

# United States Sentencing Commission Quarterly Data Report



**4th Quarter Release  
Preliminary Fiscal Year 2025 Data  
Through September 30, 2025**

## Introduction

As part of its ongoing mission, the United States Sentencing Commission provides Congress, the judiciary, the executive branch, and the general public with data extracted and analyzed from sentencing documents submitted to the Commission by the courts.<sup>1</sup> Data is reported on an annual basis in the Commission's *Annual Report* and *Sourcebook of Federal Sentencing Statistics*.<sup>2</sup> Additional information on Commission data can be found through the Commission's "Interactive Data Analyzer" at <https://ida.ussc.gov>.

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

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

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

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

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

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

pornography is treated under the sentencing guidelines.

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

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

The data in this report is preliminary and subject to change as the Commission collects, analyzes, and reports on data from additional cases throughout the fiscal year. When data for each new quarter is made available, the Commission will update the previous preliminary quarterly totals in the most recent release until the release of the final fiscal year data in the Commission's *Sourcebook*.<sup>3</sup>

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<sup>3</sup> Data for previous quarters may change for many reasons. For example, the courts have up to 30 days after the entry of judgment in a case to submit court documents to the Commission. The Commission both extracts information from the documents and screens cases through the quality control procedures and does not include any case in a data release unless it has been fully entered and reviewed.

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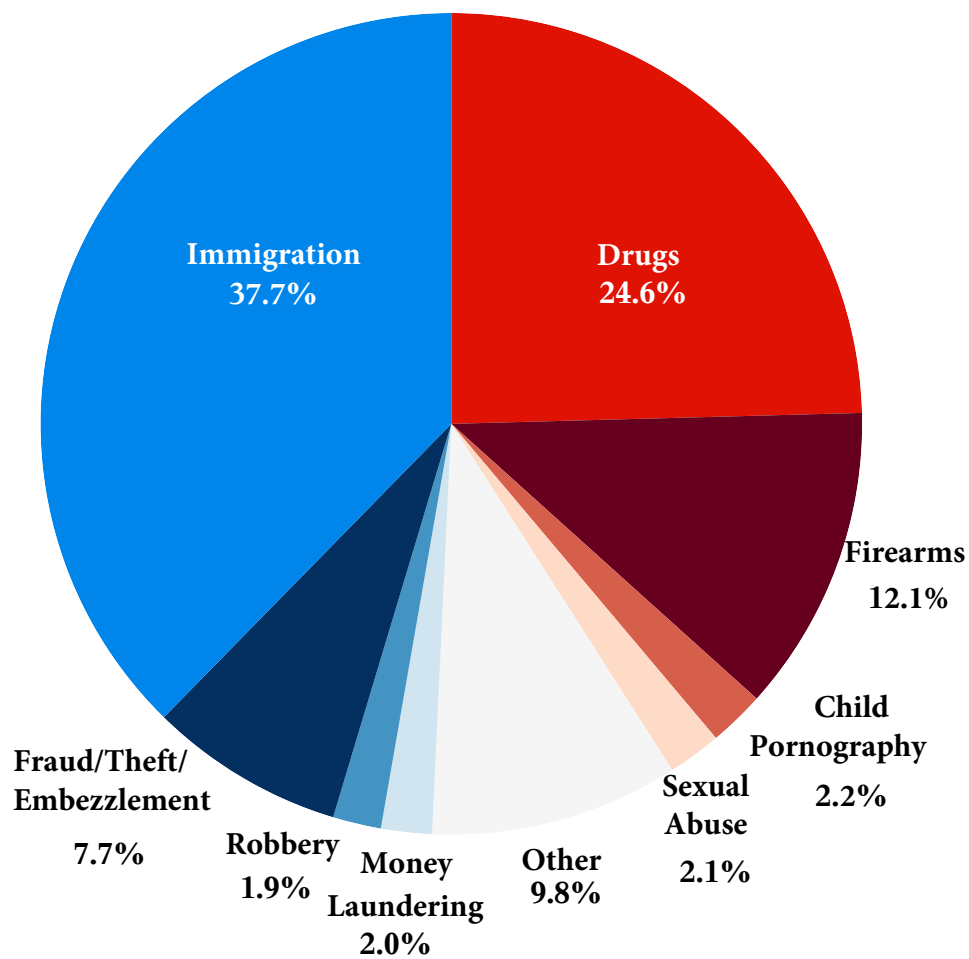
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Figure 1

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

4th Quarter 2025 Preliminary Cumulative Data  
(October 1, 2024, through September 30, 2025)



<sup>1</sup> This figure includes the 65,852 cases reported to the Commission. The Drugs category includes trafficking and simple possession. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through September 30, 2025).

Table 1

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

4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)

TYPE OF CRIME	N	%
<b>TOTAL</b>	<b>65,852</b>	<b>100.0</b>
Administration of Justice	547	0.8
Antitrust	17	0.0
Arson	77	0.1
Assault	838	1.3
Bribery/Corruption	306	0.5
Burglary/Trespass	50	0.1
Child Pornography	1,419	2.2
Commercialized Vice	85	0.1
Drug Possession	91	0.1
Drug Trafficking	16,078	24.4
Environmental	151	0.2
Extortion/Racketeering	57	0.1
Firearms	7,961	12.1
Food and Drug	44	0.1
Forgery/Counter/Copyright	77	0.1
Fraud/Theft/Embezzlement	5,063	7.7
Immigration	24,798	37.7
Individual Rights	99	0.2
Kidnapping	143	0.2
Manslaughter	93	0.1
Money Laundering	1,346	2.0
Murder	397	0.6
National Defense	1,271	1.9
Obscenity/Other Sex Offenses	323	0.5
Prison Offenses	409	0.6
Robbery	1,236	1.9
Sexual Abuse	1,390	2.1
Stalking/Harassing	282	0.4
Tax	404	0.6
Other	800	1.2

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

Table 2

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

4th Quarter 2025 Preliminary Cumulative Data  
(October 1, 2024, through September 30, 2025)

CIRCUIT			CIRCUIT		
District	N	%	District	N	%
<b>TOTAL</b>	<b>65,852</b>	<b>100.0</b>			
<b>D.C. CIRCUIT</b>	<b>418</b>	<b>0.6</b>	<b>FIFTH CIRCUIT</b>	<b>21,491</b>	<b>32.6</b>
District of Columbia	418	0.6	Louisiana		
			Eastern	320	0.5
			Middle	95	0.1
<b>FIRST CIRCUIT</b>	<b>1,889</b>	<b>2.9</b>	Western	375	0.6
Maine	143	0.2	Mississippi		
Massachusetts	550	0.8	Northern	179	0.3
New Hampshire	130	0.2	Southern	361	0.5
Puerto Rico	968	1.5	Texas		
Rhode Island	98	0.1	Eastern	1,014	1.5
			Northern	1,382	2.1
<b>SECOND CIRCUIT</b>	<b>2,735</b>	<b>4.2</b>	Southern	7,514	11.4
Connecticut	257	0.4	Western	10,251	15.6
New York			<b>SIXTH CIRCUIT</b>	<b>4,205</b>	<b>6.4</b>
Eastern	593	0.9	Kentucky		
Northern	416	0.6	Eastern	388	0.6
Southern	861	1.3	Western	382	0.6
Western	402	0.6	Michigan		
Vermont	206	0.3	Eastern	832	1.3
			Western	242	0.4
<b>THIRD CIRCUIT</b>	<b>2,198</b>	<b>3.3</b>	Ohio		
Delaware	149	0.2	Northern	657	1.0
New Jersey	669	1.0	Southern	557	0.8
Pennsylvania			Tennessee		
Eastern	462	0.7	Eastern	530	0.8
Middle	405	0.6	Middle	278	0.4
Western	456	0.7	Western	339	0.5
Virgin Islands	57	0.1			
			<b>SEVENTH CIRCUIT</b>	<b>2,096</b>	<b>3.2</b>
<b>FOURTH CIRCUIT</b>	<b>4,141</b>	<b>6.3</b>	Illinois		
Maryland	435	0.7	Central	217	0.3
North Carolina			Northern	585	0.9
Eastern	800	1.2	Southern	239	0.4
Middle	312	0.5	Indiana		
Western	351	0.5	Northern	278	0.4
South Carolina	586	0.9	Southern	349	0.5
Virginia			Wisconsin		
Eastern	871	1.3	Eastern	299	0.5
Western	247	0.4	Western	129	0.2
West Virginia					
Northern	324	0.5			
Southern	215	0.3			

Table 2 (cont.)

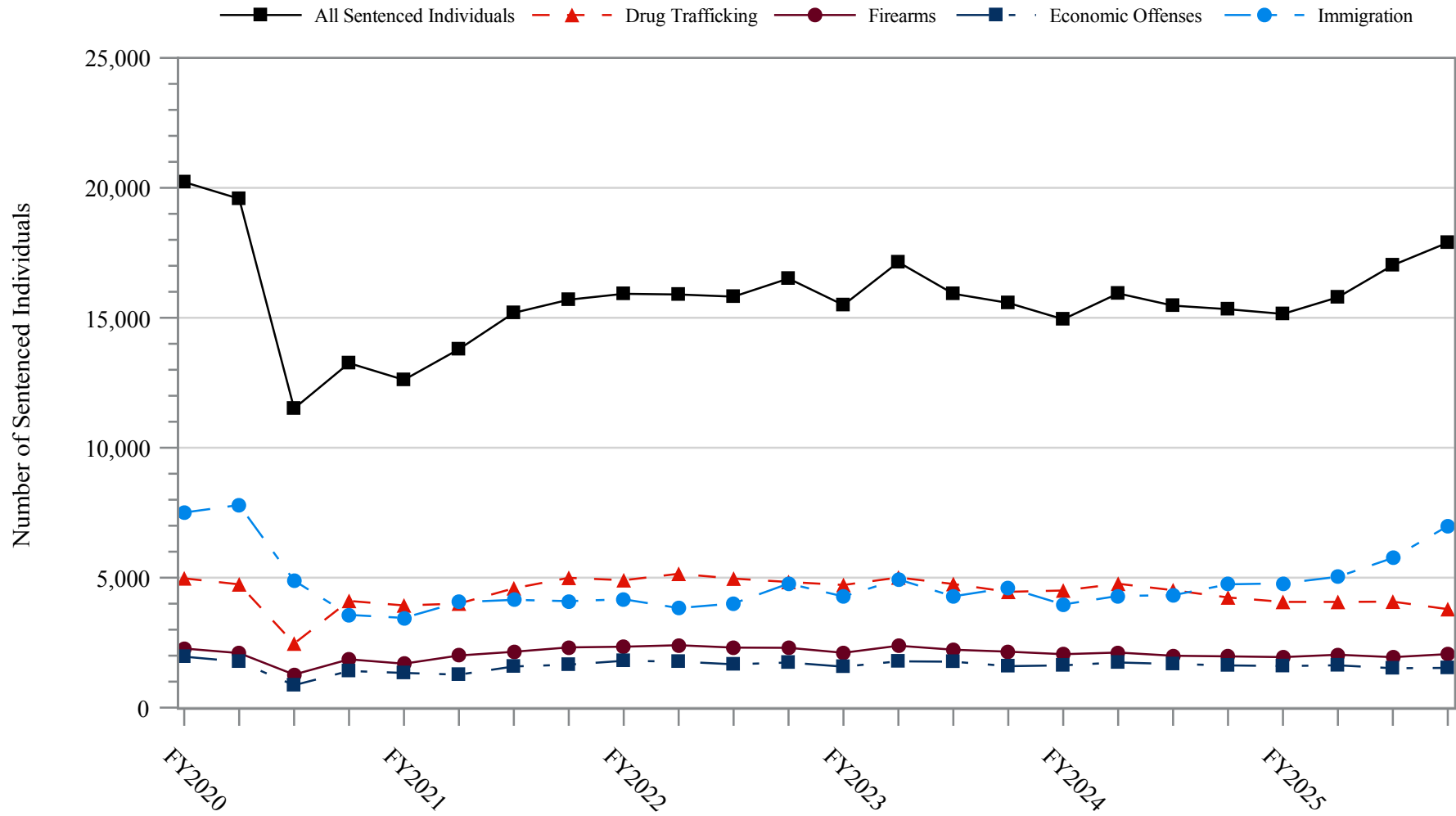
CIRCUIT			CIRCUIT		
District	N	%	District	N	%
<b>EIGHTH CIRCUIT</b>	<b>4,597</b>	<b>7.0</b>	<b>TENTH CIRCUIT</b>	<b>5,771</b>	<b>8.8</b>
Arkansas			Colorado	372	0.6
Eastern	475	0.7	Kansas	389	0.6
Western	163	0.2	New Mexico	2,663	4.0
Iowa			Oklahoma		
Northern	313	0.5	Eastern	259	0.4
Southern	342	0.5	Northern	560	0.9
Minnesota	395	0.6	Western	572	0.9
Missouri			Utah	776	1.2
Eastern	990	1.5	Wyoming	180	0.3
Western	661	1.0			
Nebraska	431	0.7	<b>ELEVENTH CIRCUIT</b>	<b>5,500</b>	<b>8.4</b>
North Dakota	325	0.5	Alabama		
South Dakota	502	0.8	Middle	263	0.4
			Northern	514	0.8
<b>NINTH CIRCUIT</b>	<b>10,811</b>	<b>16.4</b>	Southern	298	0.5
Alaska	138	0.2	Florida		
Arizona	4,037	6.1	Middle	1,520	2.3
California			Northern	301	0.5
Central	924	1.4	Southern	1,450	2.2
Eastern	470	0.7	Georgia		
Northern	358	0.5	Middle	396	0.6
Southern	2,621	4.0	Northern	490	0.7
Guam	35	0.1	Southern	268	0.4
Hawaii	142	0.2			
Idaho	310	0.5			
Montana	402	0.6			
Nevada	199	0.3			
Northern Mariana Islands	17	0.0			
Oregon	487	0.7			
Washington					
Eastern	332	0.5			
Western	339	0.5			

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

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through September 30, 2025).

Figure 2

**NUMBER OF SENTENCED INDIVIDUALS BY SELECTED PRIMARY GUIDELINES<sup>1</sup>**  
**Fiscal Years 2020 - 2024,**  
**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**



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

SOURCE: U.S. Sentencing Commission, 2020 - 2024 Datafiles, USSCFY20 - USSCFY24, and Preliminary Data from USSCFY25 (October 1, 2024, through September 30, 2025).

Table 3

**RACE OF SENTENCED INDIVIDUALS BY TYPE OF CRIME<sup>1</sup>**  
**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

TYPE OF CRIME	TOTAL	WHITE		BLACK		HISPANIC		OTHER	
		N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>64,525</b>	<b>11,727</b>	<b>18.2</b>	<b>14,538</b>	<b>22.5</b>	<b>35,639</b>	<b>55.2</b>	<b>2,621</b>	<b>4.1</b>
Administration of Justice	545	180	33.0	110	20.2	204	37.4	51	9.4
Antitrust	17	14	82.4	0	0.0	3	17.6	0	0.0
Arson	77	31	40.3	20	26.0	13	16.9	13	16.9
Assault	832	146	17.5	214	25.7	167	20.1	305	36.7
Bribery/Corruption	305	104	34.1	90	29.5	83	27.2	28	9.2
Burglary/Trespass	50	16	32.0	14	28.0	7	14.0	13	26.0
Child Pornography	1,419	1,037	73.1	83	5.8	225	15.9	74	5.2
Commercialized Vice	85	20	23.5	36	42.4	17	20.0	12	14.1
Drug Possession	80	37	46.3	15	18.8	21	26.3	7	8.8
Drug Trafficking	16,067	3,792	23.6	4,975	31.0	6,779	42.2	521	3.2
Environmental	146	82	56.2	6	4.1	41	28.1	17	11.6
Extortion/Racketeering	56	27	48.2	12	21.4	13	23.2	4	7.1
Firearms	7,951	1,604	20.2	4,498	56.6	1,581	19.9	268	3.4
Food and Drug	44	33	75.0	3	6.8	7	15.9	1	2.3
Forgery/Counter/Copyright	77	32	41.6	27	35.1	6	7.8	12	15.6
Fraud/Theft/Embezzlement	5,029	1,816	36.1	1,889	37.6	993	19.7	331	6.6
Immigration	24,475	523	2.1	397	1.6	23,403	95.6	152	0.6
Individual Rights	95	44	46.3	30	31.6	13	13.7	8	8.4
Kidnapping	143	23	16.1	54	37.8	58	40.6	8	5.6
Manslaughter	93	5	5.4	9	9.7	7	7.5	72	77.4
Money Laundering	1,343	317	23.6	348	25.9	534	39.8	144	10.7
Murder	396	58	14.6	133	33.6	131	33.1	74	18.7
National Defense	629	70	11.1	41	6.5	499	79.3	19	3.0
Obscenity/Other Sex Offenses	322	124	38.5	55	17.1	35	10.9	108	33.5
Prison Offenses	402	83	20.6	159	39.6	129	32.1	31	7.7
Robbery	1,235	140	11.3	814	65.9	239	19.4	42	3.4
Sexual Abuse	1,388	767	55.3	216	15.6	233	16.8	172	12.4
Stalking/Harassing	279	163	58.4	45	16.1	38	13.6	33	11.8
Tax	404	218	54.0	67	16.6	71	17.6	48	11.9
Other	541	221	40.9	178	32.9	89	16.5	53	9.8

<sup>1</sup> Of the 65,852 cases, 1,327 were excluded due to missing information on sentenced individual's race. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through September 30, 2025).

Table 4

**GENDER OF SENTENCED INDIVIDUALS BY TYPE OF CRIME<sup>1</sup>**  
**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

TYPE OF CRIME	TOTAL	MALE		FEMALE	
		N	%	N	%
<b>TOTAL</b>	<b>65,385</b>	<b>57,615</b>	<b>88.1</b>	<b>7,770</b>	<b>11.9</b>
Administration of Justice	547	398	72.8	149	27.2
Antitrust	17	15	88.2	2	11.8
Arson	77	62	80.5	15	19.5
Assault	838	751	89.6	87	10.4
Bribery/Corruption	306	225	73.5	81	26.5
Burglary/Trespass	50	43	86.0	7	14.0
Child Pornography	1,419	1,395	98.3	24	1.7
Commercialized Vice	85	67	78.8	18	21.2
Drug Possession	89	61	68.5	28	31.5
Drug Trafficking	16,078	13,573	84.4	2,505	15.6
Environmental	151	135	89.4	16	10.6
Extortion/Racketeering	57	50	87.7	7	12.3
Firearms	7,960	7,633	95.9	327	4.1
Food and Drug	44	28	63.6	16	36.4
Forgery/Counter/Copyright	77	61	79.2	16	20.8
Fraud/Theft/Embezzlement	5,061	3,597	71.1	1,464	28.9
Immigration	24,760	22,780	92.0	1,980	8.0
Individual Rights	99	85	85.9	14	14.1
Kidnapping	143	125	87.4	18	12.6
Manslaughter	93	80	86.0	13	14.0
Money Laundering	1,346	1,031	76.6	315	23.4
Murder	397	361	90.9	36	9.1
National Defense	904	776	85.8	128	14.2
Obscenity/Other Sex Offenses	323	319	98.8	4	1.2
Prison Offenses	409	368	90.0	41	10.0
Robbery	1,236	1,166	94.3	70	5.7
Sexual Abuse	1,390	1,294	93.1	96	6.9
Stalking/Harassing	282	266	94.3	16	5.7
Tax	404	304	75.2	100	24.8
Other	743	566	76.2	177	23.8

<sup>1</sup> Of the 65,852 cases, 467 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 CRIME<sup>1</sup>**  
**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

TYPE OF CRIME	TOTAL	U.S. CITIZEN		NON-U.S. CITIZEN	
		N	%	N	%
<b>TOTAL</b>	<b>65,553</b>	<b>36,986</b>	<b>56.4</b>	<b>28,567</b>	<b>43.6</b>
Administration of Justice	546	399	73.1	147	26.9
Antitrust	17	15	88.2	2	11.8
Arson	77	73	94.8	4	5.2
Assault	823	769	93.4	54	6.6
Bribery/Corruption	306	287	93.8	19	6.2
Burglary/Trespass	50	48	96.0	2	4.0
Child Pornography	1,419	1,345	94.8	74	5.2
Commercialized Vice	85	75	88.2	10	11.8
Drug Possession	79	76	96.2	3	3.8
Drug Trafficking	16,059	12,999	80.9	3,060	19.1
Environmental	145	107	73.8	38	26.2
Extortion/Racketeering	56	47	83.9	9	16.1
Firearms	7,960	7,533	94.6	427	5.4
Food and Drug	43	38	88.4	5	11.6
Forgery/Counter/Copyright	77	64	83.1	13	16.9
Fraud/Theft/Embezzlement	5,033	4,290	85.2	743	14.8
Immigration	24,787	2,709	10.9	22,078	89.1
Individual Rights	98	92	93.9	6	6.1
Kidnapping	143	115	80.4	28	19.6
Manslaughter	93	93	100.0	0	0.0
Money Laundering	1,345	964	71.7	381	28.3
Murder	397	332	83.6	65	16.4
National Defense	1,256	181	14.4	1,075	85.6
Obscenity/Other Sex Offenses	323	310	96.0	13	4.0
Prison Offenses	403	382	94.8	21	5.2
Robbery	1,235	1,163	94.2	72	5.8
Sexual Abuse	1,389	1,316	94.7	73	5.3
Stalking/Harassing	281	266	94.7	15	5.3
Tax	403	376	93.3	27	6.7
Other	625	522	83.5	103	16.5

<sup>1</sup> Of the 65,852 cases, 299 were excluded due to missing information on sentenced individual's citizenship status. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through September 30, 2025).

Table 6

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

4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)

TYPE OF CRIME	Mean Months	Median Months	N
<b>TOTAL</b>	<b>48</b>	<b>18</b>	<b>65,852</b>
Administration of Justice	14	9	547
Antitrust	9	6	17
Arson	66	60	77
Assault	71	45	838
Bribery/Corruption	19	12	306
Burglary/Trespass	18	6	50
Child Pornography	119	97	1,419
Commercialized Vice	11	6	85
Drug Possession	2	0	91
Drug Trafficking	87	70	16,078
Environmental	3	0	151
Extortion/Racketeering	47	24	57
Firearms	50	41	7,961
Food and Drug	5	0	44
Forgery/Counter/Copyright	17	12	77
Fraud/Theft/Embezzlement	22	12	5,063
Immigration	10	6	24,798
Individual Rights	53	15	99
Kidnapping	184	156	143
Manslaughter	83	70	93
Money Laundering	61	30	1,346
Murder	285	292	397
National Defense	5	0	1,271
Obscenity/Other Sex Offenses	20	18	323
Prison Offenses	13	12	409
Robbery	107	90	1,236
Sexual Abuse	230	210	1,390
Stalking/Harassing	26	23	282
Tax	17	12	404
Other	4	0	800

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

Table 7

**SENTENCE TYPE BY TYPE OF CRIME<sup>1</sup>**  
**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

TYPE OF CRIME	TOTAL	TOTAL RECEIVING IMPRISONMENT				Prison and Alternatives <sup>2</sup>		TOTAL RECEIVING PROBATION				Probation and Alternatives <sup>2</sup>		Probation Only		TOTAL RECEIVING FINE ONLY	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>65,852</b>	<b>60,872</b>	<b>92.4</b>	<b>59,473</b>	<b>90.3</b>	<b>1,399</b>	<b>2.1</b>	<b>4,747</b>	<b>7.2</b>	<b>673</b>	<b>1.0</b>	<b>4,074</b>	<b>6.2</b>	<b>233</b>	<b>0.4</b>		
Administration of Justice	547	414	75.7	395	72.2	19	3.5	130	23.8	22	4.0	108	19.7	3	0.5		
Antitrust	17	8	47.1	8	47.1	0	0.0	9	52.9	5	29.4	4	23.5	0	0.0		
Arson	77	77	100.0	72	93.5	5	6.5	0	0.0	0	0.0	0	0.0	0	0.0		
Assault	838	772	92.1	745	88.9	27	3.2	65	7.8	11	1.3	54	6.4	1	0.1		
Bribery/Corruption	306	215	70.3	201	65.7	14	4.6	90	29.4	21	6.9	69	22.5	1	0.3		
Burglary/Trespass	50	32	64.0	31	62.0	1	2.0	17	34.0	4	8.0	13	26.0	1	2.0		
Child Pornography	1,419	1,409	99.3	1,388	97.8	21	1.5	10	0.7	1	0.1	9	0.6	0	0.0		
Commercialized Vice	85	63	74.1	56	65.9	7	8.2	21	24.7	5	5.9	16	18.8	1	1.2		
Drug Possession	91	49	53.8	49	53.8	0	0.0	34	37.4	0	0.0	34	37.4	8	8.8		
Drug Trafficking	16,078	15,532	96.6	15,091	93.9	441	2.7	545	3.4	94	0.6	451	2.8	1	0.0		
Environmental	151	63	41.7	61	40.4	2	1.3	82	54.3	14	9.3	68	45.0	6	4.0		
Extortion/Racketeering	57	45	78.9	45	78.9	0	0.0	12	21.1	5	8.8	7	12.3	0	0.0		
Firearms	7,961	7,482	94.0	7,310	91.8	172	2.2	475	6.0	85	1.1	390	4.9	4	0.1		
Food and Drug	44	11	25.0	11	25.0	0	0.0	31	70.5	1	2.3	30	68.2	2	4.5		
Forgery/Counter/Copyright	77	56	72.7	52	67.5	4	5.2	21	27.3	5	6.5	16	20.8	0	0.0		
Fraud/Theft/Embezzlement	5,063	3,807	75.2	3,629	71.7	178	3.5	1,243	24.6	219	4.3	1,024	20.2	13	0.3		
Immigration	24,798	23,692	95.5	23,390	94.3	302	1.2	1,103	4.4	85	0.3	1,018	4.1	3	0.0		
Individual Rights	99	73	73.7	66	66.7	7	7.1	26	26.3	6	6.1	20	20.2	0	0.0		
Kidnapping	143	143	100.0	141	98.6	2	1.4	0	0.0	0	0.0	0	0.0	0	0.0		
Manslaughter	93	87	93.5	84	90.3	3	3.2	6	6.5	0	0.0	6	6.5	0	0.0		
Money Laundering	1,346	1,189	88.3	1,150	85.4	39	2.9	157	11.7	27	2.0	130	9.7	0	0.0		
Murder	397	395	99.5	382	96.2	13	3.3	2	0.5	0	0.0	2	0.5	0	0.0		
National Defense	1,271	1,194	93.9	1,182	93.0	12	0.9	28	2.2	1	0.1	27	2.1	49	3.9		
Obscenity/Other Sex Offenses	323	302	93.5	281	87.0	21	6.5	21	6.5	5	1.5	16	5.0	0	0.0		
Prison Offenses	409	393	96.1	376	91.9	17	4.2	16	3.9	1	0.2	15	3.7	0	0.0		
Robbery	1,236	1,223	98.9	1,194	96.6	29	2.3	13	1.1	2	0.2	11	0.9	0	0.0		
Sexual Abuse	1,390	1,381	99.4	1,355	97.5	26	1.9	9	0.6	1	0.1	8	0.6	0	0.0		
Stalking/Harassing	282	244	86.5	232	82.3	12	4.3	38	13.5	5	1.8	33	11.7	0	0.0		
Tax	404	283	70.0	262	64.9	21	5.2	119	29.5	29	7.2	90	22.3	2	0.5		
Other	800	238	29.8	234	29.3	4	0.5	424	53.0	19	2.4	405	50.6	138	17.3		

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

<sup>2</sup> Alternatives include all cases in which sentenced individuals received conditions of confinement as described in USSG §5C1.1.

Table 8

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE<sup>1</sup>**  
**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

	N	%
<b>TOTAL CASES</b>	<b>65,324</b>	<b>100.0</b>
<b>SENTENCES UNDER THE GUIDELINES MANUAL</b>	<b>44,965</b>	<b>68.8</b>
Within Guideline Range	33,591	51.4
Upward Departure <sup>2</sup>	248	0.4
Downward Departure		
§5K1.1 Substantial Assistance	5,357	8.2
§5K3.1 Early Disposition Program	3,993	6.1
Other Government Motion <sup>3</sup>	851	1.3
Non-Government Departure <sup>4</sup>	925	1.4
<b>VARIANCES</b>	<b>20,359</b>	<b>31.2</b>
Upward Variance <sup>5</sup>	2,868	4.4
Downward Variance		
Government Motion <sup>6</sup>	6,264	9.6
Non-Government Variance <sup>7</sup>	11,227	17.2

<sup>1</sup> This table reflects the 65,852 cases sentenced on or after October 1, 2024, with court documentation cumulatively received, coded, and edited at the U.S. Sentencing Commission by Jan 6, 2026. Of these, 528 cases were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

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

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

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

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

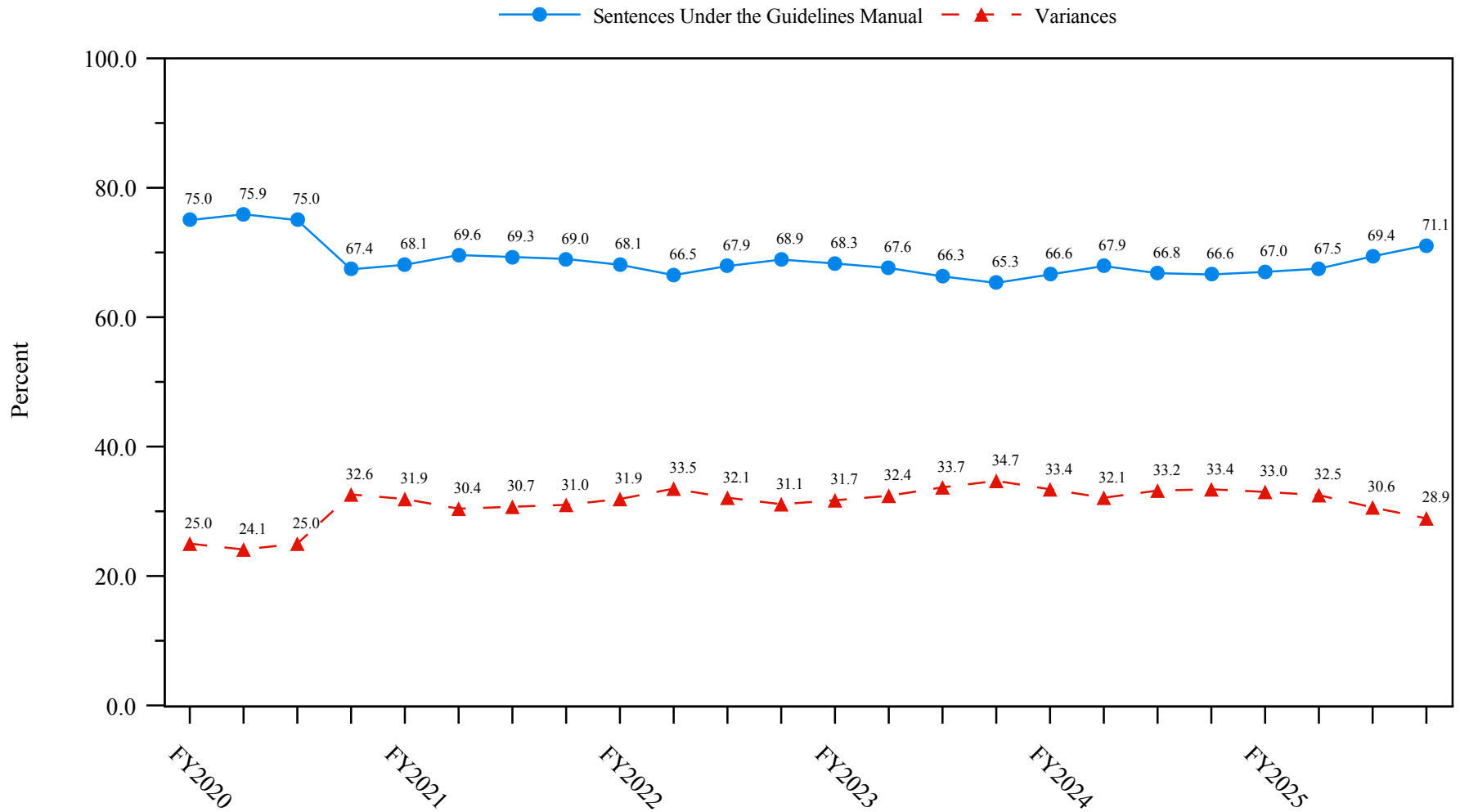
<sup>6</sup> Cases in which the sentence imposed was below the applicable guideline range and for which the court cited a reason on Part VI of the Statement of Reasons form, and where the prosecution initiated, proposed, or stipulated to the sentence.

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

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through September 30, 2025).

**Figure 3**

**SENTENCES UNDER THE GUIDELINES MANUAL AND VARIANCES QUARTERLY DATA<sup>1</sup>**  
**Fiscal Years 2020 - 2024,**  
**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

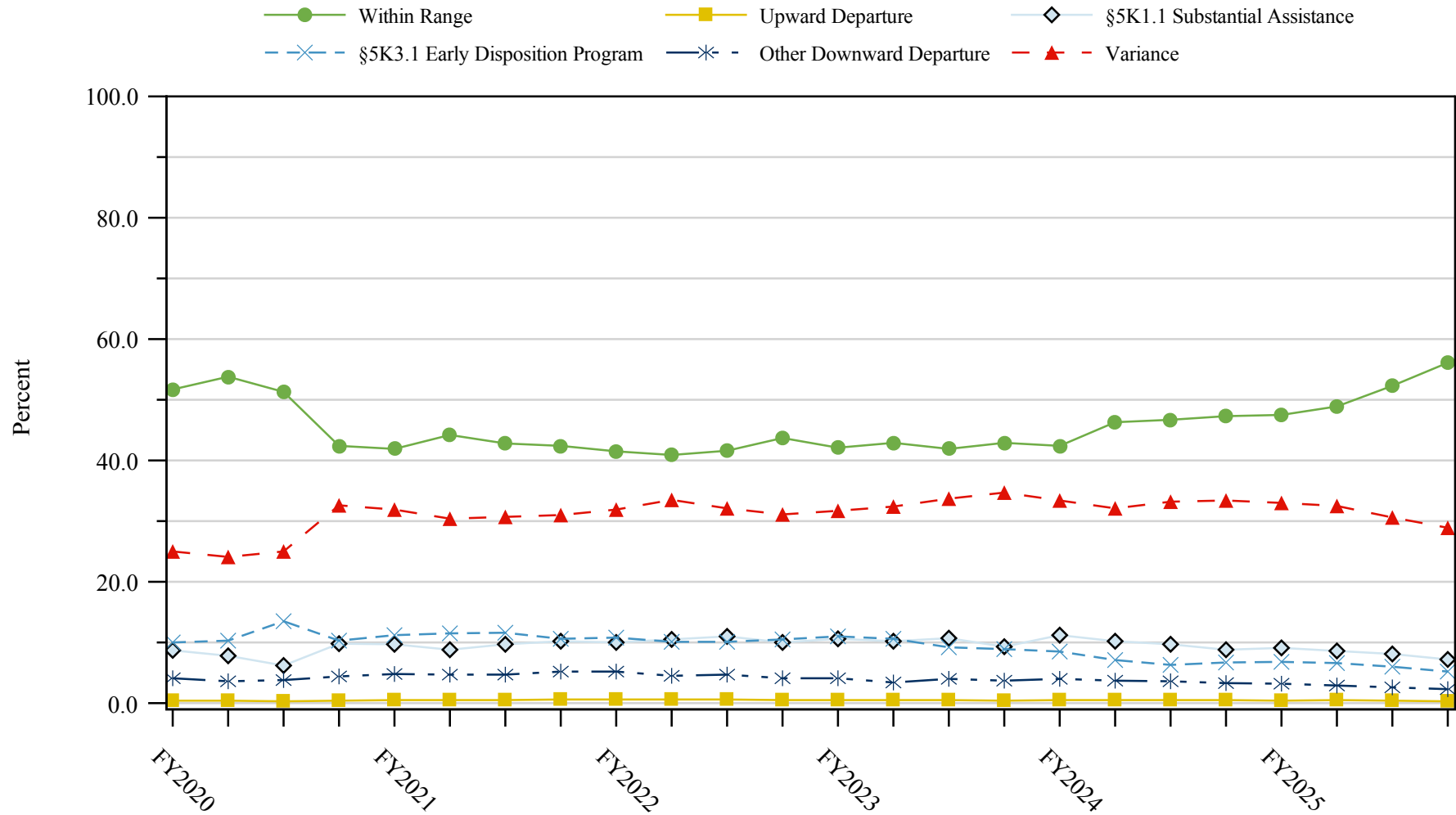


<sup>1</sup> Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2020 - 2024 Datafiles, USSCFY20 - USSCFY24, and Preliminary Data from USSCFY25 (October 1, 2024, through September 30, 2025).

Figure 4

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE QUARTERLY DATA<sup>1</sup>**  
**Fiscal Years 2020 - 2024,**  
**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**



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

SOURCE: U.S. Sentencing Commission, 2020 - 2024 Datafiles, USSCFY20 - USSCFY24, and Preliminary Data from USSCFY25 (October 1, 2024, through September 30, 2025).

Table 9

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

**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		DEPARTURE								VARIANCE	
		N	%	UPWARD		§5K1.1		§5K3.1		DOWNWARD		N	%
				N	%	N	%	N	%	N	%		
<b>TOTAL</b>	<b>65,324</b>	<b>33,591</b>	<b>51.4</b>	<b>248</b>	<b>0.4</b>	<b>5,357</b>	<b>8.2</b>	<b>3,993</b>	<b>6.1</b>	<b>1,776</b>	<b>2.7</b>	<b>20,359</b>	<b>31.2</b>
<b>D.C. CIRCUIT</b>	<b>418</b>	<b>174</b>	<b>41.6</b>	<b>4</b>	<b>1.0</b>	<b>45</b>	<b>10.8</b>	<b>0</b>	<b>0.0</b>	<b>12</b>	<b>2.9</b>	<b>183</b>	<b>43.8</b>
District of Columbia	418	174	41.6	4	1.0	45	10.8	0	0.0	12	2.9	183	43.8
<b>FIRST CIRCUIT</b>	<b>1,887</b>	<b>700</b>	<b>37.1</b>	<b>6</b>	<b>0.3</b>	<b>174</b>	<b>9.2</b>	<b>9</b>	<b>0.5</b>	<b>73</b>	<b>3.9</b>	<b>925</b>	<b>49.0</b>
Maine	143	55	38.5	0	0.0	27	18.9	0	0.0	3	2.1	58	40.6
Massachusetts	550	155	28.2	3	0.5	55	10.0	9	1.6	28	5.1	300	54.5
New Hampshire	130	28	21.5	0	0.0	19	14.6	0	0.0	5	3.8	78	60.0
Puerto Rico	967	431	44.6	3	0.3	69	7.1	0	0.0	36	3.7	428	44.3
Rhode Island	97	31	32.0	0	0.0	4	4.1	0	0.0	1	1.0	61	62.9
<b>SECOND CIRCUIT</b>	<b>2,734</b>	<b>857</b>	<b>31.3</b>	<b>6</b>	<b>0.2</b>	<b>475</b>	<b>17.4</b>	<b>0</b>	<b>0.0</b>	<b>105</b>	<b>3.8</b>	<b>1,291</b>	<b>47.2</b>
Connecticut	257	54	21.0	2	0.8	33	12.8	0	0.0	32	12.5	136	52.9
New York													
Eastern	593	138	23.3	2	0.3	106	17.9	0	0.0	50	8.4	297	50.1
Northern	416	245	58.9	2	0.5	80	19.2	0	0.0	9	2.2	80	19.2
Southern	860	205	23.8	0	0.0	119	13.8	0	0.0	11	1.3	525	61.0
Western	402	171	42.5	0	0.0	89	22.1	0	0.0	1	0.2	141	35.1
Vermont	206	44	21.4	0	0.0	48	23.3	0	0.0	2	1.0	112	54.4
<b>THIRD CIRCUIT</b>	<b>2,192</b>	<b>875</b>	<b>39.9</b>	<b>4</b>	<b>0.2</b>	<b>363</b>	<b>16.6</b>	<b>15</b>	<b>0.7</b>	<b>41</b>	<b>1.9</b>	<b>894</b>	<b>40.8</b>
Delaware	149	93	62.4	1	0.7	9	6.0	12	8.1	1	0.7	33	22.1
New Jersey	664	193	29.1	1	0.2	138	20.8	0	0.0	2	0.3	330	49.7
Pennsylvania													
Eastern	461	191	41.4	1	0.2	84	18.2	2	0.4	8	1.7	175	38.0
Middle	405	168	41.5	0	0.0	79	19.5	1	0.2	24	5.9	133	32.8
Western	456	196	43.0	1	0.2	51	11.2	0	0.0	4	0.9	204	44.7
Virgin Islands	57	34	59.6	0	0.0	2	3.5	0	0.0	2	3.5	19	33.3
<b>FOURTH CIRCUIT</b>	<b>4,100</b>	<b>1,916</b>	<b>46.7</b>	<b>16</b>	<b>0.4</b>	<b>525</b>	<b>12.8</b>	<b>1</b>	<b>0.0</b>	<b>64</b>	<b>1.6</b>	<b>1,578</b>	<b>38.5</b>
Maryland	423	117	27.7	4	0.9	67	15.8	0	0.0	13	3.1	222	52.5
North Carolina													
Eastern	786	481	61.2	4	0.5	178	22.6	0	0.0	4	0.5	119	15.1
Middle	312	162	51.9	0	0.0	17	5.4	1	0.3	2	0.6	130	41.7
Western	351	160	45.6	2	0.6	35	10.0	0	0.0	4	1.1	150	42.7
South Carolina	585	209	35.7	2	0.3	110	18.8	0	0.0	16	2.7	248	42.4
Virginia													
Eastern	857	465	54.3	3	0.4	35	4.1	0	0.0	14	1.6	340	39.7
Western	247	75	30.4	0	0.0	46	18.6	0	0.0	5	2.0	121	49.0
West Virginia													
Northern	324	150	46.3	0	0.0	24	7.4	0	0.0	1	0.3	149	46.0
Southern	215	97	45.1	1	0.5	13	6.0	0	0.0	5	2.3	99	46.0

Table 9 (cont.)

CIRCUIT District	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		\$5K1.1		\$5K3.1		DOWNWARD		N	%
		N	%	N	%	N	%	N	%	N	%	N	%
<b>FIFTH CIRCUIT</b>	<b>21,196</b>	<b>15,232</b>	<b>71.9</b>	<b>78</b>	<b>0.4</b>	<b>807</b>	<b>3.8</b>	<b>214</b>	<b>1.0</b>	<b>485</b>	<b>2.3</b>	<b>4,380</b>	<b>20.7</b>
Louisiana													
Eastern	319	200	62.7	9	2.8	28	8.8	3	0.9	3	0.9	76	23.8
Middle	94	58	61.7	0	0.0	15	16.0	0	0.0	0	0.0	21	22.3
Western	374	262	70.1	8	2.1	39	10.4	0	0.0	6	1.6	59	15.8
Mississippi													
Northern	178	92	51.7	3	1.7	23	12.9	0	0.0	4	2.2	56	31.5
Southern	361	233	64.5	0	0.0	37	10.2	0	0.0	5	1.4	86	23.8
Texas													
Eastern	1,014	606	59.8	11	1.1	66	6.5	0	0.0	10	1.0	321	31.7
Northern	1,378	933	67.7	16	1.2	127	9.2	1	0.1	13	0.9	288	20.9
Southern	7,512	5,230	69.6	27	0.4	281	3.7	198	2.6	401	5.3	1,375	18.3
Western	9,966	7,618	76.4	4	0.0	191	1.9	12	0.1	43	0.4	2,098	21.1
<b>SIXTH CIRCUIT</b>	<b>4,196</b>	<b>1,661</b>	<b>39.6</b>	<b>19</b>	<b>0.5</b>	<b>585</b>	<b>13.9</b>	<b>11</b>	<b>0.3</b>	<b>213</b>	<b>5.1</b>	<b>1,707</b>	<b>40.7</b>
Kentucky													
Eastern	388	201	51.8	3	0.8	68	17.5	0	0.0	10	2.6	106	27.3
Western	382	118	30.9	3	0.8	76	19.9	8	2.1	16	4.2	161	42.1
Michigan													
Eastern	832	353	42.4	1	0.1	51	6.1	0	0.0	30	3.6	397	47.7
Western	242	146	60.3	2	0.8	17	7.0	0	0.0	10	4.1	67	27.7
Ohio													
Northern	657	249	37.9	1	0.2	97	14.8	0	0.0	18	2.7	292	44.4
Southern	557	132	23.7	3	0.5	98	17.6	3	0.5	103	18.5	218	39.1
Tennessee													
Eastern	530	247	46.6	4	0.8	100	18.9	0	0.0	7	1.3	172	32.5
Middle	270	61	22.6	0	0.0	38	14.1	0	0.0	15	5.6	156	57.8
Western	338	154	45.6	2	0.6	40	11.8	0	0.0	4	1.2	138	40.8
<b>SEVENTH CIRCUIT</b>	<b>2,096</b>	<b>780</b>	<b>37.2</b>	<b>5</b>	<b>0.2</b>	<b>211</b>	<b>10.1</b>	<b>0</b>	<b>0.0</b>	<b>71</b>	<b>3.4</b>	<b>1,029</b>	<b>49.1</b>
Illinois													
Central	217	59	27.2	0	0.0	30	13.8	0	0.0	3	1.4	125	57.6
Northern	585	171	29.2	0	0.0	47	8.0	0	0.0	28	4.8	339	57.9
Southern	239	145	60.7	3	1.3	28	11.7	0	0.0	11	4.6	52	21.8
Indiana													
Northern	278	145	52.2	1	0.4	39	14.0	0	0.0	2	0.7	91	32.7
Southern	349	170	48.7	0	0.0	54	15.5	0	0.0	2	0.6	123	35.2
Wisconsin													
Eastern	299	57	19.1	0	0.0	13	4.3	0	0.0	2	0.7	227	75.9
Western	129	33	25.6	1	0.8	0	0.0	0	0.0	23	17.8	72	55.8
<b>EIGHTH CIRCUIT</b>	<b>4,593</b>	<b>2,022</b>	<b>44.0</b>	<b>30</b>	<b>0.7</b>	<b>522</b>	<b>11.4</b>	<b>38</b>	<b>0.8</b>	<b>63</b>	<b>1.4</b>	<b>1,918</b>	<b>41.8</b>
Arkansas													
Eastern	475	233	49.1	0	0.0	39	8.2	0	0.0	0	0.0	203	42.7
Western	162	62	38.3	0	0.0	15	9.3	1	0.6	1	0.6	83	51.2
Iowa													
Northern	313	153	48.9	9	2.9	46	14.7	0	0.0	3	1.0	102	32.6
Southern	341	133	39.0	1	0.3	26	7.6	0	0.0	2	0.6	179	52.5
Minnesota	395	136	34.4	2	0.5	52	13.2	6	1.5	23	5.8	176	44.6
Missouri													
Eastern	990	446	45.1	1	0.1	100	10.1	0	0.0	8	0.8	435	43.9
Western	661	238	36.0	1	0.2	116	17.5	0	0.0	9	1.4	297	44.9
Nebraska	430	220	51.2	1	0.2	10	2.3	26	6.0	4	0.9	169	39.3
North Dakota	325	125	38.5	3	0.9	116	35.7	4	1.2	4	1.2	73	22.5
South Dakota	501	276	55.1	12	2.4	2	0.4	1	0.2	9	1.8	201	40.1

Table 9 (cont.)

CIRCUIT District	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		§5K1.1		§5K3.1		DOWNWARD		N	%
		N	%	N	%	N	%	N	%	N	%		
<b>NINTH CIRCUIT</b>	<b>10,717</b>	<b>3,355</b>	<b>31.3</b>	<b>34</b>	<b>0.3</b>	<b>838</b>	<b>7.8</b>	<b>3,003</b>	<b>28.0</b>	<b>425</b>	<b>4.0</b>	<b>3,062</b>	<b>28.6</b>
Alaska	137	44	32.1	1	0.7	10	7.3	0	0.0	5	3.6	77	56.2
Arizona	3,990	1,478	37.0	10	0.3	94	2.4	1,641	41.1	62	1.6	705	17.7
California													
Central	896	282	31.5	4	0.4	96	10.7	37	4.1	56	6.3	421	47.0
Eastern	469	152	32.4	3	0.6	93	19.8	9	1.9	7	1.5	205	43.7
Northern	358	43	12.0	1	0.3	44	12.3	0	0.0	15	4.2	255	71.2
Southern	2,605	701	26.9	6	0.2	129	5.0	1,263	48.5	239	9.2	267	10.2
Guam	35	15	42.9	0	0.0	9	25.7	0	0.0	0	0.0	11	31.4
Hawaii	142	38	26.8	0	0.0	49	34.5	0	0.0	0	0.0	55	38.7
Idaho	310	119	38.4	0	0.0	51	16.5	9	2.9	12	3.9	119	38.4
Montana	402	140	34.8	2	0.5	82	20.4	0	0.0	12	3.0	166	41.3
Nevada	198	35	17.7	0	0.0	7	3.5	35	17.7	7	3.5	114	57.6
Northern Mariana Islands	17	13	76.5	1	5.9	1	5.9	0	0.0	0	0.0	2	11.8
Oregon	487	97	19.9	4	0.8	96	19.7	0	0.0	4	0.8	286	58.7
Washington													
Eastern	332	101	30.4	1	0.3	71	21.4	4	1.2	5	1.5	150	45.2
Western	339	97	28.6	1	0.3	6	1.8	5	1.5	1	0.3	229	67.6
<b>TENTH CIRCUIT</b>	<b>5,757</b>	<b>2,984</b>	<b>51.8</b>	<b>41</b>	<b>0.7</b>	<b>333</b>	<b>5.8</b>	<b>684</b>	<b>11.9</b>	<b>173</b>	<b>3.0</b>	<b>1,542</b>	<b>26.8</b>
Colorado	370	106	28.6	3	0.8	76	20.5	20	5.4	6	1.6	159	43.0
Kansas	384	160	41.7	3	0.8	46	12.0	14	3.6	16	4.2	145	37.8
New Mexico	2,662	1,702	63.9	22	0.8	71	2.7	493	18.5	93	3.5	281	10.6
Oklahoma													
Eastern	256	168	65.6	2	0.8	17	6.6	0	0.0	2	0.8	67	26.2
Northern	559	317	56.7	7	1.3	50	8.9	0	0.0	32	5.7	153	27.4
Western	571	258	45.2	0	0.0	18	3.2	0	0.0	0	0.0	295	51.7
Utah	775	188	24.3	2	0.3	41	5.3	140	18.1	15	1.9	389	50.2
Wyoming	180	85	47.2	2	1.1	14	7.8	17	9.4	9	5.0	53	29.4
<b>ELEVENTH CIRCUIT</b>	<b>5,438</b>	<b>3,035</b>	<b>55.8</b>	<b>5</b>	<b>0.1</b>	<b>479</b>	<b>8.8</b>	<b>18</b>	<b>0.3</b>	<b>51</b>	<b>0.9</b>	<b>1,850</b>	<b>34.0</b>
Alabama													
Middle	263	130	49.4	0	0.0	23	8.7	1	0.4	2	0.8	107	40.7
Northern	514	337	65.6	0	0.0	57	11.1	1	0.2	4	0.8	115	22.4
Southern	298	174	58.4	0	0.0	53	17.8	5	1.7	5	1.7	61	20.5
Florida													
Middle	1,520	803	52.8	3	0.2	157	10.3	0	0.0	8	0.5	549	36.1
Northern	300	142	47.3	0	0.0	36	12.0	10	3.3	5	1.7	107	35.7
Southern	1,395	809	58.0	1	0.1	69	4.9	0	0.0	10	0.7	506	36.3
Georgia													
Middle	390	268	68.7	0	0.0	16	4.1	0	0.0	5	1.3	101	25.9
Northern	490	172	35.1	0	0.0	34	6.9	1	0.2	10	2.0	273	55.7
Southern	268	200	74.6	1	0.4	34	12.7	0	0.0	2	0.7	31	11.6

<sup>1</sup> Of the 65,852 cases, 528 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.

Table 10

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

**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

TYPE OF CRIME	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		\$5K1.1		\$5K3.1		DOWNWARD			
		N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>65,324</b>	<b>33,591</b>	<b>51.4</b>	<b>248</b>	<b>0.4</b>	<b>5,357</b>	<b>8.2</b>	<b>3,993</b>	<b>6.1</b>	<b>1,776</b>	<b>2.7</b>	<b>20,359</b>	<b>31.2</b>
Administration of Justice	547	281	51.4	7	1.3	31	5.7	0	0.0	13	2.4	215	39.3
Antitrust	17	7	41.2	0	0.0	5	29.4	0	0.0	1	5.9	4	23.5
Arson	77	40	51.9	2	2.6	9	11.7	0	0.0	2	2.6	24	31.2
Assault	826	375	45.4	26	3.1	24	2.9	0	0.0	36	4.4	365	44.2
Bribery/Corruption	306	70	22.9	0	0.0	87	28.4	2	0.7	10	3.3	137	44.8
Burglary/Trespass	49	29	59.2	0	0.0	4	8.2	0	0.0	1	2.0	15	30.6
Child Pornography	1,419	537	37.8	4	0.3	25	1.8	0	0.0	43	3.0	810	57.1
Commercialized Vice	84	47	56.0	3	3.6	6	7.1	0	0.0	3	3.6	25	29.8
Drug Possession	79	68	86.1	0	0.0	0	0.0	0	0.0	0	0.0	11	13.9
Drug Trafficking	16,070	4,673	29.1	46	0.3	3,122	19.4	721	4.5	559	3.5	6,949	43.2
Environmental	148	74	50.0	0	0.0	16	10.8	0	0.0	13	8.8	45	30.4
Extortion/Racketeering	57	23	40.4	0	0.0	9	15.8	0	0.0	1	1.8	24	42.1
Firearms	7,954	3,977	50.0	54	0.7	417	5.2	6	0.1	231	2.9	3,269	41.1
Food and Drug	44	32	72.7	0	0.0	0	0.0	0	0.0	0	0.0	12	27.3
Forgery/Counter/Copyright	77	30	39.0	0	0.0	5	6.5	0	0.0	6	7.8	36	46.8
Fraud/Theft/Embezzlement	5,030	2,145	42.6	13	0.3	693	13.8	6	0.1	111	2.2	2,062	41.0
Immigration	24,683	17,218	69.8	44	0.2	187	0.8	3,246	13.2	478	1.9	3,510	14.2
Individual Rights	99	37	37.4	0	0.0	14	14.1	0	0.0	3	3.0	45	45.5
Kidnapping	143	43	30.1	1	0.7	25	17.5	1	0.7	11	7.7	62	43.4
Manslaughter	93	37	39.8	5	5.4	1	1.1	0	0.0	8	8.6	42	45.2
Money Laundering	1,345	376	28.0	4	0.3	315	23.4	7	0.5	60	4.5	583	43.3
Murder	397	155	39.0	7	1.8	81	20.4	2	0.5	23	5.8	129	32.5
National Defense	1,006	857	85.2	0	0.0	27	2.7	1	0.1	11	1.1	110	10.9
Obscenity/Other Sex Offenses	323	165	51.1	1	0.3	4	1.2	0	0.0	8	2.5	145	44.9
Prison Offenses	408	265	65.0	1	0.2	7	1.7	0	0.0	22	5.4	113	27.7
Robbery	1,234	502	40.7	13	1.1	114	9.2	0	0.0	54	4.4	551	44.7
Sexual Abuse	1,389	602	43.3	15	1.1	57	4.1	1	0.1	52	3.7	662	47.7
Stalking/Harassing	280	120	42.9	2	0.7	6	2.1	0	0.0	6	2.1	146	52.1
Tax	404	101	25.0	0	0.0	60	14.9	0	0.0	10	2.5	233	57.7
Other	736	705	95.8	0	0.0	6	0.8	0	0.0	0	0.0	25	3.4

<sup>1</sup> Of the 65,852 cases, 528 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through September 30, 2025).

Table 11

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

4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)

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	253	102	1	52	0	14	84	§2D1.8	9	3	0	3	0	0	3		
§2A1.2	92	36	6	9	2	7	32	§2D1.9	0	0	0	0	0	0	0		
§2A1.3	45	21	4	1	0	3	16	§2D1.10	0	0	0	0	0	0	0		
§2A1.4	47	15	1	0	0	5	26	§2D1.11	1	0	0	1	0	0	0		
§2A1.5	33	10	0	13	0	2	8	§2D1.12	2	0	0	1	0	0	1		
§2A2.1	187	85	3	18	0	5	76	§2D1.13	0	0	0	0	0	0	0		
§2A2.2	545	236	22	4	0	29	254	§2D1.14	0	0	0	0	0	0	0		
§2A2.3	46	30	1	0	0	0	15	§2D2.1	51	42	0	0	0	0	9		
§2A2.4	210	128	3	0	0	6	73	§2D2.2	24	20	0	1	0	0	3		
§2A3.1	132	54	1	4	0	9	64	§2D2.3	0	0	0	0	0	0	0		
§2A3.2	30	20	3	0	0	0	7	§2D3.1	4	4	0	0	0	0	0		
§2A3.3	10	2	0	1	0	0	7	§2D3.2	0	0	0	0	0	0	0		
§2A3.4	36	15	4	0	0	1	16	§2D3.3	0	0	0	0	0	0	0		
§2A3.5	289	154	0	2	0	8	125	§2D3.4	0	0	0	0	0	0	0		
§2A4.1	138	43	1	24	1	11	58	§2D3.5	0	0	0	0	0	0	0		
§2A4.2	0	0	0	0	0	0	0	§2E1.1	10	4	0	1	0	1	4		
§2A5.1	0	0	0	0	0	0	0	§2E1.2	2	2	0	0	0	0	0		
§2A5.2	29	17	0	0	0	0	12	§2E1.3	0	0	0	0	0	0	0		
§2A5.3	0	0	0	0	0	0	0	§2E1.4	5	2	0	0	0	0	3		
§2A6.1	184	83	1	2	0	5	93	§2E1.5	0	0	0	0	0	0	0		
§2A6.2	89	34	1	4	0	1	49	§2E2.1	3	0	0	2	0	0	1		
§2B1.1	4,776	1,963	13	675	6	105	2,014	§2E3.1	63	39	3	3	0	3	15		
§2B1.2	0	0	0	0	0	0	0	§2E3.2	0	0	0	0	0	0	0		
§2B1.3	0	0	0	0	0	0	0	§2E3.3	0	0	0	0	0	0	0		
§2B1.4	28	1	0	5	0	3	19	§2E4.1	3	1	0	2	0	0	0		
§2B1.5	18	6	0	3	0	0	9	§2E5.1	2	1	0	0	0	0	1		
§2B1.6 <sup>2</sup>	45	42	0	3	0	0	0	§2E5.2	0	0	0	0	0	0	0		
§2B2.1	33	13	0	4	0	1	15	§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	12	12	0	0	0	0	0	§2E5.5	0	0	0	0	0	0	0		
§2B3.1	1,219	498	13	113	0	53	542	§2E5.6	0	0	0	0	0	0	0		
§2B3.2	20	9	0	2	0	0	9	§2F1.1	0	0	0	0	0	0	0		
§2B3.3	5	2	0	0	0	0	3	§2F1.2	0	0	0	0	0	0	0		
§2B4.1	100	26	0	45	0	0	29	§2G1.1	41	14	0	4	0	2	21		
§2B5.1	39	20	0	2	0	5	12	§2G1.2	0	0	0	0	0	0	0		
§2B5.2	0	0	0	0	0	0	0	§2G1.3	364	198	6	19	1	7	133		
§2B5.3	38	10	0	3	0	1	24	§2G2.1	787	306	1	31	0	32	417		
§2B5.4	0	0	0	0	0	0	0	§2G2.2	1,417	536	4	25	0	43	809		
§2B6.1	6	0	0	4	0	0	2	§2G2.3	0	0	0	0	0	0	0		
§2C1.1	201	41	0	42	2	10	106	§2G2.4	0	0	0	0	0	0	0		
§2C1.2	1	0	0	0	0	0	1	§2G2.5	0	0	0	0	0	0	0		
§2C1.3	2	2	0	0	0	0	0	§2G2.6	0	0	0	0	0	0	0		
§2C1.4	0	0	0	0	0	0	0	§2G3.1	28	8	1	2	0	0	17		
§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	64	16	0	12	0	2	34		
§2C1.7	0	0	0	0	0	0	0	§2H1.2	0	0	0	0	0	0	0		
§2C1.8	0	0	0	0	0	0	0	§2H1.3	0	0	0	0	0	0	0		
§2D1.1	15,805	4,582	46	3,092	721	542	6,822	§2H1.4	0	0	0	0	0	0	0		
§2D1.2	175	73	0	19	0	15	68	§2H1.5	0	0	0	0	0	0	0		
§2D1.3	0	0	0	0	0	0	0	§2H2.1	8	5	0	0	0	0	3		
§2D1.4	0	0	0	0	0	0	0	§2H3.1	3	3	0	0	0	0	0		
§2D1.5	9	3	0	4	0	0	2	§2H3.2	1	1	0	0	0	0	0		
§2D1.6	0	0	0	0	0	0	0	§2H3.3	7	7	0	0	0	0	0		
§2D1.7	1	1	0	0	0	0	0	§2H4.1	15	5	0	2	0	1	7		

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	169	55	0	17	1	6	90		
§2J1.1	0	0	0	0	0	0	0	§2M5.3	10	2	0	1	0	1	6		
§2J1.2	112	47	1	16	0	1	47	§2M6.1	5	1	0	2	0	0	2		
§2J1.3	12	4	0	0	0	1	7	§2M6.2	1	1	0	0	0	0	0		
§2J1.4	9	6	0	0	0	0	3	§2N1.1	12	1	0	0	0	0	11		
§2J1.5	1	0	0	0	0	0	1	§2N1.2	0	0	0	0	0	0	0		
§2J1.6	29	19	0	0	0	2	8	§2N1.3	1	1	0	0	0	0	0		
§2J1.7	0	0	0	0	0	0	0	§2N2.1	26	25	0	0	0	0	1		
§2J1.8	0	0	0	0	0	0	0	§2N3.1	1	1	0	0	0	0	0		
§2J1.9	0	0	0	0	0	0	0	§2P1.1	253	183	1	3	0	5	61		
§2K1.1	2	2	0	0	0	0	0	§2P1.2	120	64	0	4	0	11	41		
§2K1.2	0	0	0	0	0	0	0	§2P1.3	6	2	0	0	0	0	4		
§2K1.3	15	5	0	2	0	0	8	§2P1.4	0	0	0	0	0	0	0		
§2K1.4	76	40	2	9	0	2	23	§2Q1.1	2	0	0	1	0	1	0		
§2K1.5	1	0	0	0	0	0	1	§2Q1.2	30	9	0	6	0	0	15		
§2K1.6	0	0	0	0	0	0	0	§2Q1.3	11	5	0	2	0	3	1		
§2K1.7	0	0	0	0	0	0	0	§2Q1.4	1	0	0	0	0	0	1		
§2K2.1	7,632	3,762	48	398	6	228	3,190	§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	90	51	0	6	0	8	25		
§2K2.4 <sup>3</sup>	246	186	6	14	0	0	40	§2Q2.2	0	0	0	0	0	0	0		
§2K2.5	9	7	0	0	0	0	2	§2R1.1	17	7	0	5	0	1	4		
§2K2.6	0	0	0	0	0	0	0	§2S1.1	1,150	285	1	296	6	50	512		
§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	182	87	3	18	1	9	64		
§2L1.1	3,931	2,082	7	140	922	55	725	§2S1.4	0	0	0	0	0	0	0		
§2L1.2	18,050	12,873	35	36	2,068	413	2,625	§2T1.1	211	54	0	27	0	8	122		
§2L1.3	0	0	0	0	0	0	0	§2T1.2	0	0	0	0	0	0	0		
§2L2.1	51	30	0	6	0	4	11	§2T1.3	0	0	0	0	0	0	0		
§2L2.2	523	462	0	2	2	0	57	§2T1.4	109	26	0	22	0	0	61		
§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	62	12	0	5	0	2	43		
§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	7	2	0	2	0	0	3		
§2M2.2	0	0	0	0	0	0	0	§2T2.1	0	0	0	0	0	0	0		
§2M2.3	0	0	0	0	0	0	0	§2T2.2	0	0	0	0	0	0	0		
§2M2.4	0	0	0	0	0	0	0	§2T3.1	12	5	0	4	0	0	3		
§2M3.1	1	0	0	0	0	0	1	§2T3.2	0	0	0	0	0	0	0		
§2M3.2	3	0	0	0	0	2	1	§2T4.1	0	0	0	0	0	0	0		
§2M3.3	2	0	0	1	0	0	1	§2X1.1	11	2	0	5	0	0	4		
§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	73	20	0	16	0	3	34		
§2M3.6	0	0	0	0	0	0	0	§2X4.1	161	71	3	15	0	3	69		
§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	208	205	0	0	0	0	3		
§2M3.9	0	0	0	0	0	0	0	§2X6.1	0	0	0	0	0	0	0		
§2M4.1	0	0	0	0	0	0	0	§2X7.1	0	0	0	0	0	0	0		
§2M5.1	17	3	0	5	0	2	7	§2X7.2	0	0	0	0	0	0	0		
TOTAL									61,505	30,311	246	5,345	3,739	1,753	20,111		

<sup>1</sup> Of the 65,852 cases, 4,347 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 (528) or missing guideline applied (4,325). Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup> 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.

<sup>3</sup> 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.

Table 12

**ATTRIBUTION CATEGORY FOR SENTENCES OUTSIDE OF THE GUIDELINE RANGE<sup>1</sup>**  
**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

	TOTAL CASES	§5K1.1 Substantial Assistance <sup>2</sup>		§5K3.1 Early Disposition <sup>2</sup>		Pursuant to a Plea Agreement					
						Binding Plea Accepted by Court		Plea with Departure Court Finds Reasonable		Plea States Gov't Will Not Oppose	
		N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>31,733</b>	<b>5,375</b>	<b>16.9</b>	<b>4,047</b>	<b>12.8</b>	<b>4,607</b>	<b>14.5</b>	<b>5,637</b>	<b>17.8</b>	<b>378</b>	<b>1.2</b>
<b>Departures</b>	<b>11,374</b>	<b>5,357</b>	<b>47.1</b>	<b>4,040</b>	<b>35.5</b>	<b>2,546</b>	<b>22.4</b>	<b>3,754</b>	<b>33.0</b>	<b>175</b>	<b>1.5</b>
Upward Departure	248	0	0.0	0	0.0	68	27.4	40	16.1	0	0.0
Downward Departure											
§5K1.1 Substantial Assistance	5,357	5,357	100.0	47	0.9	155	2.9	1,161	21.7	17	0.3
§5K3.1 Early Disposition Program	3,993	0	0.0	3,993	100.0	2,001	50.1	2,183	54.7	139	3.5
Other Government Motion	851	0	0.0	0	0.0	322	37.8	370	43.5	19	2.2
Non-Government Departure	925	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
<b>Variances</b>	<b>20,359</b>	<b>18</b>	<b>0.1</b>	<b>7</b>	<b>0.0</b>	<b>2,061</b>	<b>10.1</b>	<b>1,883</b>	<b>9.2</b>	<b>203</b>	<b>1.0</b>
Upward Variance	2,868	18	0.6	7	0.2	238	8.3	147	5.1	0	0.0
Downward Variance											
Government Motion	6,264	0	0.0	0	0.0	1,823	29.1	1,736	27.7	203	3.2
Non-Government Variance	11,227	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

Table 12 (cont.)

	Pursuant to a Motion Not in a Plea Agreement											
	Other Government Motion		Defense Motion/Gov't Did Not Object		Defense Motion/Gov't Did Object		Joint Motion		Other than a Plea/Motion by Parties		No Information Available	
	N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>5,022</b>	<b>15.8</b>	<b>4,426</b>	<b>13.9</b>	<b>7,255</b>	<b>22.9</b>	<b>2,115</b>	<b>6.7</b>	<b>5,456</b>	<b>17.2</b>	<b>2,022</b>	<b>6.4</b>
<b>Departures</b>	<b>4,021</b>	<b>35.4</b>	<b>1,630</b>	<b>14.3</b>	<b>1,440</b>	<b>12.7</b>	<b>793</b>	<b>7.0</b>	<b>866</b>	<b>7.6</b>	<b>171</b>	<b>1.5</b>
Upward Departure	70	28.2	2	0.8	3	1.2	8	3.2	63	25.4	20	8.1
Downward Departure												
§5K1.1 Substantial Assistance	3,678	68.7	655	12.2	732	13.7	432	8.1	445	8.3	0	0.0
§5K3.1 Early Disposition Program	193	4.8	452	11.3	398	10.0	215	5.4	101	2.5	0	0.0
Other Government Motion	80	9.4	74	8.7	84	9.9	138	16.2	57	6.7	25	2.9
Non-Government Departure	0	0.0	447	48.3	223	24.1	0	0.0	200	21.6	126	13.6
<b>Variations</b>	<b>1,001</b>	<b>4.9</b>	<b>2,796</b>	<b>13.7</b>	<b>5,815</b>	<b>28.6</b>	<b>1,322</b>	<b>6.5</b>	<b>4,590</b>	<b>22.5</b>	<b>1,851</b>	<b>9.1</b>
Upward Variance	399	13.9	8	0.3	9	0.3	23	0.8	1,778	62.0	310	10.8
Downward Variance												
Government Motion	602	9.6	459	7.3	312	5.0	1,299	20.7	556	8.9	169	2.7
Non-Government Variance	0	0.0	2,329	20.7	5,494	48.9	0	0.0	2,256	20.1	1,372	12.2

<sup>1</sup> Multiple attributions may be made on the Statement of Reasons (SOR). Therefore, the numbers reported in this table may exceed the number of total cases. For example, among SORs with an attribution, 11,444 cases indicated more than one attribution. Only sentenced individuals whose sentence is outside the guideline range are included in this table. Descriptions of variables used in this table are provided in Appendix A.

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

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through September 30, 2025).

Table 13

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

**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Increase In Months	Percent Increase	Sentence In Months	Increase In Months	Percent Increase
<b>TOTAL</b>	<b>245</b>	<b>107</b>	<b>39</b>	<b>96.5</b>	<b>74</b>	<b>23</b>	<b>46.3</b>
Administration of Justice	7	43	29	165.8	18	12	185.7
Antitrust	0	--	--	--	--	--	--
Arson	2	--	--	--	--	--	--
Assault	26	105	38	65.9	87	25	46.3
Bribery/Corruption	0	--	--	--	--	--	--
Burglary/Trespass	0	--	--	--	--	--	--
Child Pornography	4	110	25	37.5	100	25	38.3
Commercialized Vice	3	18	3	15.9	15	1	7.1
Drug Possession	0	--	--	--	--	--	--
Drug Trafficking	46	125	49	179.8	98	33	71.1
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	0	--	--	--	--	--	--
Firearms	54	96	32	69.3	84	22	35.1
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	0	--	--	--	--	--	--
Fraud/Theft/Embezzlement	13	78	36	101.4	46	10	50.0
Immigration	44	30	12	76.1	24	6	38.1
Individual Rights	0	--	--	--	--	--	--
Kidnapping	1	--	--	--	--	--	--
Manslaughter	5	144	69	90.9	180	93	106.9
Money Laundering	3	42	31	370.8	48	42	400.0
Murder	6	404	140	61.2	420	148	63.2
National Defense	0	--	--	--	--	--	--
Obscenity/Other Sex Offenses	1	--	--	--	--	--	--
Prison Offenses	1	--	--	--	--	--	--
Robbery	12	218	63	41.6	240	63	35.2
Sexual Abuse	15	188	74	73.6	180	54	57.7
Stalking/Harassing	2	--	--	--	--	--	--
Tax	0	--	--	--	--	--	--
Other	0	--	--	--	--	--	--

<sup>1</sup> Of the 65,852 cases, in 248 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, two cases were 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.

Table 14

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

**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Increase In Months	Percent Increase	Sentence In Months	Increase In Months	Percent Increase
<b>TOTAL</b>	<b>2,842</b>	<b>59</b>	<b>19</b>	<b>67.0</b>	<b>30</b>	<b>9</b>	<b>42.9</b>
Administration of Justice	30	37	13	59.1	34	10	50.0
Antitrust	0	--	--	--	--	--	--
Arson	8	78	14	34.4	84	15	31.9
Assault	56	142	59	78.1	96	27	44.6
Bribery/Corruption	2	--	--	--	--	--	--
Burglary/Trespass	3	76	27	55.1	60	27	53.9
Child Pornography	46	192	60	50.0	180	42	40.6
Commercialized Vice	2	--	--	--	--	--	--
Drug Possession	2	--	--	--	--	--	--
Drug Trafficking	258	116	35	82.1	100	23	29.9
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	3	139	53	84.5	84	47	81.8
Firearms	464	88	27	56.7	77	18	33.3
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	6	52	19	55.9	43	12	39.4
Fraud/Theft/Embezzlement	115	66	23	82.9	48	12	46.3
Immigration	1,591	22	8	65.3	16	5	50.0
Individual Rights	3	86	34	72.4	36	12	66.7
Kidnapping	4	275	90	64.4	233	108	51.1
Manslaughter	29	124	53	81.6	97	34	51.7
Money Laundering	25	140	49	58.3	108	21	63.0
Murder	16	338	66	30.2	360	55	15.6
National Defense	3	57	22	56.3	27	9	50.0
Obscenity/Other Sex Offenses	24	58	33	227.8	47	17	76.6
Prison Offenses	9	40	22	165.8	36	20	100.0
Robbery	57	152	35	33.8	144	24	24.0
Sexual Abuse	50	178	44	52.0	174	42	33.3
Stalking/Harassing	28	57	20	68.4	56	19	48.2
Tax	5	41	14	48.7	48	11	29.7
Other	3	24	16	200.0	24	18	200.0

<sup>1</sup> Of the 65,852 cases, in 2,868 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, five cases were excluded from this table. Also, 21 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 CRIME<sup>1</sup>**

**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
<b>TOTAL</b>	5,222	53	54	56.0	36	37	50.0
Administration of Justice	31	2	13	89.2	0	12	100.0
Antitrust	5	2	6	76.0	0	8	100.0
Arson	9	26	35	58.7	24	35	70.0
Assault	17	63	111	54.0	44	38	41.4
Bribery/Corruption	87	12	27	75.5	4	18	86.7
Burglary/Trespass	4	4	9	79.1	0	10	99.9
Child Pornography	23	104	62	44.0	96	59	42.9
Commercialized Vice	6	1	9	91.6	0	7	100.0
Drug Possession	0	--	--	--	--	--	--
Drug Trafficking	3,060	68	64	51.4	60	49	47.4
Environmental	16	2	12	92.7	0	8	99.9
Extortion/Racketeering	9	25	41	80.9	0	37	99.9
Firearms	417	33	30	55.9	23	21	49.6
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	5	20	22	56.4	8	22	47.8
Fraud/Theft/Embezzlement	692	16	31	68.8	11	21	70.7
Immigration	186	19	15	49.2	12	11	44.0
Individual Rights	11	36	35	53.2	21	29	35.0
Kidnapping	21	122	103	47.4	121	114	48.5
Manslaughter	1	--	--	--	--	--	--
Money Laundering	300	40	64	65.1	24	40	62.4
Murder	49	112	126	53.0	119	119	53.3
National Defense	27	18	45	69.9	12	37	70.3
Obscenity/Other Sex Offenses	4	21	8	30.7	20	9	21.9
Prison Offenses	7	7	9	61.7	10	5	60.9
Robbery	111	71	62	48.8	59	49	45.1
Sexual Abuse	52	144	86	41.9	114	67	41.9
Stalking/Harassing	6	2	20	91.6	0	24	99.8
Tax	60	13	21	76.4	0	18	98.2
Other	6	35	41	65.6	29	38	66.8

<sup>1</sup> Of the 65,852 cases, in 5,357 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, 79 cases were excluded from this table. Also, 56 cases were excluded due to several logical criteria. Sentences greater than 470 months and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

Table 16

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

**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
<b>TOTAL</b>	<b>3,987</b>	<b>12</b>	<b>13</b>	<b>50.6</b>	<b>8</b>	<b>6</b>	<b>47.4</b>
Administration of Justice	0	--	--	--	--	--	--
Antitrust	0	--	--	--	--	--	--
Arson	0	--	--	--	--	--	--
Assault	0	--	--	--	--	--	--
Bribery/Corruption	2	--	--	--	--	--	--
Burglary/Trespass	0	--	--	--	--	--	--
Child Pornography	0	--	--	--	--	--	--
Commercialized Vice	0	--	--	--	--	--	--
Drug Possession	0	--	--	--	--	--	--
Drug Trafficking	721	23	40	63.6	20	36	63.2
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	0	--	--	--	--	--	--
Firearms	6	13	14	64.2	6	14	68.8
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	0	--	--	--	--	--	--
Fraud/Theft/Embezzlement	6	7	16	76.8	0	11	100.0
Immigration	3,240	9	7	47.6	6	6	41.7
Individual Rights	0	--	--	--	--	--	--
Kidnapping	1	--	--	--	--	--	--
Manslaughter	0	--	--	--	--	--	--
Money Laundering	7	40	67	66.1	13	57	80.8
Murder	2	--	--	--	--	--	--
National Defense	1	--	--	--	--	--	--
Obscenity/Other Sex Offenses	0	--	--	--	--	--	--
Prison Offenses	0	--	--	--	--	--	--
Robbery	0	--	--	--	--	--	--
Sexual Abuse	1	--	--	--	--	--	--
Stalking/Harassing	0	--	--	--	--	--	--
Tax	0	--	--	--	--	--	--
Other	0	--	--	--	--	--	--

<sup>1</sup> Of the 65,852 cases, in 3,993 the sentenced individual received a §5K3.1 early disposition program departure below the guideline range. Of these, six 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 CRIME<sup>1</sup>**

**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
<b>TOTAL</b>	<b>1,738</b>	<b>46</b>	<b>31</b>	<b>44.5</b>	<b>24</b>	<b>16</b>	<b>40.0</b>
Administration of Justice	13	6	9	61.9	6	6	60.0
Antitrust	1	--	--	--	--	--	--
Arson	2	--	--	--	--	--	--
Assault	36	52	18	36.6	29	13	27.8
Bribery/Corruption	10	8	27	84.7	0	15	99.8
Burglary/Trespass	1	--	--	--	--	--	--
Child Pornography	40	95	43	34.7	72	34	29.4
Commercialized Vice	3	3	10	80.0	2	9	80.0
Drug Possession	0	--	--	--	--	--	--
Drug Trafficking	552	70	50	43.9	60	34	41.7
Environmental	13	5	16	80.0	1	15	87.5
Extortion/Racketeering	1	--	--	--	--	--	--
Firearms	231	36	18	38.8	30	12	29.8
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	6	14	14	66.2	2	11	75.0
Fraud/Theft/Embezzlement	110	22	22	61.0	13	14	55.6
Immigration	477	14	11	42.6	12	9	40.0
Individual Rights	3	10	32	70.7	8	25	75.8
Kidnapping	11	139	55	30.4	110	55	34.5
Manslaughter	8	33	19	47.7	30	15	39.6
Money Laundering	55	37	43	57.2	21	21	58.8
Murder	18	182	88	33.8	204	71	29.4
National Defense	11	45	48	53.8	25	26	64.8
Obscenity/Other Sex Offenses	8	11	9	52.7	9	9	50.6
Prison Offenses	22	10	6	42.3	9	6	33.3
Robbery	53	76	26	30.0	68	24	26.3
Sexual Abuse	37	137	96	42.3	135	79	41.7
Stalking/Harassing	6	13	14	61.6	5	14	78.1
Tax	10	8	12	62.0	6	8	58.3
Other	0	--	--	--	--	--	--

<sup>1</sup> Of the 65,852 cases, in 1,776 the sentence was a downward departure from the guideline range, either due to a government motion for a departure (851) or a non-government departure (925). Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, 22 cases were excluded from this table. Also, 16 cases were excluded due to several logical criteria. Sentences greater than 470 months and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through September 30, 2025).

Table 18

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

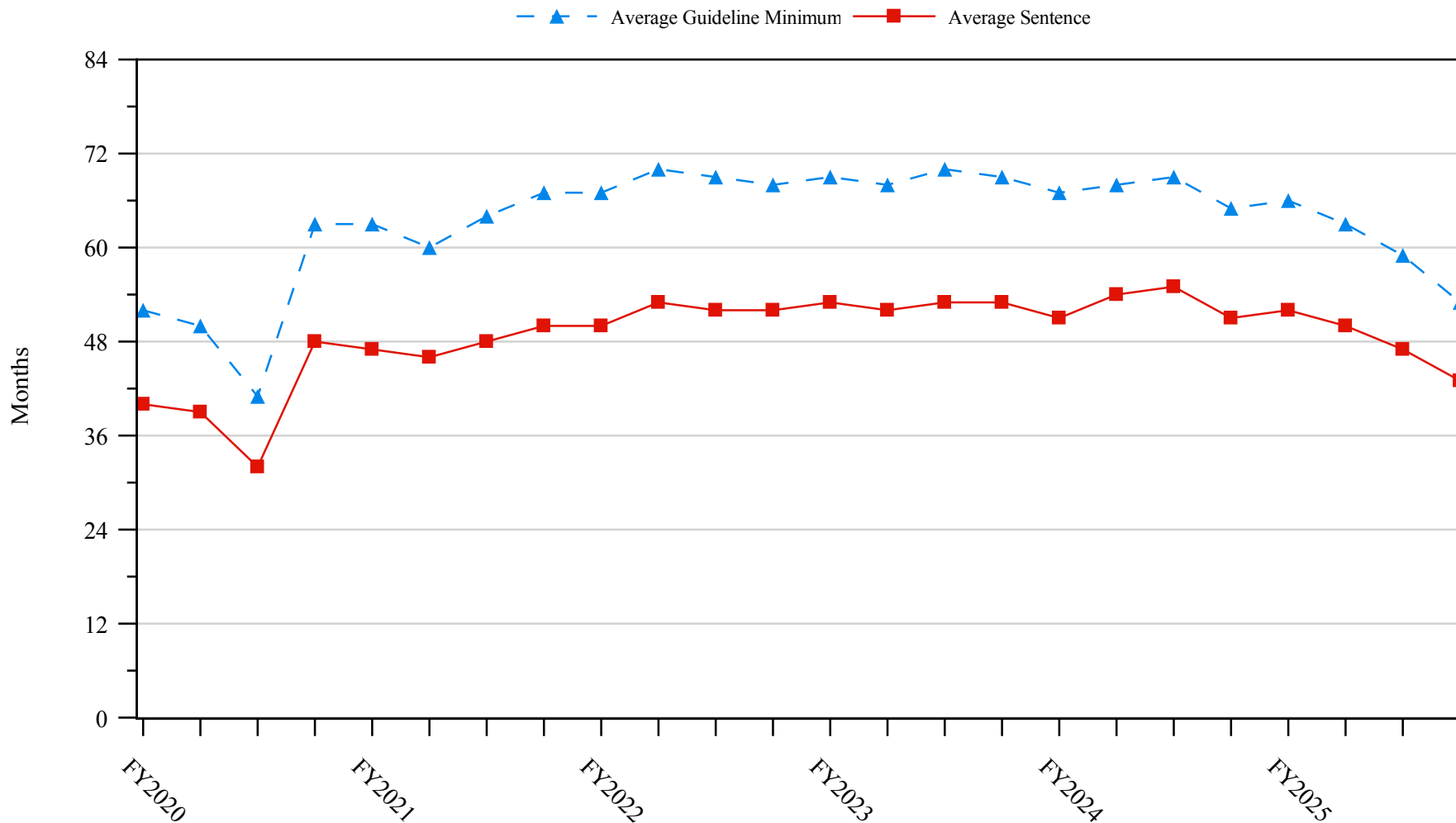
**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Decrease In Months	Percent Decrease	Sentence In Months	Decrease In Months	Percent Decrease
<b>TOTAL</b>	<b>16,972</b>	<b>56</b>	<b>30</b>	<b>42.7</b>	<b>36</b>	<b>17</b>	<b>33.3</b>
Administration of Justice	185	7	10	66.3	1	8	88.9
Antitrust	4	6	8	61.9	6	5	63.9
Arson	16	33	27	57.6	23	26	49.8
Assault	294	43	21	44.3	24	15	37.1
Bribery/Corruption	134	19	20	58.4	12	12	55.6
Burglary/Trespass	12	10	14	67.1	9	13	73.5
Child Pornography	737	87	47	36.6	72	37	33.3
Commercialized Vice	21	6	9	73.1	1	8	93.4
Drug Possession	9	0	3	94.0	0	2	100.0
Drug Trafficking	6,551	82	42	37.9	70	29	31.0
Environmental	45	3	11	84.7	0	8	99.9
Extortion/Racketeering	21	29	19	41.4	24	9	30.0
Firearms	2,787	37	19	42.4	27	12	31.8
Food and Drug	12	12	35	74.1	9	31	82.1
Forgery/Counter/Copyright	30	8	20	75.3	2	12	93.2
Fraud/Theft/Embezzlement	1,924	20	17	56.7	12	11	50.0
Immigration	1,911	13	8	42.7	9	6	33.3
Individual Rights	40	32	19	53.6	12	12	46.4
Kidnapping	46	123	57	35.1	116	50	31.7
Manslaughter	13	35	25	55.4	15	18	50.0
Money Laundering	533	51	34	46.8	27	17	37.9
Murder	54	178	80	34.6	192	60	25.8
National Defense	105	23	26	52.8	20	18	47.8
Obscenity/Other Sex Offenses	120	11	9	49.1	12	8	35.2
Prison Offenses	104	10	9	47.7	8	6	45.6
Robbery	480	89	27	27.8	80	21	21.5
Sexual Abuse	424	174	71	30.5	180	60	27.0
Stalking/Harassing	114	15	15	55.9	12	11	47.8
Tax	224	12	12	61.3	8	12	56.2
Other	22	16	15	61.2	4	6	55.7

<sup>1</sup> Of the 65,852 cases, in 17,491 the sentence was a variance below the guideline range, either due to a government motion for a variance (6,264) or a non-government variance (11,227). Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, 234 cases were excluded from this table. Also, 285 cases were excluded due to several logical criteria. Sentences greater than 470 months and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through September 30, 2025).

**Figure 5**  
**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA**  
**FOR SENTENCED INDIVIDUALS<sup>1</sup>**  
**Fiscal Years 2020 - 2024,**  
**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

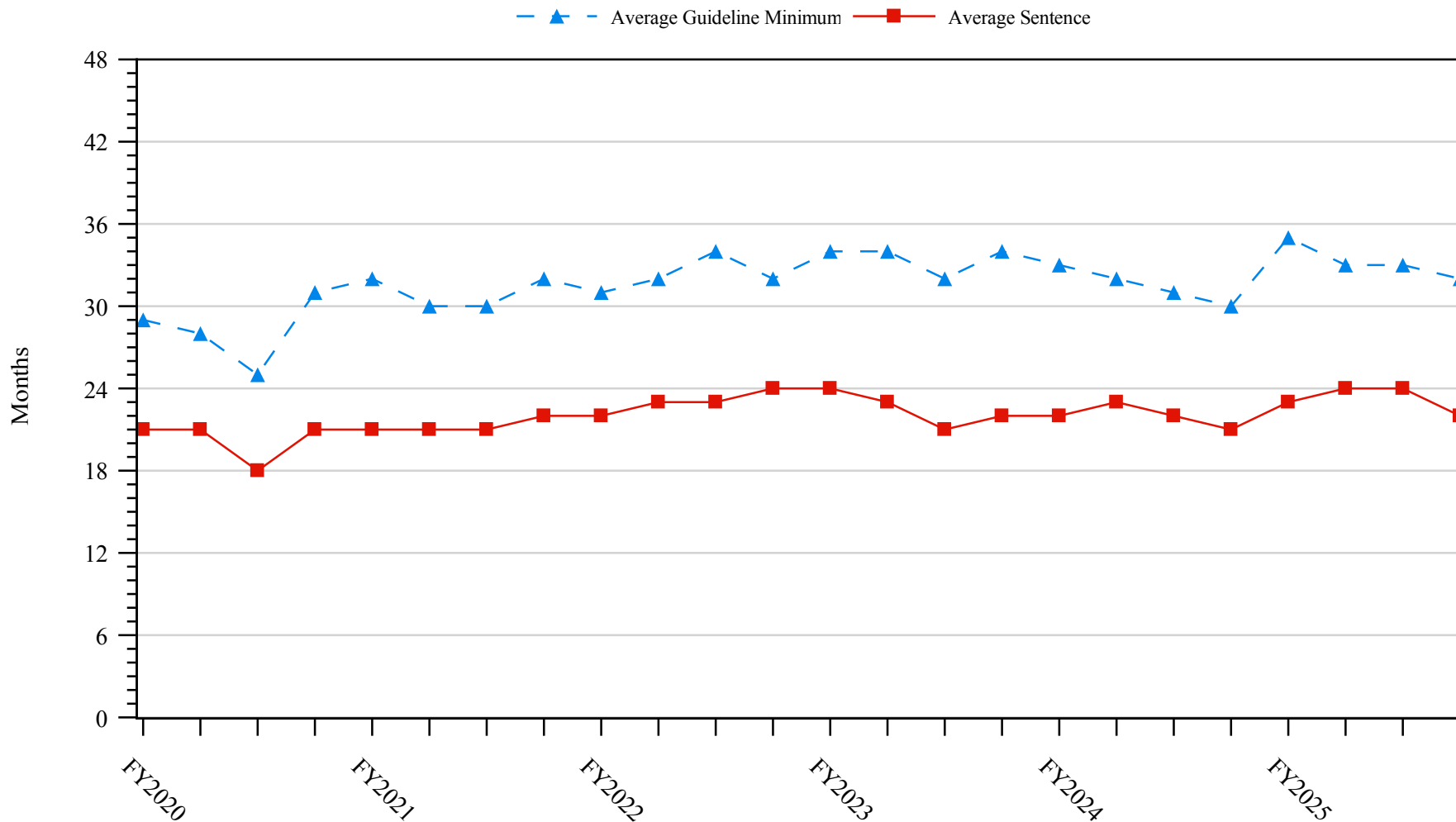


<sup>1</sup> Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. Cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470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

SOURCE: U.S. Sentencing Commission, 2020 - 2024 Datafiles, USSCFY20 - USSCFY24, and Preliminary Data from USSCFY25 (October 1, 2024, through September 30, 2025).

Figure 6

**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA  
FOR INDIVIDUALS SENTENCED UNDER §2B1.1 (THEFT, PROPERTY DESTRUCTION, AND FRAUD)<sup>1</sup>  
Fiscal Years 2020 - 2024,  
4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

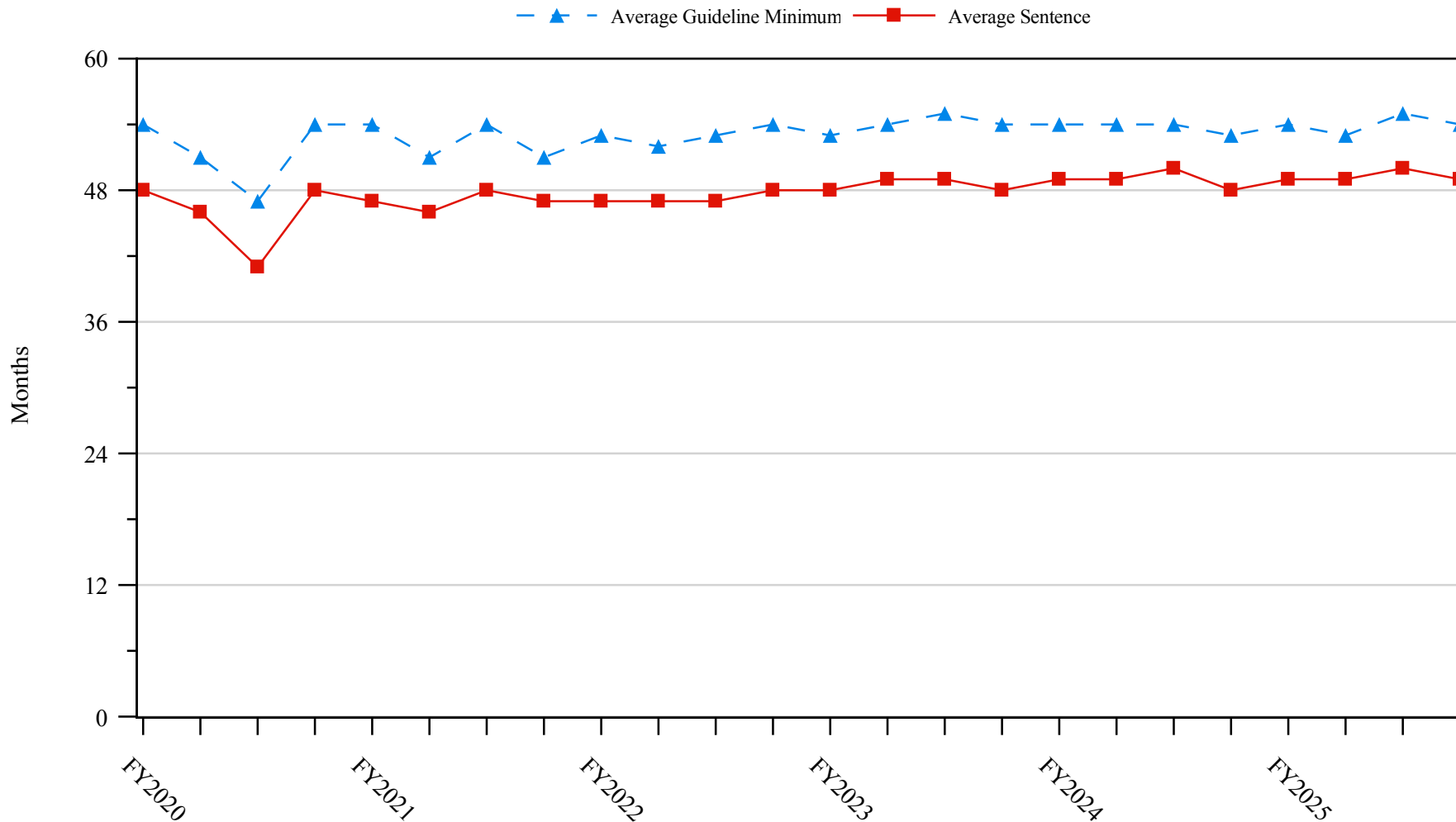


<sup>1</sup> Figure includes only cases with a primary sentencing guideline of USSG §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than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

SOURCE: U.S. Sentencing Commission, 2020 - 2024 Datafiles, USSCFY20 - USSCFY24, and Preliminary Data from USSCFY25 (October 1, 2024, through September 30, 2025).

**Figure 7**

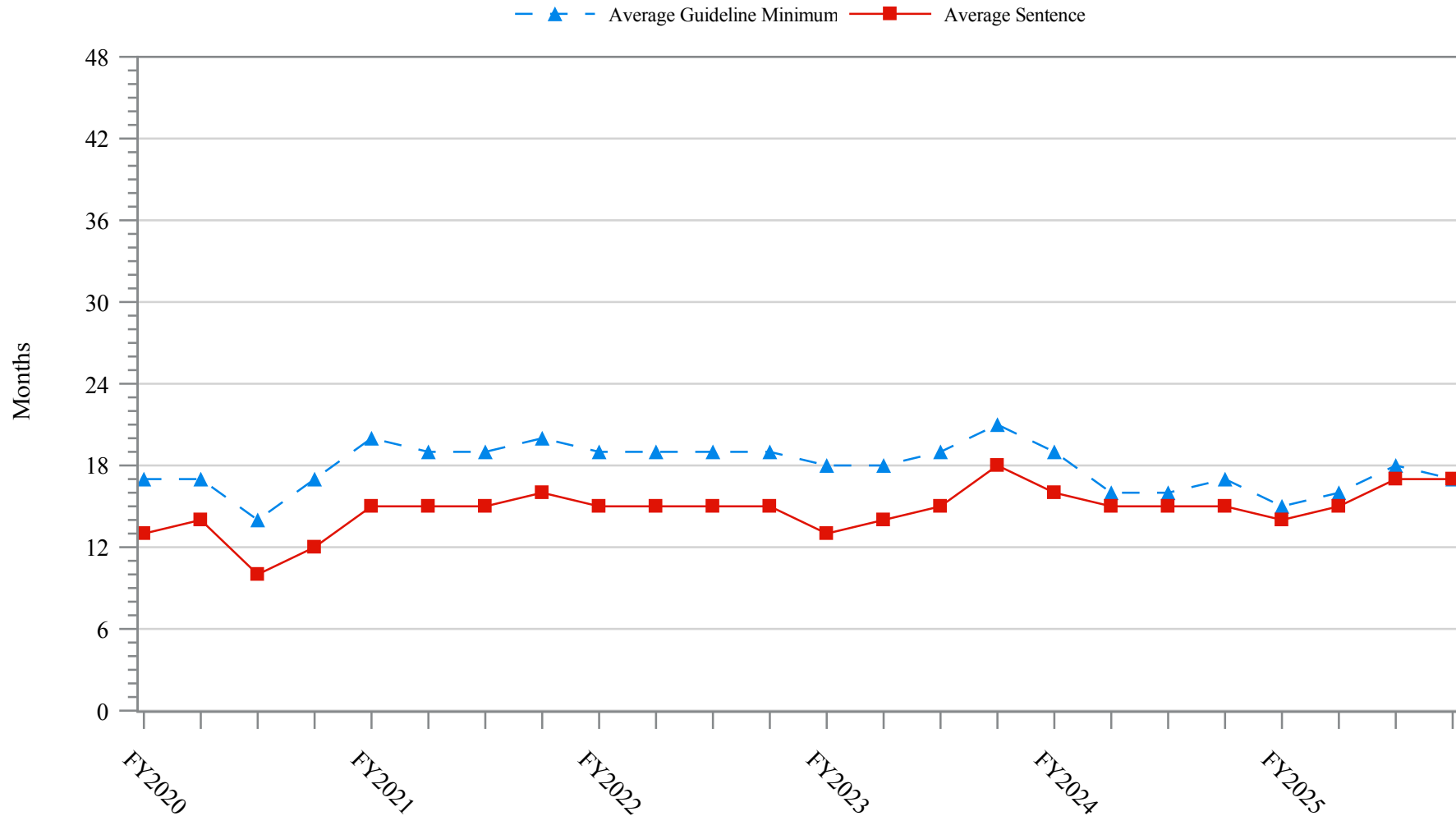
**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA  
FOR INDIVIDUALS SENTENCED UNDER §2K2.1 (UNLAWFUL POSSESSION OF OR TRANSACTION IN FIREARMS)<sup>1</sup>  
Fiscal Years 2020 - 2024,  
4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**



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

SOURCE: U.S. Sentencing Commission, 2020 - 2024 Datafiles, USSCFY20 - USSCFY24, and Preliminary Data from USSCFY25 (October 1, 2024, through September 30, 2025).

**Figure 8**  
**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA**  
**FOR INDIVIDUALS SENTENCED UNDER §2L1.1 (ALIEN SMUGGLING)<sup>1</sup>**  
**Fiscal Years 2020 - 2024,**  
**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

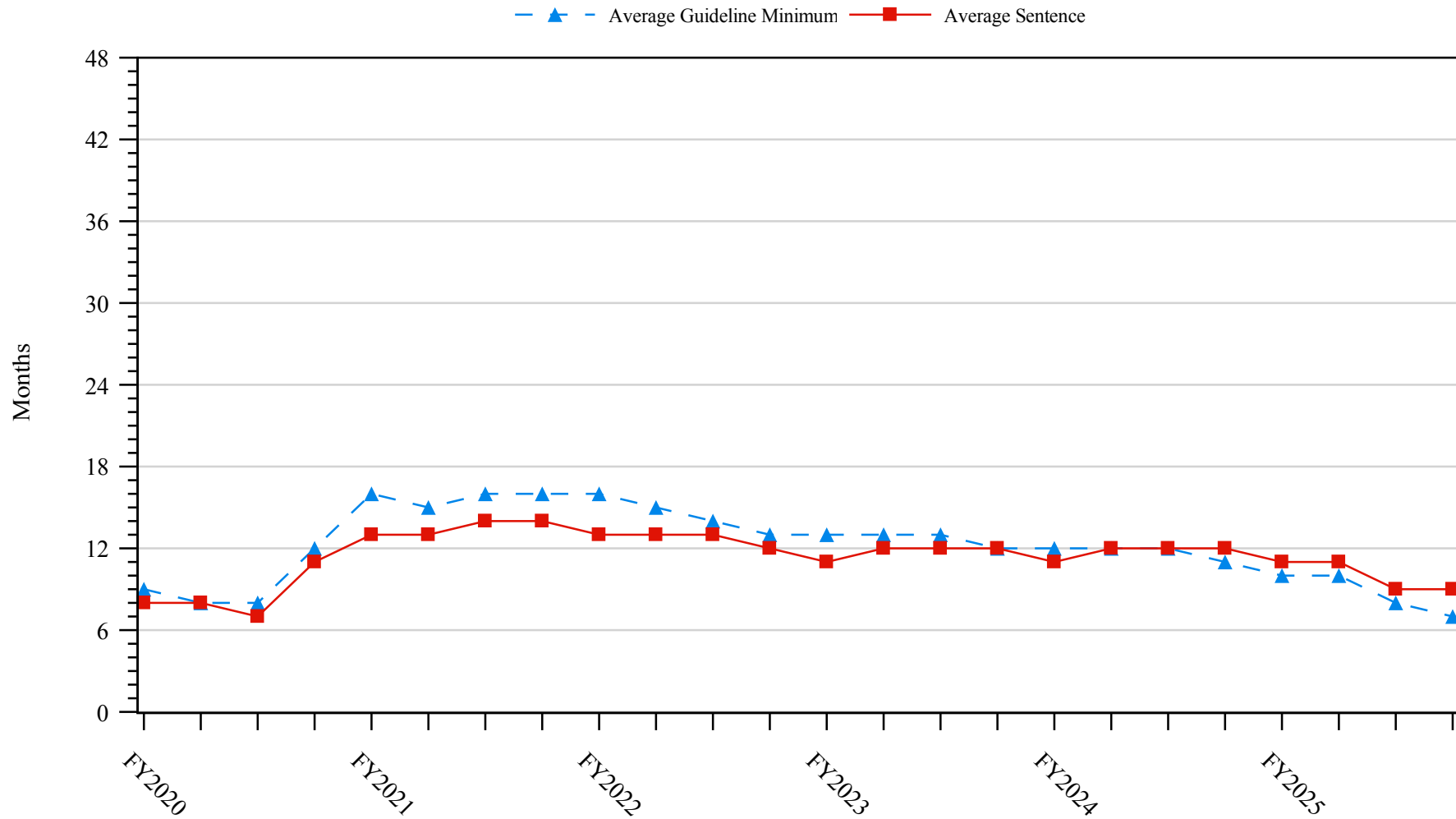


<sup>1</sup> Figure includes only cases with a primary sentencing guideline of USSG §2L1.1 (Smuggling, Transporting, or Harboring an Unlawful Alien). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively.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

SOURCE: U.S. Sentencing Commission, 2020 - 2024 Datafiles, USSCFY20 - USSCFY24, and Preliminary Data from USSCFY25 (October 1, 2024, through September 30, 2025).

**Figure 9**

**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA  
FOR INDIVIDUALS SENTENCED UNDER §2L1.2 (UNLAWFUL ENTERING OR REMAINING IN THE UNITED STATES)<sup>1</sup>  
Fiscal Years 2020 - 2024,  
4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**

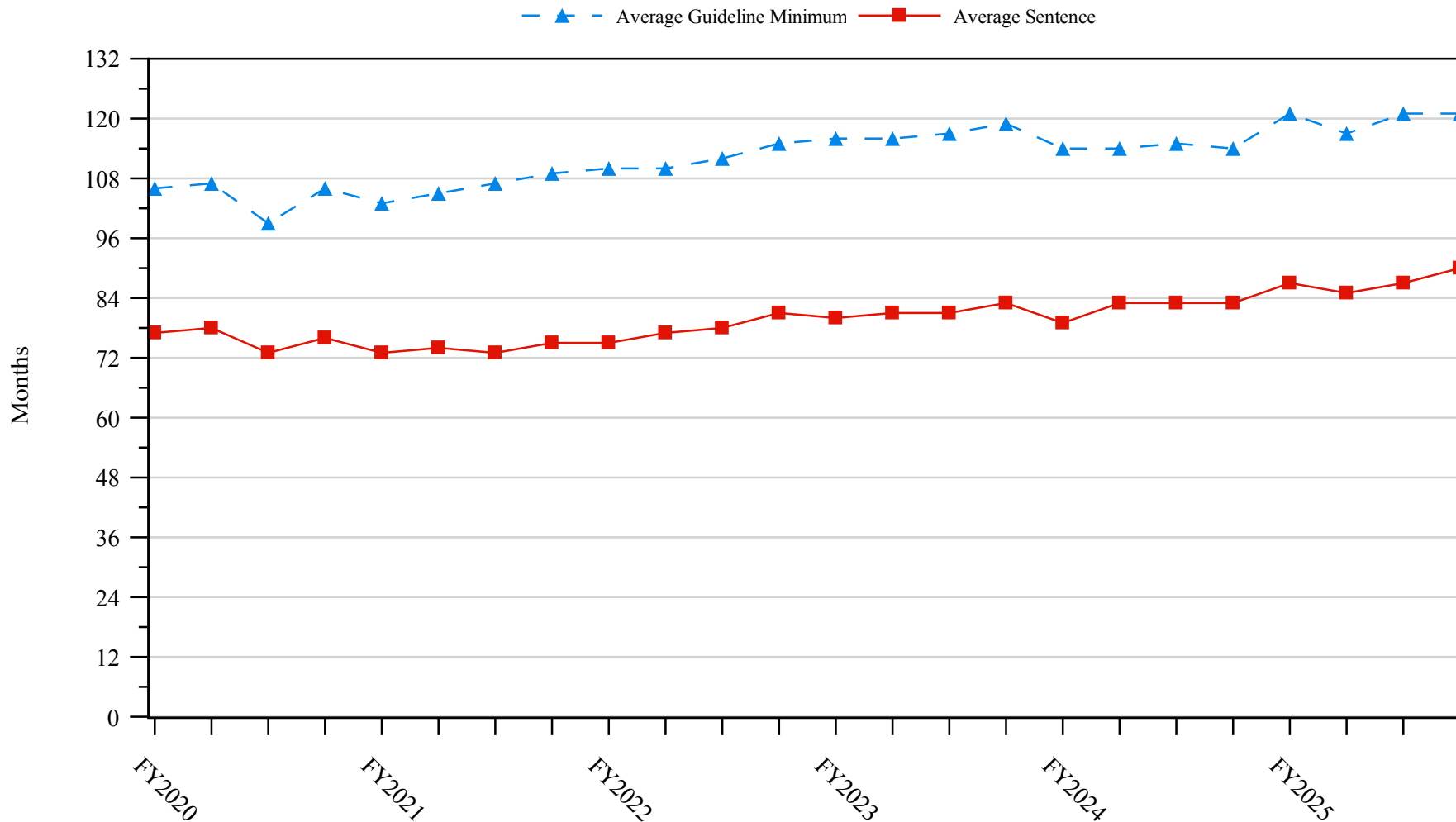


<sup>1</sup> Figure includes only cases with a primary sentencing guideline of USSG §2L1.2 (Unlawful Entering or Remaining in the United States). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. Cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. The information presented in this figure includes conditions of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2020 - 2024 Datafiles, USSCFY20 - USSCFY24, and Preliminary Data from USSCFY25 (October 1, 2024, through September 30, 2025).

**Figure 10**

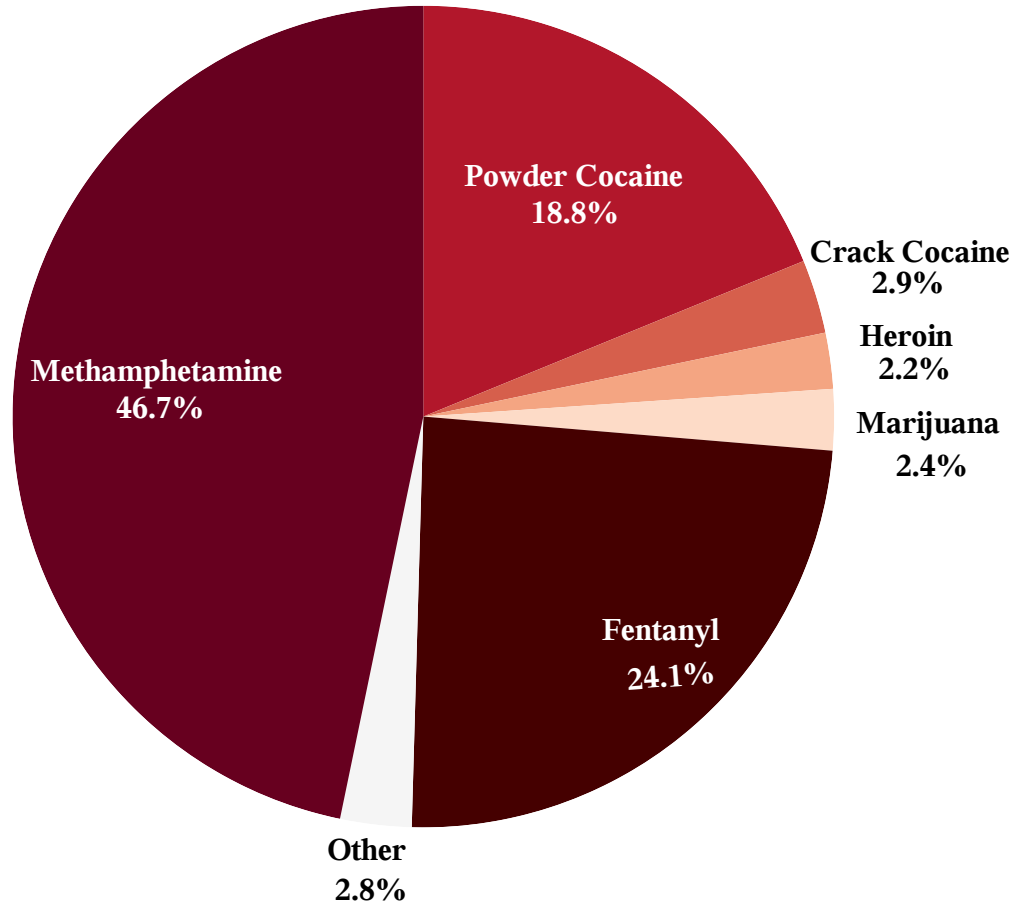
**SENTENCE LENGTH AND GUIDELINE MINIMUM QUARTERLY DATA  
FOR INDIVIDUALS SENTENCED UNDER §2D1.1 (UNLAWFUL DRUG TRAFFICKING OR MANUFACTURING)<sup>1</sup>  
Fiscal Years 2020 - 2024,  
4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**



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

SOURCE: U.S. Sentencing Commission, 2020 - 2024 Datafiles, USSCFY20 - USSCFY24, and Preliminary Data from USSCFY25 (October 1, 2024, through September 30, 2025).

**Figure 11**  
**DISTRIBUTION OF PRIMARY DRUG TYPE**  
**IN FEDERAL DRUG CASES<sup>1,2</sup>**  
**4th Quarter 2025 Preliminary Cumulative Data**  
**(October 1, 2024, through September 30, 2025)**

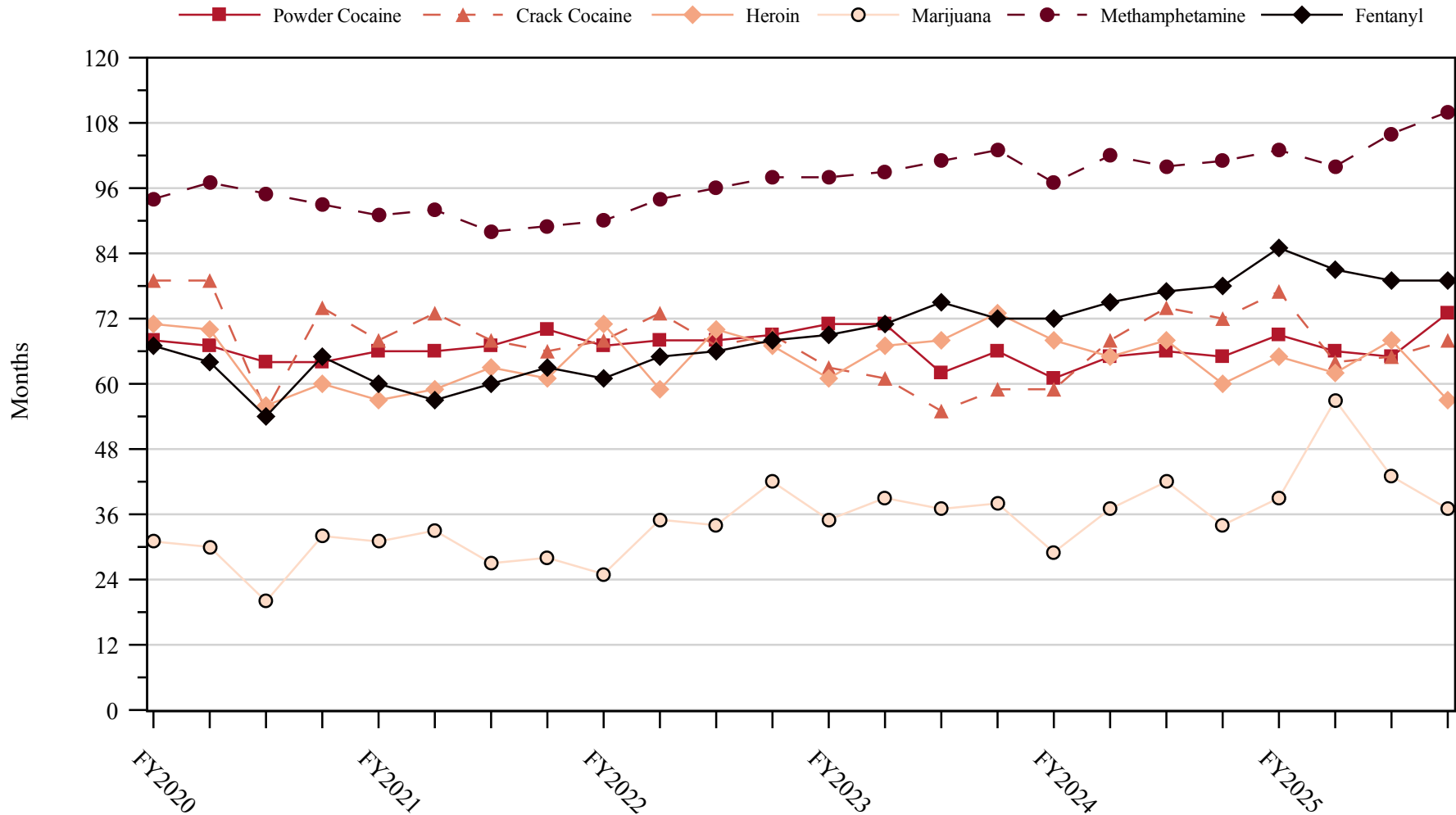


<sup>1</sup> Of the 65,852 cases, in 16,085 the individual was sentenced under USSG Chapter Two, Part D (Drugs). The 'Fentanyl' category includes both Fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] Propanamide) and Fentanyl Analogue. Descriptions of variables used in this figure are provided in Appendix A.

<sup>2</sup> The 'Other' drug category includes the remaining primary drug types of which the following have more than 50 cases: Oxycodone/Oxycontin (181).

SOURCE: U.S. Sentencing Commission, Preliminary 2025 Datafile, USSCFY25 (October 1, 2024, through September 30, 2025).

**Figure 12**  
**SENTENCE LENGTH IN DRUG TRAFFICKING CASES**  
**BY MAJOR DRUG TYPE QUARTERLY DATA<sup>1</sup>**  
**Fiscal Years 2020 - 2024,**  
**4th Quarter 2025 Preliminary Cumulative Data (October 1, 2024, through September 30, 2025)**



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

SOURCE: U.S. Sentencing Commission, 2020 - 2024 Datafiles, USSCFY20 - USSCFY24, and Preliminary Data from USSCFY25 (October 1, 2024, through September 30, 2025).

## Appendix A

### Descriptions of Datafiles and Variables

#### Introduction

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

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

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

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

#### Variables

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The following section describes the variables used in this report.

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

All categories replicate the list of checkboxes available on the Statement of Reasons form. Not all checkbox categories are available in both the departure section and sentences outside the guideline system section on this form and multiple checkboxes may be indicated in a single case so that totals in a table may exceed the total number of cases. The Commission uses these checkboxes in determining government sponsorship: all cases in which one of the pursuant to a plea agreement boxes is indicated are attributed to the government. Additionally, other types of Statement of Reasons forms may indicate sponsorship in writing, and these attributions are also included in the appropriate category.

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

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

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

**Circuit**

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

**Citizenship Status**

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

**District**

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

**Downward Departure**

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

**Downward Variance**

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

**Extent of Decrease**

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

**Extent of Increase**

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

**Gender**

*Gender* is obtained from the Presentence Report.

**Government Motion (Variance)**

*Government Motion (Variance)* consists of cases in which the sentence imposed was below the applicable guideline range pursuant to a government motion and for which the court cited a reason on Part VI of the Statement of Reasons (SOR) form (Court Determination for a Variance). These cases are determined by a yearly case review by Commission staff of both the reasons for the below range sentence and the coding by Commission staff of any indication of government sponsorship as indicated on the Statement of Reasons for below range cases. The SOR form has specific checkboxes to indicate the origins of the variance, but cases that do not use this form may also indicate in writing the origins of the variance. Additionally, all cases with one or more of the following reasons were classified as being sponsored by the government regardless of whether the SOR indicated sponsorship: pursuant to a plea agreement

(binding, non-binding, or unknown), fast track, savings to the government, early plea, waiver of indictment and/or appeal, other government motion, global disposition, due to stipulations, facilitated early release of a material witness, joint recommendation, and a large number of immigration cases. This category does not include cases with USSG §5K1.1 Substantial Assistance departures or USSG §5K3.1 Early Disposition Program (EDP) departures.

### **Guideline Sentencing Range**

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

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

### **Non-Government Departure**

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

### **Non-Government Variance**

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

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

*Other Government Motion* is determined by a yearly case review by Commission staff of both the reasons for the below range sentence and the coding by Commission staff of any indication of government sponsorship as indicated on the Statement of Reasons for below range cases. The SOR form has specific checkboxes to indicate the origins of the departure, but cases that do not use this form may also indicate in writing the origins of the departure. Additionally, all cases with one or more of the following reasons were classified as being sponsored by the government regardless of whether the SOR indicated sponsorship: pursuant to a plea agreement (binding, non-binding, or unknown), fast track, savings to the government, early plea, waiver of indictment and/or appeal, other government motion, global disposition, due to stipulations, facilitated early release of a material witness, joint recommendation, and a large number of immigration cases. This category does not include cases with USSG §5K1.1 Substantial Assistance departures or USSG §5K3.1 Early Disposition Program (EDP) departures.

### **Primary Drug Type**

Information on *Primary Drug Type* is obtained from the Presentence Report, Judgment and Commitment Order, or Plea Agreement. It is recorded only if at least one of the statutes of conviction recorded by the Commission is an offense under title 21 of the United States Code or an offense under another title when the underlying conduct involves a controlled substance. Information about type of drug in the text and tables is derived from the primary drug type (i.e., the type that produces the highest base offense level).

The category *Fentanyl* includes cases in which the drug involved is Fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] Propanamide) and cases in which the court determined the substance involved to be a Fentanyl analogue, as defined in the *Guidelines Manual*. The category *Marijuana* includes Hashish and Hashish oil. The category *Methamphetamine* includes pure (actual) methamphetamine, “Ice,” methamphetamine mixture, and methamphetamine precursors sentenced under any drug trafficking guideline other than USSG §2D1.11 (for example ephedrine and pseudoephedrine). All drug types not listed separately in this report are collapsed into the “Other” drug category.

### **Primary Guideline**

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

### **Race**

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

### **Sentence Imposed or Sentence Length**

*Sentence Imposed* or *Sentence Length* reports the mean and median terms of the sentence imposed in months. It also includes any time served amounts and imprisonment under USSG §5G1.3. This information is obtained from the Judgment and Commitment Order. Mean and median sentence lengths are rounded to the nearest month. Probation sentences are included as zero months. Any portion of a sentence that is an alternative confinement as described in USSG §5C1.1 is included.

Cases in which a sentence is imposed, but where the length is indeterminable, are excluded. When sentences are expressed as "time served" on the Judgment and Commitment Order, Commission staff uses the dates in federal custody to determine the length of time served when an individual has been in custody the entire time. If the individual has been in and out of custody, or the start date is unclear/missing, then the Commission assigns a value of one day as a minimal time served amount for these cases. In cases where the court imposes a sentence of life imprisonment, a numeric value is necessary to include these cases in any sentence length analysis. Accordingly, life sentences are reported as 470 months, a length consistent with the average life expectancy of individuals sentenced for federal offenses given the average age of those person. Sentences of greater than 470 months are also reported as 470 months. The footnote in the relevant tables and figures indicates when this occurs.

### **Sentenced Individuals**

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

### **Sentence Type**

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

The *Total Receiving Probation* category includes the number of individuals sentenced (and the percent of *Total Cases*) who received a term of probation with or without a condition of community confinement, intermittent confinement, or home detention. This category is the sum of *Probation Only* and *Probation and Alternatives* categories.

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

The *Prison and Alternatives* category includes all cases in which individuals received prison and conditions of alternative confinement as defined in USSG §5C1.1. This category includes, but is not

limited to, Zone A, Zone B, or Zone C cases receiving prison with additional conditions of a term of community confinement, home detention, or intermittent confinement.

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

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

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

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

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

### **Type of Crime**

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

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

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

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

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

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

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

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

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

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

*Drug Trafficking* includes drug distribution/manufacture — conspiracy, continuing criminal enterprise, drug distribution — employee under 21, drug distribution near school, drug import/export, drug distribution to person under 21, establish/rent drug operation, endangering human life while manufacturing, and narco-terrorism. This category includes persons sentenced under §§2D1.1, 2D1.2, 2D1.5, 2D1.6, 2D1.8, 2D1.10, and 2D1.14 of the *Guidelines Manual*.

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

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

*Firearms* includes unlawful receipt/possession/transportation of firearms, ammunition, or explosive material; prohibited transactions involving firearms or ammunition; possession of guns/explosives on aircraft; unlawful trafficking, *etc.*, in explosives; possession of guns/explosives in federal facility/schools; use of fire or explosives to commit felony; use of firearms or ammunition during crime; improper storage of explosive materials; and failure to report theft of explosive materials. This category includes persons sentenced under §§2K1.1, 2K1.2, 2K1.3, 2K1.5, 2K1.6, 2K2.1, 2K2.2, 2K2.3, 2K2.4, 2K2.5, 2K2.6, and 2K3.2 of the *Guidelines Manual*.

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

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

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

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

*Individual Rights* includes interference with rights under color of law; force or threats to deny benefits or rights; obstructing an election or registration; manufacture, etc. — eavesdropping device; other deprivations/discrimination; obstructing correspondence; peonage, servitude, and slave trade; intercept communication or eavesdropping; and conspiracy to deprive individual of civil rights. This category includes persons sentenced under §§2H1.1, 2H1.2 (deleted), 2H1.3 (deleted), 2H1.4 (deleted), 2H1.5 (deleted), 2H2.1, 2H3.1, 2H3.2, 2H3.3, 2H4.1, and 2H4.2 of the *Guidelines Manual*.

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

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

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

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

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

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

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

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

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

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

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

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

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

### **Upward Departure**

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

**Upward Variance**

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

**Within Guideline Range**

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

**Year**

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