

**United
States
Sentencing
Commission**



Statistical Information Packet

Fiscal Year 2020

Northern District of West Virginia

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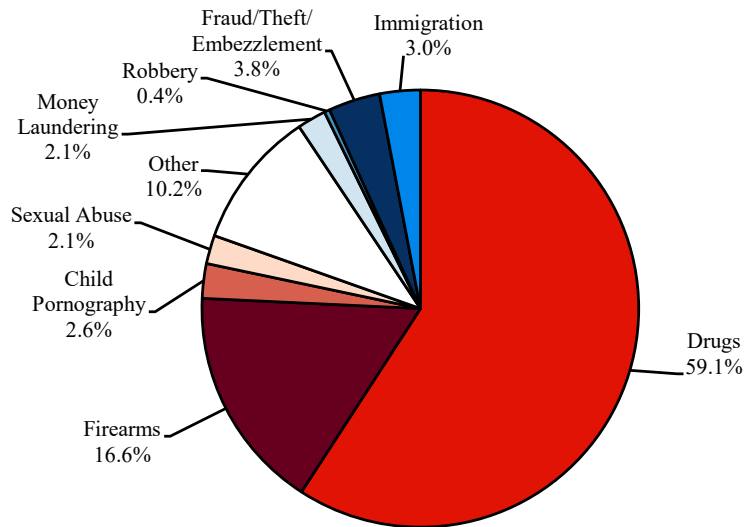
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Figure A
FEDERAL OFFENDERS BY TYPE OF CRIME
Fiscal Year 2020

National



Northern West Virginia



The National figure includes the 64,565 cases reported to the Commission. The Drugs category includes trafficking and simple possession.

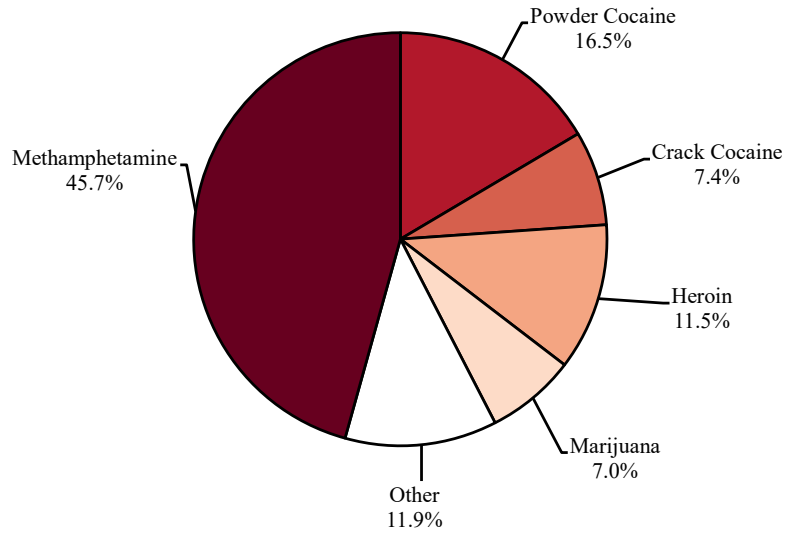
The Northern District of West Virginia figure includes the 235 cases reported to the Commission.

SOURCE: U.S. Sentencing Commission, 2020 Datafile, USSCFY20.

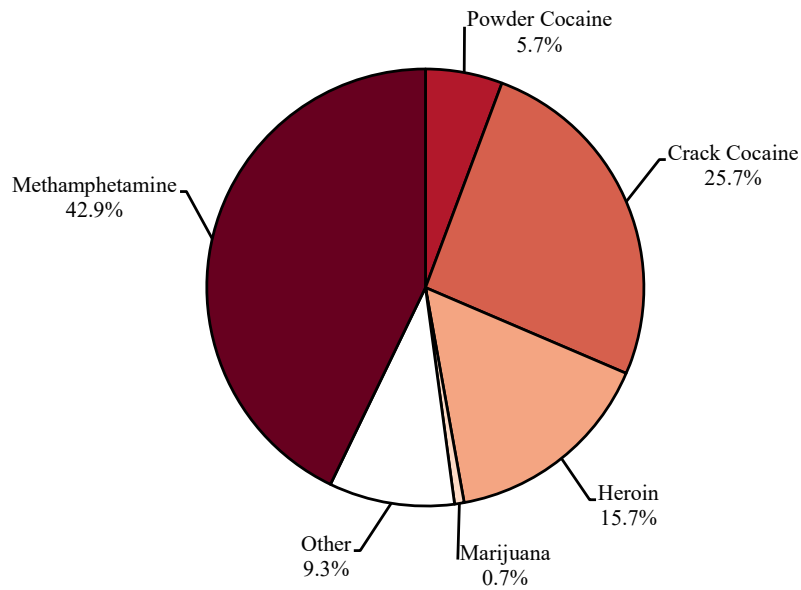
Figure B

**DISTRIBUTION OF PRIMARY DRUG TYPE IN FEDERAL DRUG CASES
Fiscal Year 2020**

National



Northern West Virginia



Of the 64,565 National cases, in 16,501 the offender was sentenced under USSG Chapter Two, Part D (Drugs).

Of the 235 cases from the Northern District of West Virginia, in 140 the offender was sentenced under USSG Chapter Two, Part D (Drugs).

SOURCE: U.S. Sentencing Commission, 2020 Datafile, USSCFY20.

Table 1
DISTRIBUTION OF FEDERAL OFFENDERS
BY TYPE OF CRIME
Fiscal Year 2020

| TYPE OF CRIME | National | | Northern West Virginia | |
|------------------------------|---------------|--------------|------------------------|--------------|
| | N | % | N | % |
| TOTAL | 64,565 | 100.0 | 235 | 100.0 |
| Administration of Justice | 542 | 0.8 | 0 | 0.0 |
| Antitrust | 11 | 0.0 | 0 | 0.0 |
| Arson | 48 | 0.1 | 2 | 0.9 |
| Assault | 618 | 1.0 | 4 | 1.7 |
| Bribery/Corruption | 240 | 0.4 | 0 | 0.0 |
| Burglary/Trespass | 39 | 0.1 | 0 | 0.0 |
| Child Pornography | 1,023 | 1.6 | 6 | 2.6 |
| Commercialized Vice | 53 | 0.1 | 0 | 0.0 |
| Drug Possession | 439 | 0.7 | 0 | 0.0 |
| Drug Trafficking | 16,390 | 25.4 | 139 | 59.1 |
| Environmental | 137 | 0.2 | 1 | 0.4 |
| Extortion/Racketeering | 120 | 0.2 | 0 | 0.0 |
| Firearms | 7,539 | 11.7 | 39 | 16.6 |
| Food and Drug | 33 | 0.1 | 0 | 0.0 |
| Forgery/Counter/Copyright | 198 | 0.3 | 0 | 0.0 |
| Fraud/Theft/Embezzlement | 4,823 | 7.5 | 9 | 3.8 |
| Immigration | 26,561 | 41.1 | 7 | 3.0 |
| Individual Rights | 70 | 0.1 | 0 | 0.0 |
| Kidnapping | 66 | 0.1 | 0 | 0.0 |
| Manslaughter | 38 | 0.1 | 0 | 0.0 |
| Money Laundering | 880 | 1.4 | 5 | 2.1 |
| Murder | 294 | 0.5 | 0 | 0.0 |
| National Defense | 165 | 0.3 | 0 | 0.0 |
| Obscenity/Other Sex Offenses | 318 | 0.5 | 7 | 3.0 |
| Prison Offenses | 457 | 0.7 | 8 | 3.4 |
| Robbery | 1,316 | 2.0 | 1 | 0.4 |
| Sexual Abuse | 881 | 1.4 | 5 | 2.1 |
| Stalking/Harassing | 225 | 0.3 | 0 | 0.0 |
| Tax | 366 | 0.6 | 1 | 0.4 |
| Other | 675 | 1.0 | 1 | 0.4 |

SOURCE: U.S. Sentencing Commission, 2020 Datafile, USSCFY20.

Table 2

**GUILTY PLEAS AND TRIALS IN EACH CIRCUIT AND DISTRICT
Fiscal Year 2020**

| CIRCUIT District | TOTAL | PLEA | | TRIAL | |
|-----------------------|---------------|---------------|-------------|--------------|------------|
| | | N | % | N | % |
| TOTAL | 64,565 | 63,157 | 97.8 | 1,408 | 2.2 |
| D.C. CIRCUIT | 272 | 261 | 96.0 | 11 | 4.0 |
| District of Columbia | 272 | 261 | 96.0 | 11 | 4.0 |
| FIRST CIRCUIT | 1,727 | 1,667 | 96.5 | 60 | 3.5 |
| Maine | 118 | 115 | 97.5 | 3 | 2.5 |
| Massachusetts | 387 | 361 | 93.3 | 26 | 6.7 |
| New Hampshire | 200 | 194 | 97.0 | 6 | 3.0 |
| Puerto Rico | 922 | 899 | 97.5 | 23 | 2.5 |
| Rhode Island | 100 | 98 | 98.0 | 2 | 2.0 |
| SECOND CIRCUIT | 2,449 | 2,346 | 95.8 | 103 | 4.2 |
| Connecticut | 353 | 337 | 95.5 | 16 | 4.5 |
| New York | | | | | |
| Eastern | 360 | 345 | 95.8 | 15 | 4.2 |
| Northern | 305 | 291 | 95.4 | 14 | 4.6 |
| Southern | 926 | 883 | 95.4 | 43 | 4.6 |
| Western | 350 | 337 | 96.3 | 13 | 3.7 |
| Vermont | 155 | 153 | 98.7 | 2 | 1.3 |
| THIRD CIRCUIT | 1,931 | 1,855 | 96.1 | 76 | 3.9 |
| Delaware | 89 | 84 | 94.4 | 5 | 5.6 |
| New Jersey | 595 | 577 | 97.0 | 18 | 3.0 |
| Pennsylvania | | | | | |
| Eastern | 493 | 471 | 95.5 | 22 | 4.5 |
| Middle | 360 | 345 | 95.8 | 15 | 4.2 |
| Western | 357 | 346 | 96.9 | 11 | 3.1 |
| Virgin Islands | 37 | 32 | 86.5 | 5 | 13.5 |
| FOURTH CIRCUIT | 4,266 | 4,116 | 96.5 | 150 | 3.5 |
| Maryland | 469 | 453 | 96.6 | 16 | 3.4 |
| North Carolina | | | | | |
| Eastern | 708 | 682 | 96.3 | 26 | 3.7 |
| Middle | 404 | 393 | 97.3 | 11 | 2.7 |
| Western | 513 | 492 | 95.9 | 21 | 4.1 |
| South Carolina | 575 | 564 | 98.1 | 11 | 1.9 |
| Virginia | | | | | |
| Eastern | 813 | 783 | 96.3 | 30 | 3.7 |
| Western | 287 | 268 | 93.4 | 19 | 6.6 |
| West Virginia | | | | | |
| Northern | 235 | 228 | 97.0 | 7 | 3.0 |
| Southern | 262 | 253 | 96.6 | 9 | 3.4 |

| CIRCUIT District | TOTAL | PLEA | | TRIAL | |
|------------------------|---------------|---------------|-------------|------------|------------|
| | | N | % | N | % |
| FIFTH CIRCUIT | 20,229 | 20,034 | 99.0 | 195 | 1.0 |
| Louisiana | | | | | |
| Eastern | 184 | 182 | 98.9 | 2 | 1.1 |
| Middle | 123 | 120 | 97.6 | 3 | 2.4 |
| Western | 292 | 280 | 95.9 | 12 | 4.1 |
| Mississippi | | | | | |
| Northern | 136 | 134 | 98.5 | 2 | 1.5 |
| Southern | 386 | 372 | 96.4 | 14 | 3.6 |
| Texas | | | | | |
| Eastern | 698 | 673 | 96.4 | 25 | 3.6 |
| Northern | 1,380 | 1,348 | 97.7 | 32 | 2.3 |
| Southern | 8,538 | 8,495 | 99.5 | 43 | 0.5 |
| Western | 8,492 | 8,430 | 99.3 | 62 | 0.7 |
| SIXTH CIRCUIT | 4,152 | 4,000 | 96.3 | 152 | 3.7 |
| Kentucky | | | | | |
| Eastern | 431 | 411 | 95.4 | 20 | 4.6 |
| Western | 347 | 339 | 97.7 | 8 | 2.3 |
| Michigan | | | | | |
| Eastern | 533 | 510 | 95.7 | 23 | 4.3 |
| Western | 320 | 303 | 94.7 | 17 | 5.3 |
| Ohio | | | | | |
| Northern | 787 | 769 | 97.7 | 18 | 2.3 |
| Southern | 552 | 539 | 97.6 | 13 | 2.4 |
| Tennessee | | | | | |
| Eastern | 605 | 592 | 97.9 | 13 | 2.1 |
| Middle | 235 | 223 | 94.9 | 12 | 5.1 |
| Western | 342 | 314 | 91.8 | 28 | 8.2 |
| SEVENTH CIRCUIT | 2,270 | 2,185 | 96.3 | 85 | 3.7 |
| Illinois | | | | | |
| Central | 227 | 209 | 92.1 | 18 | 7.9 |
| Northern | 540 | 519 | 96.1 | 21 | 3.9 |
| Southern | 234 | 232 | 99.1 | 2 | 0.9 |
| Indiana | | | | | |
| Northern | 316 | 301 | 95.3 | 15 | 4.7 |
| Southern | 537 | 517 | 96.3 | 20 | 3.7 |
| Wisconsin | | | | | |
| Eastern | 265 | 258 | 97.4 | 7 | 2.6 |
| Western | 151 | 149 | 98.7 | 2 | 1.3 |
| EIGHTH CIRCUIT | 4,694 | 4,578 | 97.5 | 116 | 2.5 |
| Arkansas | | | | | |
| Eastern | 474 | 467 | 98.5 | 7 | 1.5 |
| Western | 247 | 244 | 98.8 | 3 | 1.2 |
| Iowa | | | | | |
| Northern | 365 | 354 | 97.0 | 11 | 3.0 |
| Southern | 421 | 406 | 96.4 | 15 | 3.6 |
| Minnesota | 334 | 317 | 94.9 | 17 | 5.1 |
| Missouri | | | | | |
| Eastern | 925 | 917 | 99.1 | 8 | 0.9 |
| Western | 697 | 673 | 96.6 | 24 | 3.4 |
| Nebraska | 482 | 473 | 98.1 | 9 | 1.9 |
| North Dakota | 252 | 250 | 99.2 | 2 | 0.8 |
| South Dakota | 497 | 477 | 96.0 | 20 | 4.0 |

| CIRCUIT District | TOTAL | PLEA | | TRIAL | |
|--------------------------|---------------|---------------|-------------|------------|------------|
| | | N | % | N | % |
| NINTH CIRCUIT | 12,039 | 11,830 | 98.3 | 209 | 1.7 |
| Alaska | 108 | 101 | 93.5 | 7 | 6.5 |
| Arizona | 4,566 | 4,539 | 99.4 | 27 | 0.6 |
| California | | | | | |
| Central | 918 | 877 | 95.5 | 41 | 4.5 |
| Eastern | 408 | 385 | 94.4 | 23 | 5.6 |
| Northern | 557 | 537 | 96.4 | 20 | 3.6 |
| Southern | 3,499 | 3,469 | 99.1 | 30 | 0.9 |
| Guam | 42 | 40 | 95.2 | 2 | 4.8 |
| Hawaii | 124 | 120 | 96.8 | 4 | 3.2 |
| Idaho | 321 | 316 | 98.4 | 5 | 1.6 |
| Montana | 324 | 304 | 93.8 | 20 | 6.2 |
| Nevada | 293 | 282 | 96.2 | 11 | 3.8 |
| Northern Mariana Islands | 10 | 8 | 80.0 | 2 | 20.0 |
| Oregon | 362 | 357 | 98.6 | 5 | 1.4 |
| Washington | | | | | |
| Eastern | 238 | 233 | 97.9 | 5 | 2.1 |
| Western | 269 | 262 | 97.4 | 7 | 2.6 |
| TENTH CIRCUIT | 5,566 | 5,485 | 98.5 | 81 | 1.5 |
| Colorado | 400 | 381 | 95.3 | 19 | 4.8 |
| Kansas | 311 | 301 | 96.8 | 10 | 3.2 |
| New Mexico | 3,192 | 3,179 | 99.6 | 13 | 0.4 |
| Oklahoma | | | | | |
| Eastern | 105 | 97 | 92.4 | 8 | 7.6 |
| Northern | 240 | 230 | 95.8 | 10 | 4.2 |
| Western | 473 | 458 | 96.8 | 15 | 3.2 |
| Utah | 685 | 683 | 99.7 | 2 | 0.3 |
| Wyoming | 160 | 156 | 97.5 | 4 | 2.5 |
| ELEVENTH CIRCUIT | 4,970 | 4,800 | 96.6 | 170 | 3.4 |
| Alabama | | | | | |
| Middle | 140 | 135 | 96.4 | 5 | 3.6 |
| Northern | 453 | 437 | 96.5 | 16 | 3.5 |
| Southern | 301 | 290 | 96.3 | 11 | 3.7 |
| Florida | | | | | |
| Middle | 1,222 | 1,173 | 96.0 | 49 | 4.0 |
| Northern | 275 | 261 | 94.9 | 14 | 5.1 |
| Southern | 1,326 | 1,283 | 96.8 | 43 | 3.2 |
| Georgia | | | | | |
| Middle | 355 | 348 | 98.0 | 7 | 2.0 |
| Northern | 490 | 476 | 97.1 | 14 | 2.9 |
| Southern | 408 | 397 | 97.3 | 11 | 2.7 |

Of the 64,565 National cases, no cases were excluded.

SOURCE: U.S. Sentencing Commission, 2020 Datafile, USSCFY20.

Table 3

**GUILTY PLEAS AND TRIALS BY TYPE OF CRIME
Fiscal Year 2020**

| TYPE OF CRIME | TOTAL | National | | | | Northern West Virginia | | | |
|------------------------------|---------------|---------------|-------------|--------------|------------|------------------------|-------------|----------|------------|
| | | PLEA | | TRIAL | | PLEA | | TRIAL | |
| | | N | % | N | % | N | % | N | % |
| TOTAL | 64,565 | 63,157 | 97.8 | 1,408 | 2.2 | 228 | 97.0 | 7 | 3.0 |
| Administration of Justice | 542 | 519 | 95.8 | 23 | 4.2 | 0 | -- | 0 | -- |
| Antitrust | 11 | 9 | 81.8 | 2 | 18.2 | 0 | -- | 0 | -- |
| Arson | 48 | 41 | 85.4 | 7 | 14.6 | 2 | 100.0 | 0 | 0.0 |
| Assault | 618 | 584 | 94.5 | 34 | 5.5 | 4 | 100.0 | 0 | 0.0 |
| Bribery/Corruption | 240 | 217 | 90.4 | 23 | 9.6 | 0 | -- | 0 | -- |
| Burglary/Trespass | 39 | 37 | 94.9 | 2 | 5.1 | 0 | -- | 0 | -- |
| Child Pornography | 1,023 | 988 | 96.6 | 35 | 3.4 | 6 | 100.0 | 0 | 0.0 |
| Commercialized Vice | 53 | 51 | 96.2 | 2 | 3.8 | 0 | -- | 0 | -- |
| Drug Possession | 439 | 434 | 98.9 | 5 | 1.1 | 0 | -- | 0 | -- |
| Drug Trafficking | 16,390 | 16,002 | 97.6 | 388 | 2.4 | 134 | 96.4 | 5 | 3.6 |
| Environmental | 137 | 134 | 97.8 | 3 | 2.2 | 1 | 100.0 | 0 | 0.0 |
| Extortion/Racketeering | 120 | 113 | 94.2 | 7 | 5.8 | 0 | -- | 0 | -- |
| Firearms | 7,539 | 7,317 | 97.1 | 222 | 2.9 | 37 | 94.9 | 2 | 5.1 |
| Food and Drug | 33 | 31 | 93.9 | 2 | 6.1 | 0 | -- | 0 | -- |
| Forgery/Counter/Copyright | 198 | 196 | 99.0 | 2 | 1.0 | 0 | -- | 0 | -- |
| Fraud/Theft/Embezzlement | 4,823 | 4,656 | 96.5 | 167 | 3.5 | 9 | 100.0 | 0 | 0.0 |
| Immigration | 26,561 | 26,462 | 99.6 | 99 | 0.4 | 7 | 100.0 | 0 | 0.0 |
| Individual Rights | 70 | 57 | 81.4 | 13 | 18.6 | 0 | -- | 0 | -- |
| Kidnapping | 66 | 46 | 69.7 | 20 | 30.3 | 0 | -- | 0 | -- |
| Manslaughter | 38 | 34 | 89.5 | 4 | 10.5 | 0 | -- | 0 | -- |
| Money Laundering | 880 | 835 | 94.9 | 45 | 5.1 | 5 | 100.0 | 0 | 0.0 |
| Murder | 294 | 223 | 75.9 | 71 | 24.1 | 0 | -- | 0 | -- |
| National Defense | 165 | 161 | 97.6 | 4 | 2.4 | 0 | -- | 0 | -- |
| Obscenity/Other Sex Offenses | 318 | 314 | 98.7 | 4 | 1.3 | 7 | 100.0 | 0 | 0.0 |
| Prison Offenses | 457 | 450 | 98.5 | 7 | 1.5 | 8 | 100.0 | 0 | 0.0 |
| Robbery | 1,316 | 1,246 | 94.7 | 70 | 5.3 | 1 | 100.0 | 0 | 0.0 |
| Sexual Abuse | 881 | 793 | 90.0 | 88 | 10.0 | 5 | 100.0 | 0 | 0.0 |
| Stalking/Harassing | 225 | 206 | 91.6 | 19 | 8.4 | 0 | -- | 0 | -- |
| Tax | 366 | 334 | 91.3 | 32 | 8.7 | 1 | 100.0 | 0 | 0.0 |
| Other | 675 | 667 | 98.8 | 8 | 1.2 | 1 | 100.0 | 0 | 0.0 |

Of the 64,565 National cases, no cases were excluded.

Of the 235 cases from the Northern District of West Virginia, no cases were excluded.

SOURCE: U.S. Sentencing Commission, 2020 Datafile, USSCFY20.

Table 4
SENTENCE TYPE BY TYPE OF CRIME
Fiscal Year 2020

| TYPE OF CRIME | TOTAL | National | | | | | | | | | |
|------------------------------|---------------|---------------|-------------|-------------------------|------------|----------------------------|------------|----------------|------------|------------|------------|
| | | Prison Only | | Prison and Alternatives | | Probation and Alternatives | | Probation Only | | Fine Only | |
| | | N | % | N | % | N | % | N | % | N | % |
| TOTAL | 64,565 | 57,550 | 89.1 | 1,751 | 2.7 | 1,098 | 1.7 | 3,845 | 6.0 | 321 | 0.5 |
| Administration of Justice | 542 | 346 | 63.8 | 38 | 7.0 | 33 | 6.1 | 119 | 22.0 | 6 | 1.1 |
| Antitrust | 11 | 6 | 54.5 | 1 | 9.1 | 0 | 0.0 | 4 | 36.4 | 0 | 0.0 |
| Arson | 48 | 45 | 93.8 | 1 | 2.1 | 0 | 0.0 | 2 | 4.2 | 0 | 0.0 |
| Assault | 618 | 508 | 82.2 | 35 | 5.7 | 7 | 1.1 | 61 | 9.9 | 7 | 1.1 |
| Bribery/Corruption | 240 | 149 | 62.1 | 5 | 2.1 | 34 | 14.2 | 50 | 20.8 | 2 | 0.8 |
| Burglary/Trespass | 39 | 26 | 66.7 | 5 | 12.8 | 0 | 0.0 | 8 | 20.5 | 0 | 0.0 |
| Child Pornography | 1,023 | 1,003 | 98.0 | 12 | 1.2 | 3 | 0.3 | 5 | 0.5 | 0 | 0.0 |
| Commercialized Vice | 53 | 36 | 67.9 | 6 | 11.3 | 1 | 1.9 | 10 | 18.9 | 0 | 0.0 |
| Drug Possession | 439 | 251 | 57.2 | 4 | 0.9 | 5 | 1.1 | 120 | 27.3 | 59 | 13.4 |
| Drug Trafficking | 16,390 | 15,299 | 93.3 | 521 | 3.2 | 150 | 0.9 | 416 | 2.5 | 4 | 0.0 |
| Environmental | 137 | 37 | 27.0 | 4 | 2.9 | 17 | 12.4 | 66 | 48.2 | 13 | 9.5 |
| Extortion/Racketeering | 120 | 74 | 61.7 | 6 | 5.0 | 5 | 4.2 | 34 | 28.3 | 1 | 0.8 |
| Firearms | 7,539 | 6,800 | 90.2 | 284 | 3.8 | 139 | 1.8 | 314 | 4.2 | 2 | 0.0 |
| Food and Drug | 33 | 13 | 39.4 | 0 | 0.0 | 4 | 12.1 | 16 | 48.5 | 0 | 0.0 |
| Forgery/Counter/Copyright | 198 | 150 | 75.8 | 17 | 8.6 | 6 | 3.0 | 25 | 12.6 | 0 | 0.0 |
| Fraud/Theft/Embezzlement | 4,823 | 3,234 | 67.1 | 238 | 4.9 | 331 | 6.9 | 964 | 20.0 | 56 | 1.2 |
| Immigration | 26,561 | 24,865 | 93.6 | 324 | 1.2 | 215 | 0.8 | 1,153 | 4.3 | 4 | 0.0 |
| Individual Rights | 70 | 54 | 77.1 | 1 | 1.4 | 1 | 1.4 | 13 | 18.6 | 1 | 1.4 |
| Kidnapping | 66 | 58 | 87.9 | 8 | 12.1 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Manslaughter | 38 | 32 | 84.2 | 2 | 5.3 | 0 | 0.0 | 4 | 10.5 | 0 | 0.0 |
| Money Laundering | 880 | 731 | 83.1 | 32 | 3.6 | 41 | 4.7 | 76 | 8.6 | 0 | 0.0 |
| Murder | 294 | 283 | 96.3 | 10 | 3.4 | 0 | 0.0 | 1 | 0.3 | 0 | 0.0 |
| National Defense | 165 | 139 | 84.2 | 7 | 4.2 | 3 | 1.8 | 11 | 6.7 | 5 | 3.0 |
| Obscenity/Other Sex Offenses | 318 | 264 | 83.0 | 35 | 11.0 | 4 | 1.3 | 15 | 4.7 | 0 | 0.0 |
| Prison Offenses | 457 | 420 | 91.9 | 22 | 4.8 | 4 | 0.9 | 11 | 2.4 | 0 | 0.0 |
| Robbery | 1,316 | 1,242 | 94.4 | 52 | 4.0 | 10 | 0.8 | 12 | 0.9 | 0 | 0.0 |
| Sexual Abuse | 881 | 857 | 97.3 | 20 | 2.3 | 1 | 0.1 | 3 | 0.3 | 0 | 0.0 |
| Stalking/Harassing | 225 | 177 | 78.7 | 27 | 12.0 | 7 | 3.1 | 14 | 6.2 | 0 | 0.0 |
| Tax | 366 | 231 | 63.1 | 22 | 6.0 | 40 | 10.9 | 72 | 19.7 | 1 | 0.3 |
| Other | 675 | 220 | 32.6 | 12 | 1.8 | 37 | 5.5 | 246 | 36.4 | 160 | 23.7 |

Of the 64,565 National cases, no cases were excluded.

Alternatives include all cases in which offenders received conditions of confinement as described in USSG §5C1.1.

SOURCE: U.S. Sentencing Commission, 2020 Datafile, USSCFY20.

Table 5
SENTENCE TYPE BY TYPE OF CRIME
Fiscal Year 2020

Northern West Virginia

| TYPE OF CRIME | TOTAL | Prison Only | | Prison and Alternatives | | Probation and Alternatives | | Probation Only | | Fine Only | |
|------------------------------|------------|-------------|-------------|-------------------------|------------|----------------------------|------------|----------------|-------------|-----------|------------|
| | | N | % | N | % | N | % | N | % | N | % |
| TOTAL | 235 | 187 | 79.6 | 6 | 2.6 | 8 | 3.4 | 34 | 14.5 | 0 | 0.0 |
| Administration of Justice | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Antitrust | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Arson | 2 | 2 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Assault | 4 | 3 | 75.0 | 0 | 0.0 | 0 | 0.0 | 1 | 25.0 | 0 | 0.0 |
| Bribery/Corruption | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Burglary/Trespass | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Child Pornography | 6 | 5 | 83.3 | 0 | 0.0 | 0 | 0.0 | 1 | 16.7 | 0 | 0.0 |
| Commercialized Vice | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Drug Possession | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Drug Trafficking | 139 | 110 | 79.1 | 5 | 3.6 | 6 | 4.3 | 18 | 12.9 | 0 | 0.0 |
| Environmental | 1 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 1 | 100.0 | 0 | 0.0 |
| Extortion/Racketeering | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Firearms | 39 | 30 | 76.9 | 0 | 0.0 | 2 | 5.1 | 7 | 17.9 | 0 | 0.0 |
| Food and Drug | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Forgery/Counter/Copyright | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Fraud/Theft/Embezzlement | 9 | 4 | 44.4 | 0 | 0.0 | 0 | 0.0 | 5 | 55.6 | 0 | 0.0 |
| Immigration | 7 | 7 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Individual Rights | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Kidnapping | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Manslaughter | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Money Laundering | 5 | 5 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Murder | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| National Defense | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Obscenity/Other Sex Offenses | 7 | 6 | 85.7 | 1 | 14.3 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Prison Offenses | 8 | 8 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Robbery | 1 | 1 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Sexual Abuse | 5 | 5 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Stalking/Harassing | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Tax | 1 | 1 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Other | 1 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 1 | 100.0 | 0 | 0.0 |

Of the 235 cases from the Northern District of West Virginia, no cases were excluded.

Alternatives include all cases in which offenders received conditions of confinement as described in USSG §5C1.1.

SOURCE: U.S. Sentencing Commission, 2020 Datafile, USSCFY20.

Table 6

**INCARCERATION RATE OF U.S. CITIZEN OFFENDERS ELIGIBLE FOR NON-PRISON SENTENCES
BY TYPE OF CRIME
Fiscal Year 2020**

| TYPE OF CRIME | TOTAL | National | | | | Northern West Virginia | | | |
|------------------------------|--------------|-----------------|-------------|---------------------|-------------|------------------------|-------------|---------------------|--------------|
| | | Prison Sentence | | Non-Prison Sentence | | Prison Sentence | | Non-Prison Sentence | |
| | | N | % | N | % | N | % | N | % |
| TOTAL | 3,826 | 1,805 | 47.2 | 2,021 | 52.8 | 5 | 25.0 | 15 | 75.0 |
| Administration of Justice | 131 | 65 | 49.6 | 66 | 50.4 | 0 | -- | 0 | -- |
| Antitrust | 2 | 0 | 0.0 | 2 | 100.0 | 0 | -- | 0 | -- |
| Arson | 2 | 2 | 100.0 | 0 | 0.0 | 0 | -- | 0 | -- |
| Assault | 100 | 54 | 54.0 | 46 | 46.0 | 0 | 0.0 | 1 | 100.0 |
| Bribery/Corruption | 13 | 1 | 7.7 | 12 | 92.3 | 0 | -- | 0 | -- |
| Burglary/Trespass | 6 | 1 | 16.7 | 5 | 83.3 | 0 | -- | 0 | -- |
| Child Pornography | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Commercialized Vice | 8 | 2 | 25.0 | 6 | 75.0 | 0 | -- | 0 | -- |
| Drug Possession | 233 | 92 | 39.5 | 141 | 60.5 | 0 | -- | 0 | -- |
| Drug Trafficking | 456 | 279 | 61.2 | 177 | 38.8 | 1 | 11.1 | 8 | 88.9 |
| Environmental | 58 | 8 | 13.8 | 50 | 86.2 | 0 | 0.0 | 1 | 100.0 |
| Extortion/Racketeering | 12 | 3 | 25.0 | 9 | 75.0 | 0 | -- | 0 | -- |
| Firearms | 137 | 60 | 43.8 | 77 | 56.2 | 0 | -- | 0 | -- |
| Food and Drug | 16 | 3 | 18.8 | 13 | 81.3 | 0 | -- | 0 | -- |
| Forgery/Counter/Copyright | 31 | 23 | 74.2 | 8 | 25.8 | 0 | -- | 0 | -- |
| Fraud/Theft/Embezzlement | 1,173 | 392 | 33.4 | 781 | 66.6 | 2 | 33.3 | 4 | 66.7 |
| Immigration | 828 | 509 | 61.5 | 319 | 38.5 | 0 | -- | 0 | -- |
| Individual Rights | 8 | 2 | 25.0 | 6 | 75.0 | 0 | -- | 0 | -- |
| Kidnapping | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Manslaughter | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Money Laundering | 43 | 23 | 53.5 | 20 | 46.5 | 0 | -- | 0 | -- |
| Murder | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| National Defense | 6 | 1 | 16.7 | 5 | 83.3 | 0 | -- | 0 | -- |
| Obscenity/Other Sex Offenses | 12 | 9 | 75.0 | 3 | 25.0 | 1 | 100.0 | 0 | 0.0 |
| Prison Offenses | 181 | 173 | 95.6 | 8 | 4.4 | 1 | 100.0 | 0 | 0.0 |
| Robbery | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Sexual Abuse | 1 | 1 | 100.0 | 0 | 0.0 | 0 | -- | 0 | -- |
| Stalking/Harassing | 25 | 21 | 84.0 | 4 | 16.0 | 0 | -- | 0 | -- |
| Tax | 13 | 3 | 23.1 | 10 | 76.9 | 0 | -- | 0 | -- |
| Other | 331 | 78 | 23.6 | 253 | 76.4 | 0 | 0.0 | 1 | 100.0 |

Of the 64,565 National cases, a U.S. Citizen was the offender in 34,616 cases. Of these, 30,790 cases were excluded because the offender was ineligible for a non-prison sentence.

Of the 235 cases from the Northern District of West Virginia, a U.S. Citizen was the offender in 224 cases. Of these, 204 cases were excluded because the offender was ineligible for a non-prison sentence.

SOURCE: U.S. Sentencing Commission, 2020 Datafile, USSCFY20.

Table 7

**SENTENCE LENGTH BY TYPE OF CRIME
Fiscal Year 2020**

| TYPE OF CRIME | National | | | Northern West Virginia | | |
|------------------------------|-------------|---------------|---------------|------------------------|---------------|------------|
| | Mean Months | Median Months | N | Mean Months | Median Months | N |
| TOTAL | 40 | 14 | 64,564 | 50 | 24 | 235 |
| Administration of Justice | 11 | 8 | 542 | -- | -- | 0 |
| Antitrust | 8 | 6 | 11 | -- | -- | 0 |
| Arson | 78 | 60 | 48 | -- | -- | 2 |
| Assault | 64 | 36 | 618 | 9 | 11 | 4 |
| Bribery/Corruption | 15 | 8 | 240 | -- | -- | 0 |
| Burglary/Trespass | 19 | 15 | 39 | -- | -- | 0 |
| Child Pornography | 102 | 84 | 1,023 | 56 | 41 | 6 |
| Commercialized Vice | 20 | 12 | 53 | -- | -- | 0 |
| Drug Possession | 3 | 0 | 438 | -- | -- | 0 |
| Drug Trafficking | 76 | 60 | 16,390 | 58 | 33 | 139 |
| Environmental | 3 | 0 | 137 | -- | -- | 1 |
| Extortion/Racketeering | 23 | 12 | 120 | -- | -- | 0 |
| Firearms | 48 | 37 | 7,539 | 40 | 33 | 39 |
| Food and Drug | 17 | 4 | 33 | -- | -- | 0 |
| Forgery/Counter/Copyright | 17 | 12 | 198 | -- | -- | 0 |
| Fraud/Theft/Embezzlement | 19 | 8 | 4,823 | 11 | 0 | 9 |
| Immigration | 8 | 5 | 26,561 | 2 | 3 | 7 |
| Individual Rights | 55 | 24 | 70 | -- | -- | 0 |
| Kidnapping | 195 | 168 | 66 | -- | -- | 0 |
| Manslaughter | 56 | 47 | 38 | -- | -- | 0 |
| Money Laundering | 58 | 34 | 880 | 69 | 72 | 5 |
| Murder | 255 | 228 | 294 | -- | -- | 0 |
| National Defense | 38 | 24 | 165 | -- | -- | 0 |
| Obscenity/Other Sex Offenses | 19 | 18 | 318 | 20 | 18 | 7 |
| Prison Offenses | 11 | 8 | 457 | 12 | 12 | 8 |
| Robbery | 105 | 87 | 1,316 | -- | -- | 1 |
| Sexual Abuse | 201 | 180 | 881 | 205 | 120 | 5 |
| Stalking/Harassing | 29 | 21 | 225 | -- | -- | 0 |
| Tax | 15 | 12 | 366 | -- | -- | 1 |
| Other | 2 | 0 | 675 | -- | -- | 1 |

Of the 64,565 National cases, one case was excluded due to missing or indeterminable sentencing information.

Of the 235 cases from the Northern District of West Virginia, no cases were excluded.

Sentences of 470 months or greater (including life) and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1.

SOURCE: U.S. Sentencing Commission, 2020 Datafile, USSCFY20.

Table 8

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE¹
Fiscal Year 2020

| | National | | Northern West Virginia | |
|--|-----------------|--------------|-------------------------------|--------------|
| | N | % | N | % |
| TOTAL CASES | 64,233 | 100.0 | 235 | 100.0 |
| SENTENCES UNDER THE GUIDELINES MANUAL | 47,341 | 73.7 | 159 | 67.7 |
| Within Guideline Range | 32,358 | 50.4 | 138 | 58.7 |
| Upward Departure ² | 261 | 0.4 | 0 | 0.0 |
| Downward Departure | | | | |
| §5K1.1 Substantial Assistance | 5,270 | 8.2 | 18 | 7.7 |
| §5K3.1 Early Disposition Program | 6,918 | 10.8 | 2 | 0.9 |
| Other Government Motion ³ | 1,149 | 1.8 | 0 | 0.0 |
| Non-Government Departure ⁴ | 1,385 | 2.2 | 1 | 0.4 |
| VARIANCES | 16,892 | 26.3 | 76 | 32.3 |
| Upward Variance ⁵ | 1,182 | 1.8 | 2 | 0.9 |
| Downward Variance | | | | |
| Government Motion ⁶ | 3,774 | 5.9 | 15 | 6.4 |
| Non-Government Variance ⁷ | 11,936 | 18.6 | 59 | 25.1 |

¹ This table reflects the 64,565 cases reported to the Commission in fiscal year 2020, 235 of which were from the Northern District of West Virginia. Of these, 332 cases nationally were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range, while none from the Northern District of West Virginia were excluded.

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

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

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

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

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

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

SOURCE: U.S. Sentencing Commission, 2020 Datafile, USSCFY20.

Table 9

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2020**

| CIRCUIT District | TOTAL | WITHIN GUIDELINE RANGE | | DEPARTURE | | | | | | | | VARIANCE | |
|-----------------------|---------------|------------------------------|-------------|------------|------------|--------------|-------------|--------------|-------------|--------------|-------------|---------------|-------------|
| | | N | % | UPWARD | | §5K1.1 | | §5K3.1 | | DOWNWARD | | N | % |
| | | | | N | % | N | % | N | % | N | % | | |
| TOTAL | 64,233 | 32,358 | 50.4 | 261 | 0.4 | 5,270 | 8.2 | 6,918 | 10.8 | 2,534 | 3.9 | 16,892 | 26.3 |
| D.C. CIRCUIT | 270 | 96 | 35.6 | 2 | 0.7 | 31 | 11.5 | 0 | 0.0 | 36 | 13.3 | 105 | 38.9 |
| District of Columbia | 270 | 96 | 35.6 | 2 | 0.7 | 31 | 11.5 | 0 | 0.0 | 36 | 13.3 | 105 | 38.9 |
| FIRST CIRCUIT | 1,725 | 825 | 47.8 | 12 | 0.7 | 129 | 7.5 | 2 | 0.1 | 82 | 4.8 | 675 | 39.1 |
| Maine | 117 | 50 | 42.7 | 0 | 0.0 | 23 | 19.7 | 0 | 0.0 | 5 | 4.3 | 39 | 33.3 |
| Massachusetts | 386 | 145 | 37.6 | 6 | 1.6 | 35 | 9.1 | 2 | 0.5 | 23 | 6.0 | 175 | 45.3 |
| New Hampshire | 200 | 61 | 30.5 | 0 | 0.0 | 35 | 17.5 | 0 | 0.0 | 8 | 4.0 | 96 | 48.0 |
| Puerto Rico | 922 | 547 | 59.3 | 4 | 0.4 | 28 | 3.0 | 0 | 0.0 | 46 | 5.0 | 297 | 32.2 |
| Rhode Island | 100 | 22 | 22.0 | 2 | 2.0 | 8 | 8.0 | 0 | 0.0 | 0 | 0.0 | 68 | 68.0 |
| SECOND CIRCUIT | 2,439 | 727 | 29.8 | 9 | 0.4 | 431 | 17.7 | 7 | 0.3 | 94 | 3.9 | 1,171 | 48.0 |
| Connecticut | 353 | 135 | 38.2 | 2 | 0.6 | 48 | 13.6 | 0 | 0.0 | 35 | 9.9 | 133 | 37.7 |
| New York | | | | | | | | | | | | | |
| Eastern | 360 | 93 | 25.8 | 2 | 0.6 | 73 | 20.3 | 1 | 0.3 | 32 | 8.9 | 159 | 44.2 |
| Northern | 297 | 153 | 51.5 | 2 | 0.7 | 51 | 17.2 | 0 | 0.0 | 3 | 1.0 | 88 | 29.6 |
| Southern | 924 | 168 | 18.2 | 0 | 0.0 | 163 | 17.6 | 6 | 0.6 | 21 | 2.3 | 566 | 61.3 |
| Western | 350 | 152 | 43.4 | 2 | 0.6 | 54 | 15.4 | 0 | 0.0 | 1 | 0.3 | 141 | 40.3 |
| Vermont | 155 | 26 | 16.8 | 1 | 0.6 | 42 | 27.1 | 0 | 0.0 | 2 | 1.3 | 84 | 54.2 |
| THIRD CIRCUIT | 1,927 | 815 | 42.3 | 8 | 0.4 | 349 | 18.1 | 9 | 0.5 | 46 | 2.4 | 700 | 36.3 |
| Delaware | 89 | 39 | 43.8 | 2 | 2.2 | 20 | 22.5 | 5 | 5.6 | 3 | 3.4 | 20 | 22.5 |
| New Jersey | 592 | 259 | 43.8 | 1 | 0.2 | 97 | 16.4 | 0 | 0.0 | 7 | 1.2 | 228 | 38.5 |
| Pennsylvania | | | | | | | | | | | | | |
| Eastern | 492 | 169 | 34.3 | 1 | 0.2 | 114 | 23.2 | 2 | 0.4 | 15 | 3.0 | 191 | 38.8 |
| Middle | 360 | 167 | 46.4 | 1 | 0.3 | 77 | 21.4 | 2 | 0.6 | 11 | 3.1 | 102 | 28.3 |
| Western | 357 | 151 | 42.3 | 3 | 0.8 | 39 | 10.9 | 0 | 0.0 | 8 | 2.2 | 156 | 43.7 |
| Virgin Islands | 37 | 30 | 81.1 | 0 | 0.0 | 2 | 5.4 | 0 | 0.0 | 2 | 5.4 | 3 | 8.1 |
| FOURTH CIRCUIT | 4,200 | 2,182 | 52.0 | 20 | 0.5 | 544 | 13.0 | 5 | 0.1 | 126 | 3.0 | 1,323 | 31.5 |
| Maryland | 456 | 153 | 33.6 | 4 | 0.9 | 66 | 14.5 | 0 | 0.0 | 45 | 9.9 | 188 | 41.2 |
| North Carolina | | | | | | | | | | | | | |
| Eastern | 665 | 365 | 54.9 | 3 | 0.5 | 155 | 23.3 | 0 | 0.0 | 12 | 1.8 | 130 | 19.5 |
| Middle | 404 | 225 | 55.7 | 3 | 0.7 | 34 | 8.4 | 0 | 0.0 | 9 | 2.2 | 133 | 32.9 |
| Western | 512 | 275 | 53.7 | 1 | 0.2 | 96 | 18.8 | 0 | 0.0 | 3 | 0.6 | 137 | 26.8 |
| South Carolina | 575 | 277 | 48.2 | 1 | 0.2 | 95 | 16.5 | 0 | 0.0 | 11 | 1.9 | 191 | 33.2 |
| Virginia | | | | | | | | | | | | | |
| Eastern | 805 | 486 | 60.4 | 6 | 0.7 | 33 | 4.1 | 0 | 0.0 | 36 | 4.5 | 244 | 30.3 |
| Western | 287 | 107 | 37.3 | 2 | 0.7 | 39 | 13.6 | 3 | 1.0 | 7 | 2.4 | 129 | 44.9 |
| West Virginia | | | | | | | | | | | | | |
| Northern | 235 | 138 | 58.7 | 0 | 0.0 | 18 | 7.7 | 2 | 0.9 | 1 | 0.4 | 76 | 32.3 |
| Southern | 261 | 156 | 59.8 | 0 | 0.0 | 8 | 3.1 | 0 | 0.0 | 2 | 0.8 | 95 | 36.4 |

| CIRCUIT District | TOTAL | WITHIN GUIDELINE RANGE | | DEPARTURE | | | | | | | | | |
|------------------------|---------------|------------------------------|-------------|-----------|------------|------------|-------------|--------------|------------|------------|------------|--------------|-------------|
| | | N | % | UPWARD | | §5K1.1 | | §5K3.1 | | DOWNWARD | | VARIANCE | |
| | | | | N | % | N | % | N | % | N | % | N | % |
| FIFTH CIRCUIT | 20,196 | 13,910 | 68.9 | 59 | 0.3 | 713 | 3.5 | 1,356 | 6.7 | 857 | 4.2 | 3,301 | 16.3 |
| Louisiana | | | | | | | | | | | | | |
| Eastern | 177 | 106 | 59.9 | 0 | 0.0 | 28 | 15.8 | 0 | 0.0 | 4 | 2.3 | 39 | 22.0 |
| Middle | 120 | 71 | 59.2 | 0 | 0.0 | 20 | 16.7 | 0 | 0.0 | 1 | 0.8 | 28 | 23.3 |
| Western | 284 | 201 | 70.8 | 5 | 1.8 | 27 | 9.5 | 0 | 0.0 | 8 | 2.8 | 43 | 15.1 |
| Mississippi | | | | | | | | | | | | | |
| Northern | 130 | 65 | 50.0 | 0 | 0.0 | 26 | 20.0 | 0 | 0.0 | 1 | 0.8 | 38 | 29.2 |
| Southern | 386 | 234 | 60.6 | 0 | 0.0 | 25 | 6.5 | 31 | 8.0 | 3 | 0.8 | 93 | 24.1 |
| Texas | | | | | | | | | | | | | |
| Eastern | 698 | 494 | 70.8 | 3 | 0.4 | 20 | 2.9 | 1 | 0.1 | 6 | 0.9 | 174 | 24.9 |
| Northern | 1,377 | 888 | 64.5 | 8 | 0.6 | 152 | 11.0 | 0 | 0.0 | 29 | 2.1 | 300 | 21.8 |
| Southern | 8,535 | 5,170 | 60.6 | 38 | 0.4 | 257 | 3.0 | 1,104 | 12.9 | 595 | 7.0 | 1,371 | 16.1 |
| Western | 8,489 | 6,681 | 78.7 | 5 | 0.1 | 158 | 1.9 | 220 | 2.6 | 210 | 2.5 | 1,215 | 14.3 |
| SIXTH CIRCUIT | 4,134 | 1,831 | 44.3 | 20 | 0.5 | 739 | 17.9 | 8 | 0.2 | 211 | 5.1 | 1,325 | 32.1 |
| Kentucky | | | | | | | | | | | | | |
| Eastern | 431 | 249 | 57.8 | 3 | 0.7 | 62 | 14.4 | 0 | 0.0 | 5 | 1.2 | 112 | 26.0 |
| Western | 347 | 129 | 37.2 | 1 | 0.3 | 90 | 25.9 | 4 | 1.2 | 21 | 6.1 | 102 | 29.4 |
| Michigan | | | | | | | | | | | | | |
| Eastern | 528 | 231 | 43.8 | 2 | 0.4 | 57 | 10.8 | 0 | 0.0 | 9 | 1.7 | 229 | 43.4 |
| Western | 320 | 175 | 54.7 | 8 | 2.5 | 52 | 16.3 | 0 | 0.0 | 5 | 1.6 | 80 | 25.0 |
| Ohio | | | | | | | | | | | | | |
| Northern | 787 | 374 | 47.5 | 1 | 0.1 | 159 | 20.2 | 0 | 0.0 | 26 | 3.3 | 227 | 28.8 |
| Southern | 548 | 168 | 30.7 | 4 | 0.7 | 83 | 15.1 | 4 | 0.7 | 106 | 19.3 | 183 | 33.4 |
| Tennessee | | | | | | | | | | | | | |
| Eastern | 604 | 273 | 45.2 | 0 | 0.0 | 168 | 27.8 | 0 | 0.0 | 16 | 2.6 | 147 | 24.3 |
| Middle | 230 | 63 | 27.4 | 1 | 0.4 | 27 | 11.7 | 0 | 0.0 | 19 | 8.3 | 120 | 52.2 |
| Western | 339 | 169 | 49.9 | 0 | 0.0 | 41 | 12.1 | 0 | 0.0 | 4 | 1.2 | 125 | 36.9 |
| SEVENTH CIRCUIT | 2,268 | 883 | 38.9 | 3 | 0.1 | 246 | 10.8 | 0 | 0.0 | 98 | 4.3 | 1,038 | 45.8 |
| Illinois | | | | | | | | | | | | | |
| Central | 226 | 98 | 43.4 | 0 | 0.0 | 31 | 13.7 | 0 | 0.0 | 1 | 0.4 | 96 | 42.5 |
| Northern | 540 | 171 | 31.7 | 0 | 0.0 | 31 | 5.7 | 0 | 0.0 | 37 | 6.9 | 301 | 55.7 |
| Southern | 234 | 118 | 50.4 | 0 | 0.0 | 43 | 18.4 | 0 | 0.0 | 1 | 0.4 | 72 | 30.8 |
| Indiana | | | | | | | | | | | | | |
| Northern | 315 | 138 | 43.8 | 0 | 0.0 | 41 | 13.0 | 0 | 0.0 | 15 | 4.8 | 121 | 38.4 |
| Southern | 537 | 247 | 46.0 | 0 | 0.0 | 73 | 13.6 | 0 | 0.0 | 4 | 0.7 | 213 | 39.7 |
| Wisconsin | | | | | | | | | | | | | |
| Eastern | 265 | 56 | 21.1 | 0 | 0.0 | 19 | 7.2 | 0 | 0.0 | 2 | 0.8 | 188 | 70.9 |
| Western | 151 | 55 | 36.4 | 3 | 2.0 | 8 | 5.3 | 0 | 0.0 | 38 | 25.2 | 47 | 31.1 |
| EIGHTH CIRCUIT | 4,691 | 2,073 | 44.2 | 31 | 0.7 | 469 | 10.0 | 47 | 1.0 | 103 | 2.2 | 1,968 | 42.0 |
| Arkansas | | | | | | | | | | | | | |
| Eastern | 474 | 271 | 57.2 | 0 | 0.0 | 12 | 2.5 | 0 | 0.0 | 5 | 1.1 | 186 | 39.2 |
| Western | 247 | 116 | 47.0 | 0 | 0.0 | 33 | 13.4 | 0 | 0.0 | 0 | 0.0 | 98 | 39.7 |
| Iowa | | | | | | | | | | | | | |
| Northern | 365 | 179 | 49.0 | 13 | 3.6 | 54 | 14.8 | 0 | 0.0 | 6 | 1.6 | 113 | 31.0 |
| Southern | 421 | 156 | 37.1 | 0 | 0.0 | 59 | 14.0 | 0 | 0.0 | 5 | 1.2 | 201 | 47.7 |
| Minnesota | 334 | 93 | 27.8 | 2 | 0.6 | 54 | 16.2 | 8 | 2.4 | 15 | 4.5 | 162 | 48.5 |
| Missouri | | | | | | | | | | | | | |
| Eastern | 925 | 352 | 38.1 | 1 | 0.1 | 57 | 6.2 | 0 | 0.0 | 12 | 1.3 | 503 | 54.4 |
| Western | 695 | 287 | 41.3 | 4 | 0.6 | 90 | 12.9 | 0 | 0.0 | 20 | 2.9 | 294 | 42.3 |
| Nebraska | 482 | 233 | 48.3 | 0 | 0.0 | 12 | 2.5 | 35 | 7.3 | 3 | 0.6 | 199 | 41.3 |
| North Dakota | 252 | 88 | 34.9 | 4 | 1.6 | 89 | 35.3 | 3 | 1.2 | 4 | 1.6 | 64 | 25.4 |
| South Dakota | 496 | 298 | 60.1 | 7 | 1.4 | 9 | 1.8 | 1 | 0.2 | 33 | 6.7 | 148 | 29.8 |

| CIRCUIT District | TOTAL | WITHIN GUIDELINE RANGE | | DEPARTURE | | | | | | | | | |
|--------------------------|---------------|------------------------------|-------------|-----------|------------|------------|-------------|--------------|-------------|------------|------------|--------------|-------------|
| | | N | % | UPWARD | | §5K1.1 | | §5K3.1 | | DOWNWARD | | VARIANCE | |
| | | | | N | % | N | % | N | % | N | % | N | % |
| NINTH CIRCUIT | 11,949 | 3,361 | 28.1 | 50 | 0.4 | 793 | 6.6 | 4,636 | 38.8 | 490 | 4.1 | 2,619 | 21.9 |
| Alaska | 108 | 28 | 25.9 | 0 | 0.0 | 9 | 8.3 | 0 | 0.0 | 1 | 0.9 | 70 | 64.8 |
| Arizona | 4,511 | 1,629 | 36.1 | 17 | 0.4 | 74 | 1.6 | 2,389 | 53.0 | 48 | 1.1 | 354 | 7.8 |
| California | | | | | | | | | | | | | |
| Central | 909 | 265 | 29.2 | 4 | 0.4 | 128 | 14.1 | 37 | 4.1 | 81 | 8.9 | 394 | 43.3 |
| Eastern | 398 | 156 | 39.2 | 0 | 0.0 | 64 | 16.1 | 10 | 2.5 | 6 | 1.5 | 162 | 40.7 |
| Northern | 552 | 141 | 25.5 | 0 | 0.0 | 41 | 7.4 | 4 | 0.7 | 14 | 2.5 | 352 | 63.8 |
| Southern | 3,495 | 459 | 13.1 | 29 | 0.8 | 181 | 5.2 | 2,131 | 61.0 | 296 | 8.5 | 399 | 11.4 |
| Guam | 42 | 24 | 57.1 | 0 | 0.0 | 8 | 19.0 | 0 | 0.0 | 0 | 0.0 | 10 | 23.8 |
| Hawaii | 124 | 58 | 46.8 | 0 | 0.0 | 34 | 27.4 | 0 | 0.0 | 0 | 0.0 | 32 | 25.8 |
| Idaho | 321 | 146 | 45.5 | 0 | 0.0 | 57 | 17.8 | 18 | 5.6 | 6 | 1.9 | 94 | 29.3 |
| Montana | 323 | 115 | 35.6 | 0 | 0.0 | 85 | 26.3 | 1 | 0.3 | 4 | 1.2 | 118 | 36.5 |
| Nevada | 292 | 74 | 25.3 | 0 | 0.0 | 16 | 5.5 | 12 | 4.1 | 21 | 7.2 | 169 | 57.9 |
| Northern Mariana Islands | 10 | 7 | 70.0 | 0 | 0.0 | 1 | 10.0 | 0 | 0.0 | 0 | 0.0 | 2 | 20.0 |
| Oregon | 362 | 87 | 24.0 | 0 | 0.0 | 46 | 12.7 | 0 | 0.0 | 8 | 2.2 | 221 | 61.0 |
| Washington | | | | | | | | | | | | | |
| Eastern | 237 | 87 | 36.7 | 0 | 0.0 | 36 | 15.2 | 15 | 6.3 | 4 | 1.7 | 95 | 40.1 |
| Western | 265 | 85 | 32.1 | 0 | 0.0 | 13 | 4.9 | 19 | 7.2 | 1 | 0.4 | 147 | 55.5 |
| TENTH CIRCUIT | 5,544 | 3,062 | 55.2 | 29 | 0.5 | 281 | 5.1 | 819 | 14.8 | 323 | 5.8 | 1,030 | 18.6 |
| Colorado | 393 | 159 | 40.5 | 0 | 0.0 | 60 | 15.3 | 41 | 10.4 | 7 | 1.8 | 126 | 32.1 |
| Kansas | 307 | 127 | 41.4 | 0 | 0.0 | 54 | 17.6 | 8 | 2.6 | 12 | 3.9 | 106 | 34.5 |
| New Mexico | 3,189 | 2,114 | 66.3 | 5 | 0.2 | 39 | 1.2 | 630 | 19.8 | 133 | 4.2 | 268 | 8.4 |
| Oklahoma | | | | | | | | | | | | | |
| Eastern | 105 | 66 | 62.9 | 0 | 0.0 | 10 | 9.5 | 0 | 0.0 | 0 | 0.0 | 29 | 27.6 |
| Northern | 239 | 96 | 40.2 | 15 | 6.3 | 32 | 13.4 | 0 | 0.0 | 40 | 16.7 | 56 | 23.4 |
| Western | 471 | 234 | 49.7 | 0 | 0.0 | 25 | 5.3 | 3 | 0.6 | 11 | 2.3 | 198 | 42.0 |
| Utah | 681 | 200 | 29.4 | 7 | 1.0 | 48 | 7.0 | 125 | 18.4 | 116 | 17.0 | 185 | 27.2 |
| Wyoming | 159 | 66 | 41.5 | 2 | 1.3 | 13 | 8.2 | 12 | 7.5 | 4 | 2.5 | 62 | 39.0 |
| ELEVENTH CIRCUIT | 4,890 | 2,593 | 53.0 | 18 | 0.4 | 545 | 11.1 | 29 | 0.6 | 68 | 1.4 | 1,637 | 33.5 |
| Alabama | | | | | | | | | | | | | |
| Middle | 140 | 72 | 51.4 | 0 | 0.0 | 23 | 16.4 | 0 | 0.0 | 1 | 0.7 | 44 | 31.4 |
| Northern | 448 | 234 | 52.2 | 1 | 0.2 | 70 | 15.6 | 0 | 0.0 | 8 | 1.8 | 135 | 30.1 |
| Southern | 301 | 166 | 55.1 | 5 | 1.7 | 50 | 16.6 | 1 | 0.3 | 7 | 2.3 | 72 | 23.9 |
| Florida | | | | | | | | | | | | | |
| Middle | 1,220 | 606 | 49.7 | 6 | 0.5 | 163 | 13.4 | 17 | 1.4 | 12 | 1.0 | 416 | 34.1 |
| Northern | 273 | 153 | 56.0 | 1 | 0.4 | 36 | 13.2 | 7 | 2.6 | 4 | 1.5 | 72 | 26.4 |
| Southern | 1,271 | 649 | 51.1 | 3 | 0.2 | 72 | 5.7 | 3 | 0.2 | 19 | 1.5 | 525 | 41.3 |
| Georgia | | | | | | | | | | | | | |
| Middle | 347 | 246 | 70.9 | 1 | 0.3 | 30 | 8.6 | 0 | 0.0 | 1 | 0.3 | 69 | 19.9 |
| Northern | 482 | 183 | 38.0 | 0 | 0.0 | 31 | 6.4 | 0 | 0.0 | 12 | 2.5 | 256 | 53.1 |
| Southern | 408 | 284 | 69.6 | 1 | 0.2 | 70 | 17.2 | 1 | 0.2 | 4 | 1.0 | 48 | 11.8 |

Of the 64,565 National cases, 332 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range.

SOURCE: U.S. Sentencing Commission, 2020 Datafile, USSCFY20.

Table 10

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE
BY TYPE OF CRIME
Fiscal Year 2020**

National

| TYPE OF CRIME | TOTAL | WITHIN GUIDELINE RANGE | | DEPARTURE | | | | | | | | VARIANCE | |
|------------------------------|---------------|------------------------------|-------------|------------|------------|--------------|------------|--------------|-------------|--------------|------------|---------------|-------------|
| | | | | UPWARD | | §5K1.1 | | §5K3.1 | | DOWNWARD | | | |
| | | N | % | N | % | N | % | N | % | N | % | N | % |
| TOTAL | 64,233 | 32,358 | 50.4 | 261 | 0.4 | 5,270 | 8.2 | 6,918 | 10.8 | 2,534 | 3.9 | 16,892 | 26.3 |
| Child Pornography | 1,022 | 313 | 30.6 | 11 | 1.1 | 22 | 2.2 | 0 | 0.0 | 55 | 5.4 | 621 | 60.8 |
| Drug Trafficking | 16,372 | 5,298 | 32.4 | 57 | 0.3 | 3,297 | 20.1 | 1,176 | 7.2 | 734 | 4.5 | 5,810 | 35.5 |
| Firearms | 7,533 | 3,899 | 51.8 | 54 | 0.7 | 407 | 5.4 | 4 | 0.1 | 304 | 4.0 | 2,865 | 38.0 |
| Fraud/Theft/Embezzlement | 4,767 | 2,258 | 47.4 | 20 | 0.4 | 512 | 10.7 | 33 | 0.7 | 156 | 3.3 | 1,788 | 37.5 |
| Immigration | 26,479 | 16,832 | 63.6 | 49 | 0.2 | 173 | 0.7 | 5,688 | 21.5 | 862 | 3.3 | 2,875 | 10.9 |
| Money Laundering | 878 | 203 | 23.1 | 14 | 1.6 | 268 | 30.5 | 7 | 0.8 | 48 | 5.5 | 338 | 38.5 |
| Robbery | 1,315 | 554 | 42.1 | 9 | 0.7 | 157 | 11.9 | 0 | 0.0 | 71 | 5.4 | 524 | 39.8 |
| Sexual Abuse | 881 | 373 | 42.3 | 4 | 0.5 | 56 | 6.4 | 0 | 0.0 | 49 | 5.6 | 399 | 45.3 |
| Other Miscellaneous Offenses | 4,986 | 2,628 | 52.7 | 43 | 0.9 | 378 | 7.6 | 10 | 0.2 | 255 | 5.1 | 1,672 | 33.5 |

Northern West Virginia

| TYPE OF CRIME | TOTAL | WITHIN GUIDELINE RANGE | | DEPARTURE | | | | | | | | VARIANCE | |
|------------------------------|------------|------------------------------|-------------|-----------|------------|-----------|------------|----------|------------|----------|------------|-----------|-------------|
| | | | | UPWARD | | §5K1.1 | | §5K3.1 | | DOWNWARD | | | |
| | | N | % | N | % | N | % | N | % | N | % | N | % |
| TOTAL | 235 | 138 | 58.7 | 0 | 0.0 | 18 | 7.7 | 2 | 0.9 | 1 | 0.4 | 76 | 32.3 |
| Child Pornography | 6 | 3 | 50.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 3 | 50.0 |
| Drug Trafficking | 139 | 77 | 55.4 | 0 | 0.0 | 14 | 10.1 | 0 | 0.0 | 0 | 0.0 | 48 | 34.5 |
| Firearms | 39 | 25 | 64.1 | 0 | 0.0 | 2 | 5.1 | 0 | 0.0 | 1 | 2.6 | 11 | 28.2 |
| Fraud/Theft/Embezzlement | 9 | 6 | 66.7 | 0 | 0.0 | 1 | 11.1 | 0 | 0.0 | 0 | 0.0 | 2 | 22.2 |
| Immigration | 7 | 5 | 71.4 | 0 | 0.0 | 0 | 0.0 | 2 | 28.6 | 0 | 0.0 | 0 | 0.0 |
| Money Laundering | 5 | 3 | 60.0 | 0 | 0.0 | 1 | 20.0 | 0 | 0.0 | 0 | 0.0 | 1 | 20.0 |
| Robbery | 1 | 1 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Sexual Abuse | 5 | 4 | 80.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 1 | 20.0 |
| Other Miscellaneous Offenses | 24 | 14 | 58.3 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 10 | 41.7 |

Of the 64,565 National cases, 332 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range.

Of the 235 cases from the Northern District of West Virginia, no cases were excluded.

SOURCE: U.S. Sentencing Commission, 2020 Datafile, USSCFY20.