

United States Sentencing Commission



Statistical Information Packet

Fiscal Year 2025

District of South Dakota

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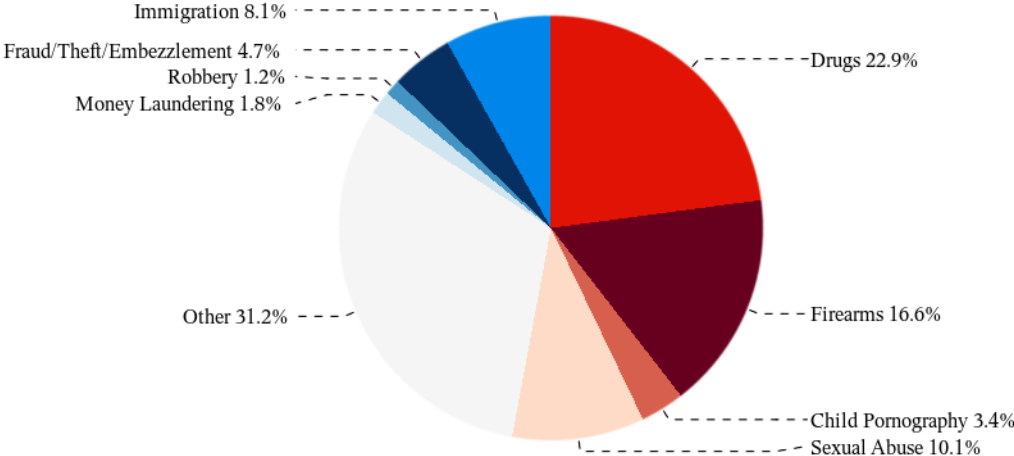
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Figure A
SENTENCED INDIVIDUALS BY TYPE OF CRIME
Fiscal Year 2025

National



South Dakota



The National figure includes the 66,662 cases reported to the Commission. The Drugs category includes trafficking and simple possession.

The District of South Dakota figure includes the 506 cases reported to the Commission.

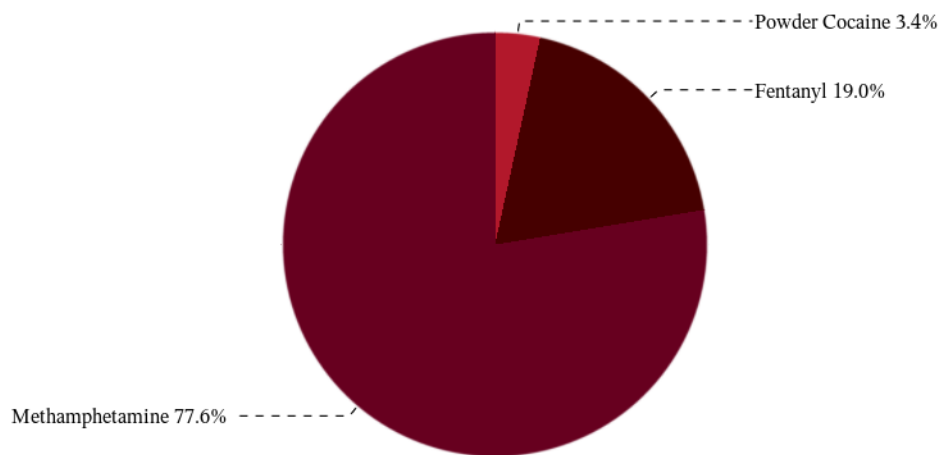
SOURCE: U.S. Sentencing Commission, 2025 Datafile, USSCFY25.

Figure B
DISTRIBUTION OF PRIMARY DRUG TYPE IN FEDERAL DRUG CASES
Fiscal Year 2025

National



South Dakota



Of the 66,662 National cases, in 16,234 the individual was sentenced under USSG Chapter Two, Part D (Drugs).

Of the 506 cases from the District of South Dakota, in 116 the individual was sentenced under USSG Chapter Two, Part D (Drugs).

SOURCE: U.S. Sentencing Commission, 2025 Datafile, USSCFY25.

Table 1

**DISTRIBUTION OF SENTENCED INDIVIDUALS
BY TYPE OF CRIME
Fiscal Year 2025**

TYPE OF CRIME	National		South Dakota	
	N	%	N	%
TOTAL	66,662	100.0	506	100.0
Administration of Justice	559	0.8	17	3.4
Antitrust	18	0.0	0	0.0
Arson	77	0.1	2	0.4
Assault	854	1.3	46	9.1
Bribery/Corruption	310	0.5	0	0.0
Burglary/Trespass	50	0.1	3	0.6
Child Pornography	1,432	2.1	17	3.4
Commercialized Vice	88	0.1	0	0.0
Drug Possession	107	0.2	0	0.0
Drug Trafficking	16,222	24.3	116	22.9
Environmental	150	0.2	1	0.2
Extortion/Racketeering	57	0.1	0	0.0
Firearms	8,041	12.1	84	16.6
Food and Drug	44	0.1	0	0.0
Forgery/Counter/Copyright	83	0.1	2	0.4
Fraud/Theft/Embezzlement	5,080	7.6	24	4.7
Immigration	25,119	37.7	41	8.1
Individual Rights	100	0.2	0	0.0
Kidnapping	146	0.2	2	0.4
Manslaughter	94	0.1	15	3.0
Money Laundering	1,368	2.1	9	1.8
Murder	405	0.6	2	0.4
National Defense	499	0.7	0	0.0
Obscenity/Other Sex Offenses	325	0.5	53	10.5
Prison Offenses	414	0.6	10	2.0
Robbery	1,249	1.9	6	1.2
Sexual Abuse	1,409	2.1	51	10.1
Stalking/Harassing	288	0.4	2	0.4
Tax	409	0.6	0	0.0
Other	1,665	2.5	3	0.6

SOURCE: U.S. Sentencing Commission, 2025 Datafile, USSCFY25.

Table 2

GUILTY PLEAS AND TRIALS IN EACH CIRCUIT AND DISTRICT
Fiscal Year 2025

CIRCUIT District	TOTAL	PLEA		TRIAL	
		N	%	N	%
TOTAL	66,662	65,099	97.7	1,563	2.3
D.C. CIRCUIT	423	348	82.3	75	17.7
District of Columbia	423	348	82.3	75	17.7
FIRST CIRCUIT	1,903	1,857	97.6	46	2.4
Maine	144	138	95.8	6	4.2
Massachusetts	558	532	95.3	26	4.7
New Hampshire	130	128	98.5	2	1.5
Puerto Rico	972	963	99.1	9	0.9
Rhode Island	99	96	97.0	3	3.0
SECOND CIRCUIT	2,795	2,681	95.9	114	4.1
Connecticut	260	246	94.6	14	5.4
New York					
Eastern	604	577	95.5	27	4.5
Northern	419	409	97.6	10	2.4
Southern	899	847	94.2	52	5.8
Western	403	396	98.3	7	1.7
Vermont	210	206	98.1	4	1.9
THIRD CIRCUIT	2,222	2,141	96.4	81	3.6
Delaware	149	147	98.7	2	1.3
New Jersey	673	649	96.4	24	3.6
Pennsylvania					
Eastern	477	456	95.6	21	4.4
Middle	408	393	96.3	15	3.7
Western	456	446	97.8	10	2.2
Virgin Islands	59	50	84.7	9	15.3
FOURTH CIRCUIT	4,183	4,057	97.0	126	3.0
Maryland	443	421	95.0	22	5.0
North Carolina					
Eastern	811	801	98.8	10	1.2
Middle	312	310	99.4	2	0.6
Western	352	333	94.6	19	5.4
South Carolina	591	583	98.6	8	1.4
Virginia					
Eastern	884	844	95.5	40	4.5
Western	248	240	96.8	8	3.2
West Virginia					
Northern	326	319	97.9	7	2.1
Southern	216	206	95.4	10	4.6

CIRCUIT District	TOTAL	PLEA		TRIAL	
		N	%	N	%
FIFTH CIRCUIT	21,717	21,552	99.2	165	0.8
Louisiana					
Eastern	324	315	97.2	9	2.8
Middle	95	93	97.9	2	2.1
Western	378	364	96.3	14	3.7
Mississippi					
Northern	180	173	96.1	7	3.9
Southern	378	372	98.4	6	1.6
Texas					
Eastern	1,015	992	97.7	23	2.3
Northern	1,386	1,362	98.3	24	1.7
Southern	7,545	7,505	99.5	40	0.5
Western	10,416	10,376	99.6	40	0.4
SIXTH CIRCUIT	4,310	4,148	96.2	162	3.8
Kentucky					
Eastern	390	374	95.9	16	4.1
Western	388	374	96.4	14	3.6
Michigan					
Eastern	851	822	96.6	29	3.4
Western	242	227	93.8	15	6.2
Ohio					
Northern	662	637	96.2	25	3.8
Southern	560	546	97.5	14	2.5
Tennessee					
Eastern	532	524	98.5	8	1.5
Middle	346	323	93.4	23	6.6
Western	339	321	94.7	18	5.3
SEVENTH CIRCUIT	2,111	2,009	95.2	102	4.8
Illinois					
Central	218	200	91.7	18	8.3
Northern	587	541	92.2	46	7.8
Southern	240	230	95.8	10	4.2
Indiana					
Northern	279	263	94.3	16	5.7
Southern	356	349	98.0	7	2.0
Wisconsin					
Eastern	302	301	99.7	1	0.3
Western	129	125	96.9	4	3.1
EIGHTH CIRCUIT	4,611	4,462	96.8	149	3.2
Arkansas					
Eastern	475	464	97.7	11	2.3
Western	164	162	98.8	2	1.2
Iowa					
Northern	313	302	96.5	11	3.5
Southern	343	327	95.3	16	4.7
Minnesota	396	367	92.7	29	7.3
Missouri					
Eastern	988	971	98.3	17	1.7
Western	668	651	97.5	17	2.5
Nebraska	433	418	96.5	15	3.5
North Dakota	325	322	99.1	3	0.9
South Dakota	506	478	94.5	28	5.5

CIRCUIT District	TOTAL	PLEA		TRIAL	
		N	%	N	%
NINTH CIRCUIT	10,991	10,786	98.1	205	1.9
Alaska	138	133	96.4	5	3.6
Arizona	4,134	4,114	99.5	20	0.5
California					
Central	932	876	94.0	56	6.0
Eastern	472	455	96.4	17	3.6
Northern	364	348	95.6	16	4.4
Southern	2,661	2,628	98.8	33	1.2
Guam	35	33	94.3	2	5.7
Hawaii	142	140	98.6	2	1.4
Idaho	309	306	99.0	3	1.0
Montana	403	388	96.3	15	3.7
Nevada	202	192	95.0	10	5.0
Northern Mariana Islands	17	16	94.1	1	5.9
Oregon	501	496	99.0	5	1.0
Washington					
Eastern	335	323	96.4	12	3.6
Western	346	338	97.7	8	2.3
TENTH CIRCUIT	5,853	5,729	97.9	124	2.1
Colorado	377	364	96.6	13	3.4
Kansas	410	394	96.1	16	3.9
New Mexico	2,699	2,686	99.5	13	0.5
Oklahoma					
Eastern	259	242	93.4	17	6.6
Northern	564	544	96.5	20	3.5
Western	584	561	96.1	23	3.9
Utah	779	766	98.3	13	1.7
Wyoming	181	172	95.0	9	5.0
ELEVENTH CIRCUIT	5,543	5,329	96.1	214	3.9
Alabama					
Middle	263	245	93.2	18	6.8
Northern	516	506	98.1	10	1.9
Southern	299	291	97.3	8	2.7
Florida					
Middle	1,528	1,461	95.6	67	4.4
Northern	301	286	95.0	15	5.0
Southern	1,457	1,393	95.6	64	4.4
Georgia					
Middle	405	394	97.3	11	2.7
Northern	502	491	97.8	11	2.2
Southern	272	262	96.3	10	3.7

Of the 66,662 National cases, no cases were excluded.

SOURCE: U.S. Sentencing Commission, 2025 Datafile, USSCFY25.

Table 3

**GUILTY PLEAS AND TRIALS BY TYPE OF CRIME
Fiscal Year 2025**

TYPE OF CRIME	TOTAL	National				South Dakota			
		PLEA		TRIAL		PLEA		TRIAL	
		N	%	N	%	N	%	N	%
TOTAL	66,662	65,099	97.7	1,563	2.3	478	94.5	28	5.5
Administration of Justice	559	515	92.1	44	7.9	15	88.2	2	11.8
Antitrust	18	16	88.9	2	11.1	0	--	0	--
Arson	77	72	93.5	5	6.5	2	100.0	0	0.0
Assault	854	767	89.8	87	10.2	45	97.8	1	2.2
Bribery/Corruption	310	279	90.0	31	10.0	0	--	0	--
Burglary/Trespass	50	47	94.0	3	6.0	3	100.0	0	0.0
Child Pornography	1,432	1,390	97.1	42	2.9	17	100.0	0	0.0
Commercialized Vice	88	87	98.9	1	1.1	0	--	0	--
Drug Possession	107	106	99.1	1	0.9	0	--	0	--
Drug Trafficking	16,222	15,879	97.9	343	2.1	111	95.7	5	4.3
Environmental	150	145	96.7	5	3.3	1	100.0	0	0.0
Extortion/Racketeering	57	52	91.2	5	8.8	0	--	0	--
Firearms	8,041	7,821	97.3	220	2.7	79	94.0	5	6.0
Food and Drug	44	44	100.0	0	0.0	0	--	0	--
Forgery/Counter/Copyright	83	76	91.6	7	8.4	2	100.0	0	0.0
Fraud/Theft/Embezzlement	5,080	4,894	96.3	186	3.7	24	100.0	0	0.0
Immigration	25,119	25,044	99.7	75	0.3	40	97.6	1	2.4
Individual Rights	100	77	77.0	23	23.0	0	--	0	--
Kidnapping	146	116	79.5	30	20.5	0	0.0	2	100.0
Manslaughter	94	90	95.7	4	4.3	14	93.3	1	6.7
Money Laundering	1,368	1,270	92.8	98	7.2	9	100.0	0	0.0
Murder	405	303	74.8	102	25.2	0	0.0	2	100.0
National Defense	499	491	98.4	8	1.6	0	--	0	--
Obscenity/Other Sex Offenses	325	323	99.4	2	0.6	52	98.1	1	1.9
Prison Offenses	414	411	99.3	3	0.7	10	100.0	0	0.0
Robbery	1,249	1,182	94.6	67	5.4	5	83.3	1	16.7
Sexual Abuse	1,409	1,294	91.8	115	8.2	44	86.3	7	13.7
Stalking/Harassing	288	265	92.0	23	8.0	2	100.0	0	0.0
Tax	409	392	95.8	17	4.2	0	--	0	--
Other	1,665	1,651	99.2	14	0.8	3	100.0	0	0.0

Of the 66,662 National cases, no cases were excluded.

Of the 506 cases from the District of South Dakota, no cases were excluded.

SOURCE: U.S. Sentencing Commission, 2025 Datafile, USSCFY25.

Table 4
SENTENCE TYPE BY TYPE OF CRIME
Fiscal Year 2025

National

TYPE OF CRIME	TOTAL	Prison Only		Prison and Alternatives		Probation and Alternatives		Probation Only		Fine Only	
		N	%	N	%	N	%	N	%	N	%
TOTAL	66,662	60,135	90.2	1,422	2.1	688	1.0	4,141	6.2	276	0.4
Administration of Justice	559	403	72.1	19	3.4	22	3.9	113	20.2	2	0.4
Antitrust	18	9	50.0	0	0.0	5	27.8	4	22.2	0	0.0
Arson	77	72	93.5	5	6.5	0	0.0	0	0.0	0	0.0
Assault	854	755	88.4	28	3.3	14	1.6	55	6.4	2	0.2
Bribery/Corruption	310	205	66.1	14	4.5	21	6.8	69	22.3	1	0.3
Burglary/Trespass	50	32	64.0	1	2.0	4	8.0	12	24.0	1	2.0
Child Pornography	1,432	1,399	97.7	22	1.5	1	0.1	10	0.7	0	0.0
Commercialized Vice	88	58	65.9	7	8.0	7	8.0	16	18.2	0	0.0
Drug Possession	107	55	51.4	0	0.0	0	0.0	39	36.4	13	12.1
Drug Trafficking	16,222	15,215	93.8	450	2.8	94	0.6	462	2.8	1	0.0
Environmental	150	59	39.3	2	1.3	14	9.3	68	45.3	7	4.7
Extortion/Racketeering	57	45	78.9	0	0.0	5	8.8	7	12.3	0	0.0
Firearms	8,041	7,378	91.8	174	2.2	86	1.1	399	5.0	4	0.0
Food and Drug	44	11	25.0	0	0.0	1	2.3	30	68.2	2	4.5
Forgery/Counter/Copyright	83	58	69.9	4	4.8	5	6.0	16	19.3	0	0.0
Fraud/Theft/Embezzlement	5,080	3,633	71.5	180	3.5	225	4.4	1,027	20.2	15	0.3
Immigration	25,119	23,702	94.4	304	1.2	86	0.3	1,024	4.1	3	0.0
Individual Rights	100	67	67.0	7	7.0	6	6.0	20	20.0	0	0.0
Kidnapping	146	144	98.6	2	1.4	0	0.0	0	0.0	0	0.0
Manslaughter	94	85	90.4	3	3.2	0	0.0	6	6.4	0	0.0
Money Laundering	1,368	1,168	85.4	40	2.9	27	2.0	133	9.7	0	0.0
Murder	405	390	96.3	13	3.2	0	0.0	2	0.5	0	0.0
National Defense	499	410	82.2	12	2.4	1	0.2	22	4.4	54	10.8
Obscenity/Other Sex Offenses	325	283	87.1	21	6.5	5	1.5	16	4.9	0	0.0
Prison Offenses	414	378	91.3	17	4.1	1	0.2	18	4.3	0	0.0
Robbery	1,249	1,206	96.6	29	2.3	3	0.2	11	0.9	0	0.0
Sexual Abuse	1,409	1,373	97.4	26	1.8	1	0.1	9	0.6	0	0.0
Stalking/Harassing	288	232	80.6	15	5.2	5	1.7	36	12.5	0	0.0
Tax	409	264	64.5	23	5.6	29	7.1	91	22.2	2	0.5
Other	1,665	1,046	62.8	4	0.2	20	1.2	426	25.6	169	10.2

Of the 66,662 National cases, no cases were excluded.

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

SOURCE: U.S. Sentencing Commission, 2025 Datafile, USSCFY25.

Table 5
SENTENCE TYPE BY TYPE OF CRIME
Fiscal Year 2025

South Dakota

TYPE OF CRIME	TOTAL	Prison Only		Prison and Alternatives		Probation and Alternatives		Probation Only		Fine Only	
		N	%	N	%	N	%	N	%	N	%
TOTAL	506	478	94.5	15	3.0	0	0.0	13	2.6	0	0.0
Administration of Justice	17	14	82.4	2	11.8	0	0.0	1	5.9	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	46	44	95.7	1	2.2	0	0.0	1	2.2	0	0.0
Bribery/Corruption	0	0	--	0	--	0	--	0	--	0	--
Burglary/Trespass	3	2	66.7	1	33.3	0	0.0	0	0.0	0	0.0
Child Pornography	17	17	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Commercialized Vice	0	0	--	0	--	0	--	0	--	0	--
Drug Possession	0	0	--	0	--	0	--	0	--	0	--
Drug Trafficking	116	114	98.3	2	1.7	0	0.0	0	0.0	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	84	78	92.9	3	3.6	0	0.0	3	3.6	0	0.0
Food and Drug	0	0	--	0	--	0	--	0	--	0	--
Forgery/Counter/Copyright	2	1	50.0	0	0.0	0	0.0	1	50.0	0	0.0
Fraud/Theft/Embezzlement	24	21	87.5	0	0.0	0	0.0	3	12.5	0	0.0
Immigration	41	41	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Individual Rights	0	0	--	0	--	0	--	0	--	0	--
Kidnapping	2	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Manslaughter	15	14	93.3	0	0.0	0	0.0	1	6.7	0	0.0
Money Laundering	9	9	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Murder	2	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0
National Defense	0	0	--	0	--	0	--	0	--	0	--
Obscenity/Other Sex Offenses	53	49	92.5	4	7.5	0	0.0	0	0.0	0	0.0
Prison Offenses	10	8	80.0	2	20.0	0	0.0	0	0.0	0	0.0
Robbery	6	6	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Sexual Abuse	51	50	98.0	0	0.0	0	0.0	1	2.0	0	0.0
Stalking/Harassing	2	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Tax	0	0	--	0	--	0	--	0	--	0	--
Other	3	2	66.7	0	0.0	0	0.0	1	33.3	0	0.0

Of the 506 cases from the District of South Dakota, no cases were excluded.

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

SOURCE: U.S. Sentencing Commission, 2025 Datafile, USSCFY25.

Table 6
INCARCERATION RATE OF U.S. CITIZENS ELIGIBLE FOR NON-PRISON SENTENCES
BY TYPE OF CRIME
Fiscal Year 2025

TYPE OF CRIME	TOTAL	National				South Dakota			
		Prison Sentence		Non-Prison Sentence		Prison Sentence		Non-Prison Sentence	
		N	%	N	%	N	%	N	%
TOTAL	3,970	1,893	47.7	2,077	52.3	31	79.5	8	20.5
Administration of Justice	140	71	50.7	69	49.3	5	83.3	1	16.7
Antitrust	9	2	22.2	7	77.8	0	--	0	--
Arson	1	1	100.0	0	0.0	0	--	0	--
Assault	57	30	52.6	27	47.4	5	83.3	1	16.7
Bribery/Corruption	37	14	37.8	23	62.2	0	--	0	--
Burglary/Trespass	18	5	27.8	13	72.2	0	--	0	--
Child Pornography	0	0	--	0	--	0	--	0	--
Commercialized Vice	28	11	39.3	17	60.7	0	--	0	--
Drug Possession	70	36	51.4	34	48.6	0	--	0	--
Drug Trafficking	272	167	61.4	105	38.6	0	--	0	--
Environmental	63	12	19.0	51	81.0	0	0.0	1	100.0
Extortion/Racketeering	7	1	14.3	6	85.7	0	--	0	--
Firearms	119	52	43.7	67	56.3	0	0.0	1	100.0
Food and Drug	26	0	0.0	26	100.0	0	--	0	--
Forgery/Counter/Copyright	12	4	33.3	8	66.7	1	50.0	1	50.0
Fraud/Theft/Embezzlement	1,336	533	39.9	803	60.1	14	82.4	3	17.6
Immigration	945	687	72.7	258	27.3	0	--	0	--
Individual Rights	16	5	31.3	11	68.8	0	--	0	--
Kidnapping	0	0	--	0	--	0	--	0	--
Manslaughter	2	0	0.0	2	100.0	0	--	0	--
Money Laundering	84	44	52.4	40	47.6	0	--	0	--
Murder	0	0	--	0	--	0	--	0	--
National Defense	55	6	10.9	49	89.1	0	--	0	--
Obscenity/Other Sex Offenses	28	23	82.1	5	17.9	2	100.0	0	0.0
Prison Offenses	121	105	86.8	16	13.2	4	100.0	0	0.0
Robbery	0	0	--	0	--	0	--	0	--
Sexual Abuse	5	4	80.0	1	20.0	0	--	0	--
Stalking/Harassing	21	12	57.1	9	42.9	0	--	0	--
Tax	50	11	22.0	39	78.0	0	--	0	--
Other	448	57	12.7	391	87.3	0	--	0	--

Of the 66,662 National cases, a U.S. Citizen was the sentenced individual in 37,373 cases. Of these, 33,403 cases were excluded because the sentenced individual was ineligible for a non-prison sentence.

Of the 506 cases from the District of South Dakota, a U.S. Citizen was the sentenced individual in 454 cases. Of these, 415 cases were excluded because the sentenced individual was ineligible for a non-prison sentence.

SOURCE: U.S. Sentencing Commission, 2025 Datafile, USSCFY25.

Table 7

**SENTENCE LENGTH BY TYPE OF CRIME
Fiscal Year 2025**

TYPE OF CRIME	National			South Dakota		
	Mean Months	Median Months	N	Mean Months	Median Months	N
TOTAL	47	18	66,662	80	40	506
Administration of Justice	13	9	559	19	12	17
Antitrust	8	6	18	--	--	0
Arson	66	60	77	--	--	2
Assault	71	46	854	48	41	46
Bribery/Corruption	19	12	310	--	--	0
Burglary/Trespass	18	6	50	16	18	3
Child Pornography	119	97	1,432	95	72	17
Commercialized Vice	11	6	88	--	--	0
Drug Possession	2	0	107	--	--	0
Drug Trafficking	87	70	16,222	153	132	116
Environmental	3	0	150	--	--	1
Extortion/Racketeering	48	24	57	--	--	0
Firearms	51	41	8,041	40	30	84
Food and Drug	5	0	44	--	--	0
Forgery/Counter/Copyright	17	12	83	--	--	2
Fraud/Theft/Embezzlement	22	12	5,080	12	4	24
Immigration	10	5	25,119	3	2	41
Individual Rights	56	16	100	--	--	0
Kidnapping	183	154	146	--	--	2
Manslaughter	83	71	94	82	70	15
Money Laundering	61	30	1,368	205	180	9
Murder	286	292	405	--	--	2
National Defense	13	0	499	--	--	0
Obscenity/Other Sex Offenses	20	18	325	19	18	53
Prison Offenses	13	11	414	10	10	10
Robbery	107	90	1,249	110	109	6
Sexual Abuse	230	210	1,409	172	120	51
Stalking/Harassing	26	22	288	--	--	2
Tax	17	12	409	--	--	0
Other	2	0	1,665	9	9	3

Of the 66,662 National cases, no cases were excluded.

Of the 506 cases from the District of South Dakota, 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, 2025 Datafile, USSCFY25.

Table 8

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE¹
Fiscal Year 2025

	<u>National</u>		<u>South Dakota</u>	
	<u>N</u>	<u>%</u>	<u>N</u>	<u>%</u>
TOTAL CASES	66,036	100.0	504	100.0
SENTENCES UNDER THE GUIDELINES MANUAL	45,459	68.8	301	59.7
Within Guideline Range	33,979	51.5	277	55.0
Upward Departure ²	249	0.4	12	2.4
Downward Departure				
§5K1.1 Substantial Assistance	5,423	8.2	2	0.4
§5K3.1 Early Disposition Program	4,012	6.1	1	0.2
Other Government Motion ³	863	1.3	1	0.2
Non-Government Departure ⁴	933	1.4	8	1.6
VARIANCES	20,577	31.2	203	40.3
Upward Variance ⁵	2,890	4.4	25	5.0
Downward Variance				
Government Motion ⁶	6,338	9.6	43	8.5
Non-Government Variance ⁷	11,349	17.2	135	26.8

¹ This table reflects the 66,662 cases reported to the Commission in fiscal year 2025, 506 of which were from the District of South Dakota. Of these, 626 cases nationally and two cases from the District of South Dakota 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, 2025 Datafile, USSCFY25.

Table 9

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

Fiscal Year 2025

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		DEPARTURE								VARIANCE	
		N	%	UPWARD		\$5K1.1		\$5K3.1		DOWNWARD		N	%
				N	%	N	%	N	%	N	%		
TOTAL	66,036	33,979	51.5	249	0.4	5,423	8.2	4,012	6.1	1,796	2.7	20,577	31.2
D.C. CIRCUIT	423	175	41.4	4	0.9	46	10.9	0	0.0	12	2.8	186	44.0
District of Columbia	423	175	41.4	4	0.9	46	10.9	0	0.0	12	2.8	186	44.0
FIRST CIRCUIT	1,901	707	37.2	6	0.3	174	9.2	9	0.5	73	3.8	932	49.0
Maine	144	56	38.9	0	0.0	27	18.8	0	0.0	3	2.1	58	40.3
Massachusetts	558	159	28.5	3	0.5	55	9.9	9	1.6	28	5.0	304	54.5
New Hampshire	130	28	21.5	0	0.0	19	14.6	0	0.0	5	3.8	78	60.0
Puerto Rico	971	433	44.6	3	0.3	69	7.1	0	0.0	36	3.7	430	44.3
Rhode Island	98	31	31.6	0	0.0	4	4.1	0	0.0	1	1.0	62	63.3
SECOND CIRCUIT	2,790	879	31.5	6	0.2	481	17.2	0	0.0	110	3.9	1,314	47.1
Connecticut	260	55	21.2	2	0.8	33	12.7	0	0.0	32	12.3	138	53.1
New York													
Eastern	604	140	23.2	2	0.3	107	17.7	0	0.0	55	9.1	300	49.7
Northern	418	246	58.9	2	0.5	81	19.4	0	0.0	9	2.2	80	19.1
Southern	895	223	24.9	0	0.0	120	13.4	0	0.0	11	1.2	541	60.4
Western	403	171	42.4	0	0.0	89	22.1	0	0.0	1	0.2	142	35.2
Vermont	210	44	21.0	0	0.0	51	24.3	0	0.0	2	1.0	113	53.8
THIRD CIRCUIT	2,214	886	40.0	4	0.2	367	16.6	16	0.7	42	1.9	899	40.6
Delaware	149	93	62.4	1	0.7	9	6.0	12	8.1	1	0.7	33	22.1
New Jersey	666	194	29.1	1	0.2	138	20.7	0	0.0	2	0.3	331	49.7
Pennsylvania													
Eastern	476	197	41.4	1	0.2	88	18.5	3	0.6	8	1.7	179	37.6
Middle	408	171	41.9	0	0.0	79	19.4	1	0.2	24	5.9	133	32.6
Western	456	196	43.0	1	0.2	51	11.2	0	0.0	4	0.9	204	44.7
Virgin Islands	59	35	59.3	0	0.0	2	3.4	0	0.0	3	5.1	19	32.2
FOURTH CIRCUIT	4,125	1,928	46.7	16	0.4	529	12.8	1	0.0	64	1.6	1,587	38.5
Maryland	424	118	27.8	4	0.9	67	15.8	0	0.0	13	3.1	222	52.4
North Carolina													
Eastern	797	486	61.0	4	0.5	180	22.6	0	0.0	4	0.5	123	15.4
Middle	312	162	51.9	0	0.0	17	5.4	1	0.3	2	0.6	130	41.7
Western	351	160	45.6	2	0.6	35	10.0	0	0.0	4	1.1	150	42.7
South Carolina	589	210	35.7	2	0.3	112	19.0	0	0.0	16	2.7	249	42.3
Virginia													
Eastern	862	469	54.4	3	0.3	35	4.1	0	0.0	14	1.6	341	39.6
Western	248	75	30.2	0	0.0	46	18.5	0	0.0	5	2.0	122	49.2
West Virginia													
Northern	326	151	46.3	0	0.0	24	7.4	0	0.0	1	0.3	150	46.0
Southern	216	97	44.9	1	0.5	13	6.0	0	0.0	5	2.3	100	46.3

CIRCUIT	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		\$5K1.1		\$5K3.1		DOWNWARD			
		N	%	N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	21,432	15,403	71.9	78	0.4	823	3.8	214	1.0	489	2.3	4,425	20.6
Louisiana													
Eastern	323	204	63.2	9	2.8	28	8.7	3	0.9	3	0.9	76	23.5
Middle	94	58	61.7	0	0.0	15	16.0	0	0.0	0	0.0	21	22.3
Western	377	264	70.0	8	2.1	39	10.3	0	0.0	6	1.6	60	15.9
Mississippi													
Northern	179	93	52.0	3	1.7	23	12.8	0	0.0	4	2.2	56	31.3
Southern	378	244	64.6	0	0.0	40	10.6	0	0.0	5	1.3	89	23.5
Texas													
Eastern	1,015	605	59.6	11	1.1	66	6.5	0	0.0	10	1.0	323	31.8
Northern	1,382	937	67.8	16	1.2	127	9.2	1	0.1	13	0.9	288	20.8
Southern	7,542	5,249	69.6	27	0.4	284	3.8	198	2.6	404	5.4	1,380	18.3
Western	10,142	7,749	76.4	4	0.0	201	2.0	12	0.1	44	0.4	2,132	21.0
SIXTH CIRCUIT	4,298	1,700	39.6	19	0.4	598	13.9	11	0.3	215	5.0	1,755	40.8
Kentucky													
Eastern	390	203	52.1	3	0.8	68	17.4	0	0.0	10	2.6	106	27.2
Western	388	119	30.7	3	0.8	80	20.6	8	2.1	17	4.4	161	41.5
Michigan													
Eastern	851	365	42.9	1	0.1	51	6.0	0	0.0	31	3.6	403	47.4
Western	242	146	60.3	2	0.8	17	7.0	0	0.0	10	4.1	67	27.7
Ohio													
Northern	662	252	38.1	1	0.2	97	14.7	0	0.0	18	2.7	294	44.4
Southern	560	134	23.9	3	0.5	98	17.5	3	0.5	103	18.4	219	39.1
Tennessee													
Eastern	532	247	46.4	4	0.8	101	19.0	0	0.0	7	1.3	173	32.5
Middle	335	80	23.9	0	0.0	46	13.7	0	0.0	15	4.5	194	57.9
Western	338	154	45.6	2	0.6	40	11.8	0	0.0	4	1.2	138	40.8
SEVENTH CIRCUIT	2,111	787	37.3	5	0.2	214	10.1	0	0.0	71	3.4	1,034	49.0
Illinois													
Central	218	60	27.5	0	0.0	30	13.8	0	0.0	3	1.4	125	57.3
Northern	587	170	29.0	0	0.0	50	8.5	0	0.0	28	4.8	339	57.8
Southern	240	146	60.8	3	1.3	28	11.7	0	0.0	11	4.6	52	21.7
Indiana													
Northern	279	146	52.3	1	0.4	39	14.0	0	0.0	2	0.7	91	32.6
Southern	356	175	49.2	0	0.0	54	15.2	0	0.0	2	0.6	125	35.1
Wisconsin													
Eastern	302	57	18.9	0	0.0	13	4.3	0	0.0	2	0.7	230	76.2
Western	129	33	25.6	1	0.8	0	0.0	0	0.0	23	17.8	72	55.8
EIGHTH CIRCUIT	4,606	2,024	43.9	30	0.7	522	11.3	38	0.8	63	1.4	1,929	41.9
Arkansas													
Eastern	475	233	49.1	0	0.0	39	8.2	0	0.0	0	0.0	203	42.7
Western	162	62	38.3	0	0.0	14	8.6	1	0.6	1	0.6	84	51.9
Iowa													
Northern	313	153	48.9	9	2.9	46	14.7	0	0.0	3	1.0	102	32.6
Southern	343	134	39.1	1	0.3	27	7.9	0	0.0	2	0.6	179	52.2
Minnesota	396	137	34.6	2	0.5	52	13.1	6	1.5	23	5.8	176	44.4
Missouri													
Eastern	988	444	44.9	1	0.1	100	10.1	0	0.0	8	0.8	435	44.0
Western	668	239	35.8	1	0.1	116	17.4	0	0.0	9	1.3	303	45.4
Nebraska	432	220	50.9	1	0.2	10	2.3	26	6.0	4	0.9	171	39.6
North Dakota	325	125	38.5	3	0.9	116	35.7	4	1.2	4	1.2	73	22.5
South Dakota	504	277	55.0	12	2.4	2	0.4	1	0.2	9	1.8	203	40.3

CIRCUIT	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		\$5K1.1		\$5K3.1		DOWNWARD			
		N	%	N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	10,832	3,407	31.5	35	0.3	850	7.8	3,017	27.9	430	4.0	3,093	28.6
Alaska	137	44	32.1	1	0.7	10	7.3	0	0.0	5	3.6	77	56.2
Arizona	4,005	1,485	37.1	10	0.2	95	2.4	1,643	41.0	62	1.5	710	17.7
California													
Central	918	287	31.3	4	0.4	104	11.3	39	4.2	59	6.4	425	46.3
Eastern	471	154	32.7	3	0.6	93	19.7	9	1.9	7	1.5	205	43.5
Northern	364	43	11.8	1	0.3	44	12.1	0	0.0	15	4.1	261	71.7
Southern	2,648	726	27.4	7	0.3	129	4.9	1,273	48.1	241	9.1	272	10.3
Guam	35	15	42.9	0	0.0	9	25.7	0	0.0	0	0.0	11	31.4
Hawaii	142	38	26.8	0	0.0	49	34.5	0	0.0	0	0.0	55	38.7
Idaho	309	118	38.2	0	0.0	51	16.5	9	2.9	12	3.9	119	38.5
Montana	403	140	34.7	2	0.5	82	20.3	0	0.0	12	3.0	167	41.4
Nevada	201	36	17.9	0	0.0	7	3.5	35	17.4	7	3.5	116	57.7
Northern Mariana Islands	17	13	76.5	1	5.9	1	5.9	0	0.0	0	0.0	2	11.8
Oregon	501	103	20.6	4	0.8	97	19.4	0	0.0	4	0.8	293	58.5
Washington													
Eastern	335	101	30.1	1	0.3	73	21.8	4	1.2	5	1.5	151	45.1
Western	346	104	30.1	1	0.3	6	1.7	5	1.4	1	0.3	229	66.2
TENTH CIRCUIT	5,824	3,022	51.9	41	0.7	337	5.8	688	11.8	175	3.0	1,561	26.8
Colorado	375	106	28.3	3	0.8	77	20.5	20	5.3	6	1.6	163	43.5
Kansas	391	165	42.2	3	0.8	46	11.8	14	3.6	17	4.3	146	37.3
New Mexico	2,697	1,723	63.9	22	0.8	73	2.7	496	18.4	94	3.5	289	10.7
Oklahoma													
Eastern	256	168	65.6	2	0.8	17	6.6	0	0.0	2	0.8	67	26.2
Northern	563	319	56.7	7	1.2	51	9.1	0	0.0	32	5.7	154	27.4
Western	583	267	45.8	0	0.0	18	3.1	0	0.0	0	0.0	298	51.1
Utah	778	188	24.2	2	0.3	41	5.3	141	18.1	15	1.9	391	50.3
Wyoming	181	86	47.5	2	1.1	14	7.7	17	9.4	9	5.0	53	29.3
ELEVENTH CIRCUIT	5,480	3,061	55.9	5	0.1	482	8.8	18	0.3	52	0.9	1,862	34.0
Alabama													
Middle	263	130	49.4	0	0.0	23	8.7	1	0.4	2	0.8	107	40.7
Northern	516	339	65.7	0	0.0	57	11.0	1	0.2	4	0.8	115	22.3
Southern	299	174	58.2	0	0.0	54	18.1	5	1.7	5	1.7	61	20.4
Florida													
Middle	1,528	809	52.9	3	0.2	157	10.3	0	0.0	8	0.5	551	36.1
Northern	300	142	47.3	0	0.0	36	12.0	10	3.3	5	1.7	107	35.7
Southern	1,402	814	58.1	1	0.1	69	4.9	0	0.0	10	0.7	508	36.2
Georgia													
Middle	398	273	68.6	0	0.0	18	4.5	0	0.0	5	1.3	102	25.6
Northern	502	176	35.1	0	0.0	34	6.8	1	0.2	11	2.2	280	55.8
Southern	272	204	75.0	1	0.4	34	12.5	0	0.0	2	0.7	31	11.4

Of the 66,662 National cases, 626 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, 2025 Datafile, USSCFY25.

Table 10
SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE
BY TYPE OF CRIME
Fiscal Year 2025

National

TYPE OF CRIME	TOTAL	WITHIN GUIDELINE RANGE		DEPARTURE								VARIANCE	
				UPWARD		§5K1.1		§5K3.1		DOWNWARD			
		N	%	N	%	N	%	N	%	N	%	N	%
Total	66,036	33,979	51.5	249	0.4	5,423	8.2	4,012	6.1	1,796	2.7	20,577	31.2
Child Pornography	1,432	541	37.8	4	0.3	26	1.8	0	0.0	43	3.0	818	57.1
Drug Trafficking	16,212	4,703	29.0	46	0.3	3,162	19.5	723	4.5	569	3.5	7,009	43.2
Firearms	8,035	4,020	50.0	54	0.7	419	5.2	6	0.1	231	2.9	3,305	41.1
Fraud/Theft/Embezzlement	5,044	2,141	42.4	13	0.3	695	13.8	6	0.1	112	2.2	2,077	41.2
Immigration	24,927	17,407	69.8	44	0.2	190	0.8	3,263	13.1	481	1.9	3,542	14.2
Money Laundering	1,368	380	27.8	4	0.3	322	23.5	7	0.5	60	4.4	595	43.5
Robbery	1,248	506	40.5	13	1.0	116	9.3	0	0.0	54	4.3	559	44.8
Sex Abuse	1,408	607	43.1	16	1.1	57	4.0	1	0.1	53	3.8	674	47.9
Other Miscellaneous Offenses	6,362	3,674	57.7	55	0.9	436	6.9	6	0.1	193	3.0	1,998	31.4

South Dakota

TYPE OF CRIME	TOTAL	WITHIN GUIDELINE RANGE		DEPARTURE								VARIANCE	
				UPWARD		§5K1.1		§5K3.1		DOWNWARD			
		N	%	N	%	N	%	N	%	N	%	N	%
Total	504	277	55.0	12	2.4	2	0.4	1	0.2	9	1.8	203	40.3
Child Pornography	17	10	58.8	0	0.0	0	0.0	0	0.0	0	0.0	7	41.2
Drug Trafficking	116	55	47.4	1	0.9	1	0.9	0	0.0	1	0.9	58	50.0
Firearms	84	45	53.6	1	1.2	0	0.0	0	0.0	4	4.8	34	40.5
Fraud/Theft/Embezzlement	24	16	66.7	1	4.2	0	0.0	0	0.0	0	0.0	7	29.2
Immigration	41	33	80.5	0	0.0	0	0.0	1	2.4	0	0.0	7	17.1
Money Laundering	9	6	66.7	0	0.0	0	0.0	0	0.0	0	0.0	3	33.3
Robbery	6	4	66.7	0	0.0	0	0.0	0	0.0	0	0.0	2	33.3
Sex Abuse	51	29	56.9	1	2.0	0	0.0	0	0.0	1	2.0	20	39.2
Other Miscellaneous Offenses	156	79	50.6	8	5.1	1	0.6	0	0.0	3	1.9	65	41.7

Of the 66,662 National cases, 626 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range.

Of the 506 cases from the District of South Dakota, two cases 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, 2025 Datafile, USSCFY25.