

United States Sentencing Commission



Statistical Information Packet

Fiscal Year 2022

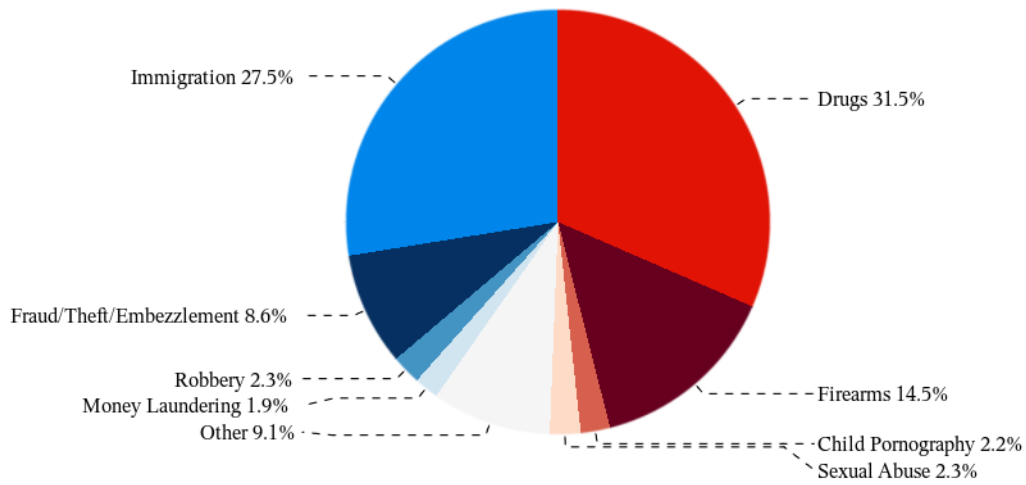
Southern District of Texas

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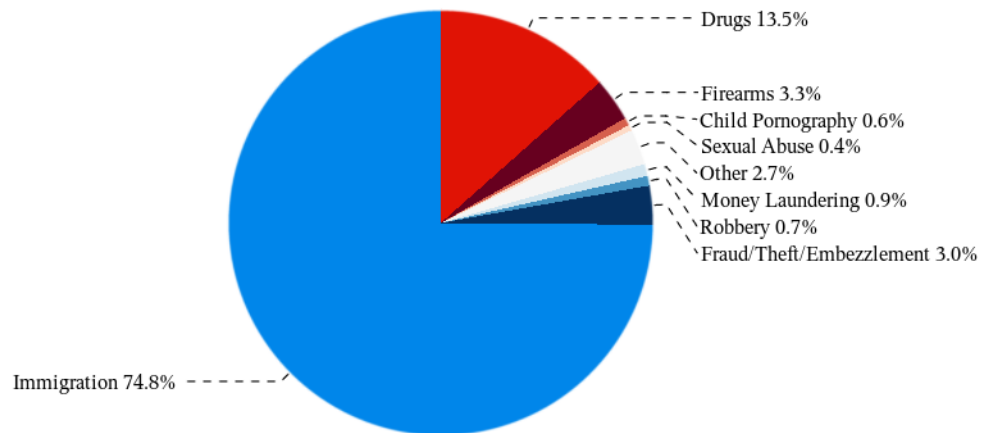
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Figure A
FEDERAL OFFENDERS BY TYPE OF CRIME
Fiscal Year 2022

National



Southern Texas



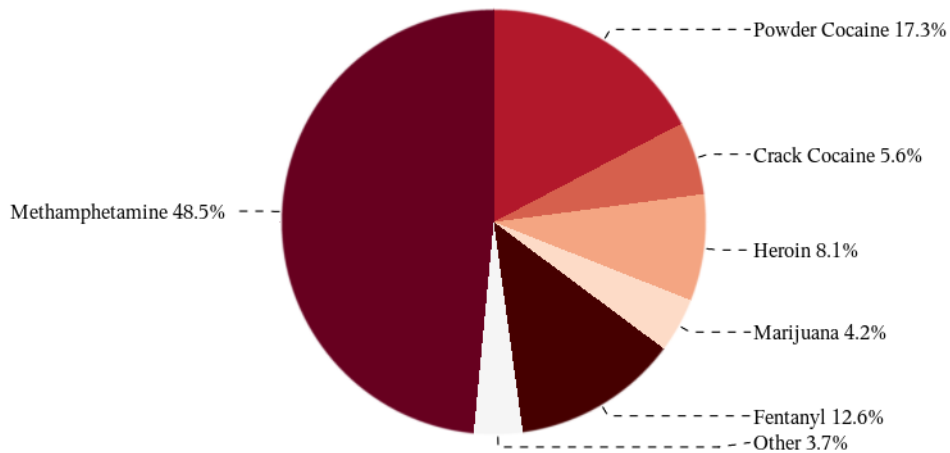
The National figure includes the 64,142 cases reported to the Commission. The Drugs category includes trafficking and simple possession.

The Southern District of Texas figure includes the 7,274 cases reported to the Commission.

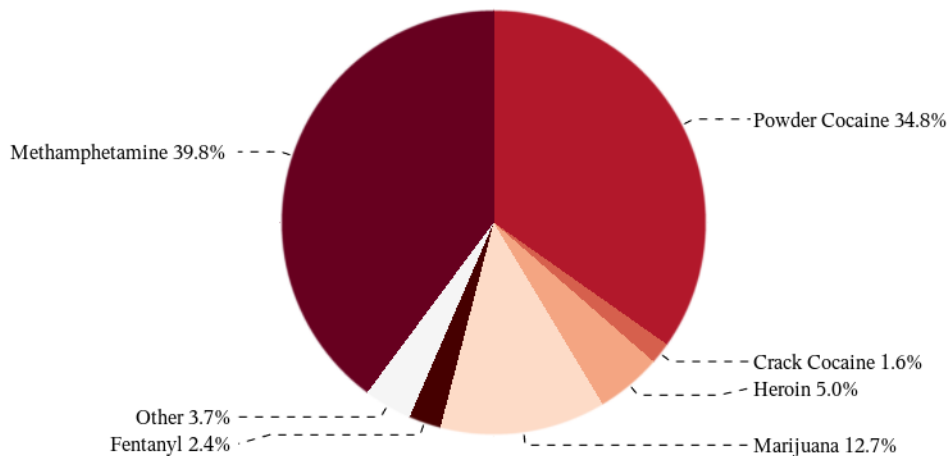
SOURCE: U.S. Sentencing Commission, 2022 Datafile, USSCFY22.

Figure B
DISTRIBUTION OF PRIMARY DRUG TYPE IN FEDERAL DRUG CASES
Fiscal Year 2022

National



Southern Texas



Of the 64,142 National cases, in 20,037 the offender was sentenced under USSG Chapter Two, Part D (Drugs).

Of the 7,274 cases from the Southern District of Texas, in 980 the offender was sentenced under USSG Chapter Two, Part D (Drugs).

SOURCE: U.S. Sentencing Commission, 2022 Datafile, USSCFY22.

Table 1

**DISTRIBUTION OF FEDERAL OFFENDERS
BY TYPE OF CRIME
Fiscal Year 2022**

| TYPE OF CRIME | National | | Southern Texas | |
|------------------------------|---------------|--------------|----------------|--------------|
| | N | % | N | % |
| TOTAL | 64,142 | 100.0 | 7,274 | 100.0 |
| Administration of Justice | 652 | 1.0 | 43 | 0.6 |
| Antitrust | 8 | 0.0 | 0 | 0.0 |
| Arson | 106 | 0.2 | 1 | 0.0 |
| Assault | 850 | 1.3 | 11 | 0.2 |
| Bribery/Corruption | 360 | 0.6 | 24 | 0.3 |
| Burglary/Trespass | 112 | 0.2 | 4 | 0.1 |
| Child Pornography | 1,435 | 2.2 | 43 | 0.6 |
| Commercialized Vice | 73 | 0.1 | 1 | 0.0 |
| Drug Possession | 296 | 0.5 | 0 | 0.0 |
| Drug Trafficking | 19,938 | 31.1 | 982 | 13.5 |
| Environmental | 153 | 0.2 | 1 | 0.0 |
| Extortion/Racketeering | 121 | 0.2 | 11 | 0.2 |
| Firearms | 9,318 | 14.5 | 241 | 3.3 |
| Food and Drug | 40 | 0.1 | 0 | 0.0 |
| Forgery/Counter/Copyright | 111 | 0.2 | 2 | 0.0 |
| Fraud/Theft/Embezzlement | 5,520 | 8.6 | 215 | 3.0 |
| Immigration | 17,652 | 27.5 | 5,444 | 74.8 |
| Individual Rights | 92 | 0.1 | 1 | 0.0 |
| Kidnapping | 128 | 0.2 | 12 | 0.2 |
| Manslaughter | 80 | 0.1 | 0 | 0.0 |
| Money Laundering | 1,192 | 1.9 | 66 | 0.9 |
| Murder | 410 | 0.6 | 4 | 0.1 |
| National Defense | 180 | 0.3 | 36 | 0.5 |
| Obscenity/Other Sex Offenses | 344 | 0.5 | 10 | 0.1 |
| Prison Offenses | 499 | 0.8 | 20 | 0.3 |
| Robbery | 1,444 | 2.3 | 54 | 0.7 |
| Sexual Abuse | 1,499 | 2.3 | 32 | 0.4 |
| Stalking/Harassing | 266 | 0.4 | 1 | 0.0 |
| Tax | 496 | 0.8 | 12 | 0.2 |
| Other | 767 | 1.2 | 3 | 0.0 |

SOURCE: U.S. Sentencing Commission, 2022 Datafile, USSCFY22.

Table 2

GUILTY PLEAS AND TRIALS IN EACH CIRCUIT AND DISTRICT
Fiscal Year 2022

| CIRCUIT District | TOTAL | PLEA | | TRIAL | |
|-----------------------|---------------|---------------|-------------|--------------|------------|
| | | N | % | N | % |
| TOTAL | 64,142 | 62,527 | 97.5 | 1,615 | 2.5 |
| D.C. CIRCUIT | 312 | 291 | 93.3 | 21 | 6.7 |
| District of Columbia | 312 | 291 | 93.3 | 21 | 6.7 |
| FIRST CIRCUIT | 1,750 | 1,712 | 97.8 | 38 | 2.2 |
| Maine | 180 | 178 | 98.9 | 2 | 1.1 |
| Massachusetts | 466 | 445 | 95.5 | 21 | 4.5 |
| New Hampshire | 180 | 176 | 97.8 | 4 | 2.2 |
| Puerto Rico | 815 | 807 | 99.0 | 8 | 1.0 |
| Rhode Island | 109 | 106 | 97.2 | 3 | 2.8 |
| SECOND CIRCUIT | 3,271 | 3,159 | 96.6 | 112 | 3.4 |
| Connecticut | 335 | 325 | 97.0 | 10 | 3.0 |
| New York | | | | | |
| Eastern | 693 | 664 | 95.8 | 29 | 4.2 |
| Northern | 400 | 387 | 96.8 | 13 | 3.3 |
| Southern | 1,297 | 1,246 | 96.1 | 51 | 3.9 |
| Western | 411 | 403 | 98.1 | 8 | 1.9 |
| Vermont | 135 | 134 | 99.3 | 1 | 0.7 |
| THIRD CIRCUIT | 2,351 | 2,254 | 95.9 | 97 | 4.1 |
| Delaware | 81 | 78 | 96.3 | 3 | 3.7 |
| New Jersey | 641 | 623 | 97.2 | 18 | 2.8 |
| Pennsylvania | | | | | |
| Eastern | 501 | 470 | 93.8 | 31 | 6.2 |
| Middle | 438 | 411 | 93.8 | 27 | 6.2 |
| Western | 634 | 622 | 98.1 | 12 | 1.9 |
| Virgin Islands | 56 | 50 | 89.3 | 6 | 10.7 |
| FOURTH CIRCUIT | 4,688 | 4,521 | 96.4 | 167 | 3.6 |
| Maryland | 579 | 556 | 96.0 | 23 | 4.0 |
| North Carolina | | | | | |
| Eastern | 761 | 730 | 95.9 | 31 | 4.1 |
| Middle | 403 | 397 | 98.5 | 6 | 1.5 |
| Western | 553 | 534 | 96.6 | 19 | 3.4 |
| South Carolina | 602 | 592 | 98.3 | 10 | 1.7 |
| Virginia | | | | | |
| Eastern | 919 | 866 | 94.2 | 53 | 5.8 |
| Western | 279 | 271 | 97.1 | 8 | 2.9 |
| West Virginia | | | | | |
| Northern | 323 | 318 | 98.5 | 5 | 1.5 |
| Southern | 269 | 257 | 95.5 | 12 | 4.5 |

| CIRCUIT District | TOTAL | PLEA | | TRIAL | |
|------------------------|---------------|---------------|-------------|------------|------------|
| | | N | % | N | % |
| FIFTH CIRCUIT | 16,837 | 16,636 | 98.8 | 201 | 1.2 |
| Louisiana | | | | | |
| Eastern | 300 | 293 | 97.7 | 7 | 2.3 |
| Middle | 103 | 100 | 97.1 | 3 | 2.9 |
| Western | 318 | 304 | 95.6 | 14 | 4.4 |
| Mississippi | | | | | |
| Northern | 133 | 130 | 97.7 | 3 | 2.3 |
| Southern | 324 | 319 | 98.5 | 5 | 1.5 |
| Texas | | | | | |
| Eastern | 674 | 661 | 98.1 | 13 | 1.9 |
| Northern | 1,652 | 1,616 | 97.8 | 36 | 2.2 |
| Southern | 7,274 | 7,216 | 99.2 | 58 | 0.8 |
| Western | 6,059 | 5,997 | 99.0 | 62 | 1.0 |
| SIXTH CIRCUIT | 4,943 | 4,785 | 96.8 | 158 | 3.2 |
| Kentucky | | | | | |
| Eastern | 497 | 465 | 93.6 | 32 | 6.4 |
| Western | 263 | 254 | 96.6 | 9 | 3.4 |
| Michigan | | | | | |
| Eastern | 719 | 702 | 97.6 | 17 | 2.4 |
| Western | 265 | 253 | 95.5 | 12 | 4.5 |
| Ohio | | | | | |
| Northern | 1,141 | 1,102 | 96.6 | 39 | 3.4 |
| Southern | 583 | 576 | 98.8 | 7 | 1.2 |
| Tennessee | | | | | |
| Eastern | 754 | 731 | 96.9 | 23 | 3.1 |
| Middle | 289 | 281 | 97.2 | 8 | 2.8 |
| Western | 432 | 421 | 97.5 | 11 | 2.5 |
| SEVENTH CIRCUIT | 2,483 | 2,378 | 95.8 | 105 | 4.2 |
| Illinois | | | | | |
| Central | 279 | 266 | 95.3 | 13 | 4.7 |
| Northern | 621 | 584 | 94.0 | 37 | 6.0 |
| Southern | 261 | 249 | 95.4 | 12 | 4.6 |
| Indiana | | | | | |
| Northern | 327 | 318 | 97.2 | 9 | 2.8 |
| Southern | 515 | 495 | 96.1 | 20 | 3.9 |
| Wisconsin | | | | | |
| Eastern | 337 | 325 | 96.4 | 12 | 3.6 |
| Western | 143 | 141 | 98.6 | 2 | 1.4 |
| EIGHTH CIRCUIT | 5,102 | 4,921 | 96.5 | 181 | 3.5 |
| Arkansas | | | | | |
| Eastern | 555 | 540 | 97.3 | 15 | 2.7 |
| Western | 219 | 213 | 97.3 | 6 | 2.7 |
| Iowa | | | | | |
| Northern | 333 | 315 | 94.6 | 18 | 5.4 |
| Southern | 454 | 428 | 94.3 | 26 | 5.7 |
| Minnesota | 325 | 299 | 92.0 | 26 | 8.0 |
| Missouri | | | | | |
| Eastern | 1,032 | 1,011 | 98.0 | 21 | 2.0 |
| Western | 810 | 797 | 98.4 | 13 | 1.6 |
| Nebraska | 471 | 454 | 96.4 | 17 | 3.6 |
| North Dakota | 345 | 336 | 97.4 | 9 | 2.6 |
| South Dakota | 558 | 528 | 94.6 | 30 | 5.4 |

| CIRCUIT District | TOTAL | PLEA | | TRIAL | |
|--------------------------|---------------|---------------|-------------|------------|------------|
| | | N | % | N | % |
| NINTH CIRCUIT | 12,159 | 11,942 | 98.2 | 217 | 1.8 |
| Alaska | 140 | 126 | 90.0 | 14 | 10.0 |
| Arizona | 4,454 | 4,423 | 99.3 | 31 | 0.7 |
| California | | | | | |
| Central | 1,128 | 1,073 | 95.1 | 55 | 4.9 |
| Eastern | 366 | 357 | 97.5 | 9 | 2.5 |
| Northern | 377 | 361 | 95.8 | 16 | 4.2 |
| Southern | 3,474 | 3,439 | 99.0 | 35 | 1.0 |
| Guam | 26 | 24 | 92.3 | 2 | 7.7 |
| Hawaii | 140 | 134 | 95.7 | 6 | 4.3 |
| Idaho | 337 | 330 | 97.9 | 7 | 2.1 |
| Montana | 348 | 342 | 98.3 | 6 | 1.7 |
| Nevada | 387 | 375 | 96.9 | 12 | 3.1 |
| Northern Mariana Islands | 17 | 16 | 94.1 | 1 | 5.9 |
| Oregon | 378 | 375 | 99.2 | 3 | 0.8 |
| Washington | | | | | |
| Eastern | 213 | 208 | 97.7 | 5 | 2.3 |
| Western | 374 | 359 | 96.0 | 15 | 4.0 |
| TENTH CIRCUIT | 4,767 | 4,675 | 98.1 | 92 | 1.9 |
| Colorado | 389 | 378 | 97.2 | 11 | 2.8 |
| Kansas | 371 | 364 | 98.1 | 7 | 1.9 |
| New Mexico | 2,075 | 2,060 | 99.3 | 15 | 0.7 |
| Oklahoma | | | | | |
| Eastern | 179 | 166 | 92.7 | 13 | 7.3 |
| Northern | 439 | 416 | 94.8 | 23 | 5.2 |
| Western | 424 | 413 | 97.4 | 11 | 2.6 |
| Utah | 741 | 736 | 99.3 | 5 | 0.7 |
| Wyoming | 149 | 142 | 95.3 | 7 | 4.7 |
| ELEVENTH CIRCUIT | 5,479 | 5,253 | 95.9 | 226 | 4.1 |
| Alabama | | | | | |
| Middle | 164 | 154 | 93.9 | 10 | 6.1 |
| Northern | 442 | 430 | 97.3 | 12 | 2.7 |
| Southern | 308 | 300 | 97.4 | 8 | 2.6 |
| Florida | | | | | |
| Middle | 1,018 | 983 | 96.6 | 35 | 3.4 |
| Northern | 266 | 244 | 91.7 | 22 | 8.3 |
| Southern | 1,719 | 1,644 | 95.6 | 75 | 4.4 |
| Georgia | | | | | |
| Middle | 453 | 438 | 96.7 | 15 | 3.3 |
| Northern | 609 | 577 | 94.7 | 32 | 5.3 |
| Southern | 500 | 483 | 96.6 | 17 | 3.4 |

Of the 64,142 National cases, no cases were excluded.

SOURCE: U.S. Sentencing Commission, 2022 Datafile, USSCFY22.

Table 3

**GUILTY PLEAS AND TRIALS BY TYPE OF CRIME
Fiscal Year 2022**

| TYPE OF CRIME | TOTAL | National | | | | Southern Texas | | | |
|------------------------------|---------------|---------------|-------------|--------------|------------|----------------|-------------|-----------|------------|
| | | PLEA | | TRIAL | | PLEA | | TRIAL | |
| | | N | % | N | % | N | % | N | % |
| TOTAL | 64,142 | 62,527 | 97.5 | 1,615 | 2.5 | 7,216 | 99.2 | 58 | 0.8 |
| Administration of Justice | 652 | 624 | 95.7 | 28 | 4.3 | 40 | 93.0 | 3 | 7.0 |
| Antitrust | 8 | 7 | 87.5 | 1 | 12.5 | 0 | -- | 0 | -- |
| Arson | 106 | 102 | 96.2 | 4 | 3.8 | 1 | 100.0 | 0 | 0.0 |
| Assault | 850 | 789 | 92.8 | 61 | 7.2 | 11 | 100.0 | 0 | 0.0 |
| Bribery/Corruption | 360 | 340 | 94.4 | 20 | 5.6 | 24 | 100.0 | 0 | 0.0 |
| Burglary/Trespass | 112 | 111 | 99.1 | 1 | 0.9 | 4 | 100.0 | 0 | 0.0 |
| Child Pornography | 1,435 | 1,392 | 97.0 | 43 | 3.0 | 42 | 97.7 | 1 | 2.3 |
| Commercialized Vice | 73 | 72 | 98.6 | 1 | 1.4 | 1 | 100.0 | 0 | 0.0 |
| Drug Possession | 296 | 293 | 99.0 | 3 | 1.0 | 0 | -- | 0 | -- |
| Drug Trafficking | 19,938 | 19,517 | 97.9 | 421 | 2.1 | 965 | 98.3 | 17 | 1.7 |
| Environmental | 153 | 151 | 98.7 | 2 | 1.3 | 1 | 100.0 | 0 | 0.0 |
| Extortion/Racketeering | 121 | 117 | 96.7 | 4 | 3.3 | 11 | 100.0 | 0 | 0.0 |
| Firearms | 9,318 | 9,074 | 97.4 | 244 | 2.6 | 238 | 98.8 | 3 | 1.2 |
| Food and Drug | 40 | 38 | 95.0 | 2 | 5.0 | 0 | -- | 0 | -- |
| Forgery/Counter/Copyright | 111 | 110 | 99.1 | 1 | 0.9 | 2 | 100.0 | 0 | 0.0 |
| Fraud/Theft/Embezzlement | 5,520 | 5,319 | 96.4 | 201 | 3.6 | 209 | 97.2 | 6 | 2.8 |
| Immigration | 17,652 | 17,566 | 99.5 | 86 | 0.5 | 5,421 | 99.6 | 23 | 0.4 |
| Individual Rights | 92 | 73 | 79.3 | 19 | 20.7 | 1 | 100.0 | 0 | 0.0 |
| Kidnapping | 128 | 112 | 87.5 | 16 | 12.5 | 12 | 100.0 | 0 | 0.0 |
| Manslaughter | 80 | 74 | 92.5 | 6 | 7.5 | 0 | -- | 0 | -- |
| Money Laundering | 1,192 | 1,105 | 92.7 | 87 | 7.3 | 65 | 98.5 | 1 | 1.5 |
| Murder | 410 | 345 | 84.1 | 65 | 15.9 | 4 | 100.0 | 0 | 0.0 |
| National Defense | 180 | 172 | 95.6 | 8 | 4.4 | 35 | 97.2 | 1 | 2.8 |
| Obscenity/Other Sex Offenses | 344 | 335 | 97.4 | 9 | 2.6 | 10 | 100.0 | 0 | 0.0 |
| Prison Offenses | 499 | 494 | 99.0 | 5 | 1.0 | 20 | 100.0 | 0 | 0.0 |
| Robbery | 1,444 | 1,379 | 95.5 | 65 | 4.5 | 52 | 96.3 | 2 | 3.7 |
| Sexual Abuse | 1,499 | 1,347 | 89.9 | 152 | 10.1 | 31 | 96.9 | 1 | 3.1 |
| Stalking/Harassing | 266 | 242 | 91.0 | 24 | 9.0 | 1 | 100.0 | 0 | 0.0 |
| Tax | 496 | 469 | 94.6 | 27 | 5.4 | 12 | 100.0 | 0 | 0.0 |
| Other | 767 | 758 | 98.8 | 9 | 1.2 | 3 | 100.0 | 0 | 0.0 |

Of the 64,142 National cases, no cases were excluded.

Of the 7,274 cases from the Southern District of Texas, no cases were excluded.

SOURCE: U.S. Sentencing Commission, 2022 Datafile, USSCFY22.

Table 4
SENTENCE TYPE BY TYPE OF CRIME
Fiscal Year 2022

National

| TYPE OF CRIME | TOTAL | Prison Only | | Prison and Alternatives | | Probation and Alternatives | | Probation Only | | Fine Only | |
|------------------------------|---------------|---------------|-------------|-------------------------|------------|----------------------------|------------|----------------|------------|------------|------------|
| | | N | % | N | % | N | % | N | % | N | % |
| TOTAL | 64,142 | 57,106 | 89.0 | 1,964 | 3.1 | 1,002 | 1.6 | 3,736 | 5.8 | 334 | 0.5 |
| Administration of Justice | 652 | 441 | 67.6 | 32 | 4.9 | 29 | 4.4 | 144 | 22.1 | 6 | 0.9 |
| Antitrust | 8 | 3 | 37.5 | 0 | 0.0 | 0 | 0.0 | 5 | 62.5 | 0 | 0.0 |
| Arson | 106 | 96 | 90.6 | 3 | 2.8 | 1 | 0.9 | 6 | 5.7 | 0 | 0.0 |
| Assault | 850 | 765 | 90.0 | 26 | 3.1 | 6 | 0.7 | 45 | 5.3 | 8 | 0.9 |
| Bribery/Corruption | 360 | 258 | 71.7 | 19 | 5.3 | 25 | 6.9 | 58 | 16.1 | 0 | 0.0 |
| Burglary/Trespass | 112 | 83 | 74.1 | 0 | 0.0 | 10 | 8.9 | 19 | 17.0 | 0 | 0.0 |
| Child Pornography | 1,435 | 1,390 | 96.9 | 27 | 1.9 | 5 | 0.3 | 13 | 0.9 | 0 | 0.0 |
| Commercialized Vice | 73 | 51 | 69.9 | 2 | 2.7 | 3 | 4.1 | 17 | 23.3 | 0 | 0.0 |
| Drug Possession | 296 | 123 | 41.6 | 1 | 0.3 | 4 | 1.4 | 87 | 29.4 | 81 | 27.4 |
| Drug Trafficking | 19,938 | 18,493 | 92.8 | 768 | 3.9 | 131 | 0.7 | 542 | 2.7 | 4 | 0.0 |
| Environmental | 153 | 44 | 28.8 | 3 | 2.0 | 14 | 9.2 | 87 | 56.9 | 5 | 3.3 |
| Extortion/Racketeering | 121 | 96 | 79.3 | 6 | 5.0 | 4 | 3.3 | 14 | 11.6 | 1 | 0.8 |
| Firearms | 9,318 | 8,551 | 91.8 | 224 | 2.4 | 130 | 1.4 | 412 | 4.4 | 1 | 0.0 |
| Food and Drug | 40 | 22 | 55.0 | 2 | 5.0 | 0 | 0.0 | 16 | 40.0 | 0 | 0.0 |
| Forgery/Counter/Copyright | 111 | 79 | 71.2 | 7 | 6.3 | 8 | 7.2 | 17 | 15.3 | 0 | 0.0 |
| Fraud/Theft/Embezzlement | 5,520 | 3,910 | 70.8 | 284 | 5.1 | 302 | 5.5 | 983 | 17.8 | 41 | 0.7 |
| Immigration | 17,652 | 16,562 | 93.8 | 329 | 1.9 | 192 | 1.1 | 568 | 3.2 | 1 | 0.0 |
| Individual Rights | 92 | 59 | 64.1 | 1 | 1.1 | 1 | 1.1 | 29 | 31.5 | 2 | 2.2 |
| Kidnapping | 128 | 122 | 95.3 | 2 | 1.6 | 1 | 0.8 | 3 | 2.3 | 0 | 0.0 |
| Manslaughter | 80 | 70 | 87.5 | 8 | 10.0 | 0 | 0.0 | 2 | 2.5 | 0 | 0.0 |
| Money Laundering | 1,192 | 1,006 | 84.4 | 33 | 2.8 | 47 | 3.9 | 105 | 8.8 | 1 | 0.1 |
| Murder | 410 | 404 | 98.5 | 5 | 1.2 | 0 | 0.0 | 1 | 0.2 | 0 | 0.0 |
| National Defense | 180 | 130 | 72.2 | 8 | 4.4 | 7 | 3.9 | 18 | 10.0 | 17 | 9.4 |
| Obscenity/Other Sex Offenses | 344 | 295 | 85.8 | 29 | 8.4 | 5 | 1.5 | 15 | 4.4 | 0 | 0.0 |
| Prison Offenses | 499 | 458 | 91.8 | 21 | 4.2 | 2 | 0.4 | 17 | 3.4 | 1 | 0.2 |
| Robbery | 1,444 | 1,381 | 95.6 | 41 | 2.8 | 6 | 0.4 | 16 | 1.1 | 0 | 0.0 |
| Sexual Abuse | 1,499 | 1,463 | 97.6 | 29 | 1.9 | 1 | 0.1 | 5 | 0.3 | 1 | 0.1 |
| Stalking/Harassing | 266 | 216 | 81.2 | 17 | 6.4 | 10 | 3.8 | 23 | 8.6 | 0 | 0.0 |
| Tax | 496 | 279 | 56.3 | 23 | 4.6 | 40 | 8.1 | 152 | 30.6 | 2 | 0.4 |
| Other | 767 | 256 | 33.4 | 14 | 1.8 | 18 | 2.3 | 317 | 41.3 | 162 | 21.1 |

Of the 64,142 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, 2022 Datafile, USSCFY22.

Table 5
SENTENCE TYPE BY TYPE OF CRIME
Fiscal Year 2022

Southern Texas

| TYPE OF CRIME | TOTAL | Prison Only | | Prison and Alternatives | | Probation and Alternatives | | Probation Only | | Fine Only | |
|------------------------------|--------------|--------------|-------------|-------------------------|------------|----------------------------|------------|----------------|------------|-----------|------------|
| | | N | % | N | % | N | % | N | % | N | % |
| TOTAL | 7,274 | 6,868 | 94.4 | 165 | 2.3 | 113 | 1.6 | 128 | 1.8 | 0 | 0.0 |
| Administration of Justice | 43 | 36 | 83.7 | 4 | 9.3 | 1 | 2.3 | 2 | 4.7 | 0 | 0.0 |
| Antitrust | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Arson | 1 | 1 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Assault | 11 | 10 | 90.9 | 0 | 0.0 | 1 | 9.1 | 0 | 0.0 | 0 | 0.0 |
| Bribery/Corruption | 24 | 15 | 62.5 | 2 | 8.3 | 0 | 0.0 | 7 | 29.2 | 0 | 0.0 |
| Burglary/Trespass | 4 | 4 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Child Pornography | 43 | 42 | 97.7 | 1 | 2.3 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Commercialized Vice | 1 | 1 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Drug Possession | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Drug Trafficking | 982 | 952 | 96.9 | 17 | 1.7 | 2 | 0.2 | 11 | 1.1 | 0 | 0.0 |
| Environmental | 1 | 1 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Extortion/Racketeering | 11 | 11 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Firearms | 241 | 228 | 94.6 | 3 | 1.2 | 5 | 2.1 | 5 | 2.1 | 0 | 0.0 |
| Food and Drug | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Forgery/Counter/Copyright | 2 | 2 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Fraud/Theft/Embezzlement | 215 | 181 | 84.2 | 5 | 2.3 | 5 | 2.3 | 24 | 11.2 | 0 | 0.0 |
| Immigration | 5,444 | 5,160 | 94.8 | 124 | 2.3 | 93 | 1.7 | 67 | 1.2 | 0 | 0.0 |
| Individual Rights | 1 | 1 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Kidnapping | 12 | 12 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Manslaughter | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Money Laundering | 66 | 51 | 77.3 | 4 | 6.1 | 4 | 6.1 | 7 | 10.6 | 0 | 0.0 |
| Murder | 4 | 4 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| National Defense | 36 | 34 | 94.4 | 1 | 2.8 | 1 | 2.8 | 0 | 0.0 | 0 | 0.0 |
| Obscenity/Other Sex Offenses | 10 | 10 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Prison Offenses | 20 | 18 | 90.0 | 1 | 5.0 | 1 | 5.0 | 0 | 0.0 | 0 | 0.0 |
| Robbery | 54 | 52 | 96.3 | 1 | 1.9 | 0 | 0.0 | 1 | 1.9 | 0 | 0.0 |
| Sexual Abuse | 32 | 32 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Stalking/Harassing | 1 | 1 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Tax | 12 | 8 | 66.7 | 1 | 8.3 | 0 | 0.0 | 3 | 25.0 | 0 | 0.0 |
| Other | 3 | 1 | 33.3 | 1 | 33.3 | 0 | 0.0 | 1 | 33.3 | 0 | 0.0 |

Of the 7,274 cases from the Southern District of Texas, 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, 2022 Datafile, USSCFY22.

Table 6

**INCARCERATION RATE OF U.S. CITIZEN OFFENDERS ELIGIBLE FOR NON-PRISON SENTENCES
BY TYPE OF CRIME
Fiscal Year 2022**

| TYPE OF CRIME | TOTAL | National | | | | Southern Texas | | | |
|------------------------------|--------------|-----------------|-------------|---------------------|-------------|-----------------|-------------|---------------------|--------------|
| | | Prison Sentence | | Non-Prison Sentence | | Prison Sentence | | Non-Prison Sentence | |
| | | N | % | N | % | N | % | N | % |
| TOTAL | 3,872 | 1,885 | 48.7 | 1,987 | 51.3 | 161 | 65.4 | 85 | 34.6 |
| Administration of Justice | 159 | 90 | 56.6 | 69 | 43.4 | 8 | 100.0 | 0 | 0.0 |
| Antitrust | 5 | 1 | 20.0 | 4 | 80.0 | 0 | -- | 0 | -- |
| Arson | 3 | 2 | 66.7 | 1 | 33.3 | 0 | -- | 0 | -- |
| Assault | 78 | 44 | 56.4 | 34 | 43.6 | 0 | -- | 0 | -- |
| Bribery/Corruption | 16 | 3 | 18.8 | 13 | 81.3 | 0 | 0.0 | 1 | 100.0 |
| Burglary/Trespass | 43 | 19 | 44.2 | 24 | 55.8 | 0 | -- | 0 | -- |
| Child Pornography | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Commercialized Vice | 9 | 0 | 0.0 | 9 | 100.0 | 0 | -- | 0 | -- |
| Drug Possession | 219 | 88 | 40.2 | 131 | 59.8 | 0 | -- | 0 | -- |
| Drug Trafficking | 354 | 204 | 57.6 | 150 | 42.4 | 5 | 71.4 | 2 | 28.6 |
| Environmental | 70 | 14 | 20.0 | 56 | 80.0 | 0 | -- | 0 | -- |
| Extortion/Racketeering | 6 | 1 | 16.7 | 5 | 83.3 | 0 | -- | 0 | -- |
| Firearms | 108 | 50 | 46.3 | 58 | 53.7 | 6 | 85.7 | 1 | 14.3 |
| Food and Drug | 22 | 10 | 45.5 | 12 | 54.5 | 0 | -- | 0 | -- |
| Forgery/Counter/Copyright | 21 | 15 | 71.4 | 6 | 28.6 | 0 | -- | 0 | -- |
| Fraud/Theft/Embezzlement | 1,250 | 527 | 42.2 | 723 | 57.8 | 12 | 41.4 | 17 | 58.6 |
| Immigration | 710 | 459 | 64.6 | 251 | 35.4 | 116 | 66.7 | 58 | 33.3 |
| Individual Rights | 19 | 2 | 10.5 | 17 | 89.5 | 0 | -- | 0 | -- |
| Kidnapping | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Manslaughter | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Money Laundering | 66 | 37 | 56.1 | 29 | 43.9 | 4 | 50.0 | 4 | 50.0 |
| Murder | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| National Defense | 20 | 3 | 15.0 | 17 | 85.0 | 0 | -- | 0 | -- |
| Obscenity/Other Sex Offenses | 13 | 10 | 76.9 | 3 | 23.1 | 0 | -- | 0 | -- |
| Prison Offenses | 208 | 194 | 93.3 | 14 | 6.7 | 10 | 90.9 | 1 | 9.1 |
| Robbery | 0 | 0 | -- | 0 | -- | 0 | -- | 0 | -- |
| Sexual Abuse | 9 | 5 | 55.6 | 4 | 44.4 | 0 | -- | 0 | -- |
| Stalking/Harassing | 26 | 15 | 57.7 | 11 | 42.3 | 0 | -- | 0 | -- |
| Tax | 22 | 8 | 36.4 | 14 | 63.6 | 0 | -- | 0 | -- |
| Other | 416 | 84 | 20.2 | 332 | 79.8 | 0 | 0.0 | 1 | 100.0 |

Of the 64,142 National cases, a U.S. Citizen was the offender in 43,947 cases. Of these, 40,075 cases were excluded because the offender was ineligible for a non-prison sentence.

Of the 7,274 cases from the Southern District of Texas, a U.S. Citizen was the offender in 2,400 cases. Of these, 2,154 cases were excluded because the offender was ineligible for a non-prison sentence.

SOURCE: U.S. Sentencing Commission, 2022 Datafile, USSCFY22.

Table 7

**SENTENCE LENGTH BY TYPE OF CRIME
Fiscal Year 2022**

| TYPE OF CRIME | National | | | Southern Texas | | |
|------------------------------|-------------|---------------|---------------|----------------|---------------|--------------|
| | Mean Months | Median Months | N | Mean Months | Median Months | N |
| TOTAL | 51 | 26 | 64,141 | 26 | 12 | 7,274 |
| Administration of Justice | 12 | 8 | 651 | 12 | 11 | 43 |
| Antitrust | 5 | 0 | 8 | -- | -- | 0 |
| Arson | 45 | 42 | 106 | -- | -- | 1 |
| Assault | 64 | 42 | 850 | 56 | 50 | 11 |
| Bribery/Corruption | 19 | 12 | 360 | 14 | 12 | 24 |
| Burglary/Trespass | 18 | 10 | 112 | 16 | 18 | 4 |
| Child Pornography | 110 | 96 | 1,435 | 128 | 121 | 43 |
| Commercialized Vice | 24 | 16 | 73 | -- | -- | 1 |
| Drug Possession | 2 | 0 | 296 | -- | -- | 0 |
| Drug Trafficking | 78 | 60 | 19,938 | 75 | 60 | 982 |
| Environmental | 4 | 0 | 153 | -- | -- | 1 |
| Extortion/Racketeering | 61 | 27 | 121 | 257 | 262 | 11 |
| Firearms | 49 | 39 | 9,318 | 47 | 33 | 241 |
| Food and Drug | 11 | 0 | 40 | -- | -- | 0 |
| Forgery/Counter/Copyright | 16 | 12 | 111 | -- | -- | 2 |
| Fraud/Theft/Embezzlement | 22 | 12 | 5,520 | 18 | 6 | 215 |
| Immigration | 12 | 8 | 17,652 | 13 | 9 | 5,444 |
| Individual Rights | 41 | 18 | 92 | -- | -- | 1 |
| Kidnapping | 184 | 160 | 128 | 167 | 173 | 12 |
| Manslaughter | 86 | 68 | 80 | -- | -- | 0 |
| Money Laundering | 61 | 33 | 1,192 | 35 | 19 | 66 |
| Murder | 261 | 240 | 410 | 202 | 150 | 4 |
| National Defense | 35 | 15 | 180 | 29 | 32 | 36 |
| Obscenity/Other Sex Offenses | 22 | 18 | 344 | 20 | 18 | 10 |
| Prison Offenses | 12 | 9 | 499 | 10 | 8 | 20 |
| Robbery | 106 | 96 | 1,444 | 128 | 121 | 54 |
| Sexual Abuse | 207 | 180 | 1,499 | 262 | 225 | 32 |
| Stalking/Harassing | 26 | 18 | 266 | -- | -- | 1 |
| Tax | 14 | 9 | 496 | 11 | 11 | 12 |
| Other | 3 | 0 | 767 | 15 | 12 | 3 |

Of the 64,142 National cases, one case was excluded due to missing or indeterminable sentencing information.

Of the 7,274 cases from the Southern District of Texas, 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, 2022 Datafile, USSCFY22.

Table 8

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE¹
Fiscal Year 2022

| | <u>National</u> | | <u>Southern Texas</u> | |
|--|-----------------|--------------|-----------------------|--------------|
| | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> |
| TOTAL CASES | 63,896 | 100.0 | 7,267 | 100.0 |
| SENTENCES UNDER THE GUIDELINES MANUAL | 43,351 | 67.8 | 5,869 | 80.8 |
| Within Guideline Range | 26,785 | 41.9 | 3,501 | 48.2 |
| Upward Departure ² | 361 | 0.6 | 24 | 0.3 |
| Downward Departure | | | | |
| §5K1.1 Substantial Assistance | 6,626 | 10.4 | 483 | 6.6 |
| §5K3.1 Early Disposition Program | 6,623 | 10.4 | 1,132 | 15.6 |
| Other Government Motion ³ | 1,452 | 2.3 | 18 | 0.2 |
| Non-Government Departure ⁴ | 1,504 | 2.4 | 711 | 9.8 |
| VARIANCES | 20,545 | 32.2 | 1,398 | 19.2 |
| Upward Variance ⁵ | 1,477 | 2.3 | 51 | 0.7 |
| Downward Variance | | | | |
| Government Motion ⁶ | 6,138 | 9.6 | 258 | 3.6 |
| Non-Government Variance ⁷ | 12,930 | 20.2 | 1,089 | 15.0 |

¹ This table reflects the 64,142 cases reported to the Commission in fiscal year 2022, 7,274 of which were from the Southern District of Texas. Of these, 246 cases nationally and seven cases from the Southern District of Texas 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, 2022 Datafile, USSCFY22.

Table 9

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2022**

| CIRCUIT District | TOTAL | WITHIN GUIDELINE RANGE | | DEPARTURE | | | | | | | | VARIANCE | |
|-----------------------|---------------|------------------------------|-------------|------------|------------|--------------|-------------|--------------|-------------|--------------|------------|---------------|-------------|
| | | N | % | UPWARD | | \$5K1.1 | | \$5K3.1 | | DOWNWARD | | N | % |
| | | | | N | % | N | % | N | % | N | % | | |
| TOTAL | 63,896 | 26,785 | 41.9 | 361 | 0.6 | 6,626 | 10.4 | 6,623 | 10.4 | 2,956 | 4.6 | 20,545 | 32.2 |
| D.C. CIRCUIT | 311 | 166 | 53.4 | 1 | 0.3 | 37 | 11.9 | 2 | 0.6 | 12 | 3.9 | 93 | 29.9 |
| District of Columbia | 311 | 166 | 53.4 | 1 | 0.3 | 37 | 11.9 | 2 | 0.6 | 12 | 3.9 | 93 | 29.9 |
| FIRST CIRCUIT | 1,750 | 546 | 31.2 | 4 | 0.2 | 185 | 10.6 | 0 | 0.0 | 102 | 5.8 | 913 | 52.2 |
| Maine | 180 | 33 | 18.3 | 1 | 0.6 | 44 | 24.4 | 0 | 0.0 | 4 | 2.2 | 98 | 54.4 |
| Massachusetts | 466 | 120 | 25.8 | 1 | 0.2 | 64 | 13.7 | 0 | 0.0 | 37 | 7.9 | 244 | 52.4 |
| New Hampshire | 180 | 37 | 20.6 | 0 | 0.0 | 15 | 8.3 | 0 | 0.0 | 8 | 4.4 | 120 | 66.7 |
| Puerto Rico | 815 | 337 | 41.3 | 2 | 0.2 | 52 | 6.4 | 0 | 0.0 | 51 | 6.3 | 373 | 45.8 |
| Rhode Island | 109 | 19 | 17.4 | 0 | 0.0 | 10 | 9.2 | 0 | 0.0 | 2 | 1.8 | 78 | 71.6 |
| SECOND CIRCUIT | 3,267 | 847 | 25.9 | 22 | 0.7 | 451 | 13.8 | 2 | 0.1 | 144 | 4.4 | 1,801 | 55.1 |
| Connecticut | 335 | 97 | 29.0 | 0 | 0.0 | 36 | 10.7 | 0 | 0.0 | 43 | 12.8 | 159 | 47.5 |
| New York | | | | | | | | | | | | | |
| Eastern | 691 | 151 | 21.9 | 4 | 0.6 | 132 | 19.1 | 1 | 0.1 | 57 | 8.2 | 346 | 50.1 |
| Northern | 399 | 197 | 49.4 | 4 | 1.0 | 88 | 22.1 | 1 | 0.3 | 11 | 2.8 | 98 | 24.6 |
| Southern | 1,297 | 248 | 19.1 | 1 | 0.1 | 115 | 8.9 | 0 | 0.0 | 28 | 2.2 | 905 | 69.8 |
| Western | 410 | 131 | 32.0 | 13 | 3.2 | 58 | 14.1 | 0 | 0.0 | 2 | 0.5 | 206 | 50.2 |
| Vermont | 135 | 23 | 17.0 | 0 | 0.0 | 22 | 16.3 | 0 | 0.0 | 3 | 2.2 | 87 | 64.4 |
| THIRD CIRCUIT | 2,349 | 918 | 39.1 | 10 | 0.4 | 415 | 17.7 | 5 | 0.2 | 59 | 2.5 | 942 | 40.1 |
| Delaware | 81 | 34 | 42.0 | 1 | 1.2 | 6 | 7.4 | 2 | 2.5 | 6 | 7.4 | 32 | 39.5 |
| New Jersey | 639 | 237 | 37.1 | 0 | 0.0 | 120 | 18.8 | 0 | 0.0 | 4 | 0.6 | 278 | 43.5 |
| Pennsylvania | | | | | | | | | | | | | |
| Eastern | 501 | 145 | 28.9 | 1 | 0.2 | 131 | 26.1 | 0 | 0.0 | 16 | 3.2 | 208 | 41.5 |
| Middle | 438 | 207 | 47.3 | 3 | 0.7 | 78 | 17.8 | 3 | 0.7 | 22 | 5.0 | 125 | 28.5 |
| Western | 634 | 252 | 39.7 | 5 | 0.8 | 77 | 12.1 | 0 | 0.0 | 11 | 1.7 | 289 | 45.6 |
| Virgin Islands | 56 | 43 | 76.8 | 0 | 0.0 | 3 | 5.4 | 0 | 0.0 | 0 | 0.0 | 10 | 17.9 |
| FOURTH CIRCUIT | 4,631 | 2,131 | 46.0 | 33 | 0.7 | 704 | 15.2 | 2 | 0.0 | 128 | 2.8 | 1,633 | 35.3 |
| Maryland | 560 | 147 | 26.3 | 6 | 1.1 | 107 | 19.1 | 0 | 0.0 | 29 | 5.2 | 271 | 48.4 |
| North Carolina | | | | | | | | | | | | | |
| Eastern | 734 | 378 | 51.5 | 5 | 0.7 | 179 | 24.4 | 0 | 0.0 | 10 | 1.4 | 162 | 22.1 |
| Middle | 403 | 206 | 51.1 | 3 | 0.7 | 34 | 8.4 | 0 | 0.0 | 4 | 1.0 | 156 | 38.7 |
| Western | 551 | 293 | 53.2 | 0 | 0.0 | 74 | 13.4 | 0 | 0.0 | 4 | 0.7 | 180 | 32.7 |
| South Carolina | 601 | 208 | 34.6 | 5 | 0.8 | 164 | 27.3 | 0 | 0.0 | 21 | 3.5 | 203 | 33.8 |
| Virginia | | | | | | | | | | | | | |
| Eastern | 911 | 486 | 53.3 | 8 | 0.9 | 50 | 5.5 | 0 | 0.0 | 45 | 4.9 | 322 | 35.3 |
| Western | 279 | 97 | 34.8 | 4 | 1.4 | 47 | 16.8 | 0 | 0.0 | 14 | 5.0 | 117 | 41.9 |
| West Virginia | | | | | | | | | | | | | |
| Northern | 323 | 190 | 58.8 | 0 | 0.0 | 29 | 9.0 | 2 | 0.6 | 1 | 0.3 | 101 | 31.3 |
| Southern | 269 | 126 | 46.8 | 2 | 0.7 | 20 | 7.4 | 0 | 0.0 | 0 | 0.0 | 121 | 45.0 |

| CIRCUIT | TOTAL | WITHIN GUIDELINE | | DEPARTURE | | | | | | | | VARIANCE | |
|------------------------|---------------|---------------------|-------------|-----------|------------|--------------|-------------|--------------|------------|------------|------------|--------------|-------------|
| | | RANGE | | UPWARD | | \$5K1.1 | | \$5K3.1 | | DOWNWARD | | | |
| | | N | % | N | % | N | % | N | % | N | % | N | % |
| FIFTH CIRCUIT | 16,805 | 10,277 | 61.2 | 49 | 0.3 | 1,070 | 6.4 | 1,204 | 7.2 | 913 | 5.4 | 3,292 | 19.6 |
| Louisiana | | | | | | | | | | | | | |
| Eastern | 298 | 173 | 58.1 | 1 | 0.3 | 32 | 10.7 | 0 | 0.0 | 4 | 1.3 | 88 | 29.5 |
| Middle | 103 | 54 | 52.4 | 1 | 1.0 | 15 | 14.6 | 0 | 0.0 | 0 | 0.0 | 33 | 32.0 |
| Western | 306 | 194 | 63.4 | 4 | 1.3 | 45 | 14.7 | 0 | 0.0 | 5 | 1.6 | 58 | 19.0 |
| Mississippi | | | | | | | | | | | | | |
| Northern | 130 | 56 | 43.1 | 0 | 0.0 | 29 | 22.3 | 0 | 0.0 | 0 | 0.0 | 45 | 34.6 |
| Southern | 323 | 223 | 69.0 | 0 | 0.0 | 29 | 9.0 | 1 | 0.3 | 1 | 0.3 | 69 | 21.4 |
| Texas | | | | | | | | | | | | | |
| Eastern | 672 | 369 | 54.9 | 2 | 0.3 | 53 | 7.9 | 0 | 0.0 | 5 | 0.7 | 243 | 36.2 |
| Northern | 1,650 | 1,008 | 61.1 | 11 | 0.7 | 154 | 9.3 | 0 | 0.0 | 25 | 1.5 | 452 | 27.4 |
| Southern | 7,267 | 3,501 | 48.2 | 24 | 0.3 | 483 | 6.6 | 1,132 | 15.6 | 729 | 10.0 | 1,398 | 19.2 |
| Western | 6,056 | 4,699 | 77.6 | 6 | 0.1 | 230 | 3.8 | 71 | 1.2 | 144 | 2.4 | 906 | 15.0 |
| SIXTH CIRCUIT | 4,933 | 1,889 | 38.3 | 21 | 0.4 | 935 | 19.0 | 8 | 0.2 | 180 | 3.6 | 1,900 | 38.5 |
| Kentucky | | | | | | | | | | | | | |
| Eastern | 497 | 246 | 49.5 | 1 | 0.2 | 80 | 16.1 | 0 | 0.0 | 3 | 0.6 | 167 | 33.6 |
| Western | 263 | 77 | 29.3 | 2 | 0.8 | 78 | 29.7 | 6 | 2.3 | 18 | 6.8 | 82 | 31.2 |
| Michigan | | | | | | | | | | | | | |
| Eastern | 716 | 228 | 31.8 | 0 | 0.0 | 86 | 12.0 | 0 | 0.0 | 19 | 2.7 | 383 | 53.5 |
| Western | 265 | 131 | 49.4 | 5 | 1.9 | 47 | 17.7 | 1 | 0.4 | 9 | 3.4 | 72 | 27.2 |
| Ohio | | | | | | | | | | | | | |
| Northern | 1,140 | 482 | 42.3 | 8 | 0.7 | 222 | 19.5 | 0 | 0.0 | 22 | 1.9 | 406 | 35.6 |
| Southern | 582 | 140 | 24.1 | 3 | 0.5 | 143 | 24.6 | 0 | 0.0 | 89 | 15.3 | 207 | 35.6 |
| Tennessee | | | | | | | | | | | | | |
| Eastern | 753 | 344 | 45.7 | 2 | 0.3 | 187 | 24.8 | 1 | 0.1 | 13 | 1.7 | 206 | 27.4 |
| Middle | 285 | 60 | 21.1 | 0 | 0.0 | 25 | 8.8 | 0 | 0.0 | 4 | 1.4 | 196 | 68.8 |
| Western | 432 | 181 | 41.9 | 0 | 0.0 | 67 | 15.5 | 0 | 0.0 | 3 | 0.7 | 181 | 41.9 |
| SEVENTH CIRCUIT | 2,479 | 929 | 37.5 | 7 | 0.3 | 237 | 9.6 | 1 | 0.0 | 117 | 4.7 | 1,188 | 47.9 |
| Illinois | | | | | | | | | | | | | |
| Central | 278 | 104 | 37.4 | 1 | 0.4 | 43 | 15.5 | 1 | 0.4 | 3 | 1.1 | 126 | 45.3 |
| Northern | 619 | 181 | 29.2 | 3 | 0.5 | 48 | 7.8 | 0 | 0.0 | 32 | 5.2 | 355 | 57.4 |
| Southern | 261 | 149 | 57.1 | 2 | 0.8 | 38 | 14.6 | 0 | 0.0 | 5 | 1.9 | 67 | 25.7 |
| Indiana | | | | | | | | | | | | | |
| Northern | 327 | 163 | 49.8 | 0 | 0.0 | 31 | 9.5 | 0 | 0.0 | 10 | 3.1 | 123 | 37.6 |
| Southern | 515 | 226 | 43.9 | 0 | 0.0 | 48 | 9.3 | 0 | 0.0 | 2 | 0.4 | 239 | 46.4 |
| Wisconsin | | | | | | | | | | | | | |
| Eastern | 336 | 70 | 20.8 | 0 | 0.0 | 23 | 6.8 | 0 | 0.0 | 11 | 3.3 | 232 | 69.0 |
| Western | 143 | 36 | 25.2 | 1 | 0.7 | 6 | 4.2 | 0 | 0.0 | 54 | 37.8 | 46 | 32.2 |
| EIGHTH CIRCUIT | 5,094 | 2,181 | 42.8 | 45 | 0.9 | 586 | 11.5 | 15 | 0.3 | 80 | 1.6 | 2,187 | 42.9 |
| Arkansas | | | | | | | | | | | | | |
| Eastern | 553 | 313 | 56.6 | 0 | 0.0 | 48 | 8.7 | 0 | 0.0 | 4 | 0.7 | 188 | 34.0 |
| Western | 219 | 78 | 35.6 | 0 | 0.0 | 24 | 11.0 | 0 | 0.0 | 1 | 0.5 | 116 | 53.0 |
| Iowa | | | | | | | | | | | | | |
| Northern | 333 | 163 | 48.9 | 14 | 4.2 | 53 | 15.9 | 0 | 0.0 | 6 | 1.8 | 97 | 29.1 |
| Southern | 454 | 163 | 35.9 | 4 | 0.9 | 56 | 12.3 | 0 | 0.0 | 2 | 0.4 | 229 | 50.4 |
| Minnesota | 323 | 99 | 30.7 | 3 | 0.9 | 39 | 12.1 | 2 | 0.6 | 11 | 3.4 | 169 | 52.3 |
| Missouri | | | | | | | | | | | | | |
| Eastern | 1,031 | 422 | 40.9 | 4 | 0.4 | 91 | 8.8 | 0 | 0.0 | 3 | 0.3 | 511 | 49.6 |
| Western | 808 | 296 | 36.6 | 0 | 0.0 | 112 | 13.9 | 0 | 0.0 | 11 | 1.4 | 389 | 48.1 |
| Nebraska | 471 | 231 | 49.0 | 0 | 0.0 | 24 | 5.1 | 12 | 2.5 | 8 | 1.7 | 196 | 41.6 |
| North Dakota | 344 | 110 | 32.0 | 5 | 1.5 | 137 | 39.8 | 1 | 0.3 | 2 | 0.6 | 89 | 25.9 |
| South Dakota | 558 | 306 | 54.8 | 15 | 2.7 | 2 | 0.4 | 0 | 0.0 | 32 | 5.7 | 203 | 36.4 |

| CIRCUIT | TOTAL | WITHIN GUIDELINE | | | | DEPARTURE | | | | | | VARIANCE | |
|--------------------------|---------------|------------------|-------------|------------|------------|------------|-------------|--------------|-------------|------------|-------------|--------------|-------------|
| | | RANGE | | UPWARD | | \$5K1.1 | | \$5K3.1 | | DOWNWARD | | | |
| | | N | % | N | % | N | % | N | % | N | % | N | % |
| NINTH CIRCUIT | 12,114 | 2,673 | 22.1 | 103 | 0.9 | 903 | 7.5 | 4,782 | 39.5 | 589 | 4.9 | 3,064 | 25.3 |
| Alaska | 139 | 38 | 27.3 | 0 | 0.0 | 27 | 19.4 | 0 | 0.0 | 0 | 0.0 | 74 | 53.2 |
| Arizona | 4,419 | 1,154 | 26.1 | 18 | 0.4 | 71 | 1.6 | 2,646 | 59.9 | 54 | 1.2 | 476 | 10.8 |
| California | | | | | | | | | | | | | |
| Central | 1,125 | 271 | 24.1 | 7 | 0.6 | 151 | 13.4 | 25 | 2.2 | 89 | 7.9 | 582 | 51.7 |
| Eastern | 364 | 129 | 35.4 | 1 | 0.3 | 59 | 16.2 | 8 | 2.2 | 8 | 2.2 | 159 | 43.7 |
| Northern | 377 | 61 | 16.2 | 1 | 0.3 | 32 | 8.5 | 2 | 0.5 | 19 | 5.0 | 262 | 69.5 |
| Southern | 3,471 | 411 | 11.8 | 68 | 2.0 | 172 | 5.0 | 2,069 | 59.6 | 385 | 11.1 | 366 | 10.5 |
| Guam | 26 | 15 | 57.7 | 1 | 3.8 | 7 | 26.9 | 0 | 0.0 | 0 | 0.0 | 3 | 11.5 |
| Hawaii | 140 | 39 | 27.9 | 0 | 0.0 | 42 | 30.0 | 0 | 0.0 | 1 | 0.7 | 58 | 41.4 |
| Idaho | 337 | 103 | 30.6 | 0 | 0.0 | 90 | 26.7 | 6 | 1.8 | 10 | 3.0 | 128 | 38.0 |
| Montana | 348 | 104 | 29.9 | 3 | 0.9 | 100 | 28.7 | 0 | 0.0 | 6 | 1.7 | 135 | 38.8 |
| Nevada | 387 | 93 | 24.0 | 0 | 0.0 | 17 | 4.4 | 25 | 6.5 | 5 | 1.3 | 247 | 63.8 |
| Northern Mariana Islands | 17 | 9 | 52.9 | 0 | 0.0 | 6 | 35.3 | 0 | 0.0 | 0 | 0.0 | 2 | 11.8 |
| Oregon | 378 | 59 | 15.6 | 2 | 0.5 | 79 | 20.9 | 0 | 0.0 | 8 | 2.1 | 230 | 60.8 |
| Washington | | | | | | | | | | | | | |
| Eastern | 213 | 64 | 30.0 | 1 | 0.5 | 42 | 19.7 | 1 | 0.5 | 3 | 1.4 | 102 | 47.9 |
| Western | 373 | 123 | 33.0 | 1 | 0.3 | 8 | 2.1 | 0 | 0.0 | 1 | 0.3 | 240 | 64.3 |
| TENTH CIRCUIT | 4,736 | 1,629 | 34.4 | 49 | 1.0 | 399 | 8.4 | 597 | 12.6 | 502 | 10.6 | 1,560 | 32.9 |
| Colorado | 387 | 129 | 33.3 | 0 | 0.0 | 88 | 22.7 | 9 | 2.3 | 11 | 2.8 | 150 | 38.8 |
| Kansas | 363 | 152 | 41.9 | 1 | 0.3 | 59 | 16.3 | 3 | 0.8 | 6 | 1.7 | 142 | 39.1 |
| New Mexico | 2,073 | 753 | 36.3 | 9 | 0.4 | 53 | 2.6 | 514 | 24.8 | 295 | 14.2 | 449 | 21.7 |
| Oklahoma | | | | | | | | | | | | | |
| Eastern | 179 | 81 | 45.3 | 0 | 0.0 | 44 | 24.6 | 0 | 0.0 | 8 | 4.5 | 46 | 25.7 |
| Northern | 433 | 174 | 40.2 | 33 | 7.6 | 50 | 11.5 | 0 | 0.0 | 126 | 29.1 | 50 | 11.5 |
| Western | 421 | 200 | 47.5 | 3 | 0.7 | 27 | 6.4 | 0 | 0.0 | 5 | 1.2 | 186 | 44.2 |
| Utah | 734 | 114 | 15.5 | 0 | 0.0 | 50 | 6.8 | 68 | 9.3 | 45 | 6.1 | 457 | 62.3 |
| Wyoming | 146 | 26 | 17.8 | 3 | 2.1 | 28 | 19.2 | 3 | 2.1 | 6 | 4.1 | 80 | 54.8 |
| ELEVENTH CIRCUIT | 5,427 | 2,599 | 47.9 | 17 | 0.3 | 704 | 13.0 | 5 | 0.1 | 130 | 2.4 | 1,972 | 36.3 |
| Alabama | | | | | | | | | | | | | |
| Middle | 164 | 64 | 39.0 | 0 | 0.0 | 44 | 26.8 | 0 | 0.0 | 0 | 0.0 | 56 | 34.1 |
| Northern | 442 | 243 | 55.0 | 2 | 0.5 | 86 | 19.5 | 0 | 0.0 | 8 | 1.8 | 103 | 23.3 |
| Southern | 308 | 139 | 45.1 | 2 | 0.6 | 67 | 21.8 | 2 | 0.6 | 8 | 2.6 | 90 | 29.2 |
| Florida | | | | | | | | | | | | | |
| Middle | 1,017 | 417 | 41.0 | 2 | 0.2 | 169 | 16.6 | 0 | 0.0 | 13 | 1.3 | 416 | 40.9 |
| Northern | 263 | 99 | 37.6 | 2 | 0.8 | 70 | 26.6 | 2 | 0.8 | 2 | 0.8 | 88 | 33.5 |
| Southern | 1,680 | 862 | 51.3 | 0 | 0.0 | 99 | 5.9 | 0 | 0.0 | 27 | 1.6 | 692 | 41.2 |
| Georgia | | | | | | | | | | | | | |
| Middle | 447 | 263 | 58.8 | 3 | 0.7 | 40 | 8.9 | 0 | 0.0 | 46 | 10.3 | 95 | 21.3 |
| Northern | 606 | 198 | 32.7 | 1 | 0.2 | 53 | 8.7 | 1 | 0.2 | 15 | 2.5 | 338 | 55.8 |
| Southern | 500 | 314 | 62.8 | 5 | 1.0 | 76 | 15.2 | 0 | 0.0 | 11 | 2.2 | 94 | 18.8 |

Of the 64,142 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, 2022 Datafile, USSCFY22.

Table 10
SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE
BY TYPE OF CRIME
Fiscal Year 2022

National

| TYPE OF CRIME | TOTAL | WITHIN GUIDELINE RANGE | | DEPARTURE | | | | | | | | VARIANCE | |
|------------------------------|---------------|------------------------------|-------------|------------|------------|--------------|-------------|--------------|-------------|--------------|------------|---------------|-------------|
| | | | | UPWARD | | §5K1.1 | | §5K3.1 | | DOWNWARD | | | |
| | | N | % | N | % | N | % | N | % | N | % | N | % |
| Total | 63,896 | 26,785 | 41.9 | 361 | 0.6 | 6,626 | 10.4 | 6,623 | 10.4 | 2,956 | 4.6 | 20,545 | 32.2 |
| Child Pornography | 1,435 | 489 | 34.1 | 10 | 0.7 | 28 | 2.0 | 3 | 0.2 | 68 | 4.7 | 837 | 58.3 |
| Drug Trafficking | 19,923 | 5,468 | 27.4 | 68 | 0.3 | 4,104 | 20.6 | 1,638 | 8.2 | 973 | 4.9 | 7,672 | 38.5 |
| Firearms | 9,310 | 4,753 | 51.1 | 73 | 0.8 | 482 | 5.2 | 9 | 0.1 | 350 | 3.8 | 3,643 | 39.1 |
| Fraud/Theft/Embezzlement | 5,488 | 2,303 | 42.0 | 63 | 1.1 | 714 | 13.0 | 9 | 0.2 | 179 | 3.3 | 2,220 | 40.5 |
| Immigration | 17,597 | 9,334 | 53.0 | 23 | 0.1 | 204 | 1.2 | 4,933 | 28.0 | 887 | 5.0 | 2,216 | 12.6 |
| Money Laundering | 1,191 | 310 | 26.0 | 12 | 1.0 | 315 | 26.4 | 11 | 0.9 | 58 | 4.9 | 485 | 40.7 |
| Robbery | 1,444 | 542 | 37.5 | 8 | 0.6 | 181 | 12.5 | 0 | 0.0 | 75 | 5.2 | 638 | 44.2 |
| Sex Abuse | 1,499 | 610 | 40.7 | 16 | 1.1 | 85 | 5.7 | 0 | 0.0 | 75 | 5.0 | 713 | 47.6 |
| Other Miscellaneous Offenses | 6,009 | 2,976 | 49.5 | 88 | 1.5 | 513 | 8.5 | 20 | 0.3 | 291 | 4.8 | 2,121 | 35.3 |

Southern Texas

| TYPE OF CRIME | TOTAL | WITHIN GUIDELINE RANGE | | DEPARTURE | | | | | | | | VARIANCE | |
|------------------------------|--------------|------------------------------|-------------|-----------|------------|------------|------------|--------------|-------------|------------|-------------|--------------|-------------|
| | | | | UPWARD | | §5K1.1 | | §5K3.1 | | DOWNWARD | | | |
| | | N | % | N | % | N | % | N | % | N | % | N | % |
| Total | 7,267 | 3,501 | 48.2 | 24 | 0.3 | 483 | 6.6 | 1,132 | 15.6 | 729 | 10.0 | 1,398 | 19.2 |
| Child Pornography | 43 | 26 | 60.5 | 1 | 2.3 | 0 | 0.0 | 0 | 0.0 | 1 | 2.3 | 15 | 34.9 |
| Drug Trafficking | 981 | 293 | 29.9 | 1 | 0.1 | 277 | 28.2 | 0 | 0.0 | 87 | 8.9 | 323 | 32.9 |
| Firearms | 241 | 128 | 53.1 | 4 | 1.7 | 20 | 8.3 | 0 | 0.0 | 13 | 5.4 | 76 | 31.5 |
| Fraud/Theft/Embezzlement | 215 | 147 | 68.4 | 1 | 0.5 | 33 | 15.3 | 0 | 0.0 | 4 | 1.9 | 30 | 14.0 |
| Immigration | 5,444 | 2,756 | 50.6 | 13 | 0.2 | 86 | 1.6 | 1,130 | 20.8 | 606 | 11.1 | 853 | 15.7 |
| Money Laundering | 66 | 22 | 33.3 | 0 | 0.0 | 23 | 34.8 | 0 | 0.0 | 2 | 3.0 | 19 | 28.8 |
| Robbery | 54 | 23 | 42.6 | 2 | 3.7 | 13 | 24.1 | 0 | 0.0 | 2 | 3.7 | 14 | 25.9 |
| Sex Abuse | 32 | 17 | 53.1 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 2 | 6.3 | 13 | 40.6 |
| Other Miscellaneous Offenses | 191 | 89 | 46.6 | 2 | 1.0 | 31 | 16.2 | 2 | 1.0 | 12 | 6.3 | 55 | 28.8 |

Of the 64,142 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 7,274 cases from the Southern District of Texas, seven 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, 2022 Datafile, USSCFY22.