

United States Sentencing Commission



Statistical Information Packet

Fiscal Year 2021

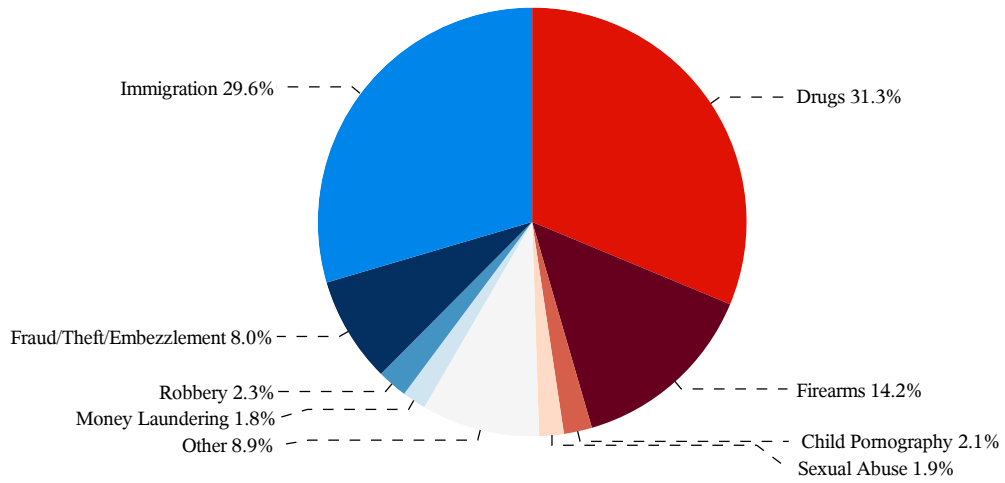
Eastern District of Virginia

TABLE OF CONTENTS

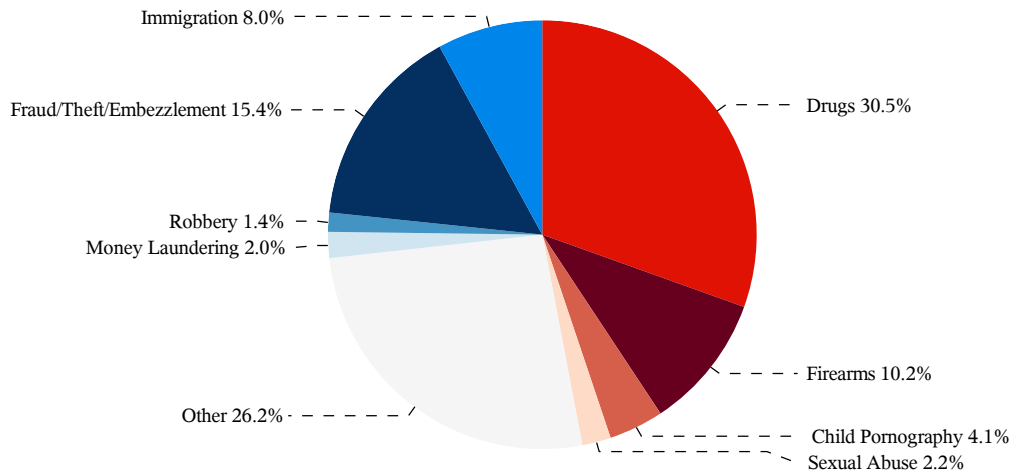
| | | |
|-----------------|--|----|
| Figure A | Federal Offenders by Type of Crime | 1 |
| Figure B | Distribution of Primary Drug Type in Federal Drug Cases | 2 |
| Table 1 | Distribution of Federal Offenders by Type of Crime | 3 |
| Table 2 | Guilty Pleas and Trials in Each Circuit and District | 4 |
| Table 3 | Guilty Pleas and Trials by Type of Crime | 7 |
| Table 4 | Sentence Type by Type of Crime (National) | 8 |
| Table 5 | Sentence Type by Type of Crime (District) | 9 |
| Table 6 | Incarceration Rate of U.S. Citizen Offenders Eligible for Non-Prison Sentences by Type of Crime | 10 |
| Table 7 | Sentence Length by Type of Crime | 11 |
| Table 8 | Sentence Imposed Relative to the Guideline Range | 12 |
| Table 9 | Sentence Imposed Relative to the Guideline Range in Each Circuit and District | 13 |
| Table 10 | Sentence Imposed Relative to the Guideline Range by Type of Crime | 16 |

Figure A
FEDERAL OFFENDERS BY TYPE OF CRIME
Fiscal Year 2021

National



Eastern Virginia



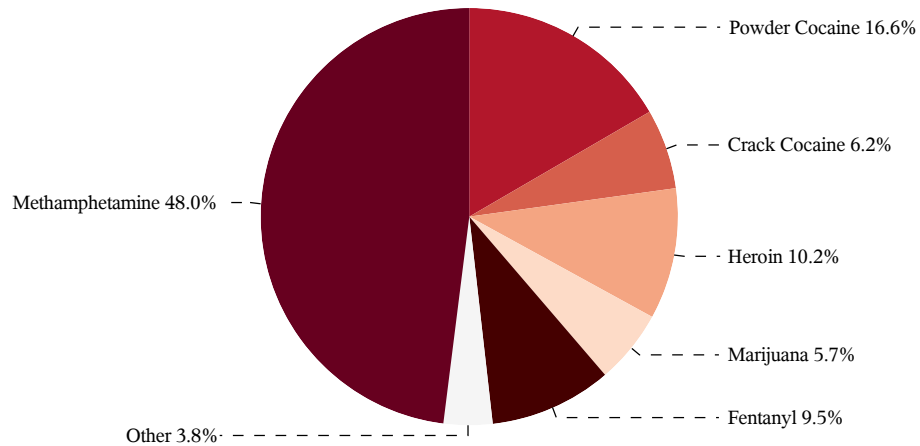
The National figure includes the 57,287 cases reported to the Commission. The Drugs category includes trafficking and simple possession.

The Eastern District of Virginia figure includes the 968 cases reported to the Commission.

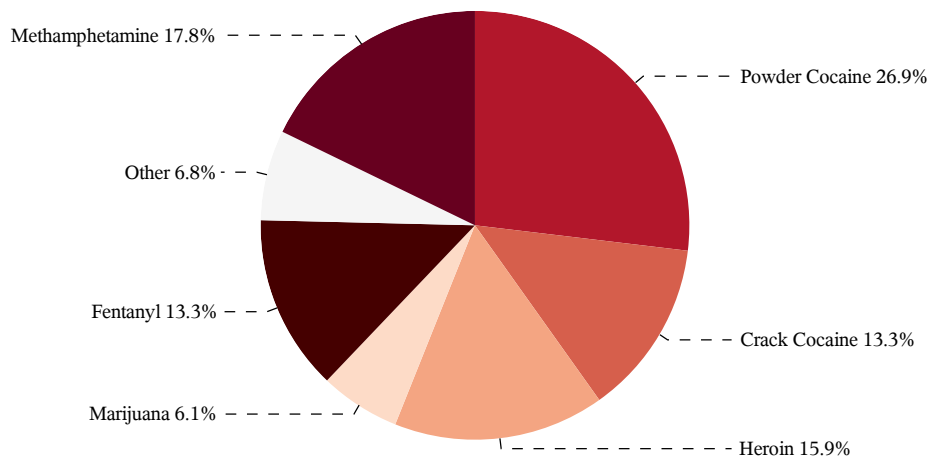
SOURCE: U.S. Sentencing Commission, 2021 Datafile, USSCFY21.

Figure B
DISTRIBUTION OF PRIMARY DRUG TYPE IN FEDERAL DRUG CASES
Fiscal Year 2021

National



Eastern Virginia



Of the 57,287 National cases, in 17,692 the offender was sentenced under USSG Chapter Two, Part D (Drugs).

Of the 968 cases from the Eastern District of Virginia, in 264 the offender was sentenced under USSG Chapter Two, Part D (Drugs).

An additional 32 drug possession cases were reported from the Eastern District of Virginia without guideline information. The primary drug type in those cases was marijuana (29), cocaine (1), heroin (1), and other (1).

SOURCE: U.S. Sentencing Commission, 2021 Datafile, USSCFY21.

Table 1

**DISTRIBUTION OF FEDERAL OFFENDERS
BY TYPE OF CRIME
Fiscal Year 2021**

| TYPE OF CRIME | National | | Eastern Virginia | |
|------------------------------|---------------|--------------|------------------|--------------|
| | N | % | N | % |
| TOTAL | 57,287 | 100.0 | 968 | 100.0 |
| Administration of Justice | 512 | 0.9 | 3 | 0.3 |
| Antitrust | 6 | 0.0 | 0 | 0.0 |
| Arson | 79 | 0.1 | 0 | 0.0 |
| Assault | 668 | 1.2 | 10 | 1.0 |
| Bribery/Corruption | 247 | 0.4 | 10 | 1.0 |
| Burglary/Trespass | 64 | 0.1 | 0 | 0.0 |
| Child Pornography | 1,215 | 2.1 | 40 | 4.1 |
| Commercialized Vice | 114 | 0.2 | 2 | 0.2 |
| Drug Possession | 309 | 0.5 | 32 | 3.3 |
| Drug Trafficking | 17,608 | 30.7 | 263 | 27.2 |
| Environmental | 173 | 0.3 | 8 | 0.8 |
| Extortion/Racketeering | 116 | 0.2 | 1 | 0.1 |
| Firearms | 8,151 | 14.2 | 99 | 10.2 |
| Food and Drug | 47 | 0.1 | 0 | 0.0 |
| Forgery/Counter/Copyright | 137 | 0.2 | 4 | 0.4 |
| Fraud/Theft/Embezzlement | 4,571 | 8.0 | 149 | 15.4 |
| Immigration | 16,937 | 29.6 | 77 | 8.0 |
| Individual Rights | 69 | 0.1 | 1 | 0.1 |
| Kidnapping | 92 | 0.2 | 0 | 0.0 |
| Manslaughter | 56 | 0.1 | 0 | 0.0 |
| Money Laundering | 1,028 | 1.8 | 19 | 2.0 |
| Murder | 257 | 0.4 | 13 | 1.3 |
| National Defense | 217 | 0.4 | 4 | 0.4 |
| Obscenity/Other Sex Offenses | 298 | 0.5 | 3 | 0.3 |
| Prison Offenses | 532 | 0.9 | 0 | 0.0 |
| Robbery | 1,300 | 2.3 | 14 | 1.4 |
| Sexual Abuse | 1,062 | 1.9 | 21 | 2.2 |
| Stalking/Harassing | 219 | 0.4 | 4 | 0.4 |
| Tax | 421 | 0.7 | 14 | 1.4 |
| Other | 782 | 1.4 | 177 | 18.3 |

SOURCE: U.S. Sentencing Commission, 2021 Datafile, USSCFY21.

Table 2

GUILTY PLEAS AND TRIALS IN EACH CIRCUIT AND DISTRICT
Fiscal Year 2021

| CIRCUIT District | TOTAL | PLEA | | TRIAL | |
|-----------------------|---------------|---------------|-------------|------------|------------|
| | | N | % | N | % |
| TOTAL | 57,287 | 56,324 | 98.3 | 963 | 1.7 |
| D.C. CIRCUIT | 253 | 247 | 97.6 | 6 | 2.4 |
| District of Columbia | 253 | 247 | 97.6 | 6 | 2.4 |
| FIRST CIRCUIT | 1,777 | 1,744 | 98.1 | 33 | 1.9 |
| Maine | 199 | 193 | 97.0 | 6 | 3.0 |
| Massachusetts | 422 | 413 | 97.9 | 9 | 2.1 |
| New Hampshire | 197 | 191 | 97.0 | 6 | 3.0 |
| Puerto Rico | 884 | 872 | 98.6 | 12 | 1.4 |
| Rhode Island | 75 | 75 | 100.0 | 0 | 0.0 |
| SECOND CIRCUIT | 2,424 | 2,349 | 96.9 | 75 | 3.1 |
| Connecticut | 302 | 295 | 97.7 | 7 | 2.3 |
| New York | | | | | |
| Eastern | 498 | 475 | 95.4 | 23 | 4.6 |
| Northern | 235 | 235 | 100.0 | 0 | 0.0 |
| Southern | 943 | 904 | 95.9 | 39 | 4.1 |
| Western | 322 | 317 | 98.4 | 5 | 1.6 |
| Vermont | 124 | 123 | 99.2 | 1 | 0.8 |
| THIRD CIRCUIT | 1,900 | 1,841 | 96.9 | 59 | 3.1 |
| Delaware | 52 | 51 | 98.1 | 1 | 1.9 |
| New Jersey | 629 | 619 | 98.4 | 10 | 1.6 |
| Pennsylvania | | | | | |
| Eastern | 446 | 418 | 93.7 | 28 | 6.3 |
| Middle | 310 | 303 | 97.7 | 7 | 2.3 |
| Western | 407 | 400 | 98.3 | 7 | 1.7 |
| Virgin Islands | 56 | 50 | 89.3 | 6 | 10.7 |
| FOURTH CIRCUIT | 4,522 | 4,411 | 97.5 | 111 | 2.5 |
| Maryland | 525 | 511 | 97.3 | 14 | 2.7 |
| North Carolina | | | | | |
| Eastern | 922 | 907 | 98.4 | 15 | 1.6 |
| Middle | 365 | 361 | 98.9 | 4 | 1.1 |
| Western | 502 | 480 | 95.6 | 22 | 4.4 |
| South Carolina | 531 | 526 | 99.1 | 5 | 0.9 |
| Virginia | | | | | |
| Eastern | 968 | 933 | 96.4 | 35 | 3.6 |
| Western | 239 | 234 | 97.9 | 5 | 2.1 |
| West Virginia | | | | | |
| Northern | 250 | 245 | 98.0 | 5 | 2.0 |
| Southern | 220 | 214 | 97.3 | 6 | 2.7 |

| CIRCUIT District | TOTAL | PLEA | | TRIAL | |
|------------------------|---------------|---------------|-------------|------------|------------|
| | | N | % | N | % |
| FIFTH CIRCUIT | 16,403 | 16,239 | 99.0 | 164 | 1.0 |
| Louisiana | | | | | |
| Eastern | 205 | 199 | 97.1 | 6 | 2.9 |
| Middle | 103 | 101 | 98.1 | 2 | 1.9 |
| Western | 240 | 236 | 98.3 | 4 | 1.7 |
| Mississippi | | | | | |
| Northern | 87 | 86 | 98.9 | 1 | 1.1 |
| Southern | 262 | 257 | 98.1 | 5 | 1.9 |
| Texas | | | | | |
| Eastern | 662 | 649 | 98.0 | 13 | 2.0 |
| Northern | 1,549 | 1,511 | 97.5 | 38 | 2.5 |
| Southern | 8,052 | 8,006 | 99.4 | 46 | 0.6 |
| Western | 5,243 | 5,194 | 99.1 | 49 | 0.9 |
| SIXTH CIRCUIT | 4,008 | 3,924 | 97.9 | 84 | 2.1 |
| Kentucky | | | | | |
| Eastern | 427 | 410 | 96.0 | 17 | 4.0 |
| Western | 276 | 273 | 98.9 | 3 | 1.1 |
| Michigan | | | | | |
| Eastern | 489 | 481 | 98.4 | 8 | 1.6 |
| Western | 291 | 274 | 94.2 | 17 | 5.8 |
| Ohio | | | | | |
| Northern | 819 | 809 | 98.8 | 10 | 1.2 |
| Southern | 507 | 502 | 99.0 | 5 | 1.0 |
| Tennessee | | | | | |
| Eastern | 582 | 575 | 98.8 | 7 | 1.2 |
| Middle | 254 | 250 | 98.4 | 4 | 1.6 |
| Western | 363 | 350 | 96.4 | 13 | 3.6 |
| SEVENTH CIRCUIT | 2,222 | 2,165 | 97.4 | 57 | 2.6 |
| Illinois | | | | | |
| Central | 232 | 225 | 97.0 | 7 | 3.0 |
| Northern | 619 | 596 | 96.3 | 23 | 3.7 |
| Southern | 221 | 217 | 98.2 | 4 | 1.8 |
| Indiana | | | | | |
| Northern | 342 | 333 | 97.4 | 9 | 2.6 |
| Southern | 413 | 405 | 98.1 | 8 | 1.9 |
| Wisconsin | | | | | |
| Eastern | 263 | 261 | 99.2 | 2 | 0.8 |
| Western | 132 | 128 | 97.0 | 4 | 3.0 |
| EIGHTH CIRCUIT | 4,592 | 4,478 | 97.5 | 114 | 2.5 |
| Arkansas | | | | | |
| Eastern | 546 | 537 | 98.4 | 9 | 1.6 |
| Western | 185 | 184 | 99.5 | 1 | 0.5 |
| Iowa | | | | | |
| Northern | 326 | 323 | 99.1 | 3 | 0.9 |
| Southern | 495 | 474 | 95.8 | 21 | 4.2 |
| Minnesota | 258 | 251 | 97.3 | 7 | 2.7 |
| Missouri | | | | | |
| Eastern | 1,065 | 1,055 | 99.1 | 10 | 0.9 |
| Western | 582 | 573 | 98.5 | 9 | 1.5 |
| Nebraska | 380 | 361 | 95.0 | 19 | 5.0 |
| North Dakota | 289 | 279 | 96.5 | 10 | 3.5 |
| South Dakota | 466 | 441 | 94.6 | 25 | 5.4 |

| CIRCUIT District | TOTAL | PLEA | | TRIAL | |
|--------------------------|---------------|---------------|-------------|------------|------------|
| | | N | % | N | % |
| NINTH CIRCUIT | 11,015 | 10,905 | 99.0 | 110 | 1.0 |
| Alaska | 148 | 146 | 98.6 | 2 | 1.4 |
| Arizona | 4,371 | 4,354 | 99.6 | 17 | 0.4 |
| California | | | | | |
| Central | 876 | 861 | 98.3 | 15 | 1.7 |
| Eastern | 282 | 276 | 97.9 | 6 | 2.1 |
| Northern | 369 | 361 | 97.8 | 8 | 2.2 |
| Southern | 2,927 | 2,909 | 99.4 | 18 | 0.6 |
| Guam | 37 | 36 | 97.3 | 1 | 2.7 |
| Hawaii | 168 | 161 | 95.8 | 7 | 4.2 |
| Idaho | 241 | 237 | 98.3 | 4 | 1.7 |
| Montana | 333 | 322 | 96.7 | 11 | 3.3 |
| Nevada | 299 | 293 | 98.0 | 6 | 2.0 |
| Northern Mariana Islands | 16 | 15 | 93.8 | 1 | 6.3 |
| Oregon | 391 | 388 | 99.2 | 3 | 0.8 |
| Washington | | | | | |
| Eastern | 199 | 194 | 97.5 | 5 | 2.5 |
| Western | 358 | 352 | 98.3 | 6 | 1.7 |
| TENTH CIRCUIT | 3,860 | 3,827 | 99.1 | 33 | 0.9 |
| Colorado | 370 | 365 | 98.6 | 5 | 1.4 |
| Kansas | 420 | 415 | 98.8 | 5 | 1.2 |
| New Mexico | 1,415 | 1,406 | 99.4 | 9 | 0.6 |
| Oklahoma | | | | | |
| Eastern | 89 | 88 | 98.9 | 1 | 1.1 |
| Northern | 328 | 327 | 99.7 | 1 | 0.3 |
| Western | 409 | 404 | 98.8 | 5 | 1.2 |
| Utah | 658 | 654 | 99.4 | 4 | 0.6 |
| Wyoming | 171 | 168 | 98.2 | 3 | 1.8 |
| ELEVENTH CIRCUIT | 4,311 | 4,194 | 97.3 | 117 | 2.7 |
| Alabama | | | | | |
| Middle | 122 | 117 | 95.9 | 5 | 4.1 |
| Northern | 445 | 437 | 98.2 | 8 | 1.8 |
| Southern | 228 | 215 | 94.3 | 13 | 5.7 |
| Florida | | | | | |
| Middle | 1,066 | 1,022 | 95.9 | 44 | 4.1 |
| Northern | 264 | 246 | 93.2 | 18 | 6.8 |
| Southern | 813 | 807 | 99.3 | 6 | 0.7 |
| Georgia | | | | | |
| Middle | 386 | 382 | 99.0 | 4 | 1.0 |
| Northern | 544 | 535 | 98.3 | 9 | 1.7 |
| Southern | 443 | 433 | 97.7 | 10 | 2.3 |

Of the 57,287 National cases, no cases were excluded.

SOURCE: U.S. Sentencing Commission, 2021 Datafile, USSCFY21.

Table 3

**GUILTY PLEAS AND TRIALS BY TYPE OF CRIME
Fiscal Year 2021**

| TYPE OF CRIME | TOTAL | National | | | | Eastern Virginia | | | |
|------------------------------|---------------|---------------|-------------|------------|------------|------------------|-------------|-----------|------------|
| | | PLEA | | TRIAL | | PLEA | | TRIAL | |
| | | N | % | N | % | N | % | N | % |
| TOTAL | 57,287 | 56,324 | 98.3 | 963 | 1.7 | 933 | 96.4 | 35 | 3.6 |
| Administration of Justice | 512 | 492 | 96.1 | 20 | 3.9 | 3 | 100.0 | 0 | 0.0 |
| Antitrust | 6 | 6 | 100.0 | 0 | 0.0 | 0 | -- | 0 | -- |
| Arson | 79 | 77 | 97.5 | 2 | 2.5 | 0 | -- | 0 | -- |
| Assault | 668 | 637 | 95.4 | 31 | 4.6 | 6 | 60.0 | 4 | 40.0 |
| Bribery/Corruption | 247 | 226 | 91.5 | 21 | 8.5 | 10 | 100.0 | 0 | 0.0 |
| Burglary/Trespass | 64 | 64 | 100.0 | 0 | 0.0 | 0 | -- | 0 | -- |
| Child Pornography | 1,215 | 1,188 | 97.8 | 27 | 2.2 | 36 | 90.0 | 4 | 10.0 |
| Commercialized Vice | 114 | 113 | 99.1 | 1 | 0.9 | 2 | 100.0 | 0 | 0.0 |
| Drug Possession | 309 | 304 | 98.4 | 5 | 1.6 | 32 | 100.0 | 0 | 0.0 |
| Drug Trafficking | 17,608 | 17,358 | 98.6 | 250 | 1.4 | 260 | 98.9 | 3 | 1.1 |
| Environmental | 173 | 170 | 98.3 | 3 | 1.7 | 8 | 100.0 | 0 | 0.0 |
| Extortion/Racketeering | 116 | 111 | 95.7 | 5 | 4.3 | 1 | 100.0 | 0 | 0.0 |
| Firearms | 8,151 | 7,988 | 98.0 | 163 | 2.0 | 98 | 99.0 | 1 | 1.0 |
| Food and Drug | 47 | 45 | 95.7 | 2 | 4.3 | 0 | -- | 0 | -- |
| Forgery/Counter/Copyright | 137 | 136 | 99.3 | 1 | 0.7 | 4 | 100.0 | 0 | 0.0 |
| Fraud/Theft/Embezzlement | 4,571 | 4,469 | 97.8 | 102 | 2.2 | 146 | 98.0 | 3 | 2.0 |
| Immigration | 16,937 | 16,900 | 99.8 | 37 | 0.2 | 77 | 100.0 | 0 | 0.0 |
| Individual Rights | 69 | 58 | 84.1 | 11 | 15.9 | 0 | 0.0 | 1 | 100.0 |
| Kidnapping | 92 | 82 | 89.1 | 10 | 10.9 | 0 | -- | 0 | -- |
| Manslaughter | 56 | 54 | 96.4 | 2 | 3.6 | 0 | -- | 0 | -- |
| Money Laundering | 1,028 | 987 | 96.0 | 41 | 4.0 | 16 | 84.2 | 3 | 15.8 |
| Murder | 257 | 225 | 87.5 | 32 | 12.5 | 9 | 69.2 | 4 | 30.8 |
| National Defense | 217 | 211 | 97.2 | 6 | 2.8 | 4 | 100.0 | 0 | 0.0 |
| Obscenity/Other Sex Offenses | 298 | 296 | 99.3 | 2 | 0.7 | 3 | 100.0 | 0 | 0.0 |
| Prison Offenses | 532 | 528 | 99.2 | 4 | 0.8 | 0 | -- | 0 | -- |
| Robbery | 1,300 | 1,248 | 96.0 | 52 | 4.0 | 11 | 78.6 | 3 | 21.4 |
| Sexual Abuse | 1,062 | 972 | 91.5 | 90 | 8.5 | 18 | 85.7 | 3 | 14.3 |
| Stalking/Harassing | 219 | 210 | 95.9 | 9 | 4.1 | 4 | 100.0 | 0 | 0.0 |
| Tax | 421 | 400 | 95.0 | 21 | 5.0 | 13 | 92.9 | 1 | 7.1 |
| Other | 782 | 769 | 98.3 | 13 | 1.7 | 172 | 97.2 | 5 | 2.8 |

Of the 57,287 National cases, no cases were excluded.

Of the 968 cases from the Eastern District of Virginia, no cases were excluded.

SOURCE: U.S. Sentencing Commission, 2021 Datafile, USSCFY21.

Table 4
SENTENCE TYPE BY TYPE OF CRIME
Fiscal Year 2021

National

| TYPE OF CRIME | TOTAL | Prison Only | | Prison and Alternatives | | Probation and Alternatives | | Probation Only | | Fine Only | |
|------------------------------|---------------|---------------|-------------|-------------------------|------------|----------------------------|------------|----------------|------------|------------|------------|
| | | N | % | N | % | N | % | N | % | N | % |
| TOTAL | 57,287 | 50,648 | 88.4 | 1,653 | 2.9 | 1,049 | 1.8 | 3,527 | 6.2 | 410 | 0.7 |
| Administration of Justice | 512 | 342 | 66.8 | 27 | 5.3 | 31 | 6.1 | 110 | 21.5 | 2 | 0.4 |
| Antitrust | 6 | 1 | 16.7 | 0 | 0.0 | 3 | 50.0 | 1 | 16.7 | 1 | 16.7 |
| Arson | 79 | 74 | 93.7 | 3 | 3.8 | 1 | 1.3 | 1 | 1.3 | 0 | 0.0 |
| Assault | 668 | 574 | 85.9 | 27 | 4.0 | 9 | 1.3 | 53 | 7.9 | 5 | 0.7 |
| Bribery/Corruption | 247 | 158 | 64.0 | 21 | 8.5 | 27 | 10.9 | 40 | 16.2 | 1 | 0.4 |
| Burglary/Trespass | 64 | 53 | 82.8 | 4 | 6.3 | 2 | 3.1 | 4 | 6.3 | 1 | 1.6 |
| Child Pornography | 1,215 | 1,179 | 97.0 | 20 | 1.6 | 4 | 0.3 | 12 | 1.0 | 0 | 0.0 |
| Commercialized Vice | 114 | 62 | 54.4 | 3 | 2.6 | 15 | 13.2 | 22 | 19.3 | 12 | 10.5 |
| Drug Possession | 309 | 110 | 35.6 | 1 | 0.3 | 10 | 3.2 | 106 | 34.3 | 82 | 26.5 |
| Drug Trafficking | 17,608 | 16,307 | 92.6 | 683 | 3.9 | 168 | 1.0 | 450 | 2.6 | 0 | 0.0 |
| Environmental | 173 | 36 | 20.8 | 4 | 2.3 | 12 | 6.9 | 107 | 61.8 | 14 | 8.1 |
| Extortion/Racketeering | 116 | 83 | 71.6 | 5 | 4.3 | 4 | 3.4 | 24 | 20.7 | 0 | 0.0 |
| Firearms | 8,151 | 7,515 | 92.2 | 161 | 2.0 | 103 | 1.3 | 370 | 4.5 | 2 | 0.0 |
| Food and Drug | 47 | 19 | 40.4 | 1 | 2.1 | 5 | 10.6 | 19 | 40.4 | 3 | 6.4 |
| Forgery/Counter/Copyright | 137 | 103 | 75.2 | 4 | 2.9 | 8 | 5.8 | 22 | 16.1 | 0 | 0.0 |
| Fraud/Theft/Embezzlement | 4,571 | 2,982 | 65.2 | 220 | 4.8 | 301 | 6.6 | 1,014 | 22.2 | 54 | 1.2 |
| Immigration | 16,937 | 15,897 | 93.9 | 267 | 1.6 | 199 | 1.2 | 573 | 3.4 | 1 | 0.0 |
| Individual Rights | 69 | 29 | 42.0 | 1 | 1.4 | 7 | 10.1 | 21 | 30.4 | 11 | 15.9 |
| Kidnapping | 92 | 90 | 97.8 | 1 | 1.1 | 0 | 0.0 | 1 | 1.1 | 0 | 0.0 |
| Manslaughter | 56 | 49 | 87.5 | 6 | 10.7 | 1 | 1.8 | 0 | 0.0 | 0 | 0.0 |
| Money Laundering | 1,028 | 867 | 84.3 | 41 | 4.0 | 32 | 3.1 | 88 | 8.6 | 0 | 0.0 |
| Murder | 257 | 248 | 96.5 | 8 | 3.1 | 0 | 0.0 | 1 | 0.4 | 0 | 0.0 |
| National Defense | 217 | 182 | 83.9 | 7 | 3.2 | 2 | 0.9 | 11 | 5.1 | 15 | 6.9 |
| Obscenity/Other Sex Offenses | 298 | 266 | 89.3 | 22 | 7.4 | 2 | 0.7 | 8 | 2.7 | 0 | 0.0 |
| Prison Offenses | 532 | 494 | 92.9 | 19 | 3.6 | 5 | 0.9 | 14 | 2.6 | 0 | 0.0 |
| Robbery | 1,300 | 1,245 | 95.8 | 30 | 2.3 | 5 | 0.4 | 20 | 1.5 | 0 | 0.0 |
| Sexual Abuse | 1,062 | 1,032 | 97.2 | 25 | 2.4 | 1 | 0.1 | 4 | 0.4 | 0 | 0.0 |
| Stalking/Harassing | 219 | 180 | 82.2 | 14 | 6.4 | 8 | 3.7 | 17 | 7.8 | 0 | 0.0 |
| Tax | 421 | 244 | 58.0 | 27 | 6.4 | 46 | 10.9 | 104 | 24.7 | 0 | 0.0 |
| Other | 782 | 227 | 29.0 | 1 | 0.1 | 38 | 4.9 | 310 | 39.6 | 206 | 26.3 |

Of the 57,287 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, 2021 Datafile, USSCFY21.

Table 5
SENTENCE TYPE BY TYPE OF CRIME
Fiscal Year 2021

Eastern Virginia

| TYPE OF CRIME | TOTAL | Prison Only | | Prison and Alternatives | | Probation and Alternatives | | Probation Only | | Fine Only | |
|------------------------------|------------|-------------|-------------|-------------------------|------------|----------------------------|------------|----------------|-------------|-----------|-------------|
| | | N | % | N | % | N | % | N | % | N | % |
| TOTAL | 968 | 687 | 71.0 | 15 | 1.5 | 41 | 4.2 | 144 | 14.9 | 81 | 8.4 |
| Administration of Justice | 3 | 2 | 66.7 | 1 | 33.3 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Antitrust | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Arson | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Assault | 10 | 7 | 70.0 | 0 | 0.0 | 0 | 0.0 | 3 | 30.0 | 0 | 0.0 |
| Bribery/Corruption | 10 | 8 | 80.0 | 1 | 10.0 | 1 | 10.0 | 0 | 0.0 | 0 | 0.0 |
| Burglary/Trespass | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Child Pornography | 40 | 40 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Commercialized Vice | 2 | 2 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Drug Possession | 32 | 12 | 37.5 | 0 | 0.0 | 0 | 0.0 | 1 | 3.1 | 19 | 59.4 |
| Drug Trafficking | 263 | 256 | 97.3 | 4 | 1.5 | 3 | 1.1 | 0 | 0.0 | 0 | 0.0 |
| Environmental | 8 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 4 | 50.0 | 4 | 50.0 |
| Extortion/Racketeering | 1 | 0 | 0.0 | 0 | 0.0 | 1 | 100.0 | 0 | 0.0 | 0 | 0.0 |
| Firearms | 99 | 87 | 87.9 | 3 | 3.0 | 5 | 5.1 | 3 | 3.0 | 1 | 1.0 |
| Food and Drug | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Forgery/Counter/Copyright | 4 | 2 | 50.0 | 0 | 0.0 | 2 | 50.0 | 0 | 0.0 | 0 | 0.0 |
| Fraud/Theft/Embezzlement | 149 | 95 | 63.8 | 5 | 3.4 | 13 | 8.7 | 32 | 21.5 | 4 | 2.7 |
| Immigration | 77 | 75 | 97.4 | 0 | 0.0 | 2 | 2.6 | 0 | 0.0 | 0 | 0.0 |
| Individual Rights | 1 | 1 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Kidnapping | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Manslaughter | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Money Laundering | 19 | 15 | 78.9 | 0 | 0.0 | 2 | 10.5 | 2 | 10.5 | 0 | 0.0 |
| Murder | 13 | 13 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| National Defense | 4 | 2 | 50.0 | 0 | 0.0 | 0 | 0.0 | 1 | 25.0 | 1 | 25.0 |
| Obscenity/Other Sex Offenses | 3 | 3 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Prison Offenses | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Robbery | 14 | 14 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Sexual Abuse | 21 | 20 | 95.2 | 0 | 0.0 | 0 | 0.0 | 1 | 4.8 | 0 | 0.0 |
| Stalking/Harassing | 4 | 4 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Tax | 14 | 11 | 78.6 | 1 | 7.1 | 1 | 7.1 | 1 | 7.1 | 0 | 0.0 |
| Other | 177 | 18 | 10.2 | 0 | 0.0 | 11 | 6.2 | 96 | 54.2 | 52 | 29.4 |

Of the 968 cases from the Eastern District of 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, 2021 Datafile, USSCFY21.

Table 6

**INCARCERATION RATE OF U.S. CITIZEN OFFENDERS ELIGIBLE FOR NON-PRISON SENTENCES
BY TYPE OF CRIME
Fiscal Year 2021**

| TYPE OF CRIME | TOTAL | National | | | | Eastern Virginia | | | |
|------------------------------|--------------|-----------------|-------------|---------------------|-------------|------------------|-------------|---------------------|-------------|
| | | Prison Sentence | | Non-Prison Sentence | | Prison Sentence | | Non-Prison Sentence | |
| | | N | % | N | % | N | % | N | % |
| TOTAL | 3,826 | 1,731 | 45.2 | 2,095 | 54.8 | 38 | 20.4 | 148 | 79.6 |
| Administration of Justice | 123 | 61 | 49.6 | 62 | 50.4 | 1 | 100.0 | 0 | 0.0 |
| Antitrust | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Arson | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Assault | 96 | 53 | 55.2 | 43 | 44.8 | 0 | 0.0 | 3 | 100.0 |
| Bribery/Corruption | 16 | 6 | 37.5 | 10 | 62.5 | 0 | -- | 0 | -- |
| Burglary/Trespass | 11 | 9 | 81.8 | 2 | 18.2 | 0 | -- | 0 | -- |
| Child Pornography | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Commercialized Vice | 36 | 5 | 13.9 | 31 | 86.1 | 0 | -- | 0 | -- |
| Drug Possession | 223 | 85 | 38.1 | 138 | 61.9 | 11 | 44.0 | 14 | 56.0 |
| Drug Trafficking | 367 | 215 | 58.6 | 152 | 41.4 | 0 | 0.0 | 2 | 100.0 |
| Environmental | 97 | 21 | 21.6 | 76 | 78.4 | 0 | 0.0 | 2 | 100.0 |
| Extortion/Racketeering | 10 | 3 | 30.0 | 7 | 70.0 | 0 | -- | 0 | -- |
| Firearms | 123 | 54 | 43.9 | 69 | 56.1 | 0 | 0.0 | 1 | 100.0 |
| Food and Drug | 27 | 7 | 25.9 | 20 | 74.1 | 0 | -- | 0 | -- |
| Forgery/Counter/Copyright | 30 | 19 | 63.3 | 11 | 36.7 | 0 | 0.0 | 2 | 100.0 |
| Fraud/Theft/Embezzlement | 1,159 | 385 | 33.2 | 774 | 66.8 | 11 | 30.6 | 25 | 69.4 |
| Immigration | 715 | 429 | 60.0 | 286 | 40.0 | 1 | 100.0 | 0 | 0.0 |
| Individual Rights | 18 | 1 | 5.6 | 17 | 94.4 | 0 | -- | 0 | -- |
| Kidnapping | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Manslaughter | 2 | 2 | 100.0 | 0 | 0.0 | 0 | -- | 0 | -- |
| Money Laundering | 59 | 35 | 59.3 | 24 | 40.7 | 0 | 0.0 | 1 | 100.0 |
| Murder | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| National Defense | 12 | 1 | 8.3 | 11 | 91.7 | 0 | 0.0 | 1 | 100.0 |
| Obscenity/Other Sex Offenses | 8 | 6 | 75.0 | 2 | 25.0 | 0 | -- | 0 | -- |
| Prison Offenses | 258 | 244 | 94.6 | 14 | 5.4 | 0 | -- | 0 | -- |
| Robbery | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Sexual Abuse | 2 | 1 | 50.0 | 1 | 50.0 | 0 | -- | 0 | -- |
| Stalking/Harassing | 32 | 22 | 68.8 | 10 | 31.3 | 0 | -- | 0 | -- |
| Tax | 17 | 4 | 23.5 | 13 | 76.5 | 0 | -- | 0 | -- |
| Other | 385 | 63 | 16.4 | 322 | 83.6 | 14 | 12.6 | 97 | 87.4 |

Of the 57,287 National cases, a U.S. Citizen was the offender in 37,805 cases. Of these, 33,979 cases were excluded because the offender was ineligible for a non-prison sentence.

Of the 968 cases from the Eastern District of Virginia, a U.S. Citizen was the offender in 741 cases. Of these, 555 cases were excluded because the offender was ineligible for a non-prison sentence.

SOURCE: U.S. Sentencing Commission, 2021 Datafile, USSCFY21.

Table 7

**SENTENCE LENGTH BY TYPE OF CRIME
Fiscal Year 2021**

| TYPE OF CRIME | National | | | Eastern Virginia | | |
|------------------------------|-------------|---------------|---------------|------------------|---------------|------------|
| | Mean Months | Median Months | N | Mean Months | Median Months | N |
| TOTAL | 48 | 24 | 57,286 | 55 | 24 | 968 |
| Administration of Justice | 13 | 8 | 512 | 5 | 6 | 3 |
| Antitrust | 3 | 3 | 6 | -- | -- | 0 |
| Arson | 63 | 48 | 79 | -- | -- | 0 |
| Assault | 57 | 36 | 668 | 148 | 120 | 10 |
| Bribery/Corruption | 20 | 12 | 247 | 29 | 24 | 10 |
| Burglary/Trespass | 23 | 14 | 64 | -- | -- | 0 |
| Child Pornography | 108 | 90 | 1,215 | 95 | 72 | 40 |
| Commercialized Vice | 14 | 11 | 114 | -- | -- | 2 |
| Drug Possession | 1 | 0 | 309 | 0 | 0 | 32 |
| Drug Trafficking | 74 | 60 | 17,608 | 90 | 72 | 263 |
| Environmental | 2 | 0 | 173 | 0 | 0 | 8 |
| Extortion/Racketeering | 25 | 15 | 116 | -- | -- | 1 |
| Firearms | 48 | 37 | 8,150 | 54 | 41 | 99 |
| Food and Drug | 9 | 1 | 47 | -- | -- | 0 |
| Forgery/Counter/Copyright | 16 | 12 | 137 | 17 | 12 | 4 |
| Fraud/Theft/Embezzlement | 20 | 12 | 4,571 | 31 | 12 | 149 |
| Immigration | 13 | 8 | 16,937 | 6 | 2 | 77 |
| Individual Rights | 32 | 3 | 69 | -- | -- | 1 |
| Kidnapping | 166 | 123 | 92 | -- | -- | 0 |
| Manslaughter | 69 | 59 | 56 | -- | -- | 0 |
| Money Laundering | 57 | 30 | 1,028 | 99 | 60 | 19 |
| Murder | 244 | 231 | 257 | 311 | 252 | 13 |
| National Defense | 37 | 26 | 217 | 58 | 23 | 4 |
| Obscenity/Other Sex Offenses | 22 | 18 | 298 | 22 | 13 | 3 |
| Prison Offenses | 11 | 8 | 532 | -- | -- | 0 |
| Robbery | 104 | 90 | 1,300 | 191 | 158 | 14 |
| Sexual Abuse | 211 | 180 | 1,062 | 220 | 188 | 21 |
| Stalking/Harassing | 26 | 18 | 219 | 44 | 37 | 4 |
| Tax | 14 | 12 | 421 | 17 | 12 | 14 |
| Other | 2 | 0 | 782 | 0 | 0 | 177 |

Of the 57,287 National cases, one case was excluded due to missing or indeterminable sentencing information.

Of the 968 cases from the Eastern District of 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, 2021 Datafile, USSCFY21.

Table 8

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE¹
Fiscal Year 2021

| | <u>National</u> | | <u>Eastern Virginia</u> | |
|--|-----------------|--------------|-------------------------|--------------|
| | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> |
| TOTAL CASES | 57,041 | 100.0 | 957 | 100.0 |
| SENTENCES UNDER THE GUIDELINES MANUAL | 39,372 | 69.0 | 598 | 62.5 |
| Within Guideline Range | 24,434 | 42.8 | 523 | 54.6 |
| Upward Departure ² | 296 | 0.5 | 8 | 0.8 |
| Downward Departure | | | | |
| §5K1.1 Substantial Assistance | 5,493 | 9.6 | 39 | 4.1 |
| §5K3.1 Early Disposition Program | 6,387 | 11.2 | 0 | 0.0 |
| Other Government Motion ³ | 1,294 | 2.3 | 6 | 0.6 |
| Non-Government Departure ⁴ | 1,468 | 2.6 | 22 | 2.3 |
| VARIANCES | 17,669 | 31.0 | 359 | 37.5 |
| Upward Variance ⁵ | 1,203 | 2.1 | 18 | 1.9 |
| Downward Variance | | | | |
| Government Motion ⁶ | 4,804 | 8.4 | 52 | 5.4 |
| Non-Government Variance ⁷ | 11,662 | 20.4 | 289 | 30.2 |

¹ This table reflects the 57,287 cases reported to the Commission in fiscal year 2021, 968 of which were from the Eastern District of Virginia. Of these, 246 cases nationally and 11 cases from the Eastern District of Virginia were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range.

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, 2021 Datafile, USSCFY21.

Table 9

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2021**

| CIRCUIT District | TOTAL | WITHIN GUIDELINE RANGE | | DEPARTURE | | | | | | | | VARIANCE | |
|-----------------------|--------------|------------------------------|-------------|-----------|------------|------------|-------------|----------|------------|------------|------------|--------------|-------------|
| | | N | % | UPWARD | | \$5K1.1 | | \$5K3.1 | | DOWNWARD | | N | % |
| TOTAL | 57,041 | 24,434 | 42.8 | N | % | N | % | N | % | N | % | N | % |
| D.C. CIRCUIT | 252 | 73 | 29.0 | 1 | 0.4 | 31 | 12.3 | 0 | 0.0 | 20 | 7.9 | 127 | 50.4 |
| District of Columbia | 252 | 73 | 29.0 | 1 | 0.4 | 31 | 12.3 | 0 | 0.0 | 20 | 7.9 | 127 | 50.4 |
| FIRST CIRCUIT | 1,775 | 650 | 36.6 | 8 | 0.5 | 145 | 8.2 | 1 | 0.1 | 92 | 5.2 | 879 | 49.5 |
| Maine | 199 | 32 | 16.1 | 1 | 0.5 | 37 | 18.6 | 0 | 0.0 | 5 | 2.5 | 124 | 62.3 |
| Massachusetts | 421 | 112 | 26.6 | 4 | 1.0 | 32 | 7.6 | 1 | 0.2 | 34 | 8.1 | 238 | 56.5 |
| New Hampshire | 197 | 45 | 22.8 | 0 | 0.0 | 23 | 11.7 | 0 | 0.0 | 8 | 4.1 | 121 | 61.4 |
| Puerto Rico | 883 | 448 | 50.7 | 3 | 0.3 | 49 | 5.5 | 0 | 0.0 | 45 | 5.1 | 338 | 38.3 |
| Rhode Island | 75 | 13 | 17.3 | 0 | 0.0 | 4 | 5.3 | 0 | 0.0 | 0 | 0.0 | 58 | 77.3 |
| SECOND CIRCUIT | 2,416 | 655 | 27.1 | 5 | 0.2 | 375 | 15.5 | 5 | 0.2 | 95 | 3.9 | 1,281 | 53.0 |
| Connecticut | 301 | 78 | 25.9 | 1 | 0.3 | 32 | 10.6 | 0 | 0.0 | 46 | 15.3 | 144 | 47.8 |
| New York | | | | | | | | | | | | | |
| Eastern | 498 | 123 | 24.7 | 1 | 0.2 | 95 | 19.1 | 2 | 0.4 | 30 | 6.0 | 247 | 49.6 |
| Northern | 229 | 113 | 49.3 | 1 | 0.4 | 50 | 21.8 | 0 | 0.0 | 5 | 2.2 | 60 | 26.2 |
| Southern | 943 | 187 | 19.8 | 1 | 0.1 | 114 | 12.1 | 3 | 0.3 | 10 | 1.1 | 628 | 66.6 |
| Western | 321 | 125 | 38.9 | 1 | 0.3 | 63 | 19.6 | 0 | 0.0 | 2 | 0.6 | 130 | 40.5 |
| Vermont | 124 | 29 | 23.4 | 0 | 0.0 | 21 | 16.9 | 0 | 0.0 | 2 | 1.6 | 72 | 58.1 |
| THIRD CIRCUIT | 1,899 | 764 | 40.2 | 5 | 0.3 | 338 | 17.8 | 7 | 0.4 | 43 | 2.3 | 742 | 39.1 |
| Delaware | 52 | 18 | 34.6 | 1 | 1.9 | 12 | 23.1 | 1 | 1.9 | 1 | 1.9 | 19 | 36.5 |
| New Jersey | 628 | 270 | 43.0 | 1 | 0.2 | 91 | 14.5 | 0 | 0.0 | 6 | 1.0 | 260 | 41.4 |
| Pennsylvania | | | | | | | | | | | | | |
| Eastern | 446 | 150 | 33.6 | 0 | 0.0 | 106 | 23.8 | 4 | 0.9 | 16 | 3.6 | 170 | 38.1 |
| Middle | 310 | 126 | 40.6 | 0 | 0.0 | 71 | 22.9 | 2 | 0.6 | 9 | 2.9 | 102 | 32.9 |
| Western | 407 | 159 | 39.1 | 2 | 0.5 | 53 | 13.0 | 0 | 0.0 | 10 | 2.5 | 183 | 45.0 |
| Virgin Islands | 56 | 41 | 73.2 | 1 | 1.8 | 5 | 8.9 | 0 | 0.0 | 1 | 1.8 | 8 | 14.3 |
| FOURTH CIRCUIT | 4,452 | 2,194 | 49.3 | 34 | 0.8 | 582 | 13.1 | 1 | 0.0 | 129 | 2.9 | 1,512 | 34.0 |
| Maryland | 513 | 175 | 34.1 | 11 | 2.1 | 61 | 11.9 | 0 | 0.0 | 45 | 8.8 | 221 | 43.1 |
| North Carolina | | | | | | | | | | | | | |
| Eastern | 885 | 486 | 54.9 | 9 | 1.0 | 215 | 24.3 | 0 | 0.0 | 11 | 1.2 | 164 | 18.5 |
| Middle | 361 | 172 | 47.6 | 3 | 0.8 | 40 | 11.1 | 0 | 0.0 | 7 | 1.9 | 139 | 38.5 |
| Western | 502 | 270 | 53.8 | 1 | 0.2 | 71 | 14.1 | 0 | 0.0 | 4 | 0.8 | 156 | 31.1 |
| South Carolina | 530 | 214 | 40.4 | 1 | 0.2 | 103 | 19.4 | 0 | 0.0 | 17 | 3.2 | 195 | 36.8 |
| Virginia | | | | | | | | | | | | | |
| Eastern | 957 | 523 | 54.6 | 8 | 0.8 | 39 | 4.1 | 0 | 0.0 | 28 | 2.9 | 359 | 37.5 |
| Western | 235 | 101 | 43.0 | 0 | 0.0 | 38 | 16.2 | 0 | 0.0 | 12 | 5.1 | 84 | 35.7 |
| West Virginia | | | | | | | | | | | | | |
| Northern | 250 | 144 | 57.6 | 0 | 0.0 | 13 | 5.2 | 1 | 0.4 | 1 | 0.4 | 91 | 36.4 |
| Southern | 219 | 109 | 49.8 | 1 | 0.5 | 2 | 0.9 | 0 | 0.0 | 4 | 1.8 | 103 | 47.0 |

| CIRCUIT District | TOTAL | WITHIN GUIDELINE | | DEPARTURE | | | | | | | | VARIANCE | |
|------------------------|---------------|---------------------|-------------|-----------|------------|------------|-------------|--------------|------------|------------|------------|--------------|-------------|
| | | RANGE | | UPWARD | | \$5K1.1 | | \$5K3.1 | | DOWNWARD | | | |
| | | N | % | N | % | N | % | N | % | N | % | N | % |
| FIFTH CIRCUIT | 16,374 | 9,786 | 59.8 | 61 | 0.4 | 831 | 5.1 | 1,470 | 9.0 | 952 | 5.8 | 3,274 | 20.0 |
| Louisiana | | | | | | | | | | | | | |
| Eastern | 199 | 121 | 60.8 | 1 | 0.5 | 21 | 10.6 | 0 | 0.0 | 1 | 0.5 | 55 | 27.6 |
| Middle | 103 | 51 | 49.5 | 0 | 0.0 | 22 | 21.4 | 0 | 0.0 | 2 | 1.9 | 28 | 27.2 |
| Western | 234 | 137 | 58.5 | 4 | 1.7 | 19 | 8.1 | 0 | 0.0 | 10 | 4.3 | 64 | 27.4 |
| Mississippi | | | | | | | | | | | | | |
| Northern | 79 | 31 | 39.2 | 1 | 1.3 | 11 | 13.9 | 0 | 0.0 | 1 | 1.3 | 35 | 44.3 |
| Southern | 262 | 168 | 64.1 | 1 | 0.4 | 22 | 8.4 | 9 | 3.4 | 2 | 0.8 | 60 | 22.9 |
| Texas | | | | | | | | | | | | | |
| Eastern | 662 | 425 | 64.2 | 7 | 1.1 | 25 | 3.8 | 0 | 0.0 | 13 | 2.0 | 192 | 29.0 |
| Northern | 1,547 | 912 | 59.0 | 17 | 1.1 | 168 | 10.9 | 1 | 0.1 | 17 | 1.1 | 432 | 27.9 |
| Southern | 8,046 | 3,977 | 49.4 | 27 | 0.3 | 341 | 4.2 | 1,352 | 16.8 | 779 | 9.7 | 1,570 | 19.5 |
| Western | 5,242 | 3,964 | 75.6 | 3 | 0.1 | 202 | 3.9 | 108 | 2.1 | 127 | 2.4 | 838 | 16.0 |
| SIXTH CIRCUIT | 3,997 | 1,616 | 40.4 | 11 | 0.3 | 749 | 18.7 | 9 | 0.2 | 160 | 4.0 | 1,452 | 36.3 |
| Kentucky | | | | | | | | | | | | | |
| Eastern | 427 | 216 | 50.6 | 3 | 0.7 | 78 | 18.3 | 0 | 0.0 | 2 | 0.5 | 128 | 30.0 |
| Western | 275 | 97 | 35.3 | 3 | 1.1 | 75 | 27.3 | 7 | 2.5 | 14 | 5.1 | 79 | 28.7 |
| Michigan | | | | | | | | | | | | | |
| Eastern | 488 | 183 | 37.5 | 0 | 0.0 | 29 | 5.9 | 1 | 0.2 | 17 | 3.5 | 258 | 52.9 |
| Western | 291 | 161 | 55.3 | 0 | 0.0 | 59 | 20.3 | 0 | 0.0 | 10 | 3.4 | 61 | 21.0 |
| Ohio | | | | | | | | | | | | | |
| Northern | 817 | 338 | 41.4 | 0 | 0.0 | 161 | 19.7 | 0 | 0.0 | 15 | 1.8 | 303 | 37.1 |
| Southern | 506 | 133 | 26.3 | 2 | 0.4 | 111 | 21.9 | 1 | 0.2 | 72 | 14.2 | 187 | 37.0 |
| Tennessee | | | | | | | | | | | | | |
| Eastern | 581 | 272 | 46.8 | 3 | 0.5 | 152 | 26.2 | 0 | 0.0 | 6 | 1.0 | 148 | 25.5 |
| Middle | 249 | 51 | 20.5 | 0 | 0.0 | 31 | 12.4 | 0 | 0.0 | 15 | 6.0 | 152 | 61.0 |
| Western | 363 | 165 | 45.5 | 0 | 0.0 | 53 | 14.6 | 0 | 0.0 | 9 | 2.5 | 136 | 37.5 |
| SEVENTH CIRCUIT | 2,221 | 856 | 38.5 | 5 | 0.2 | 199 | 9.0 | 1 | 0.0 | 106 | 4.8 | 1,054 | 47.5 |
| Illinois | | | | | | | | | | | | | |
| Central | 231 | 84 | 36.4 | 2 | 0.9 | 19 | 8.2 | 0 | 0.0 | 2 | 0.9 | 124 | 53.7 |
| Northern | 619 | 202 | 32.6 | 2 | 0.3 | 34 | 5.5 | 1 | 0.2 | 45 | 7.3 | 335 | 54.1 |
| Southern | 221 | 121 | 54.8 | 0 | 0.0 | 27 | 12.2 | 0 | 0.0 | 2 | 0.9 | 71 | 32.1 |
| Indiana | | | | | | | | | | | | | |
| Northern | 342 | 178 | 52.0 | 0 | 0.0 | 36 | 10.5 | 0 | 0.0 | 5 | 1.5 | 123 | 36.0 |
| Southern | 413 | 190 | 46.0 | 0 | 0.0 | 50 | 12.1 | 0 | 0.0 | 4 | 1.0 | 169 | 40.9 |
| Wisconsin | | | | | | | | | | | | | |
| Eastern | 263 | 44 | 16.7 | 0 | 0.0 | 28 | 10.6 | 0 | 0.0 | 11 | 4.2 | 180 | 68.4 |
| Western | 132 | 37 | 28.0 | 1 | 0.8 | 5 | 3.8 | 0 | 0.0 | 37 | 28.0 | 52 | 39.4 |
| EIGHTH CIRCUIT | 4,583 | 1,917 | 41.8 | 40 | 0.9 | 521 | 11.4 | 29 | 0.6 | 88 | 1.9 | 1,988 | 43.4 |
| Arkansas | | | | | | | | | | | | | |
| Eastern | 541 | 326 | 60.3 | 1 | 0.2 | 28 | 5.2 | 0 | 0.0 | 4 | 0.7 | 182 | 33.6 |
| Western | 185 | 71 | 38.4 | 1 | 0.5 | 25 | 13.5 | 0 | 0.0 | 1 | 0.5 | 87 | 47.0 |
| Iowa | | | | | | | | | | | | | |
| Northern | 326 | 136 | 41.7 | 19 | 5.8 | 77 | 23.6 | 0 | 0.0 | 4 | 1.2 | 90 | 27.6 |
| Southern | 495 | 164 | 33.1 | 1 | 0.2 | 78 | 15.8 | 1 | 0.2 | 3 | 0.6 | 248 | 50.1 |
| Minnesota | 257 | 60 | 23.3 | 2 | 0.8 | 40 | 15.6 | 6 | 2.3 | 14 | 5.4 | 135 | 52.5 |
| Missouri | | | | | | | | | | | | | |
| Eastern | 1,065 | 418 | 39.2 | 2 | 0.2 | 85 | 8.0 | 1 | 0.1 | 5 | 0.5 | 554 | 52.0 |
| Western | 581 | 228 | 39.2 | 2 | 0.3 | 69 | 11.9 | 0 | 0.0 | 9 | 1.5 | 273 | 47.0 |
| Nebraska | 379 | 181 | 47.8 | 1 | 0.3 | 6 | 1.6 | 14 | 3.7 | 6 | 1.6 | 171 | 45.1 |
| North Dakota | 289 | 100 | 34.6 | 8 | 2.8 | 110 | 38.1 | 6 | 2.1 | 4 | 1.4 | 61 | 21.1 |
| South Dakota | 465 | 233 | 50.1 | 3 | 0.6 | 3 | 0.6 | 1 | 0.2 | 38 | 8.2 | 187 | 40.2 |

| CIRCUIT District | TOTAL | WITHIN GUIDELINE | | DEPARTURE | | | | | | | | VARIANCE | |
|--------------------------|---------------|---------------------|-------------|-----------|------------|------------|-------------|--------------|-------------|------------|-------------|--------------|-------------|
| | | RANGE | | UPWARD | | \$5K1.1 | | \$5K3.1 | | DOWNWARD | | N | % |
| | | N | % | N | % | N | % | N | % | N | % | N | % |
| NINTH CIRCUIT | 10,959 | 2,518 | 23.0 | 80 | 0.7 | 780 | 7.1 | 4,445 | 40.6 | 465 | 4.2 | 2,671 | 24.4 |
| Alaska | 148 | 29 | 19.6 | 2 | 1.4 | 21 | 14.2 | 0 | 0.0 | 4 | 2.7 | 92 | 62.2 |
| Arizona | 4,349 | 1,221 | 28.1 | 16 | 0.4 | 68 | 1.6 | 2,489 | 57.2 | 101 | 2.3 | 454 | 10.4 |
| California | | | | | | | | | | | | | |
| Central | 861 | 210 | 24.4 | 1 | 0.1 | 95 | 11.0 | 40 | 4.6 | 72 | 8.4 | 443 | 51.5 |
| Eastern | 279 | 103 | 36.9 | 2 | 0.7 | 54 | 19.4 | 2 | 0.7 | 6 | 2.2 | 112 | 40.1 |
| Northern | 369 | 63 | 17.1 | 1 | 0.3 | 36 | 9.8 | 2 | 0.5 | 14 | 3.8 | 253 | 68.6 |
| Southern | 2,923 | 282 | 9.6 | 49 | 1.7 | 165 | 5.6 | 1,855 | 63.5 | 227 | 7.8 | 345 | 11.8 |
| Guam | 37 | 18 | 48.6 | 0 | 0.0 | 13 | 35.1 | 0 | 0.0 | 1 | 2.7 | 5 | 13.5 |
| Hawaii | 168 | 63 | 37.5 | 0 | 0.0 | 49 | 29.2 | 0 | 0.0 | 0 | 0.0 | 56 | 33.3 |
| Idaho | 241 | 95 | 39.4 | 2 | 0.8 | 54 | 22.4 | 5 | 2.1 | 8 | 3.3 | 77 | 32.0 |
| Montana | 333 | 100 | 30.0 | 3 | 0.9 | 90 | 27.0 | 0 | 0.0 | 11 | 3.3 | 129 | 38.7 |
| Nevada | 295 | 61 | 20.7 | 0 | 0.0 | 19 | 6.4 | 42 | 14.2 | 6 | 2.0 | 167 | 56.6 |
| Northern Mariana Islands | 16 | 12 | 75.0 | 0 | 0.0 | 2 | 12.5 | 0 | 0.0 | 0 | 0.0 | 2 | 12.5 |
| Oregon | 387 | 60 | 15.5 | 1 | 0.3 | 53 | 13.7 | 0 | 0.0 | 7 | 1.8 | 266 | 68.7 |
| Washington | | | | | | | | | | | | | |
| Eastern | 199 | 49 | 24.6 | 3 | 1.5 | 54 | 27.1 | 3 | 1.5 | 6 | 3.0 | 84 | 42.2 |
| Western | 354 | 152 | 42.9 | 0 | 0.0 | 7 | 2.0 | 7 | 2.0 | 2 | 0.6 | 186 | 52.5 |
| TENTH CIRCUIT | 3,831 | 1,437 | 37.5 | 33 | 0.9 | 327 | 8.5 | 409 | 10.7 | 438 | 11.4 | 1,187 | 31.0 |
| Colorado | 370 | 127 | 34.3 | 0 | 0.0 | 74 | 20.0 | 18 | 4.9 | 12 | 3.2 | 139 | 37.6 |
| Kansas | 405 | 172 | 42.5 | 2 | 0.5 | 51 | 12.6 | 6 | 1.5 | 8 | 2.0 | 166 | 41.0 |
| New Mexico | 1,411 | 581 | 41.2 | 8 | 0.6 | 40 | 2.8 | 299 | 21.2 | 181 | 12.8 | 302 | 21.4 |
| Oklahoma | | | | | | | | | | | | | |
| Eastern | 89 | 49 | 55.1 | 0 | 0.0 | 12 | 13.5 | 0 | 0.0 | 2 | 2.2 | 26 | 29.2 |
| Northern | 320 | 118 | 36.9 | 19 | 5.9 | 37 | 11.6 | 0 | 0.0 | 97 | 30.3 | 49 | 15.3 |
| Western | 407 | 202 | 49.6 | 0 | 0.0 | 29 | 7.1 | 0 | 0.0 | 3 | 0.7 | 173 | 42.5 |
| Utah | 658 | 131 | 19.9 | 4 | 0.6 | 68 | 10.3 | 77 | 11.7 | 130 | 19.8 | 248 | 37.7 |
| Wyoming | 171 | 57 | 33.3 | 0 | 0.0 | 16 | 9.4 | 9 | 5.3 | 5 | 2.9 | 84 | 49.1 |
| ELEVENTH CIRCUIT | 4,282 | 1,968 | 46.0 | 13 | 0.3 | 615 | 14.4 | 10 | 0.2 | 174 | 4.1 | 1,502 | 35.1 |
| Alabama | | | | | | | | | | | | | |
| Middle | 122 | 46 | 37.7 | 0 | 0.0 | 29 | 23.8 | 0 | 0.0 | 1 | 0.8 | 46 | 37.7 |
| Northern | 443 | 226 | 51.0 | 0 | 0.0 | 91 | 20.5 | 0 | 0.0 | 9 | 2.0 | 117 | 26.4 |
| Southern | 228 | 106 | 46.5 | 0 | 0.0 | 57 | 25.0 | 0 | 0.0 | 2 | 0.9 | 63 | 27.6 |
| Florida | | | | | | | | | | | | | |
| Middle | 1,065 | 440 | 41.3 | 4 | 0.4 | 165 | 15.5 | 3 | 0.3 | 8 | 0.8 | 445 | 41.8 |
| Northern | 259 | 91 | 35.1 | 1 | 0.4 | 65 | 25.1 | 6 | 2.3 | 3 | 1.2 | 93 | 35.9 |
| Southern | 797 | 356 | 44.7 | 2 | 0.3 | 63 | 7.9 | 1 | 0.1 | 13 | 1.6 | 362 | 45.4 |
| Georgia | | | | | | | | | | | | | |
| Middle | 381 | 193 | 50.7 | 0 | 0.0 | 39 | 10.2 | 0 | 0.0 | 114 | 29.9 | 35 | 9.2 |
| Northern | 544 | 184 | 33.8 | 5 | 0.9 | 47 | 8.6 | 0 | 0.0 | 12 | 2.2 | 296 | 54.4 |
| Southern | 443 | 326 | 73.6 | 1 | 0.2 | 59 | 13.3 | 0 | 0.0 | 12 | 2.7 | 45 | 10.2 |

Of the 57,287 National cases, 246 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, 2021 Datafile, USSCFY21.

Table 10
SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE
BY TYPE OF CRIME
Fiscal Year 2021

National

| TYPE OF CRIME | TOTAL | WITHIN GUIDELINE RANGE | | DEPARTURE | | | | | | | | VARIANCE | |
|------------------------------|---------------|------------------------|-------------|------------|------------|--------------|------------|--------------|-------------|--------------|------------|---------------|-------------|
| | | RANGE | | UPWARD | | \$5K1.1 | | \$5K3.1 | | DOWNWARD | | | |
| | | N | % | N | % | N | % | N | % | N | % | N | % |
| Total | 57,041 | 24,434 | 42.8 | 296 | 0.5 | 5,493 | 9.6 | 6,387 | 11.2 | 2,762 | 4.8 | 17,669 | 31.0 |
| Child Pornography | 1,215 | 400 | 32.9 | 7 | 0.6 | 16 | 1.3 | 2 | 0.2 | 59 | 4.9 | 731 | 60.2 |
| Drug Trafficking | 17,595 | 4,994 | 28.4 | 56 | 0.3 | 3,487 | 19.8 | 1,741 | 9.9 | 838 | 4.8 | 6,479 | 36.8 |
| Firearms | 8,145 | 4,130 | 50.7 | 65 | 0.8 | 413 | 5.1 | 12 | 0.1 | 339 | 4.2 | 3,186 | 39.1 |
| Fraud/Theft/Embezzlement | 4,527 | 1,942 | 42.9 | 48 | 1.1 | 556 | 12.3 | 18 | 0.4 | 170 | 3.8 | 1,793 | 39.6 |
| Immigration | 16,906 | 9,000 | 53.2 | 34 | 0.2 | 148 | 0.9 | 4,594 | 27.2 | 907 | 5.4 | 2,223 | 13.1 |
| Money Laundering | 1,028 | 240 | 23.3 | 12 | 1.2 | 274 | 26.7 | 9 | 0.9 | 57 | 5.5 | 436 | 42.4 |
| Robbery | 1,300 | 503 | 38.7 | 10 | 0.8 | 157 | 12.1 | 1 | 0.1 | 62 | 4.8 | 567 | 43.6 |
| Sex Abuse | 1,061 | 419 | 39.5 | 11 | 1.0 | 63 | 5.9 | 1 | 0.1 | 56 | 5.3 | 511 | 48.2 |
| Other Miscellaneous Offenses | 5,264 | 2,806 | 53.3 | 53 | 1.0 | 379 | 7.2 | 9 | 0.2 | 274 | 5.2 | 1,743 | 33.1 |

Eastern Virginia

| TYPE OF CRIME | TOTAL | WITHIN GUIDELINE RANGE | | DEPARTURE | | | | | | | | VARIANCE | |
|------------------------------|------------|------------------------|-------------|-----------|------------|-----------|------------|----------|------------|-----------|------------|------------|-------------|
| | | RANGE | | UPWARD | | \$5K1.1 | | \$5K3.1 | | DOWNWARD | | | |
| | | N | % | N | % | N | % | N | % | N | % | N | % |
| Total | 957 | 523 | 54.6 | 8 | 0.8 | 39 | 4.1 | 0 | 0.0 | 28 | 2.9 | 359 | 37.5 |
| Child Pornography | 40 | 12 | 30.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 2 | 5.0 | 26 | 65.0 |
| Drug Trafficking | 263 | 90 | 34.2 | 4 | 1.5 | 15 | 5.7 | 0 | 0.0 | 10 | 3.8 | 144 | 54.8 |
| Firearms | 99 | 44 | 44.4 | 0 | 0.0 | 3 | 3.0 | 0 | 0.0 | 4 | 4.0 | 48 | 48.5 |
| Fraud/Theft/Embezzlement | 148 | 71 | 48.0 | 2 | 1.4 | 14 | 9.5 | 0 | 0.0 | 8 | 5.4 | 53 | 35.8 |
| Immigration | 76 | 60 | 78.9 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 16 | 21.1 |
| Money Laundering | 19 | 3 | 15.8 | 0 | 0.0 | 3 | 15.8 | 0 | 0.0 | 1 | 5.3 | 12 | 63.2 |
| Robbery | 14 | 7 | 50.0 | 0 | 0.0 | 1 | 7.1 | 0 | 0.0 | 2 | 14.3 | 4 | 28.6 |
| Sex Abuse | 21 | 7 | 33.3 | 0 | 0.0 | 2 | 9.5 | 0 | 0.0 | 0 | 0.0 | 12 | 57.1 |
| Other Miscellaneous Offenses | 277 | 229 | 82.7 | 2 | 0.7 | 1 | 0.4 | 0 | 0.0 | 1 | 0.4 | 44 | 15.9 |

Of the 57,287 National cases, 246 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range.

Of the 968 cases from the Eastern District of Virginia, 11 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, 2021 Datafile, USSCFY21.