

United States Sentencing Commission Quarterly Data Report



**4th Quarter Release
Preliminary Fiscal Year 2024 Data
Through September 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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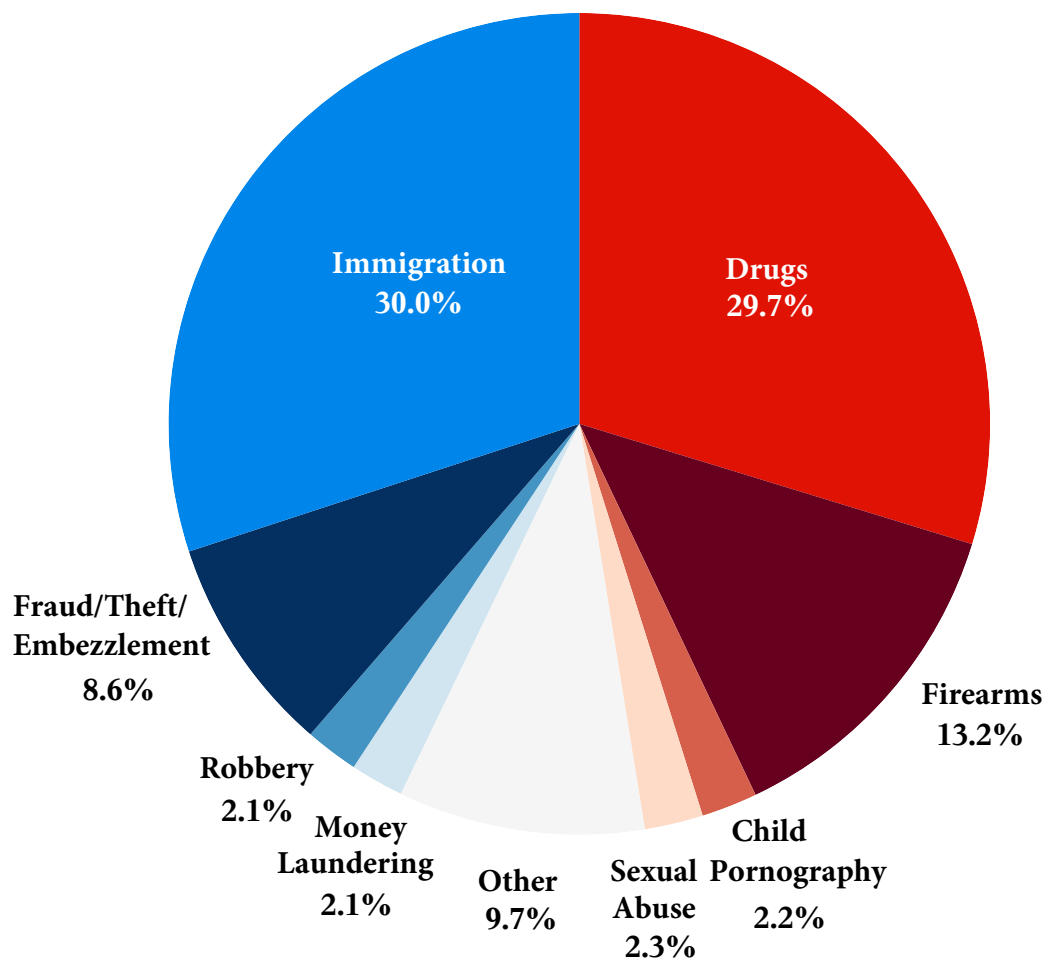
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Figure 1

SENTENCED INDIVIDUALS BY TYPE OF CRIME¹

**4th Quarter 2024 Preliminary Cumulative Data
(October 1, 2023, through September 30, 2024)**



¹ This figure includes the 61,137 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 September 30, 2024).

Table 1

SENTENCED INDIVIDUALS BY TYPE OF CRIME¹

4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 30, 2024)

TYPE OF CRIME	N	%
TOTAL	61,137	100.0
Administration of Justice	650	1.1
Antitrust	8	0.0
Arson	84	0.1
Assault	886	1.4
Bribery/Corruption	353	0.6
Burglary/Trespass	99	0.2
Child Pornography	1,367	2.2
Commercialized Vice	72	0.1
Drug Possession	101	0.2
Drug Trafficking	18,057	29.5
Environmental	134	0.2
Extortion/Racketeering	107	0.2
Firearms	8,080	13.2
Food and Drug	35	0.1
Forgery/Counter/Copyright	95	0.2
Fraud/Theft/Embezzlement	5,241	8.6
Immigration	18,333	30.0
Individual Rights	127	0.2
Kidnapping	145	0.2
Manslaughter	110	0.2
Money Laundering	1,273	2.1
Murder	516	0.8
National Defense	225	0.4
Obscenity/Other Sex Offenses	339	0.6
Prison Offenses	432	0.7
Robbery	1,310	2.1
Sexual Abuse	1,421	2.3
Stalking/Harassing	253	0.4
Tax	433	0.7
Other	851	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 September 30, 2024).

Table 2

SENTENCED INDIVIDUALS IN EACH CIRCUIT AND DISTRICT¹

4th Quarter 2024 Preliminary Cumulative Data
(October 1, 2023, through September 30, 2024)

CIRCUIT			CIRCUIT		
District	N	%	District	N	%
TOTAL	61,137	100.0			
D.C. CIRCUIT	536	0.9	FIFTH CIRCUIT	17,628	28.8
District of Columbia	536	0.9	Louisiana		
			Eastern	340	0.6
FIRST CIRCUIT	2,007	3.3	Middle	94	0.2
Maine	132	0.2	Western	283	0.5
Massachusetts	530	0.9	Mississippi		
New Hampshire	118	0.2	Northern	184	0.3
Puerto Rico	1,118	1.8	Southern	319	0.5
Rhode Island	109	0.2	Texas		
			Eastern	1,133	1.9
SECOND CIRCUIT	2,965	4.8	Northern	1,210	2.0
Connecticut	249	0.4	Southern	6,099	10.0
New York			Western	7,966	13.0
Eastern	722	1.2	SIXTH CIRCUIT	4,281	7.0
Northern	503	0.8	Kentucky		
Southern	963	1.6	Eastern	432	0.7
Western	364	0.6	Western	356	0.6
Vermont	164	0.3	Michigan		
			Eastern	605	1.0
THIRD CIRCUIT	2,484	4.1	Western	226	0.4
Delaware	95	0.2	Ohio		
New Jersey	828	1.4	Northern	829	1.4
Pennsylvania			Southern	576	0.9
Eastern	487	0.8	Tennessee		
Middle	454	0.7	Eastern	539	0.9
Western	523	0.9	Middle	328	0.5
Virgin Islands	97	0.2	Western	390	0.6
			SEVENTH CIRCUIT	2,005	3.3
FOURTH CIRCUIT	3,955	6.5	Illinois		
Maryland	444	0.7	Central	249	0.4
North Carolina			Northern	542	0.9
Eastern	822	1.3	Southern	224	0.4
Middle	280	0.5	Indiana		
Western	305	0.5	Northern	236	0.4
South Carolina	571	0.9	Southern	352	0.6
Virginia			Wisconsin		
Eastern	763	1.2	Eastern	285	0.5
Western	196	0.3	Western	117	0.2
West Virginia					
Northern	344	0.6			
Southern	230	0.4			

Table 2 (cont.)

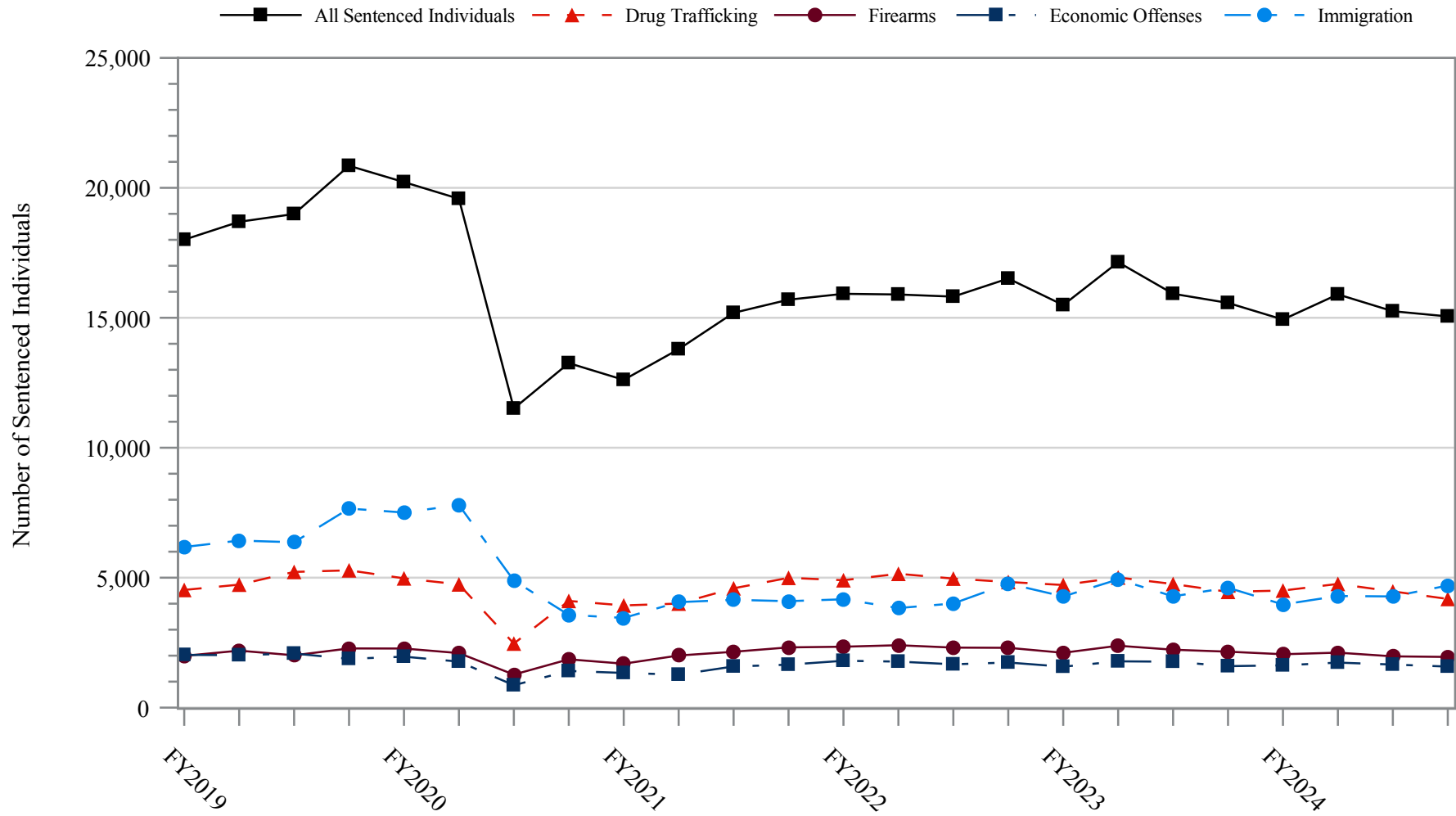
CIRCUIT			CIRCUIT		
District	N	%	District	N	%
EIGHTH CIRCUIT	4,858	7.9	TENTH CIRCUIT	4,830	7.9
Arkansas			Colorado	380	0.6
Eastern	517	0.8	Kansas	336	0.5
Western	205	0.3	New Mexico	1,662	2.7
Iowa			Oklahoma		
Northern	295	0.5	Eastern	310	0.5
Southern	328	0.5	Northern	634	1.0
Minnesota	380	0.6	Western	682	1.1
Missouri			Utah	648	1.1
Eastern	1,009	1.7	Wyoming	178	0.3
Western	782	1.3	ELEVENTH CIRCUIT	4,951	8.1
Nebraska	440	0.7	Alabama		
North Dakota	327	0.5	Middle	271	0.4
South Dakota	575	0.9	Northern	435	0.7
NINTH CIRCUIT	10,637	17.4	Southern	236	0.4
Alaska	135	0.2	Florida		
Arizona	3,848	6.3	Middle	1,133	1.9
California			Northern	259	0.4
Central	923	1.5	Southern	1,375	2.2
Eastern	445	0.7	Georgia		
Northern	469	0.8	Middle	410	0.7
Southern	2,616	4.3	Northern	465	0.8
Guam	36	0.1	Southern	367	0.6
Hawaii	108	0.2			
Idaho	303	0.5			
Montana	367	0.6			
Nevada	270	0.4			
Northern Mariana Islands	30	0.0			
Oregon	485	0.8			
Washington					
Eastern	285	0.5			
Western	317	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 September 30, 2024).

Figure 2

NUMBER OF SENTENCED INDIVIDUALS BY SELECTED PRIMARY GUIDELINES¹
Fiscal Years 2019 - 2023,
4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 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 September 30, 2024).

Table 3

RACE OF SENTENCED INDIVIDUALS BY TYPE OF CRIME¹
4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 30, 2024)

TYPE OF CRIME	TOTAL	WHITE		BLACK		HISPANIC		OTHER	
		N	%	N	%	N	%	N	%
TOTAL	60,722	12,761	21.0	14,884	24.5	30,216	49.8	2,861	4.7
Administration of Justice	644	243	37.7	126	19.6	212	32.9	63	9.8
Antitrust	8	6	75.0	0	0.0	1	12.5	1	12.5
Arson	84	27	32.1	32	38.1	3	3.6	22	26.2
Assault	880	181	20.6	238	27.0	145	16.5	316	35.9
Bribery/Corruption	350	151	43.1	72	20.6	79	22.6	48	13.7
Burglary/Trespass	99	51	51.5	16	16.2	9	9.1	23	23.2
Child Pornography	1,364	977	71.6	83	6.1	240	17.6	64	4.7
Commercialized Vice	72	27	37.5	32	44.4	11	15.3	2	2.8
Drug Possession	85	42	49.4	15	17.6	20	23.5	8	9.4
Drug Trafficking	18,044	4,263	23.6	5,124	28.4	8,076	44.8	581	3.2
Environmental	121	70	57.9	2	1.7	38	31.4	11	9.1
Extortion/Racketeering	107	46	43.0	21	19.6	31	29.0	9	8.4
Firearms	8,066	1,706	21.2	4,519	56.0	1,529	19.0	312	3.9
Food and Drug	35	26	74.3	0	0.0	7	20.0	2	5.7
Forgery/Counter/Copyright	95	33	34.7	32	33.7	10	10.5	20	21.1
Fraud/Theft/Embezzlement	5,208	1,984	38.1	1,957	37.6	913	17.5	354	6.8
Immigration	18,239	476	2.6	474	2.6	17,143	94.0	146	0.8
Individual Rights	127	69	54.3	26	20.5	24	18.9	8	6.3
Kidnapping	145	42	29.0	38	26.2	51	35.2	14	9.7
Manslaughter	110	8	7.3	13	11.8	10	9.1	79	71.8
Money Laundering	1,270	367	28.9	291	22.9	509	40.1	103	8.1
Murder	514	79	15.4	193	37.5	158	30.7	84	16.3
National Defense	224	34	15.2	20	8.9	159	71.0	11	4.9
Obscenity/Other Sex Offenses	339	137	40.4	55	16.2	33	9.7	114	33.6
Prison Offenses	432	95	22.0	158	36.6	140	32.4	39	9.0
Robbery	1,309	219	16.7	817	62.4	218	16.7	55	4.2
Sexual Abuse	1,418	777	54.8	200	14.1	224	15.8	217	15.3
Stalking/Harassing	252	143	56.7	52	20.6	25	9.9	32	12.7
Tax	431	235	54.5	98	22.7	50	11.6	48	11.1
Other	650	247	38.0	180	27.7	148	22.8	75	11.5

¹ Of the 61,137 cases, 415 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 September 30, 2024).

Table 4

GENDER OF SENTENCED INDIVIDUALS BY TYPE OF CRIME¹
4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 30, 2024)

TYPE OF CRIME	TOTAL	MALE		FEMALE	
		N	%	N	%
TOTAL	61,108	53,461	87.5	7,647	12.5
Administration of Justice	650	484	74.5	166	25.5
Antitrust	8	8	100.0	0	0.0
Arson	84	76	90.5	8	9.5
Assault	886	813	91.8	73	8.2
Bribery/Corruption	353	285	80.7	68	19.3
Burglary/Trespass	99	87	87.9	12	12.1
Child Pornography	1,367	1,354	99.0	13	1.0
Commercialized Vice	72	58	80.6	14	19.4
Drug Possession	97	67	69.1	30	30.9
Drug Trafficking	18,056	15,244	84.4	2,812	15.6
Environmental	130	117	90.0	13	10.0
Extortion/Racketeering	107	90	84.1	17	15.9
Firearms	8,080	7,763	96.1	317	3.9
Food and Drug	35	21	60.0	14	40.0
Forgery/Counter/Copyright	95	70	73.7	25	26.3
Fraud/Theft/Embezzlement	5,239	3,702	70.7	1,537	29.3
Immigration	18,331	16,786	91.6	1,545	8.4
Individual Rights	127	103	81.1	24	18.9
Kidnapping	145	127	87.6	18	12.4
Manslaughter	109	85	78.0	24	22.0
Money Laundering	1,273	998	78.4	275	21.6
Murder	516	469	90.9	47	9.1
National Defense	224	193	86.2	31	13.8
Obscenity/Other Sex Offenses	339	337	99.4	2	0.6
Prison Offenses	432	385	89.1	47	10.9
Robbery	1,310	1,226	93.6	84	6.4
Sexual Abuse	1,421	1,327	93.4	94	6.6
Stalking/Harassing	253	231	91.3	22	8.7
Tax	433	330	76.2	103	23.8
Other	837	625	74.7	212	25.3

¹ Of the 61,137 cases, 29 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
4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 30, 2024)

TYPE OF CRIME	TOTAL	U.S. CITIZEN		NON-U.S. CITIZEN	
		N	%	N	%
TOTAL	60,817	39,711	65.3	21,106	34.7
Administration of Justice	644	508	78.9	136	21.1
Antitrust	8	8	100.0	0	0.0
Arson	84	81	96.4	3	3.6
Assault	879	839	95.4	40	4.6
Bribery/Corruption	353	327	92.6	26	7.4
Burglary/Trespass	98	91	92.9	7	7.1
Child Pornography	1,366	1,298	95.0	68	5.0
Commercialized Vice	72	65	90.3	7	9.7
Drug Possession	92	86	93.5	6	6.5
Drug Trafficking	18,004	14,430	80.1	3,574	19.9
Environmental	119	93	78.2	26	21.8
Extortion/Racketeering	106	87	82.1	19	17.9
Firearms	8,069	7,739	95.9	330	4.1
Food and Drug	35	34	97.1	1	2.9
Forgery/Counter/Copyright	95	85	89.5	10	10.5
Fraud/Theft/Embezzlement	5,218	4,514	86.5	704	13.5
Immigration	18,315	2,956	16.1	15,359	83.9
Individual Rights	125	117	93.6	8	6.4
Kidnapping	145	123	84.8	22	15.2
Manslaughter	110	109	99.1	1	0.9
Money Laundering	1,270	897	70.6	373	29.4
Murder	516	451	87.4	65	12.6
National Defense	224	156	69.6	68	30.4
Obscenity/Other Sex Offenses	338	328	97.0	10	3.0
Prison Offenses	430	415	96.5	15	3.5
Robbery	1,308	1,256	96.0	52	4.0
Sexual Abuse	1,421	1,347	94.8	74	5.2
Stalking/Harassing	251	242	96.4	9	3.6
Tax	433	404	93.3	29	6.7
Other	689	625	90.7	64	9.3

¹ Of the 61,137 cases, 320 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 September 30, 2024).

Table 6

SENTENCE LENGTH BY TYPE OF CRIME¹

4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 30, 2024)

TYPE OF CRIME	Mean Months	Median Months	N
TOTAL	53	24	61,137
Administration of Justice	14	8	650
Antitrust	1	0	8
Arson	66	60	84
Assault	76	46	886
Bribery/Corruption	18	12	353
Burglary/Trespass	17	3	99
Child Pornography	115	97	1,367
Commercialized Vice	21	13	72
Drug Possession	2	0	101
Drug Trafficking	82	63	18,057
Environmental	3	0	134
Extortion/Racketeering	42	17	107
Firearms	50	40	8,080
Food and Drug	4	0	35
Forgery/Counter/Copyright	16	12	95
Fraud/Theft/Embezzlement	21	12	5,241
Immigration	12	8	18,333
Individual Rights	55	24	127
Kidnapping	188	151	145
Manslaughter	76	60	110
Money Laundering	54	29	1,273
Murder	274	240	516
National Defense	29	18	225
Obscenity/Other Sex Offenses	21	18	339
Prison Offenses	14	12	432
Robbery	110	96	1,310
Sexual Abuse	221	210	1,421
Stalking/Harassing	33	24	253
Tax	16	12	433
Other	4	0	851

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
4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 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	61,137	55,975	91.6	54,529	89.2	1,446	2.4	4,923	8.1	747	1.2	4,176	6.8	239	0.4		
Administration of Justice	650	482	74.2	445	68.5	37	5.7	166	25.5	43	6.6	123	18.9	2	0.3		
Antitrust	8	1	12.5	0	0.0	1	12.5	7	87.5	0	0.0	7	87.5	0	0.0		
Arson	84	81	96.4	79	94.0	2	2.4	1	1.2	0	0.0	1	1.2	2	2.4		
Assault	886	838	94.6	809	91.3	29	3.3	46	5.2	5	0.6	41	4.6	2	0.2		
Bribery/Corruption	353	262	74.2	251	71.1	11	3.1	91	25.8	26	7.4	65	18.4	0	0.0		
Burglary/Trespass	99	70	70.7	69	69.7	1	1.0	28	28.3	11	11.1	17	17.2	1	1.0		
Child Pornography	1,367	1,359	99.4	1,345	98.4	14	1.0	8	0.6	3	0.2	5	0.4	0	0.0		
Commercialized Vice	72	51	70.8	47	65.3	4	5.6	21	29.2	5	6.9	16	22.2	0	0.0		
Drug Possession	101	54	53.5	53	52.5	1	1.0	31	30.7	3	3.0	28	27.7	16	15.8		
Drug Trafficking	18,057	17,434	96.5	16,929	93.8	505	2.8	621	3.4	116	0.6	505	2.8	2	0.0		
Environmental	134	40	29.9	37	27.6	3	2.2	76	56.7	8	6.0	68	50.7	18	13.4		
Extortion/Racketeering	107	84	78.5	78	72.9	6	5.6	23	21.5	1	0.9	22	20.6	0	0.0		
Firearms	8,080	7,593	94.0	7,424	91.9	169	2.1	483	6.0	77	1.0	406	5.0	4	0.0		
Food and Drug	35	8	22.9	8	22.9	0	0.0	24	68.6	2	5.7	22	62.9	3	8.6		
Forgery/Counter/Copyright	95	79	83.2	76	80.0	3	3.2	16	16.8	1	1.1	15	15.8	0	0.0		
Fraud/Theft/Embezzlement	5,241	3,906	74.5	3,707	70.7	199	3.8	1,307	24.9	234	4.5	1,073	20.5	28	0.5		
Immigration	18,333	17,249	94.1	16,992	92.7	257	1.4	1,083	5.9	93	0.5	990	5.4	1	0.0		
Individual Rights	127	108	85.0	104	81.9	4	3.1	19	15.0	5	3.9	14	11.0	0	0.0		
Kidnapping	145	142	97.9	135	93.1	7	4.8	3	2.1	0	0.0	3	2.1	0	0.0		
Manslaughter	110	106	96.4	101	91.8	5	4.5	4	3.6	2	1.8	2	1.8	0	0.0		
Money Laundering	1,273	1,118	87.8	1,068	83.9	50	3.9	155	12.2	35	2.7	120	9.4	0	0.0		
Murder	516	515	99.8	505	97.9	10	1.9	1	0.2	1	0.2	0	0.0	0	0.0		
National Defense	225	186	82.7	179	79.6	7	3.1	19	8.4	5	2.2	14	6.2	20	8.9		
Obscenity/Other Sex Offenses	339	325	95.9	312	92.0	13	3.8	14	4.1	3	0.9	11	3.2	0	0.0		
Prison Offenses	432	416	96.3	400	92.6	16	3.7	14	3.2	2	0.5	12	2.8	2	0.5		
Robbery	1,310	1,300	99.2	1,264	96.5	36	2.7	10	0.8	0	0.0	10	0.8	0	0.0		
Sexual Abuse	1,421	1,409	99.2	1,383	97.3	26	1.8	12	0.8	3	0.2	9	0.6	0	0.0		
Stalking/Harassing	253	234	92.5	226	89.3	8	3.2	19	7.5	5	2.0	14	5.5	0	0.0		
Tax	433	285	65.8	269	62.1	16	3.7	148	34.2	43	9.9	105	24.2	0	0.0		
Other	851	240	28.2	234	27.5	6	0.7	473	55.6	15	1.8	458	53.8	138	16.2		

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
4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 30, 2024)

	<u>N</u>	<u>%</u>
TOTAL CASES	60,852	100.0
SENTENCES UNDER THE GUIDELINES MANUAL	40,783	67.0
Within Guideline Range	27,837	45.7
Upward Departure ²	322	0.5
Downward Departure		
§5K1.1 Substantial Assistance	6,046	9.9
§5K3.1 Early Disposition Program	4,349	7.1
Other Government Motion ³	1,143	1.9
Non-Government Departure ⁴	1,086	1.8
VARIANCES	20,069	33.0
Upward Variance ⁵	2,102	3.5
Downward Variance		
Government Motion ⁶	6,214	10.2
Non-Government Variance ⁷	11,753	19.3

¹ This table reflects the 61,137 cases sentenced on or after October 1, 2023, with court documentation cumulatively received, coded, and edited at the U.S. Sentencing Commission by November 25, 2024. Of these, 285 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.

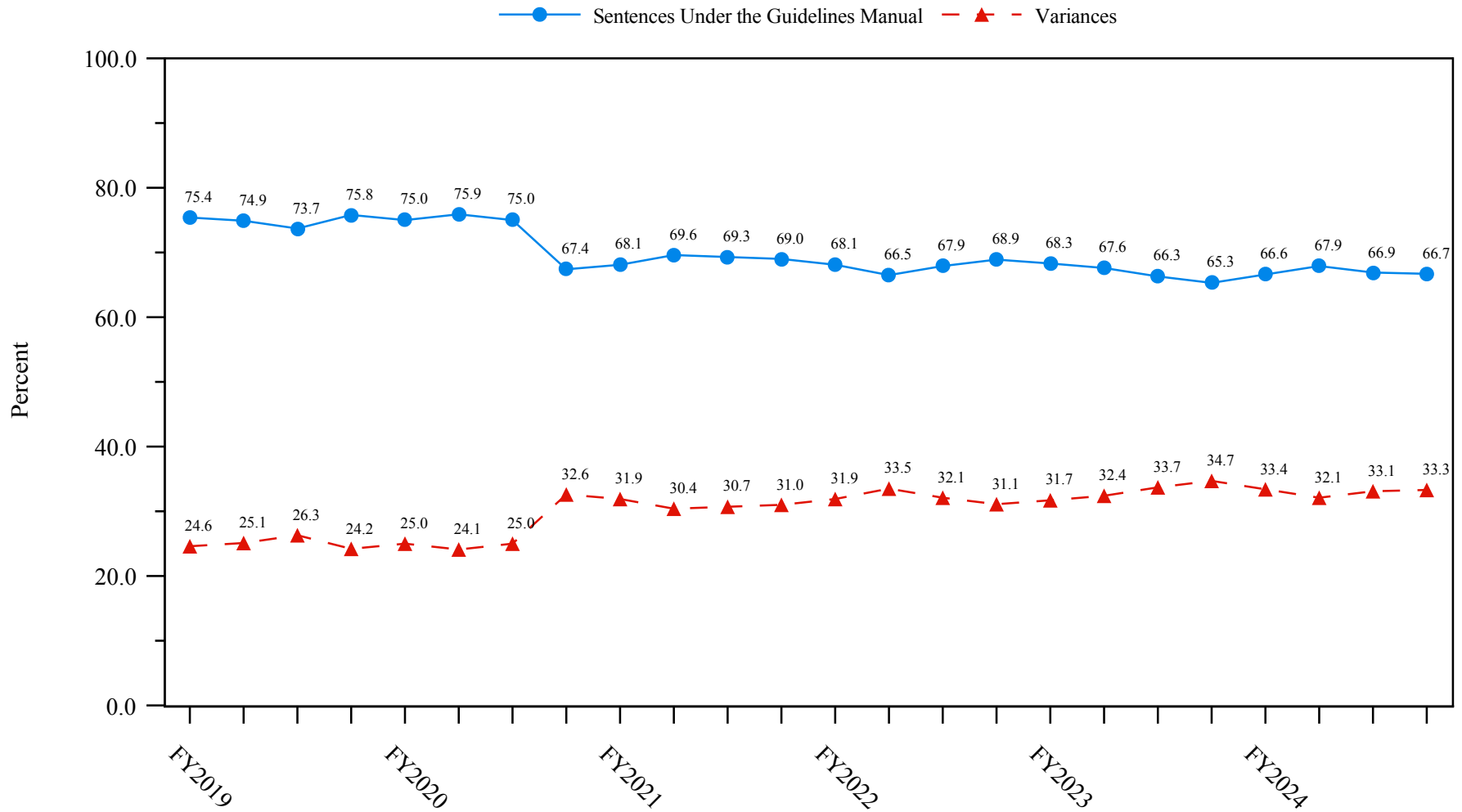
⁶ Cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form, and where the prosecution initiated, proposed, or stipulated to the sentence.

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 September 30, 2024).

Figure 3

SENTENCES UNDER THE GUIDELINES MANUAL AND VARIANCES QUARTERLY DATA¹
Fiscal Years 2019 - 2023,
4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 30, 2024)

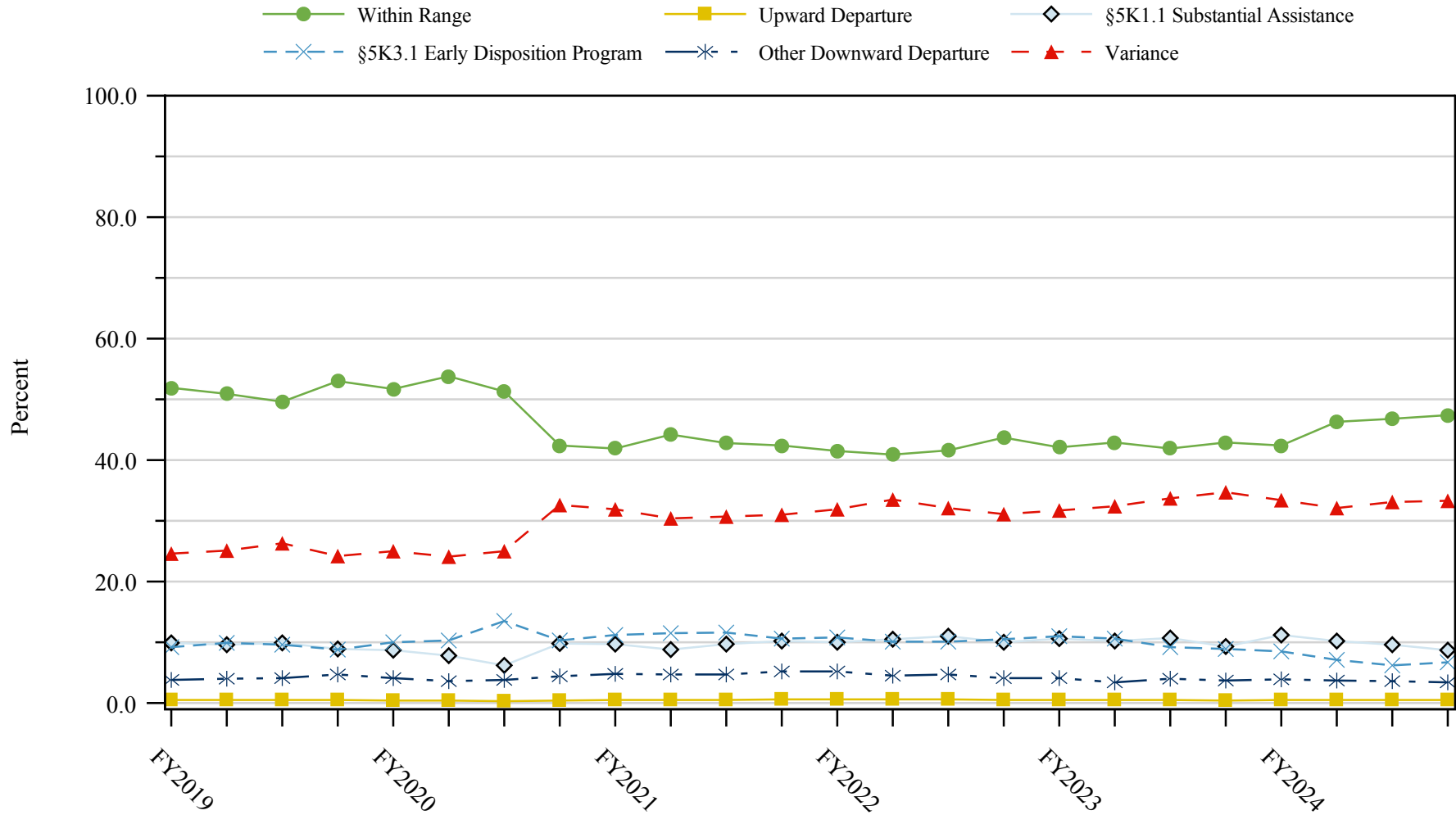


¹ Descriptions of variables used in this figure are provided in Appendix A.

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

Figure 4

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE QUARTERLY DATA¹
Fiscal Years 2019 - 2023,
4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 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 September 30, 2024).

Table 9

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

4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 30, 2024)

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		DEPARTURE								VARIANCE	
		N	%	UPWARD		§5K1.1		§5K3.1		DOWNWARD		N	%
TOTAL	60,852	27,837	45.7	322	0.5	6,046	9.9	4,349	7.1	2,229	3.7	20,069	33.0
D.C. CIRCUIT	534	270	50.6	6	1.1	59	11.0	0	0.0	10	1.9	189	35.4
District of Columbia	534	270	50.6	6	1.1	59	11.0	0	0.0	10	1.9	189	35.4
FIRST CIRCUIT	2,007	705	35.1	4	0.2	230	11.5	1	0.0	65	3.2	1,002	49.9
Maine	132	35	26.5	1	0.8	25	18.9	0	0.0	3	2.3	68	51.5
Massachusetts	530	122	23.0	1	0.2	74	14.0	1	0.2	21	4.0	311	58.7
New Hampshire	118	26	22.0	0	0.0	16	13.6	0	0.0	5	4.2	71	60.2
Puerto Rico	1,118	494	44.2	2	0.2	110	9.8	0	0.0	35	3.1	477	42.7
Rhode Island	109	28	25.7	0	0.0	5	4.6	0	0.0	1	0.9	75	68.8
SECOND CIRCUIT	2,960	906	30.6	13	0.4	444	15.0	3	0.1	97	3.3	1,497	50.6
Connecticut	249	56	22.5	2	0.8	36	14.5	0	0.0	21	8.4	134	53.8
New York													
Eastern	722	167	23.1	1	0.1	127	17.6	1	0.1	37	5.1	389	53.9
Northern	501	266	53.1	6	1.2	91	18.2	0	0.0	22	4.4	116	23.2
Southern	962	219	22.8	0	0.0	98	10.2	2	0.2	13	1.4	630	65.5
Western	363	152	41.9	4	1.1	68	18.7	0	0.0	2	0.6	137	37.7
Vermont	163	46	28.2	0	0.0	24	14.7	0	0.0	2	1.2	91	55.8
THIRD CIRCUIT	2,479	934	37.7	4	0.2	475	19.2	14	0.6	60	2.4	992	40.0
Delaware	95	48	50.5	0	0.0	9	9.5	11	11.6	3	3.2	24	25.3
New Jersey	825	260	31.5	0	0.0	174	21.1	0	0.0	7	0.8	384	46.5
Pennsylvania													
Eastern	486	169	34.8	0	0.0	116	23.9	2	0.4	8	1.6	191	39.3
Middle	454	194	42.7	2	0.4	85	18.7	1	0.2	23	5.1	149	32.8
Western	523	193	36.9	2	0.4	83	15.9	0	0.0	16	3.1	229	43.8
Virgin Islands	96	70	72.9	0	0.0	8	8.3	0	0.0	3	3.1	15	15.6
FOURTH CIRCUIT	3,923	1,761	44.9	24	0.6	510	13.0	3	0.1	95	2.4	1,530	39.0
Maryland	434	121	27.9	0	0.0	72	16.6	0	0.0	25	5.8	216	49.8
North Carolina													
Eastern	818	450	55.0	12	1.5	210	25.7	0	0.0	5	0.6	141	17.2
Middle	280	131	46.8	1	0.4	13	4.6	0	0.0	1	0.4	134	47.9
Western	304	149	49.0	1	0.3	27	8.9	0	0.0	4	1.3	123	40.5
South Carolina	568	211	37.1	4	0.7	99	17.4	0	0.0	19	3.3	235	41.4
Virginia													
Eastern	749	373	49.8	4	0.5	25	3.3	0	0.0	30	4.0	317	42.3
Western	196	60	30.6	1	0.5	33	16.8	0	0.0	3	1.5	99	50.5
West Virginia													
Northern	344	180	52.3	0	0.0	20	5.8	3	0.9	1	0.3	140	40.7
Southern	230	86	37.4	1	0.4	11	4.8	0	0.0	7	3.0	125	54.3

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	17,512	11,815	67.5	68	0.4	948	5.4	370	2.1	617	3.5	3,694	21.1
Louisiana													
Eastern	340	192	56.5	1	0.3	46	13.5	1	0.3	4	1.2	96	28.2
Middle	94	46	48.9	1	1.1	20	21.3	0	0.0	0	0.0	27	28.7
Western	274	206	75.2	3	1.1	11	4.0	0	0.0	1	0.4	53	19.3
Mississippi													
Northern	177	76	42.9	3	1.7	40	22.6	0	0.0	3	1.7	55	31.1
Southern	319	217	68.0	1	0.3	35	11.0	0	0.0	3	0.9	63	19.7
Texas													
Eastern	1,133	663	58.5	14	1.2	71	6.3	0	0.0	6	0.5	379	33.5
Northern	1,209	748	61.9	12	1.0	119	9.8	0	0.0	11	0.9	319	26.4
Southern	6,099	3,490	57.2	26	0.4	386	6.3	349	5.7	536	8.8	1,312	21.5
Western	7,867	6,177	78.5	7	0.1	220	2.8	20	0.3	53	0.7	1,390	17.7
SIXTH CIRCUIT	4,276	1,549	36.2	12	0.3	775	18.1	9	0.2	221	5.2	1,710	40.0
Kentucky													
Eastern	432	212	49.1	1	0.2	84	19.4	0	0.0	11	2.5	124	28.7
Western	356	114	32.0	4	1.1	90	25.3	3	0.8	27	7.6	118	33.1
Michigan													
Eastern	605	183	30.2	0	0.0	64	10.6	0	0.0	13	2.1	345	57.0
Western	226	128	56.6	0	0.0	26	11.5	0	0.0	9	4.0	63	27.9
Ohio													
Northern	829	315	38.0	0	0.0	165	19.9	1	0.1	19	2.3	329	39.7
Southern	576	137	23.8	4	0.7	78	13.5	4	0.7	122	21.2	231	40.1
Tennessee													
Eastern	538	245	45.5	1	0.2	147	27.3	0	0.0	10	1.9	135	25.1
Middle	324	78	24.1	0	0.0	59	18.2	1	0.3	9	2.8	177	54.6
Western	390	137	35.1	2	0.5	62	15.9	0	0.0	1	0.3	188	48.2
SEVENTH CIRCUIT	2,004	681	34.0	7	0.3	198	9.9	0	0.0	75	3.7	1,043	52.0
Illinois													
Central	248	71	28.6	0	0.0	27	10.9	0	0.0	0	0.0	150	60.5
Northern	542	152	28.0	1	0.2	49	9.0	0	0.0	39	7.2	301	55.5
Southern	224	124	55.4	4	1.8	31	13.8	0	0.0	6	2.7	59	26.3
Indiana													
Northern	236	108	45.8	0	0.0	26	11.0	0	0.0	3	1.3	99	41.9
Southern	352	147	41.8	0	0.0	47	13.4	0	0.0	2	0.6	156	44.3
Wisconsin													
Eastern	285	49	17.2	0	0.0	12	4.2	0	0.0	4	1.4	220	77.2
Western	117	30	25.6	2	1.7	6	5.1	0	0.0	21	17.9	58	49.6
EIGHTH CIRCUIT	4,853	2,100	43.3	37	0.8	554	11.4	20	0.4	89	1.8	2,053	42.3
Arkansas													
Eastern	517	268	51.8	1	0.2	41	7.9	0	0.0	4	0.8	203	39.3
Western	205	79	38.5	2	1.0	22	10.7	0	0.0	0	0.0	102	49.8
Iowa													
Northern	295	167	56.6	14	4.7	42	14.2	0	0.0	3	1.0	69	23.4
Southern	328	122	37.2	0	0.0	41	12.5	0	0.0	1	0.3	164	50.0
Minnesota	375	131	34.9	2	0.5	38	10.1	0	0.0	31	8.3	173	46.1
Missouri													
Eastern	1,009	460	45.6	6	0.6	84	8.3	0	0.0	8	0.8	451	44.7
Western	782	289	37.0	0	0.0	153	19.6	0	0.0	7	0.9	333	42.6
Nebraska	440	179	40.7	0	0.0	10	2.3	18	4.1	3	0.7	230	52.3
North Dakota	327	106	32.4	2	0.6	117	35.8	2	0.6	5	1.5	95	29.1
South Dakota	575	299	52.0	10	1.7	6	1.0	0	0.0	27	4.7	233	40.5

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	10,584	2,755	26.0	65	0.6	931	8.8	3,348	31.6	561	5.3	2,924	27.6
Alaska	133	34	25.6	1	0.8	18	13.5	0	0.0	2	1.5	78	58.6
Arizona	3,816	1,225	32.1	19	0.5	75	2.0	1,870	49.0	59	1.5	568	14.9
California													
Central	914	241	26.4	5	0.5	161	17.6	4	0.4	55	6.0	448	49.0
Eastern	444	174	39.2	3	0.7	80	18.0	5	1.1	7	1.6	175	39.4
Northern	469	64	13.6	3	0.6	59	12.6	2	0.4	12	2.6	329	70.1
Southern	2,611	390	14.9	18	0.7	163	6.2	1,424	54.5	390	14.9	226	8.7
Guam	36	15	41.7	0	0.0	12	33.3	0	0.0	0	0.0	9	25.0
Hawaii	108	35	32.4	0	0.0	26	24.1	0	0.0	1	0.9	46	42.6
Idaho	303	103	34.0	4	1.3	51	16.8	10	3.3	16	5.3	119	39.3
Montana	366	128	35.0	1	0.3	69	18.9	0	0.0	4	1.1	164	44.8
Nevada	270	50	18.5	0	0.0	14	5.2	32	11.9	3	1.1	171	63.3
Northern Mariana Islands	30	23	76.7	0	0.0	4	13.3	0	0.0	0	0.0	3	10.0
Oregon	485	82	16.9	8	1.6	132	27.2	0	0.0	3	0.6	260	53.6
Washington													
Eastern	283	81	28.6	1	0.4	61	21.6	0	0.0	6	2.1	134	47.3
Western	316	110	34.8	2	0.6	6	1.9	1	0.3	3	0.9	194	61.4
TENTH CIRCUIT	4,812	1,981	41.2	68	1.4	332	6.9	574	11.9	270	5.6	1,587	33.0
Colorado	376	118	31.4	0	0.0	67	17.8	18	4.8	10	2.7	163	43.4
Kansas	335	162	48.4	4	1.2	56	16.7	5	1.5	5	1.5	103	30.7
New Mexico	1,661	650	39.1	12	0.7	55	3.3	468	28.2	117	7.0	359	21.6
Oklahoma													
Eastern	304	208	68.4	8	2.6	16	5.3	0	0.0	3	1.0	69	22.7
Northern	633	330	52.1	41	6.5	58	9.2	4	0.6	113	17.9	87	13.7
Western	677	318	47.0	0	0.0	32	4.7	1	0.1	2	0.3	324	47.9
Utah	648	138	21.3	1	0.2	34	5.2	66	10.2	12	1.9	397	61.3
Wyoming	178	57	32.0	2	1.1	14	7.9	12	6.7	8	4.5	85	47.8
ELEVENTH CIRCUIT	4,908	2,380	48.5	14	0.3	590	12.0	7	0.1	69	1.4	1,848	37.7
Alabama													
Middle	271	115	42.4	0	0.0	44	16.2	0	0.0	7	2.6	105	38.7
Northern	434	236	54.4	2	0.5	62	14.3	0	0.0	10	2.3	124	28.6
Southern	236	116	49.2	0	0.0	37	15.7	2	0.8	3	1.3	78	33.1
Florida													
Middle	1,132	521	46.0	3	0.3	158	14.0	1	0.1	8	0.7	441	39.0
Northern	258	96	37.2	0	0.0	50	19.4	3	1.2	3	1.2	106	41.1
Southern	1,340	686	51.2	4	0.3	102	7.6	1	0.1	13	1.0	534	39.9
Georgia													
Middle	409	247	60.4	0	0.0	42	10.3	0	0.0	4	1.0	116	28.4
Northern	461	137	29.7	1	0.2	40	8.7	0	0.0	18	3.9	265	57.5
Southern	367	226	61.6	4	1.1	55	15.0	0	0.0	3	0.8	79	21.5

¹ Of the 61,137 cases, 285 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 September 30, 2024).

Table 10

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

4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 30, 2024)

TYPE OF CRIME	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		§5K1.1		§5K3.1		DOWNWARD		N	%
		N	%	N	%	N	%	N	%	N	%		
TOTAL	60,852	27,837	45.7	322	0.5	6,046	9.9	4,349	7.1	2,229	3.7	20,069	33.0
Administration of Justice	648	313	48.3	10	1.5	32	4.9	1	0.2	22	3.4	270	41.7
Antitrust	8	1	12.5	0	0.0	5	62.5	0	0.0	0	0.0	2	25.0
Arson	84	34	40.5	4	4.8	7	8.3	0	0.0	8	9.5	31	36.9
Assault	884	409	46.3	35	4.0	42	4.8	0	0.0	56	6.3	342	38.7
Bribery/Corruption	352	58	16.5	1	0.3	118	33.5	0	0.0	12	3.4	163	46.3
Burglary/Trespass	98	69	70.4	4	4.1	1	1.0	1	1.0	1	1.0	22	22.4
Child Pornography	1,367	518	37.9	3	0.2	25	1.8	1	0.1	44	3.2	776	56.8
Commercialized Vice	72	38	52.8	3	4.2	11	15.3	0	0.0	3	4.2	17	23.6
Drug Possession	96	84	87.5	2	2.1	0	0.0	0	0.0	2	2.1	8	8.3
Drug Trafficking	18,049	5,151	28.5	63	0.3	3,671	20.3	946	5.2	735	4.1	7,483	41.5
Environmental	122	65	53.3	0	0.0	12	9.8	0	0.0	8	6.6	37	30.3
Extortion/Racketeering	106	35	33.0	2	1.9	24	22.6	0	0.0	5	4.7	40	37.7
Firearms	8,072	4,108	50.9	61	0.8	443	5.5	8	0.1	238	2.9	3,214	39.8
Food and Drug	35	24	68.6	0	0.0	2	5.7	0	0.0	0	0.0	9	25.7
Forgery/Counter/Copyright	95	36	37.9	0	0.0	8	8.4	0	0.0	5	5.3	46	48.4
Fraud/Theft/Embezzlement	5,215	2,250	43.1	16	0.3	733	14.1	7	0.1	191	3.7	2,018	38.7
Immigration	18,184	11,404	62.7	44	0.2	158	0.9	3,365	18.5	579	3.2	2,634	14.5
Individual Rights	126	34	27.0	1	0.8	13	10.3	0	0.0	13	10.3	65	51.6
Kidnapping	145	41	28.3	0	0.0	35	24.1	0	0.0	5	3.4	64	44.1
Manslaughter	110	51	46.4	13	11.8	1	0.9	0	0.0	10	9.1	35	31.8
Money Laundering	1,273	307	24.1	3	0.2	319	25.1	16	1.3	77	6.0	551	43.3
Murder	516	228	44.2	13	2.5	106	20.5	0	0.0	29	5.6	140	27.1
National Defense	225	76	33.8	0	0.0	26	11.6	0	0.0	19	8.4	104	46.2
Obscenity/Other Sex Offenses	339	170	50.1	5	1.5	3	0.9	0	0.0	9	2.7	152	44.8
Prison Offenses	431	258	59.9	4	0.9	3	0.7	3	0.7	18	4.2	145	33.6
Robbery	1,308	526	40.2	16	1.2	131	10.0	1	0.1	47	3.6	587	44.9
Sexual Abuse	1,421	595	41.9	11	0.8	59	4.2	0	0.0	63	4.4	693	48.8
Stalking/Harassing	253	113	44.7	5	2.0	4	1.6	0	0.0	9	3.6	122	48.2
Tax	433	117	27.0	1	0.2	51	11.8	0	0.0	15	3.5	249	57.5
Other	785	724	92.2	2	0.3	3	0.4	0	0.0	6	0.8	50	6.4

¹ Of the 61,137 cases, 285 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 September 30, 2024).

Table 11

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE BY PRIMARY SENTENCING GUIDELINE¹

4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 30, 2024)

Guideline	Total	Within Guideline		Departure				Variance	Guideline	Total	Within Guideline		Departure				Variance
		Range	Up	\$5K1.1	\$5K3.1	Down	Up				\$5K1.1	\$5K3.1	Down				
§2A1.1	338	145	3	86	0	16	88	§2D1.8	13	2	0	3	0	0	8		
§2A1.2	105	53	10	6	0	9	27	§2D1.9	0	0	0	0	0	0	0		
§2A1.3	50	24	9	0	0	5	12	§2D1.10	1	0	0	0	0	0	1		
§2A1.4	59	27	4	0	0	5	23	§2D1.11	1	0	0	0	0	0	1		
§2A1.5	43	18	0	7	0	3	15	§2D1.12	7	2	1	1	0	0	3		
§2A2.1	224	104	2	25	0	11	82	§2D1.13	0	0	0	0	0	0	0		
§2A2.2	574	245	30	16	0	40	243	§2D1.14	1	0	0	1	0	0	0		
§2A2.3	51	40	2	0	0	1	8	§2D2.1	66	55	2	0	0	1	8		
§2A2.4	239	146	3	1	0	10	79	§2D2.2	34	28	0	0	0	1	5		
§2A3.1	153	68	3	2	0	16	64	§2D2.3	1	1	0	0	0	0	0		
§2A3.2	40	26	0	0	0	1	13	§2D3.1	10	8	1	0	0	0	1		
§2A3.3	7	1	0	1	0	0	5	§2D3.2	1	1	0	0	0	0	0		
§2A3.4	39	21	1	0	0	0	17	§2D3.3	0	0	0	0	0	0	0		
§2A3.5	310	161	1	2	0	9	137	§2D3.4	0	0	0	0	0	0	0		
§2A4.1	140	39	0	33	0	5	63	§2D3.5	0	0	0	0	0	0	0		
§2A4.2	0	0	0	0	0	0	0	§2E1.1	22	3	2	4	0	1	12		
§2A5.1	0	0	0	0	0	0	0	§2E1.2	1	1	0	0	0	0	0		
§2A5.2	30	14	0	0	0	2	14	§2E1.3	0	0	0	0	0	0	0		
§2A5.3	0	0	0	0	0	0	0	§2E1.4	10	5	0	1	0	0	4		
§2A6.1	175	83	2	2	0	7	81	§2E1.5	0	0	0	0	0	0	0		
§2A6.2	73	28	3	2	0	2	38	§2E2.1	8	1	0	0	0	1	6		
§2B1.1	4,959	2,055	15	724	6	186	1,973	§2E3.1	41	23	0	9	0	1	8		
§2B1.2	0	0	0	0	0	0	0	§2E3.2	0	0	0	0	0	0	0		
§2B1.3	0	0	0	0	0	0	0	§2E3.3	0	0	0	0	0	0	0		
§2B1.4	34	5	0	5	0	0	24	§2E4.1	22	7	0	12	0	0	3		
§2B1.5	11	2	0	1	0	1	7	§2E5.1	1	0	0	1	0	0	0		
§2B1.6 ²	62	59	0	3	0	0	0	§2E5.2	0	0	0	0	0	0	0		
§2B2.1	52	25	4	1	1	1	20	§2E5.3	0	0	0	0	0	0	0		
§2B2.2	0	0	0	0	0	0	0	§2E5.4	0	0	0	0	0	0	0		
§2B2.3	41	41	0	0	0	0	0	§2E5.5	0	0	0	0	0	0	0		
§2B3.1	1,291	516	16	127	1	46	585	§2E5.6	0	0	0	0	0	0	0		
§2B3.2	26	8	0	6	0	1	11	§2F1.1	0	0	0	0	0	0	0		
§2B3.3	6	5	0	0	0	1	0	§2F1.2	0	0	0	0	0	0	0		
§2B4.1	126	9	0	61	0	2	54	§2G1.1	55	22	3	7	0	2	21		
§2B5.1	60	31	0	3	0	2	24	§2G1.2	0	0	0	0	0	0	0		
§2B5.2	0	0	0	0	0	0	0	§2G1.3	404	191	5	24	0	21	163		
§2B5.3	35	5	0	5	0	3	22	§2G2.1	747	279	2	27	0	24	415		
§2B5.4	0	0	0	0	0	0	0	§2G2.2	1,366	517	3	25	1	44	776		
§2B6.1	1	1	0	0	0	0	0	§2G2.3	0	0	0	0	0	0	0		
§2C1.1	212	45	1	54	0	9	103	§2G2.4	0	0	0	0	0	0	0		
§2C1.2	9	2	0	3	0	0	4	§2G2.5	0	0	0	0	0	0	0		
§2C1.3	2	2	0	0	0	0	0	§2G2.6	3	2	0	0	0	0	1		
§2C1.4	0	0	0	0	0	0	0	§2G3.1	26	8	4	1	0	0	13		
§2C1.5	0	0	0	0	0	0	0	§2G3.2	0	0	0	0	0	0	0		
§2C1.6	0	0	0	0	0	0	0	§2H1.1	96	17	0	11	0	13	55		
§2C1.7	0	0	0	0	0	0	0	§2H1.2	0	0	0	0	0	0	0		
§2C1.8	1	0	0	0	0	0	1	§2H1.3	0	0	0	0	0	0	0		
§2D1.1	17,658	5,027	57	3,628	941	718	7,287	§2H1.4	0	0	0	0	0	0	0		
§2D1.2	228	97	6	28	0	14	83	§2H1.5	0	0	0	0	0	0	0		
§2D1.3	0	0	0	0	0	0	0	§2H2.1	4	2	0	0	0	0	2		
§2D1.4	0	0	0	0	0	0	0	§2H3.1	5	2	1	0	0	0	2		
§2D1.5	14	1	0	10	0	1	2	§2H3.2	0	0	0	0	0	0	0		
§2D1.6	0	0	0	0	0	0	0	§2H3.3	3	3	0	0	0	0	0		
§2D1.7	0	0	0	0	0	0	0	§2H4.1	13	7	0	2	0	0	4		

Table 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	177	53	0	20	0	18	86		
§2J1.1	0	0	0	0	0	0	0	§2M5.3	8	2	0	1	0	0	5		
§2J1.2	146	51	2	13	0	5	75	§2M6.1	0	0	0	0	0	0	0		
§2J1.3	20	7	0	1	0	1	11	§2M6.2	2	2	0	0	0	0	0		
§2J1.4	7	4	0	0	0	0	3	§2N1.1	10	0	0	2	0	0	8		
§2J1.5	2	1	0	0	0	0	1	§2N1.2	0	0	0	0	0	0	0		
§2J1.6	30	14	1	2	1	0	12	§2N1.3	0	0	0	0	0	0	0		
§2J1.7	0	0	0	0	0	0	0	§2N2.1	22	21	0	0	0	0	1		
§2J1.8	0	0	0	0	0	0	0	§2N3.1	0	0	0	0	0	0	0		
§2J1.9	0	0	0	0	0	0	0	§2P1.1	282	186	4	2	1	8	81		
§2K1.1	1	1	0	0	0	0	0	§2P1.2	120	57	0	1	1	7	54		
§2K1.2	0	0	0	0	0	0	0	§2P1.3	0	0	0	0	0	0	0		
§2K1.3	14	2	0	4	0	0	8	§2P1.4	0	0	0	0	0	0	0		
§2K1.4	84	34	4	7	0	8	31	§2Q1.1	0	0	0	0	0	0	0		
§2K1.5	4	2	0	0	0	0	2	§2Q1.2	33	8	0	7	0	2	16		
§2K1.6	0	0	0	0	0	0	0	§2Q1.3	10	3	0	1	0	3	3		
§2K1.7	0	0	0	0	0	0	0	§2Q1.4	0	0	0	0	0	0	0		
§2K2.1	7,694	3,850	54	419	8	235	3,128	§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	54	30	0	4	0	3	17		
§2K2.4 ³	290	223	6	20	0	1	40	§2Q2.2	0	0	0	0	0	0	0		
§2K2.5	12	9	1	0	0	0	2	§2R1.1	8	1	0	5	0	0	2		
§2K2.6	1	0	0	0	0	0	1	§2S1.1	1,082	229	0	296	14	65	478		
§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	175	70	3	23	2	11	66		
§2L1.1	4,317	2,267	11	117	1,117	99	706	§2S1.4	0	0	0	0	0	0	0		
§2L1.2	12,482	8,124	30	28	2,070	469	1,761	§2T1.1	244	73	0	32	0	9	130		
§2L1.3	0	0	0	0	0	0	0	§2T1.2	0	0	0	0	0	0	0		
§2L2.1	45	16	0	11	0	2	16	§2T1.3	0	0	0	0	0	0	0		
§2L2.2	393	296	3	1	0	2	91	§2T1.4	110	31	1	11	0	3	64		
§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	57	5	0	3	0	2	47		
§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	9	5	0	2	0	0	2		
§2M3.1	2	0	0	0	0	1	1	§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	10	5	0	1	0	1	3		
§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	89	32	0	16	0	7	34		
§2M3.6	0	0	0	0	0	0	0	§2X4.1	170	73	4	14	0	3	76		
§2M3.7	0	0	0	0	0	0	0	§2X5.1	0	0	0	0	0	0	0		
§2M3.8	0	0	0	0	0	0	0	§2X5.2	195	179	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	14	1	0	4	0	0	9	§2X7.2	11	8	0	0	0	0	3		
TOTAL									58,888	26,344	320	6,042	4,164	2,203	19,815		

¹ Of the 61,137 cases, 2,249 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 (285) or missing guideline applied (2,233). 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 September 30, 2024).

Table 12

ATTRIBUTION CATEGORY FOR SENTENCES OUTSIDE OF THE GUIDELINE RANGE¹
4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 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	33,015	6,067	18.4	4,414	13.4	5,204	15.8	6,166	18.7	368	1.1
Departures	12,946	6,046	46.7	4,410	34.1	3,004	23.2	4,341	33.5	206	1.6
Upward Departure	322	0	0.0	0	0.0	86	26.7	60	18.6	0	0.0
Downward Departure											
§5K1.1 Substantial Assistance	6,046	6,046	100.0	61	1.0	221	3.7	1,342	22.2	30	0.5
§5K3.1 Early Disposition Program	4,349	0	0.0	4,349	100.0	2,221	51.1	2,454	56.4	161	3.7
Other Government Motion	1,143	0	0.0	0	0.0	476	41.6	485	42.4	15	1.3
Non-Government Departure	1,086	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Variances	20,069	21	0.1	4	0.0	2,200	11.0	1,825	9.1	162	0.8
Upward Variance	2,102	21	1.0	4	0.2	262	12.5	142	6.8	1	0.0
Downward Variance											
Government Motion	6,214	0	0.0	0	0.0	1,938	31.2	1,683	27.1	161	2.6
Non-Government Variance	11,753	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	5,592	16.9	5,108	15.5	7,051	21.4	2,300	7.0	5,234	15.9	2,115	6.4
Departures	4,649	35.9	2,004	15.5	1,544	11.9	958	7.4	1,075	8.3	160	1.2
Upward Departure	86	26.7	0	0.0	2	0.6	10	3.1	81	25.2	32	9.9
Downward Departure												
§5K1.1 Substantial Assistance	4,145	68.6	743	12.3	749	12.4	455	7.5	525	8.7	0	0.0
§5K3.1 Early Disposition Program	270	6.2	577	13.3	460	10.6	334	7.7	170	3.9	0	0.0
Other Government Motion	148	12.9	120	10.5	88	7.7	159	13.9	49	4.3	13	1.1
Non-Government Departure	0	0.0	564	51.9	245	22.6	0	0.0	250	23.0	115	10.6
Variations	943	4.7	3,104	15.5	5,507	27.4	1,342	6.7	4,159	20.7	1,955	9.7
Upward Variance	356	16.9	4	0.2	13	0.6	23	1.1	1,099	52.3	256	12.2
Downward Variance												
Government Motion	587	9.4	471	7.6	265	4.3	1,319	21.2	486	7.8	167	2.7
Non-Government Variance	0	0.0	2,629	22.4	5,229	44.5	0	0.0	2,574	21.9	1,532	13.0

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, 12,317 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 September 30, 2024).

Table 13

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

4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 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	320	103	36	91.6	73	20	50.0
Administration of Justice	10	46	30	203.8	35	11	108.6
Antitrust	0	--	--	--	--	--	--
Arson	4	87	27	45.9	84	26	43.4
Assault	34	114	35	59.2	108	22	39.9
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	3	131	91	374.5	120	73	221.2
Drug Possession	2	--	--	--	--	--	--
Drug Trafficking	63	118	51	159.9	108	35	80.0
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	2	--	--	--	--	--	--
Firearms	61	78	22	56.2	66	17	31.0
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	0	--	--	--	--	--	--
Fraud/Theft/Embezzlement	16	58	19	105.2	29	15	83.0
Immigration	44	27	10	65.3	24	6	50.0
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	12	394	101	39.0	420	81	22.4
National Defense	0	--	--	--	--	--	--
Obscenity/Other Sex Offenses	5	52	24	93.2	48	25	119.1
Prison Offenses	4	36	16	76.6	33	11	65.7
Robbery	16	172	48	57.5	170	22	20.3
Sexual Abuse	11	229	74	57.0	264	33	26.8
Stalking/Harassing	5	66	23	53.5	60	22	47.4
Tax	1	--	--	--	--	--	--
Other	2	--	--	--	--	--	--

¹ Of the 61,137 cases, in 322 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. Also, one case was 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 September 30, 2024).

Table 14

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

4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 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	2,067	76	22	63.3	48	12	42.9
Administration of Justice	32	37	19	117.8	24	12	87.8
Antitrust	0	--	--	--	--	--	--
Arson	12	127	42	55.9	111	31	43.3
Assault	52	138	43	53.8	120	29	36.1
Bribery/Corruption	3	92	25	38.5	60	23	33.3
Burglary/Trespass	4	69	31	93.4	66	31	88.2
Child Pornography	49	157	40	45.5	132	31	30.4
Commercialized Vice	5	52	26	100.7	60	27	81.8
Drug Possession	3	18	11	141.7	12	6	100.0
Drug Trafficking	275	113	27	67.4	96	18	27.7
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	1	--	--	--	--	--	--
Firearms	461	85	25	51.7	78	18	36.7
Food and Drug	1	--	--	--	--	--	--
Forgery/Counter/Copyright	4	52	10	25.5	50	8	20.6
Fraud/Theft/Embezzlement	101	76	24	62.3	48	11	33.3
Immigration	770	22	8	67.0	14	5	50.0
Individual Rights	4	157	30	35.6	174	30	19.3
Kidnapping	3	357	56	16.4	420	65	16.1
Manslaughter	17	108	39	79.7	92	30	68.4
Money Laundering	22	83	24	56.4	75	13	34.5
Murder	13	324	104	54.6	360	65	37.9
National Defense	1	--	--	--	--	--	--
Obscenity/Other Sex Offenses	26	65	39	154.3	60	27	85.7
Prison Offenses	22	43	19	103.5	35	9	47.7
Robbery	73	201	52	45.8	180	35	27.7
Sexual Abuse	64	203	45	36.6	210	33	23.7
Stalking/Harassing	32	75	31	69.7	60	19	48.3
Tax	2	--	--	--	--	--	--
Other	15	11	5	78.1	10	4	66.7

¹ Of the 61,137 cases, in 2,102 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, 31 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**

4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 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	5,922	52	54	56.4	36	38	50.1
Administration of Justice	32	9	12	76.0	0	9	99.9
Antitrust	5	0	18	100.0	0	15	100.0
Arson	7	34	87	69.3	37	60	60.3
Assault	39	44	118	65.1	32	87	71.4
Bribery/Corruption	118	9	29	74.3	6	25	78.6
Burglary/Trespass	1	--	--	--	--	--	--
Child Pornography	25	88	44	34.9	78	42	31.7
Commercialized Vice	11	6	8	72.0	0	8	100.0
Drug Possession	0	--	--	--	--	--	--
Drug Trafficking	3,628	64	62	52.4	51	48	48.2
Environmental	12	3	9	85.7	0	8	100.0
Extortion/Racketeering	24	8	32	82.8	0	16	99.9
Firearms	442	32	30	54.8	21	21	48.4
Food and Drug	2	--	--	--	--	--	--
Forgery/Counter/Copyright	8	13	20	59.1	15	16	55.6
Fraud/Theft/Embezzlement	733	16	29	68.4	10	21	72.6
Immigration	158	20	16	52.1	12	12	44.4
Individual Rights	13	43	26	51.6	24	26	41.3
Kidnapping	32	113	113	50.1	101	102	43.7
Manslaughter	1	--	--	--	--	--	--
Money Laundering	305	36	67	68.4	18	46	69.2
Murder	54	100	174	63.9	86	173	60.1
National Defense	25	23	25	53.9	18	22	50.0
Obscenity/Other Sex Offenses	3	18	9	33.5	18	6	25.0
Prison Offenses	3	13	14	49.2	14	13	48.2
Robbery	130	72	63	49.2	63	50	49.4
Sexual Abuse	53	125	77	39.3	120	57	37.8
Stalking/Harassing	4	14	16	57.7	14	16	52.9
Tax	51	9	18	75.4	3	18	87.5
Other	3	0	19	99.9	0	21	99.9

¹ Of the 61,137 cases, in 6,046 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, 74 cases were excluded from this table. Also, 50 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**

4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 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	4,346	13	15	50.5	9	8	47.8
Administration of Justice	1	--	--	--	--	--	--
Antitrust	0	--	--	--	--	--	--
Arson	0	--	--	--	--	--	--
Assault	0	--	--	--	--	--	--
Bribery/Corruption	0	--	--	--	--	--	--
Burglary/Trespass	1	--	--	--	--	--	--
Child Pornography	1	--	--	--	--	--	--
Commercialized Vice	0	--	--	--	--	--	--
Drug Possession	0	--	--	--	--	--	--
Drug Trafficking	946	23	40	63.8	21	35	62.8
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	0	--	--	--	--	--	--
Firearms	8	26	9	31.3	13	7	33.3
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	0	--	--	--	--	--	--
Fraud/Theft/Embezzlement	7	20	14	40.3	21	3	33.2
Immigration	3,363	10	8	46.7	7	6	41.3
Individual Rights	0	--	--	--	--	--	--
Kidnapping	0	--	--	--	--	--	--
Manslaughter	0	--	--	--	--	--	--
Money Laundering	15	29	31	61.6	7	15	68.2
Murder	0	--	--	--	--	--	--
National Defense	0	--	--	--	--	--	--
Obscenity/Other Sex Offenses	0	--	--	--	--	--	--
Prison Offenses	3	4	8	75.3	6	9	66.7
Robbery	1	--	--	--	--	--	--
Sexual Abuse	0	--	--	--	--	--	--
Stalking/Harassing	0	--	--	--	--	--	--
Tax	0	--	--	--	--	--	--
Other	0	--	--	--	--	--	--

¹ Of the 61,137 cases, in 4,349 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**

4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 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	2,193	44	30	44.7	24	15	38.4
Administration of Justice	22	5	11	66.3	3	7	61.3
Antitrust	0	--	--	--	--	--	--
Arson	8	23	17	44.7	23	15	39.1
Assault	55	46	20	35.2	35	13	28.3
Bribery/Corruption	12	20	13	57.6	12	10	57.1
Burglary/Trespass	1	--	--	--	--	--	--
Child Pornography	43	75	55	43.2	71	47	41.3
Commercialized Vice	3	21	6	25.4	24	6	20.0
Drug Possession	2	--	--	--	--	--	--
Drug Trafficking	725	66	50	45.7	57	34	42.2
Environmental	8	3	10	85.9	0	6	100.0
Extortion/Racketeering	5	19	9	35.2	18	5	29.4
Firearms	238	38	19	41.2	30	15	31.4
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	5	8	23	87.9	0	12	100.0
Fraud/Theft/Embezzlement	191	22	19	56.7	13	12	50.0
Immigration	579	14	9	39.5	12	6	35.1
Individual Rights	11	4	25	82.4	3	22	84.6
Kidnapping	5	173	49	25.5	156	31	10.5
Manslaughter	10	37	18	46.9	29	19	36.0
Money Laundering	77	42	45	54.8	27	21	52.3
Murder	24	174	87	32.6	178	72	28.9
National Defense	18	33	26	58.5	24	22	48.0
Obscenity/Other Sex Offenses	9	13	9	42.2	11	6	26.8
Prison Offenses	18	9	7	45.4	10	6	47.2
Robbery	46	91	28	24.4	72	19	19.7
Sexual Abuse	49	148	75	31.5	139	48	28.6
Stalking/Harassing	9	17	12	56.1	14	11	31.6
Tax	14	7	16	69.5	6	12	66.7
Other	6	0	8	91.5	0	10	99.8

¹ Of the 61,137 cases, in 2,229 the sentence was a downward departure from the guideline range, either due to a government motion for a departure (1,143) or a non-government departure (1,086). Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, 19 cases were excluded from this table. Also, 17 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 September 30, 2024).

Table 18

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

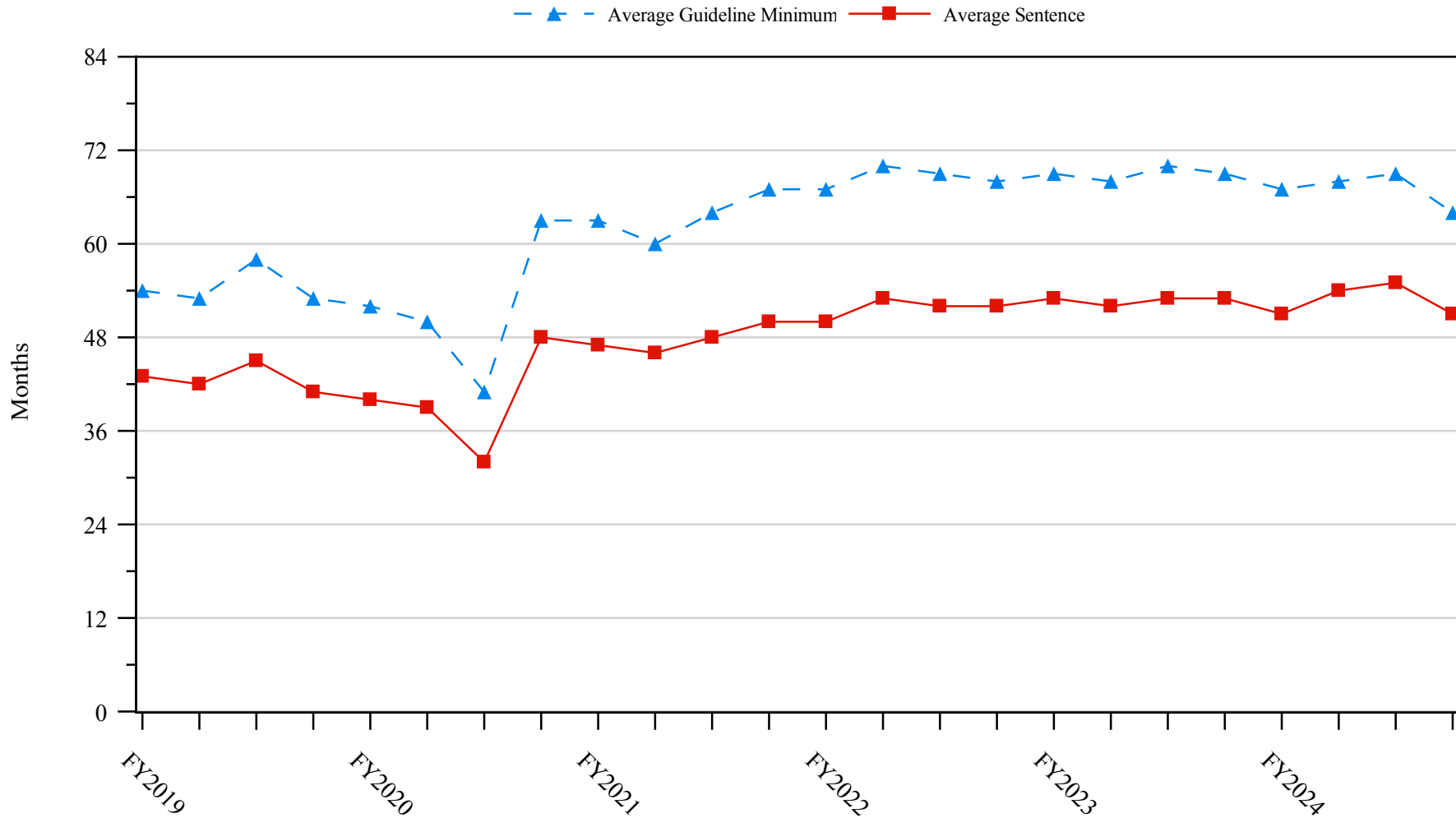
4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 30, 2024)

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
TOTAL	17,508	56	30	43.1	36	17	33.8
Administration of Justice	231	10	12	63.4	4	8	62.1
Antitrust	2	--	--	--	--	--	--
Arson	19	31	22	45.2	24	18	37.7
Assault	274	50	26	40.5	28	16	31.2
Bribery/Corruption	160	20	22	57.2	12	16	58.1
Burglary/Trespass	17	16	13	57.1	9	10	59.3
Child Pornography	697	85	46	36.7	72	37	34.6
Commercialized Vice	12	3	11	82.2	0	11	98.8
Drug Possession	4	0	4	87.6	0	4	100.0
Drug Trafficking	7,101	78	40	38.5	64	27	31.0
Environmental	37	4	7	75.3	0	6	100.0
Extortion/Racketeering	39	34	23	49.5	24	12	38.1
Firearms	2,740	36	19	42.7	27	12	31.4
Food and Drug	8	11	35	75.7	11	36	74.4
Forgery/Counter/Copyright	42	12	19	67.9	5	15	85.6
Fraud/Theft/Embezzlement	1,901	20	16	57.1	12	10	50.0
Immigration	1,848	14	9	44.2	12	6	33.6
Individual Rights	56	31	20	46.1	21	12	36.8
Kidnapping	48	129	66	37.0	120	53	33.3
Manslaughter	18	25	22	55.9	19	18	56.7
Money Laundering	502	48	34	51.2	24	19	47.3
Murder	86	179	66	29.3	186	49	20.0
National Defense	102	25	25	55.9	17	19	50.7
Obscenity/Other Sex Offenses	126	11	10	49.8	12	8	35.4
Prison Offenses	123	9	8	49.2	7	6	44.4
Robbery	496	91	29	27.6	80	21	21.1
Sexual Abuse	454	169	70	31.3	180	60	26.0
Stalking/Harassing	87	22	14	50.7	12	12	42.9
Tax	243	12	13	64.2	6	12	66.7
Other	35	8	13	77.1	0	8	99.6

¹ Of the 61,137 cases, in 17,967 the sentence was a variance below the guideline range, either due to a government motion for a variance (6,214) or a non-government variance (11,753). Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, 204 cases were excluded from this table. Also, 255 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 September 30, 2024).

Figure 5
SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA
FOR SENTENCED INDIVIDUALS¹
Fiscal Years 2019 - 2023,
4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 30, 2024)



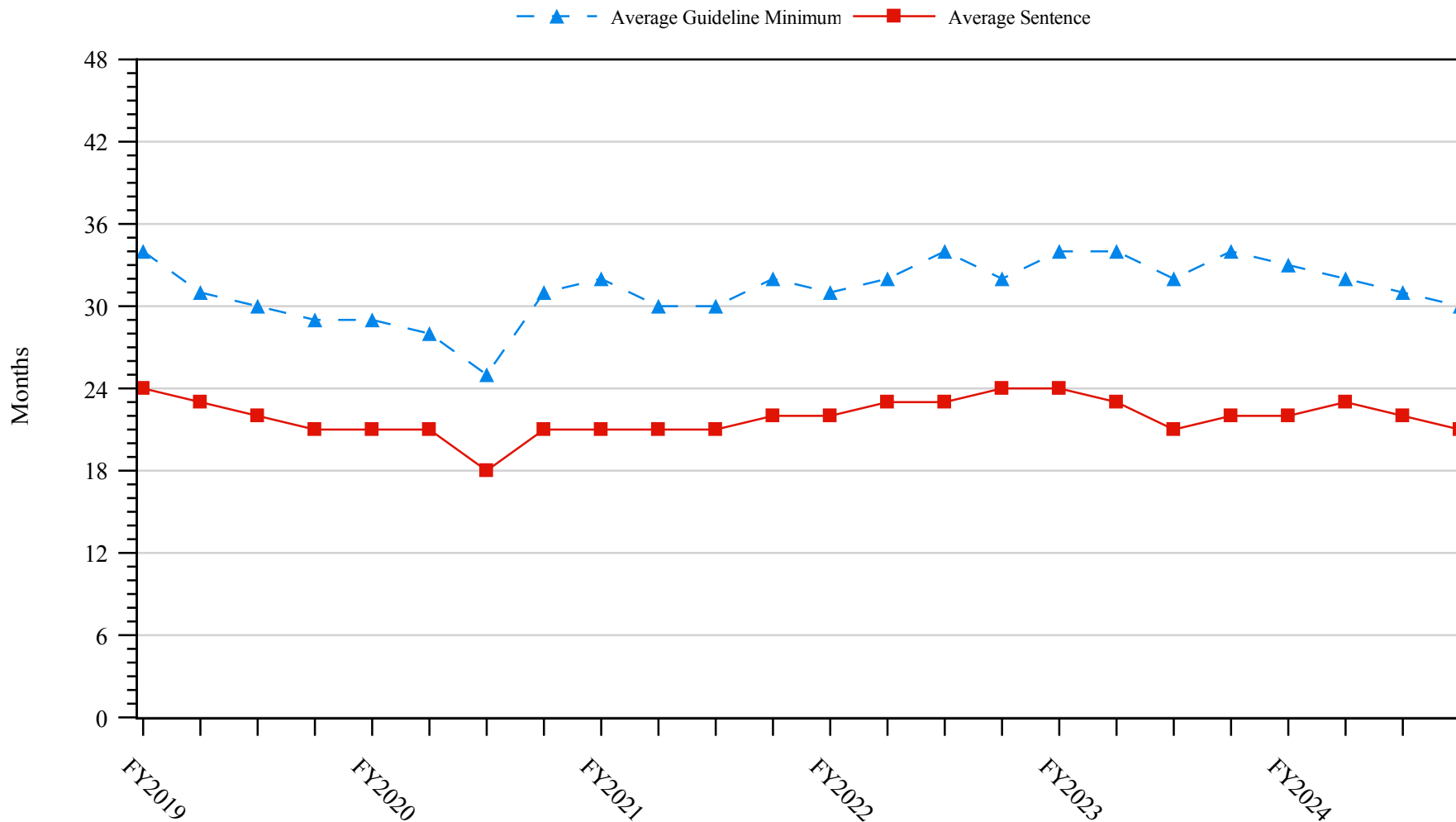
¹ Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. Cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and 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 September 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,
4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 30, 2024)**

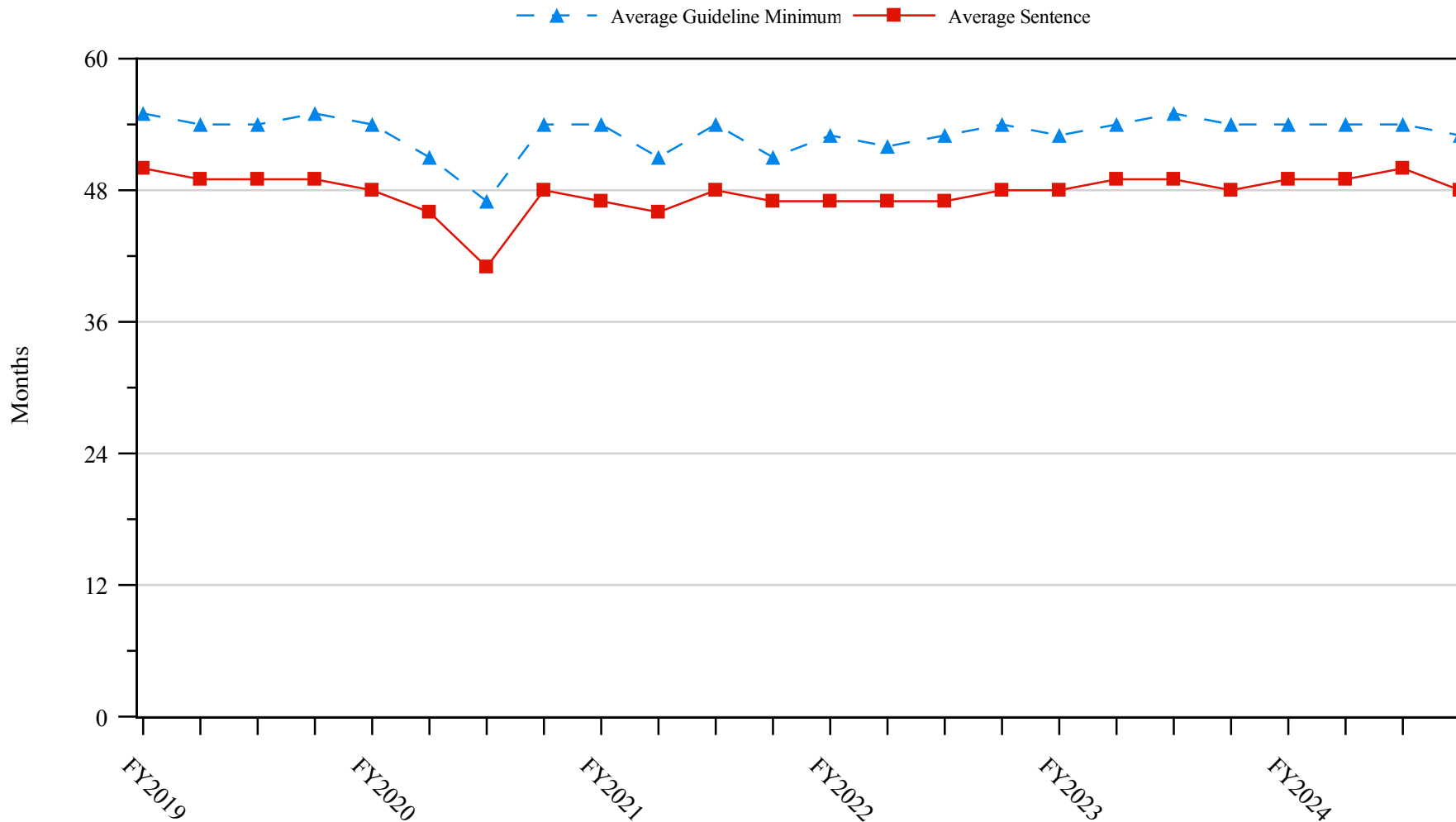


¹ Figure includes only cases with a primary sentencing guideline of USSG §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit 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 September 30, 2024).

Figure 7

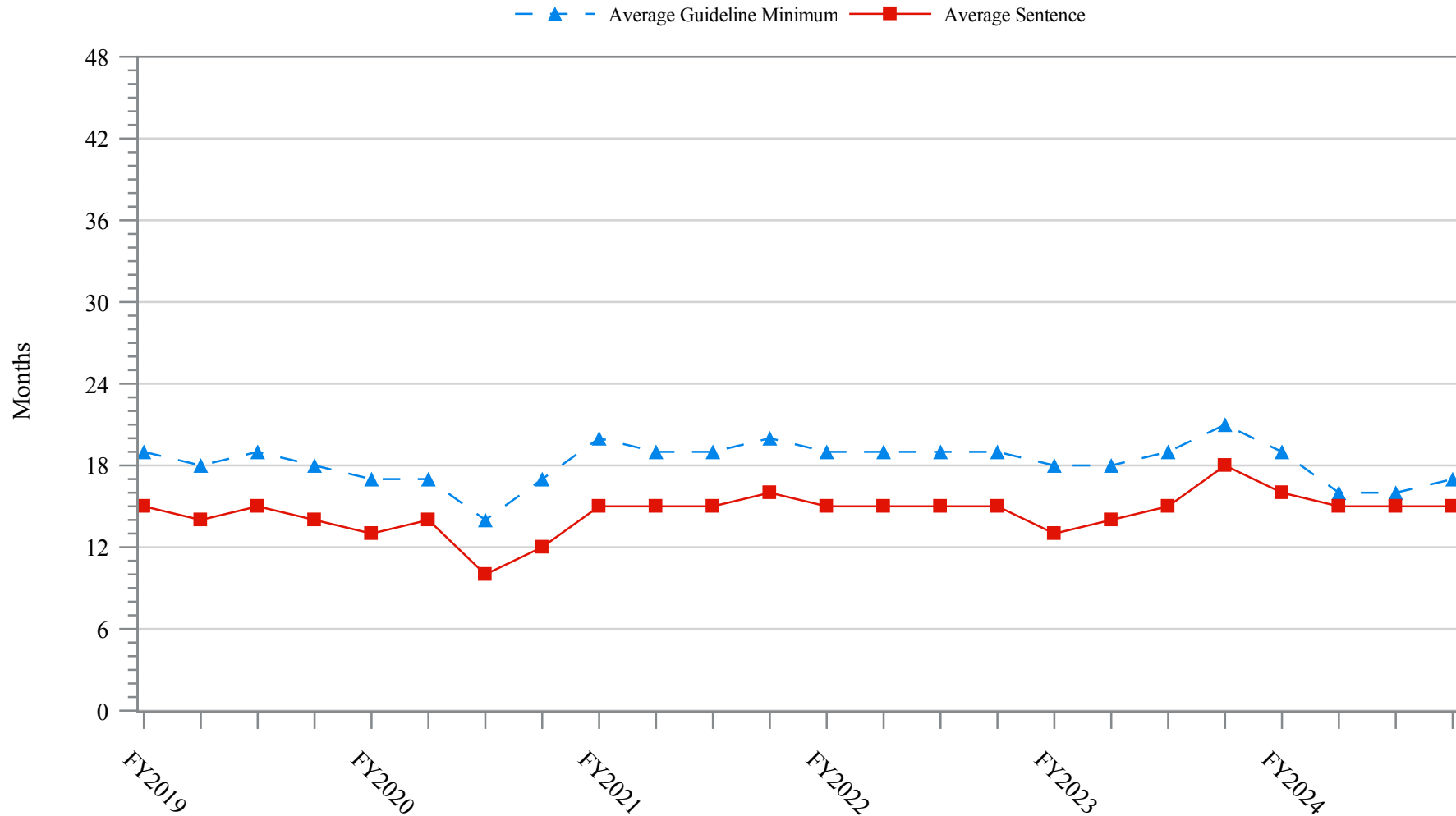
**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA
FOR INDIVIDUALS SENTENCED UNDER §2K2.1 (UNLAWFUL POSSESSION OF OR TRANSACTION IN FIREARMS)¹
Fiscal Years 2019 - 2023,
4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 30, 2024)**



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 September 30, 2024).

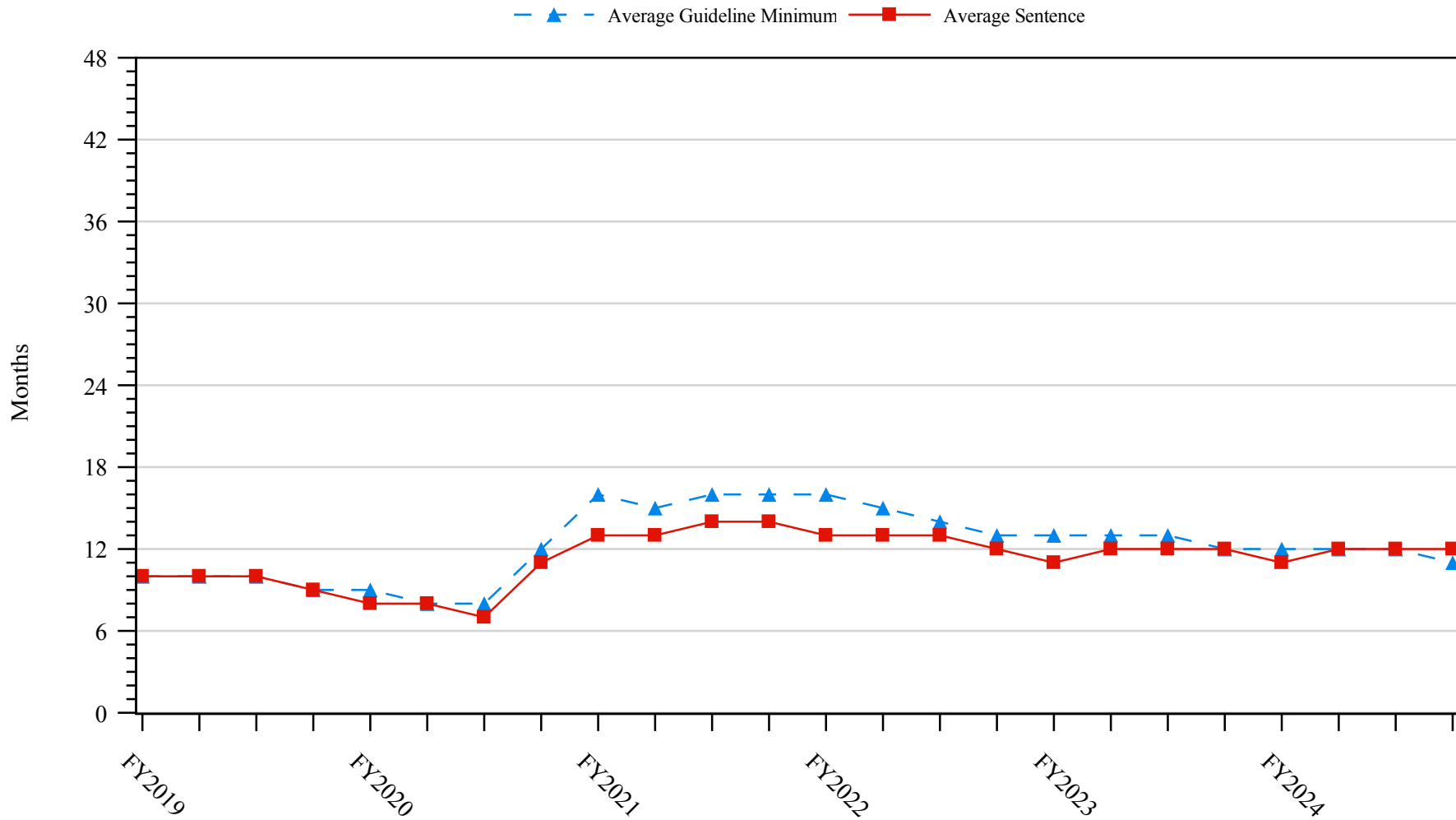
Figure 8
SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA
FOR INDIVIDUALS SENTENCED UNDER §2L1.1 (ALIEN SMUGGLING)¹
Fiscal Years 2019 - 2023,
4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 30, 2024)



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.

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,
4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 30, 2024)**

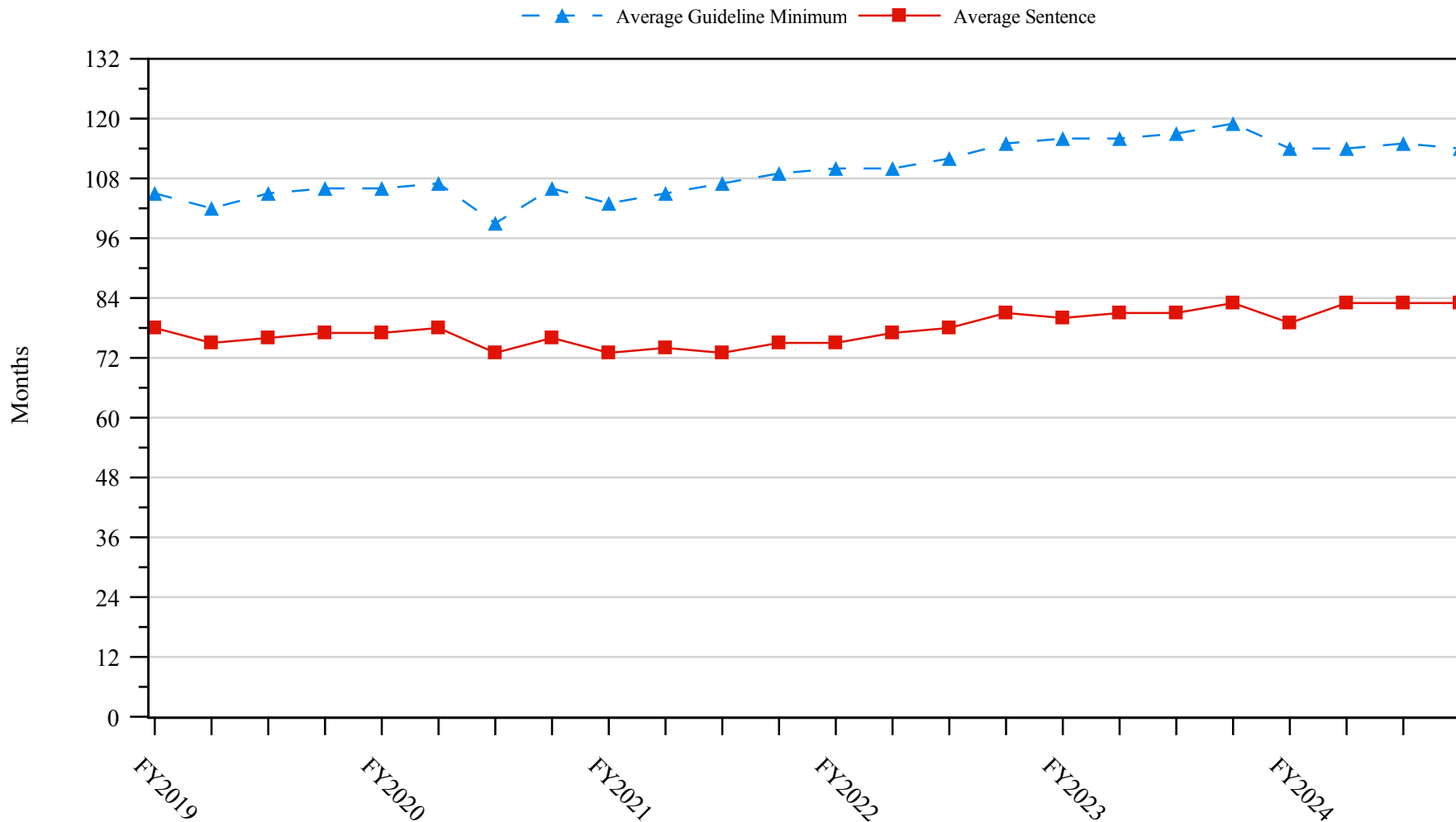


¹ Figure includes only cases with a primary sentencing guideline of USSG §2L1.2 (Unlawful Entering or Remaining in the United States). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. Cases with 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 September 30, 2024).

Figure 10

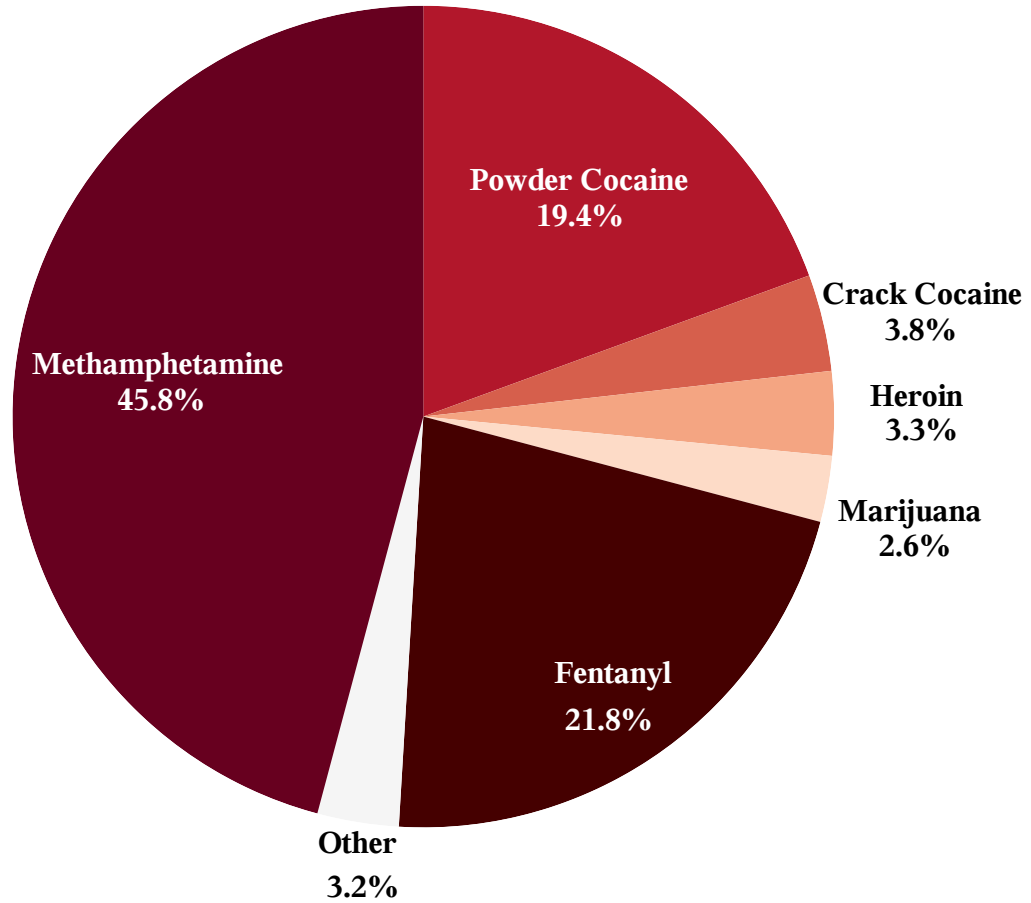
**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA
FOR INDIVIDUALS SENTENCED UNDER §2D1.1 (UNLAWFUL DRUG TRAFFICKING OR MANUFACTURING)¹
Fiscal Years 2019 - 2023,
4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 30, 2024)**



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 September 30, 2024).

Figure 11
DISTRIBUTION OF PRIMARY DRUG TYPE
IN FEDERAL DRUG CASES^{1,2}
4th Quarter 2024 Preliminary Cumulative Data
(October 1, 2023, through September 30, 2024)

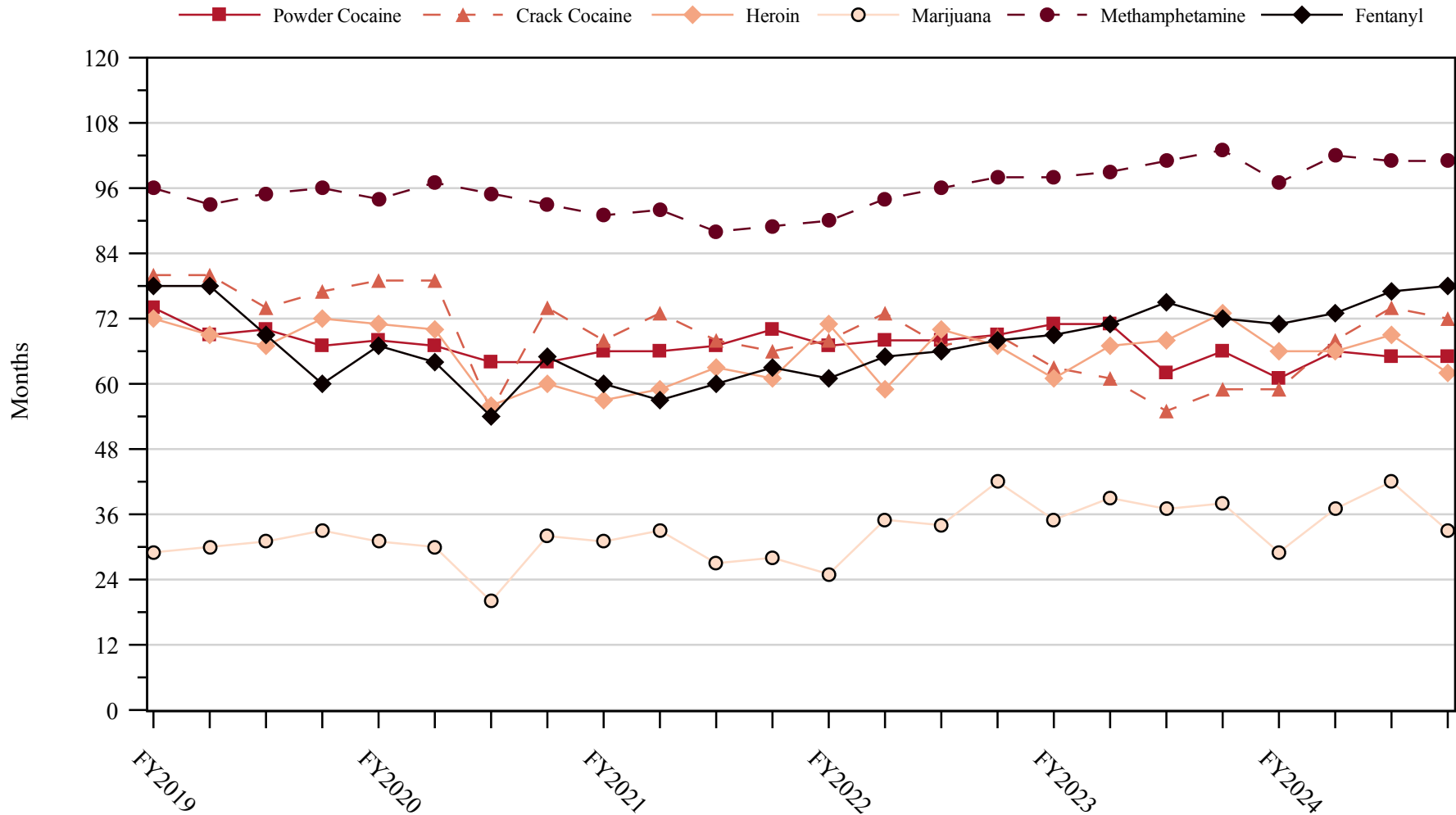


¹ Of the 61,137 cases, in 18,039 the individual was sentenced under USSG Chapter Two, Part D (Drugs). Of these, one was excluded due to missing information on drug type. The 'Fentanyl' category includes both Fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] Propanamide) and Fentanyl Analogue. Descriptions 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 (230), and Hydrocodone (67).

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

Figure 12
SENTENCE LENGTH IN DRUG TRAFFICKING CASES
BY MAJOR DRUG TYPE QUARTERLY DATA¹
Fiscal Years 2019 - 2023,
4th Quarter 2024 Preliminary Cumulative Data (October 1, 2023, through September 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 September 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.