

# **U.S. Sentencing Commission Preliminary Quarterly Data Report**



**2<sup>nd</sup> Quarter Release  
Preliminary Fiscal Year 2015 Data  
Through March 31, 2015**

## Introduction

As part of its ongoing mission, the United States Sentencing Commission provides Congress, the judiciary, the executive branch, and the general public with data extracted and analyzed from sentencing documents submitted by courts to the Commission.<sup>1</sup> Data is reported on an annual basis in the Commission's *Annual Report* and *Sourcebook of Federal Sentencing Statistics*.<sup>2</sup> After the Supreme Court's decision in *United States v. Booker* on January 12, 2005, which rendered the sentencing guidelines advisory instead of mandatory, many people expressed an interest in knowing what changes, if any, in federal sentencing practices would result. The Commission responded by reconfiguring its data collection, analysis, and reporting efforts to provide real-time data reporting from the submitted documents.

The Commission first reported data on February 10, 2005 to Congress<sup>3</sup> and began reporting data approximately monthly shortly thereafter. The types of data reported increased over time to accommodate various requests for the additional information. In March 2006, the Commission released a comprehensive report, *Final Report on the Impact of United States v. Booker on Federal Sentencing*,<sup>4</sup> based on cases sentenced one year since the *Booker* decision. Because the report included additional analyses that had not been included in the monthly reports, not all the data presented in the report was comparable with the monthly releases, which made comparing data over time difficult.

In an effort to standardize the Commission's post-*Booker* analyses and to facilitate the identification of emerging trends going forward, the Commission began generating a new set of tables and charts on a quarterly basis for public release on the Commission's website beginning with the third quarter of fiscal year 2006. These quarterly data reports are similar in format and methodology to tables and figures produced in the *Sourcebook* or in the Commission's *Booker* report. Some of the figures include data from fiscal years before the *Booker* decision to facilitate analysis of sentencing trends over time. Other figures and all of the tables contain cumulative data (*i.e.*, data from the start of the fiscal year through the most current quarter). Appendix B cross-references the quarterly table numbers and figure letters as well as the corresponding number or letter in the *Sourcebook* (if it exists in the *Sourcebook*) so that the quarterly data can

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<sup>1</sup> In each felony or Class A misdemeanor case sentenced in federal court, sentencing courts are required to submit the following documents to the Commission: the Judgment and Commitment Order, the Statement of Reasons, the plea agreement (if applicable), the indictment or other charging document, and the presentence report. See 28 U.S.C. § 994(w).

<sup>2</sup> Electronic copies of the 1995-2014 *Annual Report* and *Sourcebook of Federal Sentencing Statistics* are available at the Commission's website, [www.ussc.gov](http://www.ussc.gov).

<sup>3</sup> See [www.ussc.gov/bf.htm](http://www.ussc.gov/bf.htm) for an electronic copy of the prepared testimony of Ricardo H. Hinojosa, chair of the United States Sentencing Commission, before the Subcommittee on Crime, Terrorism, and Homeland Security, Committee on the Judiciary, United States House of Representatives, February 10, 2005.

<sup>4</sup> See [www.ussc.gov/bf.htm](http://www.ussc.gov/bf.htm) for an electronic copy of the Commission's *Final Report on the Impact of United States v. Booker on Federal Sentencing*.

be compared easily with data from prior fiscal years.<sup>5</sup> In Appendix A are descriptions of datafile and variable definitions.

Users of the quarterly releases are cautioned that the quarterly data are preliminary only and subject to change as the Commission collects, analyzes, and reports on additional cases throughout the fiscal year. When data for each new quarter is made available, the Commission will update the previous preliminary quarterly totals in the most recent release until the release of the final fiscal year data in the Commission's *Sourcebook*. For example, the data reported in the initial release for the second quarter of the fiscal year may change as the Commission receives and analyzes documents during the remaining quarters for additional cases sentenced during the second quarter.<sup>6</sup> Any subsequent changes in the quarterly data for the second quarter would be reflected initially in the subsequent quarterly releases and finally in the Commission's *Annual Report* and *Sourcebook of Federal Sentencing Statistics*. As a result, **quarterly data should not be considered final until publication of the Commission's *Annual Report* and *Sourcebook*.**

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<sup>5</sup> The Commission has tried to maintain the same table numbers and figure letters over the past several years but, due to slight differences in reporting categories between pre- and post-*Booker* time periods, the numbers and letters may not correspond exactly over time. Please refer to the table of contents for each of the prior *Sourcebook* years to determine the corresponding table number or figure letter.

<sup>6</sup> The reasons for data changes in previous quarters is due to one or more of the following reasons: the courts have up to 30 days to submit court documents to the Commission; the Commission both extracts information from the documents and screens cases through the quality control procedures and does not include any case in a data release unless it has been fully entered and reviewed; some documents are sent in later than other documents and the datafiles are then updated with the new information; the Commission receives amended court documents and updates the datafile based on the new information; the Commission matches its datafile to datafiles from the Administrative Office of the United States Courts and requests any case documents not received - a process that can only be completed after the documents have been received and the information entered into the Commission's database. For all of the above reasons, data may be excluded/included or reported differently from one quarter to another.

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**NATIONAL COMPARISON OF SENTENCE IMPOSED AND  
POSITION RELATIVE TO THE GUIDELINE RANGE<sup>1</sup>**  
**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

	N	%
<b>TOTAL CASES</b>	<b>33,686</b>	<b>100.0</b>
<b>CASES SENTENCED WITHIN GUIDELINE RANGE</b>	<b>15,749</b>	<b>46.8</b>
<b>CASES SENTENCED ABOVE GUIDELINE RANGE</b>	<b>717</b>	<b>2.1</b>
<b>DEPARTURE ABOVE GUIDELINE RANGE</b>	<b>219</b>	<b>0.7</b>
Upward Departure From Guideline Range <sup>2</sup>	173	0.5
Upward Departure With <i>Booker</i> /18 U.S.C. § 3553 <sup>3</sup>	46	0.1
<b>OTHERWISE ABOVE GUIDELINE RANGE</b>	<b>498</b>	<b>1.5</b>
Above Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 <sup>4</sup>	473	1.4
All Remaining Cases Above Guideline Range <sup>5</sup>	25	0.1
<b>GOVERNMENT SPONSORED BELOW RANGE<sup>6</sup></b>	<b>10,083</b>	<b>29.9</b>
§5K1.1 Substantial Assistance Departure	4,285	12.7
§5K3.1 Early Disposition Program Departure	3,131	9.3
Other Government Sponsored Below Range	2,667	7.9
<b>NON-GOVERNMENT SPONSORED BELOW RANGE</b>	<b>7,137</b>	<b>21.2</b>
<b>DEPARTURE BELOW GUIDELINE RANGE</b>	<b>1,009</b>	<b>3.0</b>
Downward Departure From Guideline Range <sup>2</sup>	709	2.1
Downward Departure With <i>Booker</i> /18 U.S.C. § 3553 <sup>3</sup>	300	0.9
<b>OTHERWISE BELOW GUIDELINE RANGE</b>	<b>6,128</b>	<b>18.2</b>
Below Guideline Range With <i>Booker</i> /18 U.S.C. § 3553 <sup>4</sup>	5,950	17.7
All Remaining Cases Below Guideline Range <sup>5</sup>	178	0.5

<sup>1</sup> This table reflects the 34,725 cases sentenced on or after October 1, 2014, with court documentation cumulatively received, coded, and edited at the U.S. Sentencing Commission by May 14, 2015. Of these, 1,039 cases were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup> All cases with departures in which the court did not indicate as a reason either *United States v. Booker*, 18 U.S.C. § 3553, or a factor or reason specifically prohibited in the provisions, policy statements, or commentary of the *Guidelines Manual*.

<sup>3</sup> All cases sentenced outside of the guideline range in which the court indicated both a departure (see footnote 2) and a reference to either *United States v. Booker*, 18 U.S.C. § 3553, or related factors as a reason for sentencing outside of the guideline system.

<sup>4</sup> All cases sentenced outside of the guideline range in which no departure was indicated and in which the court cited *United States v. Booker*, 18 U.S.C. § 3553, or related factors as one of the reasons for sentencing outside of the guideline system.

<sup>5</sup> All cases sentenced outside of the guideline range that could not be classified into any of the three previous outside of the range categories. This category includes cases in which no reason was provided for a sentence outside of the guideline range.

<sup>6</sup> Cases in which a reason for the sentence indicated that the prosecution initiated, proposed, or stipulated to a sentence outside of the guideline range, either pursuant to a plea agreement or as part of a non-plea negotiation with the defendant.

SOURCE: U.S. Sentencing Commission, Preliminary 2015 Datafile, USSCFY15 (October 1, 2014, through March 31, 2015).

**SENTENCES RELATIVE TO THE GUIDELINE RANGE BY CIRCUIT AND DISTRICT<sup>1</sup>**  
**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE		UPWARD DEPARTURE W/ BOOKER		ABOVE RANGE W/ BOOKER		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>33,686</b>	<b>15,749</b>	<b>46.8</b>	<b>173</b>	<b>0.5</b>	<b>46</b>	<b>0.1</b>	<b>473</b>	<b>1.4</b>	<b>25</b>	<b>0.1</b>
<b>D.C. CIRCUIT</b>	<b>130</b>	<b>31</b>	<b>23.8</b>	<b>0</b>	<b>0.0</b>	<b>1</b>	<b>0.8</b>	<b>2</b>	<b>1.5</b>	<b>0</b>	<b>0.0</b>
District of Columbia	130	31	23.8	0	0.0	1	0.8	2	1.5	0	0.0
<b>FIRST CIRCUIT</b>	<b>1,184</b>	<b>638</b>	<b>53.9</b>	<b>9</b>	<b>0.8</b>	<b>2</b>	<b>0.2</b>	<b>38</b>	<b>3.2</b>	<b>3</b>	<b>0.3</b>
Maine	110	39	35.5	0	0.0	0	0.0	0	0.0	0	0.0
Massachusetts	258	64	24.8	1	0.4	1	0.4	5	1.9	0	0.0
New Hampshire	68	31	45.6	1	1.5	0	0.0	6	8.8	0	0.0
Puerto Rico	686	490	71.4	7	1.0	1	0.1	27	3.9	3	0.4
Rhode Island	62	14	22.6	0	0.0	0	0.0	0	0.0	0	0.0
<b>SECOND CIRCUIT</b>	<b>1,881</b>	<b>531</b>	<b>28.2</b>	<b>6</b>	<b>0.3</b>	<b>0</b>	<b>0.0</b>	<b>5</b>	<b>0.3</b>	<b>3</b>	<b>0.2</b>
Connecticut	178	48	27.0	2	1.1	0	0.0	0	0.0	1	0.6
New York											
Eastern	392	80	20.4	1	0.3	0	0.0	1	0.3	1	0.3
Northern	176	93	52.8	0	0.0	0	0.0	1	0.6	0	0.0
Southern	773	181	23.4	0	0.0	0	0.0	2	0.3	1	0.1
Western	266	112	42.1	3	1.1	0	0.0	1	0.4	0	0.0
Vermont	96	17	17.7	0	0.0	0	0.0	0	0.0	0	0.0
<b>THIRD CIRCUIT</b>	<b>1,253</b>	<b>472</b>	<b>37.7</b>	<b>3</b>	<b>0.2</b>	<b>0</b>	<b>0.0</b>	<b>11</b>	<b>0.9</b>	<b>0</b>	<b>0.0</b>
Delaware	52	15	28.8	0	0.0	0	0.0	0	0.0	0	0.0
New Jersey	348	134	38.5	1	0.3	0	0.0	1	0.3	0	0.0
Pennsylvania											
Eastern	346	98	28.3	1	0.3	0	0.0	4	1.2	0	0.0
Middle	223	101	45.3	1	0.4	0	0.0	4	1.8	0	0.0
Western	259	102	39.4	0	0.0	0	0.0	2	0.8	0	0.0
Virgin Islands	25	22	88.0	0	0.0	0	0.0	0	0.0	0	0.0
<b>FOURTH CIRCUIT</b>	<b>2,881</b>	<b>1,535</b>	<b>53.3</b>	<b>18</b>	<b>0.6</b>	<b>7</b>	<b>0.2</b>	<b>48</b>	<b>1.7</b>	<b>0</b>	<b>0.0</b>
Maryland	436	131	30.0	1	0.2	1	0.2	13	3.0	0	0.0
North Carolina											
Eastern	257	122	47.5	7	2.7	3	1.2	5	1.9	0	0.0
Middle	236	145	61.4	1	0.4	1	0.4	11	4.7	0	0.0
Western	362	193	53.3	1	0.3	1	0.3	1	0.3	0	0.0
South Carolina	319	179	56.1	5	1.6	0	0.0	4	1.3	0	0.0
Virginia											
Eastern	681	462	67.8	2	0.3	0	0.0	7	1.0	0	0.0
Western	199	81	40.7	1	0.5	1	0.5	5	2.5	0	0.0
West Virginia											
Northern	253	147	58.1	0	0.0	0	0.0	2	0.8	0	0.0
Southern	138	75	54.3	0	0.0	0	0.0	0	0.0	0	0.0

Table 2 (cont.)

CIRCUIT District	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE		DOWNWARD DEPARTURE W/ BOOKER		BELOW RANGE W/ BOOKER		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>4,285</b>	<b>12.7</b>	<b>3,131</b>	<b>9.3</b>	<b>2,667</b>	<b>7.9</b>	<b>709</b>	<b>2.1</b>	<b>300</b>	<b>0.9</b>	<b>5,950</b>	<b>17.7</b>	<b>178</b>	<b>0.5</b>
<b>D.C. CIRCUIT</b>	<b>39</b>	<b>30.0</b>	<b>2</b>	<b>1.5</b>	<b>18</b>	<b>13.8</b>	<b>4</b>	<b>3.1</b>	<b>8</b>	<b>6.2</b>	<b>23</b>	<b>17.7</b>	<b>2</b>	<b>1.5</b>
District of Columbia	39	30.0	2	1.5	18	13.8	4	3.1	8	6.2	23	17.7	2	1.5
<b>FIRST CIRCUIT</b>	<b>108</b>	<b>9.1</b>	<b>11</b>	<b>0.9</b>	<b>149</b>	<b>12.6</b>	<b>27</b>	<b>2.3</b>	<b>10</b>	<b>0.8</b>	<b>175</b>	<b>14.8</b>	<b>14</b>	<b>1.2</b>
Maine	26	23.6	0	0.0	5	4.5	4	3.6	3	2.7	33	30.0	0	0.0
Massachusetts	37	14.3	5	1.9	66	25.6	6	2.3	4	1.6	68	26.4	1	0.4
New Hampshire	9	13.2	0	0.0	7	10.3	1	1.5	1	1.5	12	17.6	0	0.0
Puerto Rico	33	4.8	6	0.9	40	5.8	16	2.3	2	0.3	48	7.0	13	1.9
Rhode Island	3	4.8	0	0.0	31	50.0	0	0.0	0	0.0	14	22.6	0	0.0
<b>SECOND CIRCUIT</b>	<b>402</b>	<b>21.4</b>	<b>53</b>	<b>2.8</b>	<b>83</b>	<b>4.4</b>	<b>45</b>	<b>2.4</b>	<b>30</b>	<b>1.6</b>	<b>714</b>	<b>38.0</b>	<b>9</b>	<b>0.5</b>
Connecticut	24	13.5	1	0.6	17	9.6	13	7.3	3	1.7	69	38.8	0	0.0
New York														
Eastern	90	23.0	36	9.2	25	6.4	18	4.6	10	2.6	128	32.7	2	0.5
Northern	41	23.3	1	0.6	5	2.8	1	0.6	3	1.7	30	17.0	1	0.6
Southern	148	19.1	15	1.9	8	1.0	10	1.3	10	1.3	394	51.0	4	0.5
Western	74	27.8	0	0.0	17	6.4	0	0.0	1	0.4	56	21.1	2	0.8
Vermont	25	26.0	0	0.0	11	11.5	3	3.1	3	3.1	37	38.5	0	0.0
<b>THIRD CIRCUIT</b>	<b>336</b>	<b>26.8</b>	<b>9</b>	<b>0.7</b>	<b>87</b>	<b>6.9</b>	<b>16</b>	<b>1.3</b>	<b>14</b>	<b>1.1</b>	<b>292</b>	<b>23.3</b>	<b>13</b>	<b>1.0</b>
Delaware	11	21.2	0	0.0	5	9.6	0	0.0	1	1.9	20	38.5	0	0.0
New Jersey	93	26.7	3	0.9	25	7.2	3	0.9	6	1.7	79	22.7	3	0.9
Pennsylvania														
Eastern	123	35.5	1	0.3	21	6.1	2	0.6	1	0.3	87	25.1	8	2.3
Middle	46	20.6	5	2.2	10	4.5	7	3.1	2	0.9	46	20.6	1	0.4
Western	60	23.2	0	0.0	26	10.0	4	1.5	4	1.5	60	23.2	1	0.4
Virgin Islands	3	12.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
<b>FOURTH CIRCUIT</b>	<b>468</b>	<b>16.2</b>	<b>5</b>	<b>0.2</b>	<b>205</b>	<b>7.1</b>	<b>43</b>	<b>1.5</b>	<b>27</b>	<b>0.9</b>	<b>511</b>	<b>17.7</b>	<b>14</b>	<b>0.5</b>
Maryland	124	28.4	0	0.0	77	17.7	6	1.4	9	2.1	72	16.5	2	0.5
North Carolina														
Eastern	76	29.6	0	0.0	3	1.2	2	0.8	1	0.4	37	14.4	1	0.4
Middle	24	10.2	0	0.0	4	1.7	1	0.4	1	0.4	48	20.3	0	0.0
Western	79	21.8	0	0.0	17	4.7	4	1.1	1	0.3	64	17.7	1	0.3
South Carolina	54	16.9	1	0.3	28	8.8	3	0.9	3	0.9	42	13.2	0	0.0
Virginia														
Eastern	28	4.1	1	0.1	25	3.7	20	2.9	3	0.4	125	18.4	8	1.2
Western	44	22.1	0	0.0	29	14.6	7	3.5	6	3.0	24	12.1	1	0.5
West Virginia														
Northern	23	9.1	1	0.4	21	8.3	0	0.0	2	0.8	57	22.5	0	0.0
Southern	16	11.6	2	1.4	1	0.7	0	0.0	1	0.7	42	30.4	1	0.7

Table 2 (cont.)

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE		UPWARD DEPARTURE W/ BOOKER		ABOVE RANGE W/ BOOKER		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
<b>FIFTH CIRCUIT</b>	<b>7,831</b>	<b>4,951</b>	<b>63.2</b>	<b>54</b>	<b>0.7</b>	<b>15</b>	<b>0.2</b>	<b>144</b>	<b>1.8</b>	<b>6</b>	<b>0.1</b>
Louisiana											
Eastern	208	120	57.7	1	0.5	0	0.0	10	4.8	0	0.0
Middle	80	37	46.3	0	0.0	0	0.0	0	0.0	0	0.0
Western	104	63	60.6	3	2.9	0	0.0	5	4.8	2	1.9
Mississippi											
Northern	79	39	49.4	1	1.3	0	0.0	3	3.8	0	0.0
Southern	131	82	62.6	3	2.3	0	0.0	4	3.1	0	0.0
Texas											
Eastern	490	286	58.4	8	1.6	0	0.0	9	1.8	0	0.0
Northern	689	406	58.9	6	0.9	7	1.0	19	2.8	0	0.0
Southern	3,001	1,700	56.6	26	0.9	8	0.3	28	0.9	3	0.1
Western	3,049	2,218	72.7	6	0.2	0	0.0	66	2.2	1	0.0
<b>SIXTH CIRCUIT</b>	<b>2,422</b>	<b>1,072</b>	<b>44.3</b>	<b>9</b>	<b>0.4</b>	<b>2</b>	<b>0.1</b>	<b>29</b>	<b>1.2</b>	<b>0</b>	<b>0.0</b>
Kentucky											
Eastern	300	173	57.7	0	0.0	0	0.0	5	1.7	0	0.0
Western	153	71	46.4	2	1.3	0	0.0	2	1.3	0	0.0
Michigan											
Eastern	392	180	45.9	1	0.3	0	0.0	4	1.0	0	0.0
Western	194	109	56.2	3	1.5	1	0.5	5	2.6	0	0.0
Ohio											
Northern	340	140	41.2	0	0.0	0	0.0	1	0.3	0	0.0
Southern	299	91	30.4	0	0.0	0	0.0	4	1.3	0	0.0
Tennessee											
Eastern	364	183	50.3	1	0.3	0	0.0	2	0.5	0	0.0
Middle	122	38	31.1	1	0.8	0	0.0	2	1.6	0	0.0
Western	258	87	33.7	1	0.4	1	0.4	4	1.6	0	0.0
<b>SEVENTH CIRCUIT</b>	<b>1,239</b>	<b>467</b>	<b>37.7</b>	<b>1</b>	<b>0.1</b>	<b>5</b>	<b>0.4</b>	<b>18</b>	<b>1.5</b>	<b>3</b>	<b>0.2</b>
Illinois											
Central	175	80	45.7	0	0.0	0	0.0	3	1.7	0	0.0
Northern	354	94	26.6	0	0.0	2	0.6	4	1.1	1	0.3
Southern	214	134	62.6	0	0.0	3	1.4	1	0.5	1	0.5
Indiana											
Northern	142	60	42.3	0	0.0	0	0.0	2	1.4	0	0.0
Southern	167	51	30.5	0	0.0	0	0.0	5	3.0	1	0.6
Wisconsin											
Eastern	127	28	22.0	0	0.0	0	0.0	3	2.4	0	0.0
Western	60	20	33.3	1	1.7	0	0.0	0	0.0	0	0.0
<b>EIGHTH CIRCUIT</b>	<b>2,186</b>	<b>972</b>	<b>44.5</b>	<b>12</b>	<b>0.5</b>	<b>2</b>	<b>0.1</b>	<b>53</b>	<b>2.4</b>	<b>0</b>	<b>0.0</b>
Arkansas											
Eastern	151	76	50.3	0	0.0	0	0.0	4	2.6	0	0.0
Western	166	83	50.0	0	0.0	0	0.0	3	1.8	0	0.0
Iowa											
Northern	182	106	58.2	8	4.4	0	0.0	7	3.8	0	0.0
Southern	160	52	32.5	0	0.0	0	0.0	2	1.3	0	0.0
Minnesota	145	46	31.7	1	0.7	1	0.7	5	3.4	0	0.0
Missouri											
Eastern	288	112	38.9	0	0.0	1	0.3	5	1.7	0	0.0
Western	406	163	40.1	2	0.5	0	0.0	18	4.4	0	0.0
Nebraska	278	128	46.0	0	0.0	0	0.0	4	1.4	0	0.0
North Dakota	207	94	45.4	0	0.0	0	0.0	2	1.0	0	0.0
South Dakota	203	112	55.2	1	0.5	0	0.0	3	1.5	0	0.0

Table 2 (cont.)

CIRCUIT District	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE		DOWNWARD DEPARTURE W/ BOOKER		BELOW RANGE W/ BOOKER		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
<b>FIFTH CIRCUIT</b>	<b>664</b>	<b>8.5</b>	<b>353</b>	<b>4.5</b>	<b>293</b>	<b>3.7</b>	<b>341</b>	<b>4.4</b>	<b>24</b>	<b>0.3</b>	<b>934</b>	<b>11.9</b>	<b>52</b>	<b>0.7</b>
Louisiana														
Eastern	27	13.0	0	0.0	2	1.0	1	0.5	2	1.0	42	20.2	3	1.4
Middle	15	18.8	0	0.0	1	1.3	0	0.0	0	0.0	27	33.8	0	0.0
Western	12	11.5	0	0.0	0	0.0	1	1.0	0	0.0	18	17.3	0	0.0
Mississippi														
Northern	18	22.8	1	1.3	2	2.5	0	0.0	0	0.0	15	19.0	0	0.0
Southern	20	15.3	0	0.0	1	0.8	0	0.0	0	0.0	21	16.0	0	0.0
Texas														
Eastern	43	8.8	3	0.6	96	19.6	2	0.4	2	0.4	39	8.0	2	0.4
Northern	96	13.9	0	0.0	22	3.2	3	0.4	2	0.3	127	18.4	1	0.1
Southern	233	7.8	280	9.3	104	3.5	267	8.9	10	0.3	341	11.4	1	0.0
Western	200	6.6	69	2.3	65	2.1	67	2.2	8	0.3	304	10.0	45	1.5
<b>SIXTH CIRCUIT</b>	<b>496</b>	<b>20.5</b>	<b>7</b>	<b>0.3</b>	<b>227</b>	<b>9.4</b>	<b>26</b>	<b>1.1</b>	<b>35</b>	<b>1.4</b>	<b>512</b>	<b>21.1</b>	<b>7</b>	<b>0.3</b>
Kentucky														
Eastern	33	11.0	0	0.0	12	4.0	1	0.3	0	0.0	76	25.3	0	0.0
Western	35	22.9	4	2.6	25	16.3	1	0.7	1	0.7	11	7.2	1	0.7
Michigan														
Eastern	58	14.8	0	0.0	20	5.1	3	0.8	5	1.3	121	30.9	0	0.0
Western	22	11.3	0	0.0	1	0.5	4	2.1	9	4.6	40	20.6	0	0.0
Ohio														
Northern	87	25.6	0	0.0	20	5.9	5	1.5	3	0.9	83	24.4	1	0.3
Southern	57	19.1	2	0.7	76	25.4	6	2.0	11	3.7	50	16.7	2	0.7
Tennessee														
Eastern	119	32.7	0	0.0	17	4.7	2	0.5	1	0.3	39	10.7	0	0.0
Middle	29	23.8	0	0.0	33	27.0	2	1.6	4	3.3	13	10.7	0	0.0
Western	56	21.7	1	0.4	23	8.9	2	0.8	1	0.4	79	30.6	3	1.2
<b>SEVENTH CIRCUIT</b>	<b>193</b>	<b>15.6</b>	<b>5</b>	<b>0.4</b>	<b>90</b>	<b>7.3</b>	<b>32</b>	<b>2.6</b>	<b>50</b>	<b>4.0</b>	<b>365</b>	<b>29.5</b>	<b>10</b>	<b>0.8</b>
Illinois														
Central	23	13.1	0	0.0	19	10.9	3	1.7	2	1.1	44	25.1	1	0.6
Northern	53	15.0	5	1.4	9	2.5	9	2.5	26	7.3	142	40.1	9	2.5
Southern	28	13.1	0	0.0	10	4.7	4	1.9	11	5.1	22	10.3	0	0.0
Indiana														
Northern	28	19.7	0	0.0	10	7.0	2	1.4	4	2.8	36	25.4	0	0.0
Southern	39	23.4	0	0.0	17	10.2	3	1.8	1	0.6	50	29.9	0	0.0
Wisconsin														
Eastern	21	16.5	0	0.0	22	17.3	0	0.0	0	0.0	53	41.7	0	0.0
Western	1	1.7	0	0.0	3	5.0	11	18.3	6	10.0	18	30.0	0	0.0
<b>EIGHTH CIRCUIT</b>	<b>336</b>	<b>15.4</b>	<b>35</b>	<b>1.6</b>	<b>195</b>	<b>8.9</b>	<b>22</b>	<b>1.0</b>	<b>15</b>	<b>0.7</b>	<b>530</b>	<b>24.2</b>	<b>14</b>	<b>0.6</b>
Arkansas														
Eastern	21	13.9	0	0.0	5	3.3	0	0.0	2	1.3	41	27.2	2	1.3
Western	24	14.5	1	0.6	7	4.2	0	0.0	0	0.0	47	28.3	1	0.6
Iowa														
Northern	39	21.4	0	0.0	2	1.1	1	0.5	0	0.0	18	9.9	1	0.5
Southern	33	20.6	0	0.0	31	19.4	0	0.0	2	1.3	39	24.4	1	0.6
Minnesota	15	10.3	0	0.0	3	2.1	2	1.4	2	1.4	68	46.9	2	1.4
Missouri														
Eastern	39	13.5	0	0.0	37	12.8	0	0.0	3	1.0	90	31.3	1	0.3
Western	87	21.4	0	0.0	44	10.8	1	0.2	1	0.2	90	22.2	0	0.0
Nebraska	18	6.5	24	8.6	27	9.7	5	1.8	2	0.7	64	23.0	6	2.2
North Dakota	52	25.1	10	4.8	14	6.8	3	1.4	2	1.0	30	14.5	0	0.0
South Dakota	8	3.9	0	0.0	25	12.3	10	4.9	1	0.5	43	21.2	0	0.0

Table 2 (cont.)

CIRCUIT District	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE		UPWARD DEPARTURE W/ BOOKER		ABOVE RANGE W/ BOOKER		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
<b>NINTH CIRCUIT</b>	<b>6,442</b>	<b>1,732</b>	<b>26.9</b>	<b>44</b>	<b>0.7</b>	<b>6</b>	<b>0.1</b>	<b>49</b>	<b>0.8</b>	<b>1</b>	<b>0.0</b>
Alaska	78	25	32.1	0	0.0	0	0.0	2	2.6	0	0.0
Arizona	2,022	551	27.3	31	1.5	1	0.0	8	0.4	1	0.0
California											
Central	562	144	25.6	4	0.7	0	0.0	3	0.5	0	0.0
Eastern	385	144	37.4	3	0.8	0	0.0	5	1.3	0	0.0
Northern	288	106	36.8	0	0.0	1	0.3	5	1.7	0	0.0
Southern	1,719	228	13.3	2	0.1	0	0.0	4	0.2	0	0.0
Guam	29	16	55.2	0	0.0	0	0.0	0	0.0	0	0.0
Hawaii	130	47	36.2	0	0.0	0	0.0	0	0.0	0	0.0
Idaho	119	47	39.5	0	0.0	1	0.8	0	0.0	0	0.0
Montana	188	77	41.0	0	0.0	0	0.0	1	0.5	0	0.0
Nevada	265	135	50.9	1	0.4	0	0.0	6	2.3	0	0.0
Northern Mariana Islands	5	3	60.0	0	0.0	0	0.0	0	0.0	0	0.0
Oregon	252	84	33.3	0	0.0	0	0.0	7	2.8	0	0.0
Washington											
Eastern	175	51	29.1	3	1.7	1	0.6	5	2.9	0	0.0
Western	225	74	32.9	0	0.0	2	0.9	3	1.3	0	0.0
<b>TENTH CIRCUIT</b>	<b>3,218</b>	<b>1,716</b>	<b>53.3</b>	<b>15</b>	<b>0.5</b>	<b>2</b>	<b>0.1</b>	<b>18</b>	<b>0.6</b>	<b>1</b>	<b>0.0</b>
Colorado	171	61	35.7	0	0.0	0	0.0	3	1.8	1	0.6
Kansas	307	110	35.8	1	0.3	0	0.0	4	1.3	0	0.0
New Mexico	2,031	1,249	61.5	7	0.3	1	0.0	3	0.1	0	0.0
Oklahoma											
Eastern	43	25	58.1	0	0.0	0	0.0	0	0.0	0	0.0
Northern	89	35	39.3	0	0.0	0	0.0	0	0.0	0	0.0
Western	162	88	54.3	0	0.0	0	0.0	4	2.5	0	0.0
Utah	266	86	32.3	6	2.3	1	0.4	1	0.4	0	0.0
Wyoming	149	62	41.6	1	0.7	0	0.0	3	2.0	0	0.0
<b>ELEVENTH CIRCUIT</b>	<b>3,019</b>	<b>1,632</b>	<b>54.1</b>	<b>2</b>	<b>0.1</b>	<b>4</b>	<b>0.1</b>	<b>58</b>	<b>1.9</b>	<b>8</b>	<b>0.3</b>
Alabama											
Middle	105	55	52.4	0	0.0	3	2.9	7	6.7	2	1.9
Northern	173	90	52.0	0	0.0	0	0.0	5	2.9	1	0.6
Southern	176	104	59.1	0	0.0	0	0.0	0	0.0	0	0.0
Florida											
Middle	674	285	42.3	0	0.0	0	0.0	11	1.6	1	0.1
Northern	105	61	58.1	0	0.0	1	1.0	1	1.0	0	0.0
Southern	1,047	623	59.5	1	0.1	0	0.0	15	1.4	3	0.3
Georgia											
Middle	175	133	76.0	0	0.0	0	0.0	8	4.6	0	0.0
Northern	327	126	38.5	1	0.3	0	0.0	7	2.1	1	0.3
Southern	237	155	65.4	0	0.0	0	0.0	4	1.7	0	0.0

Table 2 (cont.)

CIRCUIT District	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE		DOWNWARD DEPARTURE W/ BOOKER		BELOW RANGE W/ BOOKER		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
<b>NINTH CIRCUIT</b>	<b>660</b>	<b>10.2</b>	<b>2,051</b>	<b>31.8</b>	<b>851</b>	<b>13.2</b>	<b>102</b>	<b>1.6</b>	<b>49</b>	<b>0.8</b>	<b>866</b>	<b>13.4</b>	<b>31</b>	<b>0.5</b>
Alaska	11	14.1	0	0.0	13	16.7	1	1.3	0	0.0	26	33.3	0	0.0
Arizona	98	4.8	837	41.4	245	12.1	9	0.4	2	0.1	238	11.8	1	0.0
California														
Central	98	17.4	50	8.9	92	16.4	28	5.0	22	3.9	101	18.0	20	3.6
Eastern	79	20.5	49	12.7	43	11.2	2	0.5	2	0.5	57	14.8	1	0.3
Northern	32	11.1	9	3.1	70	24.3	2	0.7	3	1.0	60	20.8	0	0.0
Southern	116	6.7	1,059	61.6	109	6.3	51	3.0	9	0.5	132	7.7	9	0.5
Guam	11	37.9	0	0.0	1	3.4	0	0.0	0	0.0	1	3.4	0	0.0
Hawaii	50	38.5	0	0.0	5	3.8	1	0.8	1	0.8	26	20.0	0	0.0
Idaho	42	35.3	8	6.7	3	2.5	0	0.0	0	0.0	18	15.1	0	0.0
Montana	31	16.5	0	0.0	13	6.9	0	0.0	0	0.0	66	35.1	0	0.0
Nevada	25	9.4	6	2.3	41	15.5	3	1.1	6	2.3	42	15.8	0	0.0
Northern Mariana Islands	2	40.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Oregon	37	14.7	2	0.8	80	31.7	2	0.8	2	0.8	38	15.1	0	0.0
Washington														
Eastern	14	8.0	18	10.3	60	34.3	3	1.7	0	0.0	20	11.4	0	0.0
Western	14	6.2	13	5.8	76	33.8	0	0.0	2	0.9	41	18.2	0	0.0
<b>TENTH CIRCUIT</b>	<b>204</b>	<b>6.3</b>	<b>578</b>	<b>18.0</b>	<b>281</b>	<b>8.7</b>	<b>24</b>	<b>0.7</b>	<b>17</b>	<b>0.5</b>	<b>355</b>	<b>11.0</b>	<b>7</b>	<b>0.2</b>
Colorado	29	17.0	8	4.7	28	16.4	1	0.6	1	0.6	39	22.8	0	0.0
Kansas	84	27.4	12	3.9	58	18.9	2	0.7	0	0.0	35	11.4	1	0.3
New Mexico	21	1.0	471	23.2	120	5.9	14	0.7	14	0.7	128	6.3	3	0.1
Oklahoma														
Eastern	8	18.6	0	0.0	4	9.3	0	0.0	0	0.0	6	14.0	0	0.0
Northern	15	16.9	0	0.0	6	6.7	2	2.2	1	1.1	30	33.7	0	0.0
Western	13	8.0	0	0.0	2	1.2	3	1.9	0	0.0	52	32.1	0	0.0
Utah	8	3.0	76	28.6	43	16.2	1	0.4	0	0.0	41	15.4	3	1.1
Wyoming	26	17.4	11	7.4	20	13.4	1	0.7	1	0.7	24	16.1	0	0.0
<b>ELEVENTH CIRCUIT</b>	<b>379</b>	<b>12.6</b>	<b>22</b>	<b>0.7</b>	<b>188</b>	<b>6.2</b>	<b>27</b>	<b>0.9</b>	<b>21</b>	<b>0.7</b>	<b>673</b>	<b>22.3</b>	<b>5</b>	<b>0.2</b>
Alabama														
Middle	14	13.3	0	0.0	6	5.7	1	1.0	0	0.0	17	16.2	0	0.0
Northern	43	24.9	0	0.0	2	1.2	1	0.6	0	0.0	31	17.9	0	0.0
Southern	18	10.2	0	0.0	1	0.6	2	1.1	0	0.0	51	29.0	0	0.0
Florida														
Middle	123	18.2	14	2.1	21	3.1	8	1.2	8	1.2	202	30.0	1	0.1
Northern	16	15.2	2	1.9	1	1.0	1	1.0	0	0.0	22	21.0	0	0.0
Southern	83	7.9	5	0.5	50	4.8	4	0.4	9	0.9	250	23.9	4	0.4
Georgia														
Middle	19	10.9	1	0.6	1	0.6	2	1.1	0	0.0	11	6.3	0	0.0
Northern	37	11.3	0	0.0	98	30.0	8	2.4	4	1.2	45	13.8	0	0.0
Southern	26	11.0	0	0.0	8	3.4	0	0.0	0	0.0	44	18.6	0	0.0

<sup>1</sup> Of the 34,725 cases, 1,039 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. The information needed to determine the relationship between the sentence imposed and the guideline range was missing in five percent or more of the cases received from: Arizona (27.6%), Eastern North Carolina (11.4%), and Western Louisiana (8.0%). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2015 Datafile, USSCFY15 (October 1, 2014, through March 31, 2015).

Table 3

**SENTENCES RELATIVE TO THE GUIDELINE RANGE  
BY EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

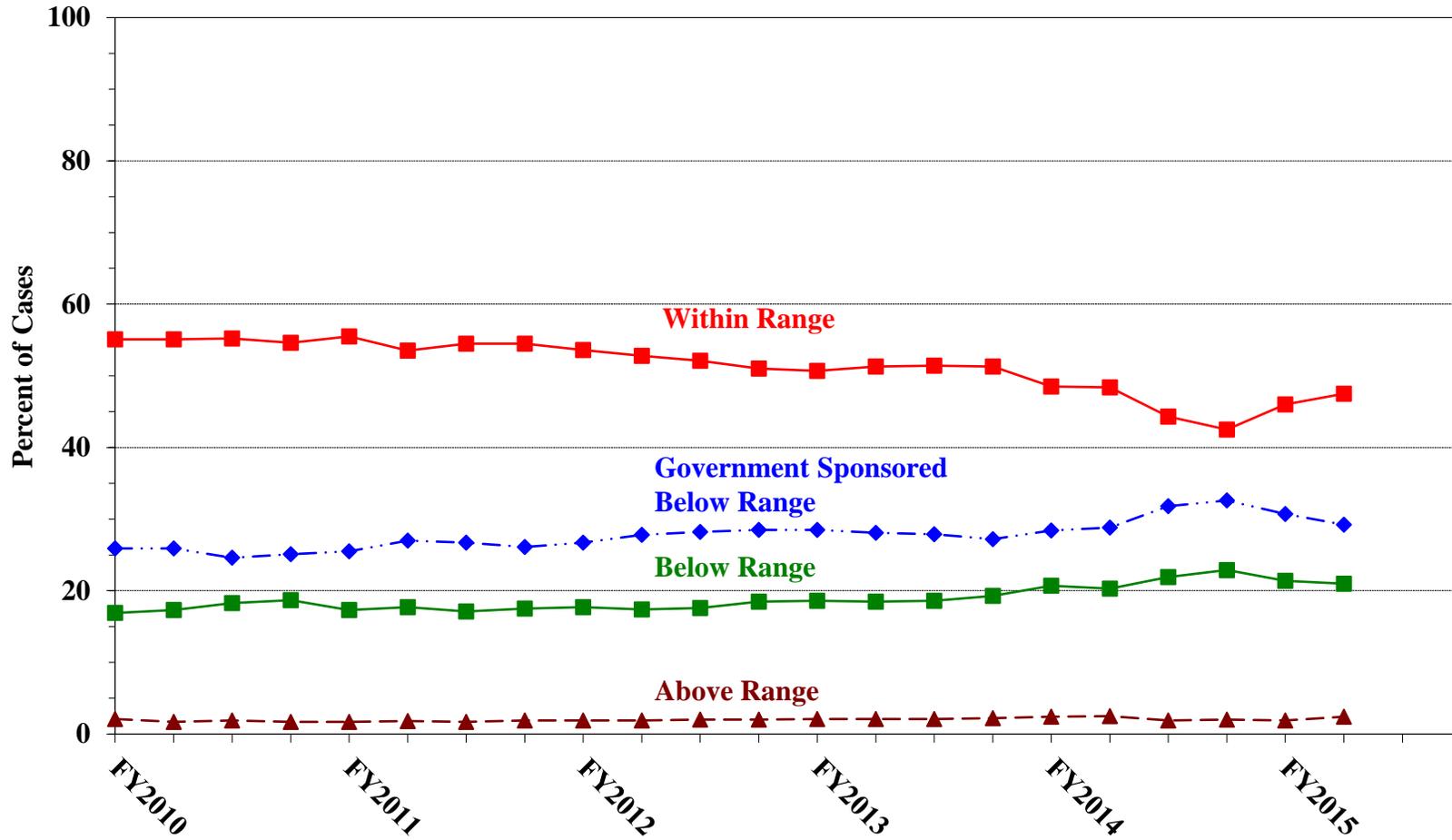
PRIMARY OFFENSE	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURES		UPWARD DEPARTURES W/ BOOKER		ABOVE RANGE W/ BOOKER		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>33,686</b>	<b>15,749</b>	<b>46.8</b>	<b>173</b>	<b>0.5</b>	<b>46</b>	<b>0.1</b>	<b>473</b>	<b>1.4</b>	<b>25</b>	<b>0.1</b>
Murder	50	26	52.0	2	4.0	0	0.0	0	0.0	0	0.0
Manslaughter	26	11	42.3	5	19.2	1	3.8	4	15.4	0	0.0
Kidnapping/Hostage Taking	22	5	22.7	0	0.0	1	4.5	1	4.5	2	9.1
Sexual Abuse	263	122	46.4	5	1.9	1	0.4	8	3.0	0	0.0
Assault	350	196	56.0	8	2.3	2	0.6	17	4.9	0	0.0
Robbery	359	179	49.9	7	1.9	3	0.8	11	3.1	0	0.0
Arson	29	10	34.5	1	3.4	0	0.0	3	10.3	0	0.0
Drugs - Trafficking	10,068	3,412	33.9	23	0.2	6	0.1	77	0.8	4	0.0
Drugs - Communication Facility	142	62	43.7	0	0.0	0	0.0	3	2.1	0	0.0
Drugs - Simple Possession	223	214	96.0	0	0.0	0	0.0	3	1.3	0	0.0
Firearms	3,483	1,831	52.6	44	1.3	10	0.3	110	3.2	9	0.3
Burglary/B&E	14	5	35.7	1	7.1	0	0.0	2	14.3	0	0.0
Auto Theft	27	17	63.0	0	0.0	0	0.0	1	3.7	0	0.0
Larceny	431	243	56.4	1	0.2	0	0.0	5	1.2	0	0.0
Fraud	3,468	1,395	40.2	10	0.3	4	0.1	45	1.3	5	0.1
Embezzlement	141	74	52.5	0	0.0	0	0.0	1	0.7	0	0.0
Forgery/Counterfeiting	250	149	59.6	1	0.4	0	0.0	8	3.2	1	0.4
Bribery	84	26	31.0	0	0.0	0	0.0	0	0.0	0	0.0
Tax	288	80	27.8	1	0.3	0	0.0	3	1.0	0	0.0
Money Laundering	339	98	28.9	2	0.6	0	0.0	1	0.3	0	0.0
Racketeering/Extortion	478	172	36.0	1	0.2	0	0.0	5	1.0	0	0.0
Gambling/Lottery	51	28	54.9	0	0.0	0	0.0	1	2.0	0	0.0
Civil Rights	29	6	20.7	0	0.0	0	0.0	0	0.0	0	0.0
Immigration	10,124	5,825	57.5	48	0.5	8	0.1	112	1.1	3	0.0
Child Pornography	920	288	31.3	1	0.1	2	0.2	15	1.6	0	0.0
Prison Offenses	219	151	68.9	0	0.0	1	0.5	8	3.7	0	0.0
Administration of Justice Offenses	552	303	54.9	7	1.3	5	0.9	17	3.1	0	0.0
Environmental/Wildlife	69	23	33.3	0	0.0	1	1.4	0	0.0	0	0.0
National Defense	48	10	20.8	0	0.0	0	0.0	0	0.0	0	0.0
Antitrust	12	1	8.3	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	68	45	66.2	3	4.4	0	0.0	1	1.5	0	0.0
Other Miscellaneous Offenses	1,059	742	70.1	2	0.2	1	0.1	11	1.0	1	0.1

Table 3 (cont.)

PRIMARY OFFENSE	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		BELOW DOWNWARD DEPARTURE		DOWNWARD DEPARTURE W/ BOOKER		BELOW RANGE W/ BOOKER		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
	<hr/>													
<b>TOTAL</b>	<b>4,285</b>	<b>12.7</b>	<b>3,131</b>	<b>9.3</b>	<b>2,667</b>	<b>7.9</b>	<b>709</b>	<b>2.1</b>	<b>300</b>	<b>0.9</b>	<b>5,950</b>	<b>17.7</b>	<b>178</b>	<b>0.5</b>
Murder	11	22.0	0	0.0	7	14.0	0	0.0	0	0.0	4	8.0	0	0.0
Manslaughter	0	0.0	0	0.0	2	7.7	0	0.0	0	0.0	3	11.5	0	0.0
Kidnapping/Hostage Taking	5	22.7	0	0.0	2	9.1	0	0.0	0	0.0	6	27.3	0	0.0
Sexual Abuse	26	9.9	0	0.0	47	17.9	3	1.1	3	1.1	48	18.3	0	0.0
Assault	3	0.9	1	0.3	52	14.9	5	1.4	6	1.7	57	16.3	3	0.9
Robbery	42	11.7	1	0.3	32	8.9	6	1.7	6	1.7	71	19.8	1	0.3
Arson	10	34.5	0	0.0	4	13.8	0	0.0	0	0.0	1	3.4	0	0.0
Drugs - Trafficking	2,543	25.3	643	6.4	1,102	10.9	144	1.4	115	1.1	1,958	19.4	41	0.4
Drugs - Communication Facility	21	14.8	1	0.7	17	12.0	1	0.7	2	1.4	32	22.5	3	2.1
Drugs - Simple Possession	0	0.0	2	0.9	2	0.9	0	0.0	0	0.0	1	0.4	1	0.4
Firearms	360	10.3	5	0.1	319	9.2	62	1.8	27	0.8	691	19.8	15	0.4
Burglary/B&E	2	14.3	0	0.0	0	0.0	0	0.0	0	0.0	4	28.6	0	0.0
Auto Theft	3	11.1	0	0.0	1	3.7	1	3.7	0	0.0	3	11.1	1	3.7
Larceny	30	7.0	0	0.0	38	8.8	7	1.6	5	1.2	100	23.2	2	0.5
Fraud	660	19.0	1	0.0	285	8.2	57	1.6	42	1.2	930	26.8	34	1.0
Embezzlement	10	7.1	1	0.7	8	5.7	4	2.8	0	0.0	43	30.5	0	0.0
Forgery/Counterfeiting	17	6.8	0	0.0	14	5.6	5	2.0	3	1.2	50	20.0	2	0.8
Bribery	23	27.4	1	1.2	10	11.9	2	2.4	1	1.2	21	25.0	0	0.0
Tax	38	13.2	0	0.0	30	10.4	11	3.8	9	3.1	112	38.9	4	1.4
Money Laundering	79	23.3	0	0.0	48	14.2	9	2.7	4	1.2	97	28.6	1	0.3
Racketeering/Extortion	94	19.7	0	0.0	74	15.5	11	2.3	8	1.7	109	22.8	4	0.8
Gambling/Lottery	6	11.8	1	2.0	6	11.8	0	0.0	0	0.0	9	17.6	0	0.0
Civil Rights	3	10.3	0	0.0	6	20.7	1	3.4	0	0.0	13	44.8	0	0.0
Immigration	130	1.3	2,473	24.4	210	2.1	343	3.4	33	0.3	891	8.8	48	0.5
Child Pornography	36	3.9	0	0.0	184	20.0	12	1.3	16	1.7	361	39.2	5	0.5
Prison Offenses	5	2.3	0	0.0	22	10.0	1	0.5	1	0.5	30	13.7	0	0.0
Administration of Justice Offenses	36	6.5	1	0.2	51	9.2	8	1.4	3	0.5	121	21.9	0	0.0
Environmental/Wildlife	11	15.9	0	0.0	7	10.1	0	0.0	1	1.4	24	34.8	2	2.9
National Defense	18	37.5	0	0.0	5	10.4	2	4.2	0	0.0	13	27.1	0	0.0
Antitrust	9	75.0	0	0.0	2	16.7	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	6	8.8	0	0.0	3	4.4	2	2.9	4	5.9	3	4.4	1	1.5
Other Miscellaneous Offenses	48	4.5	0	0.0	77	7.3	12	1.1	11	1.0	144	13.6	10	0.9

<sup>1</sup> Of the 34,725 cases, 1,039 were excluded because information that was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

**Figure A**  
**QUARTERLY DATA FOR WITHIN RANGE AND OUT OF RANGE SENTENCES<sup>1</sup>**  
**Fiscal Years 2010 - 2014,**  
**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

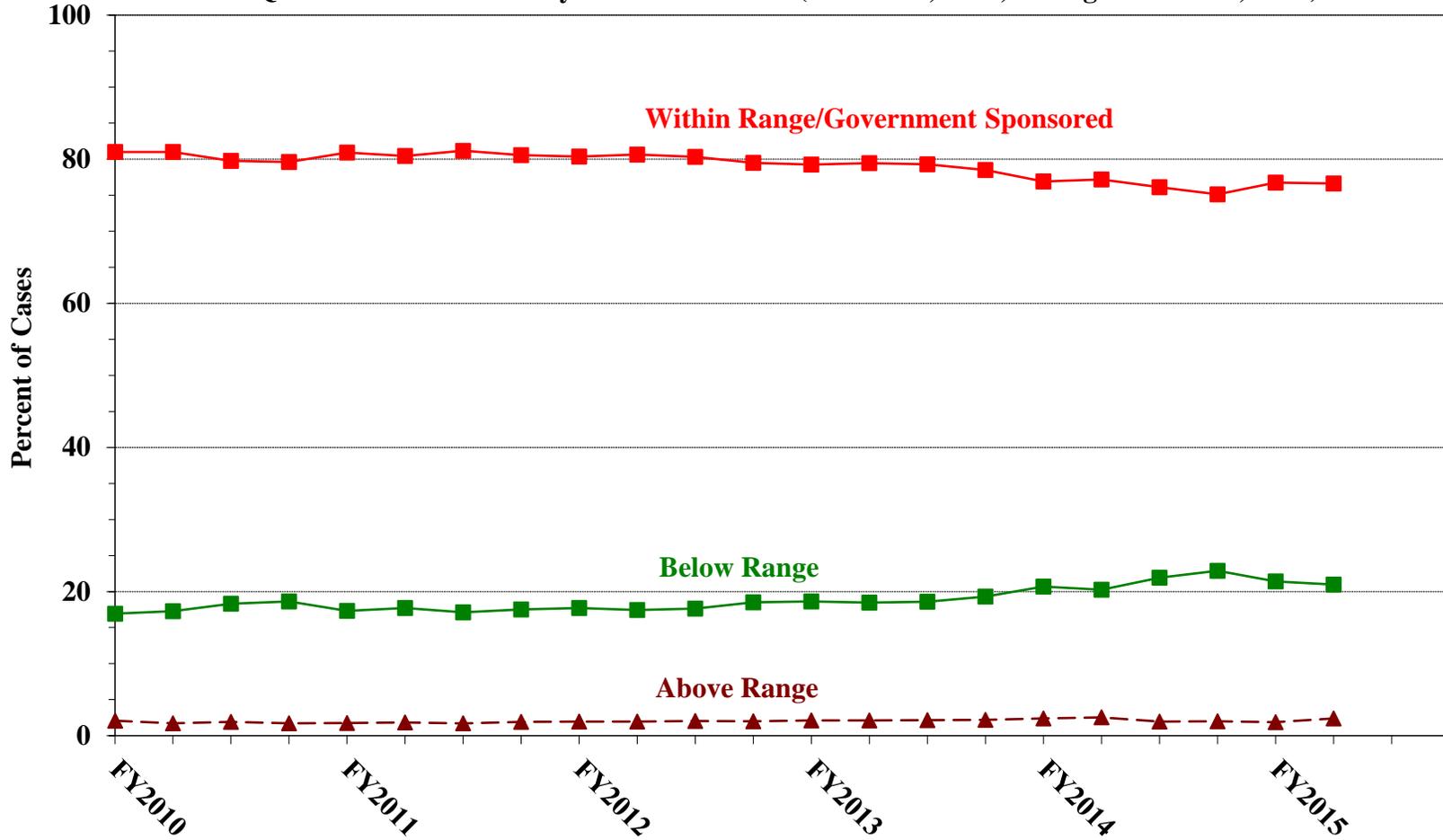


<sup>1</sup> Descriptions of variables used in this figure are provided in Appendix A.

Figure B

**QUARTERLY DATA FOR WITHIN RANGE/GOVERNMENT SPONSORED  
AND OTHER OUT OF RANGE SENTENCES<sup>1</sup>**

Fiscal Years 2010 - 2014,  
2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)



<sup>1</sup> Descriptions of variables used in this figure are provided in Appendix A.

Table 4

**QUARTERLY DATA FOR WITHIN RANGE AND OUT OF RANGE SENTENCES<sup>1</sup>**  
**Fiscal Years 2010 - 2014,**  
**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

FISCAL YEAR	WITHIN GUIDELINE RANGE	GOVERNMENT SPONSORED BELOW RANGE	BELOW RANGE	ABOVE RANGE
Quarter	%	%	%	%
<b>FY2010</b>				
1st Quarter	55.1	25.9	16.9	2.1
2nd Quarter	55.1	25.9	17.3	1.7
3rd Quarter	55.2	24.6	18.3	1.9
4th Quarter	54.6	25.1	18.7	1.7
<b>FY2011</b>				
1st Quarter	55.5	25.5	17.3	1.7
2nd Quarter	53.5	27.0	17.7	1.8
3rd Quarter	54.5	26.7	17.1	1.7
4th Quarter	54.5	26.1	17.5	1.9
<b>FY2012</b>				
1st Quarter	53.6	26.7	17.7	1.9
2nd Quarter	52.8	27.8	17.4	1.9
3rd Quarter	52.1	28.2	17.6	2.0
4th Quarter	51.0	28.5	18.5	2.0
<b>FY2013</b>				
1st Quarter	50.7	28.5	18.6	2.1
2nd Quarter	51.3	28.1	18.5	2.1
3rd Quarter	51.4	27.9	18.6	2.1
4th Quarter	51.3	27.2	19.3	2.2
<b>FY2014</b>				
1st Quarter	48.5	28.4	20.7	2.4
2nd Quarter	48.4	28.8	20.3	2.5
3rd Quarter	44.3	31.8	21.9	1.9
4th Quarter	42.5	32.6	22.9	2.0
<b>FY2015</b>				
1st Quarter	46.0	30.7	21.4	1.9
2nd Quarter	47.5	29.2	21.0	2.4
3rd Quarter	--	--	--	--
4th Quarter	--	--	--	--

<sup>1</sup> Descriptions of variables used in this table are provided in Appendix A.







Table 5 (cont.)

Guideline	Total	Within Guideline Range	Upward				Government Sponsored			Downward		Below Range	
			Gdline Only	with Booker	Above Range with Booker	All Others	\$5K1.1	\$5K3.1	Other Gov't	Gdline Only	with Booker	with Booker	All Others
§2N1.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2N2.1	33	32	0	0	0	0	0	0	0	1	0	0	0
§2N3.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2P1.1	124	89	0	1	5	0	2	0	7	0	1	19	0
§2P1.2	60	43	0	0	2	0	2	0	6	0	0	7	0
§2P1.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2P1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.2	17	4	0	0	0	0	4	0	5	0	0	4	0
§2Q1.3	17	6	0	0	0	0	2	0	1	0	0	8	0
§2Q1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.5	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q1.6	0	0	0	0	0	0	0	0	0	0	0	0	0
§2Q2.1	48	13	0	0	0	0	11	0	4	0	1	17	2
§2Q2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2R1.1	5	0	0	0	0	0	5	0	0	0	0	0	0
§2S1.1	517	132	3	0	3	0	170	0	75	9	6	117	2
§2S1.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2S1.3	93	35	0	0	0	0	7	0	18	3	1	29	0
§2S1.4	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.1	243	66	0	0	2	0	42	0	26	9	8	87	3
§2T1.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.3	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.4	85	20	1	0	1	0	18	0	4	2	1	38	0
§2T1.5	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.6	23	1	0	0	0	0	1	0	2	1	1	16	1
§2T1.7	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.8	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T1.9	8	4	0	0	1	0	0	0	2	1	0	0	0
§2T2.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T2.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T3.1	4	1	0	0	1	0	0	0	2	0	0	0	0
§2T3.2	0	0	0	0	0	0	0	0	0	0	0	0	0
§2T4.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X1.1	11	5	0	0	1	0	4	0	0	0	0	1	0
§2X2.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X3.1	51	23	0	0	0	0	9	0	7	0	1	11	0
§2X4.1	159	86	2	0	7	0	13	0	21	1	0	29	0
§2X5.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X5.2	91	81	0	0	4	0	0	0	1	0	0	3	2
§2X6.1	0	0	0	0	0	0	0	0	0	0	0	0	0
§2X7.1	1	1	0	0	0	0	0	0	0	0	0	0	0
§2X7.2	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>31,972</b>	<b>14,388</b>	<b>164</b>	<b>46</b>	<b>453</b>	<b>22</b>	<b>4,257</b>	<b>2,963</b>	<b>2,614</b>	<b>701</b>	<b>299</b>	<b>5,898</b>	<b>167</b>

<sup>1</sup> Of the 34,725 cases, 2,753 were excluded due to one or both of the following reasons: information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range (1,039) or missing guideline applied (2,734). Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup> In 517 cases, the defendant was convicted of one or more counts of violating 18 U.S.C. § 1028A. By statute, the punishment for this crime must be served consecutively to any other punishment; therefore, in these 517 cases the conviction for this crime did not affect the guideline calculation for the underlying offense.

<sup>3</sup> In 1,086 cases, the defendant was convicted of one or more counts of violating 18 U.S.C. § 924(c). By statute, the punishment for this crime must be served consecutively to any other punishment; therefore, in these 1,086 cases the conviction for this crime did not affect the guideline calculation for the underlying offense.

Table 6

**ATTRIBUTION CATEGORY FOR CASES OUTSIDE OF THE GUIDELINE RANGE<sup>1</sup>**  
**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

	TOTAL CASES	Pursuant to a Plea Agreement									
		§5K1.1 Plea Agreement		§5K3.1 Plea Agreement		Binding Plea Accepted by Court		Plea w/ Departure Court Finds Reasonable		Plea Agreement States Gov't Will Not Oppose	
		N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>17,937</b>	<b>2,492</b>	<b>13.9</b>	<b>2,981</b>	<b>16.6</b>	<b>1,993</b>	<b>11.1</b>	<b>1,330</b>	<b>7.4</b>	<b>277</b>	<b>1.5</b>
<b>Above Range</b>	<b>717</b>	<b>1</b>	<b>0.1</b>	<b>1</b>	<b>0.1</b>	<b>160</b>	<b>22.3</b>	<b>59</b>	<b>8.2</b>	<b>0</b>	<b>0.0</b>
Upward Departure From Guideline Range	173	0	0.0	0	0.0	68	39.3	21	12.1	0	0.0
Upward Departure With <i>Booker</i> /18 U.S.C. § 3553	46	0	0.0	0	0.0	6	13.0	1	2.2	0	0.0
Above Guideline Range With <i>Booker</i> /18 U.S.C. § 3553	473	0	0.0	0	0.0	85	18.0	37	7.8	0	0.0
All Remaining Cases Above Guideline Range	25	1	4.0	1	4.0	1	4.0	0	0.0	0	0.0
<b>Government Sponsored Below Range</b>	<b>10,083</b>	<b>2,491</b>	<b>24.7</b>	<b>2,980</b>	<b>29.6</b>	<b>1,833</b>	<b>18.2</b>	<b>1,271</b>	<b>12.6</b>	<b>277</b>	<b>2.7</b>
§5K1.1 Substantial Assistance Departure	4,285	2,491	58.1	89	2.1	91	2.1	125	2.9	24	0.6
§5K3.1 Early Disposition Program Departure	3,131	0	0.0	2,891	92.3	641	20.5	351	11.2	43	1.4
Other Government Sponsored Below Range	2,667	0	0.0	0	0.0	1,101	41.3	795	29.8	210	7.9
<b>Non-Government Sponsored Below Range</b>	<b>7,137</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>
Downward Departure From Guideline Range	709	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Downward Departure With <i>Booker</i> /18 U.S.C. § 3553	300	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Below Guideline Range With <i>Booker</i> /18 U.S.C. § 3553	5,950	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
All Remaining Cases Below Guideline Range	178	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0

Table 6 (cont.)

	Pursuant to a Motion Not in a Plea Agreement													
	§5K1.1 Government Motion		§5K3.1 Government Motion		Other Government Motion		Defense Motion/ Government Did Not Object		Defense Motion/ Government Did Object		Other than a Plea/Motion by Parties		No Information Available	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>1,732</b>	<b>9.7</b>	<b>65</b>	<b>0.4</b>	<b>1,118</b>	<b>6.2</b>	<b>3,003</b>	<b>16.7</b>	<b>2,475</b>	<b>13.8</b>	<b>2,871</b>	<b>16.0</b>	<b>1,605</b>	<b>8.9</b>
<b>Above Range</b>	<b>2</b>	<b>0.3</b>	<b>0</b>	<b>0.0</b>	<b>122</b>	<b>17.0</b>	<b>8</b>	<b>1.1</b>	<b>3</b>	<b>0.4</b>	<b>325</b>	<b>45.3</b>	<b>85</b>	<b>11.9</b>
Upward Departure From Guideline Range	0	0.0	0	0.0	30	17.3	1	0.6	0	0.0	59	34.1	16	9.2
Upward Departure With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	16	34.8	0	0.0	0	0.0	28	60.9	1	2.2
Above Guideline Range With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	74	15.6	6	1.3	3	0.6	236	49.9	49	10.4
All Remaining Cases Above Guideline Range	2	8.0	0	0.0	2	8.0	1	4.0	0	0.0	2	8.0	19	76.0
<b>Government Sponsored Below Range</b>	<b>1,730</b>	<b>17.2</b>	<b>65</b>	<b>0.6</b>	<b>996</b>	<b>9.9</b>	<b>842</b>	<b>8.4</b>	<b>565</b>	<b>5.6</b>	<b>496</b>	<b>4.9</b>	<b>215</b>	<b>2.1</b>
§5K1.1 Substantial Assistance Departure	1,730	40.4	9	0.2	263	6.1	384	9.0	213	5.0	279	6.5	67	1.6
§5K3.1 Early Disposition Program Departure	0	0.0	56	1.8	86	2.7	161	5.1	224	7.2	66	2.1	84	2.7
Other Government Sponsored Below Range	0	0.0	0	0.0	647	24.3	297	11.1	128	4.8	151	5.7	64	2.4
<b>Non-Government Sponsored Below Range</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>2,153</b>	<b>30.2</b>	<b>1,907</b>	<b>26.7</b>	<b>2,050</b>	<b>28.7</b>	<b>1,305</b>	<b>18.3</b>
Downward Departure From Guideline Range	0	0.0	0	0.0	0	0.0	358	50.5	117	16.5	163	23.0	87	12.3
Downward Departure With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	0	0.0	96	32.0	99	33.0	121	40.3	39	13.0
Below Guideline Range With <i>Booker</i> / 18 U.S.C. § 3553	0	0.0	0	0.0	0	0.0	1,699	28.6	1,688	28.4	1,759	29.6	1,011	17.0
All Remaining Cases Below Guideline Range	0	0.0	0	0.0	0	0.0	0	0.0	3	1.7	7	3.9	168	94.4

<sup>1</sup> Multiple attributions may be made on the SOR. Therefore, the numbers reported in this table may exceed the number of total cases. For example, among SORs with an attribution, 3,419 cases indicated more than one attribution. Note that only outside of the range cases are included in this table. Descriptions of variables used in this table are provided in Appendix A.

**§5K1.1 SUBSTANTIAL ASSISTANCE DEPARTURE CASES: DEGREE OF  
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>Median Sentence in Months</b>	<b>Median Decrease in Months From Guideline Minimum</b>	<b>Median Percent Decrease From Guideline Minimum</b>
<b>TOTAL</b>	<b>4,077</b>	<b>33</b>	<b>30</b>	<b>50.0</b>
<b>Murder</b>	6	112	194	60.6
<b>Manslaughter</b>	0	--	--	--
<b>Kidnapping/Hostage Taking</b>	3	120	47	40.0
<b>Sexual Abuse</b>	26	72	58	45.6
<b>Assault</b>	3	60	10	15.8
<b>Robbery</b>	42	46	21	28.5
<b>Arson</b>	10	52	20	39.8
<b>Drugs - Trafficking</b>	2,413	42	40	48.2
<b>Drugs - Communication Facility</b>	21	1	24	95.6
<b>Drugs - Simple Possession</b>	0	--	--	--
<b>Firearms</b>	339	48	33	43.3
<b>Burglary/B&amp;E</b>	2	--	--	--
<b>Auto Theft</b>	3	1	9	90.0
<b>Larceny</b>	30	8	18	67.1
<b>Fraud</b>	635	12	21	73.8
<b>Embezzlement</b>	10	10	12	73.4
<b>Forgery/Counterfeiting</b>	17	13	7	31.5
<b>Bribery</b>	23	0	24	99.9
<b>Tax</b>	38	0	15	100.0
<b>Money Laundering</b>	78	15	25	60.7
<b>Racketeering/Extortion</b>	86	25	23	49.4
<b>Gambling/Lottery</b>	6	1	7	91.7
<b>Civil Rights</b>	3	9	66	88.5
<b>Immigration</b>	126	13	10	45.6
<b>Child Pornography</b>	34	140	69	35.9
<b>Prison Offenses</b>	5	7	10	53.3
<b>Administration of Justice Offenses</b>	34	0	10	100.0
<b>Environmental/Wildlife</b>	11	0	18	99.7
<b>National Defense</b>	16	14	32	67.0
<b>Antitrust</b>	6	15	16	52.3
<b>Food &amp; Drug</b>	6	0	18	100.0
<b>Other Miscellaneous Offenses</b>	45	0	15	99.8

<sup>1</sup> Of the 34,725 cases, 4,285 received a §5K1.1 substantial assistance departure. Of these, 4,115 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, an additional 37 cases were also excluded from this table. Of the remaining 4,078 cases, one was excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**§5K3.1 EARLY DISPOSITION PROGRAM DEPARTURE CASES: DEGREE OF  
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>Median Sentence in Months</b>	<b>Median Decrease in Months From Guideline Minimum</b>	<b>Median Percent Decrease From Guideline Minimum</b>
<b>TOTAL</b>	<b>2,885</b>	<b>12</b>	<b>8</b>	<b>41.8</b>
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	0	--	--	--
Assault	1	--	--	--
Robbery	1	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	595	24	26	52.9
Drugs - Communication Facility	1	--	--	--
Drugs - Simple Possession	1	--	--	--
Firearms	5	30	20	40.0
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	0	--	--	--
Fraud	1	--	--	--
Embezzlement	1	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	1	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	2,277	10	6	40.0
Child Pornography	0	--	--	--
Prison Offenses	0	--	--	--
Administration of Justice Offenses	1	--	--	--
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	0	--	--	--

<sup>1</sup> Of the 34,725 cases, 3,131 received a §5K3.1 early disposition program departure. Of these, 2,886 cases had complete guideline application information. Of these cases, one was excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**OTHER GOVERNMENT SPONSORED BELOW RANGE CASES: DEGREE OF  
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
<b>TOTAL</b>	<b>2,539</b>	<b>36</b>	<b>20</b>	<b>40.5</b>
Murder	5	108	51	30.0
Manslaughter	2	--	--	--
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	43	120	55	38.4
Assault	48	15	15	56.0
Robbery	29	57	17	20.5
Arson	4	30	5	26.8
Drugs - Trafficking	1,070	60	28	35.7
Drugs - Communication Facility	14	14	18	55.0
Drugs - Simple Possession	2	--	--	--
Firearms	302	51	17	27.0
Burglary/B&E	0	--	--	--
Auto Theft	1	--	--	--
Larceny	37	0	10	100.0
Fraud	272	14	13	55.4
Embezzlement	7	18	9	35.1
Forgery/Counterfeiting	12	0	15	99.9
Bribery	9	5	18	83.3
Tax	30	6	13	76.4
Money Laundering	45	11	18	75.0
Racketeering/Extortion	66	24	18	47.3
Gambling/Lottery	5	0	8	100.0
Civil Rights	5	24	9	37.8
Immigration	200	15	11	40.0
Child Pornography	182	68	51	42.9
Prison Offenses	14	12	7	48.0
Administration of Justice Offenses	50	7	12	72.0
Environmental/Wildlife	7	0	12	100.0
National Defense	5	12	18	59.9
Antitrust	1	--	--	--
Food & Drug	2	--	--	--
Other Miscellaneous Offenses	69	0	12	100.0

<sup>1</sup> Of the 34,725 cases, 2,667 received an other government sponsored downward departure. Of these, 2,569 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, an additional 28 cases were also excluded from this table. Of the remaining 2,541 cases, two were excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**DOWNWARD DEPARTURES FROM GUIDELINE RANGE: DEGREE OF  
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>Median Sentence in Months</b>	<b>Median Decrease in Months From Guideline Minimum</b>	<b>Median Percent Decrease From Guideline Minimum</b>
<b>TOTAL</b>	<b>690</b>	<b>24</b>	<b>12</b>	<b>35.1</b>
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	3	12	6	38.1
Assault	5	24	4	14.6
Robbery	6	33	13	24.4
Arson	0	--	--	--
Drugs - Trafficking	137	58	17	28.1
Drugs - Communication Facility	1	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	62	32	12	25.2
Burglary/B&E	0	--	--	--
Auto Theft	1	--	--	--
Larceny	7	4	8	66.7
Fraud	57	18	15	61.9
Embezzlement	4	2	8	88.7
Forgery/Counterfeiting	5	8	12	84.2
Bribery	2	--	--	--
Tax	11	0	15	100.0
Money Laundering	9	18	9	35.1
Racketeering/Extortion	11	33	12	35.3
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	334	21	12	35.1
Child Pornography	12	30	60	69.1
Prison Offenses	0	--	--	--
Administration of Justice Offenses	8	14	9	31.3
Environmental/Wildlife	0	--	--	--
National Defense	2	--	--	--
Antitrust	0	--	--	--
Food & Drug	2	--	--	--
Other Miscellaneous Offenses	11	0	7	100.0

<sup>1</sup> Of the 34,725 cases, 709 received a downward departure from the guideline range. Of these, 691 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, one additional case was also excluded from this table. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**DOWNWARD DEPARTURES WITH *BOOKER* /18 U.S.C. § 3553: DEGREE  
OF DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
<b>TOTAL</b>	<b>291</b>	<b>30</b>	<b>22</b>	<b>42.9</b>
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	3	180	46	23.4
Assault	6	16	14	47.4
Robbery	6	84	17	28.8
Arson	0	--	--	--
Drugs - Trafficking	109	51	31	36.2
Drugs - Communication Facility	2	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	27	48	19	33.3
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	5	0	12	100.0
Fraud	41	12	16	65.7
Embezzlement	0	--	--	--
Forgery/Counterfeiting	3	4	20	83.3
Bribery	1	--	--	--
Tax	9	0	17	100.0
Money Laundering	4	6	19	89.1
Racketeering/Extortion	7	60	66	43.7
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	33	18	16	46.7
Child Pornography	16	71	51	29.0
Prison Offenses	1	--	--	--
Administration of Justice Offenses	3	5	10	69.4
Environmental/Wildlife	1	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	4	4	36	93.3
Other Miscellaneous Offenses	10	6	18	85.3

<sup>1</sup> Of the 34,725 cases, 300 received a downward departure from the guideline range with *Booker*/18 U.S.C § 3553. Of these, 291 cases had complete guideline application information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**BELOW GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE  
OF DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
<b>TOTAL</b>	<b>5,768</b>	<b>27</b>	<b>14</b>	<b>36.2</b>
Murder	2	--	--	--
Manslaughter	3	16	14	46.7
Kidnapping/Hostage Taking	6	154	56	22.0
Sexual Abuse	46	84	26	25.6
Assault	55	12	9	50.0
Robbery	71	42	22	27.3
Arson	0	--	--	--
Drugs - Trafficking	1,879	45	19	29.8
Drugs - Communication Facility	32	19	12	46.4
Drugs - Simple Possession	0	--	--	--
Firearms	681	40	14	24.3
Burglary/B&E	3	7	5	30.0
Auto Theft	3	90	18	20.0
Larceny	100	0	10	100.0
Fraud	909	15	12	50.0
Embezzlement	41	0	9	99.9
Forgery/Counterfeiting	50	1	11	95.7
Bribery	20	12	12	51.6
Tax	111	6	12	70.0
Money Laundering	93	16	18	50.0
Racketeering/Extortion	106	36	17	30.7
Gambling/Lottery	9	0	9	100.0
Civil Rights	13	5	12	75.0
Immigration	856	18	10	35.1
Child Pornography	355	78	60	41.7
Prison Offenses	26	12	6	32.9
Administration of Justice Offenses	121	6	10	60.0
Environmental/Wildlife	23	1	12	91.7
National Defense	13	24	33	50.0
Antitrust	0	--	--	--
Food & Drug	3	6	6	85.4
Other Miscellaneous Offenses	138	1	10	91.7

<sup>1</sup> Of the 34,725 cases, 5,950 were sentenced below the guideline range with *Booker*/18 U.S.C § 3553. Of these, 5,792 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, an additional 22 cases were also excluded from this table. Of the remaining 5,770 cases, two were excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**ALL REMAINING BELOW GUIDELINE RANGE CASES: DEGREE OF  
DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>Median Sentence in Months</b>	<b>Median Decrease in Months From Guideline Minimum</b>	<b>Median Percent Decrease From Guideline Minimum</b>
<b>TOTAL</b>	<b>157</b>	<b>6</b>	<b>8</b>	<b>67.0</b>
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	0	--	--	--
Assault	2	--	--	--
Robbery	1	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	37	60	24	33.3
Drugs - Communication Facility	3	42	6	25.0
Drugs - Simple Possession	1	--	--	--
Firearms	14	35	8	30.8
Burglary/B&E	0	--	--	--
Auto Theft	1	--	--	--
Larceny	2	--	--	--
Fraud	34	0	8	100.0
Embezzlement	0	--	--	--
Forgery/Counterfeiting	2	--	--	--
Bribery	0	--	--	--
Tax	4	5	12	70.9
Money Laundering	1	--	--	--
Racketeering/Extortion	4	33	16	33.9
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	37	0	2	100.0
Child Pornography	4	216	139	39.1
Prison Offenses	0	--	--	--
Administration of Justice Offenses	0	--	--	--
Environmental/Wildlife	2	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	8	0	9	100.0

<sup>1</sup> Of the 34,725 cases, 178 were otherwise sentenced below the guideline range. Of these, 157 cases had complete guideline application information. Note that the information presented in this table does include sentences of probation, but does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2015 Datafile, USSCFY15 (October 1, 2014, through March 31, 2015).

**UPWARD DEPARTURES FROM GUIDELINE RANGE: DEGREE OF  
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>Median Sentence in Months</b>	<b>Median Increase in Months From Guideline Maximum</b>	<b>Median Percent Increase From Guideline Maximum</b>
<b>TOTAL</b>	<b>159</b>	<b>51</b>	<b>14</b>	<b>31.7</b>
Murder	1	--	--	--
Manslaughter	5	46	9	27.3
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	5	240	45	73.8
Assault	8	102	29	33.8
Robbery	7	84	8	35.2
Arson	1	--	--	--
Drugs - Trafficking	22	72	17	39.6
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	34	87	16	24.8
Burglary/B&E	1	--	--	--
Auto Theft	0	--	--	--
Larceny	1	--	--	--
Fraud	10	41	14	37.8
Embezzlement	0	--	--	--
Forgery/Counterfeiting	1	--	--	--
Bribery	0	--	--	--
Tax	1	--	--	--
Money Laundering	2	--	--	--
Racketeering/Extortion	1	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	48	30	7	30.8
Child Pornography	1	--	--	--
Prison Offenses	0	--	--	--
Administration of Justice Offenses	7	36	18	62.2
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	1	--	--	--
Other Miscellaneous Offenses	2	--	--	--

<sup>1</sup> Of the 34,725 cases, 173 received an upward departure from the guideline range. Of these, 161 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a sentence of life, one additional case was also excluded from this table. Furthermore, one case was excluded due to several logical criteria. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**UPWARD DEPARTURES WITH *BOOKER*/18 U.S.C. § 3553: DEGREE OF  
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
<b>TOTAL</b>	<b>44</b>	<b>63</b>	<b>15</b>	<b>48.7</b>
Murder	0	--	--	--
Manslaughter	1	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	1	--	--	--
Assault	2	--	--	--
Robbery	3	100	24	42.1
Arson	0	--	--	--
Drugs - Trafficking	6	63	15	42.3
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	10	78	15	38.2
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	0	--	--	--
Fraud	4	72	17	32.7
Embezzlement	0	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	8	32	9	39.8
Child Pornography	1	--	--	--
Prison Offenses	1	--	--	--
Administration of Justice Offenses	5	60	44	275.0
Environmental/Wildlife	1	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	1	--	--	--

<sup>1</sup> Of the 34,725 cases, 46 received an upward departure from the guideline range with *Booker*/18 U.S.C § 3553. Of these, 45 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a sentence of life, one additional case was also excluded from this table. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**ABOVE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE  
OF INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>Median Sentence in Months</b>	<b>Median Increase in Months From Guideline Maximum</b>	<b>Median Percent Increase From Guideline Maximum</b>
<b>TOTAL</b>	<b>437</b>	<b>60</b>	<b>14</b>	<b>38.0</b>
Murder	0	--	--	--
Manslaughter	4	105	27	29.9
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	7	96	24	40.4
Assault	17	60	14	46.3
Robbery	9	120	42	53.8
Arson	3	96	36	60.0
Drugs - Trafficking	73	78	19	30.4
Drugs - Communication Facility	3	42	12	60.0
Drugs - Simple Possession	2	--	--	--
Firearms	90	120	24	33.3
Burglary/B&E	2	--	--	--
Auto Theft	1	--	--	--
Larceny	4	21	7	31.3
Fraud	44	60	17	41.9
Embezzlement	1	--	--	--
Forgery/Counterfeiting	8	36	15	50.0
Bribery	0	--	--	--
Tax	2	--	--	--
Money Laundering	1	--	--	--
Racketeering/Extortion	3	144	22	11.7
Gambling/Lottery	1	--	--	--
Civil Rights	0	--	--	--
Immigration	112	21	5	42.9
Child Pornography	15	192	29	27.0
Prison Offenses	7	24	7	71.4
Administration of Justice Offenses	16	33	11	66.7
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	1	--	--	--
Other Miscellaneous Offenses	10	47	14	57.1

<sup>1</sup> Of the 34,725 cases, 473 were sentenced above the guideline range with *Booker*/18 U.S.C § 3553. Of these, 446 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a sentence of life, an additional two cases were also excluded from this table. Furthermore, seven cases were excluded due to several logical criteria. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

**ALL REMAINING ABOVE GUIDELINE RANGE CASES: DEGREE OF  
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>Median Sentence in Months</b>	<b>Median Increase in Months From Guideline Maximum</b>	<b>Median Percent Increase From Guideline Maximum</b>
<b>TOTAL</b>	<b>11</b>	<b>32</b>	<b>8</b>	<b>33.3</b>
Murder	0	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	0	--	--	--
Assault	0	--	--	--
Robbery	0	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	2	--	--	--
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	3	42	15	55.6
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	0	--	--	--
Fraud	1	--	--	--
Embezzlement	0	--	--	--
Forgery/Counterfeiting	1	--	--	--
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	0	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	3	32	8	33.3
Child Pornography	0	--	--	--
Prison Offenses	0	--	--	--
Administration of Justice Offenses	0	--	--	--
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	0	--	--	--

<sup>1</sup> Of the 34,725 cases, 25 were otherwise sentenced above the guideline range. Of these, 20 cases had complete guideline application information. Furthermore, nine cases were excluded due to several logical criteria. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2015 Datafile, USSCFY15 (October 1, 2014, through March 31, 2015).

**OFFENDERS RECEIVING SENTENCING OPTIONS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

PRIMARY OFFENSE	TOTAL	TOTAL RECEIVING IMPRISONMENT		Prison Only		Prison/Community Split Sentence <sup>2</sup>		TOTAL RECEIVING PROBATION		Probation and Confinement		Probation Only	
		N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>34,465</b>	<b>31,178</b>	<b>90.5</b>	<b>30,178</b>	<b>87.6</b>	<b>1,000</b>	<b>2.9</b>	<b>3,287</b>	<b>9.5</b>	<b>911</b>	<b>2.6</b>	<b>2,376</b>	<b>6.9</b>
Murder	50	50	100.0	50	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Manslaughter	26	24	92.3	23	88.5	1	3.8	2	7.7	1	3.8	1	3.8
Kidnapping/Hostage Taking	23	23	100.0	23	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Sexual Abuse	263	262	99.6	249	94.7	13	4.9	1	0.4	0	0.0	1	0.4
Assault	371	316	85.2	290	78.2	26	7.0	55	14.8	13	3.5	42	11.3
Robbery	359	349	97.2	330	91.9	19	5.3	10	2.8	4	1.1	6	1.7
Arson	29	28	96.6	28	96.6	0	0.0	1	3.4	0	0.0	1	3.4
Drugs - Trafficking	10,075	9,637	95.7	9,326	92.6	311	3.1	438	4.3	152	1.5	286	2.8
Drugs - Communication Facility	142	112	78.9	107	75.4	5	3.5	30	21.1	9	6.3	21	14.8
Drugs - Simple Possession	922	792	85.9	789	85.6	3	0.3	130	14.1	6	0.7	124	13.4
Firearms	3,489	3,337	95.6	3,228	92.5	109	3.1	152	4.4	61	1.7	91	2.6
Burglary/B&E	14	12	85.7	10	71.4	2	14.3	2	14.3	0	0.0	2	14.3
Auto Theft	27	24	88.9	23	85.2	1	3.7	3	11.1	1	3.7	2	7.4
Larceny	428	216	50.5	189	44.2	27	6.3	212	49.5	41	9.6	171	40.0
Fraud	3,589	2,794	77.8	2,588	72.1	206	5.7	795	22.2	275	7.7	520	14.5
Embezzlement	140	65	46.4	53	37.9	12	8.6	75	53.6	16	11.4	59	42.1
Forgery/Counterfeiting	247	198	80.2	177	71.7	21	8.5	49	19.8	22	8.9	27	10.9
Bribery	84	61	72.6	58	69.0	3	3.6	23	27.4	10	11.9	13	15.5
Tax	289	183	63.3	161	55.7	22	7.6	106	36.7	44	15.2	62	21.5
Money Laundering	338	254	75.1	236	69.8	18	5.3	84	24.9	33	9.8	51	15.1
Racketeering/Extortion	478	446	93.3	423	88.5	23	4.8	32	6.7	10	2.1	22	4.6
Gambling/Lottery	51	25	49.0	14	27.5	11	21.6	26	51.0	10	19.6	16	31.4
Civil Rights	29	24	82.8	22	75.9	2	6.9	5	17.2	3	10.3	2	6.9
Immigration	10,173	9,808	96.4	9,751	95.9	57	0.6	365	3.6	53	0.5	312	3.1
Child Pornography	919	904	98.4	892	97.1	12	1.3	15	1.6	6	0.7	9	1.0
Prison Offenses	222	212	95.5	205	92.3	7	3.2	10	4.5	2	0.9	8	3.6
Administration of Justice Offenses	552	425	77.0	390	70.7	35	6.3	127	23.0	37	6.7	90	16.3
Environmental/Wildlife	72	31	43.1	25	34.7	6	8.3	41	56.9	8	11.1	33	45.8
National Defense	48	41	85.4	41	85.4	0	0.0	7	14.6	2	4.2	5	10.4
Antitrust	12	10	83.3	10	83.3	0	0.0	2	16.7	0	0.0	2	16.7
Food & Drug	65	21	32.3	19	29.2	2	3.1	44	67.7	6	9.2	38	58.5
Other Miscellaneous Offenses	939	494	52.6	448	47.7	46	4.9	445	47.4	86	9.2	359	38.2

<sup>1</sup> Of the 34,725 cases, 260 were excluded due to one of the following reasons: the offender received neither imprisonment nor probation (255), or missing sentencing information (5). Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup> Prison/Community Split Sentence includes all cases in which offenders received prison and conditions of confinement as described in USSG §5C1.1.

Table 19

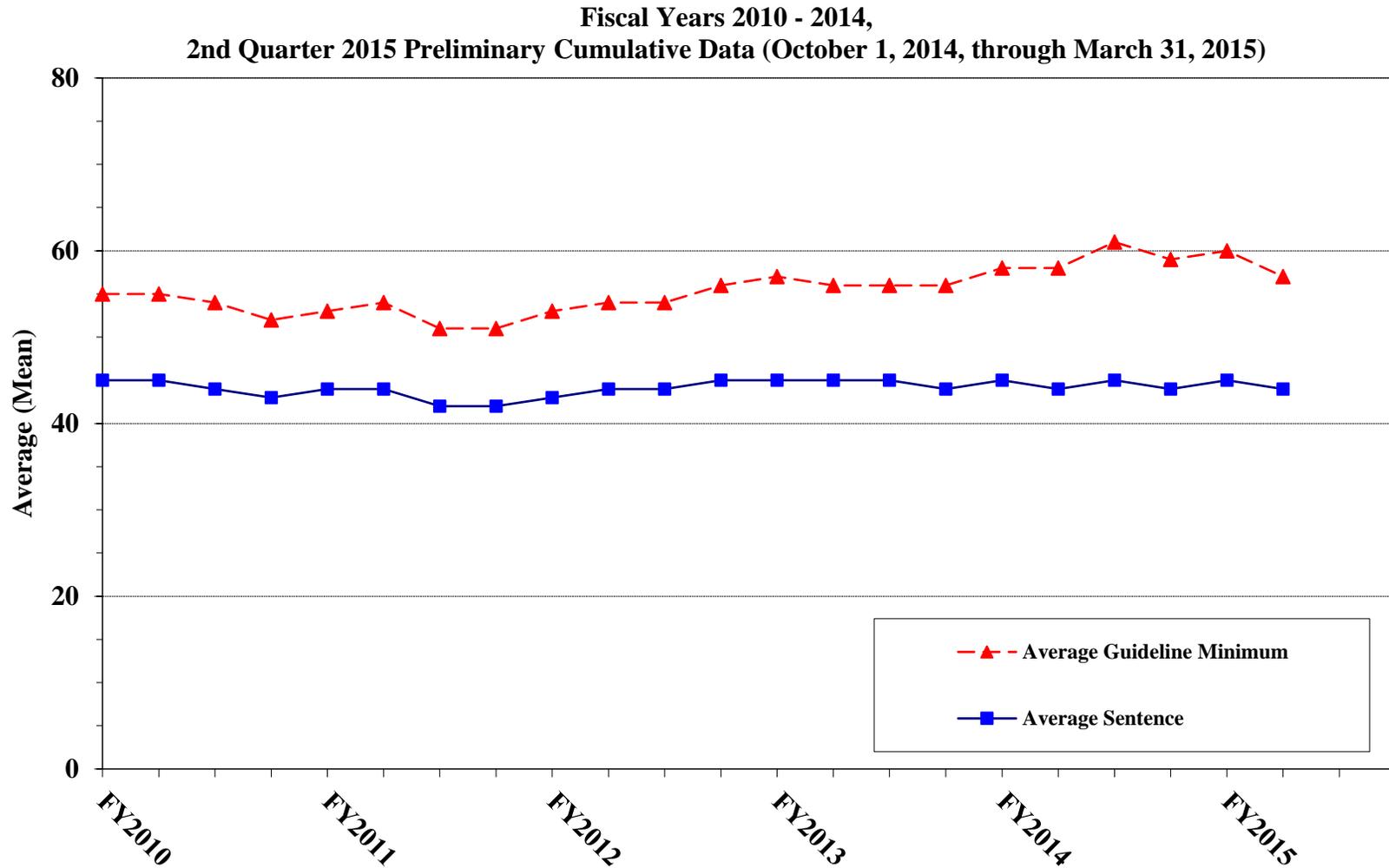
**SENTENCE LENGTH IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

PRIMARY OFFENSE	Mean Months	Median Months	N
<b>TOTAL</b>	<b>45</b>	<b>24</b>	<b>34,725</b>
Murder	279	282	50
Manslaughter	66	56	26
Kidnapping/Hostage Taking	230	240	23
Sexual Abuse	124	120	263
Assault	31	16	373
Robbery	80	60	359
Arson	111	60	29
Drugs - Trafficking	65	50	10,075
Drugs - Communication Facility	28	22	142
Drugs - Simple Possession	5	6	940
Firearms	81	60	3,492
Burglary/B&E	36	18	14
Auto Theft	60	27	27
Larceny	11	3	449
Fraud	28	15	3,596
Embezzlement	9	3	144
Forgery/Counterfeiting	16	12	250
Bribery	24	18	84
Tax	15	12	289
Money Laundering	29	18	339
Racketeering/Extortion	72	50	478
Gambling/Lottery	6	6	51
Civil Rights	35	12	29
Immigration	15	10	10,177
Child Pornography	165	96	920
Prison Offenses	13	12	222
Administration of Justice Offenses	17	12	556
Environmental/Wildlife	6	0	76
National Defense	43	24	48
Antitrust	45	15	12
Food & Drug	4	0	73
Other Miscellaneous Offenses	17	0	1,119

<sup>1</sup> Sentences of probation only are included in this table as zero months of imprisonment. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

Figure C

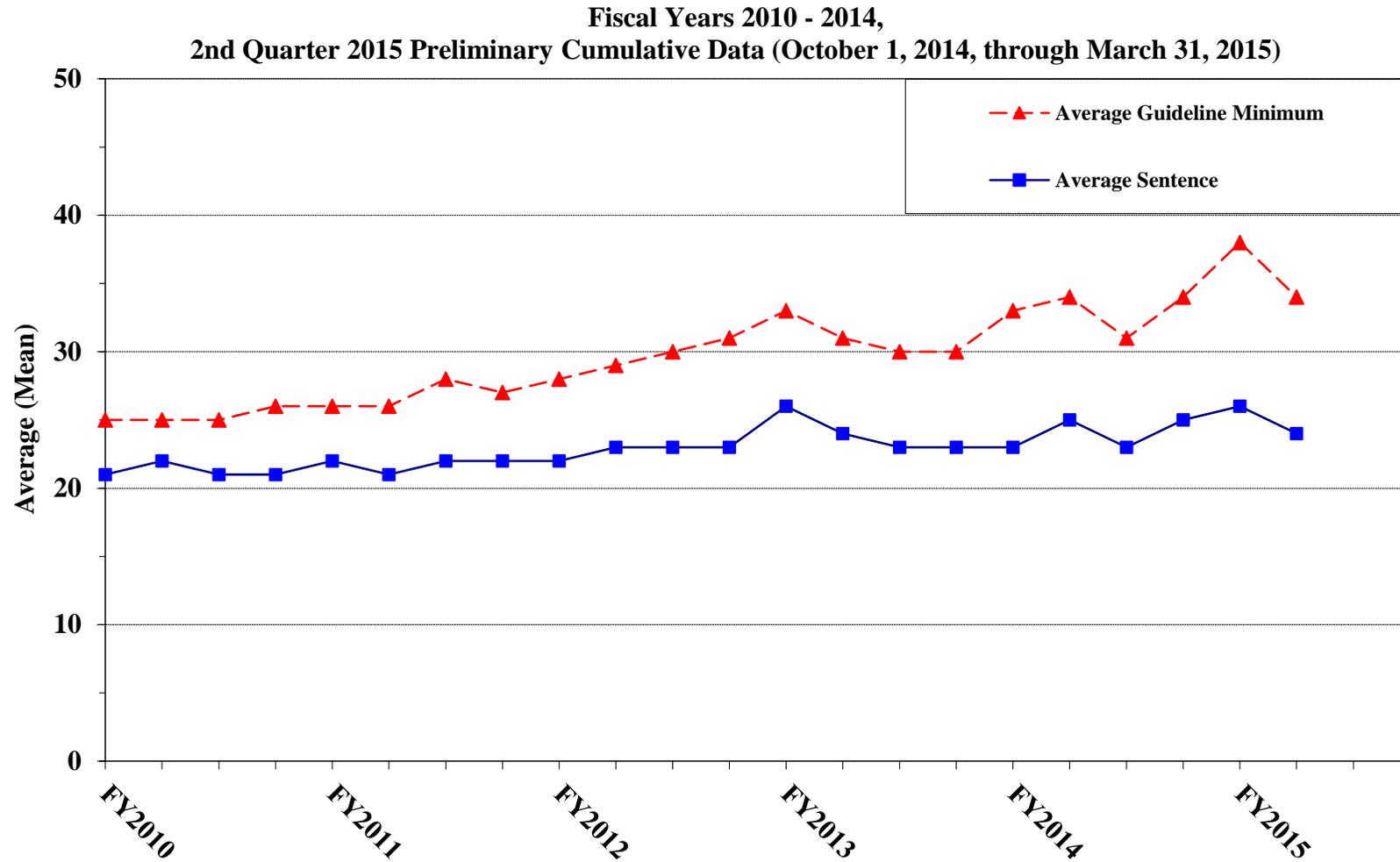
**AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM  
QUARTERLY DATA FOR ALL CASES<sup>1</sup>**



<sup>1</sup> Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure D

**AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM QUARTERLY  
DATA FOR §2B1.1 OFFENDERS (THEFT, PROPERTY DESTRUCTION, AND FRAUD)<sup>1</sup>**

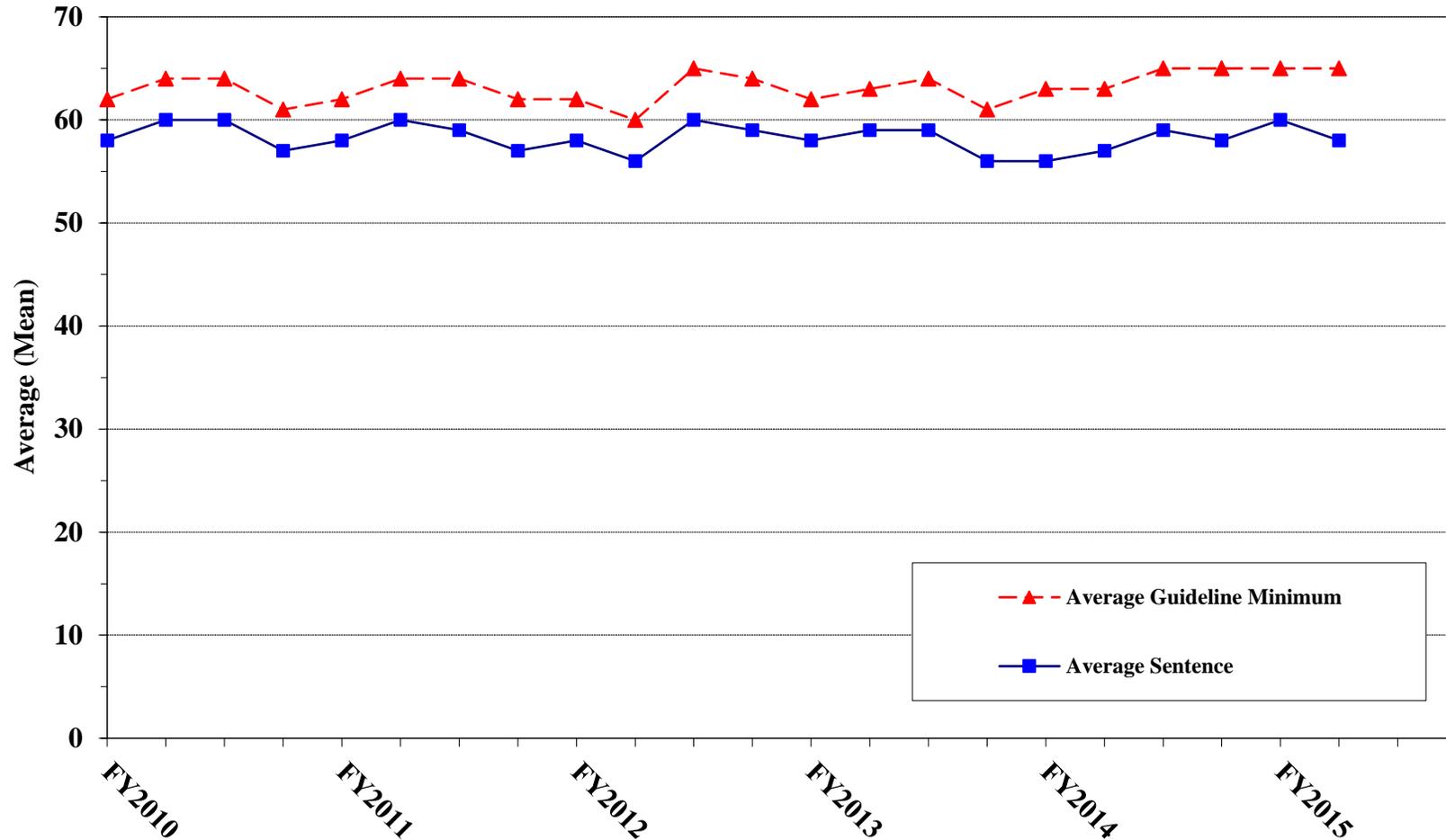


<sup>1</sup> Figure includes only cases with a primary sentencing guideline of USSG §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit Bearer Obligation of the United States). Additionally, cases with an amendment year prior to 2001 were excluded from this figure because prior to this time fraud cases were reported separately as USSG §2F1.1. Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure E

**AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM QUARTERLY DATA  
FOR §2K2.1 OFFENDERS (UNLAWFUL POSSESSION OF OR TRANSACTION IN FIREARMS)<sup>1</sup>**

**Fiscal Years 2010 - 2014,  
2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

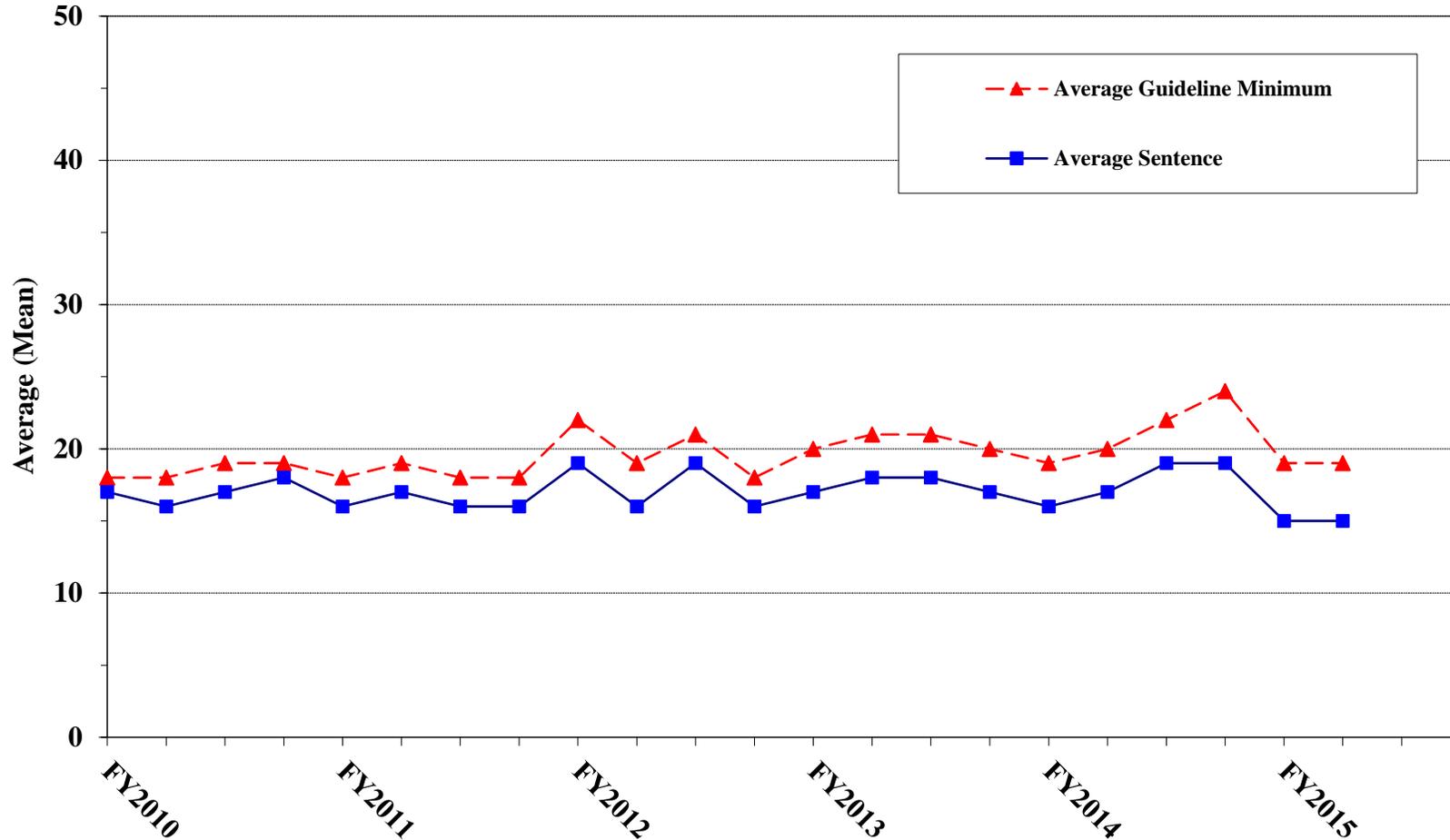


<sup>1</sup> Figure includes only cases with a primary sentencing guideline of USSG §2K2.1 (Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition; Prohibited Transactions Involving Firearms or Ammunition). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure F

**AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM  
QUARTERLY DATA FOR §2L1.1 OFFENDERS (ALIEN SMUGGLING)<sup>1</sup>**

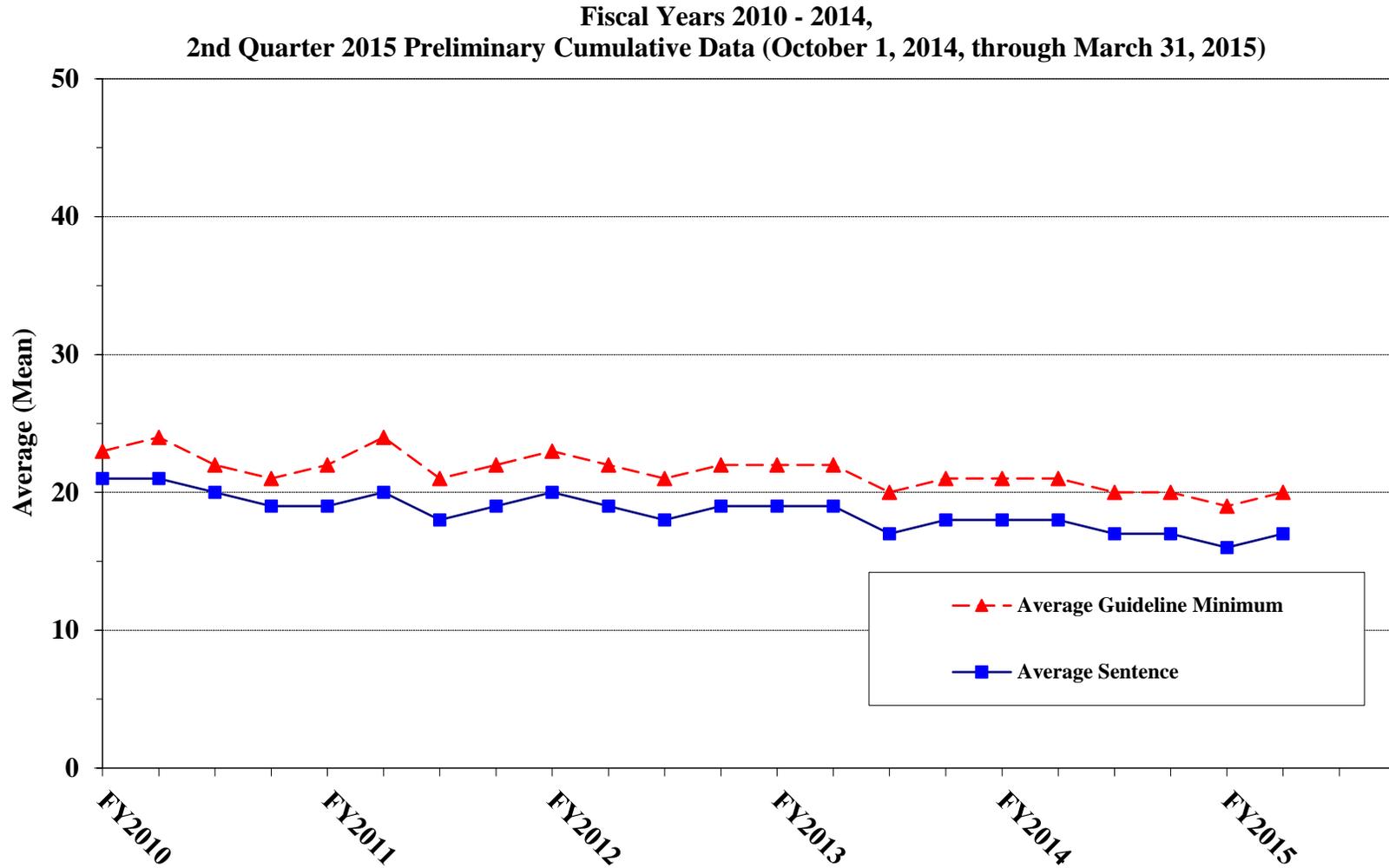
**Fiscal Years 2010 - 2014,  
2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**



<sup>1</sup> Figure includes only cases with a primary sentencing guideline of USSG §2L1.1 (Smuggling, Transporting, or Harboring an Unlawful Alien). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

**Figure G**

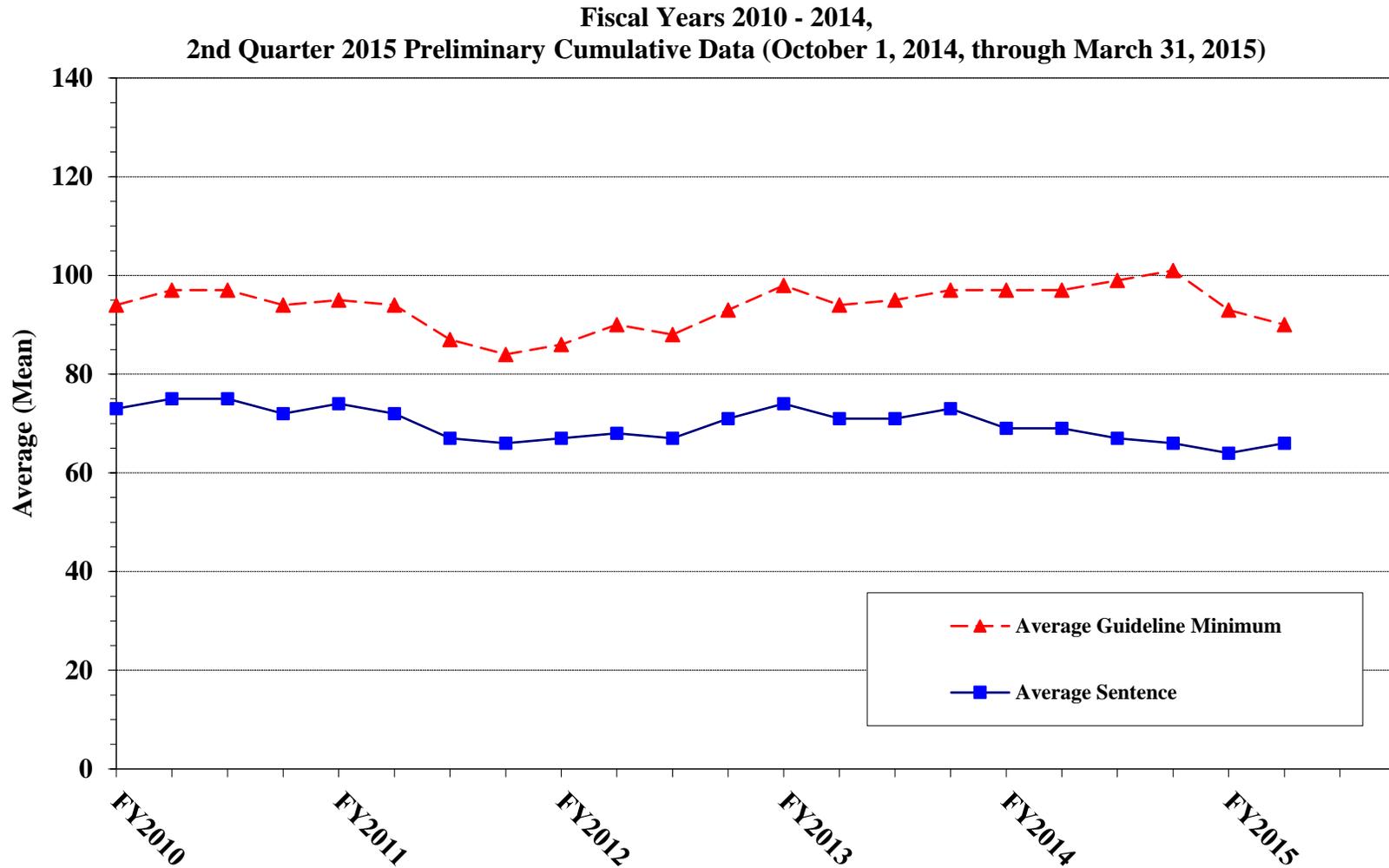
**AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM QUARTERLY DATA FOR §2L1.2 OFFENDERS (UNLAWFUL ENTERING OR REMAINING IN THE UNITED STATES)<sup>1</sup>**



<sup>1</sup> Figure includes only cases with a primary sentencing guideline of USSG §2L1.2. Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

**Figure H**

**AVERAGE SENTENCE LENGTH AND AVERAGE GUIDELINE MINIMUM QUARTERLY DATA FOR §2D1.1 OFFENDERS (UNLAWFUL DRUG TRAFFICKING OR MANUFACTURING)<sup>1</sup>**

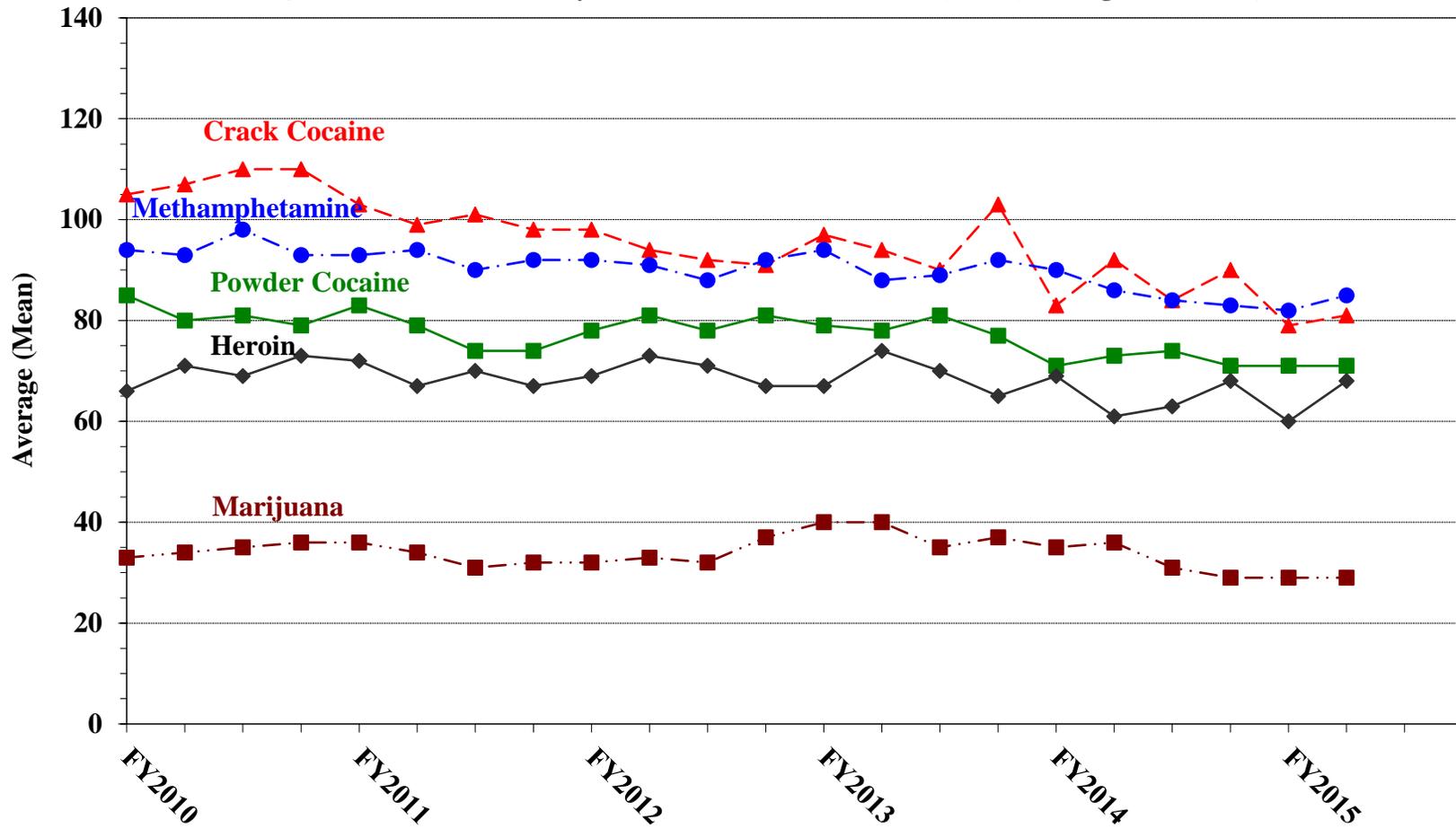


<sup>1</sup> Figure includes only cases with a primary sentencing guideline of USSG §2D1.1 (Unlawful Manufacturing, Importing, Exporting, or Trafficking (Including Possession with Intent to Commit These Offenses); Attempt or Conspiracy). Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Figure I

AVERAGE SENTENCE LENGTH FOR EACH DRUG TYPE<sup>1</sup>

Fiscal Years 2010 - 2014,  
2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)



<sup>1</sup> Only cases sentenced under USSG §§2D1.1 (Drug Trafficking), 2D1.2 (Protected Locations), 2D1.5 (Continuing Criminal Enterprise), 2D1.6 (Use of Communication Facility), 2D1.8 (Rent/Manage Drug Establishment), or 2D2.1 (Simple Possession) are depicted in this figure. Cases with guideline minimums of life or probation were included in the guideline minimum average computations as 470 months and zero months, respectively. In turn, cases with sentences of 470 months or greater (including life) or probation were included in the sentence average computations as 470 months and zero months, respectively. In addition, the information presented in this table includes time of confinement as described in USSG §5C1.1. Guideline minimums account for applicable statutory mandatory penalties. Descriptions of variables used in this figure are provided in Appendix A.

Table 20

**WITHIN RANGE CASES: POSITION OF SENTENCE FOR OFFENDERS  
IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**

**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

PRIMARY OFFENSE	TOTAL	Guideline Minimum		Lower Half of Range		Midpoint of Range		Upper Half of Range		Guideline Maximum	
		N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>13,275</b>	<b>6,380</b>	<b>48.1</b>	<b>2,981</b>	<b>22.5</b>	<b>1,225</b>	<b>9.2</b>	<b>1,107</b>	<b>8.3</b>	<b>1,582</b>	<b>11.9</b>
Murder	16	7	43.8	4	25.0	1	6.3	1	6.3	3	18.8
Manslaughter	11	4	36.4	0	0.0	0	0.0	2	18.2	5	45.5
Kidnapping/Hostage Taking	2	0	0.0	2	100.0	0	0.0	0	0.0	0	0.0
Sexual Abuse	97	36	37.1	22	22.7	9	9.3	11	11.3	19	19.6
Assault	156	84	53.8	12	7.7	16	10.3	13	8.3	31	19.9
Robbery	173	77	44.5	34	19.7	11	6.4	20	11.6	31	17.9
Arson	5	1	20.0	2	40.0	1	20.0	0	0.0	1	20.0
Drugs - Trafficking	2,931	1,865	63.6	427	14.6	209	7.1	177	6.0	253	8.6
Drugs - Communication Facility	43	22	51.2	10	23.3	0	0.0	3	7.0	8	18.6
Drugs - Simple Possession	71	49	69.0	9	12.7	5	7.0	2	2.8	6	8.5
Firearms	1,585	855	53.9	228	14.4	167	10.5	117	7.4	218	13.8
Burglary/B&E	4	1	25.0	1	25.0	2	50.0	0	0.0	0	0.0
Auto Theft	15	8	53.3	1	6.7	3	20.0	1	6.7	2	13.3
Larceny	189	128	67.7	23	12.2	11	5.8	7	3.7	20	10.6
Fraud	1,249	725	58.0	205	16.4	96	7.7	84	6.7	139	11.1
Embezzlement	68	55	80.9	5	7.4	4	5.9	1	1.5	3	4.4
Forgery/Counterfeiting	139	69	49.6	19	13.7	15	10.8	11	7.9	25	18.0
Bribery	23	11	47.8	3	13.0	5	21.7	1	4.3	3	13.0
Tax	70	50	71.4	2	2.9	5	7.1	1	1.4	12	17.1
Money Laundering	87	52	59.8	11	12.6	7	8.0	9	10.3	8	9.2
Racketeering/Extortion	147	65	44.2	30	20.4	16	10.9	17	11.6	19	12.9
Gambling/Lottery	23	13	56.5	2	8.7	2	8.7	3	13.0	3	13.0
Civil Rights	4	1	25.0	0	0.0	0	0.0	1	25.0	2	50.0
Immigration	5,128	1,601	31.2	1,777	34.7	554	10.8	560	10.9	636	12.4
Child Pornography	224	134	59.8	20	8.9	13	5.8	17	7.6	40	17.9
Prison Offenses	136	52	38.2	36	26.5	19	14.0	14	10.3	15	11.0
Administration of Justice Offenses	281	152	54.1	30	10.7	27	9.6	18	6.4	54	19.2
Environmental/Wildlife	16	12	75.0	1	6.3	1	6.3	1	6.3	1	6.3
National Defense	9	5	55.6	1	11.1	1	11.1	1	11.1	1	11.1
Antitrust	1	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	40	32	80.0	3	7.5	2	5.0	2	5.0	1	2.5
Other Miscellaneous Offenses	332	213	64.2	61	18.4	23	6.9	12	3.6	23	6.9

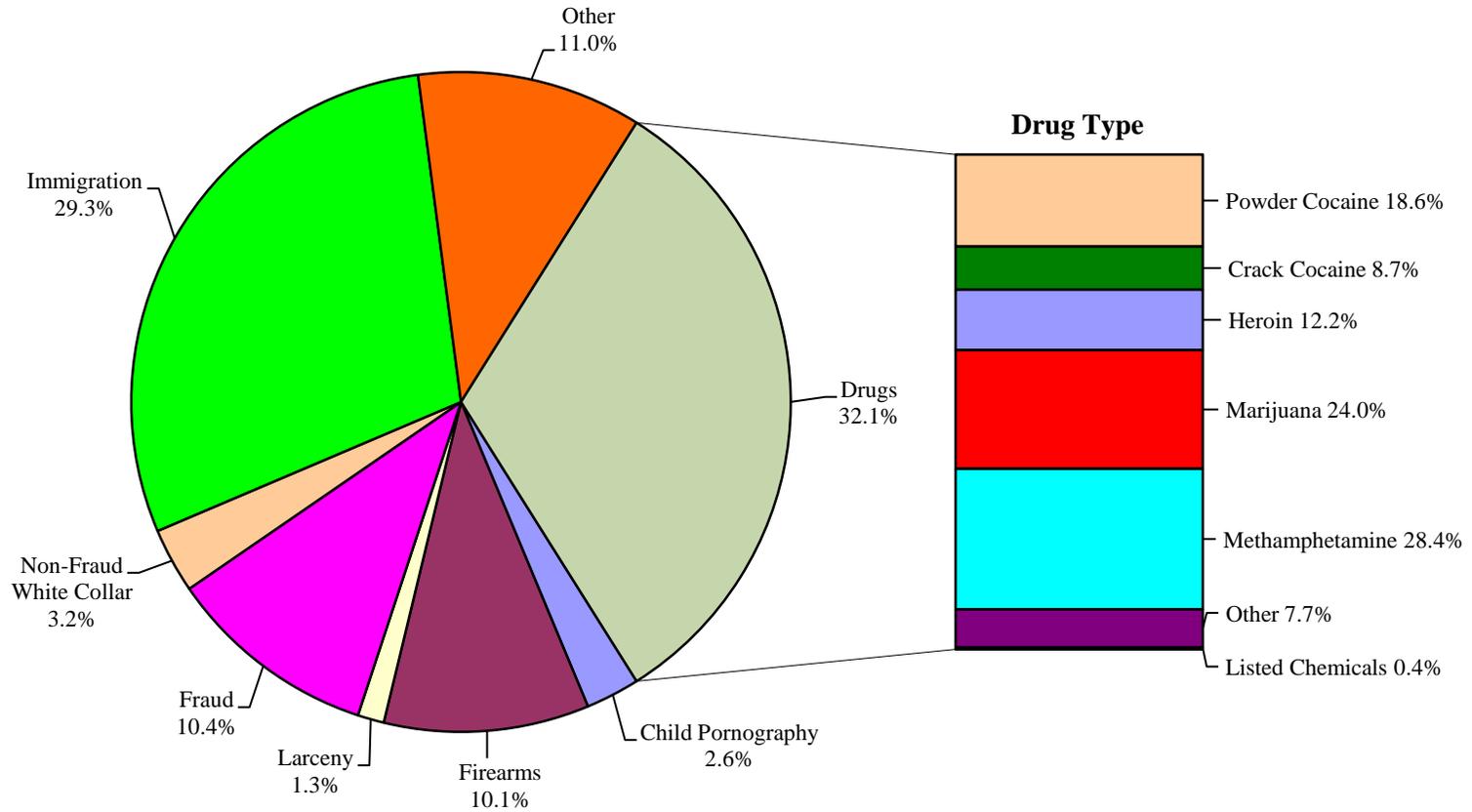
<sup>1</sup> Of the 34,725 cases, 15,749 were sentenced within the applicable guideline range. Of those, 14,170 cases had complete guideline application information. An additional 895 cases were excluded due to several logical criteria. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2015 Datafile, USSCFY15 (October 1, 2014, through March 31, 2015).

**Figure J**

**OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**

**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**



<sup>1</sup> Of the 34,725 guideline cases, three drug cases were excluded from this figure due to missing information on drug type. The Drug category includes the following offense types: trafficking, use of a communication facility, and simple possession. The Non-Fraud White Collar category includes the following offense types: embezzlement, forgery/counterfeiting, bribery, money laundering, and tax. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2015 Datafile, USSCFY15 (October 1, 2014, through March 31, 2015).

Table 21

**GUIDELINE OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>%</b>
<b>TOTAL</b>	<b>34,725</b>	<b>100.0</b>
Murder	50	0.1
Manslaughter	26	0.1
Kidnapping/Hostage Taking	23	0.1
Sexual Abuse	263	0.8
Assault	373	1.1
Robbery	359	1.0
Arson	29	0.1
Drugs - Trafficking	10,075	29.0
Drugs - Communication Facility	142	0.4
Drugs - Simple Possession	940	2.7
Firearms	3,492	10.1
Burglary/B&E	14	0.0
Auto Theft	27	0.1
Larceny	449	1.3
Fraud	3,596	10.4
Embezzlement	144	0.4
Forgery/Counterfeiting	250	0.7
Bribery	84	0.2
Tax	289	0.8
Money Laundering	339	1.0
Racketeering/Extortion	478	1.4
Gambling/Lottery	51	0.1
Civil Rights	29	0.1
Immigration	10,177	29.3
Child Pornography	920	2.6
Prison Offenses	222	0.6
Administration of Justice Offenses	556	1.6
Environmental/Wildlife	76	0.2
National Defense	48	0.1
Antitrust	12	0.0
Food & Drug	73	0.2
Other Miscellaneous Offenses	1,119	3.2

<sup>1</sup> Descriptions of variables used in this table are provided in Appendix A.

Table 22

**GUILTY PLEAS AND TRIALS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

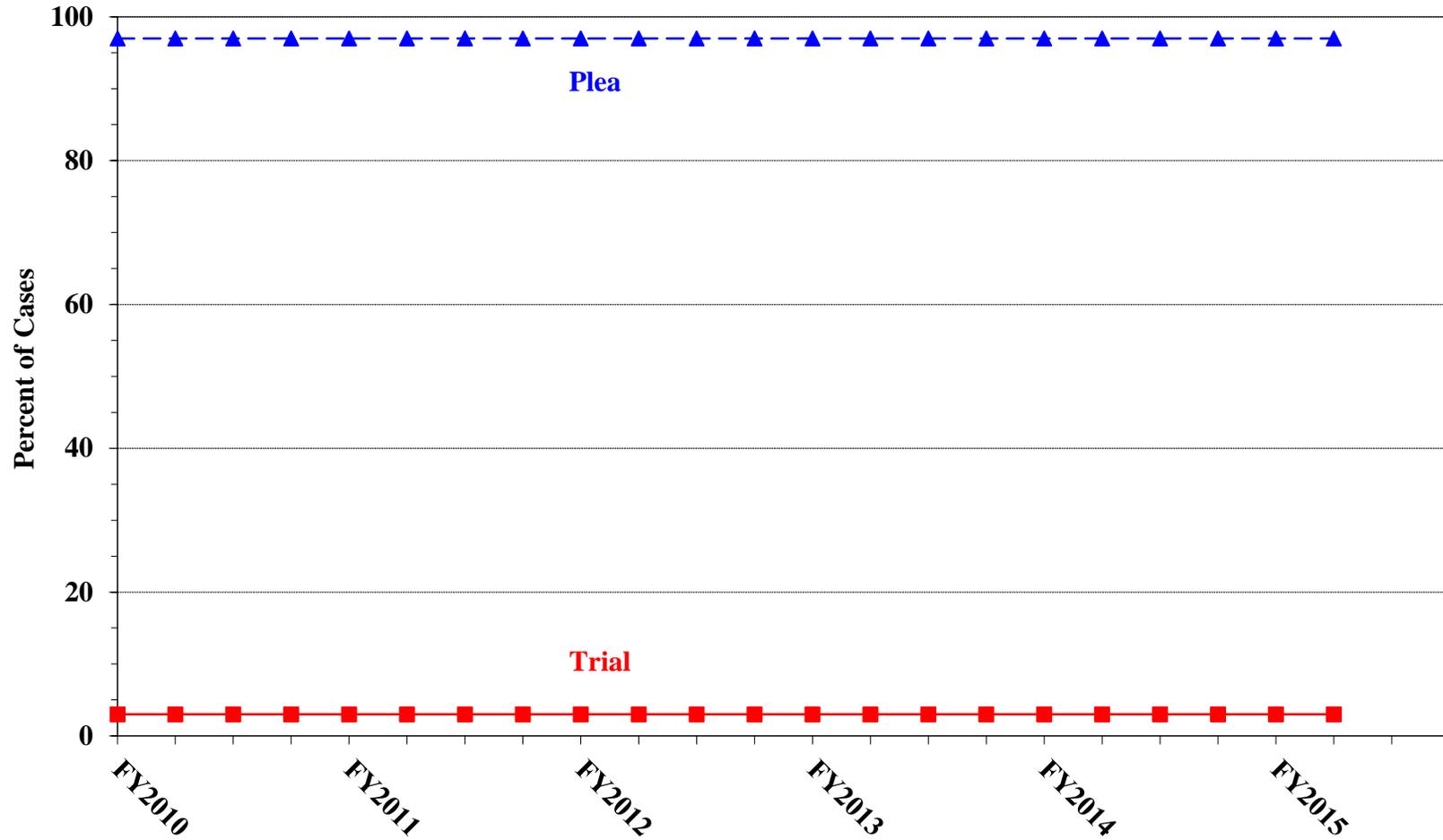
PRIMARY OFFENSE	TOTAL	PLEA		TRIAL	
		N	%	N	%
<b>TOTAL</b>	<b>34,725</b>	<b>33,706</b>	<b>97.1</b>	<b>1,019</b>	<b>2.9</b>
<b>Murder</b>	<b>50</b>	36	72.0	14	28.0
<b>Manslaughter</b>	<b>26</b>	25	96.2	1	3.8
<b>Kidnapping/Hostage Taking</b>	<b>23</b>	19	82.6	4	17.4
<b>Sexual Abuse</b>	<b>263</b>	240	91.3	23	8.7
<b>Assault</b>	<b>373</b>	353	94.6	20	5.4
<b>Robbery</b>	<b>359</b>	347	96.7	12	3.3
<b>Arson</b>	<b>29</b>	24	82.8	5	17.2
<b>Drugs - Trafficking</b>	<b>10,075</b>	9,808	97.3	267	2.7
<b>Drugs - Communication Facility</b>	<b>142</b>	142	100.0	0	0.0
<b>Drugs - Simple Possession</b>	<b>940</b>	937	99.7	3	0.3
<b>Firearms</b>	<b>3,492</b>	3,306	94.7	186	5.3
<b>Burglary/B&amp;E</b>	<b>14</b>	13	92.9	1	7.1
<b>Auto Theft</b>	<b>27</b>	25	92.6	2	7.4
<b>Larceny</b>	<b>449</b>	436	97.1	13	2.9
<b>Fraud</b>	<b>3,596</b>	3,363	93.5	233	6.5
<b>Embezzlement</b>	<b>144</b>	141	97.9	3	2.1
<b>Forgery/Counterfeiting</b>	<b>250</b>	247	98.8	3	1.2
<b>Bribery</b>	<b>84</b>	79	94.0	5	6.0
<b>Tax</b>	<b>289</b>	271	93.8	18	6.2
<b>Money Laundering</b>	<b>339</b>	322	95.0	17	5.0
<b>Racketeering/Extortion</b>	<b>478</b>	445	93.1	33	6.9
<b>Gambling/Lottery</b>	<b>51</b>	50	98.0	1	2.0
<b>Civil Rights</b>	<b>29</b>	24	82.8	5	17.2
<b>Immigration</b>	<b>10,177</b>	10,125	99.5	52	0.5
<b>Child Pornography</b>	<b>920</b>	890	96.7	30	3.3
<b>Prison Offenses</b>	<b>222</b>	219	98.6	3	1.4
<b>Administration of Justice Offenses</b>	<b>556</b>	533	95.9	23	4.1
<b>Environmental/Wildlife</b>	<b>76</b>	67	88.2	9	11.8
<b>National Defense</b>	<b>48</b>	43	89.6	5	10.4
<b>Antitrust</b>	<b>12</b>	11	91.7	1	8.3
<b>Food &amp; Drug</b>	<b>73</b>	73	100.0	0	0.0
<b>Other Miscellaneous Offenses</b>	<b>1,119</b>	1,092	97.6	27	2.4

<sup>1</sup> Descriptions of variables used in this table are provided in Appendix A.

Figure K

QUARTERLY DATA FOR GUILTY PLEAS AND TRIALS<sup>1</sup>

Fiscal Years 2010 - 2014,  
2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)



<sup>1</sup> Descriptions of variables used in this figure are provided in Appendix A.

Table 23

**RACE OF OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

PRIMARY OFFENSE	TOTAL	WHITE		BLACK		HISPANIC		OTHER	
		N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>34,169</b>	<b>8,158</b>	<b>23.9</b>	<b>6,828</b>	<b>20.0</b>	<b>17,771</b>	<b>52.0</b>	<b>1,412</b>	<b>4.1</b>
<b>Murder</b>	<b>50</b>	9	18.0	10	20.0	14	28.0	17	34.0
<b>Manslaughter</b>	<b>26</b>	5	19.2	2	7.7	2	7.7	17	65.4
<b>Kidnapping/Hostage Taking</b>	<b>23</b>	5	21.7	4	17.4	13	56.5	1	4.3
<b>Sexual Abuse</b>	<b>263</b>	92	35.0	75	28.5	32	12.2	64	24.3
<b>Assault</b>	<b>366</b>	98	26.8	43	11.7	51	13.9	174	47.5
<b>Robbery</b>	<b>355</b>	150	42.3	137	38.6	48	13.5	20	5.6
<b>Arson</b>	<b>29</b>	15	51.7	4	13.8	6	20.7	4	13.8
<b>Drugs - Trafficking</b>	<b>10,065</b>	2,539	25.2	2,418	24.0	4,804	47.7	304	3.0
<b>Drugs - Communication Facility</b>	<b>142</b>	45	31.7	55	38.7	39	27.5	3	2.1
<b>Drugs - Simple Possession</b>	<b>887</b>	83	9.4	57	6.4	731	82.4	16	1.8
<b>Firearms</b>	<b>3,485</b>	905	26.0	1,675	48.1	801	23.0	104	3.0
<b>Burglary/B&amp;E</b>	<b>14</b>	6	42.9	1	7.1	3	21.4	4	28.6
<b>Auto Theft</b>	<b>27</b>	8	29.6	5	18.5	11	40.7	3	11.1
<b>Larceny</b>	<b>417</b>	194	46.5	115	27.6	68	16.3	40	9.6
<b>Fraud</b>	<b>3,572</b>	1,516	42.4	1,117	31.3	723	20.2	216	6.0
<b>Embezzlement</b>	<b>140</b>	89	63.6	35	25.0	7	5.0	9	6.4
<b>Forgery/Counterfeiting</b>	<b>245</b>	103	42.0	87	35.5	43	17.6	12	4.9
<b>Bribery</b>	<b>84</b>	29	34.5	21	25.0	22	26.2	12	14.3
<b>Tax</b>	<b>288</b>	187	64.9	48	16.7	36	12.5	17	5.9
<b>Money Laundering</b>	<b>338</b>	146	43.2	49	14.5	117	34.6	26	7.7
<b>Racketeering/Extortion</b>	<b>477</b>	136	28.5	176	36.9	138	28.9	27	5.7
<b>Gambling/Lottery</b>	<b>51</b>	30	58.8	4	7.8	3	5.9	14	27.5
<b>Civil Rights</b>	<b>29</b>	13	44.8	6	20.7	8	27.6	2	6.9
<b>Immigration</b>	<b>10,008</b>	183	1.8	168	1.7	9,592	95.8	65	0.6
<b>Child Pornography</b>	<b>917</b>	765	83.4	45	4.9	84	9.2	23	2.5
<b>Prison Offenses</b>	<b>219</b>	50	22.8	78	35.6	64	29.2	27	12.3
<b>Administration of Justice Offenses</b>	<b>552</b>	217	39.3	143	25.9	126	22.8	66	12.0
<b>Environmental/Wildlife</b>	<b>74</b>	52	70.3	2	2.7	10	13.5	10	13.5
<b>National Defense</b>	<b>48</b>	22	45.8	2	4.2	14	29.2	10	20.8
<b>Antitrust</b>	<b>12</b>	2	16.7	3	25.0	0	0.0	7	58.3
<b>Food &amp; Drug</b>	<b>71</b>	52	73.2	2	2.8	11	15.5	6	8.5
<b>Other Miscellaneous Offenses</b>	<b>895</b>	412	46.0	241	26.9	150	16.8	92	10.3

<sup>1</sup> Of the 34,725 cases, 556 were excluded due to missing information on offender's race. Descriptions of variables used in this table are provided in Appendix A.

Table 24

**GENDER OF OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

PRIMARY OFFENSE	TOTAL	MALE		FEMALE	
		N	%	N	%
<b>TOTAL</b>	<b>34,597</b>	<b>29,783</b>	<b>86.1</b>	<b>4,814</b>	<b>13.9</b>
Murder	50	47	94.0	3	6.0
Manslaughter	26	20	76.9	6	23.1
Kidnapping/Hostage Taking	23	21	91.3	2	8.7
Sexual Abuse	263	239	90.9	24	9.1
Assault	372	319	85.8	53	14.2
Robbery	359	324	90.3	35	9.7
Arson	29	25	86.2	4	13.8
Drugs - Trafficking	10,074	8,492	84.3	1,582	15.7
Drugs - Communication Facility	142	115	81.0	27	19.0
Drugs - Simple Possession	919	844	91.8	75	8.2
Firearms	3,490	3,375	96.7	115	3.3
Burglary/B&E	14	14	100.0	0	0.0
Auto Theft	27	26	96.3	1	3.7
Larceny	446	254	57.0	192	43.0
Fraud	3,593	2,485	69.2	1,108	30.8
Embezzlement	144	61	42.4	83	57.6
Forgery/Counterfeiting	247	184	74.5	63	25.5
Bribery	84	72	85.7	12	14.3
Tax	289	213	73.7	76	26.3
Money Laundering	339	257	75.8	82	24.2
Racketeering/Extortion	478	413	86.4	65	13.6
Gambling/Lottery	51	41	80.4	10	19.6
Civil Rights	29	26	89.7	3	10.3
Immigration	10,137	9,437	93.1	700	6.9
Child Pornography	920	900	97.8	20	2.2
Prison Offenses	222	200	90.1	22	9.9
Administration of Justice Offenses	555	416	75.0	139	25.0
Environmental/Wildlife	76	68	89.5	8	10.5
National Defense	48	47	97.9	1	2.1
Antitrust	12	12	100.0	0	0.0
Food & Drug	73	50	68.5	23	31.5
Other Miscellaneous Offenses	1,066	786	73.7	280	26.3

<sup>1</sup> Of the 34,725 cases, 128 were excluded due to missing information on offender's gender. Descriptions of variables used in this table are provided in Appendix A.

Table 25

**AGE, RACE, AND GENDER OF OFFENDERS<sup>1</sup>**  
**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

Gender and Age	White		Black		Hispanic		Other	
	N	%	N	%	N	%	N	%
<b>Males</b>	<b>6,465</b>	<b>100.0</b>	<b>5,815</b>	<b>100.0</b>	<b>16,041</b>	<b>100.0</b>	<b>1,110</b>	<b>100.0</b>
<b>Under 21</b>	60	0.9	137	2.4	680	4.2	29	2.6
<b>21 - 25</b>	534	8.3	873	15.0	2,353	14.7	144	13.0
<b>26 - 30</b>	850	13.1	1,187	20.4	3,108	19.4	177	15.9
<b>31 - 35</b>	978	15.1	1,165	20.0	3,198	19.9	181	16.3
<b>36 - 40</b>	876	13.5	931	16.0	2,595	16.2	161	14.5
<b>41 - 50</b>	1,535	23.7	1,015	17.5	3,007	18.7	232	20.9
<b>Over 50</b>	1,632	25.2	507	8.7	1,100	6.9	186	16.8
<b>Females</b>	<b>1,690</b>	<b>100.0</b>	<b>1,013</b>	<b>100.0</b>	<b>1,719</b>	<b>100.0</b>	<b>302</b>	<b>100.0</b>
<b>Under 21</b>	23	1.4	13	1.3	83	4.8	5	1.7
<b>21 - 25</b>	157	9.3	149	14.7	313	18.2	32	10.6
<b>26 - 30</b>	236	14.0	199	19.6	317	18.4	42	13.9
<b>31 - 35</b>	285	16.9	181	17.9	300	17.5	47	15.6
<b>36 - 40</b>	232	13.7	128	12.6	252	14.7	47	15.6
<b>41 - 50</b>	367	21.7	207	20.4	290	16.9	71	23.5
<b>Over 50</b>	390	23.1	136	13.4	164	9.5	58	19.2

<sup>1</sup> Of the 34,725 cases, 570 were excluded due to one or more of the following reasons: missing information on offender's race (556), missing information on offender's gender (128), or missing information on offender's age (46). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, Preliminary 2015 Datafile, USSCFY15 (October 1, 2014, through March 31, 2015).

Table 26

**CITIZENSHIP OF OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>**  
**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

PRIMARY OFFENSE	TOTAL	U.S. CITIZEN		NON-U.S. CITIZEN	
		N	%	N	%
<b>TOTAL</b>	<b>34,400</b>	<b>20,253</b>	<b>58.9</b>	<b>14,147</b>	<b>41.1</b>
Murder	50	42	84.0	8	16.0
Manslaughter	26	25	96.2	1	3.8
Kidnapping/Hostage Taking	23	15	65.2	8	34.8
Sexual Abuse	263	247	93.9	16	6.1
Assault	370	341	92.2	29	7.8
Robbery	357	348	97.5	9	2.5
Arson	29	28	96.6	1	3.4
Drugs - Trafficking	10,063	7,539	74.9	2,524	25.1
Drugs - Communication Facility	142	119	83.8	23	16.2
Drugs - Simple Possession	904	209	23.1	695	76.9
Firearms	3,484	3,270	93.9	214	6.1
Burglary/B&E	14	14	100.0	0	0.0
Auto Theft	27	19	70.4	8	29.6
Larceny	433	400	92.4	33	7.6
Fraud	3,575	2,950	82.5	625	17.5
Embezzlement	141	136	96.5	5	3.5
Forgery/Counterfeiting	249	227	91.2	22	8.8
Bribery	84	75	89.3	9	10.7
Tax	287	262	91.3	25	8.7
Money Laundering	337	251	74.5	86	25.5
Racketeering/Extortion	476	411	86.3	65	13.7
Gambling/Lottery	48	44	91.7	4	8.3
Civil Rights	29	26	89.7	3	10.3
Immigration	10,166	691	6.8	9,475	93.2
Child Pornography	920	893	97.1	27	2.9
Prison Offenses	216	201	93.1	15	6.9
Administration of Justice Offenses	553	475	85.9	78	14.1
Environmental/Wildlife	74	65	87.8	9	12.2
National Defense	48	23	47.9	25	52.1
Antitrust	12	5	41.7	7	58.3
Food & Drug	70	63	90.0	7	10.0
Other Miscellaneous Offenses	930	839	90.2	91	9.8

<sup>1</sup> Of the 34,725 cases, 325 were excluded due to missing information on the offender's citizenship status. Descriptions of variables used in this table are provided in Appendix A.

Table 27

**DOCUMENT SUBMISSION BY EACH CIRCUIT AND DISTRICT<sup>1</sup>**  
**2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

CIRCUIT	Number of Cases	Total Documents	J & C	Statement of Reasons	Plea Agreement <sup>2</sup>		Indictment/ Information	Presentence Report	
		Received	Received	Received	Received	No Written Plea/Trial	Received	Received	Waived
District		N	N	N	N	N	N	N	N
<b>TOTAL</b>	<b>34,725</b>	<b>161,412</b>	<b>34,725</b>	<b>34,133</b>	<b>25,484</b>	<b>9,186</b>	<b>34,716</b>	<b>32,354</b>	<b>2,371</b>
<b>D.C. CIRCUIT</b>	<b>130</b>	<b>639</b>	<b>130</b>	<b>130</b>	<b>120</b>	<b>10</b>	<b>130</b>	<b>129</b>	<b>1</b>
District of Columbia	130	639	130	130	120	10	130	129	1
<b>FIRST CIRCUIT</b>	<b>1,189</b>	<b>5,675</b>	<b>1,189</b>	<b>1,185</b>	<b>944</b>	<b>245</b>	<b>1,187</b>	<b>1,170</b>	<b>19</b>
Maine	110	494	110	110	55	55	109	110	0
Massachusetts	260	1,172	260	258	142	118	260	252	8
New Hampshire	68	335	68	68	63	5	68	68	0
Puerto Rico	689	3,382	689	687	640	49	688	678	11
Rhode Island	62	292	62	62	44	18	62	62	0
<b>SECOND CIRCUIT</b>	<b>1,885</b>	<b>9,017</b>	<b>1,885</b>	<b>1,881</b>	<b>1,513</b>	<b>371</b>	<b>1,884</b>	<b>1,854</b>	<b>31</b>
Connecticut	178	879	178	178	167	11	178	178	0
New York									
Eastern	393	1,910	393	392	340	53	393	392	1
Northern	176	813	176	176	120	56	176	165	11
Southern	774	3,636	774	773	545	228	773	771	3
Western	268	1,307	268	266	251	17	268	254	14
Vermont	96	472	96	96	90	6	96	94	2
<b>THIRD CIRCUIT</b>	<b>1,256</b>	<b>6,037</b>	<b>1,256</b>	<b>1,252</b>	<b>1,037</b>	<b>219</b>	<b>1,256</b>	<b>1,236</b>	<b>20</b>
Delaware	52	257	52	52	49	3	52	52	0
New Jersey	350	1,707	350	348	312	38	350	347	3
Pennsylvania									
Eastern	347	1,654	347	345	270	77	347	345	2
Middle	223	1,083	223	223	193	30	223	221	2
Western	259	1,216	259	259	193	66	259	246	13
Virgin Islands	25	120	25	25	20	5	25	25	0
<b>FOURTH CIRCUIT</b>	<b>2,941</b>	<b>13,535</b>	<b>2,941</b>	<b>2,893</b>	<b>2,202</b>	<b>735</b>	<b>2,939</b>	<b>2,560</b>	<b>381</b>
Maryland	446	2,164	446	441	404	42	446	427	19
North Carolina									
Eastern	290	1,295	290	258	208	82	290	249	41
Middle	236	1,168	236	236	224	12	236	236	0
Western	362	1,728	362	362	280	82	362	362	0
South Carolina	319	1,471	319	317	197	122	319	319	0
Virginia									
Eastern	690	2,782	690	681	338	348	688	385	305
Western	200	979	200	200	180	20	200	199	1
West Virginia									
Northern	253	1,245	253	253	241	12	253	245	8
Southern	145	703	145	145	130	15	145	138	7

Table 27 (cont.)

CIRCUIT District	Number of Cases	Total Documents	J & C	Statement of Reasons	Plea Agreement <sup>2</sup>		Indictment/ Information	Presentence Report	
		Received N	Received N	Received N	Received N	No Written Plea/Trial N	Received N	Received N	Waived N
<b>FIFTH CIRCUIT</b>	<b>7,929</b>	<b>35,122</b>	<b>7,929</b>	<b>7,837</b>	<b>3,999</b>	<b>3,912</b>	<b>7,929</b>	<b>7,428</b>	<b>501</b>
Louisiana									
Eastern	208	961	208	207	132	74	208	206	2
Middle	80	379	80	80	59	20	80	80	0
Western	113	534	113	103	101	12	113	104	9
Mississippi									
Northern	81	400	81	81	79	2	81	78	3
Southern	133	638	133	131	111	22	133	130	3
Texas									
Eastern	491	2,419	491	491	457	32	491	489	2
Northern	690	3,229	690	689	473	217	690	687	3
Southern	3,003	13,506	3,003	3,003	1,584	1,413	3,003	2,913	90
Western	3,130	13,056	3,130	3,052	1,003	2,120	3,130	2,741	389
<b>SIXTH CIRCUIT</b>	<b>2,438</b>	<b>11,692</b>	<b>2,438</b>	<b>2,429</b>	<b>2,007</b>	<b>412</b>	<b>2,437</b>	<b>2,381</b>	<b>57</b>
Kentucky									
Eastern	300	1,456	300	300	260	40	300	296	4
Western	154	735	154	154	139	15	154	134	20
Michigan									
Eastern	398	1,901	398	397	323	75	397	386	12
Western	195	905	195	195	130	65	195	190	5
Ohio									
Northern	344	1,611	344	340	245	99	344	338	6
Southern	300	1,486	300	299	291	9	300	296	4
Tennessee									
Eastern	364	1,781	364	364	325	39	364	364	0
Middle	124	568	124	122	78	27	124	120	4
Western	259	1,249	259	258	216	43	259	257	2
<b>SEVENTH CIRCUIT</b>	<b>1,242</b>	<b>5,965</b>	<b>1,242</b>	<b>1,241</b>	<b>1,003</b>	<b>239</b>	<b>1,241</b>	<b>1,238</b>	<b>4</b>
Illinois									
Central	175	819	175	175	119	56	175	175	0
Northern	357	1,734	357	356	311	46	356	354	3
Southern	214	982	214	214	126	88	214	214	0
Indiana									
Northern	142	697	142	142	129	13	142	142	0
Southern	167	812	167	167	145	22	167	166	1
Wisconsin									
Eastern	127	627	127	127	119	8	127	127	0
Western	60	294	60	60	54	6	60	60	0
<b>EIGHTH CIRCUIT</b>	<b>2,193</b>	<b>10,511</b>	<b>2,193</b>	<b>2,185</b>	<b>1,755</b>	<b>436</b>	<b>2,193</b>	<b>2,185</b>	<b>8</b>
Arkansas									
Eastern	151	719	151	151	115	36	151	151	0
Western	169	820	169	165	152	17	169	165	4
Iowa									
Northern	182	848	182	182	120	62	182	182	0
Southern	160	752	160	160	112	48	160	160	0
Minnesota	145	707	145	145	127	18	145	145	0
Missouri									
Eastern	288	1,427	288	288	275	12	288	288	0
Western	408	1,960	408	406	331	77	408	407	1
Nebraska	279	1,308	279	277	195	84	279	278	1
North Dakota	207	960	207	207	133	73	207	206	1
South Dakota	204	1,010	204	204	195	9	204	203	1

Table 27 (cont.)

CIRCUIT District	Number of Cases	Total Documents	J & C	Statement of Reasons	Plea Agreement <sup>2</sup>		Indictment/ Information	Presentence Report	
		Received N	Received N	Received N	Received N	No Written Plea/Trial N	Received N	Received N	Waived N
<b>NINTH CIRCUIT</b>	<b>7,237</b>	<b>34,150</b>	<b>7,237</b>	<b>6,875</b>	<b>6,766</b>	<b>469</b>	<b>7,236</b>	<b>6,036</b>	<b>1,201</b>
Alaska	78	367	78	78	59	19	78	74	4
Arizona	2,791	12,729	2,791	2,452	2,703	86	2,790	1,993	798
California									
Central	563	2,726	563	562	494	69	563	544	19
Eastern	389	1,915	389	387	368	21	389	382	7
Northern	302	1,439	302	288	264	38	302	283	19
Southern	1,721	8,281	1,721	1,719	1,665	56	1,721	1,455	266
Guam	29	141	29	29	25	4	29	29	0
Hawaii	131	606	131	131	83	48	131	130	1
Idaho	119	585	119	119	109	10	119	119	0
Montana	188	899	188	188	147	41	188	188	0
Nevada	265	1,265	265	265	212	53	265	258	7
Northern Mariana Islands	5	25	5	5	5	0	5	5	0
Oregon	255	1,230	255	252	250	5	255	218	37
Washington									
Eastern	176	867	176	175	167	9	176	173	3
Western	225	1,075	225	225	215	10	225	185	40
<b>TENTH CIRCUIT</b>	<b>3,235</b>	<b>14,797</b>	<b>3,235</b>	<b>3,207</b>	<b>1,954</b>	<b>1,279</b>	<b>3,234</b>	<b>3,167</b>	<b>68</b>
Colorado	173	849	173	172	164	9	173	167	6
Kansas	320	1,540	320	314	281	39	320	305	15
New Mexico	2,032	9,082	2,032	2,031	956	1,076	2,032	2,031	1
Oklahoma									
Eastern	43	192	43	43	20	23	43	43	0
Northern	90	413	90	90	54	36	90	89	1
Western	162	707	162	162	84	77	162	137	25
Utah	266	1,308	266	266	259	7	266	251	15
Wyoming	149	706	149	129	136	12	148	144	5
<b>ELEVENTH CIRCUIT</b>	<b>3,050</b>	<b>14,272</b>	<b>3,050</b>	<b>3,018</b>	<b>2,184</b>	<b>859</b>	<b>3,050</b>	<b>2,970</b>	<b>80</b>
Alabama									
Middle	105	506	105	105	87	18	105	104	1
Northern	173	849	173	173	159	14	173	171	2
Southern	176	855	176	176	151	25	176	176	0
Florida									
Middle	675	3,142	675	673	444	229	675	675	0
Northern	105	505	105	105	86	19	105	104	1
Southern	1,064	4,909	1,064	1,045	692	369	1,064	1,044	20
Georgia									
Middle	179	811	179	175	111	68	179	167	12
Northern	336	1,624	336	329	297	38	336	326	10
Southern	237	1,071	237	237	157	79	237	203	34

<sup>1</sup> Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup> The figures presented in this table regarding Plea Agreement Submission exclude from the analysis 18 cases for which the Commission was unable to determine definitively whether the defendant's guilty plea was entered pursuant to a written plea agreement.

Table 28

**RATE OF SUBMISSION OF STATEMENT OF REASONS FORM  
BY EACH CIRCUIT AND DISTRICT  
2nd Quarter 2015 Preliminary Cumulative Data (October 1, 2014, through March 31, 2015)**

CIRCUIT District	Total	Form AO 245B <sup>1</sup>		Other Forms <sup>2</sup>		No Form Received	
		N	%	N	%	N	%
<b>TOTAL</b>	<b>34,725</b>	<b>32,791</b>	<b>94.4</b>	<b>1,482</b>	<b>4.3</b>	<b>452</b>	<b>1.3</b>
<b>D.C. CIRCUIT</b>	<b>130</b>	<b>130</b>	<b>100.0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>
District of Columbia	130	130	100.0	0	0.0	0	0.0
<b>FIRST CIRCUIT</b>	<b>1,189</b>	<b>1,186</b>	<b>99.7</b>	<b>0</b>	<b>0.0</b>	<b>3</b>	<b>0.3</b>
Maine	110	110	100.0	0	0.0	0	0.0
Massachusetts	260	258	99.2	0	0.0	2	0.8
New Hampshire	68	68	100.0	0	0.0	0	0.0
Puerto Rico	689	688	99.9	0	0.0	1	0.1
Rhode Island	62	62	100.0	0	0.0	0	0.0
<b>SECOND CIRCUIT</b>	<b>1,885</b>	<b>1,868</b>	<b>99.1</b>	<b>13</b>	<b>0.7</b>	<b>4</b>	<b>0.2</b>
Connecticut	178	178	100.0	0	0.0	0	0.0
New York							
Eastern	393	379	96.4	13	3.3	1	0.3
Northern	176	176	100.0	0	0.0	0	0.0
Southern	774	773	99.9	0	0.0	1	0.1
Western	268	266	99.3	0	0.0	2	0.7
Vermont	96	96	100.0	0	0.0	0	0.0
<b>THIRD CIRCUIT</b>	<b>1,256</b>	<b>1,251</b>	<b>99.6</b>	<b>2</b>	<b>0.2</b>	<b>3</b>	<b>0.2</b>
Delaware	52	52	100.0	0	0.0	0	0.0
New Jersey	350	348	99.4	0	0.0	2	0.6
Pennsylvania							
Eastern	347	346	99.7	0	0.0	1	0.3
Middle	223	223	100.0	0	0.0	0	0.0
Western	259	257	99.2	2	0.8	0	0.0
Virgin Islands	25	25	100.0	0	0.0	0	0.0
<b>FOURTH CIRCUIT</b>	<b>2,941</b>	<b>2,868</b>	<b>97.5</b>	<b>29</b>	<b>1.0</b>	<b>44</b>	<b>1.5</b>
Maryland	446	443	99.3	2	0.4	1	0.2
North Carolina							
Eastern	290	258	89.0	0	0.0	32	11.0
Middle	236	236	100.0	0	0.0	0	0.0
Western	362	362	100.0	0	0.0	0	0.0
South Carolina	319	317	99.4	0	0.0	2	0.6
Virginia							
Eastern	690	654	94.8	27	3.9	9	1.3
Western	200	200	100.0	0	0.0	0	0.0
West Virginia							
Northern	253	253	100.0	0	0.0	0	0.0
Southern	145	145	100.0	0	0.0	0	0.0

Table 28 (cont.)

CIRCUIT District	Total	Form AO 245B <sup>1</sup>		Other Forms <sup>2</sup>		No Form Received	
		N	%	N	%	N	%
<b>FIFTH CIRCUIT</b>	<b>7,929</b>	<b>6,756</b>	<b>85.2</b>	<b>1,082</b>	<b>13.6</b>	<b>91</b>	<b>1.1</b>
Louisiana							
Eastern	208	207	99.5	0	0.0	1	0.5
Middle	80	80	100.0	0	0.0	0	0.0
Western	113	80	70.8	23	20.4	10	8.8
Mississippi							
Northern	81	81	100.0	0	0.0	0	0.0
Southern	133	131	98.5	0	0.0	2	1.5
Texas							
Eastern	491	491	100.0	0	0.0	0	0.0
Northern	690	688	99.7	1	0.1	1	0.1
Southern	3,003	3,003	100.0	0	0.0	0	0.0
Western	3,130	1,995	63.7	1,058	33.8	77	2.5
<b>SIXTH CIRCUIT</b>	<b>2,438</b>	<b>2,382</b>	<b>97.7</b>	<b>48</b>	<b>2.0</b>	<b>8</b>	<b>0.3</b>
Kentucky							
Eastern	300	300	100.0	0	0.0	0	0.0
Western	154	154	100.0	0	0.0	0	0.0
Michigan							
Eastern	398	398	100.0	0	0.0	0	0.0
Western	195	194	99.5	1	0.5	0	0.0
Ohio							
Northern	344	340	98.8	0	0.0	4	1.2
Southern	300	278	92.7	21	7.0	1	0.3
Tennessee							
Eastern	364	364	100.0	0	0.0	0	0.0
Middle	124	96	77.4	26	21.0	2	1.6
Western	259	258	99.6	0	0.0	1	0.4
<b>SEVENTH CIRCUIT</b>	<b>1,242</b>	<b>1,205</b>	<b>97.0</b>	<b>36</b>	<b>2.9</b>	<b>1</b>	<b>0.1</b>
Illinois							
Central	175	174	99.4	1	0.6	0	0.0
Northern	357	356	99.7	0	0.0	1	0.3
Southern	214	214	100.0	0	0.0	0	0.0
Indiana							
Northern	142	142	100.0	0	0.0	0	0.0
Southern	167	167	100.0	0	0.0	0	0.0
Wisconsin							
Eastern	127	92	72.4	35	27.6	0	0.0
Western	60	60	100.0	0	0.0	0	0.0
<b>EIGHTH CIRCUIT</b>	<b>2,193</b>	<b>2,179</b>	<b>99.4</b>	<b>6</b>	<b>0.3</b>	<b>8</b>	<b>0.4</b>
Arkansas							
Eastern	151	151	100.0	0	0.0	0	0.0
Western	169	165	97.6	0	0.0	4	2.4
Iowa							
Northern	182	182	100.0	0	0.0	0	0.0
Southern	160	160	100.0	0	0.0	0	0.0
Minnesota	145	140	96.6	5	3.4	0	0.0
Missouri							
Eastern	288	288	100.0	0	0.0	0	0.0
Western	408	406	99.5	0	0.0	2	0.5
Nebraska	279	276	98.9	1	0.4	2	0.7
North Dakota	207	207	100.0	0	0.0	0	0.0
South Dakota	204	204	100.0	0	0.0	0	0.0

Table 28 (cont.)

CIRCUIT District	Total	Form AO 245B <sup>1</sup>		Other Forms <sup>2</sup>		No Form Received	
		N	%	N	%	N	%
<b>NINTH CIRCUIT</b>	<b>7,237</b>	<b>6,753</b>	<b>93.3</b>	<b>249</b>	<b>3.4</b>	<b>235</b>	<b>3.2</b>
Alaska	78	78	100.0	0	0.0	0	0.0
Arizona	2,791	2,577	92.3	1	0.0	213	7.6
California							
Central	563	563	100.0	0	0.0	0	0.0
Eastern	389	387	99.5	0	0.0	2	0.5
Northern	302	288	95.4	0	0.0	14	4.6
Southern	1,721	1,718	99.8	1	0.1	2	0.1
Guam	29	29	100.0	0	0.0	0	0.0
Hawaii	131	130	99.2	1	0.8	0	0.0
Idaho	119	119	100.0	0	0.0	0	0.0
Montana	188	188	100.0	0	0.0	0	0.0
Nevada	265	265	100.0	0	0.0	0	0.0
Northern Mariana Islands	5	5	100.0	0	0.0	0	0.0
Oregon	255	6	2.4	246	96.5	3	1.2
Washington							
Eastern	176	175	99.4	0	0.0	1	0.6
Western	225	225	100.0	0	0.0	0	0.0
<b>TENTH CIRCUIT</b>	<b>3,235</b>	<b>3,208</b>	<b>99.2</b>	<b>3</b>	<b>0.1</b>	<b>24</b>	<b>0.7</b>
Colorado	173	172	99.4	0	0.0	1	0.6
Kansas	320	317	99.1	1	0.3	2	0.6
New Mexico	2,032	2,031	100.0	0	0.0	1	0.0
Oklahoma							
Eastern	43	43	100.0	0	0.0	0	0.0
Northern	90	90	100.0	0	0.0	0	0.0
Western	162	162	100.0	0	0.0	0	0.0
Utah	266	264	99.2	2	0.8	0	0.0
Wyoming	149	129	86.6	0	0.0	20	13.4
<b>ELEVENTH CIRCUIT</b>	<b>3,050</b>	<b>3,005</b>	<b>98.5</b>	<b>14</b>	<b>0.5</b>	<b>31</b>	<b>1.0</b>
Alabama							
Middle	105	105	100.0	0	0.0	0	0.0
Northern	173	173	100.0	0	0.0	0	0.0
Southern	176	174	98.9	2	1.1	0	0.0
Florida							
Middle	675	673	99.7	0	0.0	2	0.3
Northern	105	104	99.0	1	1.0	0	0.0
Southern	1,064	1,044	98.1	1	0.1	19	1.8
Georgia							
Middle	179	176	98.3	0	0.0	3	1.7
Northern	336	319	94.9	10	3.0	7	2.1
Southern	237	237	100.0	0	0.0	0	0.0

<sup>1</sup> Cases included in this category are those in which the court submitted Form AO 245B (Revision 06/05, 09/08, or 09/11) to the Commission. Only cases in which all required pages of this form were submitted with no deletions or substantive changes are included in this category. Form AO 245B was approved by the Executive Committee of the Judicial Conference of the United States in June 2005.

<sup>2</sup> Cases are included in this category for one or more of the following reasons: one or more of the required pages of Form AO 245B were missing; deletions or substantive changes were made in Form AO 245B that prevented the USSC from collecting the information required to be submitted by 18 U.S.C. §3553(c); an outdated version of Form AO 245B was submitted; or a unique, district created, or modified form was submitted.

## Appendix A

### Descriptions of Datafiles and Variables

#### Introduction

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Federal courts are required to forward to the Commission sentencing documentation on all offenders sentenced under the Sentencing Reform Act of 1984 (SRA), except in cases that solely involve petty offenses. Standard information on each case is extracted from sentencing documents received and computerized for analysis.

Given the nature of the datafile and reporting requirements, the following are not included: cases initiated but for which no convictions were obtained, offenders convicted for whom no sentences were yet issued, and offenders sentenced but for whom no sentencing documents were submitted to the Commission. Because the Commission collects information only on cases sentenced under the guidelines, information on cases sentenced under prior law (pre-guidelines) during the current fiscal year is not available in this dataset. When cases are sentenced under both prior law and the guidelines, only the guideline relevant information is coded in the dataset. Cases in which a sentence of death was imposed also are not available in this dataset for this same reason.

Note that for all tables, total percentages may not add up to exactly 100 percent due to rounding.

#### Variables

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The following section describes the variables used in this report.

##### **Above Guideline Range with *Booker*/18 U.S.C. § 3553**

*Above Guideline Range with Booker/18 U.S.C. § 3553* consists of cases with a sentence above the guideline range with no departure indicated and that cite *U.S. v. Booker*, 18 U.S.C. § 3553, or related factors as one of the reasons for sentencing outside of the guideline system.

##### **Age**

The *Age* of the offender on the day of sentencing is calculated using the date of sentencing as reported in the Judgment and Commitment Order and the offender's date of birth as reported either in the Presentence Report or in the case submission information provided by the court when submitting the case to the Commission.

##### **All Remaining Cases Above Guideline Range**

*All Remaining Cases Above Guideline Range* consists of cases sentenced above the guideline range that cannot be classified into any of the other three above the range categories. This category includes, for example, cases in which no reason is provided for a sentence above the guideline range.

##### **All Remaining Cases Below Guideline Range**

*All Remaining Cases Below Guideline Range* consists of cases sentenced below the guideline range that cannot be classified into any of the other three below the range categories. This category includes, for example, cases in which no reason is provided for a sentence below the guideline range.

##### **Below Guideline Range with *Booker*/18 U.S.C. § 3553**

*Below Guideline Range with Booker/18 U.S.C. § 3553* consists of cases with a sentence below the guideline range with no departure indicated and that cite *U.S. v. Booker*, 18 U.S.C. § 3553, or related factors as one of the reasons for sentencing outside of the guideline system.

**Circuit**

Information on judicial *Circuit* is generated by computer using the location of the judicial district in which the offender was sentenced.

**Citizenship Status**

Information on the *Citizenship Status* of offenders is obtained from the presentence report. Offenders are categorized as one of the following: “U.S. citizen,” “resident alien,” “illegal alien,” “extradited alien,” and “non-U.S. citizen, alien status unknown.” The latter four categories are collapsed into the category of “non-U.S. citizen.”

Starting in Fiscal Year 2014, for cases in which the Commission does not receive the PSR (most commonly when the court waives the preparation of the PSR), values for several demographic variables are taken from the Probation and Pretrial Services Automated Case Tracking System (PACTS) datafile created by the Probation and Pretrial Services Office at the Administrative Office of the U.S. Courts. Cases are matched using unique case identifiers and the demographic information which would otherwise be missing in these cases due to the lack of a PSR is imported from the PACTS datafile.

**Degree of Decrease**

*Degree of Decrease* is calculated based on the difference between the length of imprisonment (not including any months of alternative confinement as defined in USSG §5C1.1) and the guideline minimum for the following categories of below range cases: downward departure from guideline range, downward departure with *Booker*/18 U.S.C. § 3553, below guideline range with *Booker*/18 U.S.C. § 3553, all remaining cases below guideline range, USSG §5K1.1 substantial assistance cases, USSG §5K3.1 early disposition program cases, and other government sponsored cases. Life sentences and cases where the guideline minimum is zero months or life are all excluded from all degree of decrease calculations due to the logical difficulty in calculating a decrease from these values.

**Degree of Increase**

*Degree of Increase* is calculated based on the difference between the guideline maximum and the length of imprisonment (not including any months of alternative confinement as defined in USSG §5C1.1) for the following categories of above range cases: upward departure from guideline range, upward departure with *Booker*/18 U.S.C. § 3553, above guideline range with *Booker*/18 U.S.C. § 3553, all remaining cases above guideline range. Life sentences, sentences of probation, and cases where the guideline minimum is life are all excluded from all degree of increase calculations due to the logical difficulty in calculating an increase from these values.

**District**

Information on the judicial *District* in which sentencing occurred is obtained from the Judgment and Commitment Order.

**Document Submission Rates**

Five documents are represented in the document submission rate table: Judgment and Commitment Order (J&C), Presentence Report (PSR), Statement of Reasons (SOR), Indictment/Information (Ind), and Plea Agreements (Plea). The J&C and PSR generally are submitted in a standardized format. PSRs waived by the court are indicated in a separate column. Standardized forms for the Statement of Reasons are most frequently submitted; however, transcripts or partial transcripts from the sentencing hearing are also included as *Statement of Reasons Received*. Cases in which the Commission was unable to determine definitively whether the offender’s guilty plea was entered pursuant to a written agreement are excluded from the Plea Agreement totals. The total requested documents received column is derived from adding the total number of received documents from the Judgment and Commitment Order (J&C), Presentence Report (PSR), Statement of Reasons (SOR), Indictment/Information (Ind), and Plea Agreements (Plea). The total requested documents not received column is derived from adding the total number of not received documents from the Judgment and Commitment Order (J&C), Presentence Report (PSR), Statement of Reasons (SOR), Indictment/Information (Ind), and Plea Agreements (Plea). Cases where the PSR is waived, there is no written plea agreement/trial, and where the Commission was unable to

definitively determine whether the offender's guilty plea was entered pursuant to a written plea agreement are all excluded from the calculations for the total received documents column.

### **Downward Departure From Guideline Range**

*Downward Departure From Guideline Range* consists of cases with departures below the guideline range that do not cite as a reason either *U.S. v. Booker*, 18 U.S.C. § 3553, or factors or reasons specifically prohibited in the provisions, policy statements, or commentary of the federal guidelines manual.

### **Downward Departures with Booker/18 U.S.C. § 3553**

*Downward Departures with Booker/18 U.S.C. § 3553* consists of cases with a sentence below the guideline range that include both a departure (see Downward Departure From Guideline Range) as well as a sentence outside the guideline system mentioning either *U.S. v. Booker*, 18 U.S.C. § 3553, or related factors as a reason for sentencing below the guideline range.

### **Drug Offense Guideline**

*Drug Offense Guideline* information is obtained from the Presentence Report and is based on the guidelines in USSG Chapter Two, Part D. The six guidelines featured in the tables (USSG §2D1.1, §2D1.2, §2D1.5, §2D1.6, §2D1.8, and §2D2.1) represent the vast majority of drug cases.

### **Drug Type**

Information on *Drug Type* is obtained from the Presentence Report, Judgment and Commitment Order or Plea Agreement. It is recorded only if at least one of the statutes of conviction recorded by the Commission is a title 21 U.S. Code offense or an offense under another title when the underlying conduct involves a controlled substance. Information about type of drug in the text and tables is derived from the primary drug type (*i.e.*, the type that produces the highest base offense level). The category *Marijuana* includes Hashish and Hashish oil. The category *Methamphetamine* includes pure (actual) methamphetamine, "ICE," methamphetamine mixture, and methamphetamine precursors sentenced under any drug guideline other than USSG §2D1.11 (for example ephedrine and pseudoephedrine). The category *Listed Chemicals* includes any chemicals listed under USSG §2D1.11. All drug types not listed separately in this report are collapsed into the "other" drug category.

### **Education**

Information on education of the offender is obtained from the Presentence Report and is collapsed into general categories. Technical, military, and vocational training as well as course work at community colleges is included in the *Some College* category. A general equivalency degree (GED) is included in the *High School Graduate* category.

### **Gender**

*Gender* of the defendant is obtained from the Presentence Report.

Starting in Fiscal Year 2014, for cases in which the Commission does not receive the PSR (most commonly when the court waives the preparation of the PSR), values for several demographic variables are taken from the Probation and Pretrial Services Automated Case Tracking System (PACTS) datafile created by the Probation and Pretrial Services Office at the Administrative Office of the U.S. Courts. Cases are matched using unique case identifiers and the demographic information which would otherwise be missing in these cases due to the lack of a PSR is imported from the PACTS datafile.

### **Government Sponsored Below Range**

Government sponsorship of a below range sentence is determined by a yearly case review by USSC staff of both the reasons for the below range sentence and the coding by USSC staff of any indication of government sponsorship as indicated on the Statement of Reasons for below range cases. The SOR form has specific check-boxes to indicate the origins of the departure, but cases that do not use this form may also indicate in writing the origins of the departure. Additionally, all cases with one or more of the following reasons were classified as being sponsored by the government regardless of whether the SOR indicated sponsorship: pursuant to a plea agreement (binding, non-binding, or unknown), fast track, savings to the government, early plea, deportation, waiver of indictment and/or appeal, other government

motion, global disposition, due to stipulations, facilitated early release of a material witness, joint recommendation, and large number of immigration cases. Note that because the USSC reviews the reasons on a yearly basis, this list might be modified slightly from year to year. Unless otherwise broken out in the table or chart, this category also includes cases with USSG §5K3.1 Early Disposition Program (EDP) departures and USSG §5K1.1 substantial assistance departures.

### **Guideline Offenders Sentenced**

Each *Guideline Offender Sentenced* or case, as recorded by the USSC, involves a single sentencing event for a single offender. Multiple counts, and even multiple indictments, are considered a single sentencing event if sentenced at the same time by the same judge. A single offender may appear in more than one case if involved in more than one sentencing event during the fiscal year. Co-offenders in the same sentencing will each appear as separate cases.

### **Guideline Sentencing Range**

The *Guideline Sentencing Range* is taken from the Statement of Reasons provided by the sentencing court. Alternatively, if the Statement of Reasons is missing, then the information is taken from the presentence report.

For tables in this report, unless otherwise indicated, the guideline sentencing range does not take into account applicable statutory restrictions on either the maximum or the minimum of the range; therefore, it may differ from the available range, which does take into account the statutory restrictions.

### **Mode of Conviction**

Information on *Mode of Conviction* is obtained from the Judgment and Commitment Order. Offenders sentenced subsequent to a plea of guilty or *nolo contendere* are included in the *Plea* category. Offenders sentenced subsequent to a trial by judge or jury are included in the *Trial* category. Rare cases involving both a plea and a trial are included in the *Trial* category.

### **Outside of the Range Attribution Categories**

All categories replicate the list of checkboxes available on the SOR Form. Not all checkbox categories are available in both the departure section and sentences outside the guideline system section on this form and multiple checkboxes may be indicated in a single case so that totals in a table may exceed the total number of cases. USSC uses these checkboxes in determining government sponsorship: all cases in which one of the pursuant to a plea agreement boxes is indicated are attributed to the government. Additionally cases where a USSG §5K1.1, USSG §5K3.1, or other government motion checkbox was indicated in the pursuant to a motion not in a plea agreement section are also attributed to one of the government sponsored categories. Additionally, other types of SOR forms may indicate sponsorship in writing, and these attributions are also included in the appropriate category.

### **Position of Sentence**

The *Position of Sentence* describes within-range guideline sentences in terms of their relative positions within their applicable guideline ranges. Only cases with complete information from the Statement of Reasons are used for this table. The *Position of Sentence* is determined by dividing the available range in half. This allows a sentence to fall into one of five distinct categories: the guideline minimum; the exact midpoint of the range; the guideline maximum; the lower-half of the range (when not at the guideline minimum); and the upper-half of the range (when not at the guideline maximum). The “available range” is the guideline range with applicable statutory restrictions on either the maximum or the minimum of the range taken into account. (For cases in which guideline USSG §5C1.2 was applied, in accordance with the provisions of the guideline, the statutory restrictions on the minimum of the range are removed according to 18 U.S.C. § 3553(f).) In cases in which the sentence is located outside the available sentencing range, departure information is provided as reported by the sentencing court. Differences in the number and percentage of cases in each range quarter may differ from other tables presented in this report; this is due to the exclusion of any case missing both complete information from the Statement of Reasons and information on statutory minima and maxima.

### **Primary Offense Category**

Information on *Primary Offense Category* is obtained from the Judgment and Commitment Order. The “primary” offense for the case is determined to be the offense applicable to the count of conviction with the highest statutory maximum. If two or more counts are found to have the same statutory maximum, “primary” offense is selected according to which count of conviction has the highest statutory minimum. Finally, in the event of a small number of cases still tied, the offense type that best represented the nature of the criminal behavior is chosen.

For convenience in analysis, a summary variable describing “primary offense category” is derived. This is generated by grouping similar primary offenses into a smaller set of categories. Note that the primary offense categories differ between the individual and organizational offender datafiles. Listed below are the offense types that are grouped into each of the primary offense categories used in the individual datafile tables for this report:

*Murder* includes first degree murder, felony with death resulting, second degree murder, and conspiracy to murder (with death resulting).

*Manslaughter* includes both involuntary and voluntary manslaughter.

*Kidnapping/Hostage Taking* includes ransom taking and hostage/kidnapping.

*Sexual Abuse* includes sexual abuse of a minor, transportation of minor for sex, sexual abuse of a ward, criminal sexual abuse, and abusive sexual contact.

*Assault* includes attempt to commit murder, assault with intent to murder, threatening communication, aggravated assault, conspiracy with attempt to murder, obstructing or impeding officers, minor assault, and conspiracy that includes assault with attempt to murder.

*Robbery* includes bank robbery, aggravated bank robbery, Hobbs Act robbery, mail robbery, other robbery, and carjacking.

*Arson* also includes damage by explosives.

*Drugs - Trafficking* includes drug distribution/manufacture, drug distribution/manufacture – conspiracy, continuing criminal enterprise, drug distribution – employee under 21, drug distribution near school, drug import/export, drug distribution to person under 21, and establish/rent drug operation.

*Drugs - Communication Facility* includes use of a communication facility in a drug trafficking offense.

*Drugs - Simple Possession* includes distribution of a small amount of marijuana and simple possession.

*Firearms* includes unlawful possession/transportation of firearms or ammunition; possession of guns/explosives on aircraft; unlawful trafficking, etc. in explosives; possession of guns/explosives in federal facility/schools; use of fire or explosives to commit felony; and use of firearms or ammunition during crime.

*Burglary/Breaking & Entering* includes post office burglary, burglary of DEA premises (pharmacy), burglary of other structure, bank burglary, and burglary of a residence.

*Auto Theft* includes auto theft (including parts), receipt/possession of stolen auto or parts, and altered identification numbers/trafficking in altered (auto).

*Larceny* includes bank larceny, theft from benefit plans, other theft – mail/post office, receipt/possession of stolen property (not auto), other theft – property, larceny/theft-mail/post office, larceny/theft – property (not auto), and theft from labor union.

*Fraud* includes odometer laws and regulations, insider trading, and fraud and deceit.

*Embezzlement* includes embezzlement – property, embezzlement from labor unions, embezzlement – mail/post office, embezzlement from benefit plans, and bank embezzlement.

*Forgery/Counterfeiting* includes counterfeit bearer obligations and forgery/counterfeit (non-bearer obligations).

*Bribery* includes payment to obtain office, bribe involving officials, bribery – bank loan/commercial, loan or gratuity to bank examiner, etc., gratuity involving officials, and bribe or gratuity affecting employee plan.

*Tax* includes receipt/trafficking in smuggled property, aid, etc., in tax fraud; fraud – tax returns, statements, etc.; fraud, false statement – perjury; failure to file or pay; tax evasion; evading import duties (smuggling); failure to collect or account for taxes; regulatory offenses – taxes; failure to deposit taxes in trust account; non-payment of taxes; conspiracy to avoid taxes; and offenses relating to withholding statements.

*Money Laundering* includes laundering of monetary instruments, monetary transaction from unlawful activity, failure to file currency report, and failure to report monetary transactions.

*Racketeering/Extortion* includes extortionate extension of credit, blackmail, extortion by force or threat, Hobbs Act extortion, travel in aid of racketeering, crime relating to racketeering, and violent crimes in aid of racketeering.

*Gambling/Lottery* includes engaging in a gambling business, transmission of wagering information, obstruction to facilitate gambling, and interstate transportation of wagering paraphernalia.

*Civil Rights* includes interference with rights under color of law; force or threats to deny benefits or rights; obstructing an election or registration; manufacture, etc. – eavesdropping device; other deprivations/discrimination; obstructing correspondence; peonage, servitude, and slave trade; intercept communication or eavesdropping; and conspiracy to deprive individual of civil rights.

*Immigration* includes trafficking in U.S. passports; trafficking in entry documents; failure to surrender naturalization certificate; fraudulently acquiring U.S. passports; smuggling, etc.; unlawful alien; fraudulently acquiring entry documents; and unlawfully entering the U.S.

*Pornography/Prostitution* includes dealing in obscene matter, transportation of minor for prostitution, transportation for prostitution/sex (adult), sexual exploitation of minors, materials involving sexual exploitation of minors, obscene telephone or broadcasting, and selling or buying children for pornography. This primary offense category was discontinued in fiscal year 2010. Some of the offenses that were grouped into this primary offense category in prior fiscal years are grouped into the *Child Pornography* primary offense type. All other offenses that were grouped into this primary offense category in prior fiscal years are included in the *Other Miscellaneous Offenses* primary offense category.

*Child Pornography* includes the sale, distribution, transportation, shipment, receipt, or possession of materials involving the sexual exploitation of minors. This primary offense category was created in fiscal year 2010.

*Prison Offenses* includes contraband in prisons, riots in federal facilities, and escape.

*Administration of Justice Offenses* includes commission of offense while on release, bribery of a witness, failure to appear by offender, contempt, failure to appear by material witness, obstruction of justice, payment of witness, perjury or subornation of perjury, misprision of a felony, and accessory after the fact.

*Environmental/Wildlife* includes waste discharge, specially protected fish, wildlife, and plants (waste discharge is presented as a separate offense category in Tables 51 and 52).

*National Defense* includes evasion of export controls and exportation of arms, etc., without license.

*Antitrust* includes bid-rigging, price-fixing, and market allocation agreement.

*Food & Drug* includes false information or tampering with products, tampering to injure business, tampering with risk of death or injury, and violation of regulations involving food, drugs, etc.

*Other Miscellaneous Offenses* includes illegal use of regulatory number – drugs; illegal transfer of drugs; illegal regulatory number to get drugs; drug paraphernalia; forgery/fraud for drugs; dangerous devices to protect drugs; manufacture drugs against quota; endangering life while manufacturing drugs; operate carrier under drugs; endangerment from hazardous/toxic substances; mishandling substances, records, etc.; threat of tampering with public water system; hazardous devices on federal lands; mishandling other pollutants, records, etc.; improper storage of explosives; recordkeeping violation – explosives; possession of other weapon – on aircraft, in federal facility; failure to report theft of explosives; feloniously mailing injurious articles; transport of hazardous material in commerce; interference with flight crew, other offense – aboard aircraft; criminal infringement of copyright/trademark; conflict of interest; unauthorized payment; non-drug forfeiture; impersonation; false statement to Employee Act; reporting offenses – labor related; criminal infringement of trademark; unlawful conduct relating to control/cigarettes; trespass; destruction of property; destruction of mail; aircraft piracy; conspiracy to murder (no death, assault, or attempt); conspiracy to commit murder; and all other miscellaneous offenses not previously listed in any of the other categories.

## **Race**

Information on *Race* of the offender is obtained from the Presentence Report in separate categories of race and ethnicity (*White, Black, Native American or Alaskan Native, Asian or Pacific Islander, Multiracial, and "Other"*). Ethnicity data indicate whether an offender is of Hispanic origin. (For purposes of this report, offenders whose ethnic background is designated as Hispanic are represented as Hispanic in all tables regardless of racial background.) The *Other* category includes offenders of Native American, Alaskan Native, Asian or Pacific Islander, Multiracial, and "Other" origin.

Starting in Fiscal Year 2014, for cases in which the Commission does not receive the PSR (most commonly when the court waives the preparation of the PSR), values for several demographic variables are taken from the Probation and Pretrial Services Automated Case Tracking System (PACTS) datafile created by the Probation and Pretrial Services Office at the Administrative Office of the U.S. Courts. Cases are matched using unique case identifiers and the demographic information which would otherwise be missing in these cases due to the lack of a PSR is imported from the PACTS datafile.

### **Sentence Length**

*Sentence Length* reports the mean and median terms of the sentence imposed in months. This information is obtained from the Judgment and Commitment Order. Sentence lengths expressed in days are rounded to the nearest month.

Probation sentences are included as zero months. Any portion of a sentence which is an alternative confinement as described in USSG §5C1.1 is included. Cases in which a sentence is imposed, but where the length is indeterminable, are excluded. However, sentences in cases where the court imposed a sentence of time served but did not report the amount of time that was served are included as zero months.

In cases where the court imposes a sentence of life imprisonment, a numeric value is necessary to include these cases in any sentence length analysis. Accordingly, life sentences are reported as 470 months, a length consistent with the average life expectancy of federal criminal offenders given the average age of federal offenders. Also, sentences of greater than 470 months are also reported as 470 months for some analyses. The footnote in the relevant tables and figures indicates when this occurs.

### **Type of Guideline Sentence Imposed**

Using sentencing information obtained from the Judgment and Commitment Order, the *Total Receiving Prison* column includes the number of offenders sentenced (and percent of *Total Cases*) who received a commitment to the Bureau of Prisons. This column is the sum of cases in *Prison* and the *Prison/Community Split Sentence* categories.

The *Prison* category includes offenders sentenced to a term of imprisonment only, with no additional conditions of community confinement, home detention or intermittent confinement.

The *Prison/Community Split Sentence* category includes all cases in which offenders received prison and conditions of alternative confinement as defined in USSG §5C1.1. This category includes, but is not limited to, Zone A, Zone B, or Zone C cases receiving prison with additional conditions of a term of community confinement, home detention, or intermittent confinement.

The *Total Receiving Probation* column includes the number of offenders sentenced (and the percent of *Total Cases*) who received a term of probation with or without a condition of community confinement, intermittent confinement, or home detention. This column also represents the total of the *Probation Only* and *Probation and Confinement* categories.

The *Probation Only* column includes the number of offenders who received a term of probation without a condition of community confinement, intermittent confinement, or home detention.

*Probation and Confinement* includes the number of offenders who received a term of probation with a condition of community confinement, intermittent confinement, or home detention.

### **Upward Departure From Guideline Range**

*Upward Departure From Guideline Range* consists of cases with departures above the guideline range which do not cite as a reason either *U.S. v. Booker*, 18 U.S.C. § 3553, or factors or reasons specifically prohibited in the provisions, policy statements, or commentary of the federal guidelines manual.

**Upward Departure with *Booker*/18 U.S.C. § 3553**

*Upward Departure with Booker/18 U.S.C. § 3553* consists of cases with a sentence above the guideline range that includes both a departure (see Upward Departure From Guideline Range) as well as a sentence outside the guideline system mentioning either *U.S. v. Booker*, 18 U.S.C. § 3553, or related factors as a reason for sentencing above the guideline system.

**Year**

Information on *Year* is obtained from the Judgment and Commitment Order. Unless otherwise indicated, the sentencing year is defined as the fiscal year in which the defendant was sentenced.

**Zone**

The *Sentencing Table* is categorized into sentencing *Zones*. Courts may impose various types of punishment as alternatives to imprisonment. Alternative types of punishment include probation, home detention, community confinement, and intermittent confinement. Imposition of alternative types of punishment is restricted to defendants within specific sentencing zones.

*Zone A*: a guideline range is in *Zone A* when the minimum term of imprisonment specified is zero months;

*Zone B*: a guideline range is in *Zone B* when the minimum term of imprisonment specified is at least one but not more than six months;

*Zone C*: a guideline range is in *Zone C* when the minimum term of imprisonment specified is eight months when criminal history category is four or less, and nine months if the criminal history category is greater than four;

*Zone D*: a guideline range is in *Zone D* when the minimum term of imprisonment specified is 12 months or more.

See Chapter 5 of the *Guidelines Manual* for a description of alternatives to imprisonment and the conditions under which they are applicable.

**Appendix B:**  
**List of Quarterly Report Tables and Figures**  
**and Comparable FY14 *Sourcebook* Number/Letter**

<u>Quarterly Report Tables/Figures</u>	<u>Comparable <i>Sourcebook</i> Tables/Figures</u>
Table 1 .....	Table N
Table 2 .....	Table 26
Table 3 .....	Table 27
Figure A .....	N/A
Figure B .....	N/A
Table 4 .....	N/A
Table 5 .....	Table 28
Table 6 .....	Table 28A
Table 7 .....	Table 30
Table 8 .....	Table 30A
Table 9 .....	Table 31
Table 10 .....	Table 31A
Table 11 .....	Table 31B
Table 12 .....	Table 31C
Table 13 .....	Table 31D
Table 14 .....	Table 32
Table 15 .....	Table 32A
Table 16 .....	Table 32B
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Table 18 .....	Table 12
Table 19 .....	Table 13
Figure C .....	N/A
Figure D .....	N/A
Figure E .....	N/A
Figure F .....	N/A
Figure G .....	N/A
Figure H .....	N/A
Figure I .....	N/A
Table 20 .....	Table 29
Figure J .....	Figure A
Table 21 .....	Table 3
Table 22 .....	Table 11
Figure K .....	N/A

Table 23 .....	Table 4
Table 24 .....	Table 5
Table 25 .....	Table 7
Table 26 .....	Table 9
Table 27 .....	Table 1
Table 28 .....	N/A