	393	392	99.7	383	97.5	9	2.3	1	0.3	1	0.3	0	0.0	0	0.0		
National Defense	168	138	82.1	135	80.4	3	1.8	14	8.3	4	2.4	10	6.0	16	9.5		
Obscenity/Other Sex Offenses	263	252	95.8	243	92.4	9	3.4	11	4.2	1	0.4	10	3.8	0	0.0		
Prison Offenses	333	322	96.7	317	95.2	5	1.5	9	2.7	0	0.0	9	2.7	2	0.6		
Robbery	986	977	99.1	956	97.0	21	2.1	9	0.9	0	0.0	9	0.9	0	0.0		
Sexual Abuse	1,061	1,053	99.2	1,035	97.5	18	1.7	8	0.8	2	0.2	6	0.6	0	0.0		
Stalking/Harassing	193	179	92.7	173	89.6	6	3.1	14	7.3	4	2.1	10	5.2	0	0.0		
Tax	336	223	66.4	210	62.5	13	3.9	113	33.6	35	10.4	78	23.2	0	0.0		
Other	652	185	28.4	180	27.6	5	0.8	358	54.9	9	1.4	349	53.5	109	16.7		

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

² 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 RANGE¹
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

	<u>N</u>	<u>%</u>
TOTAL CASES	45,574	100.0
SENTENCES UNDER THE GUIDELINES MANUAL	30,635	67.2
Within Guideline Range	20,650	45.3
Upward Departure ²	246	0.5
Downward Departure		
§5K1.1 Substantial Assistance	4,692	10.3
§5K3.1 Early Disposition Program	3,334	7.3
Other Government Motion ³	886	1.9
Non-Government Departure ⁴	827	1.8
VARIANCES	14,939	32.8
Upward Variance ⁵	1,489	3.3
Downward Variance		
Government Motion ⁶	4,536	10.0
Non-Government Variance ⁷	8,914	19.6

¹ This table reflects the 45,785 cases sentenced on or after October 1, 2023, with court documentation cumulatively received, coded, and edited at the U.S. Sentencing Commission by Aug 22, 2024. Of these, 211 cases were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

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

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

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

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

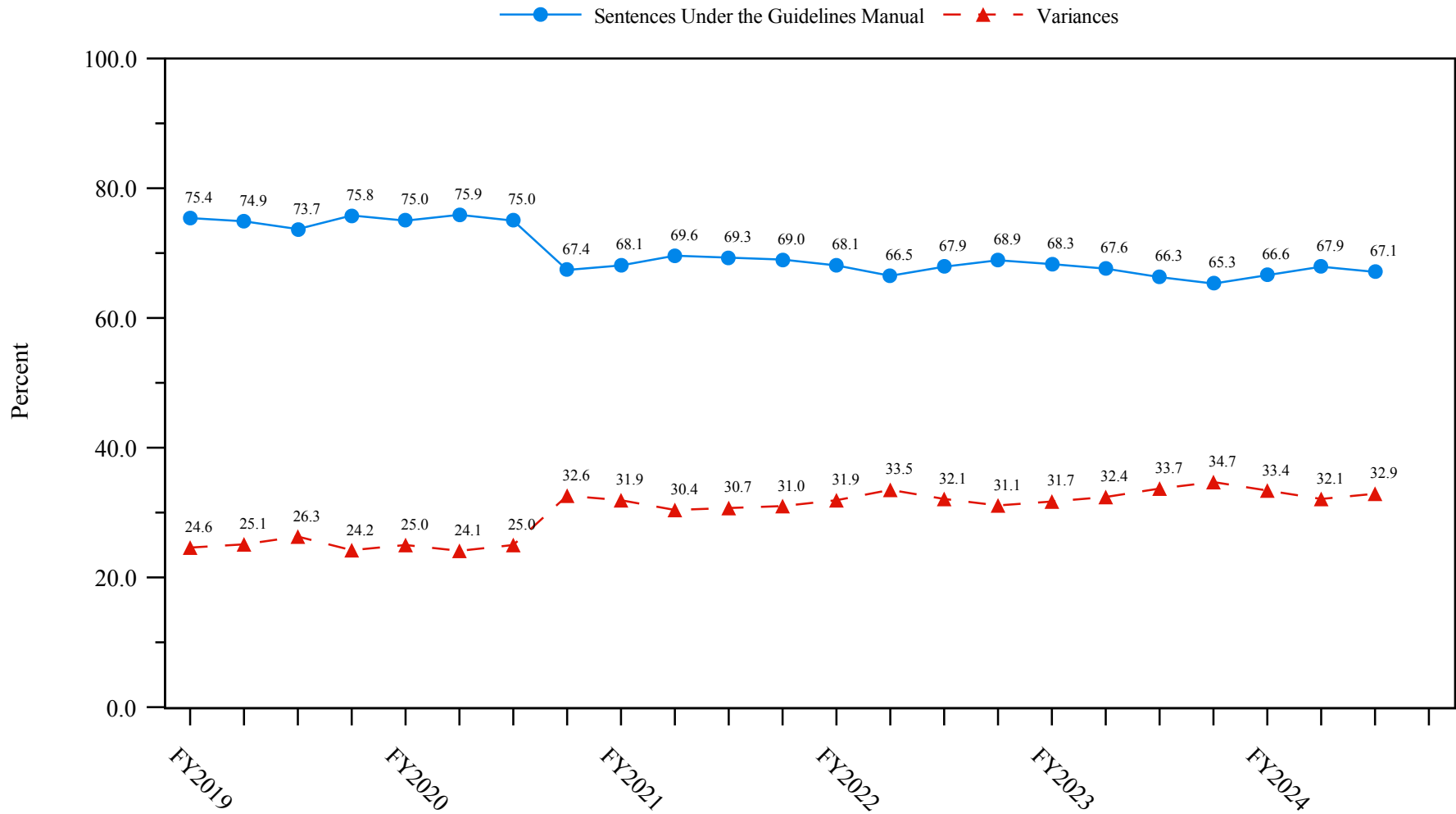
⁶ Cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form, and where the prosecution initiated, proposed, or stipulated to the sentence.

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

SOURCE: U.S. Sentencing Commission, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through June 30, 2024).

Figure 3

SENTENCES UNDER THE GUIDELINES MANUAL AND VARIANCES QUARTERLY DATA¹
Fiscal Years 2019 - 2023,
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

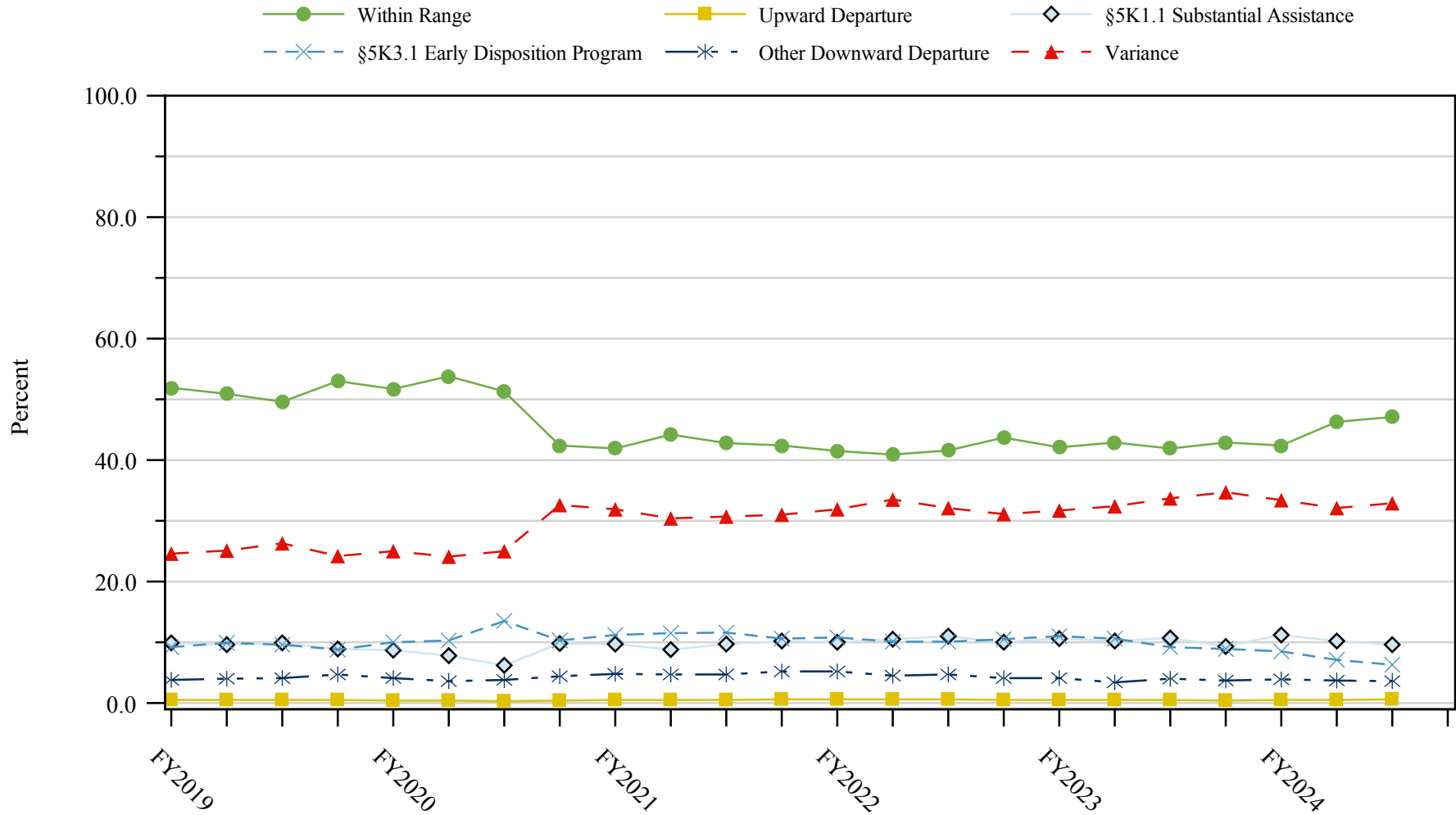


¹ Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through June 30, 2024).

Figure 4

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE QUARTERLY DATA¹
Fiscal Years 2019 - 2023,
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)



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

SOURCE: U.S. Sentencing Commission, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through June 30, 2024).

Table 9

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

3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		DEPARTURE								VARIANCE	
		N	%	UPWARD		§5K1.1		§5K3.1		DOWNWARD		N	%
				N	%	N	%	N	%	N	%		
TOTAL	45,574	20,650	45.3	246	0.5	4,692	10.3	3,334	7.3	1,713	3.8	14,939	32.8
D.C. CIRCUIT	389	183	47.0	3	0.8	48	12.3	0	0.0	7	1.8	148	38.0
District of Columbia	389	183	47.0	3	0.8	48	12.3	0	0.0	7	1.8	148	38.0
FIRST CIRCUIT	1,468	524	35.7	4	0.3	163	11.1	1	0.1	50	3.4	726	49.5
Maine	106	27	25.5	1	0.9	22	20.8	0	0.0	2	1.9	54	50.9
Massachusetts	390	93	23.8	1	0.3	55	14.1	1	0.3	15	3.8	225	57.7
New Hampshire	77	18	23.4	0	0.0	10	13.0	0	0.0	4	5.2	45	58.4
Puerto Rico	804	363	45.1	2	0.2	73	9.1	0	0.0	28	3.5	338	42.0
Rhode Island	91	23	25.3	0	0.0	3	3.3	0	0.0	1	1.1	64	70.3
SECOND CIRCUIT	2,240	689	30.8	10	0.4	342	15.3	3	0.1	75	3.3	1,121	50.0
Connecticut	171	43	25.1	1	0.6	27	15.8	0	0.0	11	6.4	89	52.0
New York													
Eastern	568	131	23.1	1	0.2	100	17.6	1	0.2	34	6.0	301	53.0
Northern	379	202	53.3	5	1.3	66	17.4	0	0.0	18	4.7	88	23.2
Southern	715	160	22.4	0	0.0	76	10.6	2	0.3	8	1.1	469	65.6
Western	288	118	41.0	3	1.0	52	18.1	0	0.0	2	0.7	113	39.2
Vermont	119	35	29.4	0	0.0	21	17.6	0	0.0	2	1.7	61	51.3
THIRD CIRCUIT	1,951	724	37.1	3	0.2	384	19.7	10	0.5	51	2.6	779	39.9
Delaware	76	39	51.3	0	0.0	8	10.5	8	10.5	2	2.6	19	25.0
New Jersey	674	216	32.0	0	0.0	145	21.5	0	0.0	7	1.0	306	45.4
Pennsylvania													
Eastern	372	128	34.4	0	0.0	90	24.2	2	0.5	6	1.6	146	39.2
Middle	342	138	40.4	2	0.6	63	18.4	0	0.0	21	6.1	118	34.5
Western	413	154	37.3	1	0.2	70	16.9	0	0.0	12	2.9	176	42.6
Virgin Islands	74	49	66.2	0	0.0	8	10.8	0	0.0	3	4.1	14	18.9
FOURTH CIRCUIT	2,898	1,310	45.2	19	0.7	379	13.1	3	0.1	71	2.4	1,116	38.5
Maryland	319	86	27.0	0	0.0	52	16.3	0	0.0	19	6.0	162	50.8
North Carolina													
Eastern	610	334	54.8	10	1.6	165	27.0	0	0.0	5	0.8	96	15.7
Middle	199	95	47.7	0	0.0	6	3.0	0	0.0	1	0.5	97	48.7
Western	214	108	50.5	1	0.5	17	7.9	0	0.0	3	1.4	85	39.7
South Carolina	438	162	37.0	4	0.9	78	17.8	0	0.0	11	2.5	183	41.8
Virginia													
Eastern	560	281	50.2	3	0.5	18	3.2	0	0.0	24	4.3	234	41.8
Western	130	39	30.0	0	0.0	20	15.4	0	0.0	2	1.5	69	53.1
West Virginia													
Northern	264	140	53.0	0	0.0	16	6.1	3	1.1	1	0.4	104	39.4
Southern	164	65	39.6	1	0.6	7	4.3	0	0.0	5	3.0	86	52.4

Table 9 (cont.)

CIRCUIT District	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		\$5K1.1		\$5K3.1		DOWNWARD		N	%
		N	%	N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	12,792	8,579	67.1	48	0.4	739	5.8	312	2.4	448	3.5	2,666	20.8
Louisiana													
Eastern	269	151	56.1	0	0.0	38	14.1	0	0.0	2	0.7	78	29.0
Middle	70	36	51.4	1	1.4	10	14.3	0	0.0	0	0.0	23	32.9
Western	192	148	77.1	2	1.0	5	2.6	0	0.0	1	0.5	36	18.8
Mississippi													
Northern	140	58	41.4	2	1.4	36	25.7	0	0.0	2	1.4	42	30.0
Southern	258	181	70.2	1	0.4	29	11.2	0	0.0	3	1.2	44	17.1
Texas													
Eastern	828	482	58.2	11	1.3	43	5.2	0	0.0	4	0.5	288	34.8
Northern	925	571	61.7	9	1.0	87	9.4	0	0.0	9	1.0	249	26.9
Southern	4,408	2,437	55.3	16	0.4	313	7.1	298	6.8	382	8.7	962	21.8
Western	5,702	4,515	79.2	6	0.1	178	3.1	14	0.2	45	0.8	944	16.6
SIXTH CIRCUIT	3,247	1,183	36.4	8	0.2	595	18.3	5	0.2	157	4.8	1,299	40.0
Kentucky													
Eastern	339	165	48.7	1	0.3	70	20.6	0	0.0	8	2.4	95	28.0
Western	260	89	34.2	3	1.2	64	24.6	3	1.2	17	6.5	84	32.3
Michigan													
Eastern	459	144	31.4	0	0.0	48	10.5	0	0.0	12	2.6	255	55.6
Western	158	92	58.2	0	0.0	17	10.8	0	0.0	5	3.2	44	27.8
Ohio													
Northern	642	243	37.9	0	0.0	131	20.4	0	0.0	13	2.0	255	39.7
Southern	456	110	24.1	2	0.4	62	13.6	1	0.2	91	20.0	190	41.7
Tennessee													
Eastern	418	185	44.3	1	0.2	116	27.8	0	0.0	7	1.7	109	26.1
Middle	225	56	24.9	0	0.0	45	20.0	1	0.4	4	1.8	119	52.9
Western	290	99	34.1	1	0.3	42	14.5	0	0.0	0	0.0	148	51.0
SEVENTH CIRCUIT	1,481	511	34.5	3	0.2	154	10.4	0	0.0	58	3.9	755	51.0
Illinois													
Central	171	51	29.8	0	0.0	17	9.9	0	0.0	0	0.0	103	60.2
Northern	397	107	27.0	1	0.3	37	9.3	0	0.0	30	7.6	222	55.9
Southern	177	99	55.9	1	0.6	25	14.1	0	0.0	5	2.8	47	26.6
Indiana													
Northern	181	85	47.0	0	0.0	23	12.7	0	0.0	2	1.1	71	39.2
Southern	270	111	41.1	0	0.0	39	14.4	0	0.0	2	0.7	118	43.7
Wisconsin													
Eastern	203	35	17.2	0	0.0	8	3.9	0	0.0	4	2.0	156	76.8
Western	82	23	28.0	1	1.2	5	6.1	0	0.0	15	18.3	38	46.3
EIGHTH CIRCUIT	3,657	1,573	43.0	26	0.7	439	12.0	19	0.5	74	2.0	1,526	41.7
Arkansas													
Eastern	388	200	51.5	1	0.3	33	8.5	0	0.0	4	1.0	150	38.7
Western	127	53	41.7	1	0.8	13	10.2	0	0.0	0	0.0	60	47.2
Iowa													
Northern	203	112	55.2	6	3.0	29	14.3	0	0.0	3	1.5	53	26.1
Southern	255	92	36.1	0	0.0	36	14.1	0	0.0	0	0.0	127	49.8
Minnesota	286	103	36.0	2	0.7	31	10.8	0	0.0	25	8.7	125	43.7
Missouri													
Eastern	739	342	46.3	4	0.5	68	9.2	0	0.0	8	1.1	317	42.9
Western	621	229	36.9	0	0.0	123	19.8	0	0.0	7	1.1	262	42.2
Nebraska	333	135	40.5	0	0.0	6	1.8	17	5.1	3	0.9	172	51.7
North Dakota	254	78	30.7	2	0.8	96	37.8	2	0.8	4	1.6	72	28.3
South Dakota	451	229	50.8	10	2.2	4	0.9	0	0.0	20	4.4	188	41.7

Table 9 (cont.)

CIRCUIT District	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		§5K1.1		§5K3.1		DOWNWARD		N	%
		N	%	N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	8,068	2,082	25.8	54	0.7	736	9.1	2,545	31.5	455	5.6	2,196	27.2
Alaska	104	28	26.9	1	1.0	13	12.5	0	0.0	1	1.0	61	58.7
Arizona	2,784	884	31.8	18	0.6	55	2.0	1,389	49.9	47	1.7	391	14.0
California													
Central	734	193	26.3	4	0.5	137	18.7	2	0.3	45	6.1	353	48.1
Eastern	335	134	40.0	2	0.6	59	17.6	4	1.2	6	1.8	130	38.8
Northern	365	47	12.9	3	0.8	52	14.2	1	0.3	11	3.0	251	68.8
Southern	2,047	303	14.8	14	0.7	123	6.0	1,117	54.6	317	15.5	173	8.5
Guam	31	14	45.2	0	0.0	9	29.0	0	0.0	0	0.0	8	25.8
Hawaii	79	29	36.7	0	0.0	22	27.8	0	0.0	1	1.3	27	34.2
Idaho	243	84	34.6	4	1.6	37	15.2	8	3.3	11	4.5	99	40.7
Montana	282	99	35.1	1	0.4	56	19.9	0	0.0	4	1.4	122	43.3
Nevada	216	37	17.1	0	0.0	14	6.5	24	11.1	2	0.9	139	64.4
Northern Mariana Islands	26	19	73.1	0	0.0	4	15.4	0	0.0	0	0.0	3	11.5
Oregon	352	58	16.5	4	1.1	99	28.1	0	0.0	3	0.9	188	53.4
Washington													
Eastern	230	67	29.1	1	0.4	52	22.6	0	0.0	5	2.2	105	45.7
Western	240	86	35.8	2	0.8	4	1.7	0	0.0	2	0.8	146	60.8
TENTH CIRCUIT	3,614	1,509	41.8	55	1.5	246	6.8	432	12.0	207	5.7	1,165	32.2
Colorado	277	87	31.4	0	0.0	54	19.5	14	5.1	9	3.2	113	40.8
Kansas	240	121	50.4	4	1.7	39	16.3	4	1.7	3	1.3	69	28.8
New Mexico	1,195	460	38.5	8	0.7	42	3.5	344	28.8	88	7.4	253	21.2
Oklahoma													
Eastern	242	166	68.6	7	2.9	11	4.5	0	0.0	3	1.2	55	22.7
Northern	499	270	54.1	34	6.8	42	8.4	4	0.8	88	17.6	61	12.2
Western	552	262	47.5	0	0.0	24	4.3	1	0.2	1	0.2	264	47.8
Utah	482	107	22.2	1	0.2	22	4.6	56	11.6	8	1.7	288	59.8
Wyoming	127	36	28.3	1	0.8	12	9.4	9	7.1	7	5.5	62	48.8
ELEVENTH CIRCUIT	3,769	1,783	47.3	13	0.3	467	12.4	4	0.1	60	1.6	1,442	38.3
Alabama													
Middle	214	84	39.3	0	0.0	38	17.8	0	0.0	7	3.3	85	39.7
Northern	321	168	52.3	2	0.6	49	15.3	0	0.0	8	2.5	94	29.3
Southern	169	88	52.1	0	0.0	20	11.8	0	0.0	2	1.2	59	34.9
Florida													
Middle	811	368	45.4	3	0.4	114	14.1	1	0.1	7	0.9	318	39.2
Northern	202	67	33.2	0	0.0	47	23.3	2	1.0	3	1.5	83	41.1
Southern	1,055	530	50.2	3	0.3	90	8.5	1	0.1	11	1.0	420	39.8
Georgia													
Middle	350	211	60.3	0	0.0	35	10.0	0	0.0	3	0.9	101	28.9
Northern	361	99	27.4	1	0.3	33	9.1	0	0.0	16	4.4	212	58.7
Southern	286	168	58.7	4	1.4	41	14.3	0	0.0	3	1.0	70	24.5

¹ Of the 45,785 cases, 211 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 2024 Datafile, USSCFY24 (October 1, 2023, through June 30, 2024).

Table 10

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

3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

TYPE OF CRIME	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		§5K1.1		§5K3.1		DOWNWARD			
		N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	45,574	20,650	45.3	246	0.5	4,692	10.3	3,334	7.3	1,713	3.8	14,939	32.8
Administration of Justice	489	237	48.5	8	1.6	25	5.1	0	0.0	15	3.1	204	41.7
Antitrust	6	0	0.0	0	0.0	4	66.7	0	0.0	0	0.0	2	33.3
Arson	68	29	42.6	4	5.9	4	5.9	0	0.0	6	8.8	25	36.8
Assault	670	316	47.2	33	4.9	35	5.2	0	0.0	42	6.3	244	36.4
Bribery/Corruption	269	41	15.2	1	0.4	95	35.3	0	0.0	7	2.6	125	46.5
Burglary/Trespass	71	51	71.8	4	5.6	0	0.0	1	1.4	0	0.0	15	21.1
Child Pornography	1,035	399	38.6	3	0.3	20	1.9	1	0.1	32	3.1	580	56.0
Commercialized Vice	55	31	56.4	2	3.6	10	18.2	0	0.0	3	5.5	9	16.4
Drug Possession	74	65	87.8	2	2.7	0	0.0	0	0.0	1	1.4	6	8.1
Drug Trafficking	13,716	3,900	28.4	47	0.3	2,813	20.5	742	5.4	590	4.3	5,624	41.0
Environmental	97	50	51.5	0	0.0	10	10.3	0	0.0	7	7.2	30	30.9
Extortion/Racketeering	82	25	30.5	2	2.4	17	20.7	0	0.0	5	6.1	33	40.2
Firearms	6,088	3,099	50.9	41	0.7	349	5.7	6	0.1	166	2.7	2,427	39.9
Food and Drug	24	18	75.0	0	0.0	0	0.0	0	0.0	0	0.0	6	25.0
Forgery/Counter/Copyright	76	27	35.5	0	0.0	8	10.5	0	0.0	4	5.3	37	48.7
Fraud/Theft/Embezzlement	3,938	1,682	42.7	12	0.3	560	14.2	6	0.2	158	4.0	1,520	38.6
Immigration	13,214	8,223	62.2	31	0.2	127	1.0	2,563	19.4	434	3.3	1,836	13.9
Individual Rights	99	27	27.3	1	1.0	13	13.1	0	0.0	9	9.1	49	49.5
Kidnapping	107	31	29.0	0	0.0	27	25.2	0	0.0	2	1.9	47	43.9
Manslaughter	81	36	44.4	13	16.0	1	1.2	0	0.0	5	6.2	26	32.1
Money Laundering	973	220	22.6	3	0.3	266	27.3	14	1.4	51	5.2	419	43.1
Murder	393	180	45.8	10	2.5	85	21.6	0	0.0	24	6.1	94	23.9
National Defense	168	57	33.9	0	0.0	20	11.9	0	0.0	16	9.5	75	44.6
Obscenity/Other Sex Offenses	263	132	50.2	5	1.9	3	1.1	0	0.0	8	3.0	115	43.7
Prison Offenses	332	200	60.2	3	0.9	2	0.6	0	0.0	16	4.8	111	33.4
Robbery	985	390	39.6	8	0.8	105	10.7	1	0.1	42	4.3	439	44.6
Sexual Abuse	1,061	449	42.3	8	0.8	46	4.3	0	0.0	46	4.3	512	48.3
Stalking/Harassing	193	88	45.6	3	1.6	2	1.0	0	0.0	8	4.1	92	47.7
Tax	336	92	27.4	0	0.0	42	12.5	0	0.0	11	3.3	191	56.8
Other	611	555	90.8	2	0.3	3	0.5	0	0.0	5	0.8	46	7.5

¹ Of the 45,785 cases, 211 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 2024 Datafile, USSCFY24 (October 1, 2023, through June 30, 2024).

Table 11

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE BY PRIMARY SENTENCING GUIDELINE¹

3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

Guideline	Total	Within Guideline		Departure				Variance	Guideline	Total	Within Guideline		Departure			
		Range	Up	\$5K1.1	\$5K3.1	Down	Up				\$5K1.1	\$5K3.1	Down	Variance		
§2A1.1	254	113	3	66	0	12	60	§2D1.8	10	1	0	3	0	0	6	
§2A1.2	79	42	7	5	0	8	17	§2D1.9	0	0	0	0	0	0	0	
§2A1.3	38	19	9	0	0	2	8	§2D1.10	1	0	0	0	0	0	1	
§2A1.4	42	17	4	0	0	3	18	§2D1.11	0	0	0	0	0	0	0	
§2A1.5	36	15	0	7	0	3	11	§2D1.12	6	1	1	1	0	0	3	
§2A2.1	168	78	2	22	0	8	58	§2D1.13	0	0	0	0	0	0	0	
§2A2.2	437	189	29	13	0	31	175	§2D1.14	1	0	0	1	0	0	0	
§2A2.3	39	31	2	0	0	0	6	§2D2.1	51	42	2	0	0	1	6	
§2A2.4	161	98	1	1	0	4	57	§2D2.2	30	24	0	0	0	1	5	
§2A3.1	127	58	3	1	0	16	49	§2D2.3	0	0	0	0	0	0	0	
§2A3.2	30	21	0	0	0	1	8	§2D3.1	9	7	1	0	0	0	1	
§2A3.3	7	1	0	1	0	0	5	§2D3.2	1	1	0	0	0	0	0	
§2A3.4	33	16	1	0	0	0	16	§2D3.3	0	0	0	0	0	0	0	
§2A3.5	242	126	1	2	0	8	105	§2D3.4	0	0	0	0	0	0	0	
§2A4.1	102	29	0	25	0	2	46	§2D3.5	0	0	0	0	0	0	0	
§2A4.2	0	0	0	0	0	0	0	§2E1.1	21	2	2	4	0	1	12	
§2A5.1	0	0	0	0	0	0	0	§2E1.2	1	1	0	0	0	0	0	
§2A5.2	24	10	0	0	0	2	12	§2E1.3	0	0	0	0	0	0	0	
§2A5.3	0	0	0	0	0	0	0	§2E1.4	8	4	0	1	0	0	3	
§2A6.1	132	61	1	2	0	6	62	§2E1.5	0	0	0	0	0	0	0	
§2A6.2	58	26	2	0	0	2	28	§2E2.1	7	1	0	0	0	1	5	
§2B1.1	3,743	1,539	11	556	5	154	1,478	§2E3.1	30	18	0	8	0	1	3	
§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	28	4	0	2	0	0	22	§2E4.1	19	7	0	11	0	0	1	
§2B1.5	9	2	0	0	0	1	6	§2E5.1	1	0	0	1	0	0	0	
§2B1.6 ²	51	49	0	2	0	0	0	§2E5.2	0	0	0	0	0	0	0	
§2B2.1	40	21	4	0	1	0	14	§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	29	29	0	0	0	0	0	§2E5.5	0	0	0	0	0	0	0	
§2B3.1	972	383	8	101	1	41	438	§2E5.6	0	0	0	0	0	0	0	
§2B3.2	15	6	0	0	0	1	8	§2F1.1	0	0	0	0	0	0	0	
§2B3.3	3	2	0	0	0	1	0	§2F1.2	0	0	0	0	0	0	0	
§2B4.1	99	7	0	45	0	2	45	§2G1.1	39	17	2	5	0	2	13	
§2B5.1	48	24	0	3	0	2	19	§2G1.2	0	0	0	0	0	0	0	
§2B5.2	0	0	0	0	0	0	0	§2G1.3	312	143	3	22	0	14	130	
§2B5.3	28	3	0	5	0	2	18	§2G2.1	535	204	1	19	0	15	296	
§2B5.4	0	0	0	0	0	0	0	§2G2.2	1,034	398	3	20	1	32	580	
§2B6.1	1	1	0	0	0	0	0	§2G2.3	0	0	0	0	0	0	0	
§2C1.1	162	33	1	48	0	4	76	§2G2.4	0	0	0	0	0	0	0	
§2C1.2	6	1	0	2	0	0	3	§2G2.5	0	0	0	0	0	0	0	
§2C1.3	0	0	0	0	0	0	0	§2G2.6	3	2	0	0	0	0	1	
§2C1.4	0	0	0	0	0	0	0	§2G3.1	20	5	4	1	0	0	10	
§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	75	14	0	11	0	9	41	
§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	13,415	3,802	43	2,776	740	575	5,479	§2H1.4	0	0	0	0	0	0	0	
§2D1.2	176	77	4	25	0	12	58	§2H1.5	0	0	0	0	0	0	0	
§2D1.3	0	0	0	0	0	0	0	§2H2.1	3	1	0	0	0	0	2	
§2D1.4	0	0	0	0	0	0	0	§2H3.1	4	1	1	0	0	0	2	
§2D1.5	10	1	0	7	0	1	1	§2H3.2	0	0	0	0	0	0	0	
§2D1.6	0	0	0	0	0	0	0	§2H3.3	3	3	0	0	0	0	0	
§2D1.7	0	0	0	0	0	0	0	§2H4.1	9	5	0	2	0	0	2	

Table 11 (cont.)

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			
§2H4.2	0	0	0	0	0	0	0	§2M5.2	130	39	0	14	0	15	62		
§2J1.1	0	0	0	0	0	0	0	§2M5.3	6	1	0	1	0	0	4		
§2J1.2	123	44	2	11	0	5	61	§2M6.1	0	0	0	0	0	0	0		
§2J1.3	15	5	0	1	0	1	8	§2M6.2	2	2	0	0	0	0	0		
§2J1.4	5	2	0	0	0	0	3	§2N1.1	5	0	0	0	0	0	5		
§2J1.5	2	1	0	0	0	0	1	§2N1.2	0	0	0	0	0	0	0		
§2J1.6	18	10	1	0	0	0	7	§2N1.3	0	0	0	0	0	0	0		
§2J1.7	0	0	0	0	0	0	0	§2N2.1	17	16	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	218	142	3	1	0	7	65		
§2K1.1	0	0	0	0	0	0	0	§2P1.2	91	45	0	1	0	7	38		
§2K1.2	0	0	0	0	0	0	0	§2P1.3	0	0	0	0	0	0	0		
§2K1.3	11	1	0	4	0	0	6	§2P1.4	0	0	0	0	0	0	0		
§2K1.4	68	29	4	4	0	6	25	§2Q1.1	0	0	0	0	0	0	0		
§2K1.5	2	0	0	0	0	0	2	§2Q1.2	27	5	0	6	0	1	15		
§2K1.6	0	0	0	0	0	0	0	§2Q1.3	6	1	0	1	0	3	1		
§2K1.7	0	0	0	0	0	0	0	§2Q1.4	0	0	0	0	0	0	0		
§2K2.1	5,803	2,906	35	328	6	164	2,364	§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	41	22	0	3	0	3	13		
§2K2.4 ³	218	168	5	17	0	1	27	§2Q2.2	0	0	0	0	0	0	0		
§2K2.5	10	7	1	0	0	0	2	§2R1.1	6	0	0	4	0	0	2		
§2K2.6	1	0	0	0	0	0	1	§2S1.1	831	164	0	248	12	45	362		
§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	129	50	3	18	2	5	51		
§2L1.1	3,291	1,720	10	94	860	79	528	§2S1.4	0	0	0	0	0	0	0		
§2L1.2	8,895	5,760	19	21	1,570	347	1,178	§2T1.1	185	56	0	24	0	6	99		
§2L1.3	0	0	0	0	0	0	0	§2T1.2	0	0	0	0	0	0	0		
§2L2.1	38	13	0	10	0	1	14	§2T1.3	0	0	0	0	0	0	0		
§2L2.2	281	207	2	1	0	2	69	§2T1.4	87	25	0	11	0	2	49		
§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	44	4	0	3	0	2	35		
§2L2.5	0	0	0	0	0	0	0	§2T1.7	0	0	0	0	0	0	0		
§2M1.1	0	0	0	0	0	0	0	§2T1.8	0	0	0	0	0	0	0		
§2M2.1	0	0	0	0	0	0	0	§2T1.9	9	1	0	3	0	1	4		
§2M2.2	0	0	0	0	0	0	0	§2T2.1	0	0	0	0	0	0	0		
§2M2.3	0	0	0	0	0	0	0	§2T2.2	1	1	0	0	0	0	0		
§2M2.4	0	0	0	0	0	0	0	§2T3.1	8	5	0	1	0	0	2		
§2M3.1	1	0	0	0	0	1	0	§2T3.2	0	0	0	0	0	0	0		
§2M3.2	1	0	0	0	0	0	1	§2T4.1	0	0	0	0	0	0	0		
§2M3.3	0	0	0	0	0	0	0	§2X1.1	6	3	0	1	0	0	2		
§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	63	24	0	15	0	5	19		
§2M3.6	0	0	0	0	0	0	0	§2X4.1	138	63	4	11	0	3	57		
§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	156	140	0	0	0	1	15		
§2M3.9	0	0	0	0	0	0	0	§2X6.1	0	0	0	0	0	0	0		
§2M4.1	0	0	0	0	0	0	0	§2X7.1	1	1	0	0	0	0	0		
§2M5.1	12	1	0	4	0	0	7	§2X7.2	11	8	0	0	0	0	3		
TOTAL									44,090	19,528	245	4,688	3,198	1,694	14,737		

¹ Of the 45,785 cases, 1,695 were excluded due to one or both of the following reasons: information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range (211) or missing guideline applied (1,685). Descriptions of variables used in this table are provided in Appendix A.

² In these cases, the sentenced individual was convicted of violating 18 U.S.C. § 1028A (Aggravated Identity Theft) as the only count or counts of conviction. The *Guidelines Manual* provides punishment for this type of offense under §2B1.6.

³ In these cases, the sentenced individual was convicted of violating 18 U.S.C. § 924(c) (Use of Firearm, Armor-Piercing Ammunition, or Explosives During or in Relation to Certain Crimes) as the only count or counts of conviction. The *Guidelines Manual* provides punishment for this type of offense under §2K2.4.

SOURCE: U.S. Sentencing Commission, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through June 30, 2024).

Table 12

ATTRIBUTION CATEGORY FOR SENTENCES OUTSIDE OF THE GUIDELINE RANGE¹
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

	TOTAL CASES	Pursuant to a Plea Agreement									
		§5K1.1 Substantial Assistance ²		§5K3.1 Early Disposition ²		Binding Plea Accepted by Court		Plea with Departure Court Finds Reasonable		Plea States Gov't Will Not Oppose	
		N	%	N	%	N	%	N	%	N	%
TOTAL	24,924	4,708	18.9	3,384	13.6	3,867	15.5	4,778	19.2	268	1.1
Departures	9,985	4,692	47.0	3,381	33.9	2,235	22.4	3,437	34.4	148	1.5
Upward Departure	246	0	0.0	0	0.0	68	27.6	46	18.7	0	0.0
Downward Departure											
§5K1.1 Substantial Assistance	4,692	4,692	100.0	47	1.0	165	3.5	1,068	22.8	23	0.5
§5K3.1 Early Disposition Program	3,334	0	0.0	3,334	100.0	1,640	49.2	1,944	58.3	114	3.4
Other Government Motion	886	0	0.0	0	0.0	362	40.9	379	42.8	11	1.2
Non-Government Departure	827	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Variances	14,939	16	0.1	3	0.0	1,632	10.9	1,341	9.0	120	0.8
Upward Variance	1,489	16	1.1	3	0.2	193	13.0	108	7.3	1	0.1
Downward Variance											
Government Motion	4,536	0	0.0	0	0.0	1,439	31.7	1,233	27.2	119	2.6
Non-Government Variance	8,914	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	%
TOTAL	4,316	17.3	3,931	15.8	5,318	21.3	1,711	6.9	3,834	15.4	1,636	6.6
Departures	3,604	36.1	1,560	15.6	1,179	11.8	739	7.4	838	8.4	136	1.4
Upward Departure	68	27.6	0	0.0	2	0.8	6	2.4	56	22.8	27	11.0
Downward Departure												
§5K1.1 Substantial Assistance	3,202	68.2	597	12.7	560	11.9	345	7.4	414	8.8	0	0.0
§5K3.1 Early Disposition Program	211	6.3	449	13.5	347	10.4	270	8.1	142	4.3	0	0.0
Other Government Motion	123	13.9	101	11.4	71	8.0	118	13.3	35	4.0	12	1.4
Non-Government Departure	0	0.0	413	49.9	199	24.1	0	0.0	191	23.1	97	11.7
Variations	712	4.8	2,371	15.9	4,139	27.7	972	6.5	2,996	20.1	1,500	10.0
Upward Variance	265	17.8	4	0.3	7	0.5	20	1.3	734	49.3	193	13.0
Downward Variance												
Government Motion	447	9.9	358	7.9	205	4.5	952	21.0	306	6.7	113	2.5
Non-Government Variance	0	0.0	2,009	22.5	3,927	44.1	0	0.0	1,956	21.9	1,194	13.4

¹ Multiple attributions may be made on the Statement of Reasons (SOR). Therefore, the numbers reported in this table may exceed the number of total cases. For example, among SORs with an attribution, 9,472 cases indicated more than one attribution. Only sentenced individuals whose sentence is outside the guideline range are included in this table. Descriptions of variables used in this table are provided in Appendix A.

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

SOURCE: U.S. Sentencing Commission, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through June 30, 2024).

Table 13

**EXTENT OF UPWARD DEPARTURES
BY TYPE OF CRIME¹**

3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Increase In Months	Percent Increase	Sentence In Months	Increase In Months	Percent Increase
TOTAL	245	103	37	97.0	72	20	50.7
Administration of Justice	8	48	33	232.6	29	11	108.6
Antitrust	0	--	--	--	--	--	--
Arson	4	87	27	45.9	84	26	43.4
Assault	33	114	35	60.3	107	23	40.4
Bribery/Corruption	1	--	--	--	--	--	--
Burglary/Trespass	4	80	29	69.0	75	15	38.0
Child Pornography	3	102	27	47.0	97	24	20.0
Commercialized Vice	2	--	--	--	--	--	--
Drug Possession	2	--	--	--	--	--	--
Drug Trafficking	47	112	53	168.2	90	45	93.1
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	2	--	--	--	--	--	--
Firearms	41	82	21	57.1	66	15	30.4
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	0	--	--	--	--	--	--
Fraud/Theft/Embezzlement	12	45	20	123.7	29	15	91.7
Immigration	31	30	12	67.6	27	6	56.5
Individual Rights	1	--	--	--	--	--	--
Kidnapping	0	--	--	--	--	--	--
Manslaughter	13	145	60	67.4	120	47	62.2
Money Laundering	3	12	6	94.8	12	6	100.5
Murder	9	407	99	35.5	420	98	28.8
National Defense	0	--	--	--	--	--	--
Obscenity/Other Sex Offenses	5	52	24	93.2	48	25	119.1
Prison Offenses	3	42	19	82.1	36	15	71.4
Robbery	8	163	31	35.3	180	17	18.6
Sexual Abuse	8	247	91	67.2	279	70	48.2
Stalking/Harassing	3	81	28	53.7	84	27	47.4
Tax	0	--	--	--	--	--	--
Other	2	--	--	--	--	--	--

¹ Of the 45,785 cases, in 246 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.

Table 14

**EXTENT OF UPWARD VARIANCES
BY TYPE OF CRIME¹**

3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Increase In Months	Percent Increase	Sentence In Months	Increase In Months	Percent Increase
TOTAL	1,456	80	23	63.4	57	12	40.4
Administration of Justice	27	39	20	121.1	24	14	75.6
Antitrust	0	--	--	--	--	--	--
Arson	8	161	56	67.5	144	41	50.0
Assault	37	134	41	55.0	120	27	33.3
Bribery/Corruption	2	--	--	--	--	--	--
Burglary/Trespass	3	64	33	108.8	60	35	94.6
Child Pornography	39	148	38	46.6	126	30	29.6
Commercialized Vice	3	48	19	59.3	60	27	81.8
Drug Possession	3	18	11	141.7	12	6	100.0
Drug Trafficking	207	113	28	68.3	96	19	30.0
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	1	--	--	--	--	--	--
Firearms	362	86	26	55.0	72	19	37.4
Food and Drug	1	--	--	--	--	--	--
Forgery/Counter/Copyright	3	45	11	29.2	40	7	21.2
Fraud/Theft/Embezzlement	74	85	28	68.0	48	12	38.9
Immigration	470	24	9	66.5	14	6	50.0
Individual Rights	3	174	23	17.6	240	30	14.3
Kidnapping	2	--	--	--	--	--	--
Manslaughter	11	86	29	68.0	91	24	45.5
Money Laundering	14	75	22	56.8	65	13	27.5
Murder	8	381	134	68.7	445	133	51.6
National Defense	1	--	--	--	--	--	--
Obscenity/Other Sex Offenses	18	54	28	116.4	57	27	85.7
Prison Offenses	16	44	20	116.5	27	8	46.4
Robbery	54	201	51	41.2	180	38	27.7
Sexual Abuse	47	191	41	34.2	204	30	22.9
Stalking/Harassing	25	64	21	55.2	60	14	46.3
Tax	2	--	--	--	--	--	--
Other	15	11	5	78.1	10	4	66.7

¹ Of the 45,785 cases, in 1,489 the sentence was a variance above the guideline range. Due to an inability to calculate the extent of departure for cases with a sentence of life, four cases were excluded from this table. Also, 29 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 15

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

3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
TOTAL	4,590	51	54	56.7	36	38	50.4
Administration of Justice	25	11	12	73.4	0	10	83.3
Antitrust	4	0	20	100.0	0	17	100.0
Arson	4	35	108	71.7	21	72	73.3
Assault	32	50	116	61.0	38	91	65.0
Bribery/Corruption	95	9	29	74.1	6	25	77.8
Burglary/Trespass	0	--	--	--	--	--	--
Child Pornography	20	87	46	36.1	78	42	35.3
Commercialized Vice	10	6	8	76.6	0	8	100.0
Drug Possession	0	--	--	--	--	--	--
Drug Trafficking	2,778	64	63	53.0	51	48	48.6
Environmental	10	2	9	92.2	0	8	100.0
Extortion/Racketeering	17	12	16	75.7	0	15	99.4
Firearms	348	32	30	54.3	20	21	47.8
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	8	13	20	59.1	15	16	55.6
Fraud/Theft/Embezzlement	560	16	29	68.2	11	21	72.9
Immigration	127	21	16	51.3	12	12	43.6
Individual Rights	13	43	26	51.6	24	26	41.3
Kidnapping	26	115	110	49.3	101	102	41.2
Manslaughter	1	--	--	--	--	--	--
Money Laundering	253	36	64	67.5	18	42	68.1
Murder	42	88	174	66.7	65	176	64.9
National Defense	19	22	28	58.8	18	24	51.4
Obscenity/Other Sex Offenses	3	18	9	33.5	18	6	25.0
Prison Offenses	2	--	--	--	--	--	--
Robbery	104	71	66	51.0	60	50	50.0
Sexual Abuse	42	120	73	39.9	120	56	35.1
Stalking/Harassing	2	--	--	--	--	--	--
Tax	42	9	18	73.7	4	16	87.5
Other	3	0	19	99.9	0	21	99.9

¹ Of the 45,785 cases, in 4,692 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, 63 cases were excluded from this table. Also, 39 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 CRIME¹**

3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
TOTAL	3,331	13	15	50.2	10	8	47.8
Administration of Justice	0	--	--	--	--	--	--
Antitrust	0	--	--	--	--	--	--
Arson	0	--	--	--	--	--	--
Assault	0	--	--	--	--	--	--
Bribery/Corruption	0	--	--	--	--	--	--
Burglary/Trespass	1	--	--	--	--	--	--
Child Pornography	1	--	--	--	--	--	--
Commercialized Vice	0	--	--	--	--	--	--
Drug Possession	0	--	--	--	--	--	--
Drug Trafficking	742	23	40	63.6	21	35	61.9
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	0	--	--	--	--	--	--
Firearms	6	32	10	25.8	25	7	24.1
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	0	--	--	--	--	--	--
Fraud/Theft/Embezzlement	6	18	16	45.5	17	4	44.9
Immigration	2,561	10	8	46.3	7	6	40.0
Individual Rights	0	--	--	--	--	--	--
Kidnapping	0	--	--	--	--	--	--
Manslaughter	0	--	--	--	--	--	--
Money Laundering	13	26	35	62.9	7	15	68.2
Murder	0	--	--	--	--	--	--
National Defense	0	--	--	--	--	--	--
Obscenity/Other Sex Offenses	0	--	--	--	--	--	--
Prison Offenses	0	--	--	--	--	--	--
Robbery	1	--	--	--	--	--	--
Sexual Abuse	0	--	--	--	--	--	--
Stalking/Harassing	0	--	--	--	--	--	--
Tax	0	--	--	--	--	--	--
Other	0	--	--	--	--	--	--

¹ Of the 45,785 cases, in 3,334 the sentenced individual received a §5K3.1 early disposition program departure below the guideline range. Of these, three 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 17

**EXTENT OF OTHER DOWNWARD DEPARTURES
BY TYPE OF CRIME¹**

3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
TOTAL	1,685	45	31	44.8	24	16	38.8
Administration of Justice	15	5	13	71.5	0	8	97.8
Antitrust	0	--	--	--	--	--	--
Arson	6	21	20	51.0	19	16	44.2
Assault	42	46	23	38.8	36	15	29.4
Bribery/Corruption	7	21	17	59.3	14	16	60.9
Burglary/Trespass	0	--	--	--	--	--	--
Child Pornography	31	78	58	42.6	72	49	41.3
Commercialized Vice	3	21	6	25.4	24	6	20.0
Drug Possession	1	--	--	--	--	--	--
Drug Trafficking	580	65	51	46.3	52	34	43.0
Environmental	7	3	10	83.9	0	6	100.0
Extortion/Racketeering	5	19	9	35.2	18	5	29.4
Firearms	166	40	20	40.2	30	14	31.4
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	4	10	15	85.4	0	11	100.0
Fraud/Theft/Embezzlement	158	23	19	56.9	15	12	50.0
Immigration	434	14	9	39.4	12	6	34.8
Individual Rights	7	3	31	89.4	0	27	99.9
Kidnapping	2	--	--	--	--	--	--
Manslaughter	5	31	23	51.8	21	26	42.9
Money Laundering	51	44	42	53.6	24	21	50.0
Murder	21	175	88	33.4	175	72	29.8
National Defense	15	38	26	54.3	24	22	47.8
Obscenity/Other Sex Offenses	8	11	9	45.0	10	6	30.3
Prison Offenses	16	9	7	44.6	10	6	47.2
Robbery	41	88	24	23.1	67	19	19.6
Sexual Abuse	37	150	76	31.7	151	52	28.6
Stalking/Harassing	8	19	13	50.6	20	14	30.3
Tax	10	8	13	65.6	7	12	63.3
Other	5	0	7	89.9	0	8	99.8

¹ Of the 45,785 cases, in 1,713 the sentence was a downward departure from the guideline range, either due to a government motion for a departure (886) or a non-government departure (827). Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, 16 cases were excluded from this table. Also, 12 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 2024 Datafile, USSCFY24 (October 1, 2023, through June 30, 2024).

Table 18

**EXTENT OF DOWNWARD VARIANCES
BY TYPE OF CRIME¹**

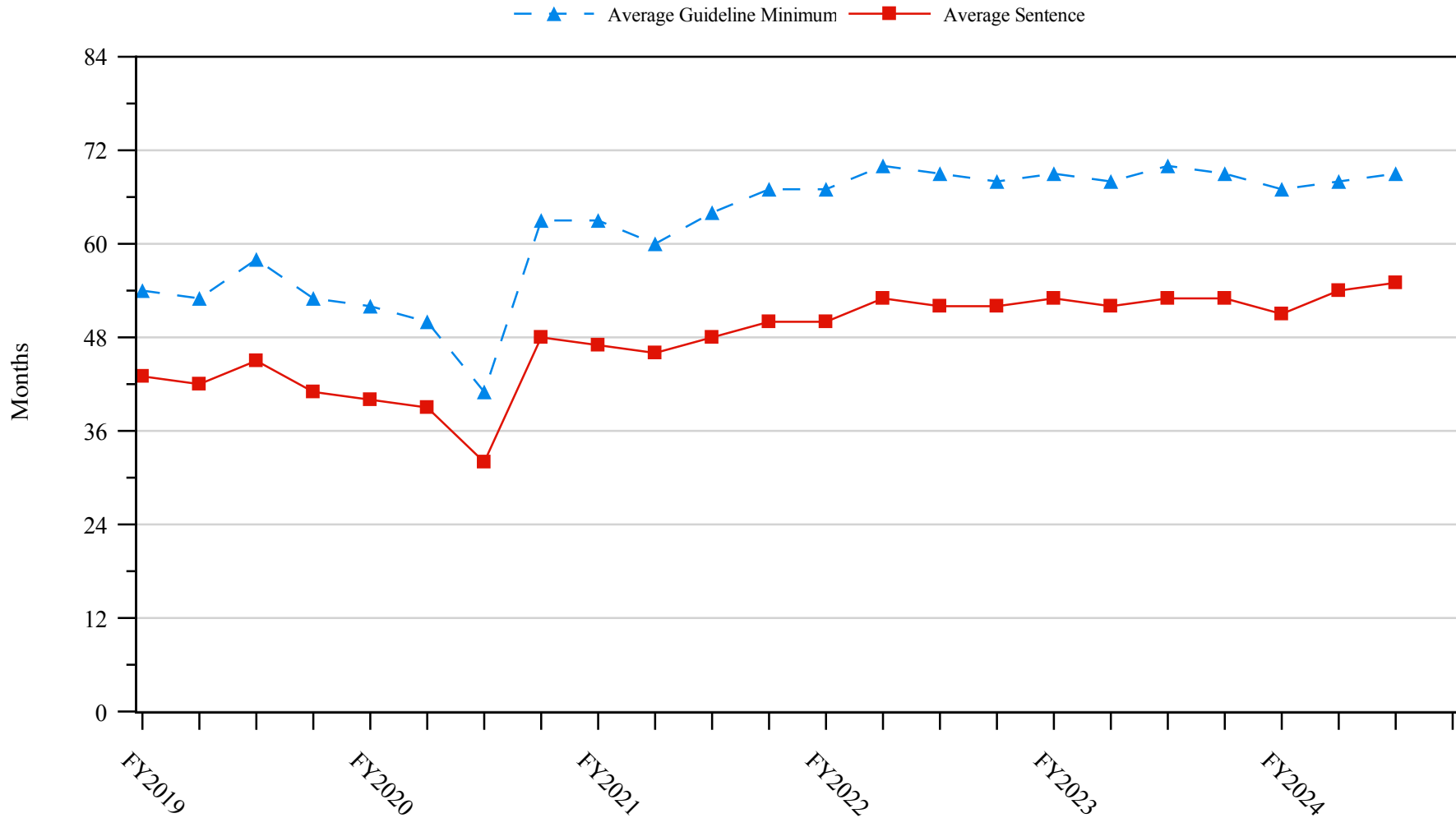
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
TOTAL	13,120	55	29	43.3	36	17	34.3
Administration of Justice	171	10	12	64.9	3	8	65.1
Antitrust	2	--	--	--	--	--	--
Arson	17	33	22	43.6	30	18	35.1
Assault	197	53	24	37.1	30	15	27.8
Bribery/Corruption	123	21	22	57.1	12	15	55.4
Burglary/Trespass	11	21	12	55.3	12	10	51.2
Child Pornography	520	86	47	36.8	75	37	34.7
Commercialized Vice	6	2	10	89.5	0	11	100.0
Drug Possession	3	0	3	83.5	0	1	100.0
Drug Trafficking	5,337	77	40	38.8	60	27	31.3
Environmental	30	4	7	74.9	0	6	100.0
Extortion/Racketeering	32	33	25	48.2	24	11	40.5
Firearms	2,054	37	19	42.6	27	12	31.4
Food and Drug	5	13	36	72.8	12	32	70.7
Forgery/Counter/Copyright	34	14	18	64.1	9	15	65.2
Fraud/Theft/Embezzlement	1,434	19	16	57.5	12	10	50.0
Immigration	1,352	14	9	44.4	12	6	33.3
Individual Rights	41	36	17	39.6	24	12	33.3
Kidnapping	39	117	63	39.9	120	55	36.2
Manslaughter	15	26	22	56.3	24	17	56.7
Money Laundering	385	47	34	51.4	24	18	48.6
Murder	56	182	61	26.5	165	48	18.9
National Defense	73	27	24	54.5	18	19	50.0
Obscenity/Other Sex Offenses	97	12	10	49.9	12	8	37.5
Prison Offenses	95	9	8	49.2	7	6	48.0
Robbery	374	89	29	28.2	78	22	21.5
Sexual Abuse	335	165	67	31.2	168	59	25.9
Stalking/Harassing	64	23	13	50.6	12	12	46.1
Tax	187	12	14	64.6	6	12	66.7
Other	31	7	13	79.0	0	8	99.7

¹ Of the 45,785 cases, in 13,450 the sentence was a variance below the guideline range, either due to a government motion for a variance (4,536) or a non-government variance (8,914). Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, 143 cases were excluded from this table. Also, 187 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 2024 Datafile, USSCFY24 (October 1, 2023, through June 30, 2024).

Figure 5
SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA
FOR SENTENCED INDIVIDUALS¹
Fiscal Years 2019 - 2023,
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)



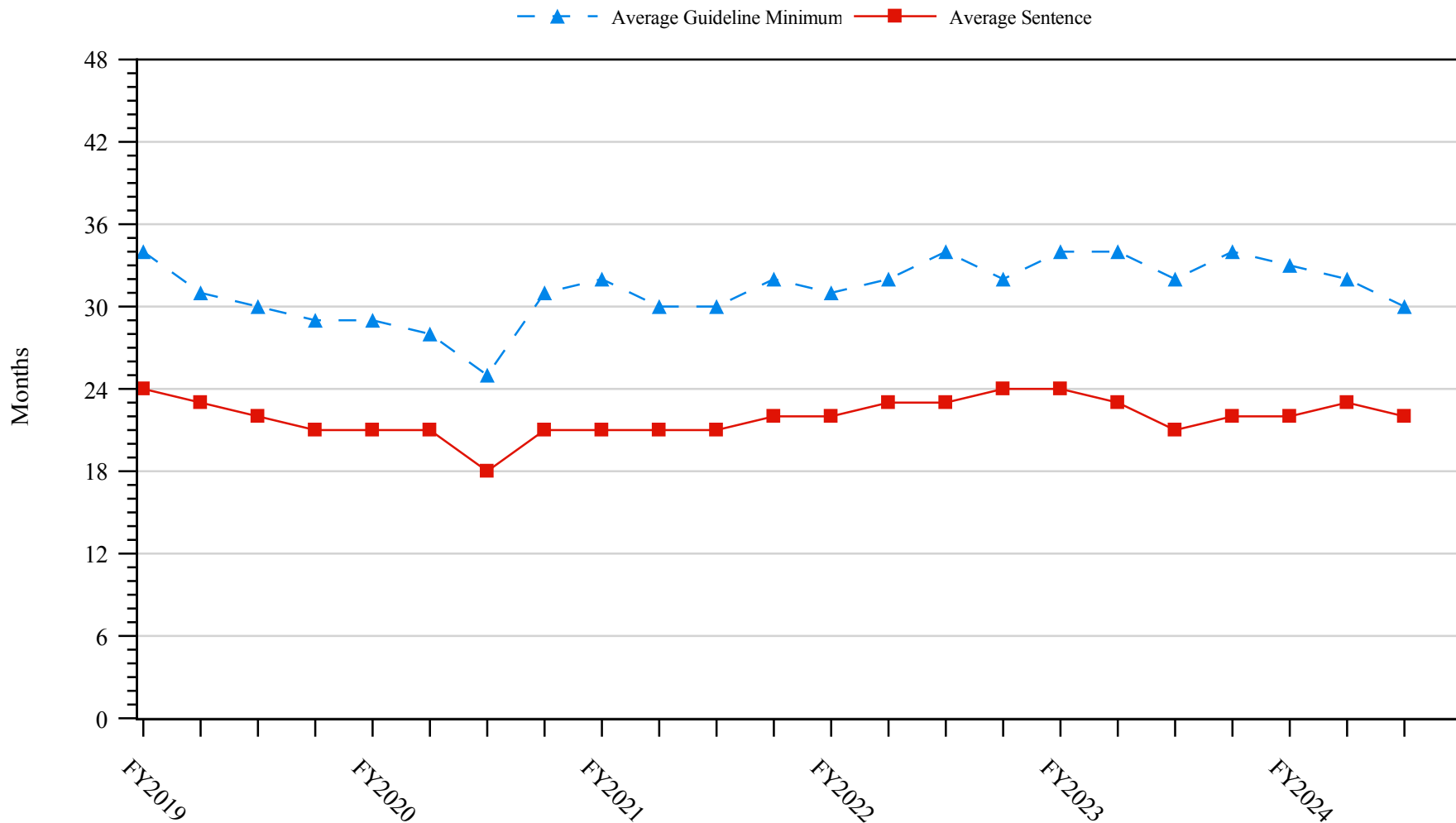
¹ Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. Cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and 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, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through June 30, 2024).

Figure 6

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

**Fiscal Years 2019 - 2023,
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)**

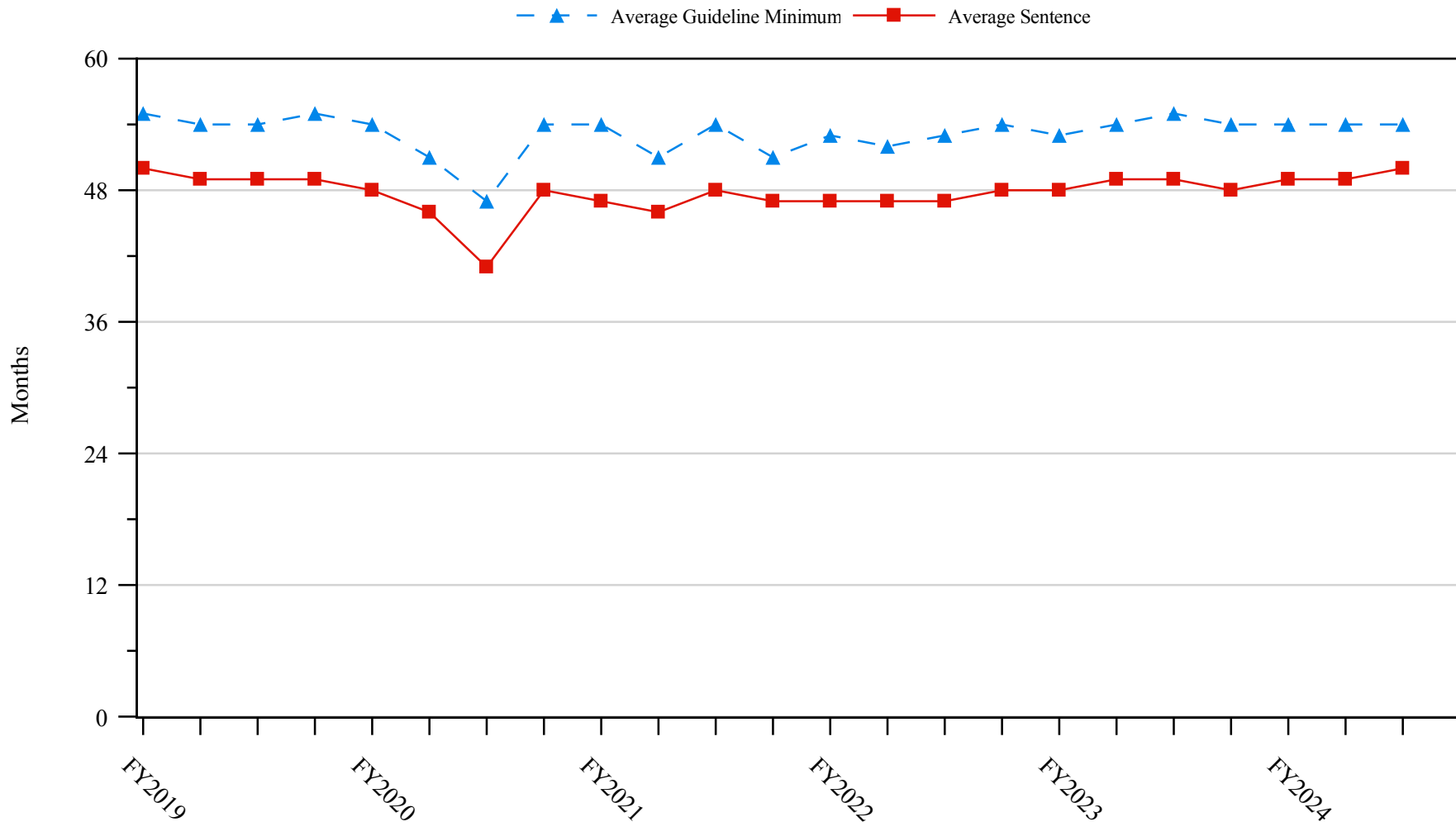


¹ Figure includes only cases with a primary sentencing guideline of USSG §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit Bearer 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, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through June 30, 2024).

Figure 7

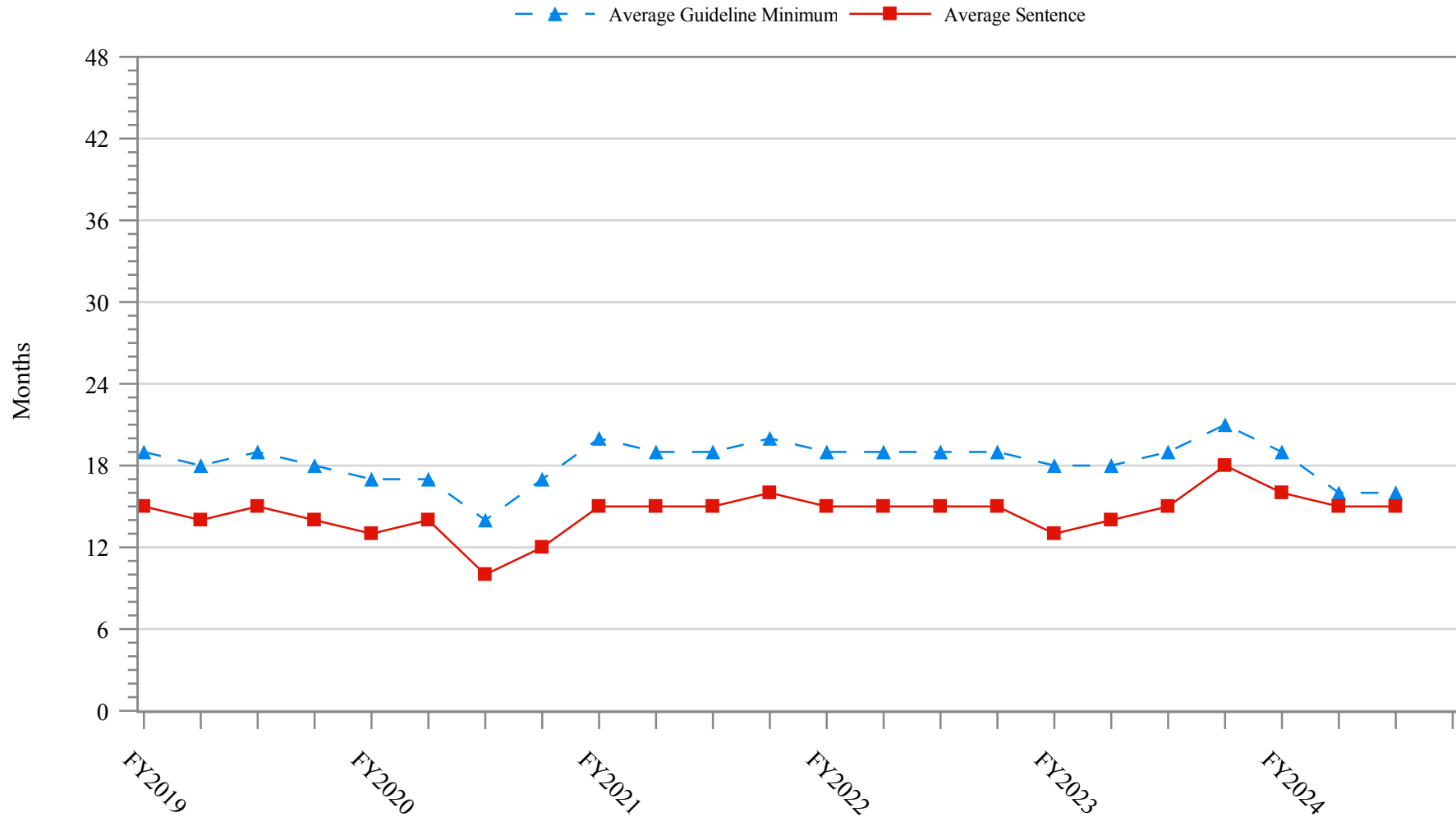
**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA
FOR INDIVIDUALS SENTENCED UNDER §2K2.1 (UNLAWFUL POSSESSION OF OR TRANSACTION IN FIREARMS)¹
Fiscal Years 2019 - 2023,
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)**



¹ Figure includes only cases with a primary sentencing guideline of USSG §2K2.1 (Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition; Prohibited Transactions Involving Firearms or Ammunition). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. 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, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through June 30, 2024).

Figure 8
SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA
FOR INDIVIDUALS SENTENCED UNDER §2L1.1 (ALIEN SMUGGLING)¹
Fiscal Years 2019 - 2023,
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)

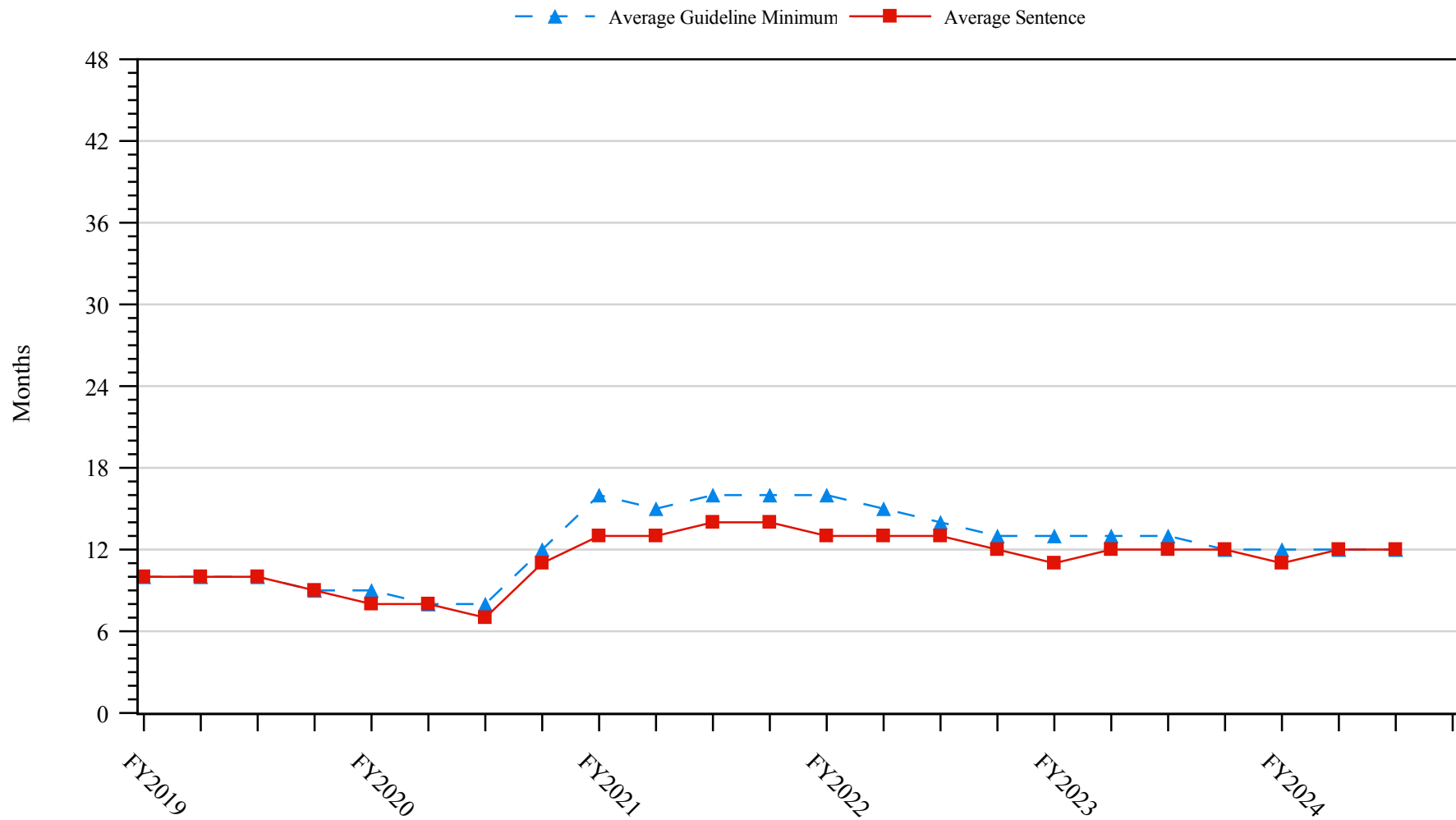


¹ Figure includes only cases with a primary sentencing guideline of USSG §2L1.1 (Smuggling, Transporting, or Harboring an Unlawful Alien). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. Cases 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, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through June 30, 2024).

Figure 9

**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA
FOR INDIVIDUALS SENTENCED UNDER §2L1.2 (UNLAWFUL ENTERING OR REMAINING IN THE UNITED STATES)¹
Fiscal Years 2019 - 2023,
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)**

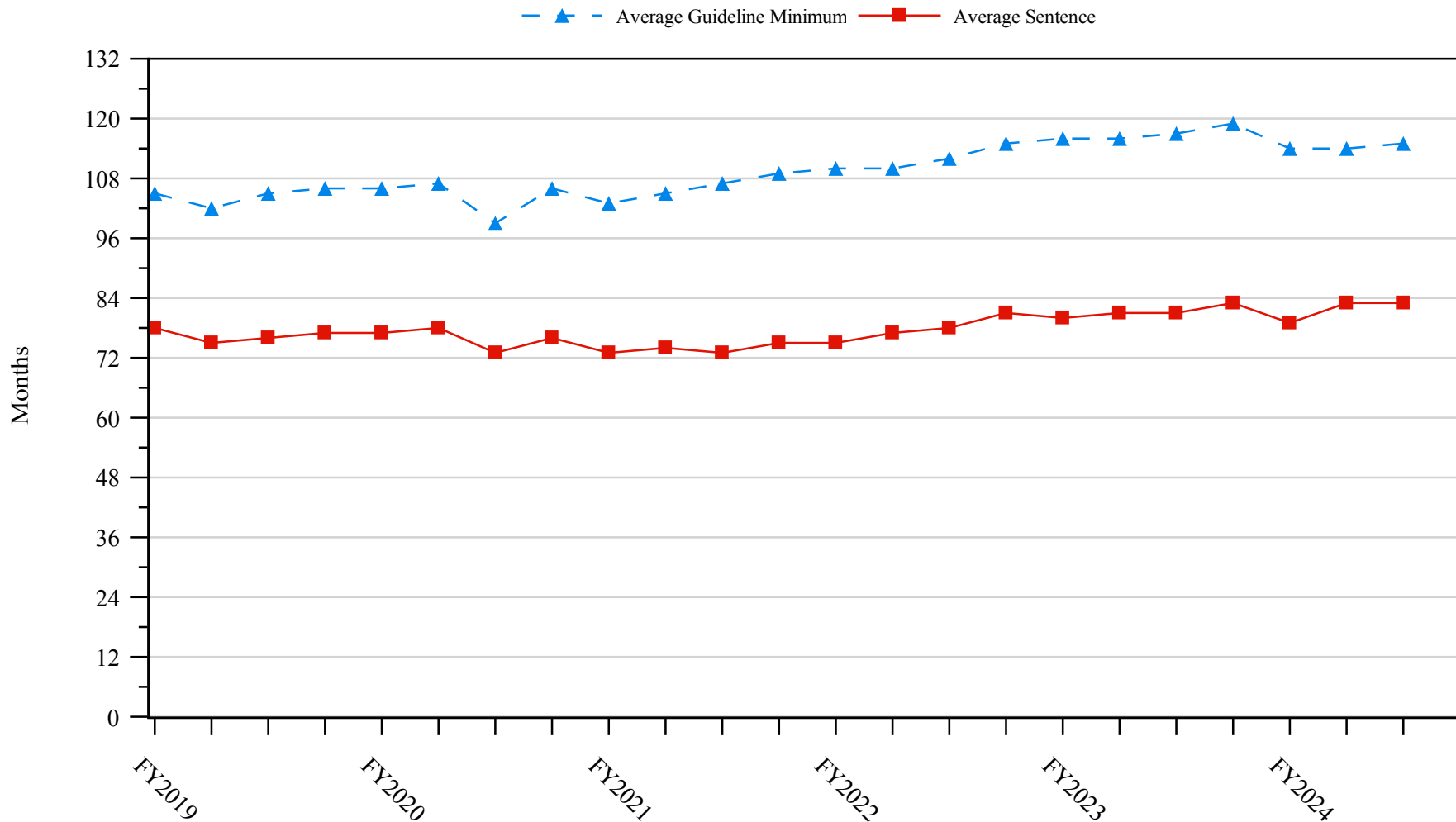


¹ Figure includes only cases with a primary sentencing guideline of USSG §2L1.2 (Unlawful Entering or Remaining in the United States). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. Cases with 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, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through June 30, 2024).

Figure 10

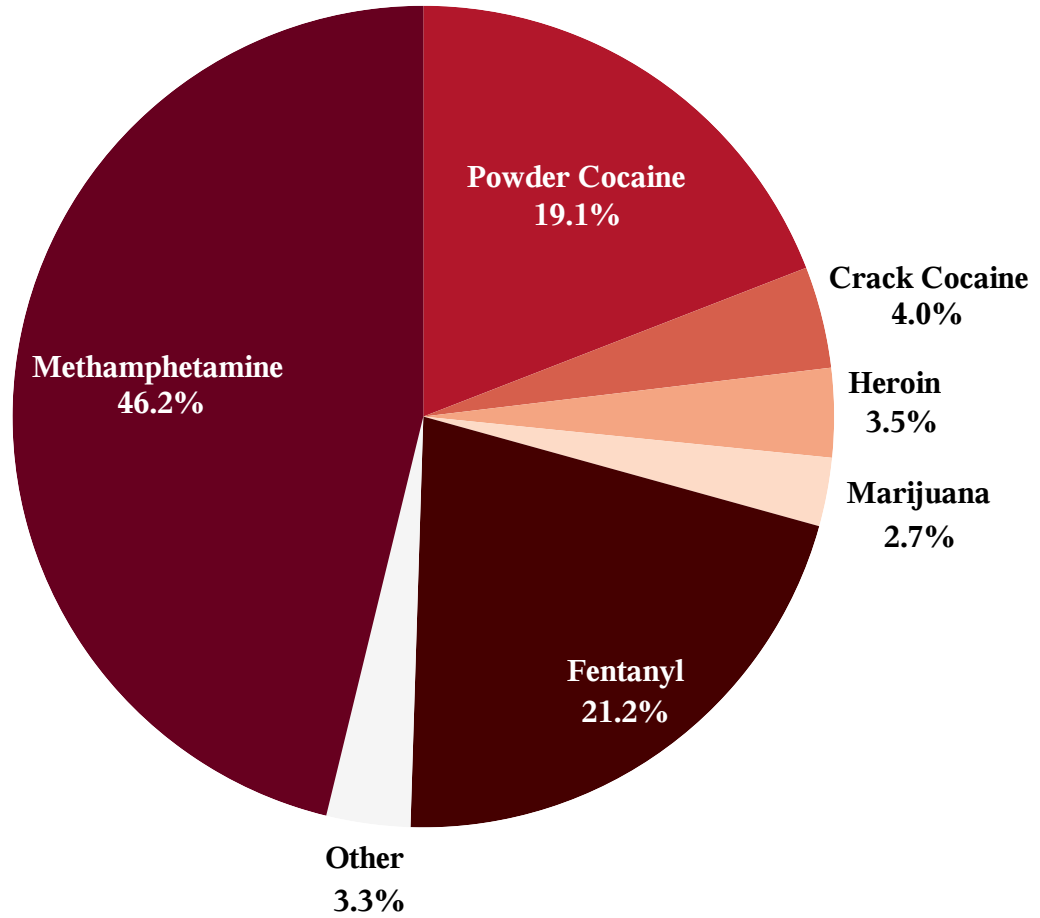
**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA
FOR INDIVIDUALS SENTENCED UNDER §2D1.1 (UNLAWFUL DRUG TRAFFICKING OR MANUFACTURING)¹
Fiscal Years 2019 - 2023,
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)**



¹ Figure includes only cases with a primary sentencing guideline of USSG §2D1.1 (Unlawful Manufacturing, Importing, Exporting, or Trafficking (Including Possession with Intent to Commit These Offenses); Attempt or Conspiracy). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. 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, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through June 30, 2024).

Figure 11
DISTRIBUTION OF PRIMARY DRUG TYPE
IN FEDERAL DRUG CASES^{1,2}
3rd Quarter 2024 Preliminary Cumulative Data
(October 1, 2023, through June 30, 2024)

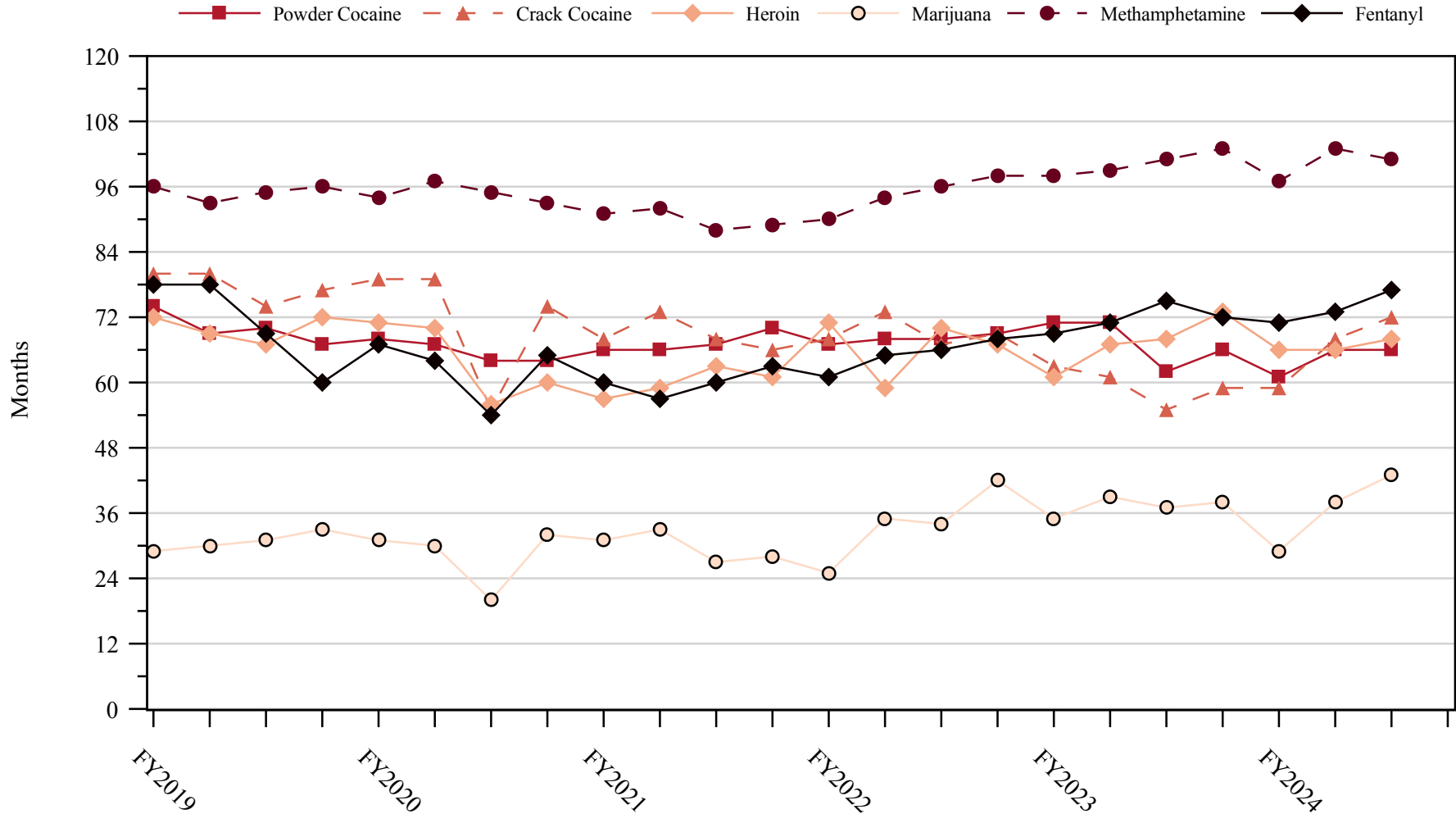


¹ Of the 45,785 cases, in 13,714 the individual was sentenced under USSG Chapter Two, Part D (Drugs). The 'Fentanyl' category includes both Fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] Propanamide) and Fentanyl Analogue. Descriptions of variables used in this figure are provided in Appendix A.

² The 'Other' drug category includes the remaining primary drug types of which the following have more than 50 cases: Oxycodone/Oxycontin (194).

SOURCE: U.S. Sentencing Commission, Preliminary 2024 Datafile, USSCFY24 (October 1, 2023, through June 30, 2024).

Figure 12
SENTENCE LENGTH IN DRUG TRAFFICKING CASES
BY MAJOR DRUG TYPE QUARTERLY DATA¹
Fiscal Years 2019 - 2023,
3rd Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through June 30, 2024)



¹ 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, 2019 - 2023 Datafiles, USSCFY19 - USSCFY23, and Preliminary Data from USSCFY24 (October 1, 2023, through June 30, 2024).

Appendix A

Descriptions of Datafiles and Variables

Introduction

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.¹

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.² Cases in which a sentence of death was imposed also are not available in this dataset for this same reason.³

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

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.

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

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

³ 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.