

# United States Sentencing Commission



*Statistical Information Packet*

*Fiscal Year 2014*

*District of Colorado*

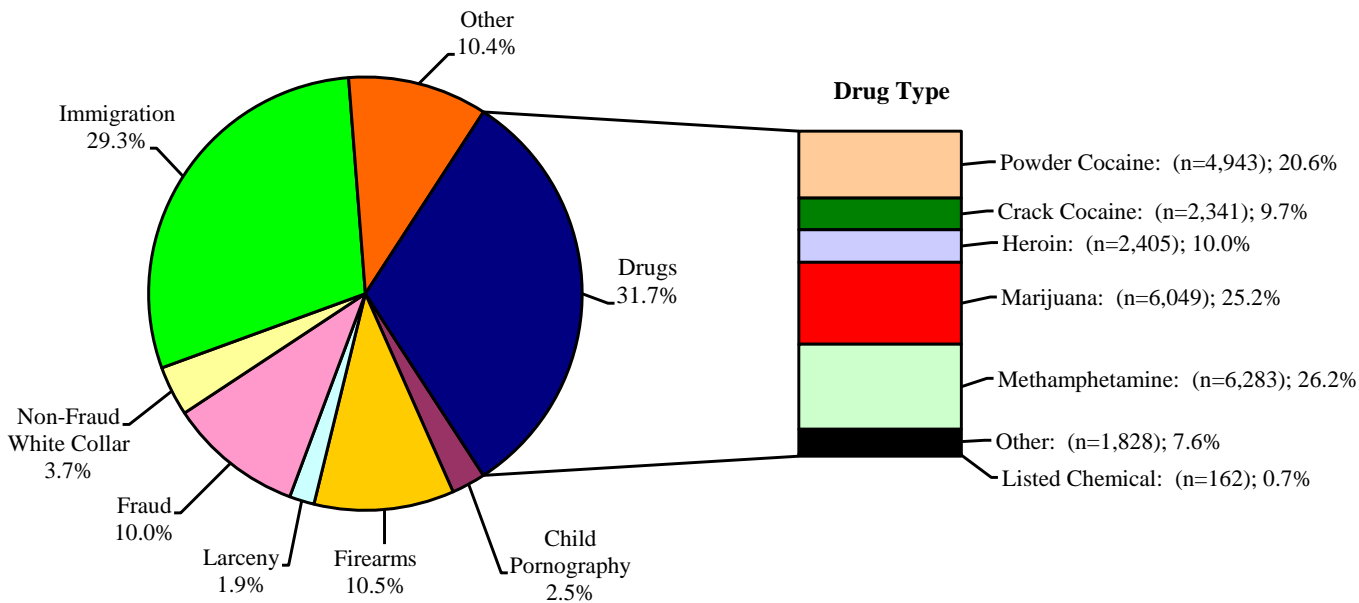
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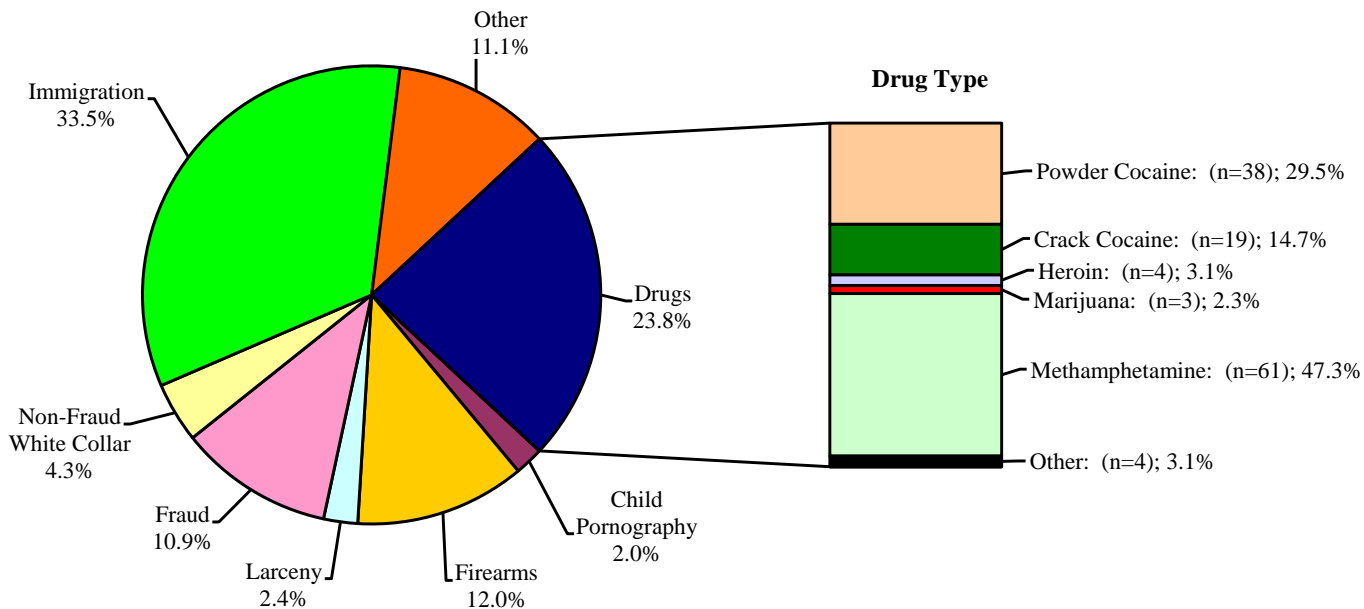
**Figure A**

**OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
Fiscal Year 2014**

**National**



**Colorado**



<sup>1</sup> Of the 75,836 guideline cases, no cases were excluded.

Of the 541 guideline cases from the District of Colorado, no cases were excluded.

<sup>2</sup> The Non-Fraud White Collar category includes the following offense types: embezzlement, forgery/counterfeiting, bribery, money laundering, and tax.

SOURCE: U.S. Sentencing Commission, 2014 Datafile, USSCFY14.

**Table 1**

**DISTRIBUTION OF GUIDELINE OFFENDERS IN EACH  
PRIMARY OFFENSE CATEGORY  
Fiscal Year 2014**

| PRIMARY OFFENSE                    | National      |              | Colorado   |              |
|------------------------------------|---------------|--------------|------------|--------------|
|                                    | N             | %            | N          | %            |
| <b>TOTAL</b>                       | <b>75,836</b> | <b>100.0</b> | <b>541</b> | <b>100.0</b> |
| Murder                             | 75            | 0.1          | 1          | 0.2          |
| Manslaughter                       | 49            | 0.1          | 0          | 0.0          |
| Kidnapping/Hostage Taking          | 50            | 0.1          | 0          | 0.0          |
| Sexual Abuse                       | 545           | 0.7          | 1          | 0.2          |
| Assault                            | 775           | 1.0          | 9          | 1.7          |
| Robbery                            | 782           | 1.0          | 10         | 1.8          |
| Arson                              | 54            | 0.1          | 2          | 0.4          |
| Drugs - Trafficking                | 21,323        | 28.1         | 107        | 19.8         |
| Drugs - Communication Facility     | 344           | 0.5          | 17         | 3.1          |
| Drugs - Simple Possession          | 2,344         | 3.1          | 5          | 0.9          |
| Firearms                           | 7,925         | 10.5         | 65         | 12.0         |
| Burglary/B&E                       | 37            | 0.0          | 1          | 0.2          |
| Auto Theft                         | 86            | 0.1          | 0          | 0.0          |
| Larceny                            | 1,408         | 1.9          | 13         | 2.4          |
| Fraud                              | 7,614         | 10.0         | 59         | 10.9         |
| Embezzlement                       | 334           | 0.4          | 3          | 0.6          |
| Forgery/Counterfeiting             | 713           | 0.9          | 4          | 0.7          |
| Bribery                            | 241           | 0.3          | 3          | 0.6          |
| Tax                                | 649           | 0.9          | 8          | 1.5          |
| Money Laundering                   | 886           | 1.2          | 5          | 0.9          |
| Racketeering/Extortion             | 864           | 1.1          | 3          | 0.6          |
| Gambling/Lottery                   | 117           | 0.2          | 0          | 0.0          |
| Civil Rights                       | 58            | 0.1          | 0          | 0.0          |
| Immigration                        | 22,238        | 29.3         | 181        | 33.5         |
| Child Pornography                  | 1,925         | 2.5          | 11         | 2.0          |
| Prison Offenses                    | 448           | 0.6          | 3          | 0.6          |
| Administration of Justice Offenses | 1,242         | 1.6          | 9          | 1.7          |
| Environmental/Wildlife             | 202           | 0.3          | 5          | 0.9          |
| National Defense                   | 108           | 0.1          | 0          | 0.0          |
| Antitrust                          | 19            | 0.0          | 0          | 0.0          |
| Food & Drug                        | 114           | 0.2          | 4          | 0.7          |
| Other Miscellaneous Offenses       | 2,267         | 3.0          | 12         | 2.2          |

Of the 75,836 guideline cases, no cases were excluded due to missing information on primary offense category.

Of the 541 guideline cases from the District of Colorado, no cases were excluded due to missing information on primary offense category.

SOURCE: U.S. Sentencing Commission, 2014 Datafile, USSCFY14.

Table 2

**GUILTY PLEAS AND TRIALS IN EACH CIRCUIT AND DISTRICT  
Fiscal Year 2014**

| CIRCUIT<br>District   | TOTAL         | PLEA          |             | TRIAL        |            |
|-----------------------|---------------|---------------|-------------|--------------|------------|
|                       |               | N             | %           | N            | %          |
| <b>TOTAL</b>          | <b>75,836</b> | <b>73,612</b> | <b>97.1</b> | <b>2,224</b> | <b>2.9</b> |
| <b>D.C. CIRCUIT</b>   | <b>339</b>    | <b>324</b>    | <b>95.6</b> | <b>15</b>    | <b>4.4</b> |
| District of Columbia  | 339           | 324           | 95.6        | 15           | 4.4        |
| <b>FIRST CIRCUIT</b>  | <b>2,450</b>  | <b>2,350</b>  | <b>95.9</b> | <b>100</b>   | <b>4.1</b> |
| Maine                 | 199           | 185           | 93.0        | 14           | 7.0        |
| Massachusetts         | 451           | 417           | 92.5        | 34           | 7.5        |
| New Hampshire         | 150           | 146           | 97.3        | 4            | 2.7        |
| Puerto Rico           | 1,477         | 1,437         | 97.3        | 40           | 2.7        |
| Rhode Island          | 173           | 165           | 95.4        | 8            | 4.6        |
| <b>SECOND CIRCUIT</b> | <b>4,192</b>  | <b>4,008</b>  | <b>95.6</b> | <b>184</b>   | <b>4.4</b> |
| Connecticut           | 355           | 337           | 94.9        | 18           | 5.1        |
| New York              |               |               |             |              |            |
| Eastern               | 971           | 921           | 94.9        | 50           | 5.1        |
| Northern              | 417           | 403           | 96.6        | 14           | 3.4        |
| Southern              | 1,690         | 1,617         | 95.7        | 73           | 4.3        |
| Western               | 554           | 528           | 95.3        | 26           | 4.7        |
| Vermont               | 205           | 202           | 98.5        | 3            | 1.5        |
| <b>THIRD CIRCUIT</b>  | <b>2,501</b>  | <b>2,356</b>  | <b>94.2</b> | <b>145</b>   | <b>5.8</b> |
| Delaware              | 97            | 92            | 94.8        | 5            | 5.2        |
| New Jersey            | 668           | 651           | 97.5        | 17           | 2.5        |
| Pennsylvania          |               |               |             |              |            |
| Eastern               | 772           | 709           | 91.8        | 63           | 8.2        |
| Middle                | 416           | 393           | 94.5        | 23           | 5.5        |
| Western               | 486           | 462           | 95.1        | 24           | 4.9        |
| Virgin Islands        | 62            | 49            | 79.0        | 13           | 21.0       |
| <b>FOURTH CIRCUIT</b> | <b>6,064</b>  | <b>5,834</b>  | <b>96.2</b> | <b>230</b>   | <b>3.8</b> |
| Maryland              | 816           | 778           | 95.3        | 38           | 4.7        |
| North Carolina        |               |               |             |              |            |
| Eastern               | 696           | 683           | 98.1        | 13           | 1.9        |
| Middle                | 497           | 479           | 96.4        | 18           | 3.6        |
| Western               | 629           | 605           | 96.2        | 24           | 3.8        |
| South Carolina        | 752           | 727           | 96.7        | 25           | 3.3        |
| Virginia              |               |               |             |              |            |
| Eastern               | 1,630         | 1,555         | 95.4        | 75           | 4.6        |
| Western               | 402           | 381           | 94.8        | 21           | 5.2        |
| West Virginia         |               |               |             |              |            |
| Northern              | 345           | 338           | 98.0        | 7            | 2.0        |
| Southern              | 297           | 288           | 97.0        | 9            | 3.0        |

| CIRCUIT<br>District    | TOTAL         | PLEA          |             | TRIAL      |            |
|------------------------|---------------|---------------|-------------|------------|------------|
|                        |               | N             | %           | N          | %          |
| <b>FIFTH CIRCUIT</b>   | <b>16,711</b> | <b>16,480</b> | <b>98.6</b> | <b>231</b> | <b>1.4</b> |
| Louisiana              |               |               |             |            |            |
| Eastern                | 313           | 301           | 96.2        | 12         | 3.8        |
| Middle                 | 180           | 178           | 98.9        | 2          | 1.1        |
| Western                | 293           | 273           | 93.2        | 20         | 6.8        |
| Mississippi            |               |               |             |            |            |
| Northern               | 224           | 220           | 98.2        | 4          | 1.8        |
| Southern               | 270           | 262           | 97.0        | 8          | 3.0        |
| Texas                  |               |               |             |            |            |
| Eastern                | 926           | 899           | 97.1        | 27         | 2.9        |
| Northern               | 1,377         | 1,349         | 98.0        | 28         | 2.0        |
| Southern               | 6,380         | 6,321         | 99.1        | 59         | 0.9        |
| Western                | 6,748         | 6,677         | 98.9        | 71         | 1.1        |
| <b>SIXTH CIRCUIT</b>   | <b>5,250</b>  | <b>5,049</b>  | <b>96.2</b> | <b>201</b> | <b>3.8</b> |
| Kentucky               |               |               |             |            |            |
| Eastern                | 598           | 579           | 96.8        | 19         | 3.2        |
| Western                | 289           | 288           | 99.7        | 1          | 0.3        |
| Michigan               |               |               |             |            |            |
| Eastern                | 960           | 905           | 94.3        | 55         | 5.7        |
| Western                | 387           | 370           | 95.6        | 17         | 4.4        |
| Ohio                   |               |               |             |            |            |
| Northern               | 773           | 747           | 96.6        | 26         | 3.4        |
| Southern               | 644           | 634           | 98.4        | 10         | 1.6        |
| Tennessee              |               |               |             |            |            |
| Eastern                | 815           | 780           | 95.7        | 35         | 4.3        |
| Middle                 | 291           | 274           | 94.2        | 17         | 5.8        |
| Western                | 493           | 472           | 95.7        | 21         | 4.3        |
| <b>SEVENTH CIRCUIT</b> | <b>2,931</b>  | <b>2,795</b>  | <b>95.4</b> | <b>136</b> | <b>4.6</b> |
| Illinois               |               |               |             |            |            |
| Central                | 419           | 399           | 95.2        | 20         | 4.8        |
| Northern               | 872           | 803           | 92.1        | 69         | 7.9        |
| Southern               | 373           | 365           | 97.9        | 8          | 2.1        |
| Indiana                |               |               |             |            |            |
| Northern               | 371           | 352           | 94.9        | 19         | 5.1        |
| Southern               | 394           | 385           | 97.7        | 9          | 2.3        |
| Wisconsin              |               |               |             |            |            |
| Eastern                | 350           | 341           | 97.4        | 9          | 2.6        |
| Western                | 152           | 150           | 98.7        | 2          | 1.3        |
| <b>EIGHTH CIRCUIT</b>  | <b>4,628</b>  | <b>4,483</b>  | <b>96.9</b> | <b>145</b> | <b>3.1</b> |
| Arkansas               |               |               |             |            |            |
| Eastern                | 354           | 341           | 96.3        | 13         | 3.7        |
| Western                | 320           | 317           | 99.1        | 3          | 0.9        |
| Iowa                   |               |               |             |            |            |
| Northern               | 368           | 355           | 96.5        | 13         | 3.5        |
| Southern               | 300           | 286           | 95.3        | 14         | 4.7        |
| Minnesota              | 291           | 266           | 91.4        | 25         | 8.6        |
| Missouri               |               |               |             |            |            |
| Eastern                | 697           | 681           | 97.7        | 16         | 2.3        |
| Western                | 830           | 810           | 97.6        | 20         | 2.4        |
| Nebraska               | 595           | 585           | 98.3        | 10         | 1.7        |
| North Dakota           | 339           | 326           | 96.2        | 13         | 3.8        |
| South Dakota           | 534           | 516           | 96.6        | 18         | 3.4        |

| CIRCUIT<br>District      | TOTAL         | PLEA          |             | TRIAL      |            |
|--------------------------|---------------|---------------|-------------|------------|------------|
|                          |               | N             | %           | N          | %          |
| <b>NINTH CIRCUIT</b>     | <b>16,755</b> | <b>16,348</b> | <b>97.6</b> | <b>407</b> | <b>2.4</b> |
| Alaska                   | 156           | 146           | 93.6        | 10         | 6.4        |
| Arizona                  | 6,599         | 6,538         | 99.1        | 61         | 0.9        |
| California               |               |               |             |            |            |
| Central                  | 1,263         | 1,184         | 93.7        | 79         | 6.3        |
| Eastern                  | 912           | 891           | 97.7        | 21         | 2.3        |
| Northern                 | 703           | 669           | 95.2        | 34         | 4.8        |
| Southern                 | 3,915         | 3,829         | 97.8        | 86         | 2.2        |
| Guam                     | 99            | 98            | 99.0        | 1          | 1.0        |
| Hawaii                   | 291           | 283           | 97.3        | 8          | 2.7        |
| Idaho                    | 313           | 301           | 96.2        | 12         | 3.8        |
| Montana                  | 311           | 288           | 92.6        | 23         | 7.4        |
| Nevada                   | 510           | 485           | 95.1        | 25         | 4.9        |
| Northern Mariana Islands | 15            | 12            | 80.0        | 3          | 20.0       |
| Oregon                   | 602           | 590           | 98.0        | 12         | 2.0        |
| Washington               |               |               |             |            |            |
| Eastern                  | 390           | 380           | 97.4        | 10         | 2.6        |
| Western                  | 676           | 654           | 96.7        | 22         | 3.3        |
| <b>TENTH CIRCUIT</b>     | <b>7,173</b>  | <b>7,096</b>  | <b>98.9</b> | <b>77</b>  | <b>1.1</b> |
| Colorado                 | 541           | 530           | 98.0        | 11         | 2.0        |
| Kansas                   | 675           | 656           | 97.2        | 19         | 2.8        |
| New Mexico               | 4,329         | 4,315         | 99.7        | 14         | 0.3        |
| Oklahoma                 |               |               |             |            |            |
| Eastern                  | 89            | 86            | 96.6        | 3          | 3.4        |
| Northern                 | 251           | 246           | 98.0        | 5          | 2.0        |
| Western                  | 374           | 366           | 97.9        | 8          | 2.1        |
| Utah                     | 624           | 617           | 98.9        | 7          | 1.1        |
| Wyoming                  | 290           | 280           | 96.6        | 10         | 3.4        |
| <b>ELEVENTH CIRCUIT</b>  | <b>6,842</b>  | <b>6,489</b>  | <b>94.8</b> | <b>353</b> | <b>5.2</b> |
| Alabama                  |               |               |             |            |            |
| Middle                   | 223           | 213           | 95.5        | 10         | 4.5        |
| Northern                 | 448           | 436           | 97.3        | 12         | 2.7        |
| Southern                 | 397           | 381           | 96.0        | 16         | 4.0        |
| Florida                  |               |               |             |            |            |
| Middle                   | 1,433         | 1,359         | 94.8        | 74         | 5.2        |
| Northern                 | 324           | 290           | 89.5        | 34         | 10.5       |
| Southern                 | 2,261         | 2,117         | 93.6        | 144        | 6.4        |
| Georgia                  |               |               |             |            |            |
| Middle                   | 508           | 497           | 97.8        | 11         | 2.2        |
| Northern                 | 609           | 581           | 95.4        | 28         | 4.6        |
| Southern                 | 639           | 615           | 96.2        | 24         | 3.8        |

Of the 75,836 guideline cases, no cases were excluded due to missing information on mode of conviction.

SOURCE: U.S. Sentencing Commission, 2014 Datafile, USSCFY14.

**Table 3**

**GUILTY PLEAS AND TRIALS IN EACH PRIMARY OFFENSE CATEGORY  
Fiscal Year 2014**

| PRIMARY OFFENSE                           | TOTAL         | National      |             |              |             | Colorado   |              |           |             |
|---|---------------|---------------|-------------|--------------|-------------|------------|--------------|-----------|-------------|
|   |               | PLEA          |             | TRIAL        |             | PLEA       |              | TRIAL     |             |
|   |               | N             | %           | N            | %           | N          | %            | N         | %           |
| <b>TOTAL</b>                              | <b>75,836</b> | <b>73,612</b> | <b>97.1</b> | <b>2,224</b> | <b>2.9</b>  | <b>530</b> | <b>98.0</b>  | <b>11</b> | <b>2.0</b>  |
| <b>Murder</b>                             | <b>75</b>     | <b>62</b>     | <b>82.7</b> | <b>13</b>    | <b>17.3</b> | <b>1</b>   | <b>100.0</b> | <b>0</b>  | <b>0.0</b>  |
| <b>Manslaughter</b>                       | <b>49</b>     | <b>47</b>     | <b>95.9</b> | <b>2</b>     | <b>4.1</b>  | <b>0</b>   | <b>--</b>    | <b>0</b>  | <b>--</b>   |
| <b>Kidnapping/Hostage Taking</b>          | <b>50</b>     | <b>43</b>     | <b>86.0</b> | <b>7</b>     | <b>14.0</b> | <b>0</b>   | <b>--</b>    | <b>0</b>  | <b>--</b>   |
| <b>Sexual Abuse</b>                       | <b>545</b>    | <b>475</b>    | <b>87.2</b> | <b>70</b>    | <b>12.8</b> | <b>1</b>   | <b>100.0</b> | <b>0</b>  | <b>0.0</b>  |
| <b>Assault</b>                            | <b>775</b>    | <b>723</b>    | <b>93.3</b> | <b>52</b>    | <b>6.7</b>  | <b>8</b>   | <b>88.9</b>  | <b>1</b>  | <b>11.1</b> |
| <b>Robbery</b>                            | <b>782</b>    | <b>752</b>    | <b>96.2</b> | <b>30</b>    | <b>3.8</b>  | <b>10</b>  | <b>100.0</b> | <b>0</b>  | <b>0.0</b>  |
| <b>Arson</b>                              | <b>54</b>     | <b>46</b>     | <b>85.2</b> | <b>8</b>     | <b>14.8</b> | <b>2</b>   | <b>100.0</b> | <b>0</b>  | <b>0.0</b>  |
| <b>Drugs - Trafficking</b>                | <b>21,323</b> | <b>20,763</b> | <b>97.4</b> | <b>560</b>   | <b>2.6</b>  | <b>106</b> | <b>99.1</b>  | <b>1</b>  | <b>0.9</b>  |
| <b>Drugs - Communication Facility</b>     | <b>344</b>    | <b>343</b>    | <b>99.7</b> | <b>1</b>     | <b>0.3</b>  | <b>17</b>  | <b>100.0</b> | <b>0</b>  | <b>0.0</b>  |
| <b>Drugs - Simple Possession</b>          | <b>2,344</b>  | <b>2,342</b>  | <b>99.9</b> | <b>2</b>     | <b>0.1</b>  | <b>5</b>   | <b>100.0</b> | <b>0</b>  | <b>0.0</b>  |
| <b>Firearms</b>                           | <b>7,925</b>  | <b>7,466</b>  | <b>94.2</b> | <b>459</b>   | <b>5.8</b>  | <b>64</b>  | <b>98.5</b>  | <b>1</b>  | <b>1.5</b>  |
| <b>Burglary/B&amp;E</b>                   | <b>37</b>     | <b>36</b>     | <b>97.3</b> | <b>1</b>     | <b>2.7</b>  | <b>1</b>   | <b>100.0</b> | <b>0</b>  | <b>0.0</b>  |
| <b>Auto Theft</b>                         | <b>86</b>     | <b>81</b>     | <b>94.2</b> | <b>5</b>     | <b>5.8</b>  | <b>0</b>   | <b>--</b>    | <b>0</b>  | <b>--</b>   |
| <b>Larceny</b>                            | <b>1,408</b>  | <b>1,389</b>  | <b>98.7</b> | <b>19</b>    | <b>1.3</b>  | <b>13</b>  | <b>100.0</b> | <b>0</b>  | <b>0.0</b>  |
| <b>Fraud</b>                              | <b>7,614</b>  | <b>7,164</b>  | <b>94.1</b> | <b>450</b>   | <b>5.9</b>  | <b>57</b>  | <b>96.6</b>  | <b>2</b>  | <b>3.4</b>  |
| <b>Embezzlement</b>                       | <b>334</b>    | <b>328</b>    | <b>98.2</b> | <b>6</b>     | <b>1.8</b>  | <b>3</b>   | <b>100.0</b> | <b>0</b>  | <b>0.0</b>  |
| <b>Forgery/Counterfeiting</b>             | <b>713</b>    | <b>704</b>    | <b>98.7</b> | <b>9</b>     | <b>1.3</b>  | <b>3</b>   | <b>75.0</b>  | <b>1</b>  | <b>25.0</b> |
| <b>Bribery</b>                            | <b>241</b>    | <b>234</b>    | <b>97.1</b> | <b>7</b>     | <b>2.9</b>  | <b>3</b>   | <b>100.0</b> | <b>0</b>  | <b>0.0</b>  |
| <b>Tax</b>                                | <b>649</b>    | <b>606</b>    | <b>93.4</b> | <b>43</b>    | <b>6.6</b>  | <b>8</b>   | <b>100.0</b> | <b>0</b>  | <b>0.0</b>  |
| <b>Money Laundering</b>                   | <b>886</b>    | <b>846</b>    | <b>95.5</b> | <b>40</b>    | <b>4.5</b>  | <b>5</b>   | <b>100.0</b> | <b>0</b>  | <b>0.0</b>  |
| <b>Racketeering/Extortion</b>             | <b>864</b>    | <b>800</b>    | <b>92.6</b> | <b>64</b>    | <b>7.4</b>  | <b>3</b>   | <b>100.0</b> | <b>0</b>  | <b>0.0</b>  |
| <b>Gambling/Lottery</b>                   | <b>117</b>    | <b>112</b>    | <b>95.7</b> | <b>5</b>     | <b>4.3</b>  | <b>0</b>   | <b>--</b>    | <b>0</b>  | <b>--</b>   |
| <b>Civil Rights</b>                       | <b>58</b>     | <b>50</b>     | <b>86.2</b> | <b>8</b>     | <b>13.8</b> | <b>0</b>   | <b>--</b>    | <b>0</b>  | <b>--</b>   |
| <b>Immigration</b>                        | <b>22,238</b> | <b>22,077</b> | <b>99.3</b> | <b>161</b>   | <b>0.7</b>  | <b>180</b> | <b>99.4</b>  | <b>1</b>  | <b>0.6</b>  |
| <b>Child Pornography</b>                  | <b>1,925</b>  | <b>1,855</b>  | <b>96.4</b> | <b>70</b>    | <b>3.6</b>  | <b>10</b>  | <b>90.9</b>  | <b>1</b>  | <b>9.1</b>  |
| <b>Prison Offenses</b>                    | <b>448</b>    | <b>441</b>    | <b>98.4</b> | <b>7</b>     | <b>1.6</b>  | <b>3</b>   | <b>100.0</b> | <b>0</b>  | <b>0.0</b>  |
| <b>Administration of Justice Offenses</b> | <b>1,242</b>  | <b>1,199</b>  | <b>96.5</b> | <b>43</b>    | <b>3.5</b>  | <b>7</b>   | <b>77.8</b>  | <b>2</b>  | <b>22.2</b> |
| <b>Environmental/Wildlife</b>             | <b>202</b>    | <b>199</b>    | <b>98.5</b> | <b>3</b>     | <b>1.5</b>  | <b>5</b>   | <b>100.0</b> | <b>0</b>  | <b>0.0</b>  |
| <b>National Defense</b>                   | <b>108</b>    | <b>96</b>     | <b>88.9</b> | <b>12</b>    | <b>11.1</b> | <b>0</b>   | <b>--</b>    | <b>0</b>  | <b>--</b>   |
| <b>Antitrust</b>                          | <b>19</b>     | <b>17</b>     | <b>89.5</b> | <b>2</b>     | <b>10.5</b> | <b>0</b>   | <b>--</b>    | <b>0</b>  | <b>--</b>   |
| <b>Food &amp; Drug</b>                    | <b>114</b>    | <b>109</b>    | <b>95.6</b> | <b>5</b>     | <b>4.4</b>  | <b>4</b>   | <b>100.0</b> | <b>0</b>  | <b>0.0</b>  |
| <b>Other Miscellaneous Offenses</b>       | <b>2,267</b>  | <b>2,207</b>  | <b>97.4</b> | <b>60</b>    | <b>2.6</b>  | <b>11</b>  | <b>91.7</b>  | <b>1</b>  | <b>8.3</b>  |

Of the 75,836 guideline cases, no cases were excluded due to missing information on mode of conviction.

Of the 541 guideline cases from the District of Colorado, no cases were excluded due to missing information on mode of conviction.

SOURCE: U.S. Sentencing Commission, 2014 Datafile, USSCFY14.



**Table 4**  
**TYPE OF SENTENCE IMPOSED BY PRIMARY OFFENSE CATEGORY**  
**Fiscal Year 2014**

**National**

| PRIMARY OFFENSE                    | TOTAL         | Prison        |             | Prison/Community Split Sentence |            | Probation and Confinement |            | Probation Only |            |
|------------------------------------|---------------|---------------|-------------|---------------------------------|------------|---------------------------|------------|----------------|------------|
|                                    |               | N             | %           | N                               | %          | N                         | %          | N              | %          |
| <b>TOTAL</b>                       | <b>75,175</b> | <b>65,407</b> | <b>87.0</b> | <b>2,223</b>                    | <b>3.0</b> | <b>2,104</b>              | <b>2.8</b> | <b>5,441</b>   | <b>7.2</b> |
| Murder                             | 75            | 74            | 98.7        | 1                               | 1.3        | 0                         | 0.0        | 0              | 0.0        |
| Manslaughter                       | 49            | 44            | 89.8        | 4                               | 8.2        | 0                         | 0.0        | 1              | 2.0        |
| Kidnapping/Hostage Taking          | 49            | 46            | 93.9        | 3                               | 6.1        | 0                         | 0.0        | 0              | 0.0        |
| Sexual Abuse                       | 545           | 516           | 94.7        | 23                              | 4.2        | 3                         | 0.6        | 3              | 0.6        |
| Assault                            | 769           | 617           | 80.2        | 44                              | 5.7        | 27                        | 3.5        | 81             | 10.5       |
| Robbery                            | 782           | 745           | 95.3        | 21                              | 2.7        | 8                         | 1.0        | 8              | 1.0        |
| Arson                              | 54            | 50            | 92.6        | 1                               | 1.9        | 1                         | 1.9        | 2              | 3.7        |
| Drugs - Trafficking                | 21,318        | 19,728        | 92.5        | 674                             | 3.2        | 323                       | 1.5        | 593            | 2.8        |
| Drugs - Communication Facility     | 344           | 275           | 79.9        | 9                               | 2.6        | 22                        | 6.4        | 38             | 11.0       |
| Drugs - Simple Possession          | 2,324         | 2,098         | 90.3        | 7                               | 0.3        | 9                         | 0.4        | 210            | 9.0        |
| Firearms                           | 7,918         | 7,314         | 92.4        | 203                             | 2.6        | 153                       | 1.9        | 248            | 3.1        |
| Burglary/B&E                       | 37            | 35            | 94.6        | 2                               | 5.4        | 0                         | 0.0        | 0              | 0.0        |
| Auto Theft                         | 86            | 80            | 93.0        | 1                               | 1.2        | 4                         | 4.7        | 1              | 1.2        |
| Larceny                            | 1,331         | 512           | 38.5        | 95                              | 7.1        | 172                       | 12.9       | 552            | 41.5       |
| Fraud                              | 7,588         | 5,430         | 71.6        | 457                             | 6.0        | 628                       | 8.3        | 1,073          | 14.1       |
| Embezzlement                       | 329           | 138           | 41.9        | 34                              | 10.3       | 39                        | 11.9       | 118            | 35.9       |
| Forgery/Counterfeiting             | 710           | 505           | 71.1        | 59                              | 8.3        | 56                        | 7.9        | 90             | 12.7       |
| Bribery                            | 240           | 152           | 63.3        | 19                              | 7.9        | 32                        | 13.3       | 37             | 15.4       |
| Tax                                | 639           | 316           | 49.5        | 51                              | 8.0        | 111                       | 17.4       | 161            | 25.2       |
| Money Laundering                   | 886           | 616           | 69.5        | 56                              | 6.3        | 61                        | 6.9        | 153            | 17.3       |
| Racketeering/Extortion             | 863           | 796           | 92.2        | 24                              | 2.8        | 13                        | 1.5        | 30             | 3.5        |
| Gambling/Lottery                   | 116           | 27            | 23.3        | 11                              | 9.5        | 29                        | 25.0       | 49             | 42.2       |
| Civil Rights                       | 58            | 41            | 70.7        | 1                               | 1.7        | 8                         | 13.8       | 8              | 13.8       |
| Immigration                        | 22,226        | 21,103        | 94.9        | 187                             | 0.8        | 146                       | 0.7        | 790            | 3.6        |
| Child Pornography                  | 1,925         | 1,871         | 97.2        | 43                              | 2.2        | 4                         | 0.2        | 7              | 0.4        |
| Prison Offenses                    | 447           | 399           | 89.3        | 25                              | 5.6        | 2                         | 0.4        | 21             | 4.7        |
| Administration of Justice Offenses | 1,235         | 868           | 70.3        | 71                              | 5.7        | 77                        | 6.2        | 219            | 17.7       |
| Environmental/Wildlife             | 188           | 38            | 20.2        | 14                              | 7.4        | 10                        | 5.3        | 126            | 67.0       |
| National Defense                   | 108           | 97            | 89.8        | 0                               | 0.0        | 2                         | 1.9        | 9              | 8.3        |
| Antitrust                          | 19            | 17            | 89.5        | 0                               | 0.0        | 2                         | 10.5       | 0              | 0.0        |
| Food & Drug                        | 109           | 21            | 19.3        | 5                               | 4.6        | 17                        | 15.6       | 66             | 60.6       |
| Other Miscellaneous Offenses       | 1,808         | 838           | 46.3        | 78                              | 4.3        | 145                       | 8.0        | 747            | 41.3       |

Of the 75,836 guideline cases, 661 cases were excluded due to one or both of the following reasons: missing sentencing information (1), or cases in which the defendant received no imprisonment or probation (660).

SOURCE: U.S. Sentencing Commission, 2014 Datafile, USSCFY14.

**Table 5**  
**TYPE OF SENTENCE IMPOSED BY PRIMARY OFFENSE CATEGORY**  
**Fiscal Year 2014**

**Colorado**

| PRIMARY OFFENSE                    | TOTAL      | Prison     |             | Prison/Community Split Sentence |            | Probation and Confinement |            | Probation Only |            |
|------------------------------------|------------|------------|-------------|---------------------------------|------------|---------------------------|------------|----------------|------------|
|                                    |            | N          | %           | N                               | %          | N                         | %          | N              | %          |
| <b>TOTAL</b>                       | <b>540</b> | <b>458</b> | <b>84.8</b> | <b>19</b>                       | <b>3.5</b> | <b>13</b>                 | <b>2.4</b> | <b>50</b>      | <b>9.3</b> |
| Murder                             | 1          | 1          | 100.0       | 0                               | 0.0        | 0                         | 0.0        | 0              | 0.0        |
| Manslaughter                       | 0          | 0          | --          | 0                               | --         | 0                         | --         | 0              | --         |
| Kidnapping/Hostage Taking          | 0          | 0          | --          | 0                               | --         | 0                         | --         | 0              | --         |
| Sexual Abuse                       | 1          | 0          | 0.0         | 1                               | 100.0      | 0                         | 0.0        | 0              | 0.0        |
| Assault                            | 9          | 6          | 66.7        | 1                               | 11.1       | 0                         | 0.0        | 2              | 22.2       |
| Robbery                            | 10         | 10         | 100.0       | 0                               | 0.0        | 0                         | 0.0        | 0              | 0.0        |
| Arson                              | 2          | 1          | 50.0        | 0                               | 0.0        | 0                         | 0.0        | 1              | 50.0       |
| Drugs - Trafficking                | 107        | 99         | 92.5        | 7                               | 6.5        | 0                         | 0.0        | 1              | 0.9        |
| Drugs - Communication Facility     | 17         | 14         | 82.4        | 0                               | 0.0        | 2                         | 11.8       | 1              | 5.9        |
| Drugs - Simple Possession          | 5          | 3          | 60.0        | 0                               | 0.0        | 0                         | 0.0        | 2              | 40.0       |
| Firearms                           | 65         | 59         | 90.8        | 4                               | 6.2        | 1                         | 1.5        | 1              | 1.5        |
| Burglary/B&E                       | 1          | 1          | 100.0       | 0                               | 0.0        | 0                         | 0.0        | 0              | 0.0        |
| Auto Theft                         | 0          | 0          | --          | 0                               | --         | 0                         | --         | 0              | --         |
| Larceny                            | 13         | 4          | 30.8        | 0                               | 0.0        | 1                         | 7.7        | 8              | 61.5       |
| Fraud                              | 59         | 40         | 67.8        | 2                               | 3.4        | 1                         | 1.7        | 16             | 27.1       |
| Embezzlement                       | 3          | 1          | 33.3        | 1                               | 33.3       | 0                         | 0.0        | 1              | 33.3       |
| Forgery/Counterfeiting             | 4          | 2          | 50.0        | 1                               | 25.0       | 1                         | 25.0       | 0              | 0.0        |
| Bribery                            | 3          | 3          | 100.0       | 0                               | 0.0        | 0                         | 0.0        | 0              | 0.0        |
| Tax                                | 8          | 4          | 50.0        | 1                               | 12.5       | 0                         | 0.0        | 3              | 37.5       |
| Money Laundering                   | 5          | 5          | 100.0       | 0                               | 0.0        | 0                         | 0.0        | 0              | 0.0        |
| Racketeering/Extortion             | 3          | 2          | 66.7        | 0                               | 0.0        | 0                         | 0.0        | 1              | 33.3       |
| Gambling/Lottery                   | 0          | 0          | --          | 0                               | --         | 0                         | --         | 0              | --         |
| Civil Rights                       | 0          | 0          | --          | 0                               | --         | 0                         | --         | 0              | --         |
| Immigration                        | 181        | 181        | 100.0       | 0                               | 0.0        | 0                         | 0.0        | 0              | 0.0        |
| Child Pornography                  | 11         | 11         | 100.0       | 0                               | 0.0        | 0                         | 0.0        | 0              | 0.0        |
| Prison Offenses                    | 3          | 3          | 100.0       | 0                               | 0.0        | 0                         | 0.0        | 0              | 0.0        |
| Administration of Justice Offenses | 8          | 3          | 37.5        | 0                               | 0.0        | 2                         | 25.0       | 3              | 37.5       |
| Environmental/Wildlife             | 5          | 0          | 0.0         | 0                               | 0.0        | 0                         | 0.0        | 5              | 100.0      |
| National Defense                   | 0          | 0          | --          | 0                               | --         | 0                         | --         | 0              | --         |
| Antitrust                          | 0          | 0          | --          | 0                               | --         | 0                         | --         | 0              | --         |
| Food & Drug                        | 4          | 0          | 0.0         | 0                               | 0.0        | 2                         | 50.0       | 2              | 50.0       |
| Other Miscellaneous Offenses       | 12         | 5          | 41.7        | 1                               | 8.3        | 3                         | 25.0       | 3              | 25.0       |

Of the 541 guideline cases from the District of Colorado, one case was excluded due to cases in which the defendant received no imprisonment or probation.

SOURCE: U.S. Sentencing Commission, 2014 Datafile, USSCFY14.

**Table 6**

**INCARCERATION RATE OF U.S. CITIZEN DEFENDANTS ELIGIBLE FOR NON-PRISON SENTENCES  
BY PRIMARY OFFENSE CATEGORY  
Fiscal Year 2014**

| PRIMARY OFFENSE                     | TOTAL        | National        |             |                     |             | Colorado        |             |                     |             |
|-------------------------------------|--------------|-----------------|-------------|---------------------|-------------|-----------------|-------------|---------------------|-------------|
|                                     |              | Prison Sentence |             | Non-Prison Sentence |             | Prison Sentence |             | Non-Prison Sentence |             |
|                                     |              | N               | %           | N                   | %           | N               | %           | N                   | %           |
| <b>TOTAL</b>                        | <b>5,181</b> | <b>1,881</b>    | <b>36.3</b> | <b>3,300</b>        | <b>63.7</b> | <b>15</b>       | <b>28.8</b> | <b>37</b>           | <b>71.2</b> |
| <b>Fraud</b>                        | <b>1,190</b> | 412             | 34.6        | 778                 | 65.4        | 4               | 30.8        | 9                   | 69.2        |
| <b>Larceny</b>                      | <b>637</b>   | 133             | 20.9        | 504                 | 79.1        | 2               | 20.0        | 8                   | 80.0        |
| <b>Immigration</b>                  | <b>362</b>   | 199             | 55.0        | 163                 | 45.0        | 2               | 100.0       | 0                   | 0.0         |
| <b>Embezzlement</b>                 | <b>156</b>   | 37              | 23.7        | 119                 | 76.3        | 1               | 50.0        | 1                   | 50.0        |
| <b>Drugs - Trafficking</b>          | <b>395</b>   | 181             | 45.8        | 214                 | 54.2        | 0               | --          | 0                   | --          |
| <b>Drugs - Simple Possession</b>    | <b>294</b>   | 140             | 47.6        | 154                 | 52.4        | 2               | 100.0       | 0                   | 0.0         |
| <b>Firearms</b>                     | <b>190</b>   | 122             | 64.2        | 68                  | 35.8        | 0               | --          | 0                   | --          |
| <b>Forgery/Counterfeiting</b>       | <b>199</b>   | 102             | 51.3        | 97                  | 48.7        | 0               | 0.0         | 1                   | 100.0       |
| <b>Other Miscellaneous Offenses</b> | <b>1,758</b> | 555             | 31.6        | 1,203               | 68.4        | 4               | 18.2        | 18                  | 81.8        |

Of the 75,836 guideline cases, a U.S. Citizen was the defendant in 43,479 cases. Of these, 38,298 cases were excluded due to one or both of the following reasons: defendant ineligible for non-prison sentence (38,298), or missing sentencing information (1).

Of the 541 guideline cases from the District of Colorado, a U.S. Citizen was the defendant in 289 cases. Of these, 237 cases were excluded because the defendant was ineligible for a non-prison sentence.

This table was limited to U.S. Citizens beginning in Fiscal Year 2010.

SOURCE: U.S. Sentencing Commission, 2014 Datafile, USSCFY14.

**Table 7**

**LENGTH OF IMPRISONMENT BY PRIMARY OFFENSE CATEGORY  
Fiscal Year 2014**

| PRIMARY OFFENSE                           | National    |               |               | Colorado    |               |            |
|---|-------------|---------------|---------------|-------------|---------------|------------|
|   | Mean Months | Median Months | Number        | Mean Months | Median Months | Number     |
| <b>TOTAL</b>                              | <b>51</b>   | <b>30</b>     | <b>65,244</b> | <b>45</b>   | <b>27</b>     | <b>452</b> |
| <b>Murder</b>                             | 273         | 240           | 75            | --          | --            | 1          |
| <b>Manslaughter</b>                       | 55          | 37            | 48            | --          | --            | 0          |
| <b>Kidnapping/Hostage Taking</b>          | 209         | 168           | 48            | --          | --            | 0          |
| <b>Sexual Abuse</b>                       | 135         | 120           | 538           | --          | --            | 1          |
| <b>Assault</b>                            | 38          | 24            | 634           | 13          | 9             | 6          |
| <b>Robbery</b>                            | 80          | 60            | 760           | 88          | 66            | 10         |
| <b>Arson</b>                              | 69          | 60            | 49            | --          | --            | 1          |
| <b>Drugs - Trafficking</b>                | 73          | 57            | 19,974        | 74          | 65            | 105        |
| <b>Drugs - Communication Facility</b>     | 38          | 36            | 271           | 33          | 25            | 13         |
| <b>Drugs - Simple Possession</b>          | 6           | 6             | 2,039         | --          | --            | 1          |
| <b>Firearms</b>                           | 87          | 60            | 7,430         | 51          | 46            | 63         |
| <b>Burglary/B&amp;E</b>                   | 30          | 21            | 37            | --          | --            | 1          |
| <b>Auto Theft</b>                         | 66          | 46            | 79            | --          | --            | 0          |
| <b>Larceny</b>                            | 21          | 14            | 581           | 9           | 8             | 4          |
| <b>Fraud</b>                              | 35          | 24            | 5,549         | 32          | 23            | 40         |
| <b>Embezzlement</b>                       | 18          | 12            | 163           | --          | --            | 2          |
| <b>Forgery/Counterfeiting</b>             | 22          | 18            | 546           | 15          | 15            | 3          |
| <b>Bribery</b>                            | 28          | 20            | 168           | 50          | 37            | 3          |
| <b>Tax</b>                                | 20          | 15            | 357           | 16          | 12            | 5          |
| <b>Money Laundering</b>                   | 42          | 30            | 648           | 21          | 18            | 5          |
| <b>Racketeering/Extortion</b>             | 94          | 60            | 804           | --          | --            | 2          |
| <b>Gambling/Lottery</b>                   | 9           | 9             | 37            | --          | --            | 0          |
| <b>Civil Rights</b>                       | 49          | 30            | 41            | --          | --            | 0          |
| <b>Immigration</b>                        | 17          | 12            | 20,106        | 15          | 10            | 163        |
| <b>Child Pornography</b>                  | 138         | 97            | 1,898         | 239         | 120           | 11         |
| <b>Prison Offenses</b>                    | 16          | 12            | 414           | 19          | 15            | 3          |
| <b>Administration of Justice Offenses</b> | 24          | 18            | 892           | 20          | 20            | 3          |
| <b>Environmental/Wildlife</b>             | 12          | 6             | 49            | --          | --            | 0          |
| <b>National Defense</b>                   | 52          | 36            | 94            | --          | --            | 0          |
| <b>Antitrust</b>                          | 24          | 16            | 17            | --          | --            | 0          |
| <b>Food &amp; Drug</b>                    | 37          | 12            | 22            | --          | --            | 0          |
| <b>Other Miscellaneous Offenses</b>       | 44          | 12            | 876           | 29          | 11            | 6          |

Of the 75,836 guideline cases, 10,592 cases were excluded for one or both of the following reasons: zero months of prison ordered (9,932), or missing or indeterminable sentencing information (660).

Of the 541 guideline cases from the District of Colorado, 89 cases were excluded due to one of the following reasons: zero months of prison ordered (88) or missing or indeterminable sentencing information (1).

SOURCE: U.S. Sentencing Commission, 2014 Datafile, USSCFY14.

Table 8

**COMPARISON OF SENTENCE IMPOSED AND  
POSITION RELATIVE TO THE GUIDELINE RANGE  
Fiscal Year 2014**

|   | National      |              | Colorado   |              |
|---|---------------|--------------|------------|--------------|
|   | N             | %            | N          | %            |
| <b>TOTAL CASES<sup>1</sup></b>  | <b>74,126</b> | <b>100.0</b> | <b>539</b> | <b>100.0</b> |
| <b>CASES SENTENCED WITHIN GUIDELINE RANGE</b>                           | <b>34,117</b> | <b>46.0</b>  | <b>162</b> | <b>30.1</b>  |
| <b>CASES SENTENCED ABOVE GUIDELINE RANGE</b>                            | <b>1,645</b>  | <b>2.2</b>   | <b>9</b>   | <b>1.7</b>   |
| <b>DEPARTURE ABOVE GUIDELINE RANGE</b>                                  | <b>466</b>    | <b>0.6</b>   | <b>0</b>   | <b>0.0</b>   |
| Upward Departure From Guideline Range <sup>2</sup>                      | 343           | 0.5          | 0          | 0.0          |
| Upward Departure With <i>Booker</i> /18 U.S.C. § 3553 <sup>3</sup>      | 123           | 0.2          | 0          | 0.0          |
| <b>OTHERWISE ABOVE GUIDELINE RANGE</b>                                  | <b>1,179</b>  | <b>1.6</b>   | <b>9</b>   | <b>1.7</b>   |
| Above Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 <sup>4</sup> | 1,104         | 1.5          | 9          | 1.7          |
| All Remaining Cases Above Guideline Range <sup>5</sup>                  | 75            | 0.1          | 0          | 0.0          |
| <b>GOVERNMENT SPONSORED BELOW RANGE<sup>6</sup></b>                     | <b>22,494</b> | <b>30.3</b>  | <b>257</b> | <b>47.7</b>  |
| §5K1.1 Substantial Assistance Departure                                 | 9,482         | 12.8         | 134        | 24.9         |
| §5K3.1 Early Disposition Program Departure                              | 6,944         | 9.4          | 80         | 14.8         |
| Other Government Sponsored Below Range                                  | 6,068         | 8.2          | 43         | 8.0          |
| <b>NON-GOVERNMENT SPONSORED BELOW RANGE</b>                             | <b>15,870</b> | <b>21.4</b>  | <b>111</b> | <b>20.6</b>  |
| <b>DEPARTURE BELOW GUIDELINE RANGE</b>                                  | <b>2,564</b>  | <b>3.5</b>   | <b>12</b>  | <b>2.2</b>   |
| Downward Departure From Guideline Range <sup>2</sup>                    | 1,757         | 2.4          | 6          | 1.1          |
| Downward Departure With <i>Booker</i> /18 U.S.C. § 3553 <sup>3</sup>    | 807           | 1.1          | 6          | 1.1          |
| <b>OTHERWISE BELOW GUIDELINE RANGE</b>                                  | <b>13,306</b> | <b>18.0</b>  | <b>99</b>  | <b>18.4</b>  |
| Below Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 <sup>4</sup> | 12,894        | 17.4         | 98         | 18.2         |
| All Remaining Cases Below Guideline Range <sup>5</sup>                  | 412           | 0.6          | 1          | 0.2          |

<sup>1</sup> This table reflects the 75,836 cases sentenced nationally in Fiscal Year 2014, 541 of which were from the District of Colorado. Of these, 1,710 cases nationally and two cases from the District of Colorado were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range.

<sup>2</sup> All cases with departures in which the court did not indicate as a reason either *United States v. Booker*, 18 U.S.C. § 3553, or a factor or reason specifically prohibited in the provisions, policy statements, or commentary of the *Guidelines Manual*.

<sup>3</sup> All cases sentenced outside of the guideline range in which the court indicated both a departure (see footnote 2) and a reference to either *United States v. Booker*, 18 U.S.C. § 3553, or related factors as a reason for sentencing outside of the guideline system.

<sup>4</sup> All cases sentenced outside of the guideline range in which no departure was indicated and in which the court cited *United States v. Booker*, 18 U.S.C. § 3553, or related factors as one of the reasons for sentencing outside of the guideline system.

<sup>5</sup> All cases sentenced outside of the guideline range that could not be classified into any of the three previous outside of the range categories. This category includes cases in which no reason was provided for a sentence outside of the guideline range.

<sup>6</sup> Cases in which a reason for the sentence indicated that the prosecution initiated, proposed, or stipulated to a sentence outside of the guideline range, either pursuant to a plea agreement or as part of a non-plea negotiation with the defendant.

SOURCE: U.S. Sentencing Commission, 2014 Datafile, USSCFY14.

**Table 9**

**SENTENCES RELATIVE TO THE GUIDELINE RANGE BY CIRCUIT AND DISTRICT  
Fiscal Year 2014**

| CIRCUIT<br>District   | TOTAL         | SENTENCED<br>WITHIN<br>GUIDELINE RANGE |             | ABOVE<br>RANGE<br>DEPARTURE |            | ABOVE RANGE<br>DEPARTURE<br>W/BOOKER |            | ABOVE RANGE<br>W/BOOKER |            | REMAINING<br>ABOVE RANGE |            |
|-----------------------|---------------|--|-------------|-----------------------------|------------|--------------------------------------|------------|-------------------------|------------|--------------------------|------------|
|                       |               | N                                      | %           | N                           | %          | N                                    | %          | N                       | %          | N                        | %          |
| <b>TOTAL</b>          | <b>74,126</b> | <b>34,117</b>                          | <b>46.0</b> | <b>343</b>                  | <b>0.5</b> | <b>123</b>                           | <b>0.2</b> | <b>1,104</b>            | <b>1.5</b> | <b>75</b>                | <b>0.1</b> |
| <b>D.C. CIRCUIT</b>   | <b>338</b>    | <b>105</b>                             | <b>31.1</b> | <b>0</b>                    | <b>0.0</b> | <b>0</b>                             | <b>0.0</b> | <b>4</b>                | <b>1.2</b> | <b>0</b>                 | <b>0.0</b> |
| District of Columbia  | 338           | 105                                    | 31.1        | 0                           | 0.0        | 0                                    | 0.0        | 4                       | 1.2        | 0                        | 0.0        |
| <b>FIRST CIRCUIT</b>  | <b>2,448</b>  | <b>1,299</b>                           | <b>53.1</b> | <b>9</b>                    | <b>0.4</b> | <b>5</b>                             | <b>0.2</b> | <b>82</b>               | <b>3.3</b> | <b>13</b>                | <b>0.5</b> |
| Maine                 | 199           | 69                                     | 34.7        | 0                           | 0.0        | 0                                    | 0.0        | 4                       | 2.0        | 0                        | 0.0        |
| Massachusetts         | 450           | 107                                    | 23.8        | 2                           | 0.4        | 0                                    | 0.0        | 6                       | 1.3        | 0                        | 0.0        |
| New Hampshire         | 150           | 62                                     | 41.3        | 0                           | 0.0        | 1                                    | 0.7        | 4                       | 2.7        | 0                        | 0.0        |
| Puerto Rico           | 1,477         | 1,003                                  | 67.9        | 7                           | 0.5        | 4                                    | 0.3        | 67                      | 4.5        | 13                       | 0.9        |
| Rhode Island          | 172           | 58                                     | 33.7        | 0                           | 0.0        | 0                                    | 0.0        | 1                       | 0.6        | 0                        | 0.0        |
| <b>SECOND CIRCUIT</b> | <b>4,176</b>  | <b>1,258</b>                           | <b>30.1</b> | <b>11</b>                   | <b>0.3</b> | <b>14</b>                            | <b>0.3</b> | <b>36</b>               | <b>0.9</b> | <b>1</b>                 | <b>0.0</b> |
| Connecticut           | 355           | 94                                     | 26.5        | 1                           | 0.3        | 1                                    | 0.3        | 3                       | 0.8        | 0                        | 0.0        |
| New York              |               |  |             |                             |            |                                      |            |                         |            |                          |            |
| Eastern               | 968           | 242                                    | 25.0        | 3                           | 0.3        | 6                                    | 0.6        | 9                       | 0.9        | 0                        | 0.0        |
| Northern              | 405           | 198                                    | 48.9        | 0                           | 0.0        | 2                                    | 0.5        | 2                       | 0.5        | 0                        | 0.0        |
| Southern              | 1,689         | 450                                    | 26.6        | 2                           | 0.1        | 4                                    | 0.2        | 21                      | 1.2        | 0                        | 0.0        |
| Western               | 554           | 226                                    | 40.8        | 3                           | 0.5        | 1                                    | 0.2        | 1                       | 0.2        | 1                        | 0.2        |
| Vermont               | 205           | 48                                     | 23.4        | 2                           | 1.0        | 0                                    | 0.0        | 0                       | 0.0        | 0                        | 0.0        |
| <b>THIRD CIRCUIT</b>  | <b>2,488</b>  | <b>887</b>                             | <b>35.7</b> | <b>6</b>                    | <b>0.2</b> | <b>3</b>                             | <b>0.1</b> | <b>26</b>               | <b>1.0</b> | <b>3</b>                 | <b>0.1</b> |
| Delaware              | 97            | 35                                     | 36.1        | 0                           | 0.0        | 0                                    | 0.0        | 3                       | 3.1        | 0                        | 0.0        |
| New Jersey            | 661           | 248                                    | 37.5        | 1                           | 0.2        | 0                                    | 0.0        | 3                       | 0.5        | 0                        | 0.0        |
| Pennsylvania          |               |  |             |                             |            |                                      |            |                         |            |                          |            |
| Eastern               | 768           | 213                                    | 27.7        | 0                           | 0.0        | 3                                    | 0.4        | 7                       | 0.9        | 2                        | 0.3        |
| Middle                | 416           | 181                                    | 43.5        | 3                           | 0.7        | 0                                    | 0.0        | 0                       | 0.0        | 0                        | 0.0        |
| Western               | 486           | 181                                    | 37.2        | 2                           | 0.4        | 0                                    | 0.0        | 11                      | 2.3        | 1                        | 0.2        |
| Virgin Islands        | 60            | 29                                     | 48.3        | 0                           | 0.0        | 0                                    | 0.0        | 2                       | 3.3        | 0                        | 0.0        |
| <b>FOURTH CIRCUIT</b> | <b>5,965</b>  | <b>3,178</b>                           | <b>53.3</b> | <b>33</b>                   | <b>0.6</b> | <b>20</b>                            | <b>0.3</b> | <b>83</b>               | <b>1.4</b> | <b>8</b>                 | <b>0.1</b> |
| Maryland              | 796           | 243                                    | 30.5        | 6                           | 0.8        | 3                                    | 0.4        | 22                      | 2.8        | 2                        | 0.3        |
| North Carolina        |               |  |             |                             |            |                                      |            |                         |            |                          |            |
| Eastern               | 637           | 325                                    | 51.0        | 4                           | 0.6        | 8                                    | 1.3        | 5                       | 0.8        | 3                        | 0.5        |
| Middle                | 497           | 328                                    | 66.0        | 3                           | 0.6        | 3                                    | 0.6        | 6                       | 1.2        | 1                        | 0.2        |
| Western               | 629           | 323                                    | 51.4        | 1                           | 0.2        | 1                                    | 0.2        | 5                       | 0.8        | 0                        | 0.0        |
| South Carolina        | 750           | 418                                    | 55.7        | 9                           | 1.2        | 1                                    | 0.1        | 6                       | 0.8        | 1                        | 0.1        |
| Virginia              |               |  |             |                             |            |                                      |            |                         |            |                          |            |
| Eastern               | 1,620         | 1,049                                  | 64.8        | 9                           | 0.6        | 3                                    | 0.2        | 22                      | 1.4        | 0                        | 0.0        |
| Western               | 401           | 149                                    | 37.2        | 0                           | 0.0        | 0                                    | 0.0        | 8                       | 2.0        | 0                        | 0.0        |
| West Virginia         |               |  |             |                             |            |                                      |            |                         |            |                          |            |
| Northern              | 341           | 186                                    | 54.5        | 1                           | 0.3        | 1                                    | 0.3        | 4                       | 1.2        | 0                        | 0.0        |
| Southern              | 294           | 157                                    | 53.4        | 0                           | 0.0        | 0                                    | 0.0        | 5                       | 1.7        | 1                        | 0.3        |

| CIRCUIT<br>District   | §5K1.1<br>SUBSTANTIAL<br>ASSISTANCE |             | §5K3.1<br>EARLY<br>DISPOSITION |            | OTHER<br>GOV'T<br>SPONSORED |             | BELOW<br>RANGE<br>DEPARTURE |            | BELOW RANGE<br>DEPARTURE<br>W/BOOKER |            | BELOW<br>RANGE<br>W/BOOKER |             | REMAINING<br>BELOW<br>RANGE |            |
|-----------------------|-------------------------------------|-------------|--------------------------------|------------|-----------------------------|-------------|-----------------------------|------------|--------------------------------------|------------|----------------------------|-------------|-----------------------------|------------|
|                       | N                                   | %           | N                              | %          | N                           | %           | N                           | %          | N                                    | %          | N                          | %           | N                           | %          |
| <b>TOTAL</b>          | <b>9,482</b>                        | <b>12.8</b> | <b>6,944</b>                   | <b>9.4</b> | <b>6,068</b>                | <b>8.2</b>  | <b>1,757</b>                | <b>2.4</b> | <b>807</b>                           | <b>1.1</b> | <b>12,894</b>              | <b>17.4</b> | <b>412</b>                  | <b>0.6</b> |
| <b>D.C. CIRCUIT</b>   | <b>83</b>                           | <b>24.6</b> | <b>5</b>                       | <b>1.5</b> | <b>50</b>                   | <b>14.8</b> | <b>17</b>                   | <b>5.0</b> | <b>18</b>                            | <b>5.3</b> | <b>52</b>                  | <b>15.4</b> | <b>4</b>                    | <b>1.2</b> |
| District of Columbia  | 83                                  | 24.6        | 5                              | 1.5        | 50                          | 14.8        | 17                          | 5.0        | 18                                   | 5.3        | 52                         | 15.4        | 4                           | 1.2        |
| <b>FIRST CIRCUIT</b>  | <b>263</b>                          | <b>10.7</b> | <b>41</b>                      | <b>1.7</b> | <b>278</b>                  | <b>11.4</b> | <b>36</b>                   | <b>1.5</b> | <b>23</b>                            | <b>0.9</b> | <b>375</b>                 | <b>15.3</b> | <b>24</b>                   | <b>1.0</b> |
| Maine                 | 50                                  | 25.1        | 0                              | 0.0        | 4                           | 2.0         | 2                           | 1.0        | 4                                    | 2.0        | 64                         | 32.2        | 2                           | 1.0        |
| Massachusetts         | 62                                  | 13.8        | 5                              | 1.1        | 131                         | 29.1        | 8                           | 1.8        | 6                                    | 1.3        | 121                        | 26.9        | 2                           | 0.4        |
| New Hampshire         | 13                                  | 8.7         | 1                              | 0.7        | 26                          | 17.3        | 6                           | 4.0        | 1                                    | 0.7        | 36                         | 24.0        | 0                           | 0.0        |
| Puerto Rico           | 123                                 | 8.3         | 35                             | 2.4        | 79                          | 5.3         | 20                          | 1.4        | 12                                   | 0.8        | 94                         | 6.4         | 20                          | 1.4        |
| Rhode Island          | 15                                  | 8.7         | 0                              | 0.0        | 38                          | 22.1        | 0                           | 0.0        | 0                                    | 0.0        | 60                         | 34.9        | 0                           | 0.0        |
| <b>SECOND CIRCUIT</b> | <b>845</b>                          | <b>20.2</b> | <b>129</b>                     | <b>3.1</b> | <b>223</b>                  | <b>5.3</b>  | <b>117</b>                  | <b>2.8</b> | <b>90</b>                            | <b>2.2</b> | <b>1,433</b>               | <b>34.3</b> | <b>19</b>                   | <b>0.5</b> |
| Connecticut           | 62                                  | 17.5        | 0                              | 0.0        | 37                          | 10.4        | 25                          | 7.0        | 3                                    | 0.8        | 128                        | 36.1        | 1                           | 0.3        |
| New York              |                                     |             |                                |            |                             |             |                             |            |                                      |            |                            |             |                             |            |
| Eastern               | 212                                 | 21.9        | 101                            | 10.4       | 82                          | 8.5         | 23                          | 2.4        | 43                                   | 4.4        | 243                        | 25.1        | 4                           | 0.4        |
| Northern              | 97                                  | 24.0        | 4                              | 1.0        | 6                           | 1.5         | 4                           | 1.0        | 3                                    | 0.7        | 88                         | 21.7        | 1                           | 0.2        |
| Southern              | 291                                 | 17.2        | 23                             | 1.4        | 43                          | 2.5         | 48                          | 2.8        | 31                                   | 1.8        | 765                        | 45.3        | 11                          | 0.7        |
| Western               | 143                                 | 25.8        | 1                              | 0.2        | 29                          | 5.2         | 4                           | 0.7        | 2                                    | 0.4        | 141                        | 25.5        | 2                           | 0.4        |
| Vermont               | 40                                  | 19.5        | 0                              | 0.0        | 26                          | 12.7        | 13                          | 6.3        | 8                                    | 3.9        | 68                         | 33.2        | 0                           | 0.0        |
| <b>THIRD CIRCUIT</b>  | <b>733</b>                          | <b>29.5</b> | <b>18</b>                      | <b>0.7</b> | <b>179</b>                  | <b>7.2</b>  | <b>34</b>                   | <b>1.4</b> | <b>32</b>                            | <b>1.3</b> | <b>555</b>                 | <b>22.3</b> | <b>12</b>                   | <b>0.5</b> |
| Delaware              | 9                                   | 9.3         | 0                              | 0.0        | 13                          | 13.4        | 1                           | 1.0        | 0                                    | 0.0        | 35                         | 36.1        | 1                           | 1.0        |
| New Jersey            | 204                                 | 30.9        | 8                              | 1.2        | 40                          | 6.1         | 6                           | 0.9        | 14                                   | 2.1        | 137                        | 20.7        | 0                           | 0.0        |
| Pennsylvania          |                                     |             |                                |            |                             |             |                             |            |                                      |            |                            |             |                             |            |
| Eastern               | 321                                 | 41.8        | 5                              | 0.7        | 37                          | 4.8         | 5                           | 0.7        | 5                                    | 0.7        | 164                        | 21.4        | 6                           | 0.8        |
| Middle                | 93                                  | 22.4        | 5                              | 1.2        | 31                          | 7.5         | 5                           | 1.2        | 5                                    | 1.2        | 91                         | 21.9        | 2                           | 0.5        |
| Western               | 93                                  | 19.1        | 0                              | 0.0        | 51                          | 10.5        | 17                          | 3.5        | 8                                    | 1.6        | 120                        | 24.7        | 2                           | 0.4        |
| Virgin Islands        | 13                                  | 21.7        | 0                              | 0.0        | 7                           | 11.7        | 0                           | 0.0        | 0                                    | 0.0        | 8                          | 13.3        | 1                           | 1.7        |
| <b>FOURTH CIRCUIT</b> | <b>988</b>                          | <b>16.6</b> | <b>12</b>                      | <b>0.2</b> | <b>434</b>                  | <b>7.3</b>  | <b>75</b>                   | <b>1.3</b> | <b>68</b>                            | <b>1.1</b> | <b>1,039</b>               | <b>17.4</b> | <b>27</b>                   | <b>0.5</b> |
| Maryland              | 226                                 | 28.4        | 2                              | 0.3        | 134                         | 16.8        | 6                           | 0.8        | 17                                   | 2.1        | 135                        | 17.0        | 0                           | 0.0        |
| North Carolina        |                                     |             |                                |            |                             |             |                             |            |                                      |            |                            |             |                             |            |
| Eastern               | 190                                 | 29.8        | 0                              | 0.0        | 9                           | 1.4         | 4                           | 0.6        | 7                                    | 1.1        | 76                         | 11.9        | 6                           | 0.9        |
| Middle                | 59                                  | 11.9        | 0                              | 0.0        | 2                           | 0.4         | 3                           | 0.6        | 0                                    | 0.0        | 91                         | 18.3        | 1                           | 0.2        |
| Western               | 148                                 | 23.5        | 0                              | 0.0        | 65                          | 10.3        | 6                           | 1.0        | 7                                    | 1.1        | 72                         | 11.4        | 1                           | 0.2        |
| South Carolina        | 134                                 | 17.9        | 3                              | 0.4        | 57                          | 7.6         | 5                           | 0.7        | 4                                    | 0.5        | 109                        | 14.5        | 3                           | 0.4        |
| Virginia              |                                     |             |                                |            |                             |             |                             |            |                                      |            |                            |             |                             |            |
| Eastern               | 64                                  | 4.0         | 3                              | 0.2        | 43                          | 2.7         | 49                          | 3.0        | 26                                   | 1.6        | 337                        | 20.8        | 15                          | 0.9        |
| Western               | 115                                 | 28.7        | 0                              | 0.0        | 57                          | 14.2        | 2                           | 0.5        | 3                                    | 0.7        | 66                         | 16.5        | 1                           | 0.2        |
| West Virginia         |                                     |             |                                |            |                             |             |                             |            |                                      |            |                            |             |                             |            |
| Northern              | 25                                  | 7.3         | 3                              | 0.9        | 48                          | 14.1        | 0                           | 0.0        | 1                                    | 0.3        | 72                         | 21.1        | 0                           | 0.0        |
| Southern              | 27                                  | 9.2         | 1                              | 0.3        | 19                          | 6.5         | 0                           | 0.0        | 3                                    | 1.0        | 81                         | 27.6        | 0                           | 0.0        |

| CIRCUIT<br>District    | TOTAL         | SENTENCED<br>WITHIN<br>GUIDELINE RANGE |             | ABOVE<br>RANGE<br>DEPARTURE |            | ABOVE RANGE<br>DEPARTURE<br>W/BOOKER |            | ABOVE RANGE<br>DEPARTURE<br>W/BOOKER |            | REMAINING<br>ABOVE RANGE |            |
|------------------------|---------------|--|-------------|-----------------------------|------------|--------------------------------------|------------|--------------------------------------|------------|--------------------------|------------|
|                        |               | N                                      | %           | N                           | %          | N                                    | %          | N                                    | %          | N                        | %          |
| <b>FIFTH CIRCUIT</b>   | <b>16,462</b> | <b>9,992</b>                           | <b>60.7</b> | <b>90</b>                   | <b>0.5</b> | <b>34</b>                            | <b>0.2</b> | <b>227</b>                           | <b>1.4</b> | <b>9</b>                 | <b>0.1</b> |
| Louisiana              |               |  |             |                             |            |                                      |            |                                      |            |                          |            |
| Eastern                | 311           | 176                                    | 56.6        | 1                           | 0.3        | 0                                    | 0.0        | 4                                    | 1.3        | 0                        | 0.0        |
| Middle                 | 180           | 97                                     | 53.9        | 1                           | 0.6        | 0                                    | 0.0        | 0                                    | 0.0        | 0                        | 0.0        |
| Western                | 267           | 165                                    | 61.8        | 4                           | 1.5        | 1                                    | 0.4        | 5                                    | 1.9        | 0                        | 0.0        |
| Mississippi            |               |  |             |                             |            |                                      |            |                                      |            |                          |            |
| Northern               | 217           | 129                                    | 59.4        | 0                           | 0.0        | 0                                    | 0.0        | 4                                    | 1.8        | 0                        | 0.0        |
| Southern               | 268           | 180                                    | 67.2        | 1                           | 0.4        | 0                                    | 0.0        | 1                                    | 0.4        | 1                        | 0.4        |
| Texas                  |               |  |             |                             |            |                                      |            |                                      |            |                          |            |
| Eastern                | 924           | 533                                    | 57.7        | 14                          | 1.5        | 2                                    | 0.2        | 7                                    | 0.8        | 1                        | 0.1        |
| Northern               | 1,370         | 717                                    | 52.3        | 7                           | 0.5        | 18                                   | 1.3        | 43                                   | 3.1        | 1                        | 0.1        |
| Southern               | 6,375         | 3,546                                  | 55.6        | 52                          | 0.8        | 13                                   | 0.2        | 58                                   | 0.9        | 1                        | 0.0        |
| Western                | 6,550         | 4,449                                  | 67.9        | 10                          | 0.2        | 0                                    | 0.0        | 105                                  | 1.6        | 5                        | 0.1        |
| <b>SIXTH CIRCUIT</b>   | <b>5,200</b>  | <b>2,160</b>                           | <b>41.5</b> | <b>21</b>                   | <b>0.4</b> | <b>11</b>                            | <b>0.2</b> | <b>52</b>                            | <b>1.0</b> | <b>2</b>                 | <b>0.0</b> |
| Kentucky               |               |  |             |                             |            |                                      |            |                                      |            |                          |            |
| Eastern                | 596           | 286                                    | 48.0        | 3                           | 0.5        | 4                                    | 0.7        | 12                                   | 2.0        | 0                        | 0.0        |
| Western                | 289           | 130                                    | 45.0        | 0                           | 0.0        | 0                                    | 0.0        | 0                                    | 0.0        | 0                        | 0.0        |
| Michigan               |               |  |             |                             |            |                                      |            |                                      |            |                          |            |
| Eastern                | 955           | 397                                    | 41.6        | 2                           | 0.2        | 0                                    | 0.0        | 8                                    | 0.8        | 0                        | 0.0        |
| Western                | 386           | 215                                    | 55.7        | 3                           | 0.8        | 3                                    | 0.8        | 5                                    | 1.3        | 0                        | 0.0        |
| Ohio                   |               |  |             |                             |            |                                      |            |                                      |            |                          |            |
| Northern               | 760           | 299                                    | 39.3        | 2                           | 0.3        | 1                                    | 0.1        | 4                                    | 0.5        | 1                        | 0.1        |
| Southern               | 640           | 172                                    | 26.9        | 2                           | 0.3        | 2                                    | 0.3        | 10                                   | 1.6        | 0                        | 0.0        |
| Tennessee              |               |  |             |                             |            |                                      |            |                                      |            |                          |            |
| Eastern                | 814           | 381                                    | 46.8        | 4                           | 0.5        | 1                                    | 0.1        | 7                                    | 0.9        | 0                        | 0.0        |
| Middle                 | 268           | 81                                     | 30.2        | 4                           | 1.5        | 0                                    | 0.0        | 3                                    | 1.1        | 0                        | 0.0        |
| Western                | 492           | 199                                    | 40.4        | 1                           | 0.2        | 0                                    | 0.0        | 3                                    | 0.6        | 1                        | 0.2        |
| <b>SEVENTH CIRCUIT</b> | <b>2,921</b>  | <b>1,077</b>                           | <b>36.9</b> | <b>8</b>                    | <b>0.3</b> | <b>9</b>                             | <b>0.3</b> | <b>44</b>                            | <b>1.5</b> | <b>3</b>                 | <b>0.1</b> |
| Illinois               |               |  |             |                             |            |                                      |            |                                      |            |                          |            |
| Central                | 416           | 152                                    | 36.5        | 1                           | 0.2        | 1                                    | 0.2        | 9                                    | 2.2        | 0                        | 0.0        |
| Northern               | 872           | 234                                    | 26.8        | 3                           | 0.3        | 0                                    | 0.0        | 3                                    | 0.3        | 1                        | 0.1        |
| Southern               | 373           | 230                                    | 61.7        | 1                           | 0.3        | 7                                    | 1.9        | 8                                    | 2.1        | 1                        | 0.3        |
| Indiana                |               |  |             |                             |            |                                      |            |                                      |            |                          |            |
| Northern               | 369           | 178                                    | 48.2        | 1                           | 0.3        | 0                                    | 0.0        | 4                                    | 1.1        | 0                        | 0.0        |
| Southern               | 389           | 160                                    | 41.1        | 1                           | 0.3        | 1                                    | 0.3        | 9                                    | 2.3        | 1                        | 0.3        |
| Wisconsin              |               |  |             |                             |            |                                      |            |                                      |            |                          |            |
| Eastern                | 350           | 72                                     | 20.6        | 0                           | 0.0        | 0                                    | 0.0        | 10                                   | 2.9        | 0                        | 0.0        |
| Western                | 152           | 51                                     | 33.6        | 1                           | 0.7        | 0                                    | 0.0        | 1                                    | 0.7        | 0                        | 0.0        |
| <b>EIGHTH CIRCUIT</b>  | <b>4,621</b>  | <b>2,106</b>                           | <b>45.6</b> | <b>30</b>                   | <b>0.6</b> | <b>11</b>                            | <b>0.2</b> | <b>85</b>                            | <b>1.8</b> | <b>2</b>                 | <b>0.0</b> |
| Arkansas               |               |  |             |                             |            |                                      |            |                                      |            |                          |            |
| Eastern                | 354           | 165                                    | 46.6        | 3                           | 0.8        | 1                                    | 0.3        | 8                                    | 2.3        | 1                        | 0.3        |
| Western                | 319           | 167                                    | 52.4        | 2                           | 0.6        | 0                                    | 0.0        | 5                                    | 1.6        | 0                        | 0.0        |
| Iowa                   |               |  |             |                             |            |                                      |            |                                      |            |                          |            |
| Northern               | 368           | 212                                    | 57.6        | 10                          | 2.7        | 1                                    | 0.3        | 6                                    | 1.6        | 0                        | 0.0        |
| Southern               | 299           | 82                                     | 27.4        | 0                           | 0.0        | 2                                    | 0.7        | 10                                   | 3.3        | 0                        | 0.0        |
| Minnesota              | 291           | 107                                    | 36.8        | 2                           | 0.7        | 0                                    | 0.0        | 4                                    | 1.4        | 0                        | 0.0        |
| Missouri               |               |  |             |                             |            |                                      |            |                                      |            |                          |            |
| Eastern                | 697           | 298                                    | 42.8        | 0                           | 0.0        | 3                                    | 0.4        | 15                                   | 2.2        | 0                        | 0.0        |
| Western                | 827           | 345                                    | 41.7        | 2                           | 0.2        | 0                                    | 0.0        | 24                                   | 2.9        | 0                        | 0.0        |
| Nebraska               | 594           | 253                                    | 42.6        | 1                           | 0.2        | 0                                    | 0.0        | 5                                    | 0.8        | 0                        | 0.0        |
| North Dakota           | 338           | 156                                    | 46.2        | 2                           | 0.6        | 1                                    | 0.3        | 0                                    | 0.0        | 1                        | 0.3        |
| South Dakota           | 534           | 321                                    | 60.1        | 8                           | 1.5        | 3                                    | 0.6        | 8                                    | 1.5        | 0                        | 0.0        |



| CIRCUIT<br>District    | §5K1.1<br>SUBSTANTIAL<br>ASSISTANCE |             | §5K3.1<br>EARLY<br>DISPOSITION |            | OTHER<br>GOV'T<br>SPONSORED |            | BELOW<br>RANGE<br>DEPARTURE |            | BELOW RANGE<br>DEPARTURE<br>W/BOOKER |            | BELOW RANGE<br>W/BOOKER |             | REMAINING<br>BELOW<br>RANGE |            |
|------------------------|-------------------------------------|-------------|--------------------------------|------------|-----------------------------|------------|-----------------------------|------------|--------------------------------------|------------|-------------------------|-------------|-----------------------------|------------|
|                        | N                                   | %           | N                              | %          | N                           | %          | N                           | %          | N                                    | %          | N                       | %           | N                           | %          |
| <b>FIFTH CIRCUIT</b>   | <b>1,513</b>                        | <b>9.2</b>  | <b>715</b>                     | <b>4.3</b> | <b>742</b>                  | <b>4.5</b> | <b>846</b>                  | <b>5.1</b> | <b>96</b>                            | <b>0.6</b> | <b>2,046</b>            | <b>12.4</b> | <b>152</b>                  | <b>0.9</b> |
| <b>Louisiana</b>       |                                     |             |                                |            |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Eastern                | 44                                  | 14.1        | 0                              | 0.0        | 6                           | 1.9        | 8                           | 2.6        | 4                                    | 1.3        | 67                      | 21.5        | 1                           | 0.3        |
| Middle                 | 35                                  | 19.4        | 8                              | 4.4        | 1                           | 0.6        | 0                           | 0.0        | 0                                    | 0.0        | 37                      | 20.6        | 1                           | 0.6        |
| Western                | 33                                  | 12.4        | 0                              | 0.0        | 2                           | 0.7        | 4                           | 1.5        | 5                                    | 1.9        | 48                      | 18.0        | 0                           | 0.0        |
| <b>Mississippi</b>     |                                     |             |                                |            |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Northern               | 41                                  | 18.9        | 0                              | 0.0        | 6                           | 2.8        | 1                           | 0.5        | 0                                    | 0.0        | 36                      | 16.6        | 0                           | 0.0        |
| Southern               | 35                                  | 13.1        | 0                              | 0.0        | 4                           | 1.5        | 2                           | 0.7        | 2                                    | 0.7        | 37                      | 13.8        | 5                           | 1.9        |
| <b>Texas</b>           |                                     |             |                                |            |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Eastern                | 108                                 | 11.7        | 6                              | 0.6        | 168                         | 18.2       | 4                           | 0.4        | 5                                    | 0.5        | 76                      | 8.2         | 0                           | 0.0        |
| Northern               | 255                                 | 18.6        | 6                              | 0.4        | 66                          | 4.8        | 17                          | 1.2        | 6                                    | 0.4        | 232                     | 16.9        | 2                           | 0.1        |
| Southern               | 476                                 | 7.5         | 552                            | 8.7        | 290                         | 4.5        | 633                         | 9.9        | 27                                   | 0.4        | 720                     | 11.3        | 7                           | 0.1        |
| Western                | 486                                 | 7.4         | 143                            | 2.2        | 199                         | 3.0        | 177                         | 2.7        | 47                                   | 0.7        | 793                     | 12.1        | 136                         | 2.1        |
| <b>SIXTH CIRCUIT</b>   | <b>1,170</b>                        | <b>22.5</b> | <b>25</b>                      | <b>0.5</b> | <b>505</b>                  | <b>9.7</b> | <b>76</b>                   | <b>1.5</b> | <b>48</b>                            | <b>0.9</b> | <b>1,110</b>            | <b>21.3</b> | <b>20</b>                   | <b>0.4</b> |
| <b>Kentucky</b>        |                                     |             |                                |            |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Eastern                | 82                                  | 13.8        | 0                              | 0.0        | 46                          | 7.7        | 3                           | 0.5        | 1                                    | 0.2        | 158                     | 26.5        | 1                           | 0.2        |
| Western                | 58                                  | 20.1        | 8                              | 2.8        | 51                          | 17.6       | 10                          | 3.5        | 2                                    | 0.7        | 29                      | 10.0        | 1                           | 0.3        |
| <b>Michigan</b>        |                                     |             |                                |            |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Eastern                | 189                                 | 19.8        | 2                              | 0.2        | 60                          | 6.3        | 12                          | 1.3        | 8                                    | 0.8        | 277                     | 29.0        | 0                           | 0.0        |
| Western                | 59                                  | 15.3        | 1                              | 0.3        | 8                           | 2.1        | 10                          | 2.6        | 7                                    | 1.8        | 73                      | 18.9        | 2                           | 0.5        |
| <b>Ohio</b>            |                                     |             |                                |            |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Northern               | 214                                 | 28.2        | 0                              | 0.0        | 57                          | 7.5        | 9                           | 1.2        | 3                                    | 0.4        | 165                     | 21.7        | 5                           | 0.7        |
| Southern               | 172                                 | 26.9        | 9                              | 1.4        | 136                         | 21.3       | 8                           | 1.3        | 13                                   | 2.0        | 112                     | 17.5        | 4                           | 0.6        |
| <b>Tennessee</b>       |                                     |             |                                |            |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Eastern                | 233                                 | 28.6        | 0                              | 0.0        | 47                          | 5.8        | 5                           | 0.6        | 1                                    | 0.1        | 132                     | 16.2        | 3                           | 0.4        |
| Middle                 | 61                                  | 22.8        | 0                              | 0.0        | 62                          | 23.1       | 13                          | 4.9        | 5                                    | 1.9        | 39                      | 14.6        | 0                           | 0.0        |
| Western                | 102                                 | 20.7        | 5                              | 1.0        | 38                          | 7.7        | 6                           | 1.2        | 8                                    | 1.6        | 125                     | 25.4        | 4                           | 0.8        |
| <b>SEVENTH CIRCUIT</b> | <b>421</b>                          | <b>14.4</b> | <b>9</b>                       | <b>0.3</b> | <b>242</b>                  | <b>8.3</b> | <b>73</b>                   | <b>2.5</b> | <b>157</b>                           | <b>5.4</b> | <b>847</b>              | <b>29.0</b> | <b>31</b>                   | <b>1.1</b> |
| <b>Illinois</b>        |                                     |             |                                |            |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Central                | 97                                  | 23.3        | 0                              | 0.0        | 44                          | 10.6       | 8                           | 1.9        | 8                                    | 1.9        | 96                      | 23.1        | 0                           | 0.0        |
| Northern               | 102                                 | 11.7        | 6                              | 0.7        | 24                          | 2.8        | 37                          | 4.2        | 97                                   | 11.1       | 351                     | 40.3        | 14                          | 1.6        |
| Southern               | 27                                  | 7.2         | 0                              | 0.0        | 16                          | 4.3        | 4                           | 1.1        | 35                                   | 9.4        | 38                      | 10.2        | 6                           | 1.6        |
| <b>Indiana</b>         |                                     |             |                                |            |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Northern               | 68                                  | 18.4        | 1                              | 0.3        | 20                          | 5.4        | 4                           | 1.1        | 2                                    | 0.5        | 83                      | 22.5        | 8                           | 2.2        |
| Southern               | 60                                  | 15.4        | 0                              | 0.0        | 63                          | 16.2       | 1                           | 0.3        | 3                                    | 0.8        | 90                      | 23.1        | 0                           | 0.0        |
| <b>Wisconsin</b>       |                                     |             |                                |            |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Eastern                | 62                                  | 17.7        | 0                              | 0.0        | 64                          | 18.3       | 3                           | 0.9        | 3                                    | 0.9        | 133                     | 38.0        | 3                           | 0.9        |
| Western                | 5                                   | 3.3         | 2                              | 1.3        | 11                          | 7.2        | 16                          | 10.5       | 9                                    | 5.9        | 56                      | 36.8        | 0                           | 0.0        |
| <b>EIGHTH CIRCUIT</b>  | <b>649</b>                          | <b>14.0</b> | <b>86</b>                      | <b>1.9</b> | <b>416</b>                  | <b>9.0</b> | <b>63</b>                   | <b>1.4</b> | <b>45</b>                            | <b>1.0</b> | <b>1,106</b>            | <b>23.9</b> | <b>22</b>                   | <b>0.5</b> |
| <b>Arkansas</b>        |                                     |             |                                |            |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Eastern                | 43                                  | 12.1        | 0                              | 0.0        | 20                          | 5.6        | 7                           | 2.0        | 6                                    | 1.7        | 96                      | 27.1        | 4                           | 1.1        |
| Western                | 62                                  | 19.4        | 5                              | 1.6        | 9                           | 2.8        | 4                           | 1.3        | 1                                    | 0.3        | 62                      | 19.4        | 2                           | 0.6        |
| <b>Iowa</b>            |                                     |             |                                |            |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Northern               | 85                                  | 23.1        | 0                              | 0.0        | 9                           | 2.4        | 2                           | 0.5        | 2                                    | 0.5        | 41                      | 11.1        | 0                           | 0.0        |
| Southern               | 41                                  | 13.7        | 5                              | 1.7        | 69                          | 23.1       | 0                           | 0.0        | 3                                    | 1.0        | 85                      | 28.4        | 2                           | 0.7        |
| <b>Minnesota</b>       |                                     |             |                                |            |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Northern               | 41                                  | 14.1        | 6                              | 2.1        | 12                          | 4.1        | 6                           | 2.1        | 3                                    | 1.0        | 109                     | 37.5        | 1                           | 0.3        |
| <b>Missouri</b>        |                                     |             |                                |            |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Eastern                | 57                                  | 8.2         | 0                              | 0.0        | 115                         | 16.5       | 1                           | 0.1        | 5                                    | 0.7        | 201                     | 28.8        | 2                           | 0.3        |
| Western                | 176                                 | 21.3        | 0                              | 0.0        | 68                          | 8.2        | 3                           | 0.4        | 0                                    | 0.0        | 203                     | 24.5        | 6                           | 0.7        |
| <b>Nebraska</b>        |                                     |             |                                |            |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Northern               | 28                                  | 4.7         | 55                             | 9.3        | 63                          | 10.6       | 14                          | 2.4        | 9                                    | 1.5        | 164                     | 27.6        | 2                           | 0.3        |
| <b>North Dakota</b>    |                                     |             |                                |            |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Northern               | 101                                 | 29.9        | 8                              | 2.4        | 23                          | 6.8        | 6                           | 1.8        | 6                                    | 1.8        | 34                      | 10.1        | 0                           | 0.0        |
| <b>South Dakota</b>    |                                     |             |                                |            |                             |            |                             |            |                                      |            |                         |             |                             |            |
| Northern               | 15                                  | 2.8         | 7                              | 1.3        | 28                          | 5.2        | 20                          | 3.7        | 10                                   | 1.9        | 111                     | 20.8        | 3                           | 0.6        |

| CIRCUIT<br>District      | TOTAL         | SENTENCED<br>WITHIN<br>GUIDELINE RANGE |             | ABOVE<br>RANGE<br>DEPARTURE |            | ABOVE RANGE<br>DEPARTURE<br>W/BOOKER |            | ABOVE RANGE<br>W/BOOKER |            | REMAINING<br>ABOVE RANGE |            |
|--------------------------|---------------|--|-------------|-----------------------------|------------|--------------------------------------|------------|-------------------------|------------|--------------------------|------------|
|                          |               | N                                      | %           | N                           | %          | N                                    | %          | N                       | %          | N                        | %          |
| <b>NINTH CIRCUIT</b>     | <b>15,629</b> | <b>4,873</b>                           | <b>31.2</b> | <b>108</b>                  | <b>0.7</b> | <b>12</b>                            | <b>0.1</b> | <b>328</b>              | <b>2.1</b> | <b>26</b>                | <b>0.2</b> |
| Alaska                   | 156           | 48                                     | 30.8        | 0                           | 0.0        | 1                                    | 0.6        | 1                       | 0.6        | 0                        | 0.0        |
| Arizona                  | 5,518         | 2,051                                  | 37.2        | 83                          | 1.5        | 4                                    | 0.1        | 223                     | 4.0        | 18                       | 0.3        |
| California               |               |  |             |                             |            |                                      |            |                         |            |                          |            |
| Central                  | 1,257         | 292                                    | 23.2        | 4                           | 0.3        | 2                                    | 0.2        | 10                      | 0.8        | 2                        | 0.2        |
| Eastern                  | 909           | 313                                    | 34.4        | 2                           | 0.2        | 0                                    | 0.0        | 9                       | 1.0        | 1                        | 0.1        |
| Northern                 | 700           | 251                                    | 35.9        | 1                           | 0.1        | 0                                    | 0.0        | 14                      | 2.0        | 1                        | 0.1        |
| Southern                 | 3,911         | 644                                    | 16.5        | 7                           | 0.2        | 2                                    | 0.1        | 19                      | 0.5        | 3                        | 0.1        |
| Guam                     | 99            | 45                                     | 45.5        | 0                           | 0.0        | 0                                    | 0.0        | 0                       | 0.0        | 0                        | 0.0        |
| Hawaii                   | 290           | 100                                    | 34.5        | 0                           | 0.0        | 0                                    | 0.0        | 4                       | 1.4        | 0                        | 0.0        |
| Idaho                    | 313           | 119                                    | 38.0        | 0                           | 0.0        | 0                                    | 0.0        | 2                       | 0.6        | 0                        | 0.0        |
| Montana                  | 310           | 166                                    | 53.5        | 3                           | 1.0        | 0                                    | 0.0        | 7                       | 2.3        | 0                        | 0.0        |
| Nevada                   | 508           | 257                                    | 50.6        | 3                           | 0.6        | 1                                    | 0.2        | 8                       | 1.6        | 0                        | 0.0        |
| Northern Mariana Islands | 15            | 9                                      | 60.0        | 0                           | 0.0        | 0                                    | 0.0        | 0                       | 0.0        | 0                        | 0.0        |
| Oregon                   | 586           | 206                                    | 35.2        | 1                           | 0.2        | 0                                    | 0.0        | 9                       | 1.5        | 1                        | 0.2        |
| Washington               |               |  |             |                             |            |                                      |            |                         |            |                          |            |
| Eastern                  | 389           | 176                                    | 45.2        | 2                           | 0.5        | 1                                    | 0.3        | 20                      | 5.1        | 0                        | 0.0        |
| Western                  | 668           | 196                                    | 29.3        | 2                           | 0.3        | 1                                    | 0.1        | 2                       | 0.3        | 0                        | 0.0        |
| <b>TENTH CIRCUIT</b>     | <b>7,147</b>  | <b>3,661</b>                           | <b>51.2</b> | <b>20</b>                   | <b>0.3</b> | <b>1</b>                             | <b>0.0</b> | <b>45</b>               | <b>0.6</b> | <b>1</b>                 | <b>0.0</b> |
| Colorado                 | 539           | 162                                    | 30.1        | 0                           | 0.0        | 0                                    | 0.0        | 9                       | 1.7        | 0                        | 0.0        |
| Kansas                   | 662           | 247                                    | 37.3        | 2                           | 0.3        | 0                                    | 0.0        | 19                      | 2.9        | 0                        | 0.0        |
| New Mexico               | 4,324         | 2,577                                  | 59.6        | 8                           | 0.2        | 1                                    | 0.0        | 6                       | 0.1        | 0                        | 0.0        |
| Oklahoma                 |               |  |             |                             |            |                                      |            |                         |            |                          |            |
| Eastern                  | 89            | 51                                     | 57.3        | 0                           | 0.0        | 0                                    | 0.0        | 1                       | 1.1        | 0                        | 0.0        |
| Northern                 | 250           | 94                                     | 37.6        | 0                           | 0.0        | 0                                    | 0.0        | 1                       | 0.4        | 0                        | 0.0        |
| Western                  | 373           | 193                                    | 51.7        | 0                           | 0.0        | 0                                    | 0.0        | 4                       | 1.1        | 0                        | 0.0        |
| Utah                     | 622           | 203                                    | 32.6        | 8                           | 1.3        | 0                                    | 0.0        | 3                       | 0.5        | 1                        | 0.2        |
| Wyoming                  | 288           | 134                                    | 46.5        | 2                           | 0.7        | 0                                    | 0.0        | 2                       | 0.7        | 0                        | 0.0        |
| <b>ELEVENTH CIRCUIT</b>  | <b>6,731</b>  | <b>3,521</b>                           | <b>52.3</b> | <b>7</b>                    | <b>0.1</b> | <b>3</b>                             | <b>0.0</b> | <b>92</b>               | <b>1.4</b> | <b>7</b>                 | <b>0.1</b> |
| Alabama                  |               |  |             |                             |            |                                      |            |                         |            |                          |            |
| Middle                   | 223           | 97                                     | 43.5        | 1                           | 0.4        | 0                                    | 0.0        | 3                       | 1.3        | 1                        | 0.4        |
| Northern                 | 440           | 258                                    | 58.6        | 1                           | 0.2        | 0                                    | 0.0        | 10                      | 2.3        | 1                        | 0.2        |
| Southern                 | 397           | 209                                    | 52.6        | 0                           | 0.0        | 0                                    | 0.0        | 2                       | 0.5        | 0                        | 0.0        |
| Florida                  |               |  |             |                             |            |                                      |            |                         |            |                          |            |
| Middle                   | 1,431         | 582                                    | 40.7        | 1                           | 0.1        | 1                                    | 0.1        | 8                       | 0.6        | 2                        | 0.1        |
| Northern                 | 320           | 146                                    | 45.6        | 0                           | 0.0        | 2                                    | 0.6        | 5                       | 1.6        | 0                        | 0.0        |
| Southern                 | 2,199         | 1,190                                  | 54.1        | 2                           | 0.1        | 0                                    | 0.0        | 28                      | 1.3        | 3                        | 0.1        |
| Georgia                  |               |  |             |                             |            |                                      |            |                         |            |                          |            |
| Middle                   | 485           | 341                                    | 70.3        | 1                           | 0.2        | 0                                    | 0.0        | 5                       | 1.0        | 0                        | 0.0        |
| Northern                 | 597           | 210                                    | 35.2        | 0                           | 0.0        | 0                                    | 0.0        | 13                      | 2.2        | 0                        | 0.0        |
| Southern                 | 639           | 488                                    | 76.4        | 1                           | 0.2        | 0                                    | 0.0        | 18                      | 2.8        | 0                        | 0.0        |

| CIRCUIT<br>District      | §5K1.1<br>SUBSTANTIAL<br>ASSISTANCE |             | §5K3.1<br>EARLY<br>DISPOSITION |             | OTHER<br>GOV'T<br>SPONSORED |             | BELOW<br>RANGE<br>DEPARTURE |            | BELOW RANGE<br>DEPARTURE<br>W/BOOKER |            | BELOW<br>RANGE<br>W/BOOKER |             | REMAINING<br>BELOW<br>RANGE |            |
|--------------------------|-------------------------------------|-------------|--------------------------------|-------------|-----------------------------|-------------|-----------------------------|------------|--------------------------------------|------------|----------------------------|-------------|-----------------------------|------------|
|                          | N                                   | %           | N                              | %           | N                           | %           | N                           | %          | N                                    | %          | N                          | %           | N                           | %          |
| <b>NINTH CIRCUIT</b>     | <b>1,422</b>                        | <b>9.1</b>  | <b>4,576</b>                   | <b>29.3</b> | <b>1,900</b>                | <b>12.2</b> | <b>273</b>                  | <b>1.7</b> | <b>121</b>                           | <b>0.8</b> | <b>1,928</b>               | <b>12.3</b> | <b>62</b>                   | <b>0.4</b> |
| Alaska                   | 21                                  | 13.5        | 0                              | 0.0         | 33                          | 21.2        | 1                           | 0.6        | 2                                    | 1.3        | 49                         | 31.4        | 0                           | 0.0        |
| Arizona                  | 216                                 | 3.9         | 1,909                          | 34.6        | 455                         | 8.2         | 35                          | 0.6        | 11                                   | 0.2        | 507                        | 9.2         | 6                           | 0.1        |
| California               |                                     |             |                                |             |                             |             |                             |            |                                      |            |                            |             |                             |            |
| Central                  | 203                                 | 16.1        | 173                            | 13.8        | 216                         | 17.2        | 35                          | 2.8        | 44                                   | 3.5        | 250                        | 19.9        | 26                          | 2.1        |
| Eastern                  | 151                                 | 16.6        | 128                            | 14.1        | 120                         | 13.2        | 9                           | 1.0        | 9                                    | 1.0        | 164                        | 18.0        | 3                           | 0.3        |
| Northern                 | 67                                  | 9.6         | 41                             | 5.9         | 157                         | 22.4        | 6                           | 0.9        | 5                                    | 0.7        | 156                        | 22.3        | 1                           | 0.1        |
| Southern                 | 314                                 | 8.0         | 2,192                          | 56.0        | 293                         | 7.5         | 153                         | 3.9        | 24                                   | 0.6        | 237                        | 6.1         | 23                          | 0.6        |
| Guam                     | 37                                  | 37.4        | 0                              | 0.0         | 2                           | 2.0         | 1                           | 1.0        | 0                                    | 0.0        | 13                         | 13.1        | 1                           | 1.0        |
| Hawaii                   | 87                                  | 30.0        | 0                              | 0.0         | 5                           | 1.7         | 1                           | 0.3        | 2                                    | 0.7        | 91                         | 31.4        | 0                           | 0.0        |
| Idaho                    | 87                                  | 27.8        | 11                             | 3.5         | 23                          | 7.3         | 10                          | 3.2        | 5                                    | 1.6        | 56                         | 17.9        | 0                           | 0.0        |
| Montana                  | 48                                  | 15.5        | 0                              | 0.0         | 30                          | 9.7         | 2                           | 0.6        | 2                                    | 0.6        | 52                         | 16.8        | 0                           | 0.0        |
| Nevada                   | 54                                  | 10.6        | 26                             | 5.1         | 74                          | 14.6        | 12                          | 2.4        | 1                                    | 0.2        | 70                         | 13.8        | 2                           | 0.4        |
| Northern Mariana Islands | 3                                   | 20.0        | 0                              | 0.0         | 1                           | 6.7         | 1                           | 6.7        | 0                                    | 0.0        | 1                          | 6.7         | 0                           | 0.0        |
| Oregon                   | 74                                  | 12.6        | 16                             | 2.7         | 163                         | 27.8        | 1                           | 0.2        | 2                                    | 0.3        | 113                        | 19.3        | 0                           | 0.0        |
| Washington               |                                     |             |                                |             |                             |             |                             |            |                                      |            |                            |             |                             |            |
| Eastern                  | 26                                  | 6.7         | 24                             | 6.2         | 85                          | 21.9        | 4                           | 1.0        | 7                                    | 1.8        | 44                         | 11.3        | 0                           | 0.0        |
| Western                  | 34                                  | 5.1         | 56                             | 8.4         | 243                         | 36.4        | 2                           | 0.3        | 7                                    | 1.0        | 125                        | 18.7        | 0                           | 0.0        |
| <b>TENTH CIRCUIT</b>     | <b>471</b>                          | <b>6.6</b>  | <b>1,283</b>                   | <b>18.0</b> | <b>637</b>                  | <b>8.9</b>  | <b>66</b>                   | <b>0.9</b> | <b>62</b>                            | <b>0.9</b> | <b>887</b>                 | <b>12.4</b> | <b>13</b>                   | <b>0.2</b> |
| Colorado                 | 134                                 | 24.9        | 80                             | 14.8        | 43                          | 8.0         | 6                           | 1.1        | 6                                    | 1.1        | 98                         | 18.2        | 1                           | 0.2        |
| Kansas                   | 130                                 | 19.6        | 10                             | 1.5         | 164                         | 24.8        | 8                           | 1.2        | 3                                    | 0.5        | 78                         | 11.8        | 1                           | 0.2        |
| New Mexico               | 73                                  | 1.7         | 1,028                          | 23.8        | 253                         | 5.9         | 33                          | 0.8        | 43                                   | 1.0        | 296                        | 6.8         | 6                           | 0.1        |
| Oklahoma                 |                                     |             |                                |             |                             |             |                             |            |                                      |            |                            |             |                             |            |
| Eastern                  | 15                                  | 16.9        | 0                              | 0.0         | 8                           | 9.0         | 2                           | 2.2        | 0                                    | 0.0        | 12                         | 13.5        | 0                           | 0.0        |
| Northern                 | 41                                  | 16.4        | 2                              | 0.8         | 5                           | 2.0         | 4                           | 1.6        | 3                                    | 1.2        | 100                        | 40.0        | 0                           | 0.0        |
| Western                  | 30                                  | 8.0         | 0                              | 0.0         | 2                           | 0.5         | 0                           | 0.0        | 0                                    | 0.0        | 142                        | 38.1        | 2                           | 0.5        |
| Utah                     | 25                                  | 4.0         | 150                            | 24.1        | 115                         | 18.5        | 8                           | 1.3        | 3                                    | 0.5        | 104                        | 16.7        | 2                           | 0.3        |
| Wyoming                  | 23                                  | 8.0         | 13                             | 4.5         | 47                          | 16.3        | 5                           | 1.7        | 4                                    | 1.4        | 57                         | 19.8        | 1                           | 0.3        |
| <b>ELEVENTH CIRCUIT</b>  | <b>924</b>                          | <b>13.7</b> | <b>45</b>                      | <b>0.7</b>  | <b>462</b>                  | <b>6.9</b>  | <b>81</b>                   | <b>1.2</b> | <b>47</b>                            | <b>0.7</b> | <b>1,516</b>               | <b>22.5</b> | <b>26</b>                   | <b>0.4</b> |
| Alabama                  |                                     |             |                                |             |                             |             |                             |            |                                      |            |                            |             |                             |            |
| Middle                   | 65                                  | 29.1        | 3                              | 1.3         | 14                          | 6.3         | 0                           | 0.0        | 3                                    | 1.3        | 36                         | 16.1        | 0                           | 0.0        |
| Northern                 | 77                                  | 17.5        | 0                              | 0.0         | 20                          | 4.5         | 3                           | 0.7        | 3                                    | 0.7        | 66                         | 15.0        | 1                           | 0.2        |
| Southern                 | 71                                  | 17.9        | 0                              | 0.0         | 3                           | 0.8         | 2                           | 0.5        | 0                                    | 0.0        | 110                        | 27.7        | 0                           | 0.0        |
| Florida                  |                                     |             |                                |             |                             |             |                             |            |                                      |            |                            |             |                             |            |
| Middle                   | 275                                 | 19.2        | 23                             | 1.6         | 46                          | 3.2         | 22                          | 1.5        | 17                                   | 1.2        | 444                        | 31.0        | 10                          | 0.7        |
| Northern                 | 69                                  | 21.6        | 1                              | 0.3         | 5                           | 1.6         | 18                          | 5.6        | 4                                    | 1.3        | 69                         | 21.6        | 1                           | 0.3        |
| Southern                 | 190                                 | 8.6         | 11                             | 0.5         | 150                         | 6.8         | 22                          | 1.0        | 18                                   | 0.8        | 573                        | 26.1        | 12                          | 0.5        |
| Georgia                  |                                     |             |                                |             |                             |             |                             |            |                                      |            |                            |             |                             |            |
| Middle                   | 52                                  | 10.7        | 6                              | 1.2         | 13                          | 2.7         | 2                           | 0.4        | 0                                    | 0.0        | 64                         | 13.2        | 1                           | 0.2        |
| Northern                 | 60                                  | 10.1        | 0                              | 0.0         | 182                         | 30.5        | 10                          | 1.7        | 1                                    | 0.2        | 121                        | 20.3        | 0                           | 0.0        |
| Southern                 | 65                                  | 10.2        | 1                              | 0.2         | 29                          | 4.5         | 2                           | 0.3        | 1                                    | 0.2        | 33                         | 5.2         | 1                           | 0.2        |

Of the 75,836 cases, 1,710 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. The information needed to determine the relationship between the sentence imposed and the guideline range was missing in five percent or more of the cases received from: Arizona (16.4%), Western Louisiana (8.9%), Eastern North Carolina (8.5%), and Middle Tennessee (7.9%).

SOURCE: U.S. Sentencing Commission, 2014 Datafile, USSCFY14.

**Table 10**

**SENTENCES RELATIVE TO THE GUIDELINE RANGE  
BY SELECTED PRIMARY OFFENSE CATEGORY  
Fiscal Year 2014**

**National**

| PRIMARY OFFENSE              | TOTAL         | WITHIN<br>GUIDELINE<br>RANGE |             | ABOVE<br>RANGE<br>DEPARTURE |            | ABOVE RANGE<br>DEPARTURE<br>W/BOOKER |            | ABOVE RANGE<br>W/BOOKER |            | REMAINING<br>ABOVE RANGE |            |
|------------------------------|---------------|------------------------------|-------------|-----------------------------|------------|--------------------------------------|------------|-------------------------|------------|--------------------------|------------|
|                              |               | N                            | %           | N                           | %          | N                                    | %          | N                       | %          | N                        | %          |
| <b>TOTAL</b>                 | <b>74,126</b> | <b>34,117</b>                | <b>46.0</b> | <b>343</b>                  | <b>0.5</b> | <b>123</b>                           | <b>0.2</b> | <b>1,104</b>            | <b>1.5</b> | <b>75</b>                | <b>0.1</b> |
| Robbery                      | 777           | 403                          | 51.9        | 7                           | 0.9        | 7                                    | 0.9        | 21                      | 2.7        | 1                        | 0.1        |
| Drugs - Trafficking          | 21,312        | 5,816                        | 27.3        | 56                          | 0.3        | 18                                   | 0.1        | 87                      | 0.4        | 14                       | 0.1        |
| Drugs - Simple Possession    | 1,392         | 1,162                        | 83.5        | 7                           | 0.5        | 1                                    | 0.1        | 195                     | 14.0       | 6                        | 0.4        |
| Firearms                     | 7,913         | 4,250                        | 53.7        | 61                          | 0.8        | 36                                   | 0.5        | 238                     | 3.0        | 17                       | 0.2        |
| Larceny                      | 1,344         | 829                          | 61.7        | 4                           | 0.3        | 2                                    | 0.1        | 9                       | 0.7        | 1                        | 0.1        |
| Fraud                        | 7,391         | 3,202                        | 43.3        | 23                          | 0.3        | 9                                    | 0.1        | 91                      | 1.2        | 8                        | 0.1        |
| Embezzlement                 | 328           | 192                          | 58.5        | 0                           | 0.0        | 0                                    | 0.0        | 2                       | 0.6        | 0                        | 0.0        |
| Forgery/Counterfeiting       | 710           | 418                          | 58.9        | 5                           | 0.7        | 0                                    | 0.0        | 22                      | 3.1        | 3                        | 0.4        |
| Immigration                  | 22,064        | 12,558                       | 56.9        | 97                          | 0.4        | 22                                   | 0.1        | 221                     | 1.0        | 15                       | 0.1        |
| Other Miscellaneous Offenses | 10,895        | 5,287                        | 48.5        | 83                          | 0.8        | 28                                   | 0.3        | 218                     | 2.0        | 10                       | 0.1        |

**Colorado**

| PRIMARY OFFENSE              | TOTAL      | WITHIN<br>GUIDELINE<br>RANGE |             | ABOVE<br>RANGE<br>DEPARTURE |            | ABOVE RANGE<br>DEPARTURE<br>W/BOOKER |            | ABOVE RANGE<br>W/BOOKER |            | REMAINING<br>ABOVE RANGE |            |
|------------------------------|------------|------------------------------|-------------|-----------------------------|------------|--------------------------------------|------------|-------------------------|------------|--------------------------|------------|
|                              |            | N                            | %           | N                           | %          | N                                    | %          | N                       | %          | N                        | %          |
| <b>TOTAL</b>                 | <b>539</b> | <b>162</b>                   | <b>30.1</b> | <b>0</b>                    | <b>0.0</b> | <b>0</b>                             | <b>0.0</b> | <b>9</b>                | <b>1.7</b> | <b>0</b>                 | <b>0.0</b> |
| Robbery                      | 10         | 7                            | 70.0        | 0                           | 0.0        | 0                                    | 0.0        | 0                       | 0.0        | 0                        | 0.0        |
| Drugs - Trafficking          | 107        | 7                            | 6.5         | 0                           | 0.0        | 0                                    | 0.0        | 1                       | 0.9        | 0                        | 0.0        |
| Drugs - Simple Possession    | 5          | 5                            | 100.0       | 0                           | 0.0        | 0                                    | 0.0        | 0                       | 0.0        | 0                        | 0.0        |
| Firearms                     | 65         | 32                           | 49.2        | 0                           | 0.0        | 0                                    | 0.0        | 0                       | 0.0        | 0                        | 0.0        |
| Larceny                      | 13         | 8                            | 61.5        | 0                           | 0.0        | 0                                    | 0.0        | 0                       | 0.0        | 0                        | 0.0        |
| Fraud                        | 58         | 22                           | 37.9        | 0                           | 0.0        | 0                                    | 0.0        | 2                       | 3.4        | 0                        | 0.0        |
| Embezzlement                 | 3          | 1                            | 33.3        | 0                           | 0.0        | 0                                    | 0.0        | 0                       | 0.0        | 0                        | 0.0        |
| Forgery/Counterfeiting       | 4          | 2                            | 50.0        | 0                           | 0.0        | 0                                    | 0.0        | 0                       | 0.0        | 0                        | 0.0        |
| Immigration                  | 181        | 40                           | 22.1        | 0                           | 0.0        | 0                                    | 0.0        | 4                       | 2.2        | 0                        | 0.0        |
| Other Miscellaneous Offenses | 93         | 38                           | 40.9        | 0                           | 0.0        | 0                                    | 0.0        | 2                       | 2.2        | 0                        | 0.0        |

### National

| PRIMARY OFFENSE              | §5K1.1<br>SUBSTANTIAL<br>ASSISTANCE |             | §5K3.1<br>EARLY<br>DISPOSITION |            | OTHER<br>GOV'T<br>SPONSORED |            | BELOW<br>RANGE<br>DEPARTURE |            | BELOW RANGE<br>DEPARTURE<br>W/BOOKER |            | BELOW<br>RANGE<br>W/BOOKER |             | REMAINING<br>BELOW<br>RANGE |            |
|------------------------------|-------------------------------------|-------------|--------------------------------|------------|-----------------------------|------------|-----------------------------|------------|--------------------------------------|------------|----------------------------|-------------|-----------------------------|------------|
|                              | N                                   | %           | N                              | %          | N                           | %          | N                           | %          | N                                    | %          | N                          | %           | N                           | %          |
| <b>TOTAL</b>                 | <b>9,482</b>                        | <b>12.8</b> | <b>6,944</b>                   | <b>9.4</b> | <b>6,068</b>                | <b>8.2</b> | <b>1,757</b>                | <b>2.4</b> | <b>807</b>                           | <b>1.1</b> | <b>12,894</b>              | <b>17.4</b> | <b>412</b>                  | <b>0.6</b> |
| Robbery                      | 95                                  | 12.2        | 0                              | 0.0        | 69                          | 8.9        | 16                          | 2.1        | 12                                   | 1.5        | 139                        | 17.9        | 7                           | 0.9        |
| Drugs - Trafficking          | 5,589                               | 26.2        | 1,480                          | 6.9        | 2,980                       | 14.0       | 328                         | 1.5        | 331                                  | 1.6        | 4,548                      | 21.3        | 65                          | 0.3        |
| Drugs - Simple Possession    | 2                                   | 0.1         | 2                              | 0.1        | 4                           | 0.3        | 3                           | 0.2        | 1                                    | 0.1        | 8                          | 0.6         | 1                           | 0.1        |
| Firearms                     | 861                                 | 10.9        | 15                             | 0.2        | 661                         | 8.4        | 153                         | 1.9        | 85                                   | 1.1        | 1,502                      | 19.0        | 34                          | 0.4        |
| Larceny                      | 82                                  | 6.1         | 4                              | 0.3        | 88                          | 6.5        | 25                          | 1.9        | 16                                   | 1.2        | 265                        | 19.7        | 19                          | 1.4        |
| Fraud                        | 1,414                               | 19.1        | 6                              | 0.1        | 545                         | 7.4        | 148                         | 2.0        | 114                                  | 1.5        | 1,777                      | 24.0        | 54                          | 0.7        |
| Embezzlement                 | 16                                  | 4.9         | 0                              | 0.0        | 19                          | 5.8        | 6                           | 1.8        | 2                                    | 0.6        | 89                         | 27.1        | 2                           | 0.6        |
| Forgery/Counterfeiting       | 68                                  | 9.6         | 0                              | 0.0        | 28                          | 3.9        | 8                           | 1.1        | 11                                   | 1.5        | 138                        | 19.4        | 9                           | 1.3        |
| Immigration                  | 295                                 | 1.3         | 5,411                          | 24.5       | 371                         | 1.7        | 857                         | 3.9        | 102                                  | 0.5        | 1,952                      | 8.8         | 163                         | 0.7        |
| Other Miscellaneous Offenses | 1,060                               | 9.7         | 26                             | 0.2        | 1,303                       | 12.0       | 213                         | 2.0        | 133                                  | 1.2        | 2,476                      | 22.7        | 58                          | 0.5        |

### Colorado

| PRIMARY OFFENSE              | §5K1.1<br>SUBSTANTIAL<br>ASSISTANCE |             | §5K3.1<br>EARLY<br>DISPOSITION |             | OTHER<br>GOV'T<br>SPONSORED |            | BELOW<br>RANGE<br>DEPARTURE |            | BELOW RANGE<br>DEPARTURE<br>W/BOOKER |            | BELOW<br>RANGE<br>W/BOOKER |             | REMAINING<br>BELOW<br>RANGE |            |
|------------------------------|-------------------------------------|-------------|--------------------------------|-------------|-----------------------------|------------|-----------------------------|------------|--------------------------------------|------------|----------------------------|-------------|-----------------------------|------------|
|                              | N                                   | %           | N                              | %           | N                           | %          | N                           | %          | N                                    | %          | N                          | %           | N                           | %          |
| <b>TOTAL</b>                 | <b>134</b>                          | <b>24.9</b> | <b>80</b>                      | <b>14.8</b> | <b>43</b>                   | <b>8.0</b> | <b>6</b>                    | <b>1.1</b> | <b>6</b>                             | <b>1.1</b> | <b>98</b>                  | <b>18.2</b> | <b>1</b>                    | <b>0.2</b> |
| Robbery                      | 3                                   | 30.0        | 0                              | 0.0         | 0                           | 0.0        | 0                           | 0.0        | 0                                    | 0.0        | 0                          | 0.0         | 0                           | 0.0        |
| Drugs - Trafficking          | 82                                  | 76.6        | 0                              | 0.0         | 10                          | 9.3        | 0                           | 0.0        | 0                                    | 0.0        | 7                          | 6.5         | 0                           | 0.0        |
| Drugs - Simple Possession    | 0                                   | 0.0         | 0                              | 0.0         | 0                           | 0.0        | 0                           | 0.0        | 0                                    | 0.0        | 0                          | 0.0         | 0                           | 0.0        |
| Firearms                     | 9                                   | 13.8        | 0                              | 0.0         | 2                           | 3.1        | 1                           | 1.5        | 4                                    | 6.2        | 17                         | 26.2        | 0                           | 0.0        |
| Larceny                      | 1                                   | 7.7         | 0                              | 0.0         | 1                           | 7.7        | 0                           | 0.0        | 0                                    | 0.0        | 3                          | 23.1        | 0                           | 0.0        |
| Fraud                        | 16                                  | 27.6        | 0                              | 0.0         | 9                           | 15.5       | 0                           | 0.0        | 0                                    | 0.0        | 9                          | 15.5        | 0                           | 0.0        |
| Embezzlement                 | 0                                   | 0.0         | 0                              | 0.0         | 0                           | 0.0        | 0                           | 0.0        | 0                                    | 0.0        | 2                          | 66.7        | 0                           | 0.0        |
| Forgery/Counterfeiting       | 0                                   | 0.0         | 0                              | 0.0         | 0                           | 0.0        | 0                           | 0.0        | 0                                    | 0.0        | 2                          | 50.0        | 0                           | 0.0        |
| Immigration                  | 1                                   | 0.6         | 80                             | 44.2        | 16                          | 8.8        | 4                           | 2.2        | 2                                    | 1.1        | 34                         | 18.8        | 0                           | 0.0        |
| Other Miscellaneous Offenses | 22                                  | 23.7        | 0                              | 0.0         | 5                           | 5.4        | 1                           | 1.1        | 0                                    | 0.0        | 24                         | 25.8        | 1                           | 1.1        |

Of the 75,836 guideline cases, 1,710 cases were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range.

Of the 541 guideline cases from the District of Colorado, two cases were excluded because information was missing from the from the submitted documents that prevented the comparison of the sentence and the guideline range.

SOURCE: U.S. Sentencing Commission, 2014 Datafile, USSCFY14.