# TABLE OF CONTENTS

**Figure A**  Offenders in Each Primary Offense Category  
**Table 1**  Distribution of Guideline Offenders in Each Primary Offense Category  
**Table 2**  Guilty Pleas and Trials in Each Circuit and District  
**Table 3**  Guilty Pleas and Trials in Each Primary Offense Category  
**Table 4**  Type of Sentence Imposed by Primary Offense Category (National)  
**Table 5**  Type of Sentence Imposed by Primary Offense Category (District)  
**Table 6**  Incarceration Rate of U.S. Citizen Defendants Eligible for Non-Prison Sentences by Primary Offense Category  
**Table 7**  Length of Imprisonment by Primary Offense Category  
**Table 8**  Comparison of Sentence Imposed and Position Relative to the Guideline Range  
**Table 9**  Sentences Relative to the Guideline Range by Circuit and District  
**Table 10**  Sentences Relative to the Guideline Range by Selected Primary Offense Category
Of the 66,873 guideline cases, no cases were excluded.

Of the 345 guideline cases from the Northern District of New York, no cases were excluded.

The Drugs category includes the following offense types: trafficking, use of a communication facility, and simple possession. The Non-Fraud White Collar category includes the following offense types: embezzlement, forgery/counterfeiting, bribery, money laundering, and tax.

Table 1

DISTRIBUTION OF GUIDELINE OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY
Fiscal Year 2017

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Of the 66,873 guideline cases, no cases were excluded.
Of the 345 guideline cases from the Northern District of New York, no cases were excluded.

### Table 2

**GUILTY PLEAS AND TRIALS IN EACH CIRCUIT AND DISTRICT**

Fiscal Year 2017

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Of the 66,873 guideline cases, no cases were excluded.

### Table 3

GUilty Pleas AND Trials in EACH PRIMARy OFFENSE Category  
Fiscal Year 2017

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Of the 66,873 guideline cases, no cases were excluded.

Of the 345 guideline cases from the Northern District of New York, no cases were excluded.

Table 4
TYPE OF SENTENCE IMPOSED BY PRIMARY OFFENSE CATEGORY
Fiscal Year 2017

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Of the 66,873 guideline cases, 434 cases were excluded because the offender received neither imprisonment nor probation.

Table 5  
TYPE OF SENTENCE IMPOSED BY PRIMARY OFFENSE CATEGORY  
Fiscal Year 2017  

Northern New York

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<th></th>
<th>Probation Only</th>
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<td>%</td>
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<td>%</td>
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</table>

Of the 345 guideline cases from the Northern District of New York, five cases were excluded because the offender received neither imprisonment nor probation.

### Table 6

**INCARCERATION RATE OF U.S. CITIZEN OFFENDERS ELIGIBLE FOR NON-PRISON SENTENCES BY PRIMARY OFFENSE CATEGORY**

**Fiscal Year 2017**

<table>
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<th>Prison Sentence</th>
<th>Non-Prison Sentence</th>
<th>National</th>
<th>Non-Prison Sentence</th>
<th>National</th>
<th>Non-Prison Sentence</th>
<th>National</th>
<th>Non-Prison Sentence</th>
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<td>%</td>
<td>N</td>
<td>%</td>
<td>N</td>
<td>%</td>
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</table>

Of the 66,873 guideline cases, a U.S. Citizen was the offender in 39,376 cases. Of these, 34,775 cases were excluded because the offender was ineligible for a non-prison sentence.

Of the 345 guideline cases from the Northern District of New York, a U.S. Citizen was the offender in 236 cases. Of these, 197 cases were excluded because the offender was ineligible for a non-prison sentence.

This table was limited to U.S. Citizens beginning in fiscal year 2010.

### Table 7

**LENGTH OF IMPRISONMENT BY PRIMARY OFFENSE CATEGORY**

**Fiscal Year 2017**

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<th>National Median Months</th>
<th>National N</th>
<th>Northern New York Mean Months</th>
<th>Northern New York Median Months</th>
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Of the 66,873 guideline cases, 8,782 cases were excluded for one or both of the following reasons: zero months of prison ordered (8,345), or missing or indeterminable sentencing information (437).

Of the 345 guideline cases from the Northern District of New York, 83 cases were excluded due to one of the following reasons: zero months of prison ordered (78) or missing or indeterminable sentencing information (5).

### Table 8

**COMPARISON OF SENTENCE IMPOSED AND POSITION RELATIVE TO THE GUIDELINE RANGE**  
**Fiscal Year 2017**

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<th>National</th>
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<th>Northern New York</th>
<th></th>
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</table>

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1. This table reflects the 66,873 cases sentenced nationally in fiscal year 2017, 345 of which were from the Northern District of New York. Of these, 607 cases nationally and 11 cases from the Northern District of New York were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range.

2. 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.

3. 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.

4. 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.

5. 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.

6. 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.

### Table 9

**SENTENCES RELATIVE TO THE GUIDELINE RANGE BY CIRCUIT AND DISTRICT**

**Fiscal Year 2017**

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<th>CIRCUIT</th>
<th>WITHIN GUIDELINE RANGE</th>
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<th>ABOVE RANGE</th>
<th>REMAINING ABOVE RANGE</th>
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<td>N</td>
<td>%</td>
<td>N</td>
<td>%</td>
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<td>73</td>
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Of the 66,873 cases, 607 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: Eastern North Carolina (13.1%), Middle Tennessee (11.9%), Western Louisiana (7.0%), Middle Georgia (5.8%), and Northern Florida (5.1%).

**SOURCE:** U.S. Sentencing Commission, 2017 Datafile, USSCFY17.
Table 10
SENTENCES RELATIVE TO THE GUIDELINE RANGE
BY SELECTED PRIMARY OFFENSE CATEGORY
Fiscal Year 2017

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Northern New York

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<th>§5K3.1 EARLY DISPOSITION</th>
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### Northern New York

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Of the 66,873 guideline cases, 607 cases were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range.

Of the 345 guideline cases from the Northern District of New York, 11 cases were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range.