

United States Sentencing Commission



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Annual Report

1991

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U.S. Sentencing Commission

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LETTER FROM THE CHAIRMAN

To the President,
the Congress, and
the Judicial Conference
of the United States of America

I am pleased to transmit this report chronicling the activities and accomplishments of the United States Sentencing Commission in 1991.

The Commission is committed to refining the guidelines in the years ahead to ensure that this new sentencing system, which already has significantly improved the federal criminal justice system, realizes its full potential.

Respectfully submitted,

A handwritten signature in cursive script that reads "Billy Wilkins".

William W. Wilkins, Jr.
Judge, United States Court of Appeals
for the Fourth Circuit

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Introduction

The United States Sentencing Commission, established after more than a decade of bipartisan effort, is an independent agency in the judicial branch of government. The Commission's primary function is to develop and monitor sentencing policies and practices for the federal courts that include guidelines prescribing the appropriate form and severity of punishment for offenders convicted of federal crimes. The agency's activities are directed by seven voting members appointed by the President and confirmed by the Senate and two non-voting, ex-officio members.

The Commission was created by the sentencing reform provisions of the Comprehensive Crime Control Act, Pub. L. No. 98-473 (1984), and its authority and duties are set out in chapter 58 of title 28, United States Code. Procedures for implementing guideline sentencing are prescribed in a new chapter 227 of title 18.

As specified in 28 U.S.C. § 991(b), the sentencing guidelines established by the Commission are designed to:

- Effectuate the purposes of sentencing enumerated in 18 U.S.C. § 3553(a)(2). In brief, those purposes are just punishment, deterrence, incapacitation, and rehabilitation;
- Provide certainty and fairness in meeting the purposes of sentencing by avoiding unwarranted disparity among offenders with similar characteristics convicted of similar criminal conduct, while permitting sufficient judicial flexibility to take into account relevant aggravating and mitigating factors; and

- Reflect, to the extent practicable, advancement in the knowledge of human behavior as related to the criminal justice process.

Organized in October 1985, the Commission submitted its initial Sentencing Guidelines and Policy Statements to Congress on April 13, 1987. Prior to submission of the guidelines, the Commission held 13 public hearings, published two drafts for public comment, and received more than 1,000 letters and position papers from hundreds of individuals and organizations. After the requisite period of congressional review, the guidelines became effective on November 1, 1987, and apply to all offenses committed on or after that date.

Shortly after implementation of the guidelines, defendants throughout the country challenged the constitutionality of the Commission and the Sentencing Reform Act, claiming improper legislative delegation and violation of the separation of powers doctrine. On January 18, 1989, the U.S. Supreme Court in Mistretta v. United States rejected these challenges and upheld the constitutionality of the Commission as an independent judicial branch agency. The Supreme Court's decision in Mistretta cleared the way for nationwide implementation of the guidelines.

Since Mistretta, the Commission has continued to address its significant ongoing responsibilities in the research, sentence monitoring, evaluation, and training areas, as well as serving as a clearinghouse of sentencing information for Congress, criminal justice practitioners, and the public. In addition, the Commission has used its statutory authority both to amend the existing guidelines and to promulgate new guidelines. Of particular note, on May 1, 1991, the Commission submitted

to Congress the nation's first sentencing guidelines for organizations convicted of federal offenses. The guidelines took effect on November 1, 1991, upon expiration of the statutory, 180-day congressional review period.

The Commission maintains a comprehensive, computerized data collection system to track application of the guidelines and provide support for other Commission activities. On a continuing basis, the Commission extracts, codes, and inputs data from presentence reports, judgment of conviction orders, statements of reasons, written plea agreements, and guideline worksheets for all cases sentenced under the guidelines. Since Mistretta, the Commission has begun research on issues such as recidivism, incapacitation, prison impact, and offense severity. Additionally, the Commission is studying the implementation of the guidelines, use of incarceration, disparity in sentencing, and prosecutorial discretion and plea bargaining in fulfillment of the statutorily required evaluation of the guideline system.

Chapter One

Administration

The U.S. Sentencing Commission is an independent agency in the judicial branch with seven voting Commissioners, two non-voting, *ex-officio* Commissioners, and approximately 100 employees. The seven voting Commissioners — three of whom must be federal judges — are appointed by the President with the advice and consent of the Senate. By statute, Commissioners hold full-time positions until November 1, 1993, at which time all Commissioners except the Chairman switch to part-time status.

Organization

The Commission staff is headed by a Staff Director and organized into six main offices: General Counsel, Monitoring, Evaluation, Research Studies, Training and Technical Assistance, and Administration (*see* organizational chart, Figure A).

The **Staff Director** is responsible for planning, coordinating, directing, and allocating resources for all staff activities. In addition to carrying out the planning and management functions of the agency, staff in this office manage special projects and perform the public information and computer support functions of the Commission.

The **Office of General Counsel** provides support to the Commission on a variety of legal issues, including the formulation and application of guidelines and guideline amendments, legislative proposals, and statutory interpretations. The legal staff monitor district and circuit court application and interpretation of the guidelines, and advise Commissioners about statutes and legislation affecting the Commission's work.

In response to Commission directives, staff in this office draft new guidelines and proposed amendments to existing guidelines. In addition, the legal staff provide a "hotline" service for assistant U.S. attorneys and defense attorneys on sentencing guideline issues.

The **Office of Monitoring** maintains a comprehensive computerized data collection system to track application of the guidelines. The staff receive, input, and analyze case data and produce periodic reports about guideline implementation. These data and reports provide significant information for the Commission's review when it considers amending individual guidelines. The office updates a master file of guideline sentencing statistics that is made available to the public through the Inter-University Consortium for Political and Social Research at the University of Michigan.

The **Office of Evaluation** focuses its energies on the congressionally-mandated evaluation of the sentencing guidelines and the guidelines' impact on the federal courts. This effort culminated in an extensive report on the operation of the guidelines system and short-term impacts on disparity in sentencing, use of incarceration, and prosecutorial discretion and plea bargaining.

The **Office of Research Studies** provides research, analysis, and support to the Commission on a variety of topics, including the effect of proposed guideline amendments on projections of federal prison population, sentencing practices related to organizational defendants, and broad criminal justice issues such as deterrence and recidivism.

The **Office of Training and Technical Assistance** teaches guideline application to judges, probation officers, prosecuting and defense attorneys, and other criminal justice professionals. The staff develop training materials, participate in the sentencing guideline portions of training programs sponsored by other agencies, and provide substantive input in the amendment process by informing the Commission of current guideline application practices. In addition, staff operate a "hotline" to respond to guideline application questions from judges and probation officers. Staff also systematically review probation officers' application of the guidelines.

The **Office of Administration** provides general administrative support to Commissioners and staff regarding budget and finance, contracting, personnel management, library, facilities, mail, messenger, copying, reception, and other office services. The office provides support to the Staff Director and senior managers in accomplishing project planning and budget forecasting on a short- and long-term basis.

Management Accomplishments

The Office of Administration supported improvements in employee benefits and the functioning of Commission operations by (1) implementing an automated time and attendance system; (2) installing an improved office security system as well as modular workstations for support staff; (3) drafting a number of procedures and policies aimed at personnel management improvements; (4) acquiring updated database software for automated tracking of all library holdings; (5) providing employees with access to a nearby health care unit and blood bank, and the opportunity to participate in the Combined Federal Campaign; and (6) beginning a series of in-house seminars on topics such as

stress management and other occupational health issues, and increasing staff participation in outside training sessions. Existing procedures were reviewed and updated; new procedures were issued for a number of financial, office support, and administrative processes.

Staffing

During fiscal year 1991, the Commission used staff resources totaling 105 workyears; five of those workyears were expended under authority from a supplemental appropriation. Approximately 35 percent of the staff were involved in various aspects of the sentence monitoring efforts. Ten percent of staff resources were devoted to evaluation functions, five percent to research studies, eight percent to technical assistance and training, and 14 percent to legal. The Commissioners' offices, the Staff Director's office, and the administrative staff accounted for the remaining 28 percent of staff resources.

Budget and Expenditures

In fiscal year 1991, Public Law 101-515 provided 100 full-time permanent workyears and an appropriation of \$8,422,000 for the Commission's salaries and expenses. The Commission expended \$8,272,000 from the annual appropriation and \$199,000 (and five workyears) from the carryover supplemental and start-up appropriations; total obligations were \$8,471,000 in fiscal year 1991. For fiscal year 1992, the Commission was granted 108 full-time permanent workyears and an appropriation of \$9,000,000 under Public Law 102-140 (see Table 1). Expenditure of remaining carryover funds is planned during fiscal years 1992 and 1993.

Figure A

U.S. SENTENCING COMMISSION

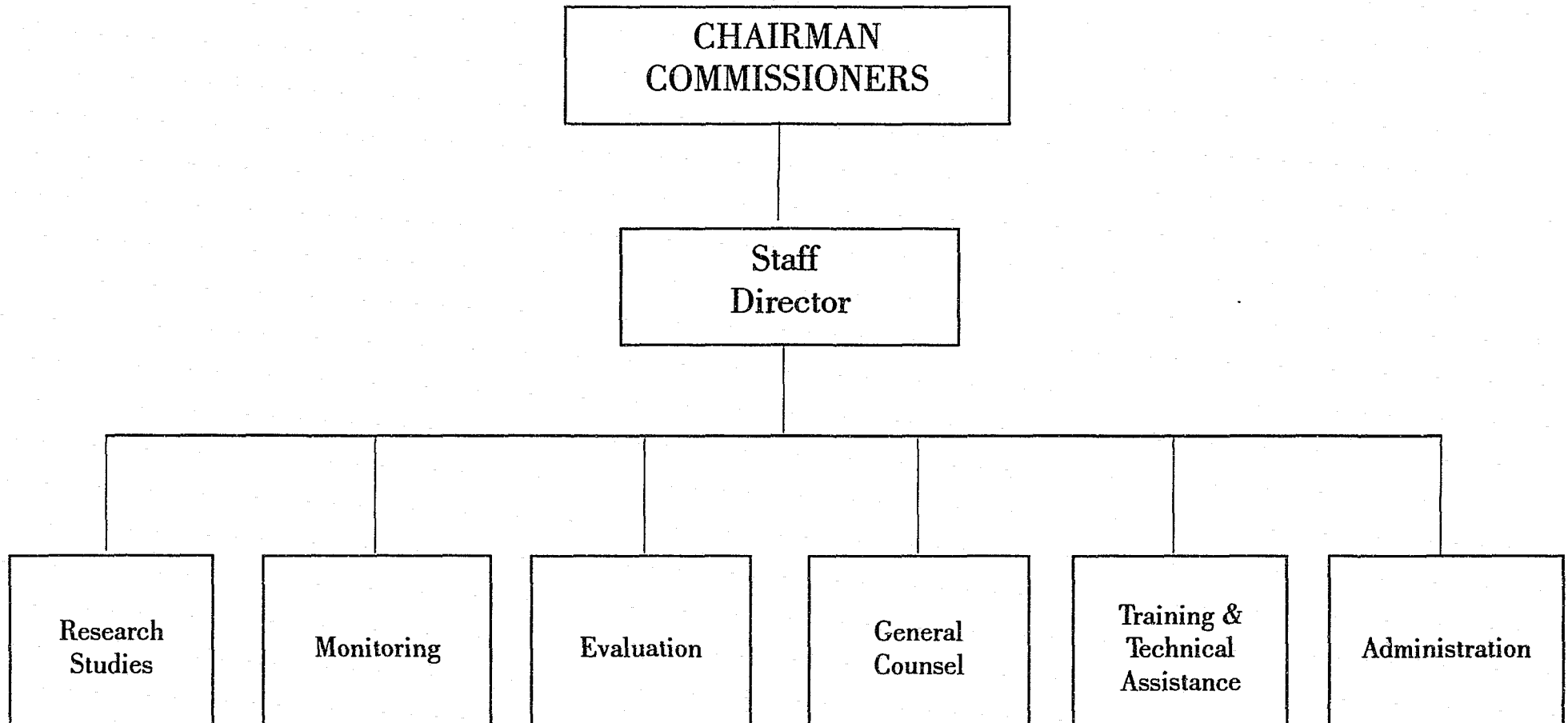


Table 1

BUDGET AUTHORITY AND OBLIGATIONS
(dollar amounts in thousands)

	<u>FY 1991</u>	<u>FY 1992</u>
New Budget Authority	\$8,422	\$9,000
Personnel Compensation	\$4,470	\$4,777
Personnel Benefits	\$ 906	\$1,155
Travel and Transportation	\$ 490	\$ 575
Communications, Utilities and Other Rent	\$1,049	\$1,208
Printing and Reproduction	\$ 276	\$ 230
Other Services	\$ 777	\$1,034
Supplies and Equipment	<u>\$ 503</u>	<u>\$ 534</u>
Total Obligations*	\$8,471	\$9,513

*Total obligation amounts include funds carried forward from previous "no-year" appropriations.

Chapter Two

Guideline Amendments

The legislation creating the Sentencing Commission envisioned that the guidelines would be subject to periodic modification and refinement. Congress provided that "[t]he Commission periodically shall review and revise, in consideration of comments and data coming to its attention, the guidelines promulgated pursuant to the provisions of this section." 28 U.S.C. § 994(o).

The Commission adopted an iterative approach to guideline drafting, stating in the Guidelines Manual that the initial draft was "but the first step in an evolutionary process." Accordingly, the Commission has ongoing responsibilities to refine and modify the guidelines in light of monitoring, research, and congressional enactment of new statutes.

Amendment Authority

By statute, the Commission may transmit amendments to the Congress yearly on or after the beginning of a regular session of Congress but not later than the first day of May. Such amendments must remain before the Congress for 180 days before taking effect. At the expiration of this review period or at a later date set by the Commission, the guideline amendments become effective automatically, unless the Congress provides otherwise by enactment of law.

Amendments Promulgated

In 1991, the Commission continued its ongoing efforts to clarify, improve, and expand the Guidelines Manual. As part of the regular amendment process, the Commission published a series of proposed amendments for public comment in the

Federal Register on January 17, 1991. The Commission received extensive written and oral comment on the proposed amendments in connection with a public hearing held in Washington, D.C., on March 5, 1991 (see Table 2). After review of the written comment and hearing testimony, the Commission adopted 60 amendments to the sentencing guidelines, policy statements, and official commentary. These amendments and accompanying reasons were reported to Congress on May 1, 1991. Congress took no action to delay or revise the amendments during its 180-day review period and, consequently, the amendments became effective on November 1, 1991. The Commission promulgated an additional 15 amendments to clarify commentary to the guidelines. These 15 amendments, which did not require submission to Congress, also became effective on November 1, 1991. In addition, pursuant to direction from Congress, the Commission promulgated two superseding amendments that took effect on November 27, 1991.

Most of the substantive amendments promulgated by the Commission in 1991 derived from work by interdisciplinary working groups that had been established in 1989 and 1990. These amendments included a new chapter dealing with the sentencing of organizations and amendments to the bank robbery, drug, firearms and explosives, immigration, and criminal history guidelines. Many of the amendments promulgated in 1991 were intended to clarify existing guidelines, policy statements, and commentary. In addition, a number of guideline amendments resulted from congressional legislation (e.g., the Crime Control Act of 1990).

Guidelines for Organizational Defendants

In 1991, the Commission sent to Congress the nation's first sentencing guidelines for organizations convicted of federal offenses. In drafting these guidelines, the Commission consulted numerous experts in government, the business sector, and academia, held five public hearings beginning in 1986 at various sites across the country, and received hundreds of legal memoranda and position papers from interested individuals, corporations, and business membership groups (see Table 3). Additionally, the Commission conducted extensive empirical research of federal courts' organizational sentencing practices from 1984-1990.

The organizational guidelines provide incentives for organizations who self-police and self-report criminal conduct, but mandate high fines for organizations who have no meaningful program to prevent and detect criminal violations or in which management was involved in the crime. The guidelines take into account the potential range of organizational criminal culpability, from an inadvertent recordkeeping violation to an organization created solely for criminal purposes. In addition, the guidelines mandate full restitution to compensate victims for any harm caused and disgorgement of illegal gains from criminal activity in order to ensure that organizations will not profit from their illegal activity.

The organizational guidelines assist the court in determining the fine amount and whether probation is appropriate. In most cases, the amount of the fine is dependent on two primary factors. The first consideration yields a "base fine" that measures the seriousness of the offense. The second yields a "culpability score" that measures how

culpable the organization was in committing the offense. Together, these two determinations yield a "guideline fine range" from which the court has discretion to select the fine amount to be imposed.

The guidelines mandate probation when it is needed to ensure that another sanction will be fully implemented and to ensure that steps will be taken within the organization to reduce the likelihood of future criminal conduct.

Table 2

**WITNESS LIST: PUBLIC HEARING ON PROPOSED
AMENDMENTS TO THE SENTENCING GUIDELINES**

Washington, D.C. — March 5, 1991

Judge Vincent Broderick
Judicial Conference of the United States

Judge Mark Wolf
Judicial Conference of the United States

Joe Brown
United States Attorneys, Department of Justice

Barry Portman
Federal and Community Defenders

Paul Borman
American Bar Association

Mark Pomerantz
New York Council of Criminal Defense Lawyers

Paul Karnenar
Washington Legal Foundation

Alan Ellis
National Association of Criminal Defense Lawyers

David Yellen
Hofstra University School of Law

Table 3

WITNESS LIST: PUBLIC HEARING ON ORGANIZATIONAL SANCTIONS

Washington, D.C. — December 13, 1990

Griffin Bell
King & Spaulding

Robert Mueller
Assistant Attorney General, Department of Justice

Jim Rill
Assistant Attorney General, Department of Justice

Richard Stewart
Assistant Attorney General, Department of Justice

Joe Brown
United States Attorney, Department of Justice

Steve Cowen
Steptoe & Johnson

Richard Rogers
National Association of Manufacturers

Roger Langsdorf
ITT Corporation

Sam Buffone
Asbill, Junkin, Myers & Buffone

Charles Harff
Rockwell International

Andrew Frey
Mayer, Brown & Platt

Kathleen Brickey
Washington University Law School

Jonathan Waller
American Corporate Counsel Association

Working Groups

In June of 1991, the Commission convened interdisciplinary staff working groups to study specific guideline areas in detail for consideration during the 1992 amendment cycle. Areas for working group study included: acceptance of responsibility, alternatives to imprisonment, criminal history, departures, drug offenses (focusing on role in the offense), environmental offenses, and sexual offenses involving child victims.

Staff working groups study a specific guideline issue, identify areas of concern, and make recommendations to the Commission for possible action. During the process, each group reviews the following information as it pertains to the respective guideline area under scrutiny: Technical Assistance Service (hotline) reports of frequent questions from probation officers about guideline application; monitoring data regarding sentencing practices and departures; case files; previously considered draft amendment proposals; relevant court decisions; public comment; and legislative history and recent legislative enactments. During 1991, subcommittees of the Sentencing Commission's Practitioners Advisory Group and the American Bar Association Sentencing Guidelines committee provided additional input.

Acceptance of Responsibility

Section 3E1.1 of the guidelines provides a two-level reduction in a defendant's combined adjusted offense level "if the defendant clearly demonstrates a recognition and affirmative acceptance of personal responsibility for his criminal conduct." The acceptance working group undertook a broad examination of the guidelines in response to a request from the Criminal Law

Committee of the Judicial Conference for additional mitigation at higher offense levels. The group focused on problems in application and case law, asking whether any changes were needed in the structure of the guideline, the language of the guideline and related commentary, or the manner in which the Commission trains and educates the criminal justice community about its application.

During 1991, the acceptance of responsibility working group focused specifically on the following: (1) whether the guideline is being interpreted and applied consistently across the country; (2) whether the guideline provides an appropriate offense level reduction, especially for defendants whose offense levels are relatively high; (3) whether the guideline needs to differentiate more precisely between defendants; and (4) whether there are factors that the guideline does not consider that would help a court determine when the reduction is warranted.

To address these concerns, the working group conducted computer analyses of data drawn from case files submitted to the Commission after each sentencing of a guidelines case; an in-depth analysis of the files of atypical or aberrant cases; an analysis of published opinions from the courts dealing with acceptance of responsibility; a review of the available literature; an examination of questions and problems that have come to the attention of the Commission's Technical Assistance Service; personal interviews with each of the seven voting Commissioners and the two *ex-officio* Commissioners; an examination of proposals submitted by the Judicial Conference of the United States; a solicitation of input from practitioners and probation officers; and review of public comment received by the Commission.

Alternatives to Incarceration

During the last quarter of calendar year 1990, the Judicial Conference of the United States and the Alternatives to Imprisonment Project chaired by Commissioner Helen G. Corrothers submitted detailed reports to the Commission recommending an increase in the number of existing intermediate punishments, expansion of the pool of eligible defendants, and a general increase in district courts' flexibility in sentencing certain offenders. The Commission formed the alternatives to incarceration staff working group to undertake a comprehensive and coordinated assessment of the two reports. The group also examined written comments and public hearing testimony about alternatives received from other judges, practitioners, and private citizens.

In addition to Commission staff, representatives from the Probation Division of the Administrative Office of the U.S. Courts, the Federal Judicial Center, and the Bureau of Prisons participated in working group meetings and contributed to the process.

To make the most efficient use of staff resources, the group divided into three subgroups: program assessment, operational impact, and statistical modeling. The program assessment subgroup concentrated its efforts on the alternative sentencing programs identified in the Advisory Committee's Alternatives to Imprisonment Project Report. The operational impact subgroup reviewed the non-programmatic options of both sets of recommendations from a practitioner's standpoint in order to evaluate the impact that the proposed alternatives would have on guideline application. The statistical modeling subgroup used Commission monitoring data to

analyze populations of offenders that would be affected by any recommendations. Finally, working group members researched legal issues associated with the possible expansion of certain intermediate sanctions.

Drug Working Group

The drug working group was formed for two primary purposes: to study and profile drug defendants and the sentences received for drug offenses; and to explore the relationship between relevant conduct, the Chapter Two drug guidelines, and the role in the offense provisions (primarily mitigating role adjustments under §3B1.2 of the guidelines).

During the summer and fall of 1991, the Working Group conducted extensive in-person interviews with numerous criminal justice practitioners throughout the country, including federal district court judges, assistant federal defenders, assistant U.S. attorneys, and probation officers, as well as policy makers and field agents from the Drug Enforcement Agency and the U.S. Customs Service. These practitioners provided detailed, practical input on the current relevant conduct, role in the offense, and Chapter Two drug guidelines. Throughout the amendment cycle, practitioners continued to provide information as the working group developed profiles of drug offenses and proposals for guideline amendments.

Additionally, the working group undertook an extensive review of appellate case law to identify offense conduct and offender characteristics that courts typically consider in determining whether a mitigating role adjustment is warranted.

Finally, using findings from the case law review, the working group studied almost 1,500 drug

case files. The group examined more than a dozen characteristics of individual drug offenders (e.g., the quantity of drugs for which a defendant was held accountable and the defendant's role in selling, owning, or transporting drugs), computerized the resulting data, generated profiles of drug defendants, and analyzed the role adjustments applied and offense and offender conduct.

Criminal History Working Group

The criminal history working group examined two issues: possible modification of criminal history categories by adding a Category 0 and/or Category VII; and consideration of factors to narrow or expand the applicability of the career offender guideline.

The group explored various ways of defining a "first offender" (the criterion for criminal history Category 0). Definitions examined included an offender with no criminal history of any kind, an offender with a record of only arrests, and an offender with no countable convictions under Chapter Four of the guidelines. The group also conducted an analysis of the ways of determining the criminal history point boundary for Category VI in order to define eligibility for a new Category VII.

The working group studied factors that would narrow application of the career offender guideline by re-examining definitions of "predicate crime of violence." The group studied factors that would broaden application of the guideline by exploring an option that would count all predicate prior convictions irrespective of when they occurred.

The working group conducted in-depth reviews of case files, surveyed pertinent case law and appellate decisions, and conducted empirical research on these issues using the Commission's Monitoring database.

Child Sex Offense Working Group

The 101st Congress directed the Sentencing Commission to amend existing guidelines for offenses involving sexual crimes against children if the Commission determines current penalties to be inadequate.¹ In response to this mandate, the child sex offense working group conducted a study of sentences in sexual abuse, kidnapping, and pornography cases. The working group concentrated on three issues: adequacy of the current two-level enhancement in §2A3.1, when the victim is a corrections employee; the scope of the enhancement when a custodial relationship exists between the defendant and victim; and the possibility of moving toward more of a real-offense system for the sexual assault guidelines, §§2A3.2 and 2A3.4, through cross references. The working group reviewed case files from the Commission's monitoring office, literature on child pornography and child sexual abuse, appellate case law, legislative history, previous amendments to the guidelines, Commission hotline data, and evaluation interview data.

Summary

Working group reports are due for Commission consideration in December 1991, allowing

1 Public Law 101-647, § 321.

sufficient time for inclusion in the 1992 proposed amendment submission to Congress. Working group activities related to departures and environmental offenses were held over for the 1993 amendment cycle.

Chapter Three

Legal Issues

Introduction

A large body of case law on federal sentencing has developed since the Supreme Court's 1989 decision rejecting constitutional challenges to the Sentencing Reform Act (SRA) and the creation of the U.S. Sentencing Commission.² In fiscal year 1991, the federal courts issued hundreds of opinions interpreting key provisions of the sentencing guidelines and the SRA. For example, the federal appellate courts explored the parameters of relevant conduct,³ examined the significance of guideline commentary,⁴ discussed the interaction of the substantial assistance departure with 18 U.S.C. § 3553(e),⁵ and considered the application of the confrontation clause to sentencing.⁶ The following overview highlights a number of the most significant legal developments.

Supreme Court Review

In 1991, the Supreme Court issued its first opinions on guideline issues since Mistretta.⁷ In Chapman v. United States, 111 S. Ct. 1919

(1991), the Supreme Court held that the statutory construction of 21 U.S.C. § 841(b)(1)(B)(v) requires that the carrier weight be included in determining the length of sentences for trafficking in LSD, and that this construction neither violates due process nor is unconstitutionally vague. In a 7-2 opinion, the Court concluded that "Congress knew how to indicate that the weight of the pure drug was to be used to determine the sentence, and did not make that distinction with respect to LSD."⁸

In Burns v. United States, 111 S. Ct. 2182 (1991), the Supreme Court, in a 5-4 decision, held that "before a district court can depart on a ground not identified as a ground for upward departure either in the presentence report or in a prehearing submission by the Government, Rule 32 requires that the district court give the parties reasonable notice that it is contemplating such a ruling." The Court left the timing of the notice to the lower courts, indicating that they are free to adopt appropriate local rules. Under Rule 32, both the defendant and the government enjoy equal procedural entitlements.

2 United States v. Mistretta, 488 U.S. 361 (1989).

3 See, e.g., U.S. v. Wood, 924 F.2d 399 (1st Cir. 1991); U.S. v. Joyner, 924 F.2d 454 (2d Cir. 1991).

4 See, e.g., U.S. v. Anderson, 942 F.2d 606 (9th Cir. 1991) (*en banc*).

5 See, e.g., U.S. v. Keene, 933 F.2d 711 (9th Cir. 1991); U.S. v. Dumas, 921 F.2d 650 (6th Cir. 1990).

6 U.S. v. Cammisano, 917 F.2d 1057 (8th Cir. 1990).

7 The Supreme Court also granted certiorari in two cases involving the guidelines. U.S. v. RLC, 915 F.2d 320 (7th Cir. 1990), cert. granted, 111 S. Ct. 2850 (1991) (Whether the sentencing guidelines for adults limit the sentence for juveniles sentenced under the Federal Juvenile Delinquency Act); U.S. v. Williams, 910 F.2d 1574 (7th Cir. 1990), cert. granted, 111 S. Ct. 1305 (1991) (Whether a departure based on both proper and improper reasons can be upheld).

8 111 S. Ct. at 1924.

In Braxton v. United States, 111 S. Ct. 1854 (1991), the Supreme Court declined to resolve a conflict among the circuits over the meaning of U.S.S.G. §1B1.2 because the Sentencing Commission already had undertaken an amendment proceeding to eliminate the conflict. The Court observed that the initial and primary task of eliminating conflicts among the circuit courts with respect to the interpretation of the guidelines lies with the Commission. According to the Supreme Court, "... in charging the Commission 'periodically [to] review and revise' the Guidelines, Congress necessarily contemplated that the Commission would periodically review the work of the courts, and would make whatever clarifying revisions to the Guidelines conflicting judicial decisions might suggest."⁹

Illegally Seized Evidence, Acquitted Conduct, Standard of Proof

Several circuits in 1991 approved the use of illegally seized evidence in calculating the defendant's sentence under the guidelines.¹⁰ In addition, several circuit courts joined the ranks of circuits that allow the use of acquitted conduct in calculating a guideline sentence.¹¹ The Ninth Circuit has held, however, that acquitted conduct cannot be used as the basis for an upward departure.¹²

By the end of 1990, all 12 circuits had held that a preponderance of the evidence is generally sufficient to support factual determinations under the guidelines.¹³ The Third Circuit, however, in U.S. v. Kikumura, 918 F.2d 1084 (3d Cir. 1990), held that "when the magnitude of a proposed departure dwarfs the guideline range applicable to the substantive offenses of conviction," the facts must be established by at least clear and convincing evidence.

Relevant Conduct

"Relevant Conduct" (U.S.S.G. §1B1.3) defines the scope of the "acts and omissions" of a defendant and his accomplices for which the defendant will be held accountable for sentencing purposes. The appellate courts have held that quantities of drugs possessed or distributed by co-conspirators in furtherance of jointly undertaken criminal activity that are known or reasonably foreseeable by the defendant may be included as relevant conduct, not just amounts in the offense of conviction or quantities charged in the indictment.¹⁴ However, if a defendant joins a conspiracy near its end for only one transaction, he cannot be held accountable for the entire quantity of drugs distributed during the conspiracy without the court first making a finding that the defendant knew or should have

9 111 S. Ct. at 1857-58.

10 See U.S. v. McCrory, 930 F.2d 63 (D.C. Cir. 1991); U.S. v. Torres, 926 F.2d 321 (3d Cir. 1991); U.S. v. Lynch, 934 F.2d 1226 (11th Cir. 1991).

11 U.S. v. Allibhai, 939 F.2d 244 (5th Cir. 1991); U.S. v. Moreno, 933 F.2d 362 (6th Cir. 1991); U.S. v. Averi, 922 F.2d 765 (11th Cir. 1991).

12 See U.S. v. Brady, 928 F.2d 844 (9th Cir. 1991).

13 The Commission noted its agreement with the appropriateness of the preponderance of evidence standard in commentary effective November 1, 1991. See U.S.S.G. §6A1.3, App. C, Amend. No. 387.

14 See U.S. v. Paulino, 935 F.2d 739 (6th Cir. 1991); U.S. v. Wood, 924 F.2d 399 (1st Cir. 1991); U.S. v. Joyner, 924 F.2d 454 (2d Cir. 1991); U.S. v. Richardson, 939 F.2d 135 (4th Cir. 1991). But cf. U.S. v. Davern, 937 F.2d

known of the quantities of drugs distributed before he joined the conspiracy.¹⁵ The Seventh Circuit has held that a district court must make an individualized determination of the quantities of cocaine to be distributed that was reasonably foreseeable by the defendant. The court held that it is erroneous to assume that because the total amount of drugs identified in the conspiracy exceeded a certain quantity that each defendant should be held accountable for that amount. The district court must determine the scope of each defendant's agreement as the guidelines require.¹⁶

Obstruction of Justice, Acceptance of Responsibility

The guidelines provide a two-level upward adjustment to the offense level if the defendant "willfully obstructed or impeded, or attempted to obstruct or impede the administration of justice during the investigation, prosecution, or sentencing of the instant offense."¹⁷ In 1991, the Fourth Circuit held that the rigidity of the guidelines' obstruction of justice adjustment for a disbelieved denial of guilt under oath places an intolerable burden upon the defendant's right

to testify.¹⁸ Other circuits, however, have not found the adjustment to be so inflexible, holding that the obstruction of justice adjustment is not automatic when a defendant testifies and a jury finds him guilty.¹⁹ According to the First Circuit, the sentencing court must make factual findings on this issue and is not required to apply the obstruction enhancement based solely on the fact that the jury's verdict is inconsistent with the defendant's trial testimony.²⁰

The guidelines grant district courts broad discretion to make a two-level downward adjustment "[i]f the defendant clearly demonstrates a recognition and affirmative acceptance of personal responsibility for his criminal conduct."²¹ In 1991, the appellate courts upheld denials of the acceptance of responsibility adjustment in several cases in which the defendant continued a course of illegal conduct after arrest.²² The denial of the adjustment for acceptance of responsibility also was upheld in a case in which the defendant was apprehended only after having "been chased down in the middle of a snowstorm with guns,"²³ and in a case in which the defendant claimed she never had any criminal intent and blamed all her problems on other people.²⁴

1041 (6th Cir. 1991), vacated by order of court September 26, 1991, ("uncharged conduct that amounts to a conceptually different offense from the offense of conviction — in the instant case attempt to purchase 500 grams of cocaine was not charged and defendant was convicted of 85 grams — was not adequately considered by the Sentencing Commission and may only be used in sentencing via departure)."

15 U.S. v. Miranda-Ortiz, 926 F.2d 172 (2d Cir. 1991).

16 U.S. v. Thompson, 944 F.2d 1331 (7th Cir. 1991).

17 U.S.S.G. §3C1.1.

18 See U.S. v. Dunnigan, 944 F.2d 178 (4th Cir. 1991).

19 See U.S. v. Lozoya-Morales, 931 F.2d 1216 (7th Cir. 1991); U.S. v. Martinez, 922 F.2d 914 (1st Cir. 1991).

20 See U.S. v. Martinez, *id.*

21 U.S.S.G. §3E1.1.

22 See, e.g., U.S. v. O'Neil, 936 F.2d 599 (1st Cir. 1991); U.S. v. Atterson, 926 F.2d 649 (7th Cir. 1991); U.S. v. Query, 928 F.2d 383 (11th Cir. 1991); U.S. v. Eberspacher, 936 F.2d 387 (8th Cir. 1991).

Adequacy of Criminal History

Guideline 4A1.3 permits a departure if the court finds that "reliable information indicates that the criminal history category does not adequately reflect the seriousness of the defendant's past criminal conduct or the likelihood the defendant will commit future crimes." Several circuit courts have upheld downward departures from the career offender guideline, finding that the career offender enhancement overstated the seriousness of the defendant's past conduct.²⁵ According to the Fourth Circuit, "At bottom, 'career offender' is a type of, not an alternative to, criminal history."²⁶ The Third Circuit, however, found that the circumstances relied upon by the district court in making a downward departure from the career offender guideline had been adequately considered by the Sentencing Commission.²⁷ The Ninth Circuit reversed an upward departure to the career offender guideline range in a case in which the defendant had not been convicted of the two required offenses. The appellate court distinguished a departure based on U.S.S.G. §4A1.3, which allows guided departures when other information provides a reliable substitute for a conviction, and the career of-

fender guideline, which requires certain convictions before enactment. The court viewed the career offender provisions as too blunt an instrument to serve as an analogy for a §4A1.3 upward departure.²⁸

The Sixth Circuit found that an upward departure from Criminal History Category II to Criminal History Category VI was improper, stating that the degree of the departure was unjustified. According to the appellate court, the district court must "adequately link its departure to the structure of the guidelines" to ensure a reasonable degree of departure and to further the goal of uniformity.²⁹

Offender Characteristics

The guidelines provide that offender characteristics such as age,³⁰ education and vocational skills,³¹ mental and emotional conditions,³² physical condition,³³ previous employment record,³⁴ and family ties and responsibilities and community ties,³⁵ are not ordinarily relevant in determining whether to sentence outside of the guideline range. In 1991, several courts identified atypical circumstances and departed based

23 *U.S. v. Casal*, 915 F.2d 1225, 1230 (8th Cir. 1990).

24 *U.S. v. Rhinehart*, 917 F.2d 23 (4th Cir. 1990).

25 See, e.g., *U.S. v. Lawrence*, 916 F.2d 553 (9th Cir. 1990); *U.S. v. Adkins*, 937 F.2d 947 (4th Cir. 1991).

26 *U.S. v. Adkins*, 937 F.2d at 952.

27 *U.S. v. Shoupe*, 929 F.2d 116 (3d Cir. 1991).

28 *U.S. v. Faulkner*, 934 F.2d 190 (9th Cir. 1991).

29 *U.S. v. Lassiter*, 929 F.2d 267 (6th Cir. 1991).

30 U.S.S.G. §5H1.1.

31 U.S.S.G. §5H1.2.

32 U.S.S.G. §5H1.3.

33 U.S.S.G. §5H1.4.

34 U.S.S.G. §5H1.5.

35 U.S.S.G. §5H1.6.

on such offender characteristics. In one case, the circuit court affirmed a downward departure based on the defendant's "unique family responsibility" and other circumstances. The defendant was a single mother who provided the sole support for herself and her two-month-old child. She had been steadily employed for years and was providing financial support for her 16-year-old daughter, who herself was a single mother of a two-month-old child.³⁶ Similarly, the Sixth Circuit affirmed a downward departure in a case in which the defendant, the leader of an illegal gambling operation, was considered "an exemplary citizen," and the extent of his involvement in civic and community activities "transform[ed] this case from an ordinary to an atypical one."³⁷ In other cases, the appellate courts have upheld downward departures based on a first offender's aberrant behavior,³⁸ a defendant's "youthful lack of guidance,"³⁹ a defendant's physical handicap,⁴⁰ and a determination that a defendant's diminished capacity was a contributing factor to the commission of the offense.⁴¹

The appellate courts have reversed downward departures in cases in which the district court impermissibly considered the defendant's socio-economic status,⁴² the defendant's alcohol or drug abuse,⁴³ and the defendant's post-arrest rehabilitation efforts.⁴⁴ The D.C. Circuit, however, remanded for resentencing a case in which the district court refused to make a downward departure on the basis of the defendant's personal background. The circuit court found that the sentencing judge had defined "socio-economic status" too broadly and had incorrectly concluded that U.S.S.G. §5H1.10 left him no discretion to consider the defendant's special circumstances. According to the D.C. Circuit, "Violence among family members and its attendant dislocations do not follow class lines, nor should class lines determine whether a sentencing judge may consider them."⁴⁵

36 U.S. v. Pena, 930 F.2d 1486 (10th Cir. 1991).

37 U.S. v. Turner, 915 F.2d 1574 (6th Cir. 1990). The Commission has amended the guidelines to indicate that military, civic, charitable, or public service, employment-related contributions, and similar prior good works are not ordinarily relevant in determining whether a departure is appropriate. See U.S.S.G. §5H1.11, App. C, Amend. No. 386.

38 U.S. v. Dickey, 924 F.2d 836 (9th Cir. 1991); U.S. v. Takai, 941 F.2d 738 (9th Cir. 1991); U.S. v. Pena, 930 F.2d 1486 (10th Cir. 1991).

39 U.S. v. Floyd, 945 F.2d 1096 (9th Cir. 1991).

40 U.S. v. Greenwood, 928 F.2d 645 (4th Cir. 1991).

41 U.S. v. Lauzon, 938 F.2d 326 (1st Cir. 1991).

42 U.S. v. Hatchett, 923 F.2d 369 (5th Cir. 1991) (The district court erred in making an upward departure based on the defendant's socio-economic status, educational opportunities, and youthfulness).

43 See e.g., U.S. v. Rushby, 936 F.2d 41 (1st Cir. 1991).

44 See e.g., U.S. v. Sklar, 920 F.2d 107 (1st Cir. 1990); U.S. v. Pharr, 916 F.2d 129 (3d Cir. 1990).

45 U.S. v. Lopez, 938 F.2d 1293, 1298 (D.C. Cir. 1991). The circuit court also concluded that it lacked authority to review the adequacy of the Commission's statement of reasons in support of its conclusion that age is not ordinarily relevant to sentencing outside the guideline range. The circuit court stated, "That by subjecting the promulgation of the guidelines to . . . one section of the APA, Congress affirmed that the Commission's rulemaking was not subject to

Substantial Assistance, Aggravating and Mitigating Factors

The guidelines allow a district court to depart downward in cases in which the defendant "has provided substantial assistance [to the government] in the investigation or prosecution of another person who has committed an offense."⁴⁶ However, the court may not depart under this provision unless the government makes the requisite motion.⁴⁷ The appellate courts have upheld the district court's determination not to review the government's refusal to make a motion pursuant to U.S.S.G. §5K1.1 in cases in which the defendant failed to make an allegation of bad faith,⁴⁸ as well as the district court's refusal to make a departure for substantial assistance based on the defendant's motion.⁴⁹ The Second Circuit, however, has upheld a downward departure based on the defendant's "activities facilitating the proper administration of justice in the district court." Although the government did not make a motion for substantial assistance, the district court found that the defendant's decision to plead guilty and cooperate caused his two co-defendants to also plead guilty. The court determined that the defendants' cooperation helped alleviate the "seriously overclogged dockets of the District Courts of the United States." The appellate court found assistance in

the administration of justice to be different from "substantial assistance to the authorities" and thus is a proper basis for a downward departure.⁵⁰ The Ninth Circuit held that once the government has filed a motion for a substantial assistance departure under U.S.S.G. §5K1.1, it is within the district court's authority to exercise its discretion in determining the appropriate sentence. The appellate court rejected the argument that a motion pursuant to U.S.S.G. §5K1.1 limits the extent of departure to a sentence below the guideline range and that the district court cannot depart below the statutory mandatory minimum absent a government motion under 18 U.S.C. § 3553(e).⁵¹ The Sixth Circuit, on the other hand, held that "section 5K1.1 does not apply to a sentence under section 924(c) since section 5K1.1 applies only to departures from guideline sentences, not from statutory mandatory sentences."⁵²

The guidelines and the underlying statute allow a district court to impose a sentence outside the applicable range if the court finds an "aggravating or mitigating circumstance of a kind, or to a degree, not adequately taken into consideration by the Sentencing Commission in formulating the guidelines that should result in a sentence different from that described."⁵³ In 1991, appellate courts continued to affirm upward depar-

any other provision of the APA, including those for judicial review." *Id.* at 1297.

46 U.S.S.G. §5K1.1.

47 See e.g., *U.S. v. Harrison*, 918 F.2d 30 (5th Cir. 1990); *U.S. v. Deases*, 918 F.2d 118 (10th Cir. 1990); *U.S. v. Santos*, 932 F.2d 244 (3d Cir. 1991).

48 See e.g., *U.S. v. Khan*, 920 F.2d 1100 (2d Cir. 1990).

49 See e.g., *U.S. v. Wade*, 936 F.2d 169 (4th Cir.), *cert. granted*, 112 S. Ct. 635 (1991).

50 *U.S. v. Garcia*, 926 F.2d 125 (2d Cir. 1991).

51 *U.S. v. Keene*, 933 F.2d 711 (9th Cir. 1991).

52 *U.S. v. Dumas*, 921 F.2d at 652.

53 U.S.S.G. §5K2.0, 18 U.S.C. § 3553(b).

tures in cases in which district courts found that the guideline sentence did not reflect the seriousness of the offense conduct. Examples include a defendant who assaulted a large number of victims,⁵⁴ the potential for tragic consequences and reckless endangerment of human lives in an illegal smuggling case,⁵⁵ and a local sheriff who caused a significant disruption of a government function by eroding public confidence in law enforcement by his conviction for mail fraud.⁵⁶

During the same period, appellate courts have reversed upward departures based on a high level of drug purity,⁵⁷ extreme psychological injury to a murder victim's family,⁵⁸ and numerous falsehoods in the defendant's testimony.⁵⁹ In addition, the Ninth Circuit has held that charges dismissed or not charged as part of a plea bargain may not be the basis for an upward departure.⁶⁰ According to the Ninth Circuit, ". . . to let the defendant plead to certain charges and then be penalized on charges that have, by agreement, been dismissed is not only unfair, it violates the spirit if not the letter of the agreement."⁶¹

Appellate courts have reversed downward departures that were intended to equalize a perceived disparity between a defendant and his

co-defendants.⁶² According to the Second Circuit, ". . . the Congressional objective was to eliminate unwarranted disparities nationwide. An applicable guideline range may seem harsh (or lenient) when compared to that of a co-defendant, but it is the same range applicable throughout the country for all offenders with the same combination of offense conduct and prior record."⁶³

A categorization of the principal departure factors decided by the appellate courts during fiscal year 1991 is set forth below in Tables 4 to 7. Table 4 lists factors that appellate courts have determined warrant downward departure. Table 5, in contrast, lists factors that appellate courts have determined do not warrant downward departure. Tables 6 and 7 continue this pattern for upward departures.

54 U.S. v. Johnson, 931 F.2d 238 (3d Cir. 1991).

55 U.S. v. Reyes, 927 F.2d 48 (1st Cir. 1991).

56 U.S. v. Hatch, 926 F.2d 387 (5th Cir. 1991).

57 U.S. v. Contractor, 926 F.2d 128 (2d Cir. 1991); U.S. v. Martinez-Duran, 925 F.2d 453 (9th Cir. 1991).

58 See U.S. v. Hoyungawa, 930 F.2d 744 (9th Cir. 1991).

59 U.S. v. Goodrich, 919 F.2d 1365 (9th Cir. 1991).

60 See U.S. v. Castro-Cervantes, 927 F.2d 1079 (9th Cir. 1990); U.S. v. Faulkner, 934 F.2d 190 (9th Cir. 1991).

61 U.S. v. Castro-Cervantes, 927 F.2d at 1082.

62 See e.g., U.S. v. Wogan, 938 F.2d 1446 (1st Cir. 1991); U.S. v. Alba, 933 F.2d 1117 (2d Cir. 1991); U.S. v. Russell, 917 F.2d 512 (11th Cir.), cert. denied, 111 S. Ct. 1427 (1991).

63 U.S. v. Joyner, 924 F.2d at 460.

Table 4

**DOWNWARD DEPARTURE FACTORS APPROVED BY APPELLATE COURTS
(October 1, 1990 through September 30, 1991)**

FACTORS	CASES
Career offender category overrepresents the seriousness of the defendant's prior criminal history.	<u>United States v. Adkins</u> , 937 F.2d 947 (4th Cir. 1991) <u>United States v. Lawrence</u> , 916 F.2d 553 (9th Cir. 1990)
First-time offender's aberrant behavior	<u>United States v. Dickey</u> , 924 F.2d 836 (9th Cir. 1991) <u>United States v. Takai</u> , 941 F.2d 738 (9th Cir. 1991) <u>United States v. Pena</u> , 930 F.2d 1486 (10th Cir. 1991)
Defendant's tragic personal history	<u>United States v. Lopez</u> , 938 F.2d 1293 (D.C. Cir. 1991) <u>United States v. Deigert</u> , 916 F.2d 916 (4th Cir. 1990)
Defendant's excellent employment history in combination with other factors	<u>United States v. Alba</u> , 933 F.2d 1117 (2d Cir. 1991)
Defendant's youthful lack of guidance	<u>United States v. Floyd</u> , 945 F.2d 1096 (9th Cir. 1991)
Defendant's assistance to the administration of justice	<u>United States v. Garcia</u> , 926 F.2d 125 (2d Cir. 1991)
Defendant's efforts at drug rehabilitation	<u>United States v. Sklar</u> , 920 F.2d 107 (1st Cir. 1990)
Defendant's minimal role	<u>United States v. Restrepo</u> , 936 F.2d 661 (2d Cir. 1991) <u>United States v. Alba</u> , 933 F.2d 1117 (2d Cir. 1991) <u>United States v. Bierley</u> , 922 F.2d 1061 (3d Cir. 1990)
Co-defendant disparity	<u>United States v. Nelson</u> , 918 F.2d 1268 (6th Cir. 1990) <u>United States v. Ray</u> , 930 F.2d 1368 (9th Cir. 1990)
Defendant's physical handicap	<u>United States v. Greenwood</u> , 928 F.2d 645 (4th Cir. 1991)
Defendant's diminished capacity was a contributing factor to the commission of offense — need not be sole cause	<u>United States v. Lauzon</u> , 938 F.2d 326 (1st Cir. 1991)

Table 5

**DOWNWARD DEPARTURE FACTORS DISAPPROVED BY APPELLATE COURTS
(October 1, 1990 through September 30, 1991)**

FACTORS	CASES
Co-defendant disparity	<u>United States v. Wogan</u> , 938 F.2d 1446 (1st Cir. 1991) <u>United States v. Joyner</u> , 924 F.2d 454 (2d Cir. 1991) <u>United States v. Alba</u> , 933 F.2d 1117 (2d Cir. 1991) <u>United States v. Russell</u> , 917 F.2d 51 (11th Cir.)
Defendant's alcohol or drug abuse	<u>United States v. Rushby</u> , 936 F.2d 41 (1st Cir. 1991)
Impact of defendant's incarceration on minor children	<u>United States v. Carr</u> , 932 F.2d 67 (1st Cir. 1991)
Drug dealer who made charitable contributions to community	<u>United States v. McHan</u> , 920 F.2d 244 (4th Cir. 1990)
Corrupting influence of defendant's family history	<u>United States v. Vela</u> , 927 F.2d 197 (5th Cir. 1991)
Defendant's rehabilitation attempts between date of arrest and date of sentencing	<u>United States v. Sklar</u> , 920 F.2d 107 (1st Cir. 1990) <u>United States v. Pharr</u> , 916 F.2d 129 (3d Cir. 1990)
Victim committed adultery with defendant's wife	<u>United States v. Shortt</u> , 919 F.2d 1325 (8th Cir. 1990)
Diminished capacity when defendant commits a crime of violence	<u>United States v. Poff</u> , 926 F.2d 588 (7th Cir. 1991) (<i>en banc</i>) <u>United States v. Russell</u> , 917 F.2d 512 (11th Cir. 1990)
Defendant was a bi-racial adopted child.	<u>United States v. Prestemon</u> , 929 F.2d 1275 (8th Cir. 1991)
Assault on a federal marshal	<u>United States v. Riviere</u> , 924 F.2d 1297 (3d Cir. 1991)
Jury's request for leniency	<u>United States v. Mickens</u> , 926 F.2d 1323 (2d Cir. 1991)
Defendant subjected to "run-of-the-mill persuasion"	<u>United States v. Russell</u> , 917 F.2d 512 (11th Cir. 1990)
Alleged government misconduct	<u>United States v. Dickey</u> , 924 F.2d 836 (9th Cir. 1991)
Parole deferral	<u>United States v. Wright</u> , 924 F.2d 545 (4th Cir. 1991)

Table 6

**UPWARD DEPARTURE FACTORS APPROVED BY APPELLATE COURTS
(October 1, 1990 through September 30, 1991)**

FACTORS	CASES
Consolidation of prior sentences	<u>United States v. Ocasio</u> , 914 F.2d 330 (1st Cir. 1990) <u>United States v. Gonzales</u> , 929 F.2d 213 (6th Cir. 1991) <u>United States v. Williams</u> , 922 F.2d 578 (10th Cir. 1990)
Criminal History Category VI did not sufficiently reflect the seriousness of defendant's criminal past	<u>United States v. Christopher</u> , 923 F.2d 1545 (11th Cir. 1991)
Similarity of prior offense to offense of conviction	<u>United States v. Dzielniski</u> , 914 F.2d 98 (7th Cir. 1990) (<i>per curiam</i>)
Defendant's old convictions	<u>United States v. Aymelek</u> , 926 F.2d 64 (1st Cir. 1991)
Dangerousness of venture; inhumane treatment of illegal aliens; large number of illegal aliens	<u>United States v. Diaz-Bastardo</u> , 929 F.2d 798 (1st Cir. 1991)
Acquitted conduct	<u>United States v. Stephenson</u> , 921 F.2d 438 (2d Cir. 1990)
Substantial loss	<u>United States v. Scott</u> , 915 F.2d 774 (1st Cir. 1990) <u>United States v. Harotunian</u> , 920 F.2d 1040 (1st Cir. 1990) <u>United States v. Benskin</u> , 926 F.2d 562 (6th Cir. 1991) <u>United States v. Roth</u> , 934 F.2d 248 (10th Cir. 1991)
Use of explosives	<u>United States v. Huddelston</u> , 929 F.2d 1030 (5th Cir. 1991) <u>United States v. Loveday</u> , 922 F.2d 1411 (9th Cir. 1991) <u>United States v. Baker</u> , 914 F.2d 208 (10th Cir. 1990)
Large number of victims	<u>United States v. Johnson</u> , 931 F.2d 238 (3d Cir. 1991) <u>United States v. Benskin</u> , 926 F.2d 562 (6th Cir. 1991)
Amount of drugs involved when defendant is convicted of a telephone count	<u>United States v. Citro</u> , 938 F.2d 1431 (1st Cir. 1991) <u>United States v. Perez</u> , 915 F.2d 947 (5th Cir. 1990) <u>United States v. Feeke</u> , 929 F.2d 334 (7th Cir. 1991) <u>United States v. Martinez-Duran</u> , 927 F.2d 453 (9th Cir. 1991) <u>United States v. Asseff</u> , 917 F.2d 502 (11th Cir. 1991)
Involving minors in drug offenses	<u>United States v. Wylie</u> , 919 F.2d 969 (5th Cir. 1990) <u>United States v. Shuman</u> , 902 F.2d 873 (11th Cir. 1990)
Amount of drugs involved when defendant is convicted of simple possession or operating a crack house	<u>United States v. Sardin</u> , 921 F.2d 1064 (10th Cir. 1990)
"Astronomical" quantity of drugs	<u>United States v. Vasquez</u> , 909 F.2d 235 (7th Cir. 1990)

Table 6 (cont'd.)

**UPWARD DEPARTURE FACTORS APPROVED BY APPELLATE COURTS
(October 1, 1990 through September 30, 1991)**

FACTORS	CASES
Defendant convicted of misprision of a felony may be guilty of underlying offense	<u>United States v. Pigno</u> , 922 F.2d 1162 (5th Cir. 1991)
Refusal to return almost \$1.7 million from a robbery	<u>United States v. Valle</u> , 929 F.2d 629 (11th Cir. 1991)
Defendant's intent to keep and marry a kidnapped 3-year-old child	<u>United States v. Patrick</u> , 935 F.2d 758 (9th Cir. 1991)
Defendant urged son to rob bank for money for defendant's bail	<u>United States v. Porter</u> , 924 F.2d 395 (1st Cir. 1991)
Defendant vowed to return to United States even after deportation	<u>United States v. Aymelek</u> , 926 F.2d 64 (1st Cir. 1991)
Death of victim; multiple and extreme injuries	<u>United States v. Sweeting</u> , 933 F.2d 962 (11th Cir. 1991) <u>United States v. Sasnett</u> , 925 F.2d 392 (11th Cir. 1991)
Extreme psychological injury to victim(s)	<u>United States v. Ellis</u> , 935 F.2d 385 (1st Cir. 1991) <u>United States v. Pergola</u> , 930 F.2d 216 (2d Cir. 1991) <u>United States v. Astorri</u> , 923 F.2d 1052 (3d Cir. 1991) <u>United States v. Benskin</u> , 926 F.2d 562 (6th Cir. 1991) <u>United States v. Perkins</u> , 929 F.2d 436 (8th Cir. 1991)
Property loss or damage	<u>United States v. Hummer</u> , 916 F.2d 186 (4th Cir. 1990)
Disruption of governmental function	<u>United States v. Hatch</u> , 926 F.2d 381 (5th Cir. 1991) <u>United States v. Pulley</u> , 922 F.2d 1283 (6th Cir. 1991)
Extreme conduct: sexual abuse of minors	<u>United States v. Ellis</u> , 935 F.2d 385 (1st Cir. 1991) <u>United States v. Cofer</u> , 916 F.2d 713 (6th Cir. 1990)
Criminal purpose	<u>United States v. Cofer</u> , 916 F.2d 713 (6th Cir. 1990) <u>United States v. Culver</u> , 929 F.2d 389 (8th Cir. 1991) <u>United States v. Sweeting</u> , 933 F.2d 962 (11th Cir. 1991)
Public welfare: county sheriff manufacturing drugs	<u>United States v. Wade</u> , 931 F.2d 300 (5th Cir. 1991)

Table 7

**UPWARD DEPARTURE FACTORS DISAPPROVED BY APPELLATE COURTS
(October 1, 1990 through September 30, 1991)**

FACTORS	CASES
Acquitted conduct	<u>United States v. Brady</u> , 928 F.2d 844 (9th Cir. 1991)
Charges dismissed or not charged as part of a plea bargain	<u>United States v. Faulkner</u> , 934 F.2d 190 (9th Cir. 1991) <u>United States v. Castro-Cervantes</u> , 927 F.2d 1079 (9th Cir. 1990)
Extreme psychological injury to murder victim's family	<u>United States v. Hoyungawa</u> , 930 F.2d 744 (9th Cir. 1991)
Guideline sentence too lenient	<u>United States v. Lassiter</u> , 929 F.2d 267 (6th Cir. 1991)
Drug purity	<u>United States v. Contractor</u> , 926 F.2d 128 (2d Cir. 1991) <u>United States v. Martinez-Duran</u> , 925 F.2d 453 (9th Cir. 1991)
Numerous falsehoods in the defendant's testimony	<u>United States v. Goodrich</u> , 919 F.2d 1365 (9th Cir. 1990)
Discharge of firearm	<u>United States v. Brady</u> , 928 F.2d 844 (9th Cir. 1991)
Effect of grouping rules	<u>United States v. Cox</u> , 921 F.2d 772 (8th Cir. 1990)
"Near miss" on career offender status	<u>United States v. Faulkner</u> , 934 F.2d 190 (9th Cir. 1991) <u>United States v. Delvecchio</u> , 920 F.2d 810 (11th Cir. 1991)
Defendant's connection to organized crime where there was insufficient corroboration of agent's testimony	<u>United States v. Cammisano</u> , 917 F.2d 1057 (8th Cir. 1990)
Police officer's ordinary scratches, scrapes, and bruises	<u>United States v. Singleton</u> , 917 F.2d 411 (9th Cir. 1990)

Chapter Four

Training & Technical Assistance

The Technical Assistance Service Office continued to provide guideline application assistance to federal judges and probation officers in 1991. In addition, the unit supported the Commission on guideline application issues through its daily contact with criminal justice personnel applying the guidelines.

The Technical Assistance Service (TAS) has three primary responsibilities, each of which provides a different service to judges and practitioners: the hotline service, coordination of all training efforts, and the ongoing case review project. TAS staff perform several additional tasks including reviewing and commenting on proposed amendments, participating in staff working groups, and organizing probation officer working groups in conjunction with various Commission projects.

A. Hotline

Information provided through the TAS hotline assists U.S. probation officers and judges and their law clerks in applying the sentencing guidelines. TAS staff readily answer questions that do not involve subjective judgments. Questions that involve a subjective determination by the judge, such as whether a defendant should receive an adjustment for acceptance of responsibility are answered by directing the caller's attention to pertinent guidelines, commentary,

or policy statements. Where debatable questions or interpretations of correct application arise, TAS staff assist the caller in understanding the alternative approaches while emphasizing that such decisions are left to the courts.

The hotline is operational from Monday through Friday between the hours of 8:30 a.m. and 5:30 p.m. (Eastern Standard Time).

Calls Received in 1991

The Technical Assistance Service responded to 2,230 questions in fiscal year 1991, an average of 186 questions per month. Since the hotline's inception on November 1, 1987, TAS has responded to more than 8,000 questions from probation officers and judges.

Table 8 shows the number of questions received in 1991 by guideline section. The greatest number of questions (281) related to the criminal history guidelines. Questions regarding probation and supervised release violations ranked second (251), followed by multiple counts (131), drug offenses (129), career offenders and criminal livelihood (110), and relevant conduct (109).

Table 9 shows the number of calls received by individual districts. The distribution provides a national breakdown of TAS use and in no way is indicative of any district's level guideline application proficiency.

Hotline Quality Control

In responding to hotline questions, TAS staff regularly consult with the legal and guideline drafting staffs in order to ensure that questions are fully researched and accurately answered. To assist with quality control, TAS staff maintain a log of each call received and the response provided.

In 1988, TAS began maintaining these logs through a computer program specifically developed to document the hotline calls. The program provides an easily accessible database that allows staff to check whether a similar question has been asked previously, thereby speeding research efforts and enabling more consistent and accurate responses. In response to requests from probation officers on temporary assignment at the Commission, a similar computer program has been developed for use in probation offices across the nation. Called "SC_HELP" (Sentencing Commission Hotline Extended Library Program), the program was field tested in 1991 and is scheduled for distribution early in 1992. SC_HELP will allow probation officers to develop their own database of questions and answers on a variety of topics (e.g., guideline application, procedural issues, local rules). The program also will include Volume V of the Commission's "Questions Most Frequently Asked About the Sentencing Guidelines."

Most Frequently Asked Questions

The Commission published Volume IV of the popular publication, "Questions Most Frequently Asked About the Sentencing Guide-

lines" in December 1990. The publication addresses substantive areas of concern in guideline application that have been identified through hotline calls and Commission training seminars.

Assistance in the Amendment Process

Calls to the hotline provide practical feedback to the Commission about implementation of the guidelines. For example, probation officers frequently raise issues regarding clarity of language and guideline application. TAS apprises the Commission of such issues, thus assisting in the drafting of more effective and understandable guidelines. TAS also participates in the amendment process through membership in staff working groups that focus on a particular issue or guideline (e.g., organizational sanctions, criminal history).

In March 1991, when the Commission was developing guidelines for organizational defendants, TAS organized a group of U.S. probation officers and staff from the Administrative Office of the U.S. Courts to test the draft guidelines by applying them to organizational defendants. The comments and recommendations of this group were shared with the Commission and many of their suggestions were incorporated into the Chapter Eight guidelines.

Later in 1991, TAS developed worksheets designed to assist probation officers and practitioners in applying the organizational guidelines. Field testing sessions to refine the worksheets were conducted with 13 U.S. probation officers in La Jolla, California, 11 U.S. probation officers in Chicago, Illinois, and 15 U.S. probation officers in Washington, D.C.

Probation Officers on Temporary Assignment

The Commission's temporary assignment program for probation officers, now in its fourth year, has proven successful in promoting guideline application training and providing a link between the Commission and field officers. The temporary duty consists of a six-week assignment during which officers help staff the hotline,

become involved in the amendment process, and assist in various case review projects. The Commission bears the cost of the officer's travel, per diem, and living expenses during the temporary assignment.

In fiscal year 1991, 22 probation officers representing 17 districts participated in the program. The participants' home districts represent a diverse geographical constituency and provide the Commission with broad insight into sentencing

The following United States Probation Officers participated in the Commission's temporary assignment program in 1991:

Officer

Debra Speas
Michael Curtis
Tim Kozak
John Burns
Mark Hengemuhle
Bea Jones
Danny Sorey
Charles Harris
Walt Myers
Mike Nissen
Stephen Ward
Gary Yazalina
John Skozilas
Tim McTighe
Wendy White
Leslie Cory
Catherine Becker
Gennine Hagar
Reynaldo Adame
Debra La Doucer
Robin Hillen
Roxanne Plater

City (District)

Miami, FL (Southern Florida)
Detroit, MI (Eastern Michigan)
Detroit, MI (Eastern Michigan)
Fort Smith, AR (Western Arkansas)
Newark, NJ (New Jersey)
Mobile, AL (Southern Alabama)
Lake Charles, LA (Western Louisiana)
Tulsa, OK (Northern Oklahoma)
Seattle, WA (Western Washington)
Grand Rapids, MI (Western Michigan)
Las Vegas, NV (Nevada)
San Jose, CA (Northern California)
Baltimore, MD (Maryland)
Seattle, WA (Western Washington)
Salt Lake City, UT (Utah)
Chattanooga, TN (Eastern Tennessee)
Baltimore, MD (Maryland)
Washington, D.C. (Washington D.C.)
Laredo, TX (Southern Texas)
Charleston, WV (Southern West Virginia)
Baltimore, MD (Maryland)
Detroit, MI (Eastern Michigan)

practices in various regions. Since the program's inception, 35 districts have been represented. Six additional districts are scheduled to send staff during the 1992 program, increasing the number of participating districts to 41.

Both probation officers and the Commission benefit from the temporary assignment program. During their tenure at the Commission, officers quickly become expert in guideline application and return to their districts as valuable resource persons. Several chief probation officers recently have made participation in the Commission's temporary assignment program a requirement for guideline specialists on their staffs. The Commission benefits from this program through interaction with officers who daily apply the guidelines. Through this contact, the Commission acquires a better understanding of the practical concerns confronting probation officers and establishes an important communications link with the field.

B. Training

Congress authorized the Commission to "devise and conduct periodic training programs of instruction in sentencing techniques for judicial and probation personnel and other persons connected with the sentencing process." 28 U.S.C. § 995(a)(17) and (18). The Commission recognizes that an evolving guideline system, along with the steady influx of new practitioners, creates an ongoing need for effective training programs and materials. In 1991, the Commission provided training to approximately 4,570 individuals at 98 training sessions across the country; participants included circuit and district court judges, probation officers, prosecuting attorneys, defense attorneys, investigative case agents, congressional staff members, law clerks, and staff of other government agencies. The Com-

mission continued its collaborative training efforts with the Federal Judicial Center, Department of Justice, and Department of Treasury to develop and refine permanent, academy-based guideline education programs. In early 1992, the Commission plans to conduct two week-long national training seminars for probation officers that will focus on the significant guideline amendments of the last two years, the developing case law, ASSYST (see discussion below), organizational guidelines, policy statements for revocation of probation and supervised release, and other Commission projects.

Court Personnel

Commission trainers and attorneys from the General Counsel's Office continue to provide guideline application training to newly appointed judges at orientation programs sponsored by the Federal Judicial Center. Judges of the Ninth Circuit had an opportunity to discuss guideline sentencing issues with Commissioners and staff at a Sentencing Institute held in Dana Point, California, in September 1991.

The number of probation officers hired in 1991 increased dramatically compared to previous years. The Commission delivered three days of guideline training to approximately 610 new officers during eight orientation programs at the National Probation and Pretrial Services Academy in Baltimore, Maryland. As an additional component of their orientation program, new officers met with Commissioners and staff at Commission offices in Washington, D.C., for Leadership Day programs.

In conjunction with the Department of Justice's Advocacy Institute, the Commission in 1991 provided guideline training to more than 700 newly

appointed assistant U.S. attorneys who attended either the Basic Criminal Trial Advocacy Program in Washington, D.C., or the Federal Practice Skills Seminar held in various cities across the country.

Local Training

The Commission's training staff conducted 38 local training programs in 1991 with an approximate attendance of 1,900. The majority of these requests came from probation officers, but training requests also came from judges, defense attorneys, prosecutors, and appellate court staff attorneys. All chief probation officers, including those who had never requested Commission training, were encouraged to contact the Commission to discuss their training needs. Throughout 1991, Commissioners and staff lectured widely on sentencing issues at training sessions, academic seminars, judges' meetings, and professional conferences. L. Russell Burrell, U.S. probation officer from South Carolina on assignment to the Commission, continued in his role as the Commission's primary trainer in guideline application.

Investigative Agents

In 1991, the Commission responded to requests from the Department of Treasury for guideline training for Alcohol, Tobacco, and Firearms senior investigative agents at the Federal Law Enforcement Training Center in Glynco, Georgia. Additional training for case agents was provided

through a collaborative program with the Financial Fraud Institute at the Federal Law Enforcement Training Center. Drug Enforcement Administration agents also received guideline training from the Commission during 1991.

C. Case Review

Introduction

The Case Review Project responds to one of the Commission's statutorily authorized monitoring functions by providing an in-depth analysis of guideline application for a randomly selected set of case files.⁶⁴ The analysis consists of a thorough review of all documents submitted to the Commission's Monitoring Unit, including the presentence report and addendum, worksheets, plea agreement, statement of reasons, and the judgment of conviction order.

The Case Review Project is a valuable resource for the Commission, providing input to the Commission's evaluation study, amendment process, and development of training materials. The following provides a brief overview of the project's methodology and preliminary findings.

Project Methodology

TAS staff and U.S. probation officers on temporary assignment to the Commission reviewed a randomly selected sample of 996 cases, which represent approximately four percent of all cases sentenced under the guidelines between August 1, 1989, and July 31, 1990. Table 10 provides

⁶⁴ Congress authorized the Commission to "monitor the performance of probation officers with regard to sentencing recommendations, including application of the Sentencing Commission guidelines and policy statements;" and to "issue instructions to probation officers concerning application of Commission guidelines and policy statements" (28 U.S.C. § 995(a)(9), (10)).

the distribution of cases reviewed by district, while Table 11 provides descriptive information on mode of conviction and availability of documents for review. Figures B and C illustrate the primary offense category and class of offense for the sample reviewed.

As with all monitoring functions, the review only can be as complete as the information available. For many case files, information important to the resolution of particular issues is missing and the court may base its findings on information presented at the sentencing hearing that does not appear in the case file. For example, the criminal history section of a presentence report may assign a single point for a sentence of 60 days imprisonment. Because §4A1.1(b) would assign two criminal history points to a sentence of 60 days imprisonment, TAS would note this as a discrepancy. However, TAS has no way of knowing whether at sentencing the probation officer informed the court that this sentence was "suspended," in which case the defendant would correctly receive one criminal history point under §4A1.2(a)(3).

Case review, therefore, cannot make definitive assessments regarding whether guideline application is "correct" in individual cases. Rather, it illustrates general trends and highlights possible problem areas across the sample.

TAS staff reviewed all documents in each case file within six months of sentencing and assessed the appropriate guideline range based on the information available. Each section of the guidelines was reviewed (e.g., the base offense level, specific offense characteristics, Chapter Three adjustments, criminal history). This assessment was compared with the calculation in the presentence report.

If a discrepancy was identified, it was coded as a potential problem in guideline application. Possible reasons for the inconsistency were also recorded (e.g., misinterpretation of guideline language, stipulations in the plea agreement). Specific guideline sections were recorded as having "no problems" if, based upon review of the available information, the guidelines appear to have been applied appropriately.

Analysis and Observations

Quantitative data compiled in the case review process indicates that probation officers have demonstrated a high level of proficiency in guideline application. Accuracy rates based on a review of the available documentation in 15 important areas of guideline application reveal that probation officers demonstrated an accuracy rate above 95 percent in most areas that directly impact the sentencing range (see Table 12). For example, in determining victim-related adjustments, probation officers appeared to be accurate in 100 percent of the cases reviewed. In choosing the correct guideline, they appeared accurate in 99.1 percent of the cases reviewed.

Guideline calculations that appeared to be most problematic are criminal history (93.3% accuracy), supervised release terms (89.2% accuracy), and the fine range (84.3% accuracy).

The case review project's findings have influenced the guideline amendment process. For example, the commentary to the criminal history guidelines was amended in 1990 and 1991 to clarify application. In 1991, the Commission amended §5E1.2 (Fines for Individual Defendants) to eliminate the determination of gain and loss as it relates to the fine range. Consequently, the fine range will be determined by consulting the fine table, subject to statutory maximum

limits. Problems in determining the correct term of supervised release were due in part to officers using outdated guideline worksheets. The worksheets have since been revised and distributed to probation officers across the country.

D. ASSYST

The Staff Director's Office coordinated improvements and modifications to the ASSYST software used by probation officers as an aid to guideline application. These improvements included the incorporation of recent guideline amendments, the addition of applicable case law by individual guideline section, ex post facto considerations, and a presentence report "shell." In addition, function keys were updated to include 1991 guideline text and commentary. The updated software was made available to U.S. probation offices, the Executive Office of U.S. Attorneys, federal public defenders, and the National Association of Criminal Defense Lawyers during the fall.

In order to determine if there was sufficient interest in the field to warrant continued efforts to update and improve the ASSYST software, the Commission, in 1991, surveyed chief probation officers about their officers' experiences with ASSYST. Eighty-two percent of the chiefs responding indicated that the Commission should continue to update and provide ASSYST to practitioners. In addition, the Commission recently conducted an initial feasibility study to determine whether using ASSYST as an electronic data collection and transmission tool would be compatible with the Office of Monitoring's datasets. The Commission hopes to use ASSYST as an electronic data collection tool in the future.

Figure B
DISTRIBUTION OF CASES REVIEWED BY
PRIMARY OFFENSE CATEGORY (N=996)

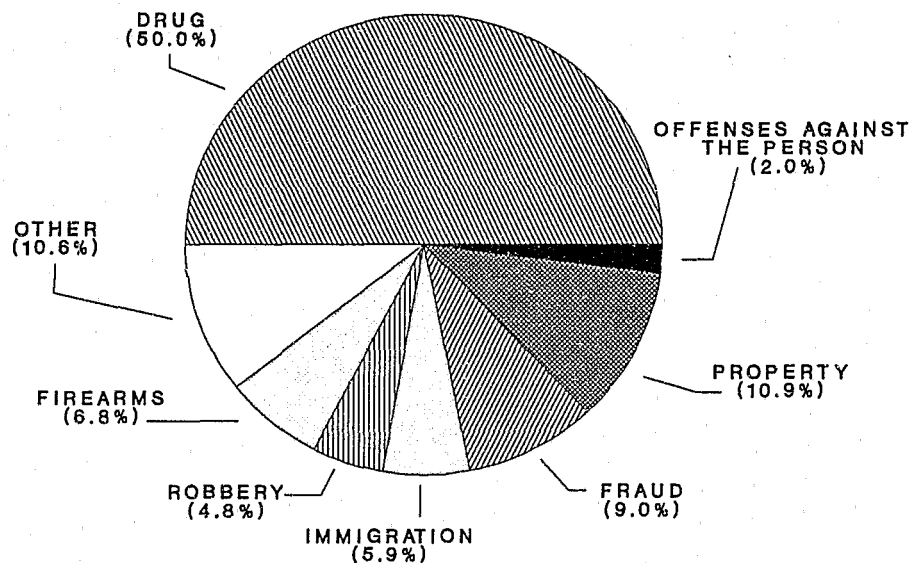
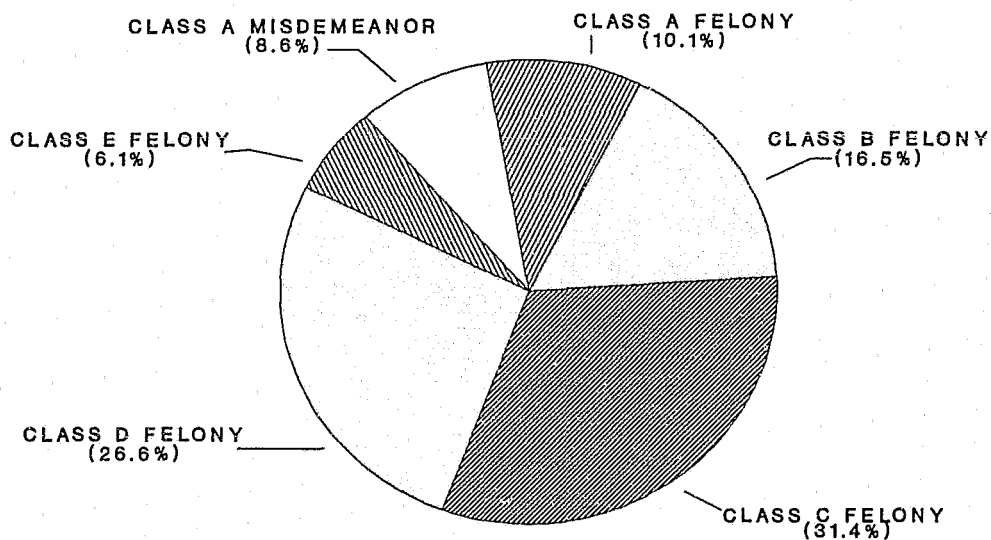


Figure C
DISTRIBUTION OF CASES REVIEWED BY
CLASS OF OFFENSE (N=996)*



* Percentages do not total 100% due to a small number (0.6%) of cases with missing information on class of offense.

SOURCE: U.S. Sentencing Commission Case Review Database; 8/1/89 - 7/31/90

Table 8

**NUMBER OF QUESTIONS RECEIVED BY GUIDELINE SECTION
(October 1, 1990 through September 30, 1991)**

CHAPTER 1: INTRODUCTION AND APPLICATION PRINCIPLES	
Application	31
Relevant Conduct	109
Other Information to be Used	2
Interpretation of References	3
Use of Certain Information	15
 CHAPTER 2: OFFENSE CONDUCT	
Offenses Against the Person	33
Offenses Involving Property	84
Offenses Involving Public Officials	18
Offenses Involving Drugs	129
Offenses Involving Criminal Enterprise and Racketeering	21
Offenses Involving Fraud or Deceit	56
Offenses Involving Prostitution, Sexual Exploitation of Minors, and Obscenity	6
Offenses Involving Individual Rights	6
Offenses Involving Administration of Justice	43
Offenses Involving Public Safety	85
Offenses Involving Immigration, Naturalization, and Passports	12
Offenses Involving National Defense	3
Offenses Involving Food, Drugs, Agriculture Products	2
Offenses Involving Prisons and Correctional Facilities	9
Offenses Involving the Environment	9
Antitrust Offenses	2
Money Laundering and Monetary Transaction Reporting	21
Offenses Involving Taxation	44
Other Offenses	49
 CHAPTER 3: ADJUSTMENTS	
Victim-Related Adjustments	26
Role in the Offense	62
Obstruction	52
Multiple Counts	131
Acceptance of Responsibility	32
 CHAPTER 4: CRIMINAL HISTORY AND CRIMINAL LIVELIHOOD	
Criminal History	281
Career Offenders and Criminal Livelihood	110
 CHAPTER 5: DETERMINING THE SENTENCE	
Sentencing Table	2
Probation	8
Imprisonment	22
Supervised Release	26
Restitution, Fines, Assessments, Forfeitures	48
Sentencing Options	4
Implementing the Total Sentence of Imprisonment	54
Specific Offender Characteristics	7
Departures	44

CHAPTER 6: SENTENCING PROCEDURES AND PLEA AGREEMENTS

Sentencing Procedures	4
Plea Agreements	11

CHAPTER 7: VIOLATIONS OF PROBATION AND SUPERVISED RELEASE

Introduction to Chapter Seven	11
Probation and Supervised Release Violations	251

CHAPTER 8: SENTENCING OF ORGANIZATIONS

Fines	1
Corporate	12

OTHER QUESTIONS

Amendments	23
Miscellaneous	27
Old Law/New Law	36
PSR	11
Statutory/Legal	92
Juvenile	2
Monitoring	5
Statement of Reasons	1
Assyst	3
Other Questions	39

TOTAL QUESTIONS	2,230
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Table 9

HOTLINE CALLS RECEIVED BY DISTRICT
(October 1, 1990 through September 30, 1991)

DISTRICT	NUMBER	DISTRICT	NUMBER
Alabama		Missouri	
Northern	8	Eastern	37
Middle	3	Western	21
Southern	13	Montana	34
Alaska	10	Nebraska	21
Arizona	22	Nevada	15
Arkansas		New Hampshire	4
Eastern	14	New Jersey	34
Western	8	New Mexico	35
California		New York	
Northern	47	Northern	12
Eastern	7	Eastern	9
Central	17	Southern	27
Southern	15	Western	10
Colorado	40	North Carolina	
Connecticut	26	Eastern	41
Delaware	13	Middle	28
District of Columbia	62	Western	37
Florida		North Dakota	10
Northern	27	Ohio	
Middle	32	Northern	14
Southern	98	Southern	24
Georgia		Oklahoma	
Northern	48	Northern	15
Middle	6	Eastern	20
Southern	11	Western	20
Guam	4	Oregon	7
Hawaii	11	Pennsylvania	
Idaho	11	Eastern	45
Illinois		Middle	22
Northern	38	Western	6
Central	19	Puerto Rico	22
Southern	14	Rhode Island	8
Indiana		South Carolina	9
Northern	41	South Dakota	29
Southern	12	Tennessee	
Iowa		Eastern	21
Northern	8	Middle	18
Southern	13	Western	27
Kansas	32	Texas	
Kentucky		Northern	14
Eastern	13	Eastern	27
Western	11	Southern	43
Louisiana		Western	47
Western	31	Utah	8
Eastern	25	Vermont	13
Middle	6	Virgin Islands	5
Maine	11	Virginia	
Maryland	38	Eastern	106
Massachusetts	14	Western	31
Michigan		Washington	
Eastern	29	Eastern	0
Western	6	Western	17
Minnesota	10	West Virginia	
Mississippi		Northern	28
Northern	19	Southern	12
Southern	18	Wisconsin	
		Eastern	24
		Western	16
		Wyoming	4

Table 10

CASE REVIEW PROJECT
CASES REVIEWED BY DISTRICT (N = 996)

<u>DISTRICT</u>	<u>NUMBER</u>	<u>PERCENT</u>	<u>DISTRICT</u>	<u>NUMBER</u>	<u>PERCENT</u>
Alabama			Missouri		
Northern	8	(0.8%)	Eastern	13	(1.3%)
Middle	5	(0.5%)	Western	19	(1.9%)
Southern	1	(0.1%)	Montana	6	(0.6%)
Alaska	2	(0.2%)	Nebraska	5	(0.5%)
Arizona	27	(2.7%)	Nevada	9	(0.9%)
Arkansas			New Hampshire	1	(0.1%)
Eastern	7	(0.7%)	New Jersey	16	(1.6%)
Western	5	(0.5%)	New Mexico	17	(1.7%)
California			New York		
Northern	9	(0.9%)	Northern	8	(0.8%)
Eastern	19	(1.9%)	Eastern	33	(3.3%)
Central	29	(2.9%)	Southern	35	(3.5%)
Southern	40	(4.0%)	Western	9	(0.9%)
Colorado	10	(1.0%)	North Carolina		
Connecticut	5	(0.5%)	Eastern	8	(0.8%)
Delaware	5	(0.5%)	Middle	4	(0.4%)
District of			Western	3	(0.3%)
Columbia	15	(1.5%)	North Dakota	5	(0.5%)
Florida			Ohio		
Northern	6	(0.6%)	Northern	12	(1.2%)
Middle	28	(2.8%)	Southern	12	(1.2%)
Southern	41	(4.1%)	Oklahoma		
Georgia			Northern	3	(0.3%)
Northern	12	(1.2%)	Eastern	5	(0.5%)
Middle	6	(0.6%)	Western	5	(0.5%)
Southern	11	(1.1%)	Oregon	16	(1.6%)
Guam	0	(0.0%)	Pennsylvania		
Hawaii	3	(0.3%)	Eastern	5	(0.5%)
Idaho	1	(0.1%)	Middle	3	(0.3%)
Illinois			Western	5	(0.5%)
Northern	10	(1.0%)	Puerto Rico	2	(0.2%)
Central	4	(0.4%)	Rhode Island	5	(0.5%)
Southern	5	(0.5%)	South Carolina	10	(1.0%)
Indiana			South Dakota	7	(0.7%)
Northern	9	(0.9%)	Tennessee		
Southern	5	(0.5%)	Eastern	10	(1.0%)
Iowa			Middle	6	(0.6%)
Northern	2	(0.2%)	Western	9	(0.9%)
Southern	1	(0.1%)	Texas		
Kansas	8	(0.8%)	Northern	24	(2.4%)
Kentucky			Eastern	6	(0.6%)
Eastern	10	(1.0%)	Southern	62	(6.2%)
Western	9	(0.9%)	Western	60	(6.0%)
Louisiana			Utah	6	(0.6%)
Western	16	(1.6%)	Vermont	2	(0.2%)
Eastern	10	(1.0%)	Virgin Islands	4	(0.4%)
Middle	1	(0.1%)	Virginia		
Maine	5	(0.5%)	Eastern	26	(2.6%)
Maryland	11	(1.1%)	Western	11	(1.1%)
Massachusetts	2	(0.2%)	Washington		
Michigan			Eastern	6	(0.6%)
Eastern	20	(2.0%)	Western	7	(0.7%)
Western	5	(0.5%)	West Virginia		
Minnesota	9	(0.9%)	Northern	7	(0.7%)
Mississippi			Southern	13	(1.3%)
Northern	3	(0.3%)	Wisconsin		
Southern	7	(0.7%)	Eastern	1	(0.1%)
			Western	7	(0.7%)
			Wyoming	1	(0.1%)

Table 11

CASE REVIEW PROJECT DESCRIPTIVE STATISTICS

Mode of Conviction (N=996)	
Type	Number (percent)
Trial by Jury	139 (14%)
Trial by Judge	15 (1.5%)
Trial (no information as to jury or judge)	6 (0.6%)
Plea	836 (83.9%)

Availability of Plea Agreements for Review (N=835)	
	Number (percent)
Written plea available	408 (48.8%)
Written plea exists but is not available for review	268 (32.1%)
Pleaded guilty as charged and no plea agreement	151 (18.1%)
Pleaded guilty; indeterminable whether plea agreement exists	8 (1.0%)

Availability of Documentation for Review (N=996)				
Document	Available		Not Available	
	No.	Percent	No.	Percent
Presentence Report	996	(100.0%)	0	(0.0%)
Statement of Reasons	743	(74.6%)	253	(25.4%)
Addendum	659	(66.2%)	337	(33.8%)
Worksheets	963	(96.7%)	33	(3.3%)
Judgment of Conviction	984	(98.8%)	12	(1.2%)

Table 12

**CASE REVIEW PROJECT
SUMMARY OF FINDINGS**

GUIDELINE AREA REVIEWED	ACCURACY RATE (N=996)
Choice of Guideline (§1B1.2)	99.1%
Relevant Conduct (§1B1.3) in determining the base offense level	95.9%
Relevant Conduct (§1B1.3) in determining specific offense characteristics	98.5%
Victim related adjustments	100.0%
Role adjustments	96.5%
Obstruction	99.7%
Acceptance of Responsibility	97.7%
Multiple Counts	98.2%
Criminal History	93.3%
Career Offender	99.7%
Sentencing Options	98.7%
Supervised Release Terms	89.2%
Probation Terms	97.8%
Fine Range	84.3%
Departures	95.1%

SOURCE: U.S Sentencing Commission Case Review Database; 8/1/89 - 7/31/90

Research

A. MONITORING

Background and Data Collection Activities

Statutory Requirements

The Monitoring Unit collects, prepares, and analyzes data on guideline sentences to support the Commission's varied activities. As authorized by Congress, the Commission has numerous research responsibilities, including:

- the establishment of a research and development program within the Commission to serve as a clearinghouse and information center for the collection, preparation, and dissemination of information on federal sentencing practices (28 U.S.C. § 995(a)(12));
- the publication of data concerning the sentencing process (28 U.S.C. § 995(a)(14));
- the systematic collection and dissemination of information concerning sentences actually imposed and the relationship of such sentences to the factors set forth in section 3553(a) of title 18, United States Code (28 U.S.C. § 995(a)(15)); and
- the systematic collection and dissemination of information regarding the effectiveness of sentences imposed (28 U.S.C. § 995(a)(16)).

In large part, the Commission's systematic collection and reporting of information on guideline cases drives the agency's research mission. As required by Congress:

The appropriate judge or officer shall submit to the Commission in connection with each sentence imposed (other than a sentence imposed for a petty offense, as defined in title 18, for which there is no applicable sentencing guideline) a written report of the sentence, the offense for which it is imposed, the age, race, and sex of the offender, information regarding factors made relevant by the guidelines, and such other information as the Commission finds appropriate. The Commission shall submit to Congress at least annually an analysis of these reports and any recommendations for legislation that the Commission concludes is warranted by that analysis (28 U.S.C. § 994(w)).

Pursuant to its authority under 28 U.S.C. §§ 994(w) and 995(a)(8), and after discussions with the Judicial Conference Committee on Criminal Law and the Administrative Office of the U.S. Courts (AO), the Commission requested that probation offices in each judicial district submit the following documents on every case sentenced under the guidelines:

- Presentence Report (PSR)
- Guideline Worksheets
- Report on the Sentencing Hearing (statement of reasons for imposing sentence as required by 18 U.S.C. § 3553(c))

- Written Plea Agreement (if applicable)
- Judgment of Conviction

USSC Data Collection

Throughout fiscal year 1991 (October 1, 1990, through September 30, 1991, hereinafter "1991"), the Monitoring Unit progressed substantially in its development of a comprehensive computerized data file on defendants sentenced under the guidelines. Data collection is proceeding on the three major data collection modules that have been fully implemented. A fourth data collection module monitoring court decisions regarding probation and supervised release violations has been developed and implemented.

Module I, Receipt Control, is a document control system that provides a mechanism for identifying cases. Data collection activities in this module were enhanced to capture information no longer available from the AO's Federal Probation Sentencing and Supervision Information System (FPSSIS). **Module II, Basic Sentencing Information**, collects sentencing information on each case as documented in the Judgment of Conviction order, as well as statutory and guideline provisions from the Presentence Report and Report on the Sentencing Hearing. **Module III, Guideline Application and Departures**, captures the complete range of guideline decisions made by the court and departure information on each case. The **Probation and Supervised Release Violation Module** monitors court decisions and implementation of the Commission's violation policy statements.

The Commission will implement several additional modules for research purposes to capture additional information on real offense behavior, plea agreements, factual disputes, criminal history, and offender characteristics. Data collection for these modules will involve a sampling of cases rather than the entire population.

The Monitoring Unit data file for 1991 provides the Commission and the public with frequencies and descriptive statistics on all guideline cases sentenced within the year. This file, with individual identifiers deleted, is available through the Inter-University Consortium for Political and Social Research at the University of Michigan. The Commission will forward additional data files to the Consortium on a regular basis.

In 1991, Monitoring participated in several Commission-wide research activities, including the Evaluation and Mandatory Minimum projects. The Unit provided research and data analysis for requests from Congress, judges, and probation offices, as well as its standard support of Commission working group and amendment activities.

Data Collection Issues

The Commission received documentation on 33,419 cases sentenced under the Sentencing Reform Act between October 1, 1990, and September 30, 1991.⁶⁵ As used in this report, a "case" is defined as a single sentencing event (even if it includes multiple indictments or multiple convictions consolidated for sentencing).

⁶⁵ Reported figures exclude cases involving solely petty offenses, organizational defendants, or diversionary sentences. The USSC Monitoring data file used for this report, MONFY91, includes cases sentenced during fiscal year 1991

With the elimination of sentencing factors from the AO's FPSSIS data entry system, the Monitoring Unit has no direct way to ascertain, as in previous years, the ratio of guideline to pre-guideline cases or the rate in which guideline cases are reported to the Commission. However, information available from the AO's Criminal Masterfile can provide a close approximation of the ratio of guideline to pre-guideline cases in the system, a ratio that has been steadily increasing since 1987. By June 1991, approximately 74 percent of the cases reported to the AO were sentenced under the guidelines (see Figure D).⁶⁶

Despite possible reporting problems experienced by the Monitoring data system, differences in general characteristics or descriptive statistics about the national population of defendants sentenced pursuant to the guidelines are expected to be minor. However, reporting problems specific to individual districts or offices may result in more substantial difficulties if generalizations are made to the actual district populations. It is important to note that all data collected and analyzed by the Commission reflect only reported populations (i.e., cases in which appropriate documentation was forwarded to the Commission).

While the degree of potential non-reporting is estimated to be small, further study would be required to uncover any biases associated with non-reporting. For example, one known reporting bias arising from fewer reported magistrate cases is the potential for slightly higher rates of imprisonment, longer average prison terms, and fewer cases among less serious crimes. Other unknown reporting biases could enhance or counteract these biases.

As noted previously, the Commission should receive up to five documents on each case sentenced pursuant to the guidelines. See Table 13 for the document submission rate by circuit and district. In 1991, the Commission received Presentence Reports (PSR) for 96.9 percent of the cases (in an additional 2.4% of the cases the PSR was known to have been waived) and Judgment of Conviction Orders for 99.5 percent of the cases. Guideline Worksheets were received for 91.1 percent of the cases, and Written Plea Agreements or other comparable documents for 58.5 percent of the cases.⁶⁷

The submission rate for the Report on the Sentencing Hearing (statement of reasons) has increased significantly during the past four years, rising to 92.4 percent for cases sentenced in FY1991 compared to 79.1 percent in FY1990,

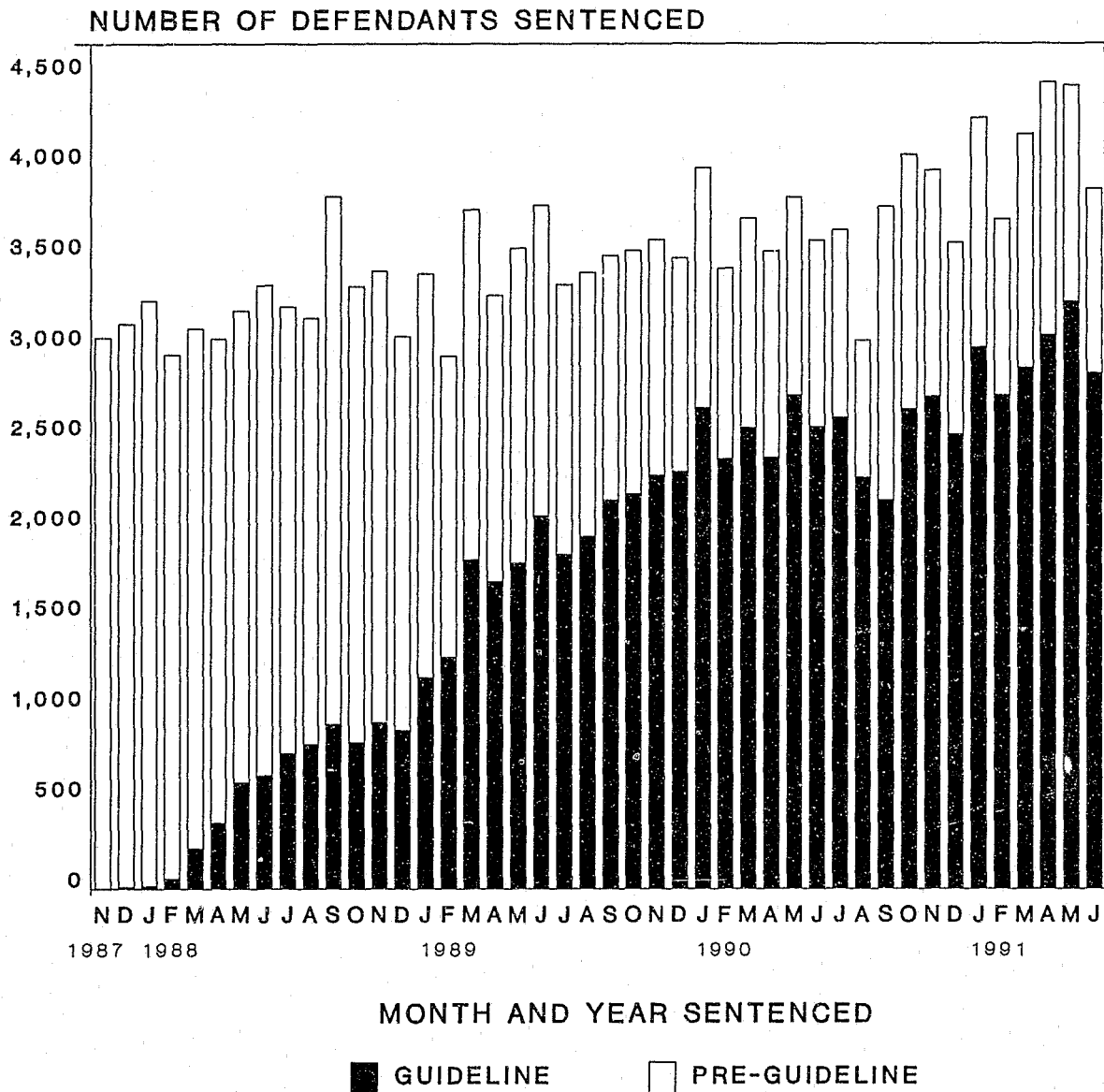
that were received by the Commission as of January 17, 1992.

66 In previous years, guideline and pre-guideline comparisons were available from the Administrative Office of the U.S. Court's FPSSIS data system. (See FY90 Annual Report.) Due to the termination of sentencing elements from this data collection system, approximations for more recent months have been developed using the Administrative Office of the U.S. Court's Criminal Masterfile in comparison to the Sentencing Commission's Monitoring system. Because the Criminal Masterfile does not provide guideline and pre-guideline indicators and the data reported in Figure D come from different data sources, the guideline/pre-guideline numbers are estimates only. Thus, no monthly figures are included in Appendix C.

67 Table 13 does not report the submission rate of written plea agreements by circuit and district. Because the Commission cannot always determine the applicability of a written plea agreement in a particular case, it is difficult to establish a base line of what should be received.

65.0 percent in 1989, and 40.0 percent in 1988. The incorporation of the Report on the Sentencing Hearing within the Judgment of Conviction Order (AO 245 S, Rev. 7/90) has enhanced both the submission and uniformity of this information.

Figure D
GUIDELINE VS. PRE-GUIDELINE DEFENDANTS SENTENCED
 (November 1987 through June 1991)



SOURCE: Information through August 1990 from the Administrative Office of the U.S. Courts' FPSSIS Data System. Due to the termination of FPSSIS Data collection, information obtained after August of 1990 is derived from the AO's Criminal Masterfile and USSC Data.

Table 13

DOCUMENT SUBMISSION RATE BY CIRCUIT AND DISTRICT*
(October 1, 1990 through September 30, 1991)

CIRCUIT District	Number of Cases	SUBMISSION RATE													
		Judgment of Conviction Order				Presentence Report						Report on the Sentencing Hearing			
		Received		Not Received		Received		Not Received		Waived		Received		Not Received	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	33,419	33,265	99.5	154	0.5	32,373	96.9	240	0.7	806	2.4	30,876	92.4	2,543	7.6
D.C. CIRCUIT	521	517	99.2	4	0.8	518	99.4	3	0.6	0	0.0	515	98.9	6	1.2
District of Columbia	521	517	99.2	4	0.8	518	99.4	3	0.6	0	0.0	515	98.9	6	1.2
FIRST CIRCUIT	909	908	99.9	1	0.1	907	99.8	0	0.0	2	0.2	898	98.8	11	1.2
Maine	133	133	100.0	0	0.0	132	99.3	0	0.0	1	0.8	133	100.0	0	0.0
Massachusetts	355	355	100.0	0	0.0	354	99.7	0	0.0	1	0.3	348	98.0	7	2.0
New Hampshire	73	73	100.0	0	0.0	73	100.0	0	0.0	0	0.0	73	100.0	0	0.0
Puerto Rico	244	243	99.6	1	0.4	244	100.0	0	0.0	0	0.0	242	99.2	2	0.8
Rhode Island	104	104	100.0	0	0.0	104	100.0	0	0.0	0	0.0	102	98.1	2	1.9
SECOND CIRCUIT	2,752	2,716	98.7	36	1.3	2,674	97.2	4	0.2	74	2.7	2,533	92.0	219	8.0
Connecticut	240	240	100.0	0	0.0	240	100.0	0	0.0	0	0.0	231	96.3	9	3.8
New York															
Eastern	1,004	998	99.4	6	0.6	1,003	99.9	1	0.1	0	0.0	1003	99.9	1	0.1
Northern	308	279	90.6	29	9.4	236	76.6	1	0.3	71	23.1	307	99.7	1	0.3
Southern	853	852	99.9	1	0.1	850	99.7	2	0.2	1	0.1	646	75.7	207	24.3
Western	240	240	100.0	0	0.0	238	99.2	0	0.0	2	0.8	239	99.6	1	0.4
Vermont	107	107	100.0	0	0.0	107	100.0	0	0.0	0	0.0	107	100.0	0	0.0
THIRD CIRCUIT	1,638	1,635	99.8	3	0.2	1,618	98.8	3	0.2	17	1.0	1,599	97.6	39	2.4
Delaware	117	116	99.2	1	0.9	116	99.2	1	0.9	0	0.0	116	99.2	1	0.9
New Jersey	474	473	99.8	1	0.2	473	99.8	1	0.2	0	0.0	470	99.2	4	0.8
Pennsylvania															
Eastern	505	504	99.8	1	0.2	491	97.2	0	0.0	14	2.8	494	97.8	11	2.2
Middle	242	242	100.0	0	0.0	242	100.0	0	0.0	0	0.0	239	98.8	3	1.2
Western	219	219	100.0	0	0.0	216	98.6	0	0.0	3	1.4	215	98.2	4	1.8
Virgin Islands	81	81	100.0	0	0.0	80	98.8	1	1.2	0	0.0	65	80.3	16	19.8
FOURTH CIRCUIT	3,690	3,684	99.8	6	0.2	3,499	94.8	18	0.5	173	4.7	3,540	95.9	150	4.1
Maryland	388	387	99.7	1	0.3	383	98.7	2	0.5	3	0.8	388	100.0	0	0.0
North Carolina															
Eastern	352	352	100.0	0	0.0	307	87.2	1	0.3	44	12.5	317	90.1	35	9.9
Middle	313	313	100.0	0	0.0	313	100.0	0	0.0	0	0.0	313	100.0	0	0.0
Western	361	361	100.0	0	0.0	297	82.3	1	0.3	63	17.5	354	98.1	7	1.9
South Carolina	480	480	100.0	0	0.0	477	99.4	3	0.6	0	0.0	479	99.8	1	0.2
Virginia															
Eastern	948	943	99.5	5	0.5	880	92.8	6	0.6	62	6.5	846	89.2	102	10.8
Western	324	324	100.0	0	0.0	322	99.4	1	0.3	1	0.3	323	99.7	1	0.3
West Virginia															
Northern	144	144	100.0	0	0.0	144	100.0	0	0.0	0	0.0	144	100.0	0	0.0
Southern	380	380	100.0	0	0.0	376	99.0	4	1.1	0	0.0	376	99.0	4	1.1
FIFTH CIRCUIT	5,594	5,571	99.6	23	0.4	5,307	94.9	56	1.0	231	4.1	5,041	90.1	553	9.9
Louisiana															
Eastern	375	374	99.7	1	0.3	373	99.5	0	0.0	2	0.5	374	99.7	1	0.3
Middle	49	49	100.0	0	0.0	49	100.0	0	0.0	0	0.0	49	100.0	0	0.0
Western	193	193	100.0	0	0.0	193	100.0	0	0.0	0	0.0	181	93.8	12	6.2
Mississippi															
Northern	185	184	99.5	1	0.5	184	99.5	0	0.0	1	0.5	184	99.5	1	0.5
Southern	212	212	100.0	0	0.0	211	99.5	1	0.5	0	0.0	204	96.2	8	3.8
Texas															
Eastern	270	270	100.0	0	0.0	267	98.9	3	1.1	0	0.0	262	97.0	8	3.0
Northern	582	582	100.0	0	0.0	581	99.8	0	0.0	1	0.2	581	99.8	1	0.2
Southern	2,076	2,073	99.9	3	0.1	1,973	95.0	40	1.9	63	3.0	1,666	80.3	410	19.8
Western	1,652	1,634	98.9	18	1.1	1,476	89.4	12	0.7	164	9.9	1,540	93.2	112	6.8

CIRCUIT District		SUBMISSION RATE														
		Number of Cases	Judgment of Conviction Order				Presentence Report						Report on the Sentencing Hearing			
			Received		Not Received		Received		Not Received		Waived		Received		Not Received	
			N	%	N	%	N	%	N	%	N	%	N	%	N	%
SIXTH CIRCUIT	3,234	3,227	99.8	7	0.2	3,155	97.6	38	1.2	41	1.3	3,051	94.3	183	5.7	
Kentucky																
Eastern	195	194	99.5	1	0.5	192	98.5	0	0.0	3	1.5	195	100.0	0	0.0	
Western	327	325	99.4	2	0.6	285	87.2	37	11.3	5	1.5	321	98.2	6	1.8	
Michigan																
Eastern	780	779	99.9	1	0.1	770	98.7	0	0.0	10	1.3	753	96.5	27	3.5	
Western	119	119	100.0	0	0.0	119	100.0	0	0.0	0	0.0	116	97.5	3	2.5	
Ohio																
Northern	426	426	100.0	0	0.0	426	100.0	0	0.0	0	0.0	406	95.3	20	4.7	
Southern	446	446	100.0	0	0.0	444	99.6	0	0.0	2	0.5	434	97.3	12	2.7	
Tennessee																
Eastern	374	371	99.2	3	0.8	374	100.0	0	0.0	0	0.0	371	99.2	3	0.8	
Middle	220	220	100.0	0	0.0	198	90.0	1	0.5	21	9.6	110	50.0	110	50.0	
Western	347	347	100.0	0	0.0	347	100.0	0	0.0	0	0.0	345	99.4	2	0.6	
SEVENTH CIRCUIT	1,574	1,573	99.9	1	0.1	1,547	98.3	3	0.2	24	1.5	1,482	94.2	92	5.8	
Illinois																
Central	201	201	100.0	0	0.0	195	97.0	0	0.0	6	3.0	199	99.0	2	1.0	
Northern	559	558	99.8	1	0.2	553	98.9	2	0.4	4	0.7	504	90.2	55	9.8	
Southern	137	137	100.0	0	0.0	127	92.7	1	0.7	9	6.6	135	98.5	2	1.5	
Indiana																
Northern	133	133	100.0	0	0.0	133	100.0	0	0.0	0	0.0	129	97.0	4	3.0	
Southern	152	152	100.0	0	0.0	152	100.0	0	0.0	0	0.0	152	100.0	0	0.0	
Wisconsin																
Eastern	292	292	100.0	0	0.0	287	98.3	0	0.0	5	1.7	263	90.1	29	9.9	
Western	100	100	100.0	0	0.0	100	100.0	0	0.0	0	0.0	100	100.0	0	0.0	
EIGHTH CIRCUIT	1,943	1,939	99.8	4	0.2	1,931	99.4	6	0.3	6	0.3	1,909	98.3	34	1.8	
Arkansas																
Eastern	219	219	100.0	0	0.0	219	100.0	0	0.0	0	0.0	219	100.0	0	0.0	
Western	84	84	100.0	0	0.0	84	100.0	0	0.0	0	0.0	84	100.0	0	0.0	
Iowa																
Northern	76	76	100.0	0	0.0	76	100.0	0	0.0	0	0.0	73	96.1	3	4.0	
Southern	129	129	100.0	0	0.0	129	100.0	0	0.0	0	0.0	129	100.0	0	0.0	
Minnesota	309	307	99.4	2	0.7	309	100.0	0	0.0	0	0.0	306	99.0	3	1.0	
Missouri																
Eastern	245	243	99.2	2	0.8	239	97.6	6	2.5	0	0.0	228	93.1	17	6.9	
Western	378	378	100.0	0	0.0	378	100.0	0	0.0	0	0.0	378	100.0	0	0.0	
Nebraska	186	186	100.0	0	0.0	186	100.0	0	0.0	0	0.0	181	97.3	5	2.7	
North Dakota	133	133	100.0	0	0.0	127	95.5	0	0.0	6	4.5	127	95.5	6	4.5	
South Dakota	184	184	100.0	0	0.0	184	100.0	0	0.0	0	0.0	184	100.0	0	0.0	
NINTH CIRCUIT	5,836	5,807	99.5	29	0.5	5,541	95.0	105	1.8	190	3.3	4,710	80.7	1,126	19.3	
Alaska	76	75	98.7	1	1.3	76	100.0	0	0.0	0	0.0	66	86.8	10	13.2	
Arizona	860	855	99.4	5	0.6	840	97.7	16	1.9	4	0.5	851	99.0	9	1.1	
California																
Central	1,130	1,128	99.8	2	0.2	1,129	99.9	1	0.1	0	0.0	323	28.6	807	71.4	
Eastern	438	437	99.8	1	0.2	372	84.9	32	7.3	34	7.8	425	97.0	13	3.0	
Northern	341	337	98.8	4	1.2	340	99.7	1	0.3	0	0.0	263	77.1	78	22.9	
Southern	1,220	1,214	99.5	6	0.5	1,216	99.7	3	0.3	1	0.1	1,026	84.1	194	15.9	
Guam																
Hawaii	220	220	100.0	0	0.0	123	55.9	49	22.3	48	21.8	220	100.0	0	0.0	
Idaho	75	75	100.0	0	0.0	75	100.0	0	0.0	0	0.0	75	100.0	0	0.0	
Montana	209	208	99.5	1	0.5	199	95.2	0	0.0	10	4.8	209	100.0	0	0.0	
Nevada	243	238	97.9	5	2.1	243	100.0	0	0.0	0	0.0	240	98.8	3	1.2	
Northern Mariana Islands																
Oregon	418	418	100.0	0	0.0	417	99.8	1	0.2	0	0.0	410	98.1	8	1.9	
Washington																
Eastern	274	274	100.0	0	0.0	180	65.7	1	0.4	93	33.9	272	99.3	2	0.7	
Western	332	328	98.8	4	1.2	331	99.7	1	0.3	0	0.0	330	99.4	2	0.6	

CIRCUIT District	Number of Cases	SUBMISSION RATE													
		Judgment of Conviction Order				Presentence Report						Report on the Sentencing Hearing			
		Received		Not Received		Received		Not Received		Waived		Received		Not Received	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%
TENTH CIRCUIT	1,728	1,723	99.7	5	0.3	1,703	98.6	2	0.1	23	1.3	1,720	99.5	8	0.5
Colorado	294	292	99.3	2	0.7	294	100.0	0	0.0	0	0.0	294	100.0	0	0.0
Kansas	245	245	100.0	0	0.0	233	95.1	0	0.0	12	4.9	244	99.6	1	0.4
New Mexico	517	517	100.0	0	0.0	507	98.1	1	0.2	9	1.7	517	100.0	0	0.0
Oklahoma															
Eastern	65	65	100.0	0	0.0	65	100.0	0	0.0	0	0.0	65	100.0	0	0.0
Northern	111	110	99.1	1	0.9	111	100.0	0	0.0	0	0.0	111	100.0	0	0.0
Western	212	211	99.5	1	0.5	210	99.1	1	0.5	1	0.5	205	96.7	7	3.3
Utah	195	194	99.5	1	0.5	194	99.5	0	0.0	1	0.5	195	100.0	0	0.0
Wyoming	89	89	100.0	0	0.0	89	100.0	0	0.0	0	0.0	89	100.0	0	0.0
ELEVENTH CIRCUIT	4,000	3,965	99.1	35	0.9	3,973	99.3	2	0.1	25	0.6	3,878	97.0	122	3.1
Middle	150	150	100.0	0	0.0	150	100.0	0	0.0	0	0.0	150	100.0	0	0.0
Northern	219	219	100.0	0	0.0	218	99.5	0	0.0	1	0.5	218	99.5	1	0.5
Southern	298	298	100.0	0	0.0	296	99.3	0	0.0	2	0.7	298	100.0	0	0.0
Florida															
Middle	926	926	100.0	0	0.0	924	99.8	0	0.0	2	0.2	908	98.1	18	1.9
Northern	254	253	99.6	1	0.4	252	99.2	1	0.4	1	0.4	249	98.0	5	2.0
Southern	1,297	1,292	99.6	5	0.4	1,297	100.0	0	0.0	0	0.0	1,290	99.5	7	0.5
Georgia															
Middle	235	235	100.0	0	0.0	235	100.0	0	0.0	0	0.0	197	83.8	38	16.2
Northern	451	422	93.6	29	6.4	450	99.8	1	0.2	0	0.0	399	88.5	52	11.5
Southern	170	170	100.0	0	0.0	151	88.8	0	0.0	19	11.2	169	99.4	1	0.6

*Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Descriptive Statistics

Implementation of the Guidelines

By statute, the Commission receives information only on defendants sentenced pursuant to the Sentencing Reform Act of 1984 (SRA).⁶⁸ Information about defendants sentenced under pre-guideline law is reported through the AO's data systems.

As stated earlier, the Commission received 33,419 cases sentenced under the SRA in 1991. Six districts (with more than one thousand cases each) were responsible for 25.1 percent of the cases received: Southern Texas, Western Texas, Southern California, Central California, Southern Florida, and Eastern New York. The Fifth and Ninth Circuits accounted for 34.2 percent of all guideline cases. Table 14 depicts the distribution of guideline cases across the 94 judicial districts and 12 judicial circuits.

68 A "case" or "defendant" as discussed in this report is defined in the USSC data collection system as a single sentencing event for a single defendant. Multiple defendants in a single sentencing event are treated as separate cases. If an individual defendant is sentenced more than once during the time period of interest, each sentencing event is identified as a separate case.

Table 14

GUIDELINE DEFENDANTS BY CIRCUIT AND DISTRICT*
(October 1, 1990 through September 30, 1991)

CIRCUIT			CIRCUIT		
District	Number	Percent	District	Number	Percent
TOTAL	33,419	100.0			
D.C. CIRCUIT	521	1.6	FIFTH CIRCUIT	5,594	16.7
District of Columbia	521	1.6	Louisiana		
			Eastern	375	1.1
FIRST CIRCUIT	909	2.7	Middle	49	0.2
Maine	133	0.4	Western	193	0.6
Massachusetts	355	1.1	Mississippi		
New Hampshire	73	0.2	Northern	185	0.6
Puerto Rico	244	0.7	Southern	212	0.6
Rhode Island	104	0.3	Texas		
			Eastern	270	0.8
SECOND CIRCUIT	2,752	8.2	Northern	582	1.7
Connecticut	240	0.7	Southern	2,076	6.2
New York			Western	1,652	4.9
Eastern	1,004	3.0			
Northern	308	0.9	SIXTH CIRCUIT	3,234	9.7
Southern	853	2.6	Kentucky		
Western	240	0.7	Eastern	195	0.6
Vermont	107	0.3	Western	327	1.0
			Michigan		
THIRD CIRCUIT	1,638	4.9	Eastern	780	2.3
Delaware	117	0.4	Western	119	0.4
New Jersey	474	1.4	Ohio		
Pennsylvania			Northern	426	1.3
Eastern	505	1.5	Southern	446	1.3
Middle	242	0.7	Tennessee		
Western	219	0.7	Eastern	374	1.1
Virgin Islands	81	0.2	Middle	220	0.7
			Western	347	1.0
FOURTH CIRCUIT	3,690	11.0			
Maryland	388	1.2	SEVENTH CIRCUIT	1,574	4.7
North Carolina			Illinois		
Eastern	352	1.1	Central	201	0.6
Middle	313	0.9	Northern	559	1.7
Western	361	1.1	Southern	137	0.4
South Carolina	480	1.4	Indiana		
Virginia			Northern	133	0.4
Eastern	948	2.8	Southern	152	0.5
Western	324	1.0	Wisconsin		
West Virginia			Eastern	292	0.9
Northern	144	0.4	Western	100	0.3
Southern	380	1.1			

CIRCUIT			CIRCUIT		
District	Number	Percent	District	Number	Percent
EIGHTH CIRCUIT	1,943	5.8	TENTH CIRCUIT	1,728	5.2
Arkansas			Colorado	294	0.9
Eastern	219	0.7	Kansas	245	0.7
Western	84	0.3	New Mexico	517	1.6
Iowa			Oklahoma		
Northern	76	0.2	Eastern	65	0.2
Southern	129	0.4	Northern	111	0.3
Minnesota	309	0.9	Western	212	0.6
Missouri			Utah	195	0.6
Eastern	245	0.7	Wyoming	89	0.3
Western	378	1.1			
Nebraska	186	0.6	ELEVENTH CIRCUIT	4,000	12.0
North Dakota	133	0.4	Alabama		
South Dakota	184	0.6	Middle	150	0.5
			Northern	219	0.7
NINTH CIRCUIT	5,836	17.5	Southern	298	0.9
Alaska	76	0.2	Florida		
Arizona	860	2.6	Middle	926	2.8
California			Northern	254	0.8
Central	1,130	3.4	Southern	1,297	3.9
Eastern	438	1.3	Georgia		
Northern	341	1.0	Middle	235	0.7
Southern	1,220	3.7	Northern	451	1.4
Guam	0	0.0	Southern	170	0.5
Hawaii	220	0.7			
Idaho	75	0.2			
Montana	209	0.6			
Nevada	243	0.7			
Northern Mariana Islands	0	0.0			
Oregon	418	1.3			
Washington					
Eastern	274	0.8			
Western	332	1.0			

*Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Primary Offense and Demographic Characteristics of Guideline Offenders

Primary Offense Type

Forty-five percent of all defendants sentenced under the SRA in 1991 were convicted of drug offenses. Other frequent offenses of conviction included fraud (10.5% of all cases), firearms (7.5%), larceny (7.4%), and immigration (7.0%). Offenses that typically take extended time to detect, investigate, and prosecute (e.g., tax offenses and money laundering) are likely to be underrepresented in the guideline distribution. Figure E and Table 15 display the distribution and frequency of guideline cases across the primary offense categories.

Race

Of all defendants sentenced under the guidelines during 1991, 44.1 percent were identified as White, 27.3 percent as Black, 24.4 percent as Hispanic, and 4.2 percent as "Other" (American Indian, Alaskan Native, Asian or Pacific Islander). Table 16 displays the distribution of these racial and ethnic groups within primary offense categories. In offense categories such as arson, auto theft, tax violations, and gambling, whites constituted more than 70 percent of the offender population. Black defendants were proportionately overrepresented in robbery, larceny, and firearms violations, while Hispanics were overrepresented in the categories of immigration, drug trafficking, and simple drug possession.

Gender

Males comprised 83.3 percent of all defendants sentenced under the guidelines, while females comprised the remaining 16.7 percent. Examining gender within the primary offense categories shows less dramatic differences between male and female rates within embezzlement (in which 60.9% of those sentenced were female), larceny (31.1% female), and use of a communication facility in a drug offense (28.6% female). Table 17 displays the distribution of cases by gender within each primary offense category.

Age

The average age for all defendants sentenced under the guidelines in 1991 (as measured by the mean and median) was 34 and 32 years, respectively. Defendants sentenced within the following offense categories were most likely to be 25 years of age or younger: murder (51.9% of all cases), manslaughter (37.3%), kidnapping (36.2%), burglary or breaking and entering (52.0%), simple drug possession (32.4%), and immigration violations (32.2%). In contrast, the majority of defendants sentenced for gambling and lottery offenses, tax offenses, bribery, pornography or prostitution, and antitrust offenses were 41 years and older. Table 18 displays the distribution cases by defendant's age for each primary offense category.

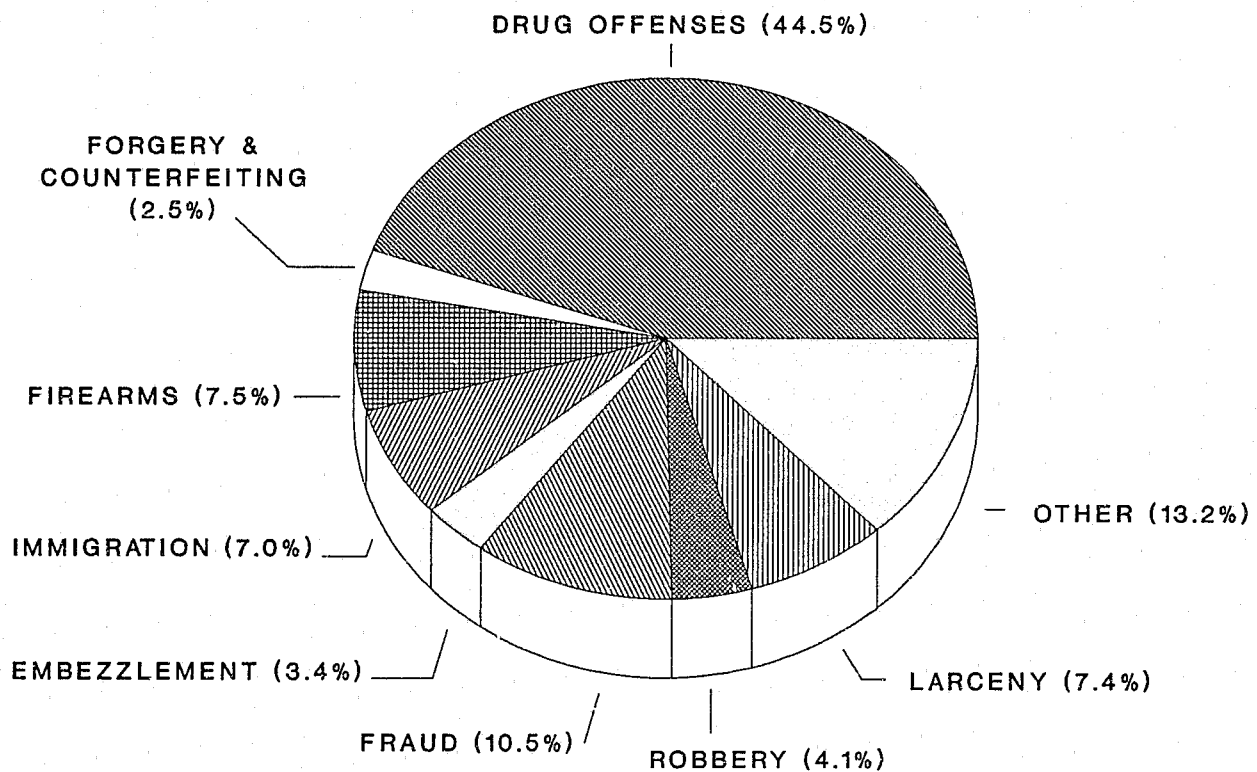
Citizenship

Seventy-seven percent of offenders sentenced under the guidelines in 1991 were citizens of the United States while nearly one-fourth (23%) were not.⁶⁹ As reported in Table 19, this percentage varied considerably by primary offense type, with the highest rate of non-citizens sen-

tenced for immigration (88.2%), national defense (55.9%), and money laundering violations (35.2%). Table 20 provides a listing of the countries of origin of non-citizens sentenced under the guidelines in 1991.

69 Note that this figure includes both legal and illegal aliens.

Figure E
DISTRIBUTION OF GUIDELINE DEFENDANTS
SENTENCED BY PRIMARY OFFENSE CATEGORY*
(October 1, 1990 through September 30, 1991)



*Of the 33,419 guideline cases, 324 cases involving mixed law counts (both guideline and pre-guideline) were excluded. In addition, 89 cases were excluded due to missing information on primary offense category. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 15

**DISTRIBUTION OF GUIDELINE DEFENDANTS SENTENCED
BY PRIMARY OFFENSE CATEGORY***
(October 1, 1990 through September 30, 1991)

PRIMARY OFFENSE	Number	Percent
Murder	27	0.1
Manslaughter	59	0.2
Kidnapping/Hostage-Taking	47	0.1
Sexual Abuse	135	0.4
Assault	294	0.9
Robbery	1,365	4.1
Arson	72	0.2
Drugs - Trafficking	13,437	40.7
Drugs - Communication Facility	332	1.0
Drugs - Simple Possession	924	2.8
Firearms	2,476	7.5
Burglary/B&E	99	0.3
Auto Theft	157	0.5
Larceny	2,431	7.4
Fraud	3,452	10.5
Embezzlement	1,134	3.4
Forgery/Counterfeiting	830	2.5
Bribery	182	0.6
Tax	298	0.9
Money Laundering	501	1.5
Racketeering/Extortion	249	0.8
Gambling/Lottery	194	0.6
Civil Rights	116	0.4
Immigration	2,293	7.0
Pornography/Prostitution	163	0.5
Prison Offenses	260	0.8
Administration of Justice Offenses	541	1.6
Environmental/Wildlife	145	0.4
National Defense	34	0.1
Anti-Trust	16	0.1
Food & Drug	59	0.2
Other Miscellaneous Offenses	684	2.1
Total	33,006	100.0

*Of the 33,419 guideline cases, 324 cases involving mixed law courts (both guideline and pre-guideline) were excluded. In addition, 89 cases were excluded due to missing information on primary offense. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 16

RACE OF DEFENDANT BY PRIMARY OFFENSE CATEGORY*
(October 1, 1990 through September 30, 1991)

PRIMARY OFFENSE	TOTAL	RACE							
		White		Black		Hispanic		Other	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	32,305	14,258	44.1	8,804	27.3	7,882	24.4	1,361	4.2
Murder	27	7	25.9	5	18.5	4	14.8	11	40.7
Manslaughter	59	6	10.2	8	13.6	2	3.4	43	72.9
Kidnapping/Hostage-Taking	47	23	48.9	8	17.0	15	31.9	1	2.1
Sexual Abuse	134	17	12.7	13	9.7	1	0.8	103	76.9
Assault	288	124	43.1	55	19.1	34	11.8	75	26.0
Robbery	1,355	759	56.0	473	34.9	99	7.3	24	1.8
Arson	72	53	73.6	11	15.3	3	4.2	5	6.9
Drugs - Trafficking	13,334	4,683	35.1	4,017	30.1	4,266	32.0	368	2.8
Drugs - Communication Facility	322	156	47.0	69	20.8	90	27.1	17	5.1
Drugs - Simple Possession	901	324	36.0	168	18.7	388	43.1	21	2.3
Firearms	2,448	1,238	50.6	838	34.2	314	12.8	58	2.4
Burglary/B&E	99	53	53.5	25	25.3	0	0.0	21	21.2
Auto Theft	154	109	70.8	14	9.1	28	18.2	3	2.0
Larceny	2,357	1,222	51.9	858	36.4	165	7.0	112	4.8
Fraud	3,430	2,018	58.8	1,046	30.5	210	6.1	156	4.6
Embezzlement	1,128	718	63.7	271	24.0	89	7.9	50	4.4
Forgery/Counterfeiting	825	422	51.2	263	31.9	117	14.2	23	2.8
Bribery	181	73	40.3	40	22.1	30	16.6	38	21.0
Tax	291	223	76.6	33	11.3	23	7.9	12	4.1
Money Laundering	493	252	51.1	90	18.3	123	25.0	28	5.7
Racketeering/Extortion	247	175	70.9	46	18.6	23	9.3	3	1.2
Gambling/Lottery	182	155	85.2	18	9.9	6	3.3	3	1.7
Civil Rights	116	102	87.9	10	8.6	2	1.7	2	1.7
Immigration	1,958	132	6.7	155	7.9	1,574	80.4	97	5.0
Pornography/Prostitution	163	151	92.6	2	1.2	6	3.7	4	2.5
Prison Offenses	259	107	41.3	84	32.4	57	22.0	11	4.3
Administration of Justice Offenses	535	322	60.2	73	13.6	126	23.6	14	2.6
Environmental/Wildlife	143	113	79.0	3	2.1	14	9.8	13	9.1
National Defense	34	17	50.0	0	0.0	11	32.4	6	17.7
Anti-Trust	16	16	100.0	0	0.0	0	0.0	0	0.0
Food & Drug	58	53	91.4	4	6.9	1	1.7	0	0.0
Other Miscellaneous Offenses	639	435	68.1	104	16.3	61	9.6	39	6.1

*Of the 33,419 guideline cases, 324 cases involving mixed law counts (both guideline and pre-guideline) were excluded. In addition, 790 cases were excluded due to one or both of the following conditions: missing primary offense category (89) or missing race (726). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 17

GENDER OF DEFENDANT BY PRIMARY OFFENSE CATEGORY*
(October 1, 1990 through September 30, 1991)

PRIMARY OFFENSE	TOTAL	GENDER			
		Male		Female	
		Number	Percent	Number	Percent
TOTAL	32,619	27,172	83.3	5,447	16.7
Murder	27	26	96.3	1	3.7
Manslaughter	59	49	83.1	10	17.0
Kidnapping/Hostage-Taking	47	43	91.5	4	8.5
Sexual Abuse	135	132	97.8	3	2.2
Assault	292	272	93.2	20	6.9
Robbery	1,365	1,304	95.5	61	4.5
Arson	72	67	93.1	5	6.9
Drugs - Trafficking	13,409	11,724	87.4	1,685	12.6
Drugs - Communication Facility	332	237	71.4	95	28.6
Drugs - Simple Possession	909	745	82.0	164	18.0
Firearms	2,465	2,372	96.2	93	3.8
Burglary/B&E	99	94	95.0	5	5.1
Auto Theft	156	148	94.9	8	5.1
Larceny	2,417	1,665	68.9	752	31.1
Fraud	3,439	2,481	72.1	958	27.9
Embezzlement	1,134	444	39.2	690	60.9
Forgery/Counterfeiting	828	629	76.0	199	24.0
Bribery	181	151	83.4	30	16.6
Tax	297	252	84.9	45	15.2
Money Laundering	497	379	76.3	118	23.7
Racketeering/Extortion	249	225	90.4	24	9.6
Gambling/Lottery	189	170	90.0	19	10.1
Civil Rights	116	103	88.8	13	11.2
Immigration	2,011	1,822	90.6	189	9.4
Pornography/Prostitution	163	161	98.8	2	1.2
Prison Offenses	259	235	90.7	24	9.3
Administration of Justice Offenses	540	428	79.3	112	20.7
Environmental/Wildlife	144	135	93.8	9	6.3
National Defense	34	31	91.2	3	8.8
Anti-Trust	16	16	100.0	0	0.0
Food & Drug	59	56	94.9	3	5.1
Other Miscellaneous Offenses	679	576	84.8	103	15.2

*Of the 33,419 guideline cases, 324 cases involving mixed law counts (both guideline and pre-guideline) were excluded. In addition, 476 cases were excluded due to one or both of the following conditions: missing primary offense category (89) or missing gender (408). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 18

AGE OF DEFENDANT BY PRIMARY OFFENSE CATEGORY*
(October 1, 1990 through September 30, 1991)

PRIMARY OFFENSE	TOTAL	AGE														Mean	Median
		Under 21		21 to 25		26 to 30		31 to 35		36 to 40		41 to 50		Over 50			
		N	%	N	%	N	%	N	%	N	%	N	%	N	%		
Total	32,569	1,606	4.9	5,638	17.3	6,705	20.6	6,042	18.6	4,676	14.4	5,368	16.5	2,534	7.8	34.1	32.0
Murder	27	1	3.7	13	48.2	4	14.8	2	7.4	3	11.1	3	11.1	1	3.7	30.0	25.0
Manslaughter	59	10	17.0	12	20.3	13	22.0	8	13.6	5	8.5	5	8.5	6	10.2	31.2	28.0
Kidnapping/Hostage-Taking	47	6	12.6	11	23.4	14	29.8	12	25.5	2	4.3	2	4.3	0	0.0	28.6	28.0
Sexual Abuse	135	16	11.9	28	20.7	24	17.8	18	13.3	13	9.6	20	14.8	16	11.9	34.0	30.0
Assault	292	25	8.6	61	20.9	62	21.2	33	11.3	39	13.4	45	15.4	27	9.3	33.5	30.0
Robbery	1,358	76	5.6	230	16.9	303	22.3	312	23.0	198	14.6	168	12.4	71	5.2	32.8	32.0
Arson	72	5	6.9	15	20.8	10	13.9	9	12.5	8	11.1	17	23.6	8	11.1	35.5	35.0
Drugs - Trafficking	13,414	653	4.9	2,474	18.4	2,919	21.8	2,630	19.6	1,969	14.7	2,039	15.2	730	5.4	33.2	32.0
Drugs - Communication Facility	331	7	2.1	53	16.0	79	23.9	69	20.9	51	15.4	52	15.7	20	6.0	33.9	32.0
Drugs - Simple Possession	895	73	8.2	217	24.3	213	23.8	177	19.8	117	13.1	78	8.7	20	2.2	30.4	29.0
Firearms	2,459	118	4.8	420	17.1	522	21.2	503	20.5	369	15.0	381	15.5	146	5.9	33.5	32.0
Burglary/B&E	98	25	25.5	26	26.5	23	23.5	12	12.2	7	7.1	4	4.1	1	1.0	26.5	24.5
Auto Theft	155	8	5.2	26	16.8	26	16.8	27	17.4	19	12.3	36	23.2	13	8.4	35.2	33.0
Larceny	2,406	190	7.9	403	16.8	436	18.1	400	16.6	324	13.5	398	16.5	255	10.6	34.7	33.0
Fraud	3,434	84	2.5	418	12.2	601	17.5	625	18.2	506	14.7	781	22.7	419	12.2	37.1	35.0
Embezzlement	1,133	51	4.5	212	18.7	226	20.0	207	18.3	164	14.5	195	17.2	78	6.9	33.8	32.0
Forgery/Counterfeiting	826	34	4.1	162	19.6	191	23.1	150	18.2	97	11.7	127	15.4	65	7.9	33.5	31.0
Bribery	182	1	0.6	7	3.9	24	13.2	16	8.8	28	15.4	66	36.3	40	22.0	42.3	42.0
Tax	293	2	0.7	19	6.5	23	7.9	33	11.3	51	17.4	102	34.8	63	21.5	42.5	42.0
Money Laundering	496	3	0.6	48	9.7	85	17.1	77	15.5	72	14.5	139	28.0	72	14.5	38.8	38.0
Racketeering/Extortion	249	7	2.8	27	10.8	35	14.1	25	10.0	35	14.1	74	29.7	46	18.5	40.0	40.0
Gambling/Lottery	182	0	0.0	3	1.7	9	5.0	16	8.8	18	9.9	59	32.4	77	42.3	48.8	48.5
Civil Rights	116	9	7.8	18	15.5	18	15.5	19	16.4	16	13.8	19	16.4	17	14.7	35.5	34.0
Immigration	2,024	150	7.4	501	24.8	525	25.9	371	18.3	245	12.1	168	8.3	64	3.2	30.5	29.0
Pornography/Prostitution	163	0	0.0	4	2.5	16	9.8	16	9.8	21	12.9	59	36.2	47	28.8	44.8	45.0
Prison Offenses	259	5	1.9	33	12.7	53	20.5	58	22.4	48	18.5	49	18.9	13	5.0	34.8	33.0
Administration of Justice Offenses	539	11	2.0	68	12.6	108	20.0	77	14.3	105	19.5	104	19.3	66	12.2	36.8	36.0
Environmental/Wildlife	139	7	5.0	16	11.5	13	9.4	16	11.5	21	15.1	38	27.3	28	20.1	40.2	39.0
National Defense	34	0	0.0	5	14.7	4	11.8	7	20.6	1	2.9	7	20.6	10	29.4	41.9	39.5
Anti-Trust	16	0	0.0	0	0.0	0	0.0	0	0.0	3	18.8	7	43.8	6	37.5	49.9	49.0
Food & Drug	59	0	0.0	13	22.0	9	15.3	9	15.3	8	13.6	8	13.6	12	20.3	37.9	35.0
Other Miscellaneous Offenses	677	29	4.3	95	14.0	117	17.3	108	16.0	113	16.7	118	17.4	97	14.3	36.6	35.0

*Of the 33,419 guideline cases, 324 cases involving mixed law counts (both guideline and pre-guideline) were excluded. In addition, 526 cases were excluded due to one or both of the following conditions: missing primary offense category (89) or missing date of birth (466). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 19

CITIZENSHIP STATUS OF DEFENDANT BY PRIMARY OFFENSE CATEGORY*
(October 1, 1990 through September 30, 1991)

PRIMARY OFFENSE	TOTAL	CITIZENSHIP STATUS			
		United States Citizen		Non-U.S. Citizen	
		Number	Percent	Number	Percent
TOTAL	31,385	24,202	77.1	7,183	22.9
Murder	25	23	92.0	2	8.0
Manslaughter	59	59	100.0	0	0.0
Kidnapping/Hostage-Taking	47	33	70.2	14	29.8
Sexual Abuse	134	133	99.3	1	0.8
Assault	286	268	93.7	18	6.3
Robbery	1,325	1,293	97.6	32	2.4
Arson	67	62	92.5	5	7.5
Drugs - Trafficking	12,979	9,357	72.1	3,622	27.9
Drugs - Communication Facility	327	280	85.6	47	14.4
Drugs - Simple Possession	874	592	67.7	282	32.3
Firearms	2,409	2,166	89.9	243	10.1
Burglary/B&E	93	93	100.0	0	0.0
Auto Theft	149	123	82.6	26	17.5
Larceny	2,220	2,101	94.6	119	5.4
Fraud	3,349	2,897	86.5	452	13.5
Embezzlement	1,108	1,074	96.9	34	3.1
Forgery/Counterfeiting	804	698	86.8	106	13.2
Bribery	181	139	76.8	42	23.2
Tax	282	254	90.1	28	9.9
Money Laundering	474	307	64.8	167	35.2
Racketeering/Extortion	243	222	91.4	21	8.6
Gambling/Lottery	179	176	98.3	3	1.7
Civil Rights	114	113	99.1	1	0.9
Immigration	1,919	227	11.8	1,692	88.2
Pornography/Prostitution	156	150	96.2	6	3.9
Prison Offenses	252	215	85.3	37	14.7
Administration of Justice Offenses	523	429	82.0	94	18.0
Environmental/Wildlife	127	113	89.0	14	11.0
National Defense	34	15	44.1	19	55.9
Anti-Trust	16	16	100.0	0	0.0
Food & Drug	57	55	96.5	2	3.5
Other Miscellaneous Offenses	573	519	90.6	54	9.4

*Of the 33,419 guideline cases, 324 cases involving mixed law counts (both guideline and pre-guideline) were excluded. In addition, 1,710 cases were excluded due to one or both of the following conditions: missing primary offense category (89) or missing citizenship information (1,653). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 20**COUNTRY OF CITIZENSHIP OF NON-U.S. CITIZENS***
(October 1, 1990 through September 30, 1991)

COUNTRY OF CITIZENSHIP	Number	Percent
TOTAL	7,057	100.0
Mexico	3,208	45.5
Colombia	759	10.8
Nigeria	441	6.3
Dominican Republic	417	5.9
Cuba	346	4.9
Jamaica	291	4.1
Canada	126	1.8
El Salvador	89	1.3
Haiti	78	1.1
Panama	61	0.9
Philippines	55	0.8
Ecuador	52	0.7
Lebanon	51	0.7
China	51	0.7
Guatemala	51	0.7
Guyana	50	0.7
Other	931	13.2

* Only countries with 50 or more cases are listed here. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Mode of Conviction

Monitoring data show that 85.4 percent of all defendants sentenced under the guidelines in 1991 pleaded guilty, while 14.6 percent of all guideline defendants were convicted at trial. With the termination of the sentencing component of FPSSIS in August 1990, FPSSIS information on mode of conviction — the data used by the Commission to compile these statistics in previous years — is no longer available. As noted in the 1990 Annual Report, the AO has reported problems concerning plea/trial information it had been receiving prior to the termination of FPSSIS, anticipating at the time that such problems masked a lower plea rate for both guideline and pre-guideline cases. A preliminary analysis comparing FPSSIS data to documents received by the USSC in 1990 suggested that the plea rate as reported to the AO may be up to two percent lower than FPSSIS data suggested. The Commission is confident that the shift to a data collection system that uses source documents (e.g., the Judgment of Conviction Order) provides a much more accurate picture of national and district plea/trial rates than in past years. Table 21 shows the rates of conviction by plea and trial for guideline defendants by circuit and district.

Considerable variation exists in the rate of guilty pleas versus trials from district to district. The District of Columbia, Eastern Oklahoma, and Southern Alabama reported the lowest plea rates (61.8%, 62.5%, and 67.0% respectively), while Colorado, New Jersey and Southern Illinois reported the highest (96.2%, 95.6%, and 94.2% respectively).

An analysis of the mode of conviction by primary offense category (see Table 22) indicates that in

certain offense categories such as murder, kidnapping, or national defense, defendants are more likely to go to trial than in other offense categories such as immigration, fraud, or embezzlement.

Table 21

MODE OF CONVICTION BY CIRCUIT AND DISTRICT*
(October 1, 1990 through September 30, 1991)

CIRCUIT District	GUIDELINE CONVICTIONS				
	TOTAL	PLEA		TRIAL	
		Number	Percent	Number	Percent
TOTAL	33,237	28,383	85.4	4,854	14.6
D.C. CIRCUIT	518	320	61.8	198	38.2
District of Columbia	518	320	61.8	198	38.2
FIRST CIRCUIT	901	733	81.4	168	18.7
Maine	131	111	84.7	20	15.3
Massachusetts	349	277	79.4	72	20.6
New Hampshire	73	66	90.4	7	9.6
Puerto Rico	244	195	79.9	49	20.1
Rhode Island	104	84	80.8	20	19.2
SECOND CIRCUIT	2,704	2,379	88.0	325	12.0
Connecticut	238	223	93.7	15	6.3
New York					
Eastern	1,003	898	89.5	105	10.5
Northern	270	237	87.8	33	12.2
Southern	847	706	83.4	141	16.7
Western	239	224	93.7	15	6.3
Vermont	107	91	85.1	16	15.0
THIRD CIRCUIT	1,630	1,437	88.2	193	11.8
Delaware	116	102	87.9	14	12.1
New Jersey	474	453	95.6	21	4.4
Pennsylvania					
Eastern	503	430	85.5	73	14.5
Middle	241	225	93.4	16	6.6
Western	217	166	76.5	51	23.5
Virgin Islands	79	61	77.2	18	22.8
FOURTH CIRCUIT	3,669	3,134	85.4	535	14.6
Maryland	386	301	78.0	85	22.0
North Carolina					
Eastern	345	303	87.8	42	12.2
Middle	311	239	76.9	72	23.2
Western	361	337	93.4	24	6.7
South Carolina	477	417	87.4	60	12.6
Virginia					
Eastern	942	789	83.8	153	16.2
Western	323	273	84.5	50	15.5
West Virginia					
Northern	144	124	86.1	20	13.9
Southern	380	351	92.4	29	7.6

CIRCUIT District	GUIDELINE CONVICTIONS				
	TOTAL	PLEA		TRIAL	
		Number	Percent	Number	Percent
FIFTH CIRCUIT	5,582	5,025	90.0	557	10.0
Louisiana					
Eastern	374	333	89.0	41	11.0
Middle	49	44	89.8	5	10.2
Western	191	178	93.2	13	6.8
Mississippi					
Northern	184	166	90.2	18	9.8
Southern	211	187	88.6	24	11.4
Texas					
Eastern	270	234	86.7	36	13.3
Northern	582	519	89.2	63	10.8
Southern	2,075	1,909	92.0	166	8.0
Western	1,646	1,455	88.4	191	11.6
SIXTH CIRCUIT	3,215	2,769	86.1	446	13.9
Kentucky					
Eastern	194	160	82.5	34	17.5
Western	325	294	90.5	31	9.5
Michigan					
Eastern	778	646	83.0	132	17.0
Western	119	105	88.2	14	11.8
Ohio					
Northern	424	368	86.8	56	13.2
Southern	446	401	89.9	45	10.1
Tennessee					
Eastern	373	335	89.8	38	10.2
Middle	210	189	90.0	21	10.0
Western	346	271	78.3	75	21.7
SEVENTH CIRCUIT	1,571	1,324	84.3	247	15.7
Illinois					
Central	200	163	81.5	37	18.5
Northern	557	453	81.3	104	18.7
Southern	137	129	94.2	8	5.8
Indiana					
Northern	133	113	85.0	20	15.0
Southern	152	138	90.8	14	9.2
Wisconsin					
Eastern	292	236	80.8	56	19.2
Western	100	92	92.0	8	8.0
EIGHTH CIRCUIT	1,937	1,590	82.1	347	17.9
Arkansas					
Eastern	219	191	87.2	28	12.8
Western	84	64	76.2	20	23.8
Iowa					
Northern	75	59	78.7	16	21.3
Southern	129	100	77.5	29	22.5
Minnesota	308	230	74.7	78	25.3
Missouri					
Eastern	243	186	76.5	57	23.5
Western	377	299	79.3	78	20.7
Nebraska	186	173	93.0	13	7.0
North Dakota	132	120	90.9	12	9.1
South Dakota	184	168	91.3	16	8.7

CIRCUIT District	GUIDELINE CONVICTIONS				
	TOTAL	PLEA		TRIAL	
		Number	Percent	Number	Percent
NINTH CIRCUIT	5,812	5,094	87.7	718	12.4
Alaska	76	57	75.0	19	25.0
Arizona	859	791	92.1	68	7.9
California					
Central	1,127	878	77.9	249	22.1
Eastern	436	405	92.9	31	7.1
Northern	336	301	89.6	35	10.4
Southern	1,220	1,117	91.6	103	8.4
Guam	0	0	--	0	--
Hawaii	218	187	85.8	31	14.2
Idaho	74	50	67.6	24	32.4
Montana	209	187	89.5	22	10.5
Nevada	242	200	82.6	42	17.4
Northern Mariana Islands	0	0	--	0	--
Oregon	418	385	92.1	33	7.9
Washington					
Eastern	268	246	91.8	22	8.2
Western	329	290	88.2	39	11.9
TENTH CIRCUIT	1,714	1,502	87.6	212	12.4
Colorado	293	282	96.2	11	3.8
Kansas	244	209	85.7	35	14.3
New Mexico	512	438	85.6	74	14.5
Oklahoma					
Eastern	64	40	62.5	24	37.5
Northern	110	96	87.3	14	12.7
Western	211	182	86.3	29	13.7
Utah	191	174	91.1	17	8.9
Wyoming	89	81	91.0	8	9.0
ELEVENTH CIRCUIT	3,984	3,076	77.2	908	22.8
Alabama					
Middle	150	123	82.0	27	18.0
Northern	219	183	83.6	36	16.4
Southern	297	199	67.0	98	33.0
Florida					
Middle	922	748	81.1	174	18.9
Northern	253	182	71.9	71	28.1
Southern	1,294	961	74.3	333	25.7
Georgia					
Middle	233	196	84.1	37	15.9
Northern	448	350	78.1	98	21.9
Southern	168	134	79.8	34	20.2

*Of the 33,419 guideline cases, 182 cases missing information on mode of conviction were excluded. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 22

MODE OF CONVICTION BY PRIMARY OFFENSE CATEGORY*
(October 1, 1990 through September 30, 1991)

PRIMARY OFFENSE	TOTAL	MODE OF CONVICTION			
		Plea		Trial	
		Number	Percent	Number	Percent
TOTAL	32,864	28,134	85.6	4,730	14.4
Murder	26	12	46.2	14	53.9
Manslaughter	59	47	79.7	12	20.3
Kidnapping/Hostage-Taking	47	27	57.5	20	42.6
Sexual Abuse	135	103	76.3	32	23.7
Assault	294	233	79.3	61	20.8
Robbery	1,360	1,152	84.7	208	15.3
Arson	72	55	76.4	17	23.6
Drugs - Trafficking	13,382	10,512	78.6	2,870	21.5
Drugs - Communication Facility	331	328	99.1	3	0.9
Drugs - Simple Possession	920	876	95.2	44	4.8
Firearms	2,465	2,089	84.8	376	15.3
Burglary/B&E	98	94	95.9	4	4.1
Auto Theft	155	144	92.9	11	7.1
Larceny	2,423	2,260	93.3	163	6.7
Fraud	3,439	3,181	92.5	258	7.5
Embezzlement	1,134	1,097	96.7	37	3.3
Forgery/Counterfeiting	827	781	94.4	46	5.6
Bribery	182	159	87.4	23	12.6
Tax	298	263	88.3	35	11.7
Money Laundering	499	398	79.8	101	20.2
Racketeering/Extortion	249	184	73.9	65	26.1
Gambling/Lottery	194	183	94.3	11	5.7
Civil Rights	116	95	81.9	21	18.1
Immigration	2,271	2,182	96.1	89	3.9
Pornography/Prostitution	163	150	92.0	13	8.0
Prison Offenses	260	233	89.6	27	10.4
Administration of Justice Offenses	534	462	86.5	72	13.5
Environmental/Wildlife	145	134	92.4	11	7.6
National Defense	34	22	64.7	12	35.3
Anti-Trust	16	16	100.0	0	0.0
Food & Drug	59	56	94.9	3	5.1
Other Miscellaneous Offenses	677	606	89.5	71	10.5

*Of the 33,419 guideline cases, 324 cases involving mixed law counts (both guideline and pre-guideline) were excluded. In addition, 231 cases were excluded due to one or both of the following conditions: missing primary offense category (89) or missing information on mode of conviction (177).

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

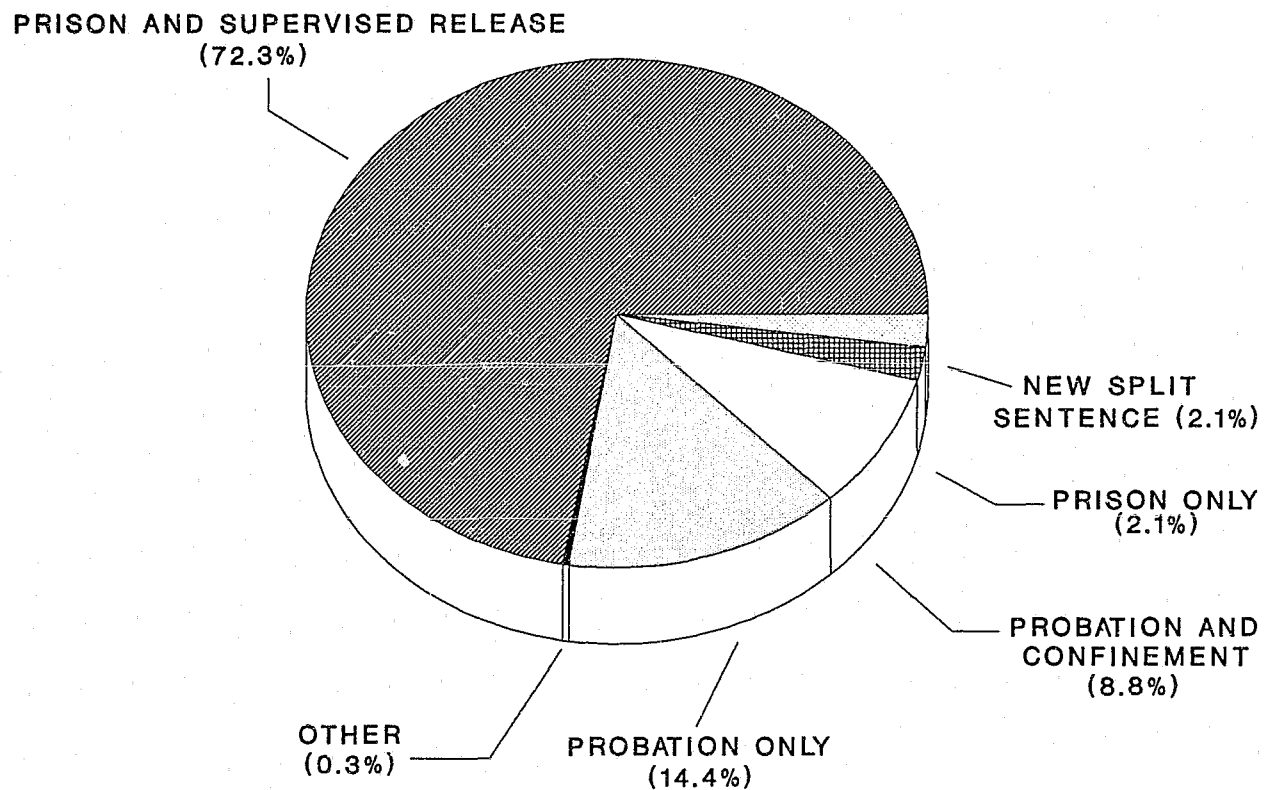
Sentencing Information on Guideline Cases

Type of Sentence

The majority of guideline defendants (72.3%) received a sentence of imprisonment followed by a term of supervised release. Another 2.1 percent received imprisonment with no post-release supervision. Approximately 2.1 percent received the split sentence option under the guidelines (a term of imprisonment followed by supervised release with a condition of community confinement or home detention). Probation with a condition of community confinement, intermittent confinement, or home detention was imposed in 8.8 percent of the cases and 14.4 percent of guideline defendants received sentences of "straight" probation (*i.e.*, no confinement conditions). No supervision (*i.e.*, probation, community confinement, or imprisonment) was ordered in less than 1 percent of all cases. Figure F displays the distribution of guideline cases by type of sentence.

Predictably, the type of sentence most frequently imposed by the court varied by offense type. Defendants convicted of murder, kidnapping, sexual abuse or robbery, drug trafficking, and prison offenses were imprisoned at the highest rates (all more than 90%). Defendants convicted of larceny, embezzlement, tax offenses, gambling and lottery, and environmental or food and drug regulatory violations were least likely to receive sentences of imprisonment — the majority of defendants in these categories received probation or probation with some form of confinement. Table 23 shows the distribution of type of sentence imposed within primary offense categories.

Figure F
TYPE OF GUIDELINE SENTENCE IMPOSED *
(October 1, 1990 through September 30, 1991)



Of the 33,419 guideline cases, 324 cases involving mixed law counts (both guideline and pre-guideline) were excluded. In addition, 290 cases were excluded due to missing sentencing information. The number of cases represented in each category is reflected in Appendix C, Table C-2. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 23

TYPE OF SENTENCE IMPOSED BY PRIMARY OFFENSE CATEGORY*
(October 1, 1990 through September 30, 1991)

PRIMARY OFFENSE	TOTAL	IMPRISONMENT								PROBATION						OTHER CASES	
		Total Receiving Imprisonment	Prison and Supervised Release		Prison Only		New Split Sentence		Total Receiving Probation	Probation and Confinement		Probation Only					
			Number	Percent	Number	Percent	Number	Percent		Number	Percent	Number	Percent	Number	Percent		
TOTAL	32,747	25,036	23,652	72.2	691	2.1	693	2.1	7,604	2,871	8.8	4,733	14.5	107	0.3		
Murder	27	27	24	88.9	3	11.1	0	0.0	0	0	0.0	0	0.0	0	0.0		
Manslaughter	59	52	47	79.7	0	0.0	5	8.5	7	5	8.5	2	3.4	0	0.0		
Kidnapping/Hostage-Taking	46	46	46	100.0	0	0.0	0	0.0	0	0	0.0	0	0.0	0	0.0		
Sexual Abuse	135	129	128	94.8	0	0.0	1	0.7	6	4	3.0	2	1.5	0	0.0		
Assault	291	239	227	78.0	6	2.1	6	2.1	52	21	7.2	31	10.7	0	0.0		
Robbery	1,357	1,352	1,344	99.0	6	0.4	2	0.2	5	1	0.1	4	0.3	0	0.0		
Arson	72	62	60	83.3	1	1.4	1	1.4	10	3	4.2	7	9.7	0	0.0		
Drugs - Trafficking	13,365	12,621	12,399	92.8	95	0.7	127	1.0	740	313	2.3	427	3.2	4	0.0		
Drugs - Communication Facility	332	213	203	61.1	4	1.2	6	1.8	119	63	19.0	56	16.9	0	0.0		
Drugs - Simple Possession	901	459	410	45.5	42	4.7	7	0.8	432	62	6.9	370	41.1	10	1.1		
Firearms	2,458	2,095	1,984	80.7	45	1.8	66	2.7	361	136	5.5	225	9.2	2	0.1		
Burglary/B&E	99	91	84	84.9	1	1.0	6	6.1	8	4	4.0	4	4.0	0	0.0		
Auto Theft	155	113	103	66.5	2	1.3	8	5.2	42	30	19.4	12	7.7	0	0.0		
Larceny	2,392	957	830	34.7	51	2.1	76	3.2	1,398	392	16.4	1,006	42.1	37	1.6		
Fraud	3,425	1,934	1,699	49.6	90	2.6	145	4.2	1,481	728	21.3	753	22.0	10	0.3		
Embezzlement	1,122	359	282	25.1	8	0.7	69	6.2	761	397	35.4	364	32.4	2	0.2		
Forgery/Counterfeiting	825	481	435	52.7	28	3.4	18	2.2	342	163	19.8	179	21.7	2	0.2		
Bribery	181	102	81	44.8	5	2.8	16	8.8	78	43	23.8	35	19.3	1	0.6		
Tax	295	90	77	26.1	9	3.1	4	1.4	203	75	25.4	128	43.4	2	0.7		
Money Laundering	499	400	357	71.5	14	2.8	29	5.8	97	26	5.2	71	14.2	2	0.4		
Racketeering/Extortion	247	224	218	88.3	3	1.2	3	1.2	23	12	4.9	11	4.5	0	0.0		
Gambling/Lottery	194	68	47	24.2	5	2.6	16	8.3	126	77	39.7	49	25.3	0	0.0		
Civil Rights	116	65	57	49.1	4	3.5	4	3.5	51	19	16.4	32	27.6	0	0.0		
Immigration	2,271	1,771	1,580	69.6	169	7.4	22	1.0	479	98	4.3	381	16.8	21	0.9		
Pornography/Prostitution	163	104	87	53.4	4	2.5	13	8.0	58	17	10.4	41	25.2	1	0.6		
Prison Offenses	259	247	226	87.3	20	7.7	1	0.4	12	6	2.3	6	2.3	0	0.0		
Administration of Justice Offenses	538	393	347	64.5	27	5.0	19	3.5	145	54	10.0	91	16.9	0	0.0		
Environmental/Wildlife	143	43	35	24.5	1	0.7	7	4.9	94	14	9.8	80	55.9	6	4.2		
National Defense	34	29	27	79.4	1	2.9	1	2.9	5	1	2.9	4	11.8	0	0.0		
Anti-Trust	16	12	5	31.3	7	43.8	0	0.0	4	4	25.0	0	0.0	0	0.0		
Food & Drug	59	12	10	17.0	1	1.7	1	1.7	47	8	13.6	39	66.1	0	0.0		
Other Miscellaneous Offenses	671	246	193	28.8	39	5.8	14	2.1	418	95	14.2	323	48.1	7	1.0		

*Of the 33,419 guideline cases, 324 cases involving mixed law counts (both guideline and pre-guideline) were excluded. In addition, 348 cases were excluded due to one or both of the following conditions: missing primary offense category (89) or missing sentencing information (290). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Average Length of Imprisonment

While the average (mean) term of imprisonment for all defendants sentenced to prison in 1991 was 62.2 months with a median of 33 months, defendants sentenced for murder, kidnapping, robbery, and drug trafficking received the longest average terms under the guidelines (all 87 months or longer). In comparison, the shortest average prison sentences were imposed for embezzlement, immigration, gambling and lottery, simple possession of drugs, environmental, and antitrust offenses (all less than 13 months). The first column of Table 24 provides the average sentence for defendants sentenced to imprisonment for each primary offense category.

Table 24 also reports average prison sentences for offenders by criminal history categories. Due to the fact that all defendants qualifying for a career offender enhancement are included in Category VI, cases in that category are presented in two groups.⁷⁰ The average and median prison terms for non-career offenders in Category VI were 63.5 and 30 months, respectively, significantly lower than the 202.7 and 189 months for career offenders.

Fines and Restitution

A fine, restitution, or both were ordered in 34.3 percent of all cases sentenced under the guidelines. Neither sanction was ordered in the remaining 65.7 percent of the cases, primarily due to findings by the court of an inability to pay or burden on the defendant's family. The frequency with which fines and/or restitution were ordered

as part of guideline sentences is reported in Table 25.

The imposition of fines and restitution orders varied greatly by offense category. Financial sanctions of some type were most common in convictions for larceny, embezzlement, fraud, bribery, antitrust, environmental, and food and drug regulatory offenses (approximately 60-70% of such cases). Fines were imposed in more than 50 percent of the gambling and lottery, antitrust, environmental, and food and drug violation cases; restitution orders were most common for burglary, robbery, embezzlement, and fraud.

Drug trafficking, immigration, and prison offenses result in financial sanctions least frequently. This finding is not surprising given the high incarceration rates for these offenses and the alien status and possible deportation of defendants in immigration cases.

Table 25 also provides the mean, median, and total payments ordered. In general, the median fine is a better indicator of the "average fine" imposed because it is not affected by unusually high or low fines that may skew the mean. The median represents the amount at which 50 percent of the fines are higher and 50 percent are lower. The greatest median payments were ordered for antitrust cases (\$25,000), arson (\$15,000), racketeering (\$10,000), and fraud (\$6,361). The total of all payments ordered was close to \$365 million, with 62 percent of this amount ordered in fraud and drug trafficking cases.

70 The career offender enhancement is applied to defendants sentenced for a violent crime or serious drug offense who have two prior convictions for violent crimes or serious drug offenses. The guidelines provide a sentence at or near the statutory maximum penalty allowed for such offenders.

Table 24

**AVERAGE LENGTH OF IMPRISONMENT BY
PRIMARY OFFENSE AND CRIMINAL HISTORY CATEGORIES^{*}**
(October 1, 1990 through September 30, 1991)

PRIMARY OFFENSE	AVERAGE LENGTH OF IMPRISONMENT											
	TOTAL			CRIMINAL HISTORY CATEGORY								
				I			II			III		
	Avg Mths	Median Mths	N	Avg Mths	Median Mths	N	Avg Mths	Median Mths	N	Avg Mths	Median Mths	N
TOTAL	62.2	33.0	24,268	54.7	33.0	13,194	60.1	36.0	3,014	62.1	30.0	2,257
Murder	270.9	343.5	26	254.3	281.0	14	222.7	200.0	3	289.3	360.0	3
Manslaughter	29.4	17.0	52	20.7	13.0	29	26.9	18.0	8	39.4	43.5	8
Kidnapping/Hostage-Taking	162.8	142.0	46	105.8	60.0	25	140.5	142.0	4	227.6	240.0	9
Sexual Abuse	73.4	33.0	129	64.9	27.0	83	76.3	60.0	22	97.6	30.0	17
Assault	40.4	30.0	235	42.5	24.0	103	33.7	29.0	32	31.4	28.0	33
Robbery	106.4	78.0	1,342	64.4	51.0	360	67.8	51.0	159	80.5	63.0	206
Arson	35.8	33.0	60	31.4	27.0	40	41.1	41.5	8	13.7	6.0	3
Drugs - Trafficking	87.8	60.0	12,489	76.3	60.0	7,861	87.4	60.0	1,659	97.7	70.0	1,548
Drugs - Communication Facility	26.0	18.0	205	25.0	14.0	110	22.7	14.0	39	28.2	16.0	24
Drugs - Simple Possession	9.7	6.0	442	9.1	6.0	264	6.9	6.0	61	11.0	6.0	57
Firearms	46.6	21.0	1,909	25.6	15.0	416	26.3	14.0	236	27.7	15.0	394
Burglary/B&E	26.6	24.0	89	13.4	10.5	20	26.2	20.0	12	26.0	24.0	15
Auto Theft	17.4	13.0	113	9.7	10.0	47	15.3	13.0	19	20.9	18.0	19
Larceny	14.0	10.0	943	11.9	8.0	413	9.6	6.0	115	12.9	10.0	152
Fraud	17.6	12.0	1,889	15.2	12.0	1,083	16.5	12.0	233	16.5	12.0	221
Embezzlement	11.9	10.0	358	11.8	10.0	323	13.1	10.0	15	10.4	7.0	15
Forgery/Counterfeiting	15.6	12.0	461	13.6	11.0	191	12.1	8.0	51	15.8	10.0	77
Bribery	14.7	9.0	99	13.4	8.0	91	18.5	18.0	4	42.0	21.5	4
Tax	13.1	12.0	87	12.8	10.0	64	15.8	13.5	10	12.5	12.0	11
Money Laundering	40.6	30.0	388	36.9	24.0	316	41.6	37.0	33	49.6	36.0	28
Racketeering/Extortion	53.6	41.0	223	52.4	40.5	162	54.2	58.5	22	48.0	37.0	23
Gambling/Lottery	11.7	10.0	66	10.4	9.0	40	8.9	5.0	14	19.5	10.0	10
Civil Rights	26.1	14.0	62	25.5	18.0	41	24.5	9.0	10	25.3	18.0	7
Immigration	12.7	10.0	1,562	7.0	5.0	629	11.0	8.0	133	10.8	10.0	237
Pornography/Prostitution	25.8	13.0	104	22.8	12.0	83	26.8	18.0	11	44.5	28.5	8
Prison Offenses	20.1	18.0	244	18.3	17.0	14	14.0	12.0	10	12.4	12.0	41
Administration of Justice Offenses	21.3	15.0	381	21.4	16.0	195	20.1	15.0	63	17.5	12.0	63
Environmental/Wildlife	9.6	6.0	41	8.9	6.0	29	10.7	6.0	6	6.0	3.0	3
National Defense	26.0	24.0	28	26.6	24.0	26	30.0	30.0	1	6.0	6.0	1
Anti-Trust	6.9	6.0	12	6.9	6.0	12	0.0	0.0	0	0.0	0.0	0
Food & Drug	13.6	7.0	10	12.4	4.5	8	0.0	0.0	0	28.0	28.0	1
Other Miscellaneous Offenses	20.1	8.0	173	16.1	6.0	102	22.2	8.0	21	30.5	12.0	19

Table 24 (continued)

PRIMARY OFFENSE	AVERAGE LENGTH OF IMPRISONMENT											
	CRIMINAL HISTORY CATEGORY											
	IV			V			VI (non-career offender)			VI (career offender)**		
	Avg Mths	Median Mths	N	Avg Mths	Median Mths	N	Avg Mths	Median Mths	N	Avg Mths	Median Mths	N
TOTAL	64.5	27.0	1,721	60.6	27.0	1,007	63.5	30.0	1,350	202.7	189.0	725
Murder	360.0	360.0	2	343.5	343.5	2	360.0	360.0	1	180.0	180.0	1
Manslaughter	68.2	80.0	5	28.5	28.5	2	0.0	0.0	0	0.0	0.0	0
Kidnapping/Hostage-Taking	189.3	195.0	3	210.0	210.0	1	355.0	355.0	2	372.0	372.0	2
Sexual Abuse	93.0	33.0	4	33.0	33.0	1	169.0	169.0	2	0.0	0.0	0
Assault	42.1	46.0	17	44.3	46.0	15	45.0	30.0	21	48.3	48.0	14
Robbery	101.9	85.0	154	135.5	105.0	89	114.3	96.0	141	207.9	190.0	233
Arson	52.0	52.0	4	60.0	63.0	3	65.5	65.5	2	0.0	0.0	0
Drugs - Trafficking	112.4	81.0	611	123.1	105.0	218	121.6	84.0	201	205.6	210.0	391
Drugs - Communication Facility	30.3	25.5	10	30.4	27.0	7	34.6	34.0	14	26.0	26.0	1
Drugs - Simple Possession	11.9	6.0	32	15.2	9.0	12	18.0	11.0	16	0.0	0.0	0
Firearms	41.8	21.0	289	45.0	27.0	205	81.8	41.0	292	207.4	180.0	77
Burglary/B&E	25.4	18.0	14	45.2	37.0	11	30.8	30.0	16	48.0	48.0	1
Auto Theft	18.8	18.0	12	29.5	32.5	4	40.3	30.0	12	0.0	0.0	0
Larceny	16.9	14.0	75	18.6	15.0	85	23.5	21.0	103	0.0	0.0	0
Fraud	19.4	18.0	130	28.2	24.0	89	31.3	27.0	133	0.0	0.0	0
Embezzlement	17.7	10.0	3	21.0	21.0	1	10.0	10.0	1	0.0	0.0	0
Forgery/Counterfeiting	13.8	11.0	42	20.6	15.0	41	22.7	19.0	59	0.0	0.0	0
Bribery	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0
Tax	12.0	12.0	1	10.0	10.0	1	0.0	0.0	0	0.0	0.0	0
Money Laundering	67.6	77.0	5	241.0	241.0	2	128.0	103.0	4	0.0	0.0	0
Racketeering/Extortion	60.2	60.0	9	48.0	48.0	2	83.0	105.0	3	135.0	135.0	2
Gambling/Lottery	0.0	0.0	0	0.0	0.0	0	18.0	18.0	2	0.0	0.0	0
Civil Rights	34.7	46.0	3	0.0	0.0	0	46.0	46.0	1	0.0	0.0	0
Immigration	15.6	15.0	202	20.0	21.0	143	24.5	24.0	218	0.0	0.0	0
Pornography/Prostitution	0.0	0.0	0	100.0	100.0	1	41.0	41.0	1	0.0	0.0	0
Prison Offenses	17.1	13.0	54	22.2	24.0	48	25.3	27.0	75	55.5	55.5	2
Administration of Justice Offenses	20.0	18.0	30	24.0	24.0	12	38.1	36.0	18	0.0	0.0	0
Environmental/Wildlife	14.0	14.0	2	27.0	27.0	1	0.0	0.0	0	0.0	0.0	0
National Defense	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0
Anti-Trust	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0	0.0	0.0	0
Food & Drug	0.0	0.0	0	9.0	9.0	1	0.0	0.0	0	0.0	0.0	0
Other Miscellaneous Offenses	29.0	15.0	8	16.8	12.0	10	28.8	31.5	12	54.0	54.0	1

*Of the 33,419 guideline cases, 7,776 cases with zero months prison ordered and 324 cases involving mixed law counts (both guideline and pre-guideline) were excluded. In addition, 1,051 cases were excluded due to one or more of the following conditions: missing primary offense category (89), missing criminal history category (487), or missing or indeterminable sentencing information (643). Descriptions of variables used in this table are provided in Appendix A.

**Information on career offender provided in this table is based on the recommendation of the probation officer in the PSR if information from the sentencing court was missing or unavailable. As a result, the number of career offenders represented here will be higher than the number reported on Tables 34 and 35.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 25
FINES AND RESTITUTION BY PRIMARY OFFENSE CATEGORY*
(October 1, 1990 through September 30, 1991)

PRIMARY OFFENSE	TOTAL	NO FINE OR RESTITUTION ORDERED		RESTITUTION ORDERED/NO FINE		FINE ORDERED/ NO RESTITUTION		BOTH FINE AND RESTITUTION ORDERED		AMOUNT OF PAYMENT ORDERED			
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Total	Mean	Median	Sum
TOTAL	32,867	21,580	65.7	4,395	13.4	6,065	18.5	827	2.5	10,803	\$ 33,879	\$ 2,500	\$ 364,998,344
Murder	27	18	66.7	8	29.6	1	3.7	0	0.0	8	\$ 5,551	\$ 2,272	\$ 44,408
Manslaughter	59	42	71.2	10	17.0	7	11.9	0	0.0	16	\$ 1,628	\$ 1,655	\$ 26,042
Kidnapping/Hostage-Taking	46	34	73.9	9	19.6	2	4.4	1	2.2	12	\$ 23,851	\$ 2,744	\$ 286,210
Sexual Abuse	135	109	80.7	16	11.9	9	6.7	1	0.7	26	\$ 2,153	\$ 835	\$ 55,967
Assault	293	203	69.3	37	12.6	50	17.1	3	1.0	87	\$ 3,422	\$ 1,250	\$ 297,771
Robbery	1,361	752	55.3	551	40.5	35	2.6	23	1.7	556	\$ 11,339	\$ 3,430	\$ 6,304,501
Arson	72	41	56.9	19	26.4	8	11.1	4	5.6	27	\$ 46,381	\$ 15,000	\$ 1,252,293
Drugs - Trafficking	13,398	11,227	83.8	160	1.2	1,981	14.8	30	0.2	2,099	\$ 32,054	\$ 3,000	\$ 67,280,311
Drugs - Communication Facility	332	266	80.1	3	0.9	63	19.0	0	0.0	63	\$ 3,140	\$ 2,000	\$ 197,820
Drugs - Simple Possession	911	507	55.7	9	1.0	393	43.1	2	0.2	400	\$ 1,321	\$ 1,000	\$ 528,443
Firearms	2,467	1,932	78.3	56	2.3	468	19.0	11	0.5	521	\$ 3,455	\$ 1,551	\$ 1,800,173
Burglary/B&E	99	41	41.4	50	50.5	4	4.0	4	4.0	56	\$ 12,694	\$ 1,624	\$ 710,854
Auto Theft	155	67	43.2	53	34.2	26	16.8	9	5.8	87	\$ 15,216	\$ 3,000	\$ 1,323,830
Larceny	2,415	751	31.1	751	31.1	706	29.2	207	8.6	1,591	\$ 12,446	\$ 950	\$ 19,801,326
Fraud	3,442	1,117	32.5	1,562	45.4	466	13.5	297	8.6	2,187	\$ 72,443	\$ 6,361	\$ 158,430,000
Embezzlement	1,126	301	26.7	621	55.2	139	12.3	65	5.8	788	\$ 47,720	\$ 5,419	\$ 37,603,604
Forgery/Counterfeiting	826	418	50.6	224	27.1	124	14.9	60	7.3	394	\$ 4,672	\$ 1,053	\$ 1,840,886
Bribery	181	72	39.8	18	9.9	83	45.9	8	4.4	106	\$ 15,843	\$ 5,000	\$ 1,679,332
Tax	294	132	44.9	39	13.3	104	35.4	19	6.5	151	\$ 23,788	\$ 3,480	\$ 3,592,051
Money Laundering	501	306	61.1	15	3.0	172	34.3	8	1.6	191	\$ 155,968	\$ 5,000	\$ 29,789,926
Racketeering/Extortion	247	176	71.3	17	6.9	50	20.2	4	1.6	66	\$ 377,322	\$ 10,000	\$ 24,903,232
Gambling/Lottery	194	88	45.4	0	0.0	106	54.6	0	0.0	105	\$ 5,698	\$ 2,500	\$ 598,332
Civil Rights	115	54	47.0	22	19.1	37	32.2	2	1.7	58	\$ 3,361	\$ 1,000	\$ 194,922
Immigration	2,275	1,977	86.9	13	0.6	278	12.2	7	0.3	292	\$ 3,343	\$ 500	\$ 976,024
Pornography/Prostitution	163	87	53.4	3	1.8	73	44.8	0	0.0	76	\$ 4,140	\$ 3,000	\$ 314,611
Prison Offenses	260	229	88.1	3	1.2	28	10.8	0	0.0	31	\$ 2,851	\$ 1,500	\$ 88,389
Administration of Justice Offenses	540	364	67.4	19	3.5	147	27.2	10	1.9	171	\$ 8,627	\$ 3,000	\$ 1,475,212
Environmental/Wildlife	145	39	26.9	18	12.4	80	55.2	8	5.5	102	\$ 3,369	\$ 1,894	\$ 343,683
National Defense	34	24	70.6	0	0.0	10	29.4	0	0.0	9	\$ 10,428	\$ 6,000	\$ 93,853
Anti-Trust	16	2	12.5	0	0.0	14	87.5	0	0.0	14	\$ 52,871	\$ 25,000	\$ 740,200
Food & Drug	59	16	27.1	3	5.1	39	66.1	1	1.7	43	\$ 3,978	\$ 2,500	\$ 171,046
Other Miscellaneous Offenses	679	188	27.7	86	12.7	363	53.5	42	6.2	470	\$ 4,794	\$ 621	\$ 2,253,092

*Of the 33,419 guideline cases, 324 cases involving mixed law counts (both guideline and pre-guideline) were excluded. In addition, 228 cases were excluded due to one or both of the following conditions: missing primary offense category (89) or missing information on type of economic sanction for cases in which orders were made (170). The total number of cases (10,803) used to calculate amounts of payment ordered is less than the total number of cases receiving fines and/or restitution (11,289). The difference is due to the exclusion of cases for which a fine and/or restitution was ordered but the amount was not specified. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Sentencing Alternatives

The guidelines provide for a variety of alternatives to imprisonment for less serious offenses at lower offense levels (see §5C1.1). If the minimum of the applicable guideline range is zero months, a sentence of imprisonment is not required ("straight" probation is available). If the minimum of the guideline range is one to six months, probation with a condition of community confinement, intermittent confinement, or home detention is available. Finally, if the minimum of the range is eight to ten months, a "split" sentence may be imposed, requiring a sentence of imprisonment for at least one half of the minimum followed by a term of supervised release with a condition of community confinement or home detention to satisfy the remainder of the term.

Table 26 presents the distribution of sentencing alternatives imposed in cases falling within guideline ranges from the *Guidelines Manual's* sentencing table where alternatives are generally available. In 76.0 percent of the cases with a guideline range of zero to six months, the sentence imposed was probation only or probation with community confinement, intermittent confinement, or home detention. When the minimum of the guideline range was one to six months, probation plus confinement was ordered in 43.8 percent of the cases, while the new split sentence was ordered in 2.9 percent. For cases in which the minimum of the guideline range was eight to ten months, the new split sentence was ordered 16.7 percent of the time. Finally, 96.4 percent of the cases in which the minimum of the guideline range was 12 months or greater (for which non-imprisonment alternatives are not available under the guidelines) received a term of imprisonment.

Figure G represents the frequency with which defendants eligible for alternatives in various offense categories received incarcerative sentences. Of those eligible for alternative sentences, embezzlers were the least likely (11%) to be incarcerated and immigration violators the most likely (66%). It should not be surprising that a large proportion of immigration violators tend to be non-U.S. citizens. Consequently, they may be treated somewhat differently than offenders convicted of different offense types at similar offense levels. That is, these offenders are more likely to receive short prison terms followed by deportation.

Table 27 provides more detailed information on the sentence imposed for cases eligible for straight probation by primary offense of conviction. Probation was imposed at the highest rate (89.1%) in embezzlement cases and at the lowest rate (46.7%) in bribery cases. For offense categories with reasonable sample sizes, defendants eligible for "straight" probation who were convicted of immigration offenses (37%) and drug possession (35.7%) were most likely to receive imprisonment sentences. Table 28 presents the type of sentence imposed for the same probation-eligible group of defendants by select demographic variables. Of defendants eligible for straight probation, older, white, and female defendants received probation more frequently, while those 22 to 25 years of age, Hispanic and male were incarcerated more frequently. Corresponding to this finding is the fact that whites and females are overrepresented in offense types (e.g., embezzlement and tax violations) that are more likely to result in probation. Hispanics and males are overrepresented in offense types (e.g., immigration, drug trafficking, and simple possession) that lead to a prison sentence even when probation is an alternative.

Table 29 provides the sanctions imposed on defendants eligible for probation with conditions of confinement (guideline minimum ranges between one and six months) by primary offense categories. While more than 39 percent of this entire group was sentenced to prison, this proportion was considerably higher for cases involving sexual abuse, arson, simple drug possession, immigration offenses, and prison violations. The proportions were much lower for embezzlement, money laundering, and gambling and lottery offenses. Finally, Table 30 provides the demographic breakdown for defendants eligible for probation with conditions of confinement. Although age appears to have little relationship to whether these defendants received sentences of straight probation, whites and females were more likely to receive straight probation than males and defendants of color. Younger, Hispanic, and male defendants in this category were more likely to be incarcerated. Some of the explanation, as before, may be tied to the different offense patterns of these groups and the concomitant variation in the probability of confinement.

Table 26

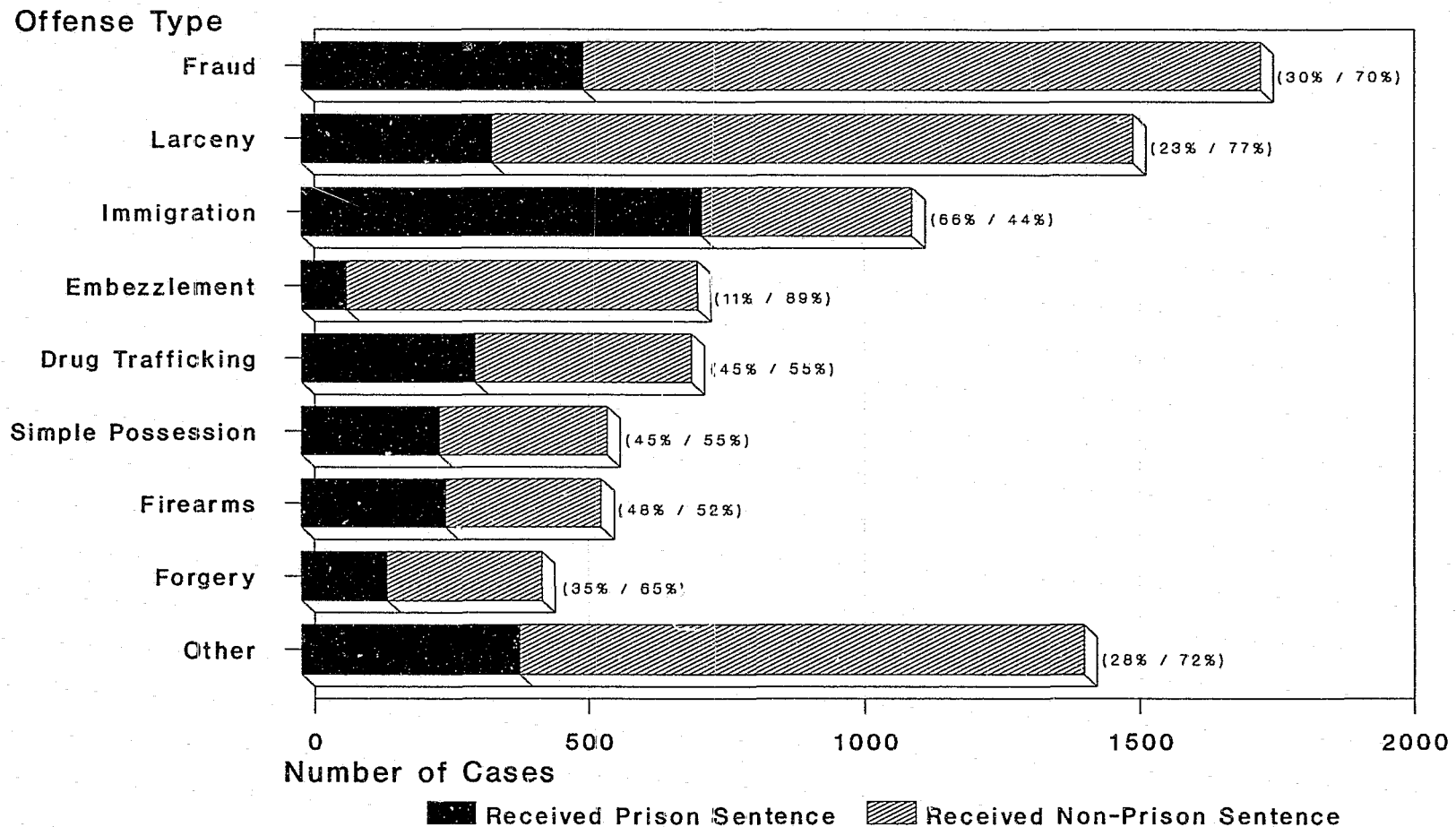
**GUIDELINE RANGES WITH SENTENCING ALTERNATIVES
BY TYPE OF SENTENCE IMPOSED***
(October 1, 1990 through September 30, 1991)

GUIDELINE RANGE	TOTAL	TYPE OF SENTENCE IMPOSED									
		Prison		New Split Sentence		Probation and Confinement		Probation Only		OTHER CASES	
		N	%	N	%	N	%	N	%	N	%
0-6	4,152	913	22.0	16	0.4	251	6.1	2,900	69.9	72	1.7
1-7	1,014	393	38.8	11	1.1	483	47.6	125	12.3	2	0.2
2-8	1,073	447	41.7	19	1.8	495	46.1	111	10.3	1	0.1
3-9	13	8	61.5	2	15.4	2	15.4	1	7.7	0	0.0
4-10	927	426	46.0	29	3.1	409	44.1	63	6.8	0	0.0
6-12	1,593	713	44.8	73	4.6	635	39.9	171	10.7	1	0.1
8-14	955	631	66.1	182	19.1	63	6.6	78	8.2	1	0.1
9-15	74	73	98.7	1	1.4	0	0.0	0	0.0	0	0.0
10-16	1,317	976	74.1	208	15.8	66	5.0	65	4.9	2	0.2
Higher Ranges	17,278	16,660	96.4	79	0.5	173	1.0	365	2.1	1	0.0
TOTAL	28,396	21,240	74.8	620	2.2	2,577	9.1	3,879	13.7	80	0.3

*Of the 33,419 guideline cases, the Commission received Reports on the Sentencing Hearing for 30,876 (92.4%). Of the 30,876 cases with such reports, 296 mixed law cases (both guideline and pre-guideline counts) were excluded. In addition, 2,184 cases were excluded due to one or more of the following conditions: missing guideline range (2,003), missing sentencing information (213), or cases with no analogous guideline (369). The guideline ranges indicated above correspond to the offense levels and criminal history categories established by the court and do not indicate the impact of mandatory minimums or statutory maximums constricting the sentence. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Figure G
INCARCERATION RATE OF DEFENDANTS ELIGIBLE FOR A
NON-PRISON SENTENCE BY PRIMARY OFFENSE TYPE
(October 1, 1990 through September 30, 1991)



Of the 33,419 guideline cases, the Commission received Reports on the Sentencing Hearing for 30,876 (92.4%). Of the 30,876 cases with such reports, 296 mixed law cases (both guideline and pre-guideline counts) and 22,011 cases ineligible for a non-prison sentence were excluded. Additionally, 101 cases missing information on sentence type or offense type were excluded. Non-prison sentences include probation with conditions of confinement as defined in §5C1.1 of the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission 1991 Data File, MONFY91.

Table 27

**TYPE OF SENTENCE IMPOSED FOR CASES ELIGIBLE FOR STRAIGHT PROBATION
BY PRIMARY OFFENSE CATEGORY
(October 1, 1990 through September 30, 1991)**

PRIMARY OFFENSE	TOTAL	Prison		New Split Sentence		Probation and Confinement		Probation Only		Other Cases	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	4,132	908	17.9	17	0.4	253	6.1	2,895	70.1	59	1.4
Murder	0	0	--	0	--	0	--	0	--	0	--
Manslaughter	0	0	--	0	--	0	--	0	--	0	--
Kidnapping/Hostage-Taking	0	0	--	0	--	0	--	0	--	0	--
Sexual Abuse	2	0	0.0	0	0.0	1	50.0	1	50.0	0	0.0
Assault	23	6	21.7	0	0.0	0	0.0	17	73.9	0	0.0
Robbery	0	0	--	0	--	0	--	0	--	0	--
Arson	9	2	22.2	0	0.0	0	0.0	7	77.8	0	0.0
Drugs - Trafficking	132	28	20.5	1	0.8	16	12.1	87	65.9	0	0.0
Drugs - Communication Facility	22	3	13.6	0	0.0	2	9.1	17	77.3	0	0.0
Drugs - Simple Possession	501	205	35.7	0	0.0	25	5.0	264	52.7	7	1.4
Firearms	229	51	19.2	4	1.8	15	6.6	157	68.6	2	0.9
Burglary/B&E	0	0	--	0	--	0	--	0	--	0	--
Auto Theft	7	1	14.3	0	0.0	1	14.3	5	71.4	0	0.0
Larceny	921	98	9.1	4	0.4	52	5.7	747	81.1	20	2.2
Fraud	660	110	12.6	3	0.5	50	7.6	487	73.8	10	1.5
Embezzlement	294	10	3.4	2	0.7	18	6.1	262	89.1	2	0.7
Forgery/Counterfeiting	147	27	17.0	0	0.0	17	11.6	102	69.4	1	0.7
Bribery	15	4	26.7	0	0.0	3	20.0	7	46.7	1	6.7
Tax	108	12	7.4	0	0.0	8	7.4	86	79.6	2	1.9
Money Laundering	21	2	4.8	1	4.8	1	4.8	16	76.2	1	4.8
Racketeering/Extortion	1	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Gambling/Lottery	21	0	0.0	0	0.0	3	14.3	18	85.7	0	0.0
Civil Rights	19	1	5.3	0	0.0	3	15.8	15	79.0	0	0.0
Immigration	557	277	37.0	1	0.2	8	1.4	265	47.6	6	1.1
Pornography/Prostitution	25	5	16.0	0	0.0	1	4.0	19	76.0	0	0.0
Prison Offenses	7	1	0.0	0	0.0	2	28.6	4	57.1	0	0.0
Administration of Justice Offenses	91	28	22.0	0	0.0	7	7.7	56	61.5	0	0.0
Environmental/Wildlife	86	9	10.5	1	1.2	2	2.3	69	80.2	5	5.8
National Defense	0	0	--	0	--	0	--	0	--	0	--
Anti-Trust	0	0	--	0	--	0	--	0	--	0	--
Food & Drug	38	3	7.9	0	0.0	4	10.5	31	81.6	0	0.0
Other Miscellaneous Offenses	196	24	10.2	0	0.0	14	7.1	156	79.6	2	1.0

*Of the 4,229 guideline cases eligible for a sentence of probation without conditions of confinement, 22 cases involving mixed law counts (both guideline and pre-guideline) were excluded. In addition, 75 cases were excluded due to one or both of the following conditions: missing primary offense category (16) or missing sentencing information (72). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 28

**TYPE OF SENTENCE IMPOSED FOR CASES ELIGIBLE FOR STRAIGHT PROBATION
BY DEFENDANT CHARACTERISTICS***
(October 1, 1990 through September 30, 1991)

DEFENDANT CHARACTERISTICS	TOTAL	Prison		New Split Sentence		Probation and Confinement		Probation		Other	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	4,135	909	22.0	17	0.4	254	6.3	2,896	70.0	59	1.4
AGE											
Under 21	279	74	26.8	2	0.7	17	6.2	182	65.9	1	0.4
21 to 25	797	224	28.5	5	0.6	50	6.4	505	64.3	2	0.3
26 to 30	796	199	25.2	4	0.5	51	6.5	530	67.1	6	0.8
31 to 35	667	155	23.7	2	0.3	41	6.3	451	68.9	6	0.9
36 to 40	529	102	19.4	3	0.6	35	6.6	380	72.1	7	1.3
41 to 50	600	104	17.5	1	0.2	43	7.2	436	73.4	10	1.7
Over 50	421	34	8.4	0	0.0	17	4.2	334	82.1	22	5.4
RACE											
White	1,964	268	13.9	8	0.4	1,499	6.5	126	77.7	28	1.5
Black	1,037	205	20.0	5	0.5	728	7.9	81	70.9	8	0.8
Hispanic	760	356	47.3	2	0.3	367	3.3	25	48.7	3	0.4
Other	262	34	13.2	2	0.8	195	8.5	22	75.6	5	1.9
GENDER											
Male	2,902	765	26.8	11	0.4	191	6.7	1,859	65.0	34	1.2
Female	1,178	109	9.4	6	0.5	63	5.4	965	83.1	19	1.6

*Of the 4,229 guideline cases eligible for a sentence of probation without conditions of confinement, 22 cases involving mixed law counts (both guideline and pre-guideline) were excluded. In addition, 185 cases were excluded due to one or more of the following conditions: missing age (118), missing gender (127), or missing sentencing information (72). The numbers given may not add up to the totals due to the exclusion of missing information. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 29

**TYPE OF SENTENCE IMPOSED FOR CASES ELIGIBLE FOR PROBATION WITH CONDITIONS OF CONFINEMENT
BY PRIMARY OFFENSE CATEGORY
(October 1, 1990 through September 30, 1991)**

PRIMARY OFFENSE	TOTAL	Prison		New Split Sentence		Probation and Confinement		Probation Only		Other Cases	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	4,632	1,994	39.4	134	2.9	2,023	43.7	477	10.3	4	0.1
Murder	0	0	--	0	--	0	--	0	--	0	--
Manslaughter	7	3	42.9	0	0.0	4	57.1	0	0.0	0	0.0
Kidnapping/Hostage-Taking	0	0	--	0	--	0	--	0	--	0	--
Sexual Abuse	14	11	78.6	0	0.0	2	14.3	1	7.1	0	0.0
Assault	59	32	50.9	2	3.4	19	32.2	6	10.2	0	0.0
Robbery	0	0	--	0	--	0	--	0	--	0	--
Arson	3	2	66.7	0	0.0	1	33.3	0	0.0	0	0.0
Drugs - Trafficking	426	216	50.0	10	2.4	165	38.7	35	8.2	0	0.0
Drugs - Communication Facility	130	54	40.8	4	3.1	49	37.7	23	17.7	0	0.0
Drugs - Simple Possession	57	45	71.9	0	0.0	8	14.0	3	5.3	1	1.8
Firearms	318	197	58.2	10	3.1	87	27.4	24	7.6	0	0.0
Burglary/B&E	10	5	40.0	0	0.0	4	40.0	1	10.0	0	0.0
Auto Theft	43	19	44.2	1	2.3	22	51.2	1	2.3	0	0.0
Larceny	591	219	34.2	26	4.4	282	47.7	64	10.8	0	0.0
Fraud	1,084	360	30.4	42	3.9	577	53.2	105	9.7	0	0.0
Embezzlement	428	62	13.6	7	1.6	319	74.5	40	9.4	0	0.0
Forgery/Counterfeiting	291	124	37.8	4	1.4	117	40.2	45	15.5	1	0.3
Bribery	65	22	29.2	4	6.2	33	50.8	6	9.2	0	0.0
Tax	91	21	20.9	1	1.1	58	63.7	11	12.1	0	0.0
Money Laundering	30	5	10.0	0	0.0	18	60.0	7	23.3	0	0.0
Racketeering/Extortion	11	2	18.2	0	0.0	6	54.6	3	27.3	0	0.0
Gambling/Lottery	94	8	7.5	4	4.3	61	64.9	21	22.3	0	0.0
Civil Rights	44	15	29.6	2	4.6	14	31.8	13	29.6	0	0.0
Immigration	554	446	73.1	6	1.1	71	12.8	30	5.4	1	0.2
Pornography/Prostitution	5	3	60.0	0	0.0	2	40.0	0	0.0	0	0.0
Prison Offenses	23	22	78.3	0	0.0	1	4.4	0	0.0	0	0.0
Administration of Justice Offenses	95	39	32.6	3	3.2	37	39.0	16	16.8	0	0.0
Environmental/Wildlife	22	10	45.5	2	9.1	7	31.8	2	9.1	1	4.6
National Defense	1	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0
Anti-Trust	14	12	35.7	0	0.0	2	14.3	0	0.0	0	0.0
Food & Drug	4	0	0.0	0	0.0	3	75.0	1	25.0	0	0.0
Other Miscellaneous Offenses	118	40	23.7	6	5.1	53	44.9	19	16.1	0	0.0

Of the 4,700 guideline cases eligible for a sentence of probation with conditions of confinement, 42 cases involving mixed law counts (both guideline and pre-guideline) were excluded. In addition, 26 cases were excluded due to one or both of the following conditions: missing primary offense category (2) or missing sentencing information (24). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 30

**SENTENCE TYPE IMPOSED FOR CASES ELIGIBLE FOR PROBATION WITH CONDITIONS OF CONFINEMENT
BY DEFENDANT CHARACTERISTICS***
(October 1, 1990 through September 30, 1991)

DEFENDANT CHARACTERISTICS	TOTAL	Prison		New Split Sentence		Probation and Confinement		Probation		Other	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	4,634	1,996	43.1	134	2.9	2,023	43.7	477	10.3	4	0.1
AGE											
Under 21	207	114	56.1	5	2.4	72	34.8	16	7.7	0	0.0
21 to 25	791	399	50.7	18	2.3	290	36.9	80	10.2	0	0.0
26 to 30	873	405	46.7	25	2.9	358	41.3	78	9.0	1	0.1
31 to 35	775	324	41.9	22	2.8	356	46.0	72	9.3	0	0.0
36 to 40	675	293	43.6	20	3.0	290	43.2	67	10.0	2	0.3
41 to 50	885	318	36.3	32	3.7	426	48.6	100	11.4	1	0.1
Over 50	425	121	28.6	12	2.8	228	53.9	62	14.7	0	0.0
RACE											
White	2,436	799	33.0	86	3.6	309	12.8	1,222	50.5	3	0.1
Black	1,147	509	44.5	28	2.5	88	7.7	519	45.4	0	0.0
Hispanic	840	561	67.0	18	2.2	60	7.2	197	23.5	1	0.1
Other	182	89	48.9	1	0.6	18	9.9	74	40.7	0	0.0
GENDER											
Male	3,379	1,641	48.9	104	3.1	1,280	38.1	333	9.9	1	0.0
Female	1,246	329	26.5	30	2.4	738	59.4	142	11.4	3	0.2

*Of the 4,700 guideline cases eligible for a sentence of probation with conditions of confinement, 42 cases involving mixed law counts (both guideline and pre-guideline) were excluded. In addition, 57 cases were excluded due to one or more of the following conditions: missing age (27), missing gender (33), or missing sentencing information (24). The numbers given may not add up to the totals due to the exclusion of missing information. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Guideline Application

Overview

In 1991, the Monitoring Unit expanded its data analysis capabilities with the full implementation of the Guidelines Application Module. Data coded in this module reflect specific guideline application factors determined by the court, such as base offense level, specific offense characteristics, victim, role, and acceptance of responsibility adjustments, criminal history points and category, and guideline range.

The Report on the Sentencing Hearing plays a crucial role in determining a court's guideline application decisions (see discussion under Data Collection Issues). In 1991, the Commission received complete reports in 92.4 percent of all cases submitted. Of the reports submitted, adequate information to determine the relevant guideline factors was unavailable in another 13.1 percent of the cases. As a result, fewer cases are reflected in the tables in this section of the report than in previous sections.

Sentencing under the guidelines is a multi-step process that correlates an assessment of the individual's offense conduct and criminal history to produce a guideline sentencing range (expressed in months). In most cases, the court chooses a point within the appropriate guideline range and imposes sentence. However, if the court identifies a factor that the Sentencing Commission failed to consider that should result in a different sentence, the court may depart from the

guideline range and impose a different sentence. In such cases, the court is required to state its reasons for departing on the record and these reasons are subject to review by the courts of appeals.

Chapter Two Guideline Application

The first step in determining a defendant's sentencing range is identifying the Chapter Two guideline applicable to the count(s) of conviction.⁷¹ Table 31 provides the distribution of Chapter Two guidelines applied in single and multiple count cases. The Chapter Two guideline most often used in both single and multiple count cases is the primary drug guideline, §2D1.1 (Unlawful Manufacturing, Importing, Exporting, or Trafficking, including Possession with Intent to Commit These Offenses). This guideline was applied in 39.1 percent of all single count cases and 50.6 percent of all multiple count cases. Other Chapter Two guidelines applied frequently in both single and multiple count cases are §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft), 11.3 percent and 5.3 percent, respectively; §2F1.1 (Fraud and Deceit), 11.8 and 16.0 percent, respectively; §2B3.1 (Robbery, Extortion, and Blackmail), 3.4 and 19.2 percent, respectively; and §2K2.1 (Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition), 5.5 and 7.4 percent, respectively.

After determining the relevant guideline and base offense level, the court decides whether certain attributes common to that type of offense

71 Federal law contains more than 2,000 separate criminal offenses. Rather than construct a complex system of guidelines for each federal criminal violation, the Commission created a set of generic guidelines that group offenses by crime type. The guidelines rank these offense types according to severity by assigning them "base offense levels" from 4 to 43, to express the proportionate relationship among offenses.

are present in the case. These "specific offense characteristics" are enumerated in the applicable Chapter Two guidelines and help establish the seriousness of a particular offense. Offense characteristics such as the quantity of drugs imported, the use of a firearm, and the amount of property loss require an adjustment in the base offense level.

It is not possible to provide a complete picture in the aggregate of the interaction of base offense levels and specific offense characteristics applied, due to the fact that Chapter Two guidelines are unique to select offense types and contain specific offense characteristics tailored to those offenses. Instead, subsequent sections of this report provide detailed profiles of the sentencing process for three of the most frequently applied Chapter Two guidelines: robbery, drug trafficking, and fraud.

Chapter Three Adjustments

Once the court establishes a base offense level and applies any appropriate specific offense characteristics, it considers whether certain generic adjustments to the offense level apply. These Chapter Three adjustments refer to general factors relating to the victims of the offense, the defendant's role in the offense, acts that constitute an obstruction of justice, and the defendant's acceptance of responsibility and may apply to all offense categories.

Table 32 provides a description of the various Chapter Three adjustments applied by the courts for all 1991 guideline cases for which a complete Report on the Sentencing Hearing was available.⁷²

An upward adjustment for victim related factors, such as vulnerable victim, official victim, or restraint of victim (§§3A1.1, 3A1.2, 3A1.3) was imposed in only about one percent of the cases. A reduction for a mitigating role was given in 8.3 percent of the cases (§3B1.2). The offense level was increased in 7.8 percent of the cases due to the defendant's aggravating role (§3B1.1) and in 2.6 percent for an abuse of the defendant's position of trust or use of special skill (§3B1.3).

Close to five percent of all cases received the enhancement for obstruction of justice (§3C1.1), while reckless endangerment during flight, a new adjustment added to the guidelines in November 1990, applied to 0.2 percent of the cases (§3C1.2).

Finally, the court may reduce a defendant's offense level if the defendant "demonstrates a recognition and affirmative acceptance of personal responsibility for his criminal conduct" (§3E1.1). In 1991, 80.1 percent of all defendants received a downward adjustment for acceptance of responsibility. According to Table 33, some variation exists in the rate of acceptance of responsibility by offense type: acceptance was granted less frequently in violent crimes such as murder, kidnapping, arson, and sexual abuse (crimes that also have lower plea rates), and higher for offenses such as embezzlement, gambling and lottery, forgery, and antitrust.

72 The text and tables identify each adjustment by the chapter and guideline number referenced in the 1990 Guidelines Manual, effective November 1, 1990.

Chapter Three also contains guidelines for determining the combined offense seriousness for multiple count cases (§§3D1.1 - 3D1.5). When several counts reflect multiple harms, the guidelines direct incremental increases in the adjusted offense level corresponding to the most serious offense in the group. In other cases, multiple counts of conviction do not particularly reflect the presence of multiple harms. In such cases, the guidelines group the offenses and apply the offense level for the most serious offense without adding levels for the other, closely-related ones. Finally, in cases driven primarily by quantity (such as the quantity of drugs distributed or amount of money embezzled), the quantity, as determined through application of relevant conduct (§1B1.3), affects the sentence more than the number of counts.

Approximately 25 percent of all cases in 1991 included more than one count of conviction. Table 31, referenced earlier, lists the Chapter Two guidelines applied in multiple count cases. In most multiple count cases, similar offense behavior is aggregated under one guideline with overall behavior accounted for through one primary guideline. However, in 3.4 percent of the cases, multiple count adjustments were used to increase offense levels. The final offense levels and frequencies presented in Table 36 reflect the multiple count adjustment, if any, in applicable cases.

Table 31

CHAPTER TWO GUIDELINE APPLIED IN SINGLE AND MULTIPLE COUNT CASES*
(October 1, 1990 through September 30, 1991)

GUIDELINE APPLIED									
Guideline	Single Count		Multiple Count		Guideline	Single Count		Multiple Count	
	N	%	N	%		N	%	N	%
2A1.1	7	0.0	18	0.2	2D1.5	18	0.1	39	0.5
2A1.2	12	0.1	3	0.0	2D1.6	237	1.0	88	1.1
2A1.3	13	0.1	2	0.0	2D1.7	12	0.1	3	0.0
2A1.4	40	0.2	11	0.1	2D1.8	87	0.4	34	0.4
2A1.5	0	0.0	0	0.0	2D1.9	0	0.0	0	0.0
2A2.1	16	0.1	17	0.2	2D1.10	0	0.0	2	0.0
2A2.2	124	0.5	75	0.9	2D2.1	812	3.4	108	1.3
2A2.3	17	0.1	5	0.1	2D2.2	13	0.1	14	0.2
2A2.4	49	0.2	23	0.3	2D2.3	4	0.0	0	0.0
2A3.1	40	0.2	39	0.5	2D3.1	8	0.0	3	0.0
2A3.2	20	0.1	7	0.1	2D3.2	0	0.0	0	0.0
2A3.3	0	0.0	0	0.0	2D3.3	1	0.0	1	0.0
2A3.4	50	0.2	21	0.3	2D3.4	1	0.0	0	0.0
2A4.1	26	0.1	39	0.5	2E1.1	17	0.1	34	0.4
2A4.2	1	0.0	4	0.1	2E1.2	21	0.1	17	0.2
2A5.1	0	0.0	2	0.0	2E1.3	4	0.0	0	0.0
2A5.2	4	0.0	1	0.0	2E1.4	4	0.0	8	0.1
2A5.3	0	**	0	**	2E1.5	0	0.0	0	0.0
2A6.1	59	0.3	57	0.7	2E2.1	17	0.1	25	0.3
2B1.1	2,697	11.3	435	5.3	2E3.1	141	0.6	50	0.6
2B1.2	415	1.7	108	1.3	2E3.2	13	0.1	5	0.1
2B1.3	92	0.4	32	0.4	2E3.3	4	0.0	1	0.0
2B2.1	15	0.1	12	0.2	2E4.1	0	0.0	0	0.0
2B2.2	64	0.3	37	0.5	2E5.1	1	0.0	1	0.0
2B2.3	5	0.0	11	0.1	2E5.2	3	0.0	2	0.0
2B3.1	801	3.4	1,570	19.2	2E5.3	0	0.0	1	0.0
2B3.2	26	0.1	61	0.8	2E5.4	11	0.1	2	0.0
2B3.3	5	0.0	2	0.0	2E5.5	6	0.0	2	0.0
2B4.1	22	0.1	5	0.1	2E5.6	1	0.0	4	0.1
2B5.1	361	1.5	81	1.0	2F1.1	2,818	11.8	1,307	16.0
2B5.2	(92)	**	(29)	**	2F1.2	0	0.0	0	0.0
2B5.3	71	0.3	24	0.3	2G1.1	4	0.0	14	0.2
2B5.4	41	0.2	9	0.1	2G1.2	7	0.0	11	0.1
2B6.1	21	0.1	12	0.2	2G2.1	5	0.0	10	0.1
2C1.1	93	0.4	86	1.1	2G2.2	91	0.4	25	0.3
2C1.2	22	0.1	11	0.1	2G2.3	0	0.0	0	0.0
2C1.3	4	0.0	0	0.0	2G3.1	29	0.1	5	0.1
2C1.4	4	0.0	0	0.0	2G3.2	0	0.0	0	0.0
2C1.5	0	0.0	1	0.0	2H1.1	4	0.0	1	0.0
2C1.6	0	0.0	0	0.0	2H1.2	9	0.0	9	0.1
2D1.1	9,317	39.1	4,134	50.6	2H1.3	5	0.0	4	0.1
2D1.2	141	0.6	111	1.4	2H1.4	3	0.0	17	0.2
2D1.3	7	0.0	4	0.1	2H1.5	0	0.0	0	0.0
2D1.4	(E18)	**	(312)	**	2H2.1	2	0.0	13	0.2

GUIDELINE APPLIED									
Guideline	Single Count		Multiple Count		Guideline	Single Count		Multiple Count	
	N	%	N	%		N	%	N	%
2H3.1	5	0.0	4	0.1	2M3.9	0	0.0	0	0.0
2H3.2	23	0.1	9	0.1	2M4.1	0	0.0	0	0.0
2H3.3	9	0.0	1	0.0	2M5.1	3	0.0	5	0.1
2H4.1	0	0.0	0	0.0	2M5.2	11	0.1	12	0.2
2J1.1	(2)	**	0	0.0	2M6.1	0	0.0	0	0.0
2J1.2	71	0.3	54	0.7	2M6.2	0	0.0	0	0.0
2J1.3	59	0.3	42	0.5	2N1.1	1	0.0	0	0.0
2J1.4	17	0.1	4	0.1	2N1.2	1	0.0	2	0.0
2J1.5	2	0.0	0	0.0	2N1.3	0	0.0	0	0.0
2J1.6	83	0.4	33	0.4	2N2.1	31	0.1	15	0.2
2J1.7	0	0.0	0	0.0	2N3.1	6	0.0	0	0.0
2J1.8	1	0.0	0	0.0	2P1.1	198	0.8	33	0.4
2J1.9	1	0.0	0	0.0	2P1.2	46	0.2	17	0.2
2K1.1	1	0.0	1	0.0	2P1.3	0	0.0	0	0.0
2K1.2	20	0.1	1	0.0	2P1.4	0	0.0	0	0.0
2K1.3	31	0.1	14	0.2	2Q1.1	4	0.0	1	0.0
2K1.4	55	0.2	31	0.4	2Q1.2	11	0.1	5	0.1
2K1.5	2	0.0	0	0.0	2Q1.3	9	0.0	8	0.1
2K1.6	0	0.0	4	0.1	2Q1.4	0	0.0	0	0.0
2K1.7	0	0.0	0	0.0	2Q1.5	0	0.0	0	0.0
2K2.1	1,313	5.5	607	7.4	2Q1.6	0	0.0	0	0.0
2K2.2	255	1.1	174	2.1	2Q2.1	96	0.4	26	0.3
2K2.3	25	0.1	19	0.2	2Q2.2	16	0.1	3	0.0
2K2.4	2	0.0	26	0.3	2R1.1	16	0.1	4	0.1
2K2.5	23	0.1	0	0.0	2S1.1	137	0.6	218	2.7
2K3.1	0	0.0	0	0.0	2S1.2	9	0.0	26	0.3
2L1.1	715	3.0	75	0.9	2S1.3	204	0.9	96	1.2
2L1.2	670	2.8	46	0.6	2T1.1	40	0.2	77	0.9
2L1.3	0	0.0	2	0.0	2T1.2	66	0.3	28	0.3
2L2.1	97	0.4	86	1.1	2T1.3	41	0.2	53	0.7
2L2.2	153	0.6	34	0.4	2T1.4	13	0.1	14	0.2
2L2.3	12	0.1	5	0.1	2T1.5	21	0.1	5	0.1
2L2.4	98	0.4	31	0.4	2T1.6	2	0.0	1	0.0
2L2.5	0	0.0	0	0.0	2T1.7	3	0.0	2	0.0
2M1.1	0	0.0	0	0.0	2T1.8	0	0.0	1	0.0
2M2.1	0	0.0	0	0.0	2T1.9	14	0.1	28	0.3
2M2.2	0	0.0	0	0.0	2T2.1	1	0.0	0	0.0
2M2.3	0	0.0	0	0.0	2T2.2	1	0.0	1	0.0
2M2.4	0	0.0	0	0.0	2T3.1	19	0.1	3	0.0
2M3.1	0	0.0	0	0.0	2T3.2	17	0.1	5	0.1
2M3.2	0	0.0	0	0.0	2T4.1	1	0.0	0	0.0
2M3.3	0	0.0	0	0.0	2X1.1	(484)	**	(222)	**
2M3.4	0	0.0	0	0.0	2X2.1	(88)	**	(32)	**
2M3.5	0	0.0	0	0.0	2X3.1	15	0.1	14	0.2
2M3.6	0	0.0	0	0.0	2X4.1	103	0.4	8	0.1
2M3.7	0	0.0	0	0.0	2X5.1	(30)	**	(7)	**
2M3.8	0	0.0	0	0.0	Total	Single Count Number Percent		Multiple Count Number Percent	
Total number of guidelines applied:					34,954	24,008	68.7	10,946	31.3
Total number of cases:					32,019	23,844	74.5	8,175	25.5

*Of the 33,419 guideline cases, 1,400 cases were excluded due to one or both of the following conditions: missing guideline applied (1,399) or missing number of counts (47). The totals can add to more than 100% because a single case may reference several different guidelines. A number of Chapter Two guidelines list possible cross-references, which resulted in multiple counting of cases applying both the original and cross-referenced guideline(s). In cases in which application of a specific cross-reference was required, only the original guideline was used to avoid double-counting for these cases. Descriptions of variables used in this table are provided in Appendix A.

**Cases listed in parentheses are provided for reference only and represent cases in which application of another guideline was indicated; such cases are counted both numerically and proportionately in the referenced guideline.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 32

CHAPTER THREE GUIDELINE APPLICATION INFORMATION*
(October 1, 1990 through September 30, 1991)

All Cases

VICTIM-RELATED	Number	Percent
Vulnerable Victim (§3A1.1)		
Vulnerable victim involved	157	0.6
No vulnerable victim involved	26,663	99.4
TOTAL	26,820	100.0
Official Victim (§3A1.2)		
Official victim involved	96	0.4
No official victim involved	26,724	99.6
TOTAL	26,820	100.0
Restraint of Victim (§3A1.3)		
Offense involved restraint of victim	36	0.1
Offense did not involve restraint of victim	26,784	99.9
TOTAL	26,820	100.0

ROLE IN THE OFFENSE	Number	Percent
Aggravating Role (§3B1.1)		
Organizer or leader	597	2.2
Manager or supervisor	389	1.5
Lesser organizer, leader, manager or supervisor	1,110	4.1
No aggravating role	24,724	92.2
TOTAL	26,820	100.0
Mitigating Role (§3B1.2)		
Minimal participant	624	2.3
Less than minor role but not minimal	117	0.4
Minor participant	1,497	5.6
No mitigating role	24,582	91.7
TOTAL	26,820	100.0
Abuse of Position of Trust or Use of Special Skill (§3B1.3)		
Defendant abused position of trust or used special skill	701	2.6
Defendant did not abuse position of trust or use special skill	26,119	97.4
TOTAL	26,820	100.0

OBSTRUCTION	Number	Percent
Obstruction of Justice (§3C1.1)		
Defendant obstructed justice	1,300	4.8
Defendant did not obstruct justice	25,520	95.2
TOTAL	26,820	100.0
Reckless Endangerment During Flight (§3C1.2)		
Offense involved reckless endangerment during flight	39	0.2
Offense did not involve reckless endangerment during flight	21,982	99.8
Offense committed before adjustment added to Guidelines	4,799	--
TOTAL	26,820	100.0

ACCEPTANCE OF RESPONSIBILITY	Number	Percent
Acceptance of Responsibility (§3E1.1)		
Defendant accepted responsibility	21,520	80.1
Defendant did not accept responsibility	5,300	19.9
TOTAL	26,820	100.0

*Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 33

ACCEPTANCE OF RESPONSIBILITY REDUCTION BY PRIMARY OFFENSE CATEGORY (October 1, 1990 through September 30, 1991)

All Cases

PRIMARY OFFENSE	TOTAL	ACCEPTANCE REDUCTION			
		RECEIVED		NOT RECEIVED	
		Number	Percent	Number	Percent
TOTAL	26,774	21,484	80.2	5,290	19.8
Murder	21	11	52.4	10	47.6
Manslaughter	53	44	83.0	9	17.0
Kidnapping/Hostage-Taking	37	18	48.7	19	51.4
Sexual Abuse	117	79	67.5	38	32.5
Assault	237	175	73.8	62	26.2
Robbery	1,089	892	81.9	197	18.1
Arson	62	41	66.1	21	33.9
Drugs - Trafficking	11,297	8,492	75.2	2,805	24.8
Drugs - Communication Facility	279	243	87.1	36	12.9
Drugs - Simple Possession	613	480	78.3	133	21.7
Firearms	1,971	1,538	78.0	433	22.0
Burglary/B&E	87	70	80.5	17	19.5
Auto Theft	140	122	87.1	18	12.9
Larceny	1,887	1,636	86.7	251	13.3
Fraud	2,946	2,546	86.4	400	13.6
Embezzlement	971	914	94.1	57	5.9
Forgery/Counterfeiting	708	635	89.7	73	10.3
Bribery	134	113	84.3	21	15.7
Tax	269	215	79.9	54	20.1
Money Laundering	379	291	76.8	88	23.2
Racketeering/Extortion	228	161	70.6	67	29.4
Gambling/Lottery	179	166	92.7	13	7.3
Civil Rights	97	82	84.5	15	15.5
Immigration	1,548	1,370	88.5	178	11.5
Pornography/Prostitution	138	115	83.3	23	16.7
Prison Offenses	218	173	79.4	45	20.6
Administration of Justice Offenses	483	371	76.8	112	23.2
Environmental/Wildlife	119	98	82.4	21	17.7
National Defense	20	15	75.0	5	25.0
Anti-Trust	13	12	92.3	1	7.7
Food & Drug	49	42	85.7	7	14.3
Other Miscellaneous Offenses	385	324	84.2	61	15.8

Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Of the 26,820 cases with such information, 46 cases were excluded due to one or both of the following conditions: missing primary offense category (44) or missing information on acceptance of responsibility (2). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Assessment of Criminal History - Chapter Four

The introduction to Chapter Four of the Guidelines Manual states that a defendant's prior record is relevant to such important sentencing goals as general deterrence, just punishment, and protection of the public. Under the guidelines, points are assigned to sentences imposed for adult convictions to account for the frequency and severity of prior criminal conduct. Additional points are assigned if the defendant committed the offense within two years after release from imprisonment or while under any criminal justice sentence, including probation, work release, or escape status.

Table 34 reports components of prior criminality considered under Chapter Four. According to documents received by the Commission, 31.1 percent of all defendants sentenced in 1991 had no prior criminal history.⁷³ When examining past criminal conduct taken into consideration under the guidelines (§4A1.1), 19.4 percent of all defendants had one or more convictions resulting in a sentence of imprisonment of 13 months or longer; 14.5 percent had one or more convictions with a sentence of 60 days or longer; while 36.8 percent had one or more prior convictions that received either an imprisonment sentence of less than 60 days or another sanction.

Additional points were imposed in 20.4 percent of the cases for committing the instant offense while under another sentence, and in 11.7 per-

cent of the cases for committing the instant offense within two years of a prior conviction. Composite scores, reflecting the frequency, gravity, and recency of a defendant's prior criminal conduct, show that more than half of the federal guideline population in 1991 had no "countable" criminal history points. Another 10.7 percent of all defendants received one criminal history point under Chapter Four's rules.

Pursuant to statute, the guidelines account for patterns of prior criminal conduct that Congress has determined warrant especially serious treatment. When a defendant who is at least 18 years old commits a crime of violence or a controlled substance offense, and the defendant has at least two prior felony convictions involving crime of violence or controlled substance offenses, the defendant qualifies as a "career offender" (§4B1.1). The guidelines establish a special set of offense levels for career offenders that are calibrated, in conjunction with the most serious criminal history category, to approach the maximum sentences authorized by statute for the instant offense. A similar statutory mandate is addressed in the new Armed Career Criminal guideline (§4B1.4).⁷⁴

Courts found defendants to be career offenders in 2.3 percent of the cases and armed career criminals in 0.1 percent of the cases (see Table 34). While a conviction for drug trafficking trig-

73 As reported here, criminal history refers to any criminal conduct as reported in the Presentence Report, regardless of the applicability in calculating guideline criminal history score, including prior adult or juvenile convictions, prior uncounseled misdemeanor convictions that did not result in incarceration, and prior unadjudicated criminal conduct.

74 The career offender and armed career criminal guidelines implement congressional directives embodied in 28 U.S.C. § 994(h) (U.S.S.G. §4B1.1), and 28 U.S.C. § 924(e) (U.S.S.G. §4B1.4).

gered the career offender guideline for the majority of career offenders (350 of 621 defendants), offenders convicted of robbery had the highest probability of being classified as career offenders (17.3%). See Table 35.

Table 34

CHAPTER FOUR GUIDELINE APPLICATION INFORMATION**
(October 1, 1990 through September 30, 1991)

All Cases

CRIMINAL HISTORY	Number	Percent
Any Criminal History Reported*		
Criminal history reported	18,479	68.9
No criminal history reported	8,323	31.1
Missing	18	--
TOTAL	26,820	100.0

CRIMINAL HISTORY (§4A1.1)		
Number of prior countable sentences of 13 months or greater	Number	Percent
0	21,555	80.6
1	2,665	10.0
2	1,265	4.7
3	720	2.7
4	302	1.1
5	132	0.5
6	53	0.2
7 or more	48	0.2
Missing	80	--
TOTAL	26,820	100.0

CRIMINAL HISTORY (§4A1.1)		
Number of prior countable sentences of 60 days or greater	Number	Percent
0	22,866	85.5
1	2,511	9.4
2	807	3.0
3	324	1.2
4	126	0.5
5	54	0.2
6	27	0.1
7 or more	24	0.1
Missing	81	--
TOTAL	26,820	100.0

*Refers to any criminal conduct, as reported in the Presentence Report, regardless of applicability in calculating guideline criminal history score (including, but not limited to: prior adult or juvenile convictions, prior uncounseled misdemeanor convictions that did not result in incarceration, and prior unadjudicated criminal conduct).

CRIMINAL HISTORY (§4A1.1)		
Number of other prior countable sentences	Number	Percent
0	16,902	63.2
1	5,528	20.7
2	2,343	8.8
3	1,048	3.9
4	902	3.4
5	10	0.0
6 or more	4	0.0
Missing	83	--
TOTAL	26,820	100.0

Commission of Offense While Under Criminal Justice Sentence (§4A1.1(d))	Number	Percent
Additional points given for commission of instant offense while under criminal justice sentence	5,455	20.4
No additional criminal history points given	21,290	79.6
Missing	75	--
TOTAL	26,820	100.0

Commission of Offense Within Two Years of Prior Countable Conviction (§4A1.1(e))	Number	Percent
Additional points given for commission of instant offense within two years of certain prior countable convictions	3,132	11.7
No additional criminal history points given	23,614	88.3
Missing	74	--
TOTAL	26,820	100.0

Total Criminal History Points	Number	Percent
0	13,754	51.5
1	2,762	10.3
2	1,130	4.2
3	1,895	7.1
4	1,175	4.4
5	847	3.2
6	1,057	4.0
7	557	2.1
8	580	2.2
9	543	2.0
10	383	1.4
11	320	1.2
12	351	1.3
13	243	0.9
14	246	0.9
15	201	0.8
16	112	0.4
17	125	0.5
18	94	0.4
19	64	0.2
20	53	0.2
21	52	0.2
22	32	0.1
23 or more	141	0.5
Missing	103	--
TOTAL	26,820	100.0

Career Offender (§4B1.1)	Number	Percent
Defendant found to be career offender	622	2.3
Defendant not found to be career offender	26,134	97.7
Missing	64	--
TOTAL	26,820	100.0

Armed Career Criminal (§4B1.4)	Number	Percent
Defendant found to be armed career criminal	21	0.1
Defendant not found to be armed career criminal	21,941	99.9
Offense committed before adjustment added to Guidelines	4,799	--
Missing	59	--
TOTAL	26,820	100.0

*Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 35

CAREER OFFENDER ADJUSTMENT BY PRIMARY OFFENSE CATEGORY*
(October 1, 1990 through September 30, 1991)

All Cases

PRIMARY OFFENSE	TOTAL	CAREER OFFENDER ADJUSTMENT			
		GIVEN		NOT GIVEN	
		Number	Percent	Number	Percent
TOTAL	16,043	621	3.9	15,422	96.1
Murder	21	1	4.8	20	95.2
Manslaughter	53	0	0.0	53	100.0
Kidnapping/Hostage-Taking	37	3	8.1	34	91.9
Sexual Abuse	114	0	0.0	114	100.0
Assault	237	11	4.6	226	95.4
Robbery	1,089	188	17.3	901	82.8
Arson	62	0	0.0	62	100.0
Drugs - Trafficking	11,270	350	3.1	10,921	96.9
Drugs - Communication Facility	278	1	0.4	277	99.6
Firearms Offenses	1,965	62	3.2	1,904	96.8
Burglary/B&E	87	1	1.2	86	98.9
Racketeering/Extortion	228	2	0.9	226	99.1
Prison Offenses	217	1	0.5	216	99.5
Other Miscellaneous Offenses	383	1	0.3	382	99.7

*Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Of the 26,820 cases with such information, the career offender provision is not applicable in 10,670 cases. Additionally, 107 cases were excluded due to one or both of the following conditions: missing primary offense category (44) or missing information on career offender (64). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Determining the Applicable Sentencing Range - Chapter Five

After the defendant's prior criminal record has been examined and the appropriate criminal history points assigned, the defendant is placed into one of six criminal history categories. The career offender automatically receives the highest criminal history category, Category VI. Table 36 presents the distribution of all cases by their final offense level and criminal history category, as determined by the court. More than half (52%) of the cases resulted in an offense level of 14 or less, and almost 62 percent of all defendants were placed in Criminal History Category I.

The sentencing table in Chapter Five is composed of offense levels set out in the vertical column of the table and criminal history categories in the horizontal columns. The judge determines the applicable guideline sentencing range by matching the applicable offense level and criminal history category. The court has discretion to impose a sentence from any point within the range, or to depart above or below it in unusual cases.⁷⁵

Table 37 describes the guideline ranges determined by the court within primary offense categories of conviction for all 1991 cases.⁷⁶ As would be expected, defendants sentenced for robbery, homicide, and drug trafficking were placed in considerably higher guideline ranges

than defendants convicted of non-violent or non-drug offenses. In contrast, more than 40 percent of the larceny, food and drug, environmental, and simple drug possession cases had guideline ranges of zero to six months.

75 The guideline range may be further limited, or "trumped," by statutory maximum, mandatory minimum, and mandatory consecutive penalties.

76 Due to departures and statutory "trumps," not all cases were necessarily sentenced within the ranges reported here.

Table 36

OFFENSE LEVEL BY CRIMINAL HISTORY CATEGORY*
(October 1, 1990 through September 30, 1991)

All Cases

OFFENSE LEVEL	CRIMINAL HISTORY CATEGORY						TOTAL	
	I	II	III	IV	V	VI	Number	Percent
1	13	3	1	0	0	0	17	0.1
2	471	53	37	17	10	8	596	2.1
3	204	32	28	18	11	11	302	1.1
4	1,570	186	170	82	44	49	2,101	7.4
5	387	53	39	13	22	24	538	1.9
6	941	131	146	74	55	74	1,421	5.0
7	845	111	123	85	68	90	1,320	4.6
8	728	114	93	53	40	50	1,078	3.8
9	638	88	72	27	30	31	886	3.1
10	1,277	275	399	288	182	275	2,698	9.4
11	524	79	94	60	38	70	865	3.0
12	803	162	178	120	83	89	1,433	5.0
13	407	62	62	31	24	43	629	2.2
14	717	123	155	69	34	63	1,161	4.1
15	188	35	28	18	10	31	310	1.1
16	714	150	123	33	22	35	1,077	3.8
17	139	24	24	18	7	14	224	0.8
18	517	103	106	45	18	23	812	2.8
19	103	17	21	11	6	9	167	0.6
20	518	126	104	57	19	41	865	3.0
21	103	25	32	13	9	12	194	0.7
22	576	102	103	54	28	45	908	3.2
23	122	37	36	25	5	21	246	0.9
24	1,089	243	212	90	28	38	1,698	5.9
25	67	25	28	19	9	19	167	0.6
26	882	180	171	74	34	28	1,369	4.8
27	64	17	16	14	6	11	128	0.5
28	502	109	107	38	19	16	781	2.8
29	60	12	9	5	2	6	94	0.3
30	638	151	124	52	18	178	1,159	4.1
31	42	19	10	4	4	11	90	0.3
32	628	135	115	59	20	199	1,154	4.0
33	45	12	9	5	3	9	83	0.3
34	430	92	81	23	7	69	702	2.5
35	42	9	9	1	4	61	126	0.4
36	243	42	46	24	7	13	375	1.3
37	42	9	15	1	3	78	148	0.5
38	160	29	36	12	4	16	257	0.9
39	29	2	5	0	0	2	38	0.1
40	81	19	27	14	6	3	150	0.5
41	24	2	9	3	0	1	39	0.1
42	53	14	11	6	2	5	81	0.3
43	51	14	10	9	3	1	88	0.3
TOTAL	17,673	3,228	3,220	1,662	940	1,872	28,593	
Percent	61.8	11.3	11.3	5.8	3.3	6.6	100.0	

*Of the 33,419 guideline cases, the Commission received Reports on the Sentencing Hearing for 30,876 (92.4%). Of the 30,876 cases with such reports, 296 mixed law cases (both guideline and pre-guideline counts) were excluded. In addition, 1,987 cases were excluded due to one or more of the following conditions: missing offense level (1,885), missing criminal history category (1,928), or no analogous guideline (369). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 37

GUIDELINE SENTENCING RANGES BY PRIMARY OFFENSE CATEGORY*
(October 1, 1990 through September 30, 1991)

All Cases

GUIDELINE RANGE	Total	Percent	PRIMARY OFFENSE CATEGORY							
			Murder		Manslaughter		Kidnapping		Sexual Abuse	
			N	%	N	%	N	%	N	%
0-6	4,212	14.8	0	0.0	0	0.0	0	0.0	2	1.5
1-7	1,020	3.6	0	0.0	0	0.0	0	0.0	0	0.0
2-8	1,079	3.8	0	0.0	7	12.3	0	0.0	8	6.2
3-9	13	0.1	0	0.0	0	0.0	0	0.0	0	0.0
4-10	932	3.3	0	0.0	0	0.0	0	0.0	3	2.3
6-12	1,598	5.6	0	0.0	0	0.0	0	0.0	3	2.3
8-14	959	3.4	0	0.0	0	0.0	0	0.0	0	0.0
9-15	74	0.3	0	0.0	0	0.0	0	0.0	0	0.0
10-16	1,320	4.6	0	0.0	18	31.6	1	2.6	7	5.4
12-18	835	2.9	0	0.0	4	7.0	0	0.0	6	4.6
15-21	1,374	4.8	0	0.0	3	5.3	0	0.0	14	10.8
18-24	509	1.8	0	0.0	4	7.0	0	0.0	11	8.5
21-27	1,235	4.3	0	0.0	3	5.3	0	0.0	8	6.2
24-30	660	2.3	0	0.0	1	1.8	0	0.0	3	2.3
27-33	881	3.1	0	0.0	0	0.0	1	2.6	5	3.9
30-37	362	1.3	0	0.0	1	1.8	0	0.0	1	0.8
33-41	749	2.6	0	0.0	2	3.5	0	0.0	3	2.3
37-46	338	1.2	0	0.0	0	0.0	2	5.1	1	0.8
41-51	804	2.8	0	0.0	0	0.0	1	2.6	0	0.0
46-57	308	1.1	0	0.0	3	5.3	1	2.6	1	0.8
51-63	1,324	4.6	0	0.0	1	1.8	1	2.6	0	0.0
57-71	384	1.4	0	0.0	5	8.8	1	2.6	1	0.8
63-78	1,189	4.2	0	0.0	0	0.0	1	2.6	1	0.8
70-87	345	1.2	0	0.0	3	5.3	2	5.1	3	2.3
77-96	129	0.5	0	0.0	0	0.0	0	0.0	0	0.0
78-97	690	2.4	0	0.0	0	0.0	0	0.0	2	1.5
84-105	69	0.2	0	0.0	0	0.0	0	0.0	0	0.0
87-108	185	0.7	0	0.0	0	0.0	1	2.6	7	5.4
92-115	118	0.4	0	0.0	0	0.0	0	0.0	0	0.0
97-121	749	2.6	0	0.0	0	0.0	2	5.1	2	1.5
100-125	59	0.2	0	0.0	1	1.8	0	0.0	0	0.0
108-135	197	0.7	4	17.4	0	0.0	1	2.6	8	6.2
110-137	90	0.3	0	0.0	0	0.0	0	0.0	0	0.0
120-150	33	0.1	0	0.0	0	0.0	0	0.0	0	0.0
121-151	771	2.7	2	8.7	0	0.0	5	12.8	2	1.5
130-162	31	0.1	0	0.0	0	0.0	0	0.0	0	0.0
135-168	240	0.8	3	13.0	0	0.0	2	5.1	7	5.4
140-175	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
151-188	585	2.1	0	0.0	0	0.0	4	10.3	2	1.5
168-210	384	1.4	0	0.0	0	0.0	2	5.1	4	3.1
188-235	363	1.3	0	0.0	0	0.0	0	0.0	3	2.3
210-262	314	1.1	2	8.7	0	0.0	4	10.3	3	2.3
235-293	228	0.8	0	0.0	0	0.0	0	0.0	0	0.0
262-327	169	0.6	1	4.4	0	0.0	1	2.6	2	1.5
292-365	186	0.7	0	0.0	0	0.0	2	5.1	2	1.5
324-405	76	0.3	0	0.0	0	0.0	1	2.6	1	0.8
360-life	248	0.9	1	4.4	0	0.0	3	7.7	1	0.8
life	88	0.3	10	43.5	0	0.0	1	2.6	3	2.3
TOTAL	28,506	100.0	23	100.0	57	100.0	39	100.0	130	100.0

GUIDELINE RANGE	PRIMARY OFFENSE CATEGORY									
	Assault		Robbery		Arson		Drugs - Trafficking		Drugs - Communication Facility	
	N	%	N	%	N	%	N	%	N	%
0-6	24	9.3	0	0.0	8	12.3	134	1.1	22	7.6
1-7	17	6.6	0	0.0	0	0.0	14	0.1	9	3.1
2-8	11	4.3	0	0.0	3	4.6	73	0.6	17	5.9
3-9	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
4-10	16	6.2	0	0.0	0	0.0	18	0.2	2	0.7
6-12	17	6.6	0	0.0	0	0.0	319	2.7	102	35.4
8-14	7	2.7	0	0.0	2	3.1	93	0.8	17	5.9
9-15	1	0.4	0	0.0	0	0.0	1	0.0	0	0.0
10-16	5	2.0	1	0.1	2	3.1	404	3.4	26	9.0
12-18	7	2.7	0	0.0	2	3.1	97	0.8	4	1.4
15-21	4	1.6	0	0.0	2	3.1	514	4.3	7	2.4
18-24	4	1.6	0	0.0	1	1.5	87	0.7	2	0.7
21-27	6	2.3	2	0.2	4	6.2	635	5.3	12	4.2
24-30	15	5.8	2	0.2	2	3.1	142	1.2	10	3.5
27-33	10	3.9	5	0.4	11	16.9	501	4.2	2	0.7
30-37	14	5.5	7	0.6	3	4.6	98	0.8	4	1.4
33-41	7	2.7	76	6.6	6	9.2	478	4.0	2	0.7
37-46	16	6.2	65	5.7	3	4.6	102	0.9	0	0.0
41-51	22	8.6	87	7.6	4	6.2	551	4.6	2	0.7
46-57	14	5.5	89	7.8	1	1.5	108	0.9	0	0.0
51-63	8	3.1	120	10.5	7	10.8	1086	9.0	12	4.2
57-71	9	3.5	73	6.4	2	3.1	242	2.0	2	0.7
63-78	4	1.6	68	5.9	1	1.5	1052	8.8	3	1.0
70-87	4	1.6	89	7.8	0	0.0	201	1.7	6	2.1
77-96	4	1.6	25	2.2	1	1.5	85	0.7	0	0.0
78-97	2	0.8	43	3.8	0	0.0	608	5.1	4	1.4
84-105	0	0.0	39	3.4	0	0.0	12	0.1	0	0.0
87-108	2	0.8	21	1.8	0	0.0	131	1.1	0	0.0
92-115	0	0.0	31	2.7	0	0.0	72	0.6	1	0.4
97-121	0	0.0	7	0.6	0	0.0	705	5.9	4	1.4
100-125	1	0.4	28	2.4	0	0.0	19	0.2	0	0.0
108-135	2	0.8	9	0.8	0	0.0	162	1.4	1	0.4
110-137	1	0.4	25	2.2	0	0.0	57	0.5	0	0.0
120-150	2	0.8	12	1.1	0	0.0	15	0.1	0	0.0
121-151	0	0.0	5	0.4	0	0.0	728	6.1	5	1.7
130-162	0	0.0	10	0.9	0	0.0	17	0.1	0	0.0
135-168	0	0.0	8	0.7	0	0.0	210	1.8	0	0.0
140-175	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
151-188	1	0.4	8	0.7	0	0.0	547	4.6	4	1.4
168-210	0	0.0	89	7.8	0	0.0	273	2.3	1	0.4
188-235	0	0.0	1	0.1	0	0.0	337	2.8	2	0.7
210-262	0	0.0	71	6.2	0	0.0	219	1.8	1	0.4
235-293	0	0.0	1	0.1	0	0.0	215	1.8	0	0.0
262-327	0	0.0	28	2.4	0	0.0	134	1.1	0	0.0
292-365	0	0.0	1	0.1	0	0.0	167	1.4	1	0.4
324-405	0	0.0	0	0.0	0	0.0	72	0.6	1	0.4
360-life	0	0.0	2	0.2	0	0.0	224	1.9	0	0.0
life	0	0.0	0	0.0	0	0.0	69	0.6	0	0.0
TOTAL	257	100.0	1,148	100.0	65	100.0	12,028	100.0	288	100.0

GUIDELINE RANGE	PRIMARY OFFENSE CATEGORY									
	Drugs - Simple Possession		Firearms		Burglary/B&E		Auto Theft		Larceny	
	N	%	N	%	N	%	N	%	N	%
0-6	513	82.0	233	11.3	0	0.0	7	4.7	939	45.8
1-7	13	2.1	32	1.5	0	0.0	8	5.4	134	6.5
2-8	25	4.0	82	4.0	0	0.0	7	4.7	146	7.1
3-9	0	0.0	2	0.1	0	0.0	0	0.0	10	0.5
4-10	6	1.0	70	3.4	0	0.0	18	12.1	138	6.7
6-12	12	1.9	133	6.4	10	10.8	11	7.4	165	8.0
8-14	0	0.0	131	6.3	7	7.5	11	7.4	90	4.4
9-15	3	0.5	2	0.1	0	0.0	0	0.0	18	0.9
10-16	5	0.8	196	9.5	5	5.4	19	12.8	81	4.0
12-18	4	0.6	78	3.8	7	7.5	20	13.4	82	4.0
15-21	6	1.0	257	12.4	5	5.4	11	7.4	56	2.7
18-24	1	0.2	58	2.8	8	8.6	6	4.0	48	2.3
21-27	14	2.2	204	9.9	7	7.5	8	5.4	27	1.3
24-30	0	0.0	99	4.8	12	12.9	3	2.0	29	1.4
27-33	5	0.8	129	6.2	9	9.7	8	5.4	25	1.2
30-37	1	0.2	47	2.3	6	6.5	1	0.7	19	0.9
33-41	0	0.0	47	2.3	6	6.5	3	2.0	11	0.5
37-46	0	0.0	42	2.0	3	3.2	2	1.3	6	0.3
41-51	1	0.2	31	1.5	3	3.2	4	2.7	9	0.4
46-57	0	0.0	16	0.8	1	1.1	1	0.7	4	0.2
51-63	3	0.5	19	0.9	2	2.2	1	0.7	5	0.2
57-71	0	0.0	7	0.3	0	0.0	0	0.0	5	0.2
63-78	4	0.6	13	0.6	0	0.0	0	0.0	4	0.2
70-87	1	0.2	7	0.3	1	1.1	0	0.0	0	0.0
77-96	1	0.2	6	0.3	0	0.0	0	0.0	0	0.0
78-97	1	0.2	7	0.3	0	0.0	0	0.0	0	0.0
84-105	0	0.0	14	0.7	0	0.0	0	0.0	0	0.0
87-108	0	0.0	3	0.1	0	0.0	0	0.0	0	0.0
92-115	2	0.3	8	0.4	0	0.0	0	0.0	0	0.0
97-121	1	0.2	1	0.1	0	0.0	0	0.0	0	0.0
100-125	1	0.2	7	0.3	1	1.1	0	0.0	0	0.0
108-135	0	0.0	2	0.1	0	0.0	0	0.0	0	0.0
110-137	0	0.0	5	0.2	0	0.0	0	0.0	0	0.0
120-150	0	0.0	2	0.1	0	0.0	0	0.0	0	0.0
121-151	2	0.3	2	0.1	0	0.0	0	0.0	0	0.0
130-162	0	0.0	4	0.2	0	0.0	0	0.0	0	0.0
135-168	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
140-175	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
151-188	1	0.2	6	0.3	0	0.0	0	0.0	0	0.0
168-210	0	0.0	9	0.4	0	0.0	0	0.0	0	0.0
188-235	0	0.0	12	0.6	0	0.0	0	0.0	0	0.0
210-262	0	0.0	13	0.6	0	0.0	0	0.0	0	0.0
235-293	0	0.0	4	0.2	0	0.0	0	0.0	0	0.0
262-327	0	0.0	2	0.1	0	0.0	0	0.0	0	0.0
292-365	0	0.0	12	0.6	0	0.0	0	0.0	0	0.0
324-405	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
360-life	0	0.0	15	0.7	0	0.0	0	0.0	0	0.0
life	0	0.0	3	0.1	0	0.0	0	0.0	0	0.0
TOTAL	626	100.0	2,072	100.0	93	100.0	149	100.0	2,051	100.0

GUIDELINE RANGE	PRIMARY OFFENSE CATEGORY									
	Fraud		Embezzlement		Forgery/Counterfeiting		Bribery		Tax	
	N	%	N	%	N	%	N	%	N	%
0-6	668	21.8	295	29.3	149	20.4	15	10.1	110	43.1
1-7	184	6.0	114	11.3	111	15.2	4	2.7	13	5.1
2-8	268	8.7	100	9.9	77	10.5	25	16.9	29	11.4
3-9	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
4-10	280	9.1	108	10.7	60	8.2	12	8.1	21	8.2
6-12	356	11.6	108	10.7	46	6.3	24	16.2	29	11.4
8-14	201	6.6	83	8.3	40	5.5	10	6.8	9	3.5
9-15	11	0.4	0	0.0	6	0.8	0	0.0	0	0.0
10-16	212	6.9	56	5.6	20	2.7	15	10.1	10	3.9
12-18	193	6.3	44	4.4	54	7.4	7	4.7	10	3.9
15-21	158	5.2	33	3.3	38	5.2	8	5.4	10	3.9
18-24	115	3.8	22	2.2	28	3.8	3	2.0	4	1.6
21-27	107	3.5	16	1.6	16	2.2	6	4.1	1	0.4
24-30	73	2.4	6	0.6	22	3.0	2	1.4	2	0.8
27-33	40	1.3	4	0.4	16	2.2	6	4.1	2	0.8
30-37	63	2.1	7	0.7	10	1.4	2	1.4	0	0.0
33-41	35	1.1	4	0.4	7	1.0	3	2.0	2	0.8
37-46	25	0.8	2	0.2	8	1.1	0	0.0	1	0.4
41-51	26	0.9	1	0.1	8	1.1	3	2.0	0	0.0
46-57	16	0.5	1	0.1	3	0.4	1	0.7	1	0.4
51-63	11	0.4	0	0.0	5	0.7	1	0.7	0	0.0
57-71	6	0.2	1	0.1	3	0.4	1	0.7	0	0.0
63-78	4	0.1	0	0.0	0	0.0	0	0.0	0	0.0
70-87	3	0.1	0	0.0	2	0.3	0	0.0	1	0.4
77-96	2	0.1	0	0.0	0	0.0	0	0.0	0	0.0
78-97	0	0.0	0	0.0	1	0.1	0	0.0	0	0.0
84-105	0	0.0	0	0.0	1	0.1	0	0.0	0	0.0
87-108	1	0.0	1	0.1	0	0.0	0	0.0	0	0.0
92-115	1	0.0	0	0.0	0	0.0	0	0.0	0	0.0
97-121	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
100-125	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
108-135	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
110-137	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
120-150	2	0.1	0	0.0	0	0.0	0	0.0	0	0.0
121-151	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
130-162	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
135-168	2	0.1	0	0.0	0	0.0	0	0.0	0	0.0
140-175	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
151-188	2	0.1	0	0.0	0	0.0	0	0.0	0	0.0
168-210	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
188-235	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
210-262	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
235-293	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
262-327	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
292-365	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
324-405	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
360-life	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
life	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
TOTAL	3,065	100.0	1,006	100.0	731	100.0	148	100.0	255	100.0

GUIDELINE RANGE	PRIMARY OFFENSE CATEGORY									
	Money Laundering		Racketeering/ Extortion		Gambling/Lottery		Civil Rights		Immigration	
	N	%	N	%	N	%	N	%	N	%
0-6	21	5.1	1	0.4	21	11.1	19	18.5	577	31.4
1-7	13	3.2	1	0.4	2	1.1	19	18.5	296	16.1
2-8	6	1.5	2	0.9	29	15.3	7	6.8	87	4.7
3-9	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
4-10	9	2.2	1	0.4	2	1.1	8	7.8	100	5.4
6-12	3	0.7	8	3.5	60	31.8	10	9.7	66	3.6
8-14	58	14.2	2	0.9	19	10.1	3	2.9	72	3.9
9-15	0	0.0	0	0.0	0	0.0	0	0.0	28	1.5
10-16	21	5.1	5	2.2	20	10.6	3	2.9	115	6.3
12-18	16	3.9	2	0.9	16	8.5	2	1.9	59	3.2
15-21	19	4.6	2	0.9	9	4.8	2	1.9	147	8.0
18-24	12	2.9	5	2.2	3	1.6	2	1.9	21	1.1
21-27	19	4.6	10	4.3	2	1.1	2	1.9	97	5.3
24-30	6	1.5	10	4.3	3	1.6	0	0.0	142	7.7
27-33	16	3.9	22	9.5	1	0.5	0	0.0	8	0.4
30-37	12	2.9	14	6.1	0	0.0	5	4.9	16	0.9
33-41	14	3.4	5	2.2	0	0.0	3	2.9	2	0.1
37-46	20	4.9	16	6.9	0	0.0	2	1.9	3	0.2
41-51	22	5.4	11	4.8	0	0.0	3	2.9	0	0.0
46-57	18	4.4	11	4.8	1	0.5	6	5.8	2	0.1
51-63	17	4.2	14	6.1	0	0.0	0	0.0	0	0.0
57-71	16	3.9	2	0.9	0	0.0	3	2.9	0	0.0
63-78	13	3.2	11	4.8	0	0.0	1	1.0	0	0.0
70-87	7	1.7	6	2.6	1	0.5	1	1.0	0	0.0
77-96	2	0.5	0	0.0	0	0.0	0	0.0	1	0.1
78-97	9	2.2	3	1.3	0	0.0	0	0.0	0	0.0
84-105	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
87-108	8	2.0	7	3.0	0	0.0	1	1.0	0	0.0
92-115	0	0.0	2	0.9	0	0.0	0	0.0	0	0.0
97-121	10	2.4	11	4.8	0	0.0	1	1.0	0	0.0
100-125	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
108-135	3	0.7	3	1.3	0	0.0	0	0.0	0	0.0
110-137	0	0.0	2	0.9	0	0.0	0	0.0	0	0.0
120-150	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
121-151	6	1.5	14	6.1	0	0.0	0	0.0	0	0.0
130-162	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
135-168	5	1.2	2	0.9	0	0.0	0	0.0	0	0.0
140-175	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
151-188	2	0.5	7	3.0	0	0.0	0	0.0	0	0.0
168-210	1	0.2	4	1.7	0	0.0	0	0.0	0	0.0
188-235	4	1.0	4	1.7	0	0.0	0	0.0	0	0.0
210-262	0	0.0	1	0.4	0	0.0	0	0.0	0	0.0
235-293	1	0.2	6	2.6	0	0.0	0	0.0	0	0.0
262-327	0	0.0	1	0.4	0	0.0	0	0.0	0	0.0
292-365	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
324-405	1	0.2	0	0.0	0	0.0	0	0.0	0	0.0
360-life	0	0.0	2	0.9	0	0.0	0	0.0	0	0.0
life	0	0.0	1	0.4	0	0.0	0	0.0	0	0.0
TOTAL	410	100.0	231	100.0	189	100.0	103	100.0	1,839	100.0

GUIDELINE RANGE	PRIMARY OFFENSE CATEGORY									
	Pornography/ Prostitution		Prison Offenses		Admin. of Justice Offenses		Environmental/ Wildlife		National Defense	
	N	%	N	%	N	%	N	%	N	%
0-6	25	17.6	8	3.5	91	18.1	89	66.7	0	0.0
1-7	0	0.0	1	0.4	8	1.6	5	3.8	0	0.0
2-8	1	0.7	4	1.8	13	2.6	6	4.6	1	5.9
3-9	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
4-10	3	2.1	16	7.0	13	2.6	6	4.6	0	0.0
6-12	1	0.7	3	1.3	62	12.3	5	3.8	0	0.0
8-14	21	14.8	21	9.2	43	8.6	4	3.0	0	0.0
9-15	0	0.0	2	0.9	0	0.0	0	0.0	0	0.0
10-16	4	2.8	7	3.1	34	6.8	7	5.3	6	35.3
12-18	43	30.3	34	14.9	26	5.2	2	1.5	0	0.0
15-21	5	3.5	24	10.5	30	6.0	1	0.8	1	5.9
18-24	8	5.6	22	9.7	30	6.0	2	1.5	0	0.0
21-27	2	1.4	1	0.4	17	3.4	0	0.0	0	0.0
24-30	2	1.4	26	11.4	44	8.8	0	0.0	0	0.0
27-33	1	0.7	32	14.0	14	2.8	1	0.8	1	5.9
30-37	0	0.0	6	2.6	21	4.2	1	0.8	0	0.0
33-41	3	2.1	11	4.8	12	2.4	3	2.3	1	5.9
37-46	1	0.7	2	0.9	7	1.4	0	0.0	2	11.8
41-51	4	2.8	1	0.4	4	0.8	0	0.0	3	17.7
46-57	2	1.4	1	0.4	5	1.0	0	0.0	0	0.0
51-63	3	2.1	1	0.4	5	1.0	0	0.0	1	5.9
57-71	1	0.7	1	0.4	1	0.2	0	0.0	0	0.0
63-78	3	2.1	1	0.4	3	0.6	0	0.0	1	5.9
70-87	2	1.4	0	0.0	4	0.8	0	0.0	0	0.0
77-96	0	0.0	2	0.9	0	0.0	0	0.0	0	0.0
78-97	2	1.4	0	0.0	8	1.6	0	0.0	0	0.0
84-105	0	0.0	0	0.0	1	0.2	0	0.0	0	0.0
87-108	2	1.4	0	0.0	0	0.0	0	0.0	0	0.0
92-115	0	0.0	1	0.4	0	0.0	0	0.0	0	0.0
97-121	1	0.7	0	0.0	4	0.8	0	0.0	0	0.0
100-125	1	0.7	0	0.0	0	0.0	0	0.0	0	0.0
108-135	1	0.7	0	0.0	1	0.2	0	0.0	0	0.0
110-137	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
120-150	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
121-151	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
130-162	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
135-168	0	0.0	0	0.0	1	0.2	0	0.0	0	0.0
140-175	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
151-188	0	0.0	0	0.0	0	0.0	1	0.8	0	0.0
168-210	0	0.0	0	0.0	1	0.2	0	0.0	0	0.0
188-235	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
210-262	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
235-293	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
262-327	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
292-365	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
324-405	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
360-life	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
life	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
TOTAL	142	100.0	228	100.0	503	100.0	132	100.0	17	100.0

GUIDELINE RANGE	PRIMARY OFFENSE CATEGORY					
	Anti-Trust		Food & Drug		Other	
	N	%	N	%	N	%
0-6	0	0.0	38	76.0	203	48.7
1-7	3	21.4	3	6.0	16	3.8
2-8	3	21.4	1	2.0	41	9.8
3-9	0	0.0	0	0.0	1	0.2
4-10	5	35.7	0	0.0	17	4.1
6-12	3	21.4	0	0.0	42	10.1
8-14	0	0.0	0	0.0	14	3.4
9-15	0	0.0	1	2.0	1	0.2
10-16	0	0.0	3	6.0	13	3.1
12-18	0	0.0	0	0.0	16	3.8
15-21	0	0.0	1	2.0	7	1.7
18-24	0	0.0	0	0.0	2	0.5
21-27	0	0.0	1	2.0	8	1.9
24-30	0	0.0	0	0.0	4	1.0
27-33	0	0.0	0	0.0	6	1.4
30-37	0	0.0	0	0.0	3	0.7
33-41	0	0.0	0	0.0	3	0.7
37-46	0	0.0	1	2.0	6	1.4
41-51	0	0.0	0	0.0	3	0.7
46-57	0	0.0	0	0.0	1	0.2
51-63	0	0.0	0	0.0	1	0.2
57-71	0	0.0	1	2.0	1	0.2
63-78	0	0.0	0	0.0	1	0.2
70-87	0	0.0	0	0.0	1	0.2
77-96	0	0.0	0	0.0	0	0.0
78-97	0	0.0	0	0.0	0	0.0
84-105	0	0.0	0	0.0	2	0.5
87-108	0	0.0	0	0.0	1	0.2
92-115	0	0.0	0	0.0	0	0.0
97-121	0	0.0	0	0.0	0	0.0
100-125	0	0.0	0	0.0	0	0.0
108-135	0	0.0	0	0.0	0	0.0
110-137	0	0.0	0	0.0	0	0.0
120-150	0	0.0	0	0.0	0	0.0
121-151	0	0.0	0	0.0	0	0.0
130-162	0	0.0	0	0.0	0	0.0
135-168	0	0.0	0	0.0	0	0.0
140-175	0	0.0	0	0.0	0	0.0
151-188	0	0.0	0	0.0	1	0.2
168-210	0	0.0	0	0.0	0	0.0
188-235	0	0.0	0	0.0	0	0.0
210-262	0	0.0	0	0.0	0	0.0
235-293	0	0.0	0	0.0	1	0.2
262-327	0	0.0	0	0.0	0	0.0
292-365	0	0.0	0	0.0	1	0.2
324-405	0	0.0	0	0.0	0	0.0
360-life	0	0.0	0	0.0	0	0.0
life	0	0.0	0	0.0	1	0.2
TOTAL	14	100.0	50	100.0	417	100.0

Of the 33,419 guideline cases, the Commission received Reports on the Sentencing Hearing for 30,876 (92.4%). Of the 30,876 cases with such reports, 296 mixed law cases (both guideline and pre-guideline counts) were excluded. In addition, 2,074 cases were excluded due to one or more of the following conditions: missing guideline range (1,634), missing primary offense category (83), or cases with no analogous guideline (369). The guideline ranges indicated above correspond to the offense levels and criminal history categories established by the court and do not indicate the impact of mandatory minimums or statutory maximums constricting the sentence. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Guideline Application for Select Offenses

The following sections provide detailed application information on three of the most commonly used Chapter Two guidelines: §2B3.1 (Robbery), §2D1.1 (Drug Trafficking), and §2F1.1 (Fraud).⁷⁷

Guideline §2B3.1 - Robbery, Extortion, and Blackmail

Tables 38-42 describe the guideline factors applied to robbery cases sentenced under §2B3.1. Note that the cases discussed, though all sentenced in FY1991, had either 1988, 1989, or 1990 versions of the robbery guideline applied (based on the date of the commission of the offense) due to court rulings on the *ex post facto* question. The base offense level of 18 for robbery in 1988 was increased to 20 in the 1989 edition of the guidelines.

Robbery of a financial institution or post office enhances the offense by two levels; threat or use of a dangerous weapon increases the offense seriousness by two to five levels; the type and degree of injury to a victim results in an increase of two to six levels; and additional offense characteristics include increases for the theft of firearms or drugs during the robbery, the dollar loss in excess of a set amount (\$2,500 in 1988, \$10,000 in 1989/90), and victim restraint or abduction.

The 1,144 robberies in 1991 almost exclusively involved financial institutions (see Tables 38

and 39). Guideline enhancements for a weapon (or threat) were present in 43.6 percent of the cases. An additional 225 cases convicted under 18 U.S.C. § 924(c) received a mandatory consecutive penalty of five years and therefore received no guideline enhancement for a dangerous weapon. In 96.1 percent of the robberies no harm was caused to victims and in the majority the amount of financial loss was \$10,000 or less. More than five percent of the robbery offenders were found to obstruct justice, while 81.1 percent were found to have accepted responsibility for their offenses.

Robbery defendants, as a group, appeared more likely to recidivate than the federal defendant population as a whole (see Table 40), with 91 percent having some criminal history. Approximately half (49.5 percent) had one or more prior sentences of 13 months or longer. More than 43 percent committed the instant offense while under a criminal justice sentence, 33.5 percent within two years of a prior countable conviction. Finally, 17.1 percent of all offenders sentenced for robbery were found to be career offenders.

More than 62 percent of the robbery defendants received final offense levels between 20 and 25, and 59.3 percent were placed in Criminal History Category III or above (see Table 41). The final guideline ranges for approximately half of all robbery defendants were clustered between 33-41 months and 70-87 months (see table 42).

77 Cases may involve the application of more than one Chapter Two guideline. For this analysis, cases were included if the robbery, drug trafficking, or fraud guidelines were applied to any count of conviction.

Table 38

CHAPTER TWO GUIDELINE APPLICATION INFORMATION*
(October 1, 1990 through September 30, 1991)

Guideline §2B3.1 — Robbery

BASE OFFENSE LEVEL	Number	Percent
18 (1988 Guidelines)	96	8.4
20 (1989 & 1990 Guidelines)	1,048	91.6
TOTAL	1,144	100.0

SPECIFIC OFFENSE CHARACTERISTICS	Number	Percent
Property of Financial Institution or Post Office Involved (1989 & 1990 only)		
Post office or financial institution involved	998	95.2
Post office or financial institution not involved	50	4.8
Offense committed before adjustment added to guidelines	96	--
TOTAL	1,144	100.0
Weapon Use		
Firearm discharged	17	1.5
Dangerous weapon used	36	3.2
Dangerous weapon brandished, displayed, or possessed	326	28.5
Express threat of death made (89 & 90 only)	119	10.4
No firearm adjustment - convicted under 18 USC § 924(c)	225	19.7
No firearm use or possession	421	36.8
TOTAL	1,144	100.0
Victim Injury		
Permanent or life-threatening bodily injury	1	0.1
Very serious bodily injury, not permanent or life-threatening (89 & 90 only)	0	0.0
Serious bodily injury	7	0.6
Graver bodily injury, but not serious (89 & 90 only)	6	0.5
Bodily injury	31	2.7
Bodily injury not sustained by any victim	1,099	96.1
TOTAL	1,144	100.0
Abduction or Restraint Involved in Commission or Escape		
Abduction involved	16	1.4
Physical restraint involved	32	2.8
No abduction or physical restraint involved	1,096	95.8
TOTAL	1,144	100.0

SPECIFIC OFFENSE CHARACTERISTICS (continued)	Number	Percent
Firearm or Controlled Substance Taken or as Object of Offense		
Firearm or controlled substance taken or object of offense	12	1.1
Firearm or controlled substance not taken or object of offense	1,132	98.9
TOTAL	1,144	100.0
Amount of Loss (1988 Guidelines)		
\$2,500 or less	7	7.3
\$2,501 - \$10,000	64	66.7
\$10,001- \$50,000	15	15.6
\$50,001 - \$250,000	8	8.3
\$250,001 - \$1,000,000	1	1.0
\$1,000,001 - \$5,000,000	1	1.0
More than \$5,000,000	0	0.0
TOTAL	96	100.0
Amount of Loss (1989 & 1990 Guidelines)		
\$10,000 or less	868	82.8
More than \$10,000	141	13.5
More than \$50,000	29	2.8
More than \$250,000	4	0.4
More than \$800,000	0	0.0
More than \$1,500,000	0	0.0
More than \$2,500,000	6	0.6
More than \$5,000,000	0	0.0
TOTAL	1,048	100.0

Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Of the 26,820 cases with such information, 1,144 cases involved the application of the robbery guideline (§2B3.1). Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 39

CHAPTER THREE GUIDELINE APPLICATION INFORMATION*
(October 1, 1990 through September 30, 1991)

Guideline §2B3.1 — Robbery

VICTIM-RELATED	Number	Percent
Vulnerable Victim (§3A1.1)		
Vulnerable victim involved	30	2.6
No vulnerable victim involved	1,114	97.4
TOTAL	1,144	100.0
Official Victim (§3A1.2)		
Official victim involved	10	0.9
No official victim involved	1,134	99.1
TOTAL	1,144	100.0
Restraint of Victim (§3A1.3)		
Offense involved restraint of victim	2	0.2
Offense did not involve restraint of victim	1,142	99.8
TOTAL	1,144	100.0

ROLE IN THE OFFENSE	Number	Percent
Aggravating Role (§3B1.1)		
Organizer or leader	3	0.3
Lesser organizer, leader, manager or supervisor	1	0.1
Manager or supervisor	36	3.2
No aggravating role	1,104	96.5
TOTAL	1,144	100.0
Mitigating Role (§3B1.2)		
Minimal participant	5	0.4
Less than minor role but not minimal	3	0.3
Minor participant	17	1.5
No mitigating role	1,119	97.8
TOTAL	1,144	100.0
Abuse of Position of Trust or Use of Special Skill (§3B1.3)		
Defendant abused position of trust or used special skill	7	0.6
Defendant did not abuse position of trust or use special skill	1,137	99.4
TOTAL	1,144	100.0

OBSTRUCTION	Number	Percent
Obstruction of Justice (§3C1.1)		
Defendant obstructed justice	60	5.3
Defendant did not obstruct justice	1,084	94.7
TOTAL	1,144	100.0
Reckless Endangerment During Flight (§3C1.2)		
Offense involved reckless endangerment during flight	6	0.6
Offense did not involve reckless endangerment during flight	969	99.4
Offense committed before adjustment added to Guidelines	169	--
TOTAL	1,144	100.0

ACCEPTANCE OF RESPONSIBILITY	Number	Percent
Acceptance of Responsibility (§3E1.1)		
Defendant accepted responsibility	928	81.1
Defendant did not accept responsibility	216	18.9
TOTAL	1,144	100.0

Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Of the 26,820 cases with such information, 1,144 cases involved the application of the robbery guideline (§2B3.1). Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 40

CHAPTER FOUR GUIDELINE APPLICATION INFORMATION*
(October 1, 1990 through September 30, 1991)

Guideline §2B3.1 — Robbery

CRIMINAL HISTORY	Number	Percent
Any Criminal History Reported**		
Criminal history reported	1,040	91.0
No criminal history reported	103	9.0
Missing	1	--
TOTAL	1,144	100.0

CRIMINAL HISTORY (§4A1.1)		
Number of prior countable sentences of 13 months or greater	Number	Percent
0	577	50.6
1	193	16.9
2	166	14.5
3	113	9.9
4	49	4.3
5	28	2.5
6	4	0.4
7	9	0.8
8 or more	2	0.2
Missing	3	--
TOTAL	1,144	100.0

CRIMINAL HISTORY (§4A1.1)		
Number of prior countable sentences of 60 days or greater	Number	Percent
0	808	70.8
1	200	17.5
2	76	6.7
3	30	2.6
4	15	1.3
5	5	0.4
6	4	0.4
7	3	0.3
Missing	3	--
TOTAL	1,144	100.0

*Refers to any criminal conduct, as reported in the Presentence Report, regardless of applicability in calculating guideline criminal history score (including, but not limited to: prior adult or juvenile convictions, prior uncounseled misdemeanor convictions that did not result in incarceration, and prior unadjudicated criminal conduct).

CRIMINAL HISTORY (§4A1.1)		
Number of other prior countable sentences	Number	Percent
0	581	50.9
1	280	24.5
2	137	12.2
3	76	6.7
4	67	5.9
Missing	3	--
TOTAL	1,144	100.0

Commission of Offense While Under Criminal Justice Sentence (§4A1.1(d))	Number	Percent
Additional points given for commission of instant offense while under criminal justice sentence	496	43.4
No additional criminal history points given	646	56.6
Missing	2	--
TOTAL	1,144	100.0

Commission of Offense within Two Years of Prior Countable Conviction (§4A1.1(e))	Number	Percent
Points given for commission of instant offense within two years of prior countable convictions	382	33.5
No additional criminal history points given	760	66.5
Missing	2	--
TOTAL	1,144	100.0

Total Criminal History Points	Number	Percent
0	251	22.1
1	78	6.9
2	46	4.1
3	87	7.7
4	58	5.1
5	50	4.4
6	75	6.6
7	48	4.2
8	49	4.3
9	71	6.3
10	33	2.9
11	34	3.0
12	53	4.7
13	29	2.6
14	47	4.1
15	31	2.7
16	12	1.1
17	15	1.3
18	19	1.7
19	12	1.1
20	7	0.6
21	8	0.7
22	4	0.4
23	1	0.1
24	5	0.4
25	2	0.2
26 or more	10	0.9
Missing	9	--
TOTAL	1,144	100.0

Career Offender (§4B1.1)	Number	Percent
Defendant found to be career offender	196	17.1
Defendant not found to be career offender	948	82.9
TOTAL	1,144	100.0

Armed Career Criminal (§4B1.4)	Number	Percent
Defendant found to be armed career criminal	1	0.1
Defendant not found to be armed career criminal	974	99.9
Offense committed before adjustment added to Guidelines	169	--
TOTAL	1,144	100.0

*Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Of the 26,820 cases with such information, 1,144 cases involved the application of the robbery guideline (§2B3.1). Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 41

OFFENSE LEVEL BY CRIMINAL HISTORY CATEGORY
(October 1, 1990 through September 30, 1991)

Guideline §2B3.1 — Robbery

OFFENSE LEVEL	CRIMINAL HISTORY CATEGORY						TOTAL	
	I	II	III	IV	V	VI	Number	Percent
1	0	0	0	0	0	0	0	0.0
2	0	0	0	0	0	0	0	0.0
3	0	0	0	0	0	0	0	0.0
4	0	0	0	0	0	0	0	0.0
5	0	0	0	0	0	0	0	0.0
6	0	0	0	0	0	0	0	0.0
7	0	0	0	0	0	0	0	0.0
8	0	0	0	0	0	0	0	0.0
9	1	0	0	0	0	0	1	0.1
10	0	0	0	0	0	0	0	0.0
11	1	0	0	0	0	0	1	0.1
12	0	1	0	0	0	0	1	0.1
13	0	0	0	0	0	0	0	0.0
14	5	0	0	1	0	0	6	0.5
15	0	0	0	0	0	0	0	0.0
16	3	0	0	0	0	0	3	0.3
17	3	2	2	4	0	1	12	1.1
18	3	2	2	0	0	0	7	0.6
19	2	4	5	3	2	2	18	1.6
20	63	40	36	23	12	29	203	17.8
21	14	5	12	7	5	5	48	4.2
22	45	20	35	19	14	18	151	13.2
23	53	20	21	19	4	17	134	11.7
24	38	13	12	8	8	10	89	7.8
25	30	11	14	14	7	15	91	8.0
26	12	3	13	6	7	6	47	4.1
27	17	8	9	12	5	7	58	5.1
28	21	3	3	4	4	0	35	3.1
29	8	2	5	3	1	2	21	1.8
30	3	1	3	3	2	81	93	8.1
31	4	0	2	1	0	1	8	0.7
32	0	0	2	1	0	72	75	6.6
33	2	0	0	0	0	1	3	0.3
34	0	0	0	0	0	28	28	2.5
35	0	0	0	0	0	3	3	0.3
36	0	0	0	0	0	0	0	0.0
37	0	0	0	0	0	4	4	0.4
38	0	0	0	0	0	0	0	0.0
39	0	0	0	0	0	0	0	0.0
40	0	1	0	0	0	0	1	0.1
41	0	0	0	0	0	0	0	0.0
42	0	0	0	0	0	0	0	0.0
43	1	0	0	0	0	0	1	0.1
TOTAL	329	136	176	128	71	302	1,142	
Percent	28.8	11.9	15.5	11.2	6.2	26.4	100.0	

*Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Of the 26,820 cases with such information, 1,144 cases involved the application of the robbery guideline (§2B3.1). Two of the 1,144 cases were excluded due to missing information on criminal history or final offense level. Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 42

GUIDELINE SENTENCING RANGE
(October 1, 1990 through September 30, 1991)

Guideline §2B3.1 — Robbery

Final Guideline Range	Number	Percent
0-6	0	0.0
1-7	0	0.0
2-8	0	0.0
3-9	0	0.0
4-10	1	0.1
6-12	0	0.0
8-14	1	0.1
9-15	0	0.0
10-16	0	0.0
12-18	1	0.1
15-21	5	0.4
18-24	0	0.0
21-27	3	0.3
24-30	3	0.3
27-33	6	0.5
30-37	6	0.5
33-41	69	6.1
37-46	63	5.6
41-51	85	7.5
46-57	88	7.8
51-63	115	10.1
57-71	72	6.3
63-78	68	6.0
70-87	87	7.7
77-96	27	2.4
78-97	42	3.7
84-105	36	3.2
87-108	20	1.8
92-115	31	2.7
97-121	8	0.7
100-125	28	2.5
108-135	10	0.9
110-137	25	2.2
120-150	10	0.9
121-151	5	0.4
130-162	11	1.0
135-168	7	0.6
140-175	1	0.1
151-188	7	0.6
168-210	82	7.2
188-235	1	0.1
210-262	72	6.3
235-293	1	0.1
262-327	28	2.5
292-365	3	0.3
324-405	1	0.1
360-life	4	0.4
life	1	0.1
Missing	10	--
TOTAL	1,144	100.0

*Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Of the 26,820 cases with such information, 1,144 cases involved the application of the robbery guideline (§2B3.1). Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Guideline §2D1.1 - Drug Trafficking

As described in Table 43, 11,258 defendants were sentenced under the drug trafficking guideline in 1991. Base offense levels under §2D1.1 are determined by the quantity and type of drugs involved in the offense. The largest number of cases had guideline offense levels of 26 and 32.⁷⁸ An enhancement for possession of a firearm was applied in 9.6 percent of the cases. An additional 670 cases (6.0%), convicted under 18 U.S.C. § 924(c) and receiving a mandatory consecutive penalty of five years, received no guideline enhancement for possession of a firearm. Involvement of an aircraft in the offense was found in 0.3 percent of the cases.

Victim adjustments were almost non-existent in drug cases. However, 25 percent of the drug defendants received adjustments to reflect their aggravating or mitigating role in the offense. Five percent were found to obstruct justice and 75 percent accepted responsibility for their offense (see Table 44).

As reported in Table 45, 71.3 percent of the drug cases involved defendants with some criminal history. However, 51.8 percent had no convictions that received criminal history points under the guidelines. Only 16 percent received points for past sentences of 13 months or longer, while 3.1 percent qualified for career offender status.

Table 46 shows the distribution of drug cases by offense level and criminal history category, with the highest overall percentages centered around the offense levels that include the five- and ten-year mandatory minimums (levels 26 and 32) or

mandatory minimums less two levels for acceptance of responsibility (levels 24 and 30). A guideline range of 51-63 months, found in 9.4 percent of the cases, was the most common final guideline range for offenders convicted of drug trafficking (see Table 47).

78 These levels correspond to the five- and ten-year mandatory minimum penalties set by statute for certain drug offenses.

Table 43

CHAPTER TWO GUIDELINE APPLICATION INFORMATION*
(October 1, 1990 through September 30, 1991)

Guideline §2D1.1 — Drug Trafficking

BASE OFFENSE LEVEL**	Number	Percent
6 (Less than 250 gms of Marihuana)	133	1.2
8 (At least 250 gms of Marihuana)	45	0.4
10 (At least 1 kg of Marihuana)	67	0.6
12 (Less than 5 gms of Heroin, 25 gms of Cocaine, or 5 kgs of Marihuana)	620	5.5
14 (At least 5 gms of Heroin, 25 gms of Cocaine, or 5 kgs of Marihuana)	441	3.9
16 (At least 10 gms of Heroin, 50 gms of Cocaine, or 10 kgs of Marihuana)	602	5.4
18 (At least 20 gms of Heroin, 100 gms of Cocaine, or 20 kgs of Marihuana)	782	7.0
20 (At least 40 gms of Heroin, 200 gms of Cocaine, or 40 kgs of Marihuana)	562	5.0
22 (At least 60 gms of Heroin, 300 gms of Cocaine, or 60 kgs of Marihuana)	322	2.8
24 (At least 80 gms of Heroin, 400 gms of Cocaine, or 80 kgs of Marihuana)	413	3.7
26 (At least 100 gms of Heroin, 500 gms of Cocaine, or 100 kgs of Marihuana***)	2,339	20.8
28 (At least 400 gms of Heroin, 2 kgs of Cocaine, or 400 kgs of Marihuana)	1,064	9.4
30 (At least 700 gms of Heroin, 3.5 kgs of Cocaine, or 700 kgs of Marihuana)	437	3.9
32 (At least 1 kg of Heroin, 5 kgs of Cocaine, or 1,000 kgs of Marihuana****)	1,422	12.6
34 (At least 3 kgs of Heroin, 15 kgs of Cocaine, or 3,000 kgs of Marihuana)	876	7.8
36 (At least 10 kgs of Heroin, 50 kgs of Cocaine, or 10,000 kgs of Marihuana)	687	6.1
38 (At least 30 kgs of Heroin, 150 kgs of Cocaine, or 30,000 kgs of Marihuana)	221	2.0
40 (At least 100 kgs of Heroin, 500 kgs of Cocaine, or 100,000 kgs of Marihuana)	151	1.4
42 (At least 300 kgs of Heroin, 1,500 kgs of Cocaine, or 300,000 kgs of Marihuana)	68	0.6
43 (In accordance with 2D1.1 (a)(1)****)	1	0.0
Missing	5	--
TOTAL	11,258	100.0

** See USSC Guidelines Manual for equivalencies of other drug types.

*** Drug amounts including and above which may carry a five-year mandatory minimum prison term.

**** Drug amounts including and above which may carry a ten-year mandatory minimum prison term.

***** Convicted under 21 U.S.C. § 841 (b)(1)(A,B, or C) or § 960 (b)(1,2, or 3) and offense caused death or serious bodily injury from use of substance and defendant has prior conviction for similar offense.

SPECIFIC OFFENSE CHARACTERISTICS	Number	Percent
Firearm or Other Dangerous Weapon Possessed		
Firearm or dangerous weapon possessed	1,085	9.6
No weapon adjustment - convicted under 18 USC § 924(c)	670	6.0
No firearm or dangerous weapon possessed	9,503	84.4
TOTAL	11,258	100.0
Convicted Under 21 U.S.C. § 960(a) Involving Aircraft		
Offense involved importation aboard aircraft	32	0.3
Offense did not involve importation aboard aircraft	11,027	99.7
Offense committed before adjustment added to Guidelines	199	--
TOTAL	11,258	100.0

Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Of the 26,820 cases with such information, 11,258 cases involved the application of the drug guideline (§2D1.1). Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 44

CHAPTER THREE GUIDELINE APPLICATION INFORMATION*
(October 1, 1990 through September 30, 1991)

Guideline §2D1.1 — Drug Trafficking

VICTIM-RELATED	Number	Percent
Vulnerable Victim (§3A1.1)		
Vulnerable victim involved	4	0.1
No vulnerable victim involved	11,254	99.9
TOTAL	11,258	100.0
Official Victim (§3A1.2)		
Official victim involved	16	0.1
No official victim involved	11,242	99.9
TOTAL	11,258	100.0
Restraint of Victim (§3A1.3)		
Offense involved restraint of victim	1	0.1
Offense did not involve restraint of victim	11,257	99.9
TOTAL	11,258	100.0

ROLE IN THE OFFENSE	Number	Percent
Aggravating Role (§3B1.1)		
Organizer or leader	363	3.2
Lesser organizer, leader, manager or supervisor	275	2.4
Manager or supervisor	594	5.3
No aggravating role	10,026	89.1
TOTAL	11,258	100.0
Mitigating Role (§3B1.2)		
Minimal participant	478	4.2
Less than minor role but not minimal	78	0.7
Minor participant	1,032	9.2
No mitigating role	9,670	85.9
TOTAL	11,258	100.0
Abuse of Position of Trust or Use of Special Skill (§3B1.3)		
Defendant abused position of trust or used special skill	66	0.6
Defendant did not abuse position of trust or use special skill	11,192	99.4
TOTAL	11,258	100.0

OBSTRUCTION	Number	Percent
Obstruction of Justice (§3C1.1)		
Defendant obstructed justice	559	5.0
Defendant did not obstruct justice	10,699	95.0
TOTAL	11,258	100.0
Reckless Endangerment During Flight (§3C1.2)		
Offense involved reckless endangerment during flight	9	0.1
Offense did not involve reckless endangerment during flight	9,867	99.9
Offense occurred before adjustment added to Guidelines	1,382	--
TOTAL	11,258	100.0

ACCEPTANCE OF RESPONSIBILITY	Number	Percent
Acceptance of Responsibility (§3E1.1)		
Defendant accepted responsibility	8,443	75.0
Defendant did not accept responsibility	2,815	25.1
TOTAL	11,258	100.0

Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Of the 26,820 cases with such information, 11,258 cases involved the application of the drug guideline (§2D1.1). Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 45

CHAPTER FOUR GUIDELINE APPLICATION INFORMATION*
(October 1, 1990 through September 30, 1991)

Guideline §2D1.1 — Drug Trafficking

CRIMINAL HISTORY	Number	Percent
Any Criminal History Reported**		
Criminal history reported	8,026	71.3
No criminal history reported	3,228	28.7
Missing	4	--
TOTAL	11,258	100.0

CRIMINAL HISTORY (§4A1.1)		
Number of prior countable sentences of 13 months or greater	Number	Percent
0	9,430	84.0
1	1,107	9.9
2	401	3.6
3	185	1.6
4	65	0.6
5	26	0.2
6 or more	10	0.1
Missing	34	--
TOTAL	11,258	100.0

CRIMINAL HISTORY (§4A1.1)		
Number of prior countable sentences of 60 days or greater	Number	Percent
0	9,954	88.7
1	942	8.4
2	219	2.0
3	80	0.7
4	20	0.2
5 or more	9	0.1
Missing	34	--
TOTAL	11,258	100.0

**Refers to any criminal conduct, as reported in the Presentence Report, regardless of applicability in calculating guideline criminal history score (including, but not limited to: prior adult or juvenile convictions, prior uncounseled misdemeanor convictions that did not result in incarceration, and prior unadjudicated criminal conduct).

CRIMINAL HISTORY (§4A1.1)		
Number of other prior countable sentences	Number	Percent
0	7,080	63.1
1	2,482	22.1
2	977	8.7
3	373	3.3
4	306	2.7
5 or more	4	0.0
Missing	36	--
TOTAL	11,258	100.0

Commission of Offense While Under Criminal Justice Sentence (§4A1.1(d))	Number	Percent
Additional points given for commission of instant offense while under criminal justice sentence	2,044	18.2
No additional criminal history points given	9,181	81.8
Missing	33	--
TOTAL	11,258	100.0

Commission of Offense Within Two Years of Prior Countable Conviction (§4A1.1(e))	Number	Percent
Points given for commission of instant offense within two years of certain prior countable convictions	972	8.7
No additional criminal history points given	10,254	91.3
Missing	32	--
TOTAL	11,258	100.0

Total Criminal History Points	Number	Percent
0	5,814	51.8
1	1,342	12.0
2	567	5.1
3	925	8.3
4	545	4.9
5	402	3.6
6	437	3.9
7	228	2.0
8	203	1.8
9	203	1.8
10	113	1.0
11	86	0.8
12	91	0.8
13	61	0.5
14	56	0.5
15	39	0.4
16	17	0.2
17	25	0.2
18	15	0.1
19	17	0.2
20	7	0.1
21	10	0.1
22 or more	15	0.1
Missing	40	--
TOTAL	11,258	100.0

Career Offender (§4B1.1)	Number	Percent
Defendant found to be career offender	344	3.1
Defendant not found to be career offender	10,885	96.9
Missing	29	--
TOTAL	11,258	100.0

Armed Career Criminal (§4B1.4)	Number	Percent
Defendant found to be armed career criminal	1	0.0
Defendant not found to be armed career criminal	9,847	100.0
Offense committed before adjustment added to Guidelines	1,382	--
Missing	28	--
TOTAL	11,258	100.0

Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Of the 26,820 cases with such information, 11,258 cases involved the application of the drug guideline (§2D1.1). Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 46

OFFENSE LEVEL BY CRIMINAL HISTORY CATEGORY
(October 1, 1990 through September 30, 1991)

Guideline §2D1.1 — Drug Trafficking

OFFENSE LEVEL	CRIMINAL HISTORY CATEGORY						TOTAL	
	I	II	III	IV	V	VI	Number	Percent
1	0	0	0	0	0	0	0	0.0
2	4	0	0	0	0	0	4	0.0
3	3	0	0	1	0	0	4	0.0
4	63	10	8	5	3	1	90	0.8
5	6	0	0	0	0	0	6	0.1
6	44	9	5	2	0	3	63	0.6
7	5	0	1	0	0	1	7	0.1
8	59	10	9	4	1	2	85	0.8
9	7	0	2	0	1	0	10	0.1
10	282	61	51	26	13	11	444	4.0
11	13	2	2	3	1	0	21	0.2
12	307	67	56	29	16	8	483	4.3
13	11	2	5	2	0	0	20	0.2
14	345	64	79	23	10	14	535	4.8
15	11	1	4	3	0	11	30	0.3
16	458	103	80	24	8	15	688	6.2
17	17	2	2	3	0	4	29	0.3
18	344	66	63	30	8	11	522	4.6
19	8	2	3	2	1	0	16	0.1
20	328	61	52	22	4	6	473	4.2
21	12	3	1	0	0	0	16	0.1
22	407	66	53	29	7	9	571	5.1
23	10	5	3	3	0	0	21	0.2
24	954	204	175	72	12	17	1,435	12.8
25	11	1	3	1	0	1	17	0.2
26	775	154	140	60	25	16	1,170	10.5
27	16	3	5	1	0	1	26	0.2
28	427	91	91	29	12	11	661	5.9
29	24	2	3	1	0	0	30	0.3
30	582	142	111	41	14	87	977	8.7
31	17	9	1	0	0	0	27	0.2
32	560	122	96	52	16	108	955	8.5
33	28	7	7	1	2	4	49	0.4
34	391	88	65	22	6	36	608	5.4
35	32	7	6	1	3	40	88	0.8
36	221	42	43	16	8	9	339	3.0
37	28	7	10	1	2	56	103	0.9
38	142	23	31	10	5	14	225	2.0
39	26	2	4	0	0	1	33	0.3
40	69	18	25	13	6	4	135	1.2
41	21	1	7	2	0	1	32	0.3
42	49	13	11	6	2	3	84	0.8
43	35	11	7	4	3	1	60	0.5
TOTAL	7,151	1,481	1,320	544	189	506	11,191	
Percent	63.9	13.2	11.8	4.9	1.7	4.5	100.0	

Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Of the 26,820 cases with such information, 11,258 cases involved the application of the drug guideline (§2D1.1). 67 of the 11,258 cases were excluded due to missing information on criminal history or final offense level. Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 47

GUIDELINE SENTENCING RANGE
(October 1, 1990 through September 30, 1991)

Guideline §2D1.1 — Drug Trafficking

Final Guideline Range	Number	Percent
0-6	131	1.2
1-7	13	0.1
2-8	69	0.6
3-9	0	0.0
4-10	21	0.2
6-12	294	2.7
8-14	75	0.7
9-15	0	0.0
10-16	357	3.2
12-18	81	0.7
15-21	431	3.9
18-24	82	0.7
21-27	578	5.2
24-30	137	1.2
27-33	465	4.2
30-37	86	0.8
33-41	423	3.8
37-46	93	0.8
41-51	507	4.6
46-57	94	0.8
51-63	1,043	9.4
57-71	228	2.1
63-78	978	8.8
70-87	181	1.6
77-96	79	0.7
78-97	569	5.1
84-105	10	0.1
87-108	120	1.1
92-115	71	0.6
97-121	664	6.0
100-125	18	0.2
108-135	158	1.4
110-137	55	0.5
120-150	15	0.1
121-151	673	6.1
130-162	13	0.1
135-168	188	1.7
140-175	11	0.1
151-188	506	4.6
168-210	264	2.4
188-235	310	2.8
210-262	207	1.9
235-293	199	1.8
262-327	112	1.0
292-365	150	1.4
324-405	63	0.6
360-life	213	1.9
life	59	0.5
Missing	164	--
TOTAL	11,258	100.0

Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Of the 26,820 cases with such information, 11,258 cases involved the application of the drug guideline (§2D1.1). Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Guideline §2F1.1 - Fraud and Deceit

The fraud guideline provides a base offense level of 6 and adjustments to reflect the amount of dollar loss caused by the offense.⁷⁹ As Table 48 shows, most cases were sentenced under the 1989/90 version of the guideline; using this version, the most common loss category was \$2,000 or less. Based on offense characteristics specific to the fraud guideline (e.g., more than minimal planning, multiple victims, victimizing government or certain types of organizations, or violating a judicial order), an additional increase was given in 66 percent of the cases. Adjustments for reckless risk of injury, use of foreign bank accounts, and jeopardizing the soundness of financial institutions applied in only 0.3 percent of the cases.

Table 49 shows that Chapter Three adjustments for victim-related factors applied in 1.5 percent of the cases. Slightly more than six percent of the cases involved defendants who abused their position of trust in committing the fraud. Obstruction of justice was found in 5.7 percent of the cases, while a reduction for acceptance of responsibility was granted in 85.3 percent.

As shown in Table 50, 62.8 percent of the defendants reported past criminal conduct. Only 14.1 percent had one or more prior countable sentence of 13 months or longer, 12.1 percent had prior countable sentences of 60 days or longer, and 33.6 percent had other countable sentences. As a result, 69.3 percent of the fraud defendants were placed by the court in the lowest criminal

history category, and more than half had an offense level of nine or less (see Table 51). These two factors led to a concentration of 56.5 percent of fraud cases in sentencing ranges with a minimum of six months or less (see Table 52).

79 The loss tables in the fraud guideline were amended effective November 1, 1989.

Table 48

CHAPTER TWO GUIDELINE APPLICATION INFORMATION*
(October 1, 1990 through September 30, 1991)

Guideline §2F1.1 — Fraud and Deceit

BASE OFFENSE LEVEL	Number	Percent
6 (1988 - 1990 Guidelines)	3,444	100.0
TOTAL	3,444	100.0

SPECIFIC OFFENSE CHARACTERISTICS	Number	Percent
Amount of Loss (1988 Guidelines)		
\$2,000 or less	32	9.7
\$2,001 - \$5,000	32	9.7
\$5,001 - \$10,000	35	10.6
\$10,001 - \$20,000	47	14.2
\$20,001 - \$50,000	42	12.7
\$50,001 - \$100,000	27	8.2
\$100,001 - \$200,000	38	11.5
\$200,001 - \$500,000	33	10.0
\$500,001 - \$1,000,000	22	6.7
\$1,000,001 - \$2,000,000	8	2.4
\$2,000,001 - \$5,000,000	10	3.0
More than \$5,000,000	5	1.5
TOTAL	331	100.0

SPECIFIC OFFENSE CHARACTERISTICS (continued)	Number	Percent
Amount of Loss (1989 & 1990 Guidelines)		
\$2,000 or less	832	26.7
More than \$2,000	320	10.3
More than \$5,000	359	11.5
More than \$10,000	340	10.9
More than \$20,000	375	12.1
More than \$40,000	243	7.8
More than \$70,000	188	6.0
More than \$120,000	153	4.9
More than \$200,000	96	3.1
More than \$350,000	43	1.4
More than \$500,000	54	1.7
More than \$800,000	54	1.7
More than \$1,500,000	15	0.5
More than \$2,500,000	19	0.6
More than \$5,000,000	10	0.3
More than \$10,000,000	8	0.3
More than \$20,000,000	2	0.1
More than \$40,000,000	0	0.0
More than \$80,000,000	2	0.1
TOTAL	3,113	100.0

SPECIFIC OFFENSE CHARACTERISTICS (continued)	Number	Percent
Nature of Offense		
Offense involved:	2,277	66.0
-more than minimal planning		
-multiple victims		
-charitable, educational, religious, political, or governmental organization		
-violation of judicial or administrative order, injunction, decree, or process		
Offense did not involve one of the above activities	1,167	34.0
TOTAL	3,444	100.0
Conscious or Reckless Risk of Serious Bodily Injury (89 & 90 only)		
Conduct did involve conscious or reckless risk of injury	3	0.1
Conduct did not involve conscious or reckless risk of bodily injury	3,110	99.9
Offense committed before adjustment added to Guidelines	331	--
TOTAL	3,444	100.0
Use of Foreign Bank Accounts (89 & 90 only)		
Foreign bank accounts used	2	0.1
No use of foreign bank accounts	3,111	99.9
Offense committed before adjustment added to Guidelines	331	--
TOTAL	3,444	100.0
Jeopardize Soundness of Financial Institution (1990 only)		
Offense substantially jeopardized financial institution	3	0.1
Offense did not substantially jeopardize financial institution	2,694	99.9
Offense committed before adjustment added to Guidelines	747	--
TOTAL	3,444	100.0

Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Of the 26,820 cases with such information, 3,444 cases involved the application of the fraud guideline (§2F1.1). Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 49

CHAPTER THREE GUIDELINE APPLICATION INFORMATION*
(October 1, 1990 through September 30, 1991)

Guideline §2F1.1 — Fraud and Deceit

VICTIM-RELATED	Number	Percent
Vulnerable Victim (§3A1.1)		
Vulnerable victim involved	37	1.1
No vulnerable victim involved	3,407	98.9
TOTAL	3,444	100.0
Official Victim (§3A1.2)		
Official victim involved	6	0.2
No official victim involved	3,438	99.8
TOTAL	3,444	100.0
Restraint of Victim (§3A1.3)		
Offense involved restraint of victim	6	0.2
Offense did not involve restraint of victim	3,438	99.8
TOTAL	3,444	100.0

ROLE IN THE OFFENSE	Number	Percent
Aggravating Role (§3B1.1)		
Organizer or leader	102	3.0
Lesser organizer, leader, manager or supervisor	33	1.0
Manager or supervisor	139	4.0
No aggravating role	3,170	92.0
TOTAL	3,444	100.0
Mitigating Role (§3B1.2)		
Minimal participant	20	0.6
Less than minor role but not minimal	12	0.3
Minor participant	135	3.9
No mitigating role	3,277	95.2
TOTAL	3,444	100.0
Abuse of Position of Trust or Use of Special Skill (§3B1.3)		
Defendant abused position of trust or used special skill	215	6.2
Defendant did not abuse position of trust or use special skill	3,229	93.8
TOTAL	3,444	100.0

OBSTRUCTION	Number	Percent
Obstruction of Justice (§3C1.1)		
Defendant obstructed justice	198	5.7
Defendant did not obstruct justice	3,246	94.3
TOTAL	3,444	100.0
Reckless Endangerment During Flight (§3C1.2)		
Offense involved reckless endangerment during flight	2	0.0
Offense did not involve reckless endangerment during flight	2,695	100.0
Offense committed before adjustment added to Guidelines	747	--
TOTAL	0	--

ACCEPTANCE OF RESPONSIBILITY	Number	Percent
Acceptance of Responsibility (§3E1.1)		
Defendant accepted responsibility	2,937	85.3
Defendant did not accept responsibility	507	14.7
TOTAL	3,444	100.0

Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Of the 26,820 cases with such information, 3,444 cases involved the application of the fraud guideline (§2F1.1). Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 50

CHAPTER FOUR GUIDELINE APPLICATION INFORMATION*
(October 1, 1990 through September 30, 1991)

Guideline §2F1.1 — Fraud and Deceit

CRIMINAL HISTORY	Number	Percent
Any Criminal History Reported**		
Criminal History Reported	2,163	62.8
No Criminal History Reported	1,280	37.2
Missing	1	--
TOTAL	3,444	100.0

CRIMINAL HISTORY (§4A1.1)		
Number of prior countable sentences of 13 months or greater	Number	Percent
0	2,953	85.9
1	224	6.5
2	119	3.5
3	84	2.4
4	27	0.8
5	14	0.4
6	11	0.3
7	5	0.1
8 or more	2	0.1
Missing	5	--
TOTAL	3,444	100.0

CRIMINAL HISTORY (§4A1.1)		
Number of prior countable sentences of 60 days or greater	Number	Percent
0	3,024	87.9
1	265	7.7
2	93	2.7
3	30	0.9
4	16	0.5
5	7	0.2
6 or more	4	0.1
Missing	5	--
TOTAL	3,444	100.0

*Refers to any criminal conduct, as reported in the Presentence Report, regardless of applicability in calculating guideline criminal history score (including, but not limited to: prior adult or juvenile convictions, prior uncounseled misdemeanor convictions that did not result in incarceration, and prior unadjudicated criminal conduct).

CRIMINAL HISTORY (§4A1.1)		
Number of other prior countable sentences	Number	Percent
0	2,284	66.4
1	649	18.8
2	274	8.0
3	131	3.8
4	100	2.9
5 or more	1	0.0
Missing	5	--
TOTAL	3,444	100.0

Commission of Offense While Under Criminal Justice Sentence (§4A1.1(d))	Number	Percent
Additional points given for commission of instant offense while under criminal justice sentence	572	16.7
No additional criminal history points given	2,867	83.3
Missing	5	--
TOTAL	3,444	100.0

Commission of Offense within Two Years of Prior Countable Conviction (§4A1.1(e))	Number	Percent
Additional points given for commission of instant offense within two years of certain prior countable convictions	277	8.1
No additional criminal history points given	3,162	91.9
Missing	5	--
TOTAL	3,444	100.0

Total Criminal History Points	Number	Percent
0	2,010	58.5
1	369	10.8
2	112	3.3
3	227	6.6
4	121	3.5
5	75	2.2
6	99	2.9
7	60	1.8
8	57	1.7
9	40	1.2
10	42	1.2
11	22	0.6
12	39	1.1
13	26	0.8
14	38	1.1
15	13	0.4
16	13	0.4
17	14	0.4
18	15	0.4
19	4	0.1
20	7	0.2
21 or more	31	0.9
Missing	10	--
TOTAL	3,444	100.0

Career Offender (§4B1.1)***	Number	Percent
Defendant found to be career offender	5	0.1
Defendant not found to be career offender	3,435	99.9
Missing	4	--
TOTAL	3,444	100.0

Armed Career Criminal (§4B1.4)	Number	Percent
Defendant found to be armed career criminal	0	0.0
Defendant not found to be armed career criminal	2,694	100.0
Offense committed prior to adjustment to guidelines	747	--
Missing	3	--
TOTAL	3,444	100.0

* Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Of the 26,820 cases with such information, 3,444 cases involved the application of the fraud guideline (§2F1.1). Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

***The career offender provision was activated by other counts of conviction in these cases.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 51

OFFENSE LEVEL BY CRIMINAL HISTORY CATEGORY*
(October 1, 1990 through September 30, 1991)

Guideline §2F1.1 — Fraud and Deceit

OFFENSE LEVEL	CRIMINAL HISTORY CATEGORY						TOTAL	
	I	II	III	IV	V	VI	Number	Percent
1	2	0	1	0	0	0	3	0.1
2	12	1	3	0	0	0	16	0.5
3	6	0	0	0	0	0	6	0.2
4	294	46	52	27	13	25	457	13.3
5	89	19	12	2	6	6	134	3.9
6	267	40	32	17	10	21	387	11.3
7	161	17	22	11	10	10	231	6.7
8	216	42	31	18	19	17	343	10.0
9	223	33	16	13	7	8	300	8.7
10	249	28	24	11	7	13	332	9.7
11	146	29	22	17	6	15	235	6.9
12	142	15	18	10	5	10	200	5.8
13	132	13	14	13	5	11	188	5.5
14	95	10	16	6	4	10	141	4.1
15	63	6	2	1	2	3	77	2.2
16	61	13	8	1	3	4	90	2.6
17	42	2	5	2	3	4	58	1.7
18	21	8	4	0	0	1	34	1.0
19	42	0	1	0	0	0	43	1.3
20	24	3	2	0	0	0	29	0.8
21	21	0	4	1	1	1	28	0.8
22	27	1	3	0	0	0	31	0.9
23	7	2	2	0	0	0	11	0.3
24	11	4	0	2	1	1	19	0.6
25	4	3	1	0	0	0	8	0.2
26	1	2	0	0	0	1	4	0.1
27	0	1	0	0	1	0	2	0.1
28	6	0	0	0	0	0	6	0.2
29	2	0	0	1	0	0	3	0.1
30	3	0	1	0	0	0	4	0.1
31	0	0	0	0	0	0	0	0.0
32	1	0	1	0	0	1	3	0.1
33	1	0	0	0	0	0	1	0.0
34	1	0	0	0	0	1	2	0.1
35	0	0	0	0	0	0	0	0.0
36	0	0	0	0	0	0	0	0.0
37	0	0	0	0	0	0	0	0.0
38	1	0	0	0	0	0	1	0.0
39	1	0	0	0	0	0	1	0.0
40	0	0	0	0	0	0	0	0.0
41	0	0	0	0	0	0	0	0.0
42	1	0	0	0	0	0	1	0.0
43	0	0	0	0	0	0	0	0.0
TOTAL	2,375	338	297	153	103	163	3,429	
Percent	69.3	9.9	8.7	4.5	3.0	4.8	100.0	

*Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Of the 26,820 cases with such information, 3,444 cases involved the application of the fraud guideline (§2F1.1). Five of the 3,444 cases were excluded due to missing information on criminal history or final offense level. Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table 52

GUIDELINE SENTENCING RANGE
(October 1, 1990 through September 30, 1991)

Guideline §2F1.1 — Fraud and Deceit

Final Guideline Range	Number	Percent
0-6	737	21.9
1-7	212	6.3
2-8	290	8.6
3-9	0	0.0
4-10	302	9.0
6-12	358	10.7
8-14	201	6.0
9-15	16	0.5
10-16	211	6.3
12-18	211	6.3
15-21	164	4.9
18-24	127	3.8
21-27	108	3.2
24-30	89	2.7
27-33	57	1.7
30-37	71	2.1
33-41	44	1.3
37-46	39	1.2
41-51	34	1.0
46-57	19	0.6
51-63	20	0.6
57-71	11	0.3
63-78	4	0.1
70-87	4	0.1
77-96	3	0.1
78-97	7	0.2
84-105	0	0.0
87-108	2	0.1
92-115	1	0.0
97-121	3	0.1
100-125	1	0.0
108-135	0	0.0
110-137	0	0.0
120-150	2	0.1
121-151	3	0.1
130-162	0	0.0
135-168	1	0.0
140-175	0	0.0
151-188	2	0.1
168-210	0	0.0
188-235	0	0.0
210-262	1	0.0
235-293	1	0.0
262-327	2	0.1
292-365	0	0.0
324-405	0	0.0
360-life	1	0.0
life	0	0.0
Missing	85	--
TOTAL	3,444	100.0

Of the 33,419 guideline cases, the Commission received complete guideline application information for 26,820. Of the 26,820 cases with such information, 3,444 cases involved the application of the fraud guideline (§2F1.1). Additional descriptions of each guideline adjustment can be found in the USSC Guidelines Manual.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Departures and Sentences Within the Guideline Range

In promulgating the Sentencing Reform Act of 1984, Congress authorized departures from the applicable guideline range subject to review by appellate courts. The Reports on the Sentencing Hearing are used to assess guideline sentencing trends and to determine the rate at which defendants are sentenced within the guideline range as established by the court, and the rates and reasons for departures from that range. In this section, the Commission reports on the frequency of departures on the national, circuit, and district levels, and the reasons provided by the courts for such departures.

For the past three years the Commission has reported national estimates on departures and sentences within the guideline range using an in-depth study of 25 percent of all cases. (See United States Sentencing Commission Annual

Report 1988, 1989, 1990.) Because the submission rate for the Report on the Sentencing Hearing has risen to 92.4 percent in fiscal year 1991, the Commission is providing, for the first time, departure rates for all cases received.⁸⁰

Staff reviewed all case files to determine departure status and reasons for departure as indicated in the Report on the Sentencing Hearing. The case was determined to involve no departure if the sentence imposed was within the guideline range established by the court and set out in the Report on the Sentencing Hearing. If the sentence fell outside the guideline range established by the court, it was determined that a departure had occurred and the applicable reasons were noted.

If a Report on the Sentencing Hearing was not provided or if the information contained in it was insufficient to permit a departure determination, the sentence from the Judgment of Conviction

Departure Rate

80.6%	• Sentences Within Guideline Range
11.9%	• Sentences Below Guideline Range for Substantial Assistance on Motion of Government
5.8%	• Sentences Below Guideline Range
1.7%	• Sentences Above Guideline Range

80 A comparison of the 1991 figures for a 25 percent sample and total population showed differences of less than one percent in all national categories.

was compared to the guideline range recommended by the probation officer in the presentence report. No departure was assumed when the sentence fell within the range recommended by the probation officer.⁸¹

A departure could not be assumed if the sentence from the Judgment of Conviction did not correspond to the guideline range recommended by the probation officer. A court, through the fact-finding process, may determine a different guideline range to be correct and sentence within that range. Thus, a discrepancy between the sentence and the range indicated in the presentence report does not necessarily indicate a departure. In order to determine the presence or absence of a departure in cases that fell into this category, telephone calls were made to probation officers or the courts for cases included in the 25-percent random sample. If the case involved a departure, staff requested the reasons for that departure given by the court. Calls also were made in cases in which a comparison between the Judgment of Conviction and probation officer's recommendation could not be made due to the absence or inadequacy of the relevant documents.

Departure determination in cases in the 100-percent study in which Reports on the Sentencing Hearing were absent or inadequate were

coded as missing. In 1,099 of the 33,419 cases in fiscal year 1991, no departure determination could be made due to absent or inadequate information. In 535 of the 33,419 cases departure determinations were not applicable because the cases had no analogous guidelines. Departure status was assessed in the remaining 31,785 of the 33,419 cases sentenced in fiscal year 1991.

Results

Sentences were within the guideline range established by the court in 80.6 percent (25,608) of the 31,785 cases for which a departure determination could be made.⁸² In 11.9 percent of the cases (3,786), courts departed downward based on a motion by the government for a reduced sentence due to the defendant's substantial assistance to authorities. In another 5.8 percent of the cases (1,839), the court departed downward for other reasons. In 1.7 percent of the cases (552), the court departed upward, sentencing above the applicable guideline range.

The 1991 data show that the rate of departures for substantial assistance, varying markedly by judicial district, has increased more than four percent since 1990.

To understand the departure rate, it is important to note the effect of two particular statutes on

81 This assumption was tested in a previous USSC departure study analyzing a sample of cases sentenced between November 1, 1987, and March 31, 1989. A random 25-percent sample of cases for which no Report on the Sentencing Hearing was available, but for which the sentence fell within the range recommended by the probation officer, was further investigated by placing telephone calls to the field. Of the 196 cases for which calls were made, none involved a departure from the guideline range. As a result, all such cases were considered within-range sentences for the purposes of that study as well as for the present report.

82 The departure analysis employed here considers the probation, imprisonment, and confinement alternatives in relation to the guideline range established in Part A of Chapter Five. This analysis does not involve an assessment of the fine range established in Part E of Chapter Five. In addition, no assessment is made regarding terms of supervised release as established by Part D of Chapter Five.

guideline sentencing patterns. Congress, in 18 U.S.C. § 3553(e), authorized the court to impose a sentence below that required by a mandatory minimum statute "to reflect a defendant's substantial assistance in the investigation or prosecution of another person who has committed an offense." In addition, the Commission was instructed in 28 U.S.C. § 994(n) to "assure that the guidelines reflect the general appropriateness of imposing a lower sentence than would otherwise be imposed" for substantial assistance to authorities. Consequently, the Commission specifically addressed such sentence reductions in §5K1.1 of the guidelines.

Tables 53 and 54 provide reasons given by the courts for upward and downward departures. The most frequently cited reasons for departing upward included adequacy of criminal history (57.2%), drug amount (9.1%), high speed chase (8.4%), weapons and dangerous instrumentalities (6.0%), and pursuant to a plea agreement (5.6%).

Substantial assistance upon motion of the government was a reason cited in 68.7 percent of the downward departures. Other reasons for downward departures included: pursuant to a plea agreement (9.5%), adequacy of criminal history (3.1%), a general mitigating circumstance (3.1%), physical condition of the defendant (2.4%), and family ties and responsibilities (2.0%).

Table 53

REASONS GIVEN BY SENTENCING COURTS FOR UPWARD DEPARTURES*

<u>REASON</u>	<u>Number</u>	<u>Percent</u>
Adequacy of criminal history	309	57.2
Drug amount	49	9.1
High speed chase	45	8.4
Weapons and dangerous instrumentalities	32	6.0
Pursuant to a plea agreement	30	5.6
Dangerous or inhumane treatment	25	4.7
Large number of aliens	23	4.3
General aggravating circumstance	21	3.9
Guidelines do not reflect the seriousness of the offense	19	3.5
Several persons injured	19	3.5
Criminal purpose	16	3.0
Bodily injury	15	2.8
Public welfare	14	2.6
Death	13	2.4
Extreme conduct	11	2.0
Psychological injury	10	1.9
Nature/Seriousness of the Offense	8	1.5
Charge/Plea does not reflect the seriousness of the offense	8	1.5
Ongoing nature of the activity	7	1.3
Punishment	6	1.1
Minors involved	6	1.1
Disruption of governmental function	6	1.1
No reason given	6	1.1
Monetary value does not reflect extent of harm	5	0.9
Role in the offense	5	0.9
Property damage or loss	4	0.7
Multiple count rules (offense conduct reflects more than a 5 unit increase)	4	0.7
Defendant's negative background/Bad character	4	0.7
Further obstruction of justice	4	0.7
Mental/Emotional Conditions	4	0.7
Deterrence	4	0.7
Defendant's propensity for violence	4	0.7
Deportation	4	0.7
Other	73	13.6

*Based on 538 upward departure cases for which Reports on the Sentencing Hearing were available. Information on reasons was unavailable in 14 cases involving upward departures. Courts often provided more than one reason for departure; consequently, the percentage across all reasons for departure adds up to more than 100%. The "Other" category includes all reasons given between one and three times among relevant cases.

SOURCE: U.S. Sentencing Commission, 1991 MONFY91 Data File.

Table 54

REASONS GIVEN BY SENTENCING COURTS FOR DOWNWARD DEPARTURES*

<u>REASON</u>	<u>Number</u>	<u>Percent</u>
Substantial assistance	3,786	68.7
Pursuant to a plea agreement	526	9.5
Adequacy of criminal history	171	3.1
General mitigating circumstance	168	3.1
Physical condition	130	2.4
Family ties and responsibilities	110	2.0
Diminished capacity	87	1.6
To put defendant's sentence in line with co-defendants'	83	1.5
Mule/Role in the offense	81	1.5
Mental and emotional conditions	79	1.4
Age	76	1.4
Adequate to meet the purposes of sentencing	50	0.9
No reason given	44	0.8
No prior record/First offender	44	0.8
Coercion and duress	43	0.8
Cooperation motion unknown	39	0.7
Drug amount/purity	37	0.7
Cooperation without motion	31	0.6
Further demonstration of acceptance of responsibility	31	0.6
Rehabilitation	30	0.5
Dollar amount	26	0.5
Deterrence	26	0.5
Victim's conduct	23	0.4
Previous employment record	19	0.3
Restitution	19	0.3
Guidelines too high	18	0.3
First felony conviction - limited/minor prior record	16	0.3
Sufficient to meet the goals of punishment	16	0.3
Currently receiving punishment under state or federal jurisdiction	17	0.2
Drug dependence and alcohol abuse	13	0.2
Community ties	12	0.2
Lesser harm	11	0.2
Defendant's positive background/Good character	10	0.2
Military record	7	0.1
Deportation	7	0.1
Offense did not involve profit, physical force, or coercion	5	0.1
Incapacitation	5	0.1
Lack of available facilities/Overcrowding	5	0.1
Convictions on related counts	4	0.1
Other	221	4.0

*Based on 5,509 downward departure cases for which Reports on the Sentencing Hearing were available. Information on reasons was unavailable in 116 cases involving downward departures. Courts often provided more than one reason for departure; consequently, the percentage across all reasons for departure adds up to more than 100%. The "Other" category includes all reasons given between one and three times among relevant cases.

SOURCE: U.S. Sentencing Commission, 1991 MONFY91 Data File.

*Departures and Within Guideline
Sentences by Primary Offense*

Departure rates varied substantially by offense category. Offenses involving drug trafficking, racketeering and extortion, bribery, and money laundering had a higher rate of departure due to substantial assistance compared to other offenses. Simple drug possession, larceny, immigration, embezzlement, environmental/wildlife violations, and antitrust violations had relatively lower rates of departure. Table 55 provides departure rates by primary offense categories.

*Departures and Within Guideline Range
Sentences by Circuit and District*

The departure rate varied significantly for the twelve judicial circuits. The District of Columbia reflected the lowest departure rate at 11.7 percent, while the Third Circuit showed the highest departure rate at 30.7 percent. However, the Third Circuit's departure rate was influenced heavily by the Eastern District of Pennsylvania, which had the highest departure rate of any of the 94 judicial districts at 46.0 percent. It is noteworthy that 41.0 percent of Eastern Pennsylvania's 46.0 percent departure rate comes from downward departures based on a government motion that the defendant has substantially assisted in the investigation or prosecution of another criminally responsible individual. The Western District of North Carolina and Arizona also had departure rates above 40 percent. Conversely, Maine, Rhode Island, Virgin Islands, Eastern District of Virginia, Western District of Kentucky, and New Mexico had departure rates below seven percent. Table 56 indicates the within-guideline range sentence and departure rates by circuit and district.

Table 55

GUIDELINE DEPARTURE RATE BY PRIMARY OFFENSE CATEGORY*
(October 1, 1990 through September 30, 1991)

PRIMARY OFFENSE	TOTAL	TYPE OF DEPARTURE							
		Sentenced Within Guideline Range		Departure for Substantial Assistance		Other Downward Departure		Upward Departure	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	31,708	25,545	80.6	3,779	11.9	1,833	5.8	551	1.7
Murder	26	20	76.9	0	0.0	3	11.5	3	11.5
Manslaughter	59	51	86.4	0	0.0	6	10.2	2	3.4
Kidnapping/Hostage-Taking	46	35	76.1	3	6.5	7	15.2	1	2.2
Sexual Abuse	136	119	87.5	2	1.5	7	5.2	8	5.9
Assault	281	229	81.5	1	0.4	39	13.9	12	4.3
Robbery	1,288	1,074	83.4	82	6.4	100	7.8	32	2.5
Arson	71	60	84.5	6	8.5	3	4.2	2	2.8
Drugs - Trafficking	13,106	9,444	72.1	2,758	21.0	841	6.4	63	0.5
Drugs - Communication Facility	319	246	77.1	35	11.0	20	6.3	18	5.6
Drugs - Simple Possession	881	810	91.9	8	0.9	6	0.7	57	6.5
Firearms Offenses	2,282	1,966	86.2	108	4.7	100	4.4	108	4.7
Burglary/B&E	96	77	80.2	9	9.4	6	6.3	4	4.2
Auto Theft	158	135	85.4	15	9.5	5	3.2	3	1.9
Larceny	2,372	2,153	90.8	120	5.1	69	2.9	30	1.3
Fraud	3,391	2,965	87.4	182	5.4	181	5.3	63	1.9
Embezzlement	1,097	992	90.4	22	2.0	83	7.6	0	0.0
Forgery/Counterfeiting	798	684	85.7	72	9.0	31	3.9	11	1.4
Bribery	172	130	75.6	33	19.2	8	4.7	1	0.6
Tax Offenses	315	274	87.0	17	5.4	21	6.7	3	1.0
Money Laundering	474	336	70.9	88	18.6	47	9.9	3	0.6
Racketeering/Extortion	257	172	66.9	52	20.2	31	12.1	2	0.8
Gambling/Lottery	192	135	70.3	32	16.7	24	12.5	1	0.5
Civil Rights	115	90	78.3	15	13.0	9	7.8	1	0.9
Immigration	2,131	1,949	91.5	23	1.1	60	2.8	99	4.7
Pornography/Prostitution	157	113	72.0	6	3.8	33	21.0	5	3.2
Prison Offenses	254	228	89.8	4	1.6	20	7.9	2	0.8
Administration of Justice Offenses	531	437	82.3	51	9.6	36	6.8	7	1.3
Environmental/Wildlife Violations	144	130	90.3	6	4.2	6	4.2	2	1.4
National Defense Violations	27	18	66.7	5	18.5	3	11.1	1	3.7
Anti-Trust	17	17	100.0	0	0.0	0	0.0	0	0.0
Food & Drug	55	49	89.1	3	5.5	2	3.6	1	1.8
Other Miscellaneous Offense	460	407	88.5	21	4.6	26	5.7	6	1.3

*Of the 33,419 guideline cases 1,711 cases were excluded due to one or both of the following conditions: missing or not applicable departure information (1,634) or missing primary offense category (89). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, MONFY91 Data File.

Table 56

GUIDELINE DEPARTURE RATE BY CIRCUIT AND DISTRICT*
(October 1, 1990 through September 30, 1991)

CIRCUIT District	TOTAL	TYPE OF DEPARTURE							
		Sentenced Within Guideline Range		Departure for Substantial Assistance		Other Downward Departure		Upward Departure	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	31,785	25,608	80.6	3,786	11.9	1,839	5.8	552	1.7
D.C. CIRCUIT District of Columbia	511	451	88.3	38	7.4	18	3.5	4	0.8
FIRST CIRCUIT	899	747	83.1	83	9.2	46	5.1	23	2.6
Maine	133	125	94.0	3	2.3	1	0.8	4	3.0
Massachusetts	346	261	75.4	55	15.9	25	7.2	5	1.5
New Hampshire	73	51	69.9	9	12.3	13	17.8	0	0.0
Puerto Rico	243	212	87.2	16	6.6	6	2.5	9	3.7
Rhode Island	104	98	94.2	0	0.0	1	1.0	5	4.8
SECOND CIRCUIT	2,586	1,986	76.8	385	14.9	183	7.1	32	1.2
Connecticut	228	168	73.7	22	9.7	35	15.4	3	1.3
New York									
Eastern	978	746	76.3	164	16.8	61	6.2	7	0.7
Northern	288	242	84.0	34	11.8	9	3.1	3	1.0
Southern	749	570	76.1	121	16.2	45	6.0	13	1.7
Western	237	176	74.3	32	13.5	29	12.2	0	0.0
Vermont	106	84	79.3	12	11.3	4	3.8	6	5.7
THIRD CIRCUIT	1,597	1,106	69.3	394	24.7	72	4.5	25	1.6
Delaware	114	101	88.6	10	8.8	0	0.0	3	2.6
New Jersey	471	335	71.3	106	22.5	19	4.0	11	2.3
Pennsylvania									
Eastern	497	268	54.0	204	41.0	20	4.0	5	1.0
Middle	231	156	67.5	57	24.7	15	6.5	3	1.3
Western	209	175	83.7	14	6.7	18	8.6	2	1.0
Virgin Islands	75	71	94.7	3	4.0	0	0.0	1	1.3
FOURTH CIRCUIT	3,530	2,915	82.6	477	13.5	107	3.0	31	0.9
Maryland	377	304	80.6	54	14.3	16	4.2	3	0.8
North Carolina									
Eastern	310	239	77.1	55	17.7	10	3.2	6	2.0
Middle	310	249	80.3	49	15.8	9	2.9	3	1.0
Western	334	194	58.1	125	37.4	14	4.2	1	0.3
South Carolina	456	368	80.7	77	16.9	9	2.0	2	0.4
Virginia									
Eastern	913	863	94.5	28	3.1	12	1.3	10	1.1
Western	319	256	80.3	43	13.5	16	5.0	4	1.3
West Virginia									
Northern	144	119	82.6	20	13.9	3	2.1	2	1.4
Southern	367	323	88.0	26	7.1	18	4.9	0	0.0

CIRCUIT District	TOTAL	TYPE OF DEPARTURE							
		Sentenced Within Guideline Range		Departure for Substantial Assistance		Other Downward Departure		Upward Departure	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
FIFTH CIRCUIT	5,199	4,429	85.2	386	7.4	267	5.1	117	2.3
Louisiana									
Eastern	369	301	81.6	35	9.5	26	7.1	7	1.9
Middle	49	40	81.6	4	8.2	3	6.1	2	4.1
Western	183	157	85.8	17	9.3	7	3.8	2	1.1
Mississippi									
Northern	183	145	79.2	17	9.3	17	9.3	4	2.2
Southern	202	164	81.2	17	8.4	16	7.9	5	2.5
Texas									
Eastern	260	213	81.9	20	7.7	22	8.5	5	1.9
Northern	566	495	87.5	39	6.9	25	4.4	7	1.2
Southern	1,871	1,601	85.6	142	7.6	85	4.5	43	2.3
Western	1,516	1,313	86.6	95	6.3	66	4.4	42	2.8
SIXTH CIRCUIT	3,061	2,514	81.6	378	12.3	149	4.8	40	1.3
Kentucky									
Eastern	193	154	79.8	32	16.6	6	3.1	1	0.5
Western	305	286	93.8	7	2.3	10	3.3	2	0.7
Michigan									
Eastern	761	591	77.7	108	14.2	44	5.8	18	2.4
Western	117	107	91.5	3	2.6	6	5.1	1	0.9
Ohio									
Northern	410	337	82.2	38	9.3	29	7.1	6	1.5
Southern	431	332	77.0	83	19.3	13	3.0	3	0.7
Tennessee									
Eastern	370	295	79.7	61	16.5	10	2.7	4	1.1
Middle	166	150	90.4	10	6.0	3	1.8	3	1.8
Western	328	262	79.9	36	11.0	28	8.5	2	0.6
SEVENTH CIRCUIT	1,520	1,247	82.0	202	13.3	41	2.7	30	2.0
Illinois									
Central	198	157	79.3	28	14.1	5	2.5	8	4.0
Northern	537	447	83.2	81	15.1	6	1.1	3	0.6
Southern	135	100	74.1	24	17.8	9	6.7	2	1.5
Indiana									
Northern	126	109	85.2	12	9.4	7	5.5	0	0.0
Southern	150	120	80.0	21	14.0	2	1.3	7	4.7
Wisconsin									
Eastern	273	228	83.5	27	9.9	10	3.7	8	2.9
Western	99	86	86.9	9	9.1	2	2.0	2	2.0
EIGHTH CIRCUIT	1,911	1,536	80.4	262	13.7	96	5.0	17	0.9
Arkansas									
Eastern	217	174	80.2	32	14.8	11	5.1	0	0.0
Western	81	73	90.1	1	1.2	7	8.6	0	0.0
Iowa									
Northern	76	69	90.8	6	7.9	1	1.3	0	0.0
Southern	129	120	93.0	5	3.9	4	3.1	0	0.0
Minnesota	302	229	75.8	55	18.2	13	4.3	5	1.7
Missouri									
Eastern	229	197	86.0	16	7.0	13	5.7	3	1.3
Western	377	280	74.3	80	21.2	12	3.2	5	1.3
Nebraska	184	121	65.8	47	25.5	15	8.2	1	0.5
North Dakota	132	115	87.1	8	6.1	9	6.8	0	0.0
South Dakota	184	158	85.9	12	6.5	11	6.0	3	1.6

CIRCUIT District	TOTAL	TYPE OF DEPARTURE							
		Sentenced Within Guideline Range		Departure for Substantial Assistance		Other Downward Departure		Upward Departure	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
NINTH CIRCUIT	5,325	4,071	76.5	473	8.9	630	11.8	151	2.8
Alaska	72	68	91.7	3	4.2	3	4.2	0	0.0
Arizona	851	474	55.7	93	10.9	272	32.0	12	1.4
California									
Central	827	770	93.1	28	3.4	20	2.4	9	1.1
Eastern	425	368	86.6	22	5.2	31	7.3	4	0.9
Northern	313	249	79.6	26	8.3	30	9.6	8	2.6
Southern	1,140	756	66.3	129	11.3	163	14.3	92	8.1
Guam	0	0	--	0	--	0	--	0	--
Hawaii	211	144	68.3	52	24.6	9	4.3	6	2.9
Idaho	74	65	87.8	3	4.1	5	6.8	1	1.4
Montana	203	177	87.2	6	3.0	15	7.4	5	2.5
Nevada	235	202	86.0	15	6.4	16	6.8	2	0.9
Northern Mariana Islands	0	0	--	0	--	0	--	0	--
Oregon	408	354	86.8	31	7.6	23	5.6	0	0.0
Washington									
Eastern	240	205	85.4	16	6.7	13	5.4	6	2.5
Western	326	241	73.9	49	15.0	30	9.2	6	1.8
TENTH CIRCUIT	1,688	1,430	84.7	154	9.1	89	5.3	15	0.9
Colorado	292	195	66.8	69	23.6	25	8.6	3	1.0
Kansas	231	198	85.7	18	7.8	12	5.2	3	1.3
New Mexico	507	477	94.1	15	3.0	12	2.4	3	0.6
Oklahoma									
Eastern	62	60	96.8	0	0.0	2	3.2	0	0.0
Northern	111	87	78.4	11	9.9	10	9.0	3	2.7
Western	204	185	90.7	7	3.4	10	4.9	2	1.0
Utah	192	158	82.3	20	10.4	13	6.8	1	0.5
Wyoming	89	70	78.7	14	15.7	5	5.6	0	0.0
ELEVENTH CIRCUIT	3,938	3,176	80.7	554	14.1	141	3.6	67	1.7
Alabama									
Middle	150	131	87.3	14	9.3	5	3.3	0	0.0
Northern	218	198	90.8	15	6.9	3	1.4	2	0.9
Southern	296	222	75.0	53	17.9	15	5.0	6	2.0
Florida									
Middle	913	675	73.9	186	20.4	48	5.3	4	0.4
Northern	251	155	61.8	91	36.3	3	1.2	2	0.8
Southern	1,286	1,113	86.6	106	8.2	28	2.2	39	3.0
Georgia									
Middle	230	198	86.1	25	10.9	6	2.6	1	0.4
Northern	425	346	81.4	46	10.8	22	5.1	11	2.6
Southern	169	138	81.7	18	10.7	11	6.5	2	1.2

*Of the 33,419 guideline cases, 535 were not applicable (i.e., no analogous guidelines) and 1,099 were missing departure information. Districts for which the departure information is missing in five percent or more of the cases received included: Central California (26.4%), Southern New York (11.6%), Southern Texas (8.7%), Virgin Islands (7.4%), Middle Tennessee (7.3%), Southern California (6.0%), Eastern Wisconsin (5.8%), Eastern Missouri (5.7%), and Eastern North Carolina (5.7%). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, MONFY91 Data File.

B. EVALUATION

The Sentencing Reform Act of 1984 requires the Commission to:

[S]ubmit a report to the General Accounting Office, all appropriate Courts, the Department of Justice, and Congress detailing the operation of the sentencing guideline system and discussing any problems with the system or reforms needed. The report shall include an evaluation of the impact of the sentencing guidelines on prosecutorial discretion, plea bargaining, disparities in sentencing, and the use of incarceration, and shall be issued by affirmative vote of a majority of the voting members of the Commission.⁸³

In response to its statutory evaluation mandate, the Commission designed studies in four major areas: implementation of the guidelines, disparity in sentencing, use of incarceration, and prosecutorial discretion and plea bargaining. Because of delays in nationwide implementation of the guidelines until Supreme Court resolution of numerous constitutional challenges, the evaluation study focused primarily on the short and medium-range impacts of the Sentencing Reform Act.

Implementation

The Commission conducted a process evaluation to describe the implementation of sentencing guidelines in the federal courts. For this part of the evaluation, the Commission visited 11

randomly selected districts and a twelfth supplemental district during late 1990 and early 1991.

⁸⁴ During these site visits, staff members interviewed and surveyed district judges, U.S. attorneys, assistant U.S. attorneys, probation officers, federal and community defenders (including the chief defender), and private defense attorneys about a variety of issues concerning their work and the processing of cases under the guidelines system. These topics included: 1) guideline training; 2) guideline knowledge and application; 3) the roles of judges and court practitioners; 4) factors affecting the sentencing process; and 5) charging and plea negotiation practices.

Guideline sentencing is now the norm in federal courts, with more than three-fourths of the fiscal year 1991 defendants subject to the new law. Preliminary findings of the implementation study suggest that the process of guideline implementation is moving steadily forward. While the site interviews illustrate occasional difficulties and unevenness among jurisdictions, there are clear indications of increasing acceptance and successful implementation of the guidelines.

Congress directed the Commission to establish a system of guideline sentencing that would be honest, ensure reasonable uniformity in sentencing by narrowing wide disparity, and that would impose appropriately different sentences for criminal conduct of differing severity. The site interviews indicate that judges, prosecutors, and probation officers perceive that the Commission's guidelines have been generally successful in meeting these goals. It is important to note that among those interviewed, a sizable

⁸³ Pub. L. No. 98-473, § 236, 98 Stat. 1837, 2033 (1984).

⁸⁴ The twelfth district was selected because the random sample underrepresented large districts and districts with high departure rates.

majority of the judges (30 or 65%), federal prosecutors (39 or 83%), and probation officers (31 or 69%) reported that guideline sentences are "mostly appropriate" in response to the question of whether the guidelines generally fit into the respondents' sense of what is an appropriate sentence. In addition, large numbers of judges (25 or 50%), prosecutors (57 or 76%), and probation officers (39 or 59%) interviewed commented that they felt the guidelines have reduced sentencing disparity.

In contrast, federal defenders and private defense attorneys were generally negative in their assessments of the guidelines. Only about one-third of the private attorneys (11 or 31%) and none of the ten assistant federal defenders interviewed said that sentences under the guidelines are generally appropriate. Defense attorneys (public and private) also were less likely to say that the guidelines have decreased sentencing disparity.

The study asked all respondents in non-supervisory positions to assess the level of guidelines knowledge of judges and practitioners. Most respondents rated the guidelines knowledge of others from fair to excellent. Probation officers were rated highest by all groups, while private defense counsel were given the lowest ratings by judges, probation officers, and assistant U.S. attorneys.

The study found that assistant U.S. attorneys, defense attorneys, probation officers, and judges are all viewed as possessing some degree of influence over the sentencing process. Prosecutors generally are perceived to influence sentencing through charging, plea negotiations,

advocacy of guidelines calculations, sentencing recommendations, and motions for substantial assistance. Defense attorneys are seen to be most influential in the areas of plea negotiations and advocacy for reductions in guideline calculations. However, defense attorneys' self-assessments indicate that they feel most powerless at the sentencing stage. Probation officers are perceived to be most influential in conducting the presentence investigation, providing information to the court, determining the appropriate guideline range, and making sentencing recommendations. Judges exercise the most control in guideline application, fact-finding, dispute resolution, selecting a sentence within the range, departing, and acceptance of plea agreements.

Disparity in Sentencing

The Commission's initial study of sentencing disparity focuses on the question: "Does the range of sentences meted out for defendants with similar criminal records convicted of similar criminal conduct narrow as a result of guideline implementation?" To address this question, the Commission examined sentences imposed and time served for offenders convicted of bank robbery, embezzlement, heroin distribution, and cocaine distribution using the definition of disparity provided by Congress. That is, disparity exists when defendants with *similar criminal records* found guilty of *similar criminal conduct* receive *dissimilar* sentences.⁸⁵ For each of these offense categories, groups of offenders who re-

85 28 U.S.C. § 991(b)(1)(B).

ceived pre-guideline sentences in 1984 and 1985 were matched on offense and criminal history characteristics with groups of offenders who received guideline sentences during 1990 and 1991.⁸⁷

As an example of these analyses, the bank robbery data show that pre-guideline sentences imposed on offenders with little or no criminal history who committed the robbery without a weapon range from zero months (probation) to 120 months in prison. On the other hand, sentences imposed for similar offenders under the guidelines range from zero to 60 months in prison. Further examination of pre-guideline sentences shows that the middle 80 percent of offenders received sentences between four and 120 months. Examination of guideline sentences shows that the middle 80 percent of offenders received sentences between 21 and 42 months. The data indicate a decrease in the range of sentences imposed for the middle 80 percent of offenders from a spread of 116 months pre-guidelines to a spread of only 21 months under the guidelines.

The study also analyzes "estimated time to be served." The bank robbery data shows that among offenders with little or no criminal history who committed bank robberies without a weapon, the time to be served by pre-guideline offenders ranges from zero to 40 months. Guideline offenders' time to be served, on the other

hand, ranges from zero to 52.3 months, an apparent widening of the range under the guidelines. However, the middle 80 percent of pre-guideline offenders' time to be served ranges from four to 40 months. The middle 80 percent of guideline offenders' time ranges from 21 to 38 months. This represents a decrease in the range of time to be served for the middle 80 percent from a spread of 36 months pre-guidelines to a spread of 17 months under the guidelines, a substantial reduction in the middle 80-percent range of time to be served. See Figure H.

For robbery offenses in which a weapon was possessed or brandished, sentences imposed pre-guidelines range from zero to 216 months, while sentences imposed for guideline offenders range from 24 to 84 months. The middle 80 percent of pre-guideline offenders received sentences ranging from zero to 180 months. Sentences imposed for the middle 80 percent of guideline offenders range from 27 to 51 months. As before, this represents a substantial decrease in the spread of sentences for the middle 80 percent, from a spread of 180 months pre-guidelines to a spread of only 24 months under the guidelines.

A comparison of time to be served tells a similar story, with spreads decreasing considerably following guideline implementation. Time to be served for pre-guideline offenders ranges from zero to 72 months, while time to be served for

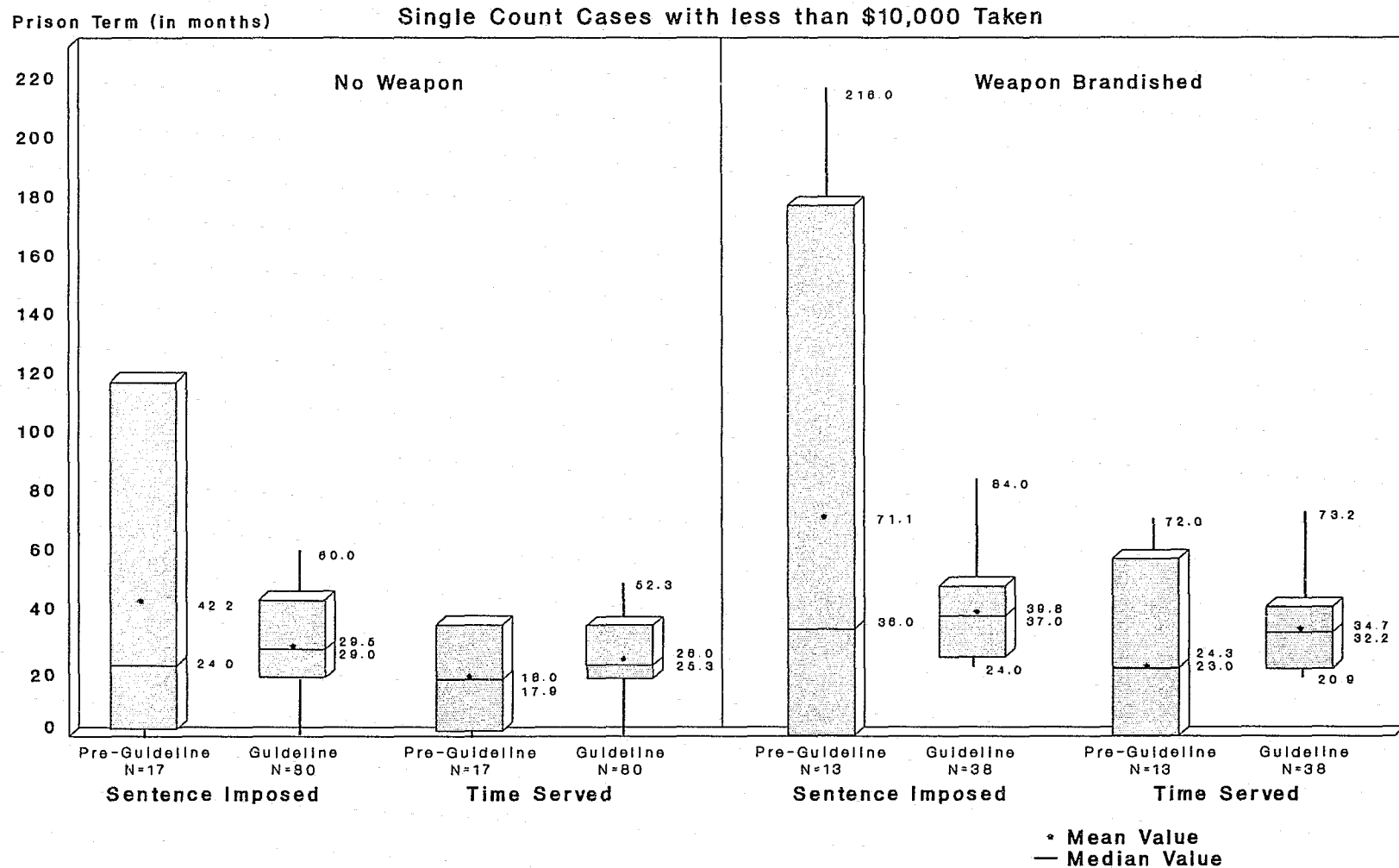
87 Data for these analyses were drawn from FPSSIS (Federal Probation Sentencing and Supervision Information System of the Administrative Office of the U.S. Courts), an augmented FPSSIS dataset constructed by the Commission representing offenders sentenced in 1985, the Commission's guidelines sentence monitoring system, and the Federal Bureau of Prisons. Each case represented a single sentencing event for a single defendant. Multiple defendants in a single sentencing event were treated as separate cases. Within each of these offense categories, the distributions of sentences imposed and expected time to be served in prison were compared for different levels of criminal history. Expected time to be served takes into account reductions in the imposed sentence for good conduct in prison and, for pre-guideline sentences, reductions that may be granted by the Parole Commission.

guideline offenders ranges from 20.9 to 73.2 months. The middle 80 percent of pre-guideline offenders' time to be served ranges from zero to 60 months. The middle 80 percent of time to be served for guideline offenders ranges from 23.5 to 44.2 months. Again, this represents a substantial decrease in the range for the middle 80 percent, from a spread of 60 months pre-guidelines to a spread of 21 months under the guidelines. See Figure H.

In summary, for offenders with little or no criminal history convicted of similar bank robberies, the data show that not only have the ranges of sentences imposed under the guidelines narrowed sharply following guideline implementation, but the ranges of time to be served have narrowed considerably as well.

The study found similar reductions in disparity under the guidelines for bank embezzlers and drug dealers.

Figure H
DISTRIBUTION OF PRISON TERM IMPOSED AND TIME SERVED
FOR PRE-GUIDELINE AND GUIDELINE BANK ROBBERY CASES
Offenders in Criminal History Category I



SOURCE: U.S Sentencing Commission

Use of Incarceration

The Commission's study of the use of incarceration focused on a number of questions, including: 1) To what extent has the proportion of defendants sentenced to prison and/or probation changed during the period 1984-1990?; 2) How has the length of imprisonment sentences changed during the period 1984-1990?; and 3) To what extent are changes in the rate of imprisonment sentences and the length of imprisonment attributable to the imposition of statutory changes, mandatory minimum sentencing statutes, sentencing guidelines, or other legislative and policy initiatives?

To answer such questions, monthly measures of the use of incarceration were constructed from data obtained through the Administrative Office of the U.S. Courts, the United States Parole Commission, and the Federal Bureau of Prisons. These over-time data were constructed for all offenses and for subsets of offenders convicted of drug, bank robbery, and economic offenses, and included the number of convicted offenders receiving prison sentences and the average time to be served by convicted offenders.

These monthly measures were analyzed for the impact of various policy and legislative changes that could be expected to affect prison use in the federal system. Specifically, the Anti-Drug Abuse Acts of 1986 and 1988, the implementation of the sentencing guidelines in late 1987, and the Supreme Court's *Mistretta* decision were examined for their possible effect on the use of incarceration.

In general terms, this study found a system that, between 1984 and 1990, experienced significant increases both in the use of incarcerative sentences and in the average length of prison sentences.

Due to considerable changes that occurred not only in legislation and sentencing policy but also in the volume, seriousness, and composition of the criminal behavior they seek to regulate, any causal influences are too confounded and close in proximity to be separately assessed and evaluated. The Commission anticipates conducting additional research to disentangle the causal relationships between the interventions and the systemic changes.

Figure I shows average time to be served for all offenses and separately for drug, bank robbery, and economic offenses. As can be seen in Figure I, the mean imprisonment time to be served across all offenses during this period nearly doubled, increasing from 24 months in July 1984 to 46 months in June 1990. This increase in the average terms of imprisonment points to the impact of three major interventions — the Anti-Drug Abuse Act of 1986, the initial implementation of the guidelines, and the *Mistretta* decision.

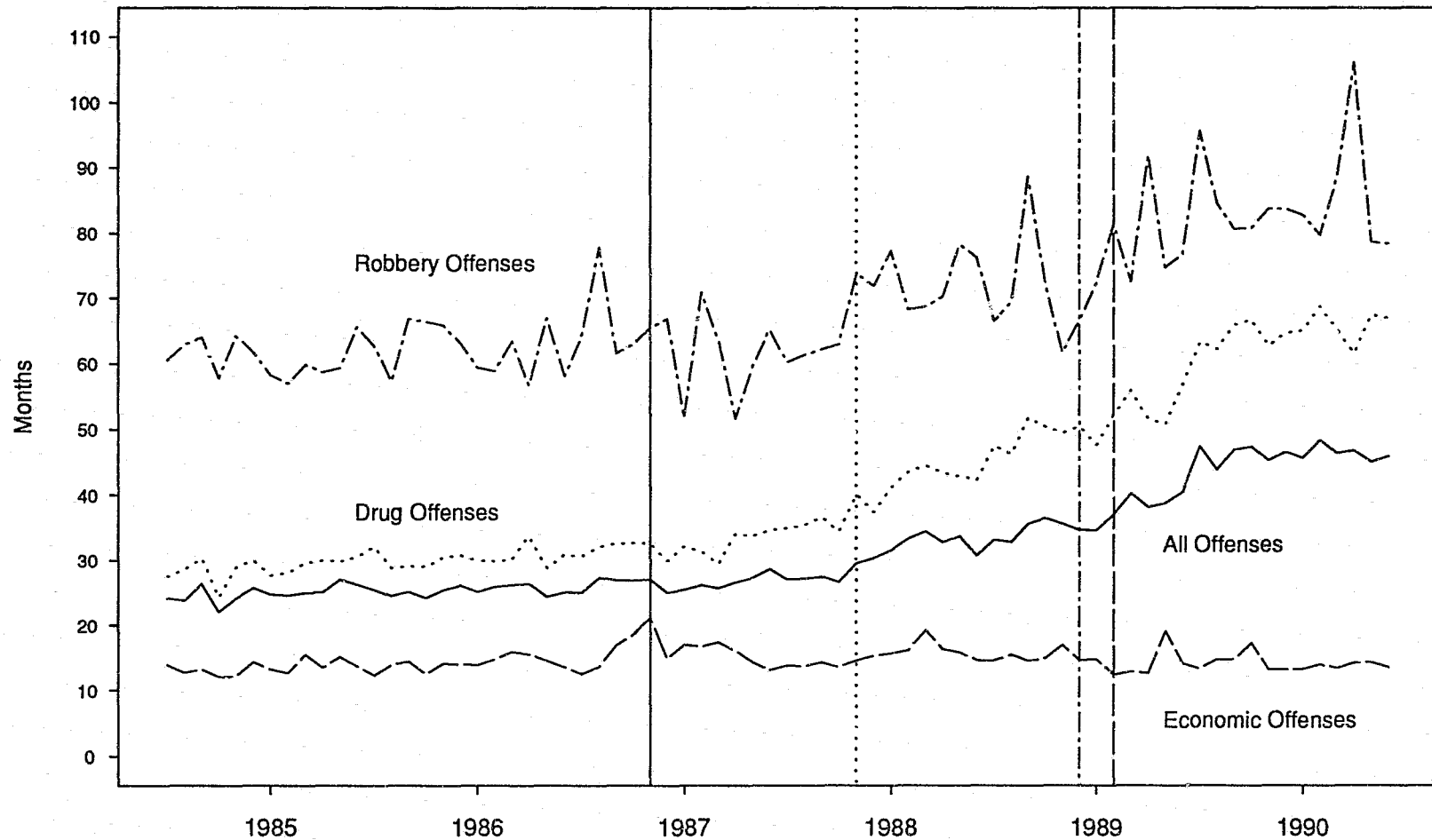
Mean time to be served for drug offenders increased from 27 months in July 1984 to 67 months in June 1990, an increase of 148 percent. Drug sentences increased significantly at each intervention point except the 1988 Drug Act. Figure I also shows that average prison terms for robbery offenders increased during the study period. Mean sentences for robbery offenses were 60 months in July 1984 and rose to 78 months in June 1990. Increases primarily occurred after initial guideline implementation and the *Mistretta* decision. However, most of this increase occurred among cases involving mandatory minimum firearms charges.

Finally, Figure I shows that average time served for economic offenses remained relatively stable. Because alternatives to imprisonment (commu-

nity confinement, intermittent confinement, and home detention) are frequently available within the guideline ranges for offenders convicted of economic crimes, sentences to these alternatives have been included as prison equivalents in the mean values in Figure I. While the average prison term for offenders convicted of economic crimes has decreased slightly, the proportion receiving some type of confinement has increased under guideline sentencing.

Figure I

Mean Prison Sentence by Type of Offense: July 1984 to June 1990



Source: Administrative Office of the U.S. Courts, Federal Bureau of Prisons, U.S. Parole Commission, U.S. Sentencing Commission

- Anti-Drug Abuse Act 1986
- ... Guideline Implementation
- - - Anti-Drug Abuse Act 1988
- . - Mistretta Decision

Prosecutorial Discretion and Plea Bargaining

Several obstacles inhibit the design of a straightforward quantitative study of the impact of sentencing guidelines on prosecutorial discretion and plea bargaining. Primarily, much of the plea negotiation process involves "behind the scenes" discussions between prosecutors and defense attorneys that generally are not memorialized. Evidentiary problems and defendant cooperation may affect the outcome of a plea negotiation (*i.e.*, the sentence), but often there is little record of how this outcome evolved. Without data on specific decision points in this plea process, quantitative analysis cannot be performed.

In recognition of these obstacles to quantitative analysis, the Commission focused a significant portion of the interviews with judges and court practitioners in the implementation study on plea bargaining and prosecutorial discretion. Through examples and open-ended questions, the Commission attempted to examine the plea negotiation processes at work within the federal court system.

In addition to the qualitative research, the Commission examined the issue of whether and how the guidelines might impact on the use of prosecutorial discretion. Two different methodologies were used in analyzing the available quantitative data. The first study employs an over-time analysis that deals most directly with the issue outlined by Congress (*i.e.*, the impact of the guidelines on prosecutorial behavior.) The second impact study describes a variety of plea negotiation strategies possible under the guide-

lines, and examines a 25-percent sample of all guidelines cases sentenced between July 1, 1990, and September 30, 1990, as a measure of the impact of negotiated pleas on guideline sentences.

Qualitative Research

The implementation study of charging and plea practices portrays a system in transition. Judges, prosecutors, and defense attorneys are experimenting with methods of operating within the structure of sentencing guidelines. The interview data suggest that judges and attorneys attempt to make charging and plea practices under the guidelines reflect similar practices under the pre-guidelines system. However, the study found that rather than relying exclusively on tools available under the guidelines system (*e.g.*, a motion for substantial assistance), judges and court practitioners sometimes rely on tactics that pre-date the guidelines. For example, both groups may limit available information so as to constrain sentencing exposure under the guidelines for cooperating offenders.

In terms of the interaction between sentencing guidelines and plea negotiations, two of the most important issues are the incentives to plead, and whether the plea agreement adequately reflects the seriousness of the actual offense behavior. Concerning the incentive to negotiate a plea, at least one-third of the prosecutors interviewed identified either a motion for a departure based upon substantial assistance, a recommendation for awarding acceptance of responsibility, or a recommendation for a sentence at the low end of the guideline range (or, less often, a specific sentence) as the most important incentives they can offer in negotiating a plea. For the most part,

defense attorneys agree with this assessment, although they place more emphasis on dismissing counts or being allowed to plead to a reduced charge and are less likely to see acceptance of responsibility as an incentive.

The issue of whether negotiated pleas reflect the total offense behavior is difficult to assess. The interview data provide respondents' perceptions as to estimates of the number or proportion of pleas that fail to reflect all readily provable offense conduct. The most that can be said is that some prosecutors in some situations will accept a plea to less than the total offense behavior. Evidentiary problems aside, about one-fourth of prosecutors interviewed indicate they sometimes will not charge all known criminal behavior if the offender is cooperating with authorities in the investigation of other offenders or if the resulting guideline range appears to over-sanction the offense conduct (e.g., offenders with a limited role in the offense).

Quantitative Research

The study of the guidelines' impact on prosecutorial outcomes addresses a variety of questions, including: 1) Has the incidence of various prosecutorial outcomes, such as the filing of charges and the acceptance of guilty pleas, changed over time?; and 2) Has the likelihood of these prosecutorial outcomes changed as a result of the guidelines or a series of other legislative and policy interventions?

Monthly measures of prosecutorial outcomes were constructed for the period 1984 to 1990 from data obtained through the Executive Office of the U.S. Attorneys.⁸⁸ Utilizing a multivariate time series method, the study analyzes the impact of the guidelines by providing an aggregate portrait of changes and trends in prosecutorial outcomes occurring before and after the implementation of the guidelines while controlling for other possible competing influences such as changes in legislation and policy.

The results indicate an overall upward trend in the number of investigative matters initiated, cases filed, and cases resolved. However, it appears that none of the legislative or policy changes studied from 1984 to 1990 created a significant change in prosecutorial case processing. Of particular interest in this context is the lack of effect of the guidelines on the proportion of guilty pleas among cases filed in the criminal justice system. Figure J shows that the ratio of guilty pleas to all cases resolved monthly between October 1986 and March 1990 has remained fairly constant.

The fact that a number of important interventions occurred in close temporal proximity to each other and to the gradual phasing in of guideline sentencing, however, suggests that more time

88 These monthly measures describe different stages of prosecution in the federal court system: 1) the number of matters (investigations) initiated each month; 2) the number of cases filed each month; 3) the number of cases resolved each month, either through negotiated pleas or through trials; 4) the number and proportion of cases resolved each month through negotiated pleas; and 5) the number and proportion of cases resolved each month through trials. These measures were analyzed for the impact of the same legislative and policy changes examined in the use of incarceration study.

may be needed to disentangle and assess the individual impact of these interventions, as well as their interaction with the guidelines in order to determine the isolated effects of each on prosecutorial practices.

The second quantitative study examined a number of plea negotiation strategies possible under the guidelines and the direct impact these strategies may have on sentencing.

The study reviewed and analyzed a 25-percent random sample of guideline cases convicted as a result of a guilty plea and sentenced between July 1, 1990 and September 30, 1990. A variety of plea agreement scenarios were identified, such as stipulations to guideline-relevant facts, dismissed counts, reduction to less serious counts, and motions for substantial assistance.

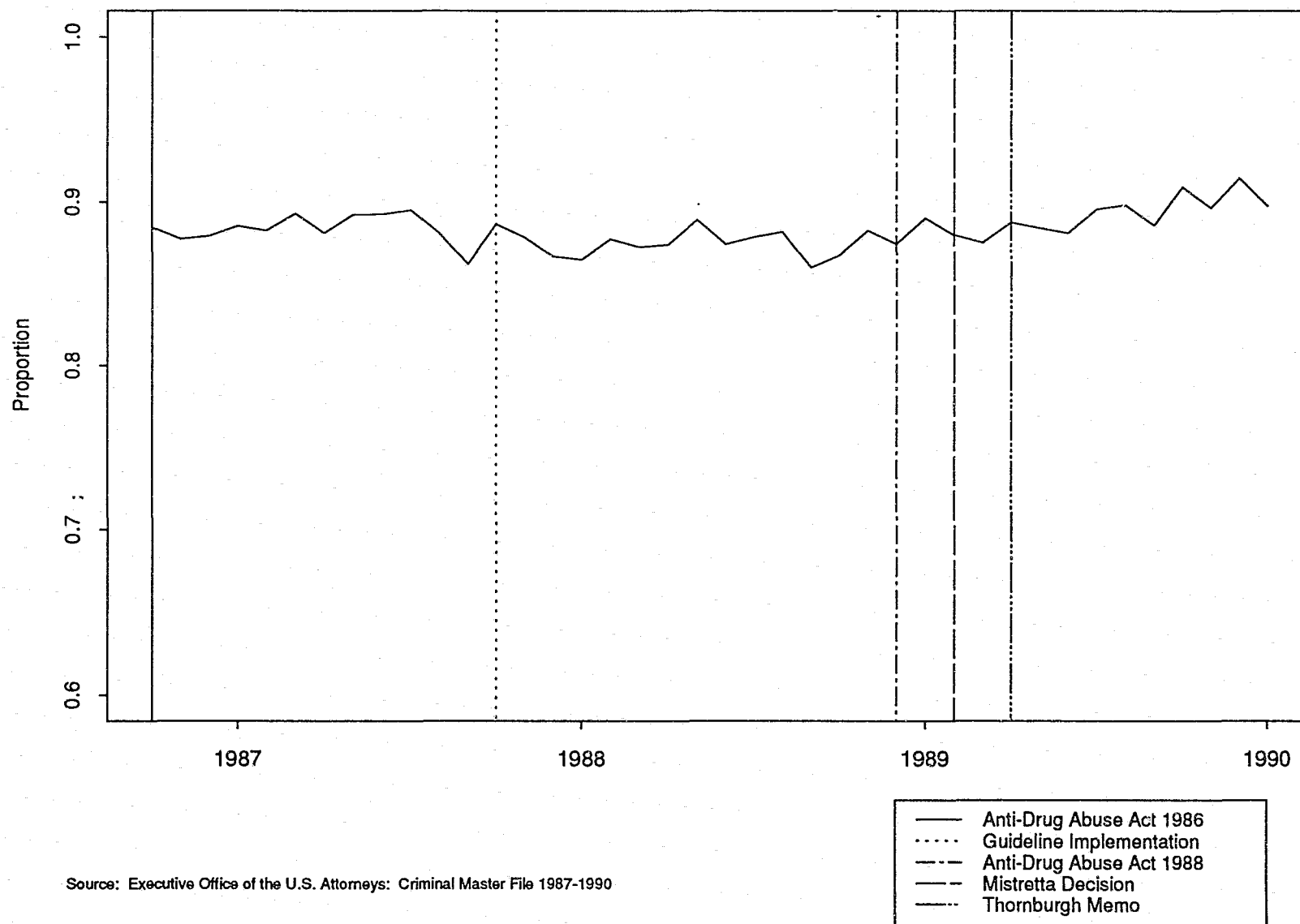
In 17 percent of the cases examined, the plea agreement appeared to have some impact on sentencing; in 10.5 percent of the cases, the plea resulted in a lower guideline range; in 14 percent of the cases, the plea led to a reduced sentence (i.e., below the minimum of the original guideline range); and in 7.8 percent of the cases, both the guideline range and sentence were impacted.

The impact of the plea agreement appeared to vary by type of offense, having the most noticeable effect in drug trafficking cases.

The evaluation report, to be titled, The Federal Sentencing Guidelines: A Report on the Operation of the Guidelines System and Short-Term Impacts on Disparity in Sentencing, Use of Incarceration, and Prosecutorial Discretion and Plea Bargaining, will be submitted to Congressman in December 1991.

Figure J

Proportion of Convictions by Guilty Plea: October 1986 to December 1989



C. RESEARCH STUDIES

Organizational Sanctions

In 1991, the Commission continued its empirical examination of organizations sentenced in federal courts. This research expands the scope of the Commission's original study of organizations sentenced during the period 1984-87 and augments its ongoing review of organizational sentencing practices.

In this most recent study, the Commission identified 446 organizations sentenced during the period January 1, 1989, through June 30, 1990. Using documents supplied by the U.S. probation offices, the Commission compiled a dataset of offender, offense, and sentencing characteristics for the organizational defendants. The dataset, "Organizations Sentenced in Federal Criminal Courts, 1989-90," is archived at the National Archive of Criminal Justice Data at the University of Michigan's Inter-University Consortium for Political and Social Research (ICPSR) and is available to member universities and research scholars. Also archived at the University of Michigan is the dataset compiled on organizations sentenced during 1988.

Data from both the 1988 and 1989-90 data collection efforts were used in the development of the sentencing guidelines for organizations that became effective on November 1, 1991. Detailed analyses of the data are provided in the Commission's Supplementary Report on Sentencing Guidelines for Organizations, published August 30, 1991.

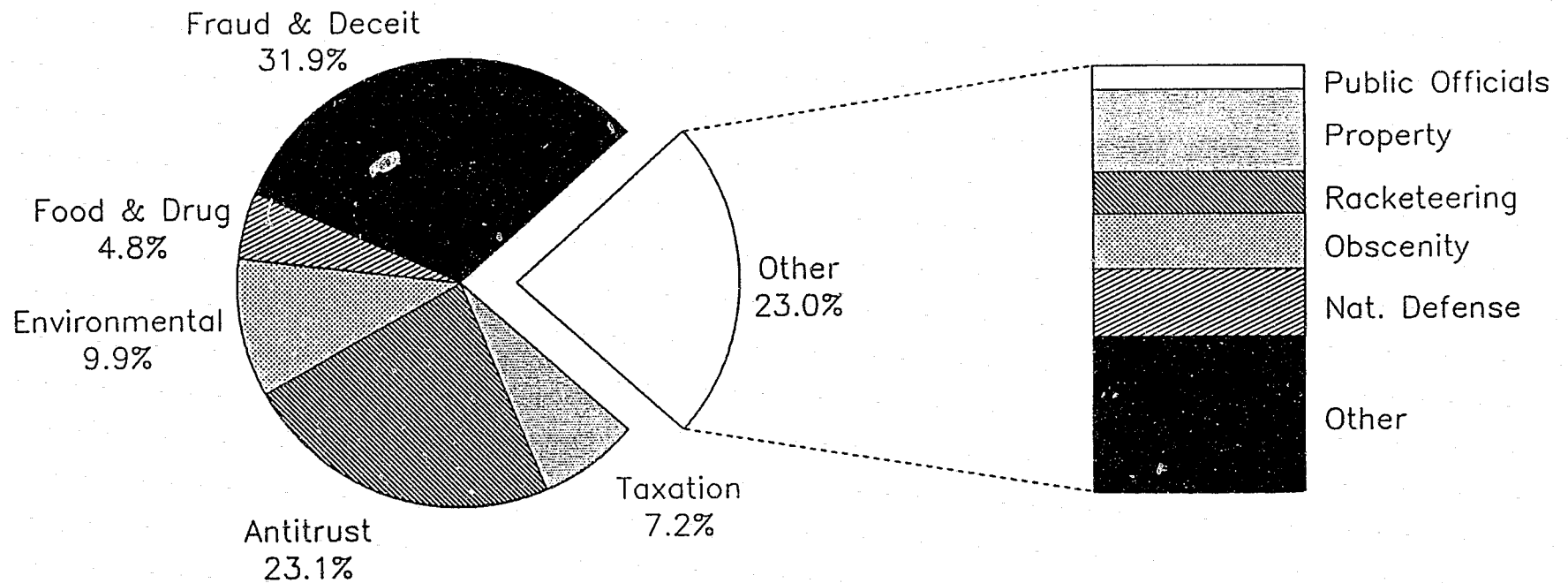
The Commission's research indicates that a large number of interrelated factors have influenced past organizational sentencing practices. For example, an organization's ability to pay a criminal

fine appears to be related to both its ownership structure and net worth. In addition, the research found that several factors were associated with the magnitude of the fines imposed. These factors include the organization's volume of commerce (for antitrust offenses), the guideline offense level and the pecuniary loss (for non-antitrust offenses), and the organization's ability to pay. The research demonstrated that courts tended to impose more severe sanctions in cases in which the organization's high-level executives were knowledgeable about or involved in the offense.

Figure K depicts the distribution of cases by offense type for all cases (N=774) sentenced during the period January 1, 1988, through June 30, 1990. As the figure indicates, the most common offense category was fraud and deceit (31.9%, n=247). Antitrust violations (23.1%, n=179) were the second most common offense (see also Table C-3). Figure L depicts the relationship between organization net worth and the median criminal fine imposed. The figure indicates that the magnitude of criminal fines is associated with organizations' increasing net worth (see also Table C-4). Finally, Figure M depicts the distribution of criminal fines imposed for organizations sentenced during this same period. Criminal fines imposed ranged from \$0 to \$7,600,000, with an average fine imposed of \$167,214 and a median of \$20,000 (see also Table C-5).

Figure K

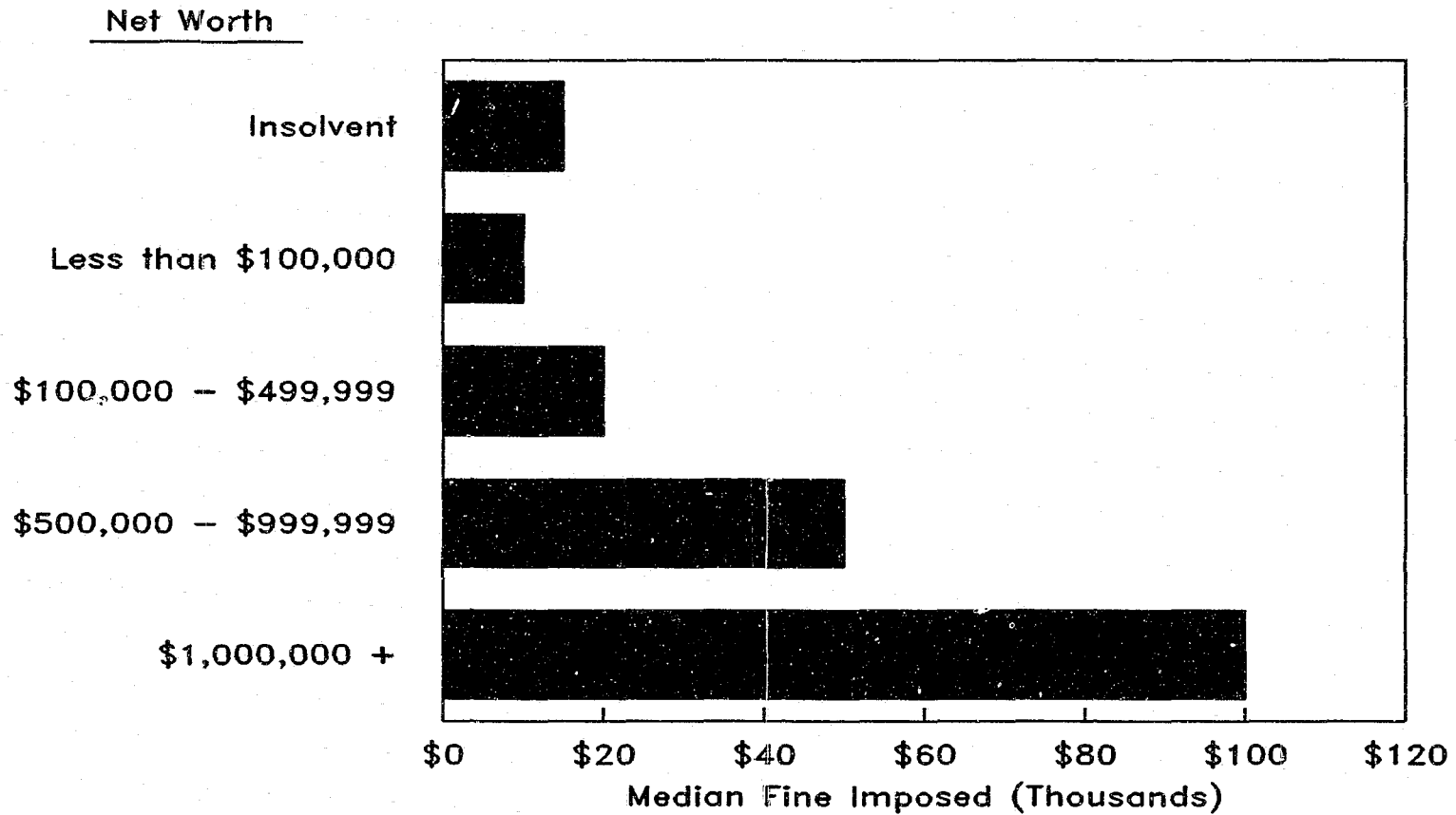
ORGANIZATIONS SENTENCED BY PRIMARY OFFENSE CATEGORY
(January 1, 1988 through June 30, 1990)



Sources: United States Sentencing Commission, Organizations Sentenced in Federal District Courts, 1988; Organizations Sentenced in Federal District Courts, 1989-90.

Figure L

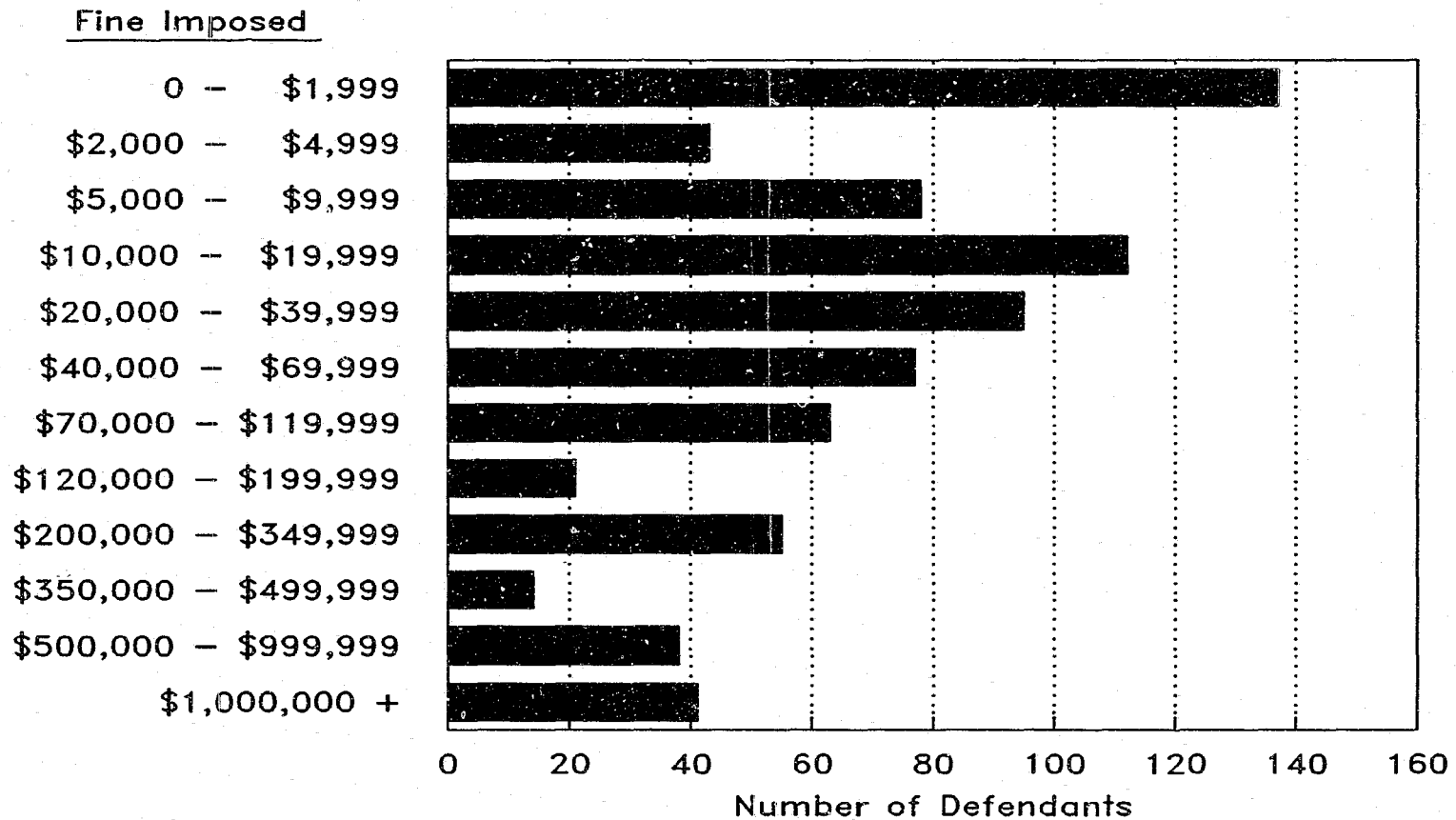
NET WORTH OF ORGANIZATION AND MEDIAN CRIMINAL FINE IMPOSED
(January 1, 1988 through June 30, 1990)



Sources: United States Sentencing Commission, Organizations Sentenced in Federal District Courts, 1988; Organizations Sentenced in Federal District Courts, 1989-90.

Figure M

DISTRIBUTION OF ORGANIZATIONAL FINE AMOUNTS
(January 1, 1988 through June 30, 1990)



Sources: United States Sentencing Commission, Organizations Sentenced in Federal District Courts, 1988; Organizations Sentenced in Federal District Courts, 1989-90.

Prison Impact Assessment

The Sentencing Reform Act of 1984 requires the Commission to "take into account the nature and capacity of the penal, correctional and other facilities and services available...." when drafting its guidelines.⁸⁹ The Commission's adherence to this requirement has been twofold. First, the Commission has worked closely with the Federal Bureau of Prisons to provide the most current data for the Bureau's prison population projection model (PRISM). Second, as part of the guideline amendment process, the Commission has produced estimates of the change in the size of the prison population resulting from proposed amendments.

During 1991, the Commission developed a new methodology for projecting the impact of guideline amendments on the federal prison population. The new methodology identifies the cases sentenced during the most recent fiscal year that would have been affected by each of the proposed amendments and then "resentences" each case using the proposed changes in the guidelines. The resentencing process employs an averaging procedure that allocates sentences that were previously within the guideline range to the mid-point of the newly calculated range. For those cases identified as departures, the hypothetical sentence is determined to be the same as the sentence imposed under the existing guidelines. Therefore, some departure cases ultimately become guideline sentences. Once the hypotheti-

cal resentencing operation is complete, the change in person months of prison attributable to a proposed amendment can be determined for each case identified. The final step in the analysis is to aggregate the change in person months for all cases.⁹⁰

This new methodology was employed in 1991 to estimate the potential change in the size of the prison population for amendments to the bank robbery, extortion, explosives and firearms guidelines.⁹¹ Using monitoring data for individuals sentenced in 1990, the analysis predicted that of the 28,131 sentences imposed, 1,774 would change as a result of implementation of the proposed guidelines, resulting in an increase of 2.5 percent in the size of the prison population.

Recidivism Research

During 1991, the Commission continued research into one of the statutory purposes of sentencing, namely the "need to afford adequate deterrence to criminal conduct and to protect the public from further crimes of the defendant."⁹² The primary objective of the research is to assess the predictive power of the Commission's criminal history categories (i.e., the ability of the guidelines' criminal history score to predict recidivism).

The research has been envisioned as a three-part program involving analyses of three different datasets. These datasets include: (1) the 1978 federal prison release cohort, (2) the 1985 sen-

89 28 U.S.C. § 994(g).

90 This quantity approximates the long-term change in the size of the prison population attributable to a particular amendment.

91 See Amendment Nos. 365, 366, 373, 374, and 404.

92 18 U.S.C. 3553(a)(2).

tence cohort and (3) the 1989 sentence cohort.⁹³ Because a minimum five-year follow-up period is usually necessary for such studies (especially to track individuals with lengthy prison sentences), only the 1978 releases are available at this time for complete study. Preliminary work has begun on the 1985 sentencing cohort, while data collection on the 1989 sentencing cohort is likely to begin in 1993, but may not be complete until several years later.⁹⁴ This last study will be the first such recidivism study on individuals sentenced under the guidelines.

The Commissions' study will employ multivariate models to analyze the time from release from custody to reconviction.⁹⁵ Use of these models permits testing of the association between the guidelines' criminal history score and the time before an individual defendant is arrested for committing another crime. The models also allow determination of the effect of age, gender, type of release, education and substance dependence on recidivism rates.

The Research Studies Office completed its preliminary analysis of the 1978 release cohort during 1991. The study involved the analysis of 2,268 individuals released from federal prisons in 1978. This sample, originally developed to test the U. S. Parole Commission's revised Salient Factor Score, was subsequently supplemented with rearrest and reimprisonment records from the National Crime Information Center of the FBI. The preliminary analysis consisted of bivariate studies of the relationship between the percent of individuals recidivating with age and with length of time served. The results suggest a gradual decrease in both arrest and imprisonment recidivism with increasing age.⁹⁶

The Research Studies Office is currently analyzing the second dataset, the 1985 sentence cohort. In order to develop a follow-up period of sufficient length, this study has been separated into two phases. The first phase uses data on 5,100 individuals sentenced to one year or less, and the second employs data on the 5,000 remaining

93 The term "cohort" generally refers to individuals who experience a common event at some fixed point in time. The 1978 release cohort consists of individuals released from federal prisons during 1978. These individuals may have been sentenced at any point before 1978, and the cohort may include some cases sentenced during the 1950's and 1960's. The 1985 and 1989 sentence cohorts consist of individuals sentenced during either of these two periods. The dates of release for individuals in the 1985 sentence cohort begin in 1985, but some individuals may still be serving sentences at the present time.

94 Recidivism studies need to measure the time that elapses before individuals are exposed to rearrest or reconviction. Time in prison cannot be considered as exposed time. For that reason, the follow-up period is extended by the amount of time an individual spends in prison. Thus, an individual who receives a ten-year sentence under the guidelines typically will not be released until almost nine years after sentencing. For this reason, the 1989 study probably will not have complete data on individuals with long sentences until approximately 2002. This provides for a nine-year period after sentencing (1997) and a five-year follow-up period. It is expected that the second half of the 1985 sentence cohort will not be available until approximately 1998.

95 Examples of these models are found in P. Schmidt and A. D. Witte, *Predicting Recidivism Using Survival Models*, Springer-Verlag, New York, 1988, and M. D. Maltz, *Recidivism*, Academic Press, New York, 1984.

96 Two limitations of the 1978 dataset should be noted. First, it excludes individuals with sentences of less than one year. Second, and perhaps more importantly, the sample tends to be quite dated; some of the defendants in the dataset were sentenced 15 or more years ago.

defendants who were sentenced to longer terms of imprisonment. Research on the first phase began during 1991 and will continue during 1992, while the second phase will be deferred until an adequate follow-up period has elapsed.

The primary source of the 1985 data is an augmented version of the Administrative Office of the U.S. Court's Federal Probation Sentencing Supervision Information System (FPSSIS). These data were used in earlier research to estimate the length of time served by defendants sentenced before the development of the guidelines. This dataset also served as the pre-guideline dataset for the congressionally mandated four-year evaluation of the sentencing guidelines. Two potential secondary sources of criminal history data for the offenders in this sample are FBI Criminal History records and the Bureau of Prisons pre-sentence reports.

Table 57 depicts the distribution of all cases in the 1985 sentence cohort by offense type. This figure shows the most common offense category in this cohort is embezzlement/fraud (33%) followed by drug offenses (19.2%).

Table 57

1985 SENTENCE COHORT BY PRIMARY OFFENSE TYPE

OFFENSE TYPE	FREQUENCY	PERCENT	CUMULATIVE FREQUENCY	CUMULATIVE PERCENT
Homicide	28	0.5	28	0.5
Robbery	127	2.5	155	3.0
Assault	151	2.9	306	5.9
Burglary/B&E	171	1.4	377	7.3
Embezzlement/Fraud	1733	33.5	2261	43.7
Auto Theft	108	2.1	2369	45.8
Forgery/Counterfeiting	317	6.1	2686	51.9
Sex Offenses	59	1.1	2745	53.0
Drug Offenses	995	19.2	3740	72.2
General Offenses	591	11.4	4331	83.6
Immigration	185	3.6	4516	87.2
Other Federal Statutes	637	12.2	5133	99.4
Not Classified	34	0.6	5187	100.0

NOTE: Included in this table are all cases in the 1985 Sentence Cohort which is comprised of offenders sentenced between October 1, 1984, and September 30, 1985, to a year or less of prison or probation. There are two "general" categories which group together several offense types which have few offenders. For the "GENERAL OFFENSES" categories, offense types such as, kidnapping, perjury and gambling are grouped together. In the "OTHER FEDERAL STATUTES" category, offenses such as civil rights violations and customs laws are included. The "NOT CLASSIFIED" category includes all offenders whose offense type is "missing."

SOURCE: Administrative Office of the U.S. Courts; Augmented FPSSIS data file.

D. MANDATORY MINIMUM STUDY

In August 1991, pursuant to a directive contained in the 1990 omnibus crime legislation,⁹⁷ the Commission submitted an extensive report to Congress on statutory mandatory minimum sentencing provisions.⁹⁸ The statutory directive mandating the report called for a variety of empirical and policy analyses on the relationship between mandatory minimums and sentencing guidelines. In response, the Commission produced a 400-page report that included: 1) an historical overview of the use of mandatory minimum provisions in federal sentencing; 2) an analysis of the policy rationales that have led to enactment of mandatory minimum sentencing laws; 3) a comparison of how sentencing guidelines and mandatory minimums function; 4) an extensive empirical study of the operation and impact of mandatory minimum sentencing provisions in the federal criminal justice system; 5) the results of confidential surveys of judges, attorneys, and probation officers regarding mandatory minimum sentencing laws; and 6) an assessment of alternative methods by which Congress can influence sentencing policy other than through mandatory minimums.

Based on the extensive research and analysis detailed in the report, the Commission set forth its principal findings. Among these findings are the following:

- There are over 60 criminal statutes that contain mandatory minimum penalties

applicable to federal offenses in the federal criminal code today. Only four of these sixty statutes, however, frequently result in convictions; the four relate to drug and weapons offenses.

- The available data suggest that mandatory minimum sentences are not applied to all cases that meet the statutory criteria of eligibility. This lack of uniform application creates unwarranted disparity in sentencing and compromises the potential for the guidelines sentencing system to reduce disparity.
- The structure of the federal sentencing guidelines distinguishes defendants convicted of the same offense by a variety of aggravating and mitigating factors, the consideration of which is meant to provide just punishment and proportional sentences. Mandatory minimums, on the other hand, lack these distinguishing characteristics and group together dissimilar defendants. It appears that an unintended effect of mandatory minimums is unwarranted sentencing uniformity.
- Defendants plead guilty to offenses carrying non-mandatory minimum or reduced mandatory minimum provisions in 35 percent of the cases in which available data strongly suggest that the defendant's behavior warrants a sentence under a mandatory minimum stat-

97 (P.L. 101-647 § 1703).

98 United States Sentencing Commission Special Report to Congress: Mandatory Minimum Penalties in the Federal Criminal Justice System (August 1991).

ute. Because the charging and plea negotiation processes are neither open to public review nor generally reviewable by the courts, the honesty and truth in sentencing intended by the guidelines system is compromised.

- Deterrence, a primary goal of the Sentencing Reform Act, is dependent on certainty and appropriate severity of punishment. While mandatory minimum sentences may increase severity, the data suggest that uneven application may dramatically reduce certainty.
- The sentencing guidelines system is essentially a system of finely calibrated sentences. The guidelines provide each offense category with a base offense level that increases or decreases with the presence of specific offense characteristics. For example, the guidelines distinguish between a bank robbery in which a gun was merely possessed and one in which a gun was fired at a victim. In marked contrast, the mandatory minimums are essentially a flat, tariff-like approach to sentencing. Whereas guidelines seek a smooth continuum of punishment, mandatory minimums result in "cliffs." These cliffs compromise proportionality, a fundamental prerequisite of just punishment and a primary goal of the Sentencing Reform Act.

The Commission's report concludes that the "most efficient and effective way for Congress to exercise its powers to direct sentencing policy is through the established process of the sentenc-

ing guidelines. . . . There is every reason to expect that by so doing, Congress can achieve the purposes of mandatory minimums while not compromising other goals to which it is simultaneously committed."

Appendix A

Description of Datafiles, Variables, and Footnotes

Introduction

Pursuant to statute, courts are required to forward sentencing information to the Commission on all defendants sentenced under the Sentencing Reform Act of 1984, except in cases that solely involve petty offenses. Standard information on each case is computerized for analysis using data from case files received.

The tables included in the body of this report have been developed using the United States Sentencing Commission's data file, MONFY91. This data file includes information on all (33,419) defendants sentenced under the Sentencing Reform Act of 1984 during fiscal year 1991 (October 1, 1990, through September 30, 1991), for whom data were received by the Commission as of January 17, 1992. Given the nature of the data file and reporting requirements, the following types of cases are not included in the data presented here: cases initiated but for which no convictions were obtained; defendants convicted for whom no sentences were yet issued; and defendants sentenced but for whom no data were submitted to the Commission.

Due to the termination of the Administrative Office of the U.S. Court's Federal Probation Sentencing and Supervision Information System (FPSSIS) in September of 1990, the Commission now collects variables previously imported from the FPSSIS data collection system. Information appearing on tables previously derived from FPSSIS indicators may appear to have changed from 1990 to 1991. Any such changes should be interpreted with caution. Rather than actual changes occurring in the federal judicial system, these differences may be a function of different data collection methods or the result of having a centralized and strictly monitored data collection system.

Because the USSC collects information only on cases sentenced under the guidelines, and because of the termination of the FPSSIS data collection, sentencing information on cases sentenced under prior law (pre-guideline) during FY1991 is not available.

Variables

The following section describes, in alphabetic order, the variables used in the tables of the Monitoring section of this report (Part A of Chapter Five) and Appendices B and C.

Age

Age represents the age of the defendant on the day of sentencing, and is calculated utilizing the date of birth of the defendant as reported in the Presentence Report and the date of sentencing as reported in the Judgment of Conviction Order.

Average Length of Imprisonment

Sentencing information is obtained from the Judgment of Conviction Order. *Average Months Prison* is the mean term of imprisonment ordered for cases involving a commitment to the Bureau of Prisons; cases that received no term of imprisonment are not included in the calculation of the average. Cases for which a term of imprisonment was ordered but the length was indeterminable also are excluded from these calculations. In most cases for which the exact term is unknown, the Judgment of Conviction Order merely specified a sentence of *time served*. Life sentences are treated in the calculation as 360 months.

Cases Received by the USSC

Each *Case* as recorded by the USSC involves a single sentencing event for a single defendant. Multiple counts, and even multiple indictments, are considered a single sentencing event if sentenced at the same time by the same judge. A single defendant may appear in more than one case if involved in more than one sentencing event. Multiple codefendants in the same sentencing each appear as a separate case.

Chapter Two Guideline Applied

Chapter Two Guideline Applied represents the Chapter Two (offense specific) guidelines applied in single and multiple count cases. Because a single case may reference several different guidelines, the total percent adds to more than 100 percent. For Chapter Two guidelines that list possible cross-references resulting in application of multiple guidelines, both the original and cross-referenced guideline(s) are included. However, if application of a specific cross-reference is required, only the original guideline is coded to avoid double-counting for these cases.

Circuit

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

Citizenship Status

Information on the *Citizenship Status* of defendants is obtained from the Presentence Report. Defendants are categorized as "U.S. citizen," "resident alien," "illegal alien," and "non-citizen, alien status unknown." The latter three categories are collapsed into the category of "non-citizen."

Country of Citizenship

Information on the *Country of Citizenship* for non-citizen defendants is obtained from the Presentence Report. The most frequently occurring countries of origin for non-citizens are presented in this report. Countries appearing less than fifty times are collapsed into the "other" category.

Criminal History Category

Criminal History Category is taken from the Report on the Sentencing Hearing provided by the sentencing court. Tables involving the Report on the Sentencing Hearing are based on the 92.4 percent of cases for which the Commission has received such documents.

When the criminal history category is not specified in the Report on the Sentencing Hearing, the computer calculates the criminal history category based on several logical criteria, if available. For instance, if the number of criminal history points is known, or the guideline range and offense level are available from the Report on the Sentencing Hearing, criminal history category is calculated by reference to the guideline sentencing table. Additionally, if the three main guideline factors were not provided on the Report on the Sentencing Hearing, but the court indicated that it accepted the values contained in the Presentence Report, the guideline factors are taken from the PSR.

For Table 36 only, criminal history category has been taken from the Presentence Report when the Report on the Sentencing Hearing is not available. While the court may disagree with PSR information, the criminal history category is the same in more than 97 percent of cases for which both documents were received.

District

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

Document Submission Rates

Three documents are represented on Table 13: Judgment of Conviction Order (J&C), Presentence Report (PSR), and Report on the Sentencing Hearing. The J&C and PSR are generally submitted in a standardized format. PSR's that are waived by the court are indicated in a separate column. Sealed PSR's are included as *Not Received*. Standardized forms for the Report on the Sentencing Hearing are most frequently submitted; however, transcripts or partial transcripts from the sentencing hearing are included as *Received*.

Fines and Restitution

Fine and Restitution information is obtained from the Judgment of Conviction Order. The *Total Receiving Fines and Restitution* includes the number of cases that were ordered to pay a fine, restitution, or both a fine and restitution. Cases involving fines and restitution overlap with other sentencing categories because fines and restitution may be ordered in conjunction with the imposition of other sanctions.

The *Average Dollar Amount* of payment ordered, presented both as the *Mean* and the *Median*, is the dollar amount of the fine and the restitution ordered for cases involving economic sanctions. Cases that received no fine or restitution are not included in the calculation of the

average. The number of cases upon which the average is based may not equal the *Total Receiving Fines and Restitution*. This is due to the failure of some Judgment of Conviction Orders to specify the dollar amount ordered. The *Sum* of payment ordered reflects the total dollar amount of fines and restitution ordered, excluding cases in which the amount was indeterminable. The median of payments ordered reflects the amount located at the fiftieth percentile of all amounts ordered, excluding cases in which the amount was indeterminable.

Gender

Gender of the defendant is obtained from the Presentence Report or through contact with the probation office.

Guideline Defendants Sentenced

Each *Guideline Defendant Sentenced*, or *Case*, as recorded by the USSC, involves a single sentencing event for a single defendant. Multiple counts, and even multiple indictments, are considered a single sentencing event if sentenced at the same time by the same judge. A single defendant may appear in more than one case if involved in more than one sentencing event. Multiple codefendants in the same sentencing will each appear as separate cases.

Guideline Departure Rate

Information on *Departures* is obtained primarily from the Report on the Sentencing Hearing. A case is determined to involve no departure if the sentence imposed is within the guideline range established by the court. If the sentence falls outside the guideline range established by the court, the case is coded as a departure and the applicable reasons given by the court are noted.

For cases in which no Report on the Sentencing Hearing is provided or the information contained in it is insufficient, the sentence from the Judgment of Conviction Order is compared to the guideline range recommended in the Presentence Report. *No departure* is assumed if the sentence imposed falls within the recommended range. However, a determination of *departure* is not assumed if the sentence falls outside the guideline range recommended by the probation officer, due to possible changes in that range based on court findings. For these cases departure status is coded as missing, (except in the 25% sample, for which the field was contacted for the departure status of cases with no such determination).

Guideline Sentencing Range

The *Guideline Sentencing Range* is taken from the Report on the Sentencing Hearing provided by the sentencing court. Tables involving the Report on the Sentencing Hearing are based on the 92.4 percent of cases for which the Commission has received such documents.

When the guideline sentencing range is not specified in the Report on the Sentencing Hearing, the computer calculates the guideline sentencing range based on several logical criteria, if available. For instance, if the criminal history category and offense level are available from the Report on the Sentencing Hearing, the guideline sentencing range is calculated by reference to the guideline sentencing table. Additionally, if the three main guideline factors were not provided on the Report on the Sentencing Hearing, but the court indicated that it accepted the values contained in the Presentence Report, the guideline factors are taken from the PSR.

In cases for which a guideline sentencing range is trumped by a statutory maximum or mandatory minimum, the original (pre-trumped) guideline sentencing range is reported.

Income

The Commission codes *Income* to represent monthly income to the nearest dollar and includes sources other than traditional employment such as welfare payments or unemployment compensation. Zero dollars are entered for persons with no income (whether unemployed, student, etc.). This variable is coded as missing or inapplicable when the Presentence Report indicates erratic or sporadic employment that might make an income value potentially misleading.

Length of Imprisonment

Sentencing information is obtained from the Judgment of Conviction Order. *Length of imprisonment* is provided only for cases involving a commitment to the Bureau of Prisons (including the options of home detention, intermittent confinement, and community confinement). Life sentences are included in the category *over 60 months*. Sentences of a partial month have been rounded to the next month. Differences between the number of cases included and the total number of defendants sentenced to a term of imprisonment are due to missing information on the exact length of the term ordered. In most cases for which the exact term is unknown, the Judgment of Conviction Order merely specifies a sentence to *time served*.

Mode of Conviction

Information on *Mode of Conviction* is obtained from the Judgment of Conviction Order. Defendants sentenced subsequent to a plea of guilty or nolo contendere are included in the *plea* category. Defendants sentenced subsequent to a trial by judge or jury are included in the *trial* category. For the purposes of statistical analysis, cases sentenced pursuant to both a plea and a trial are excluded.

Offense Level

The final *Offense Level* used in these tables is taken from the Report on the Sentencing Hearing provided by the sentencing court. Tables involving the Report on the Sentencing Hearing are based on the 92.4 percent of cases for which the Commission has received such documents.

When the final offense level is not specified in the Report on the Sentencing Hearing, the computer calculates the offense level based on several logical criteria, if available. For instance, if the guideline sentencing range and criminal history category are available from the Report on the Sentencing Hearing, final offense level is calculated by referring to the guideline sentencing table. Additionally, if the three main guideline factors were not provided on the Report on the Sentencing Hearing, but the court indicated that it accepted the values contained in the Presentence Report, the guideline factors are taken from the PSR.

Primary Offense Category

Information on *Primary Offense Category* is obtained from the Judgment of Conviction Order. An offense code was derived for each of up to four counts of conviction in every case, based on the statute(s) and elements of the conviction. The "primary" offense code for the case was determined to be the offense code applicable for the count with the highest statutory maximum. If two or more counts were found to have the same statutory maximum, "primary" offense was selected according to the following (diminishing) order:

- a) violent offenses (including burglary of a residence)
- b) drug offenses
- c) firearm offenses
- d) property offenses
- e) moral offenses
- f) other offenses

In cases involving different offense codes that were similar under this second criterion as well (e.g., two different property offenses with the same statutory maximum), statutory maximum fines were used as tie-breakers. Finally, in the small number of cases unresolved, the offense type that best represented the nature of the criminal behavior was chosen.

For convenience in analysis, a summary variable describing "primary offense category" was derived. This code was generated by grouping similar primary offense codes into a smaller set of categories.

Listed below are the offense types that were grouped into each of the primary offense categories used in this report.

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

Manslaughter includes involuntary manslaughter and voluntary manslaughter.

Kidnapping/hostage includes ransom taking and hostage/kidnapping.

Sexual Abuse includes sexual abuse of a minor, sexual abuse of 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, other robbery, and mail robbery.

Arson includes arson and 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 committing, causing, or facilitating an act that constitutes a drug felony.

Drugs: Simple Possession includes distribution of a small amount of marihuana and simple possession.

Firearms include 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 & Entry 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, bribes involving officials, bribery — bank loan/commercial, loan or gratuity to bank examiner, etc., gratuity involving officials, and bribe or gratuity affecting employee plan.

Tax Offenses include 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 (smuggle), 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.

Extortion/Racketeering 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 include 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, 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 U.S.

Pornography, Prostitution includes dealing in obscene matter, transportation of minor for prostitution/sex, 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.

Offenses In Prisons include contraband in prison, riots in federal facilities, and escape.

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

Environmental/Fish And Wildlife includes specially protected fish, wildlife, plants.

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 and 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 include 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, tampering with public water system, hazardous devices of 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, 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 defendant is obtained from the Presentence Report. The categories for race include *White*, *Black*, *White Hispanic*, *Black Hispanic*, *Hispanic*, *Race Unknown*, *American Indian or Alaskan Native*, and *Asian or Pacific Islander*. For purposes of this report, the categories of *White Hispanic*, *Black Hispanic*, and *Hispanic*, *Race Unknown* have been combined into the *Hispanic* category; and as such the numbers reported may underrepresent Black defendants. As *Hispanic* is a designation of ethnicity rather than race, Presentence Reports that indicated white or black as the race of the defendant were checked again through contact with probation offices to identify those of Hispanic origin. The *Other* category includes defendants whose categories are *American Indian or Alaskan Native* or *Asian or Pacific Islander*.

Reason for Departure

Reasons for Departure as given by the sentencing judge are coded for cases involving departures. This information is obtained from the Report on the Sentencing Hearing when available. Courts often provide more than one reason for departure; consequently, on departure tables the percentages across all reasons for departure add up to more than 100 percent. Reasons listed are those given more than three times. The "Other" category includes any other, less frequently given reason.

Single and Multiple Count Cases

Information on *Number of Counts* of conviction is obtained from the Judgment of Conviction Order and verified with the Presentence Report. Cases with more than one count of conviction are included in the *Multiple Count* category.

Type of Guideline Sentence Imposed

Sentencing information is obtained from the Judgment of Conviction Order. The *Total Receiving Prison* includes the number of defendants sentenced (and percent of *Total Cases*) who received a commitment to the Bureau of Prisons. This column includes those receiving *Prison and Supervised Release*, *Prison Only*, and the *New Split Sentence*.

The *Prison Only* category includes those defendants sentenced to a term of imprisonment only, with no condition of post-release supervision. The *Prison and Supervised Release* category includes those defendants sentenced to a term of imprisonment followed by a term of supervised release with no conditions of community confinement or home detention. The *New Split Sentence* is a term used for a new sentence under the Sentencing Reform Act and guidelines. This involves a term of imprisonment followed by a term of supervised release that includes a condition of a term of community confinement or home detention that when added together comprise at least the minimum guideline sentence established by the sentencing court.

The *Total Receiving Probation* column includes the number of defendants 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* columns.

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

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

Other Cases include cases that received an economic sanction only or supervised release only. Cases in the *Total Receiving Prison*, *Total Receiving Probation*, and *Other Cases* categories total 100 percent of cases.

Cases Involving Fines and Restitution overlap with the other categories because fines and restitution may be ordered in conjunction with the imposition of other sanctions.

The following information corresponds to the footnotes contained in tables provided in Appendix B. Actual figures provided in these footnotes apply only to the national data table. Additional information describing variables and data used is provided earlier in this appendix.

¹ Table-wide deletion is used to exclude cases missing information on any or all of the following defendant characteristics: Gender, Race, Age, or Income. Nationally, this involves the exclusion of 6,255 cases because of missing information on the following characteristics: Gender (410), Race (730), Age (468), or Income (6,109).

² Cases with missing or indeterminable information on Mode of Conviction (91) are excluded. In addition, 91 cases coded with a value of *both plea and trial* are excluded.

³ The *Total Cases* column includes all cases with information available on type of sentence, economic sanction, and primary offense. Table-wide deletion results in the exclusion of cases missing any or all of these indicators. Nationally, 324 mixed law cases and 372 cases missing any or all of these indicators have been excluded: primary offense (89), sentencing alternative (290), and economic sanction type (170).

Cases in the *Total Receiving Prison*, *Total Receiving Probation*, and *Other Cases* categories total 100 percent of all cases; however, *Cases Involving Fines and Restitution* will overlap with the other categories because fines and restitution may be ordered in conjunction with the imposition of other sanctions.

⁴ Cases involving no term of imprisonment and cases with indeterminable terms are excluded from the calculation of the *Average Months Prison*. Any sentence of days is rounded up to the nearest month. Life sentences are included in these calculations as 360 months. Of the 32,723 cases included in the *Total Cases* column, 7,776 cases involving no term of imprisonment and 342 cases with an unspecified length are excluded from calculation of the average.

⁵ Cases involving no term of imprisonment and cases with indeterminable terms are excluded from the category *Length of Prison Term*. Any sentence of days is rounded up to the nearest month. Life sentences are included in the category *Over 60*. Of the 32,723 cases included

in the *Total Cases* column, 7,776 cases involving no term of imprisonment and 342 cases with an unspecified length are excluded from this category.

- ⁶ For the purposes of these tables, *Drugs - Trafficking* and *Drugs - Use of a Communication Facility* are combined into *Drug Offenses*.
- ⁷ Cases receiving no order of fine or restitution are excluded from the calculation of the *Total Receiving Fines and Restitution*. The number of cases upon which the average is based may not equal the *Total Receiving Fines and Restitution* due to the failure of some Judgment of Conviction Orders to specify the dollar amount ordered. Of the 32,273 cases included in the *Total Cases* column, 21,526 cases involving no order of fine or restitution and 335 cases with an indeterminable dollar amount ordered are excluded from these calculations.

The following information corresponds to the footnotes contained in the "Selected Federal Criminal Justice Indicators," "Crimes Reported To Police," and "Selected Demographic Indicators" tables in Appendix B.

- ¹ Cities are listed by amount of sentencing guideline documentation submitted to the USSC.
- ² Source: Administrative Office of the U.S. Courts. United States Court Directory (Summer 1991). Includes active and senior district judges as of 7/1/91.
- ³ Source: Administrative Office of the U.S. Courts. Statistical Tables for the Twelve-Month Period Ended September 30, 1991. Civil Cases Commenced, Terminated, and Pending During the Twelve Month Periods Ended September 30, 1990 and 1991. Table C. Filings for civil cases for period ended 9/30/91.
- ⁴ Source: Executive Office for U.S. Attorneys, Evaluation and Review Staff. Represents all attorneys designated as of 10/91 as members of general criminal, organized crime drug enforcement task force, narcotics, financial institution fraud, and strike force units. The Executive Office estimates 70 percent of the attorneys' time is spent on criminal work. Therefore, the number of assistant U.S. attorneys listed for each district represents 70 percent of the total assistant U.S. attorneys allocated. Note: of the 285 assistant U.S. attorneys assigned to the District Court in the District of Columbia, 187 perform only Superior Court functions while the remaining 98 handle federal prosecutions.
- ⁵ Source: Administrative Office of the U.S. Courts. Statistical Tables for the Twelve-Month Period Ended September 30, 1991. Criminal Cases Commenced, Terminated, and Pending in the District Courts During the Twelve Month Periods Ended September 30, 1990 and 1991. Table D. Filings for felony and misdemeanor cases for period ended 9/30/91.
- ⁶ Source: Administrative Office of the U.S. Courts, Defender Services Division. Represents FY 1991 and includes members of community defender organizations. Several adjoining districts share assistant federal defenders. Therefore, in these specific cases the number of assistant federal defenders indicated is the total number shared. These districts include

Delaware and New Jersey which share 13 defenders; Southern and Central Illinois and Eastern Missouri which share eight; Eastern, Northern, and Southern New York which share 35; and Eastern, Northern, and Western Oklahoma which share eight.

- 7 Source: Administrative Office of the U.S. Courts (1991). Probation and Pretrial Services Division Field Personnel. Does not include pretrial services officers.
- 8 Source: U.S. Department of Justice, FBI, Uniform Crime Reports. National data published in Crime in the United States-1990. Data on crime in federal judicial districts are derived from FBI unpublished data. The FBI combines seven offenses (murder and non-negligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny-theft, and motor vehicle theft) to compute a Crime Index. The totals for each index crime represent the aggregate number of crimes reported during 1990 to city, county and state law enforcement officials. Arson was added as the eighth index offense in 1979; however, according to the FBI, sufficient data are not available to estimate arson totals for the nation or by judicial district. Data for judicial districts in New York were obtained directly from the New York State Statistical Analysis Center. For Virgin Islands, source: U.S. Department of Justice, FBI, Uniform Crime Reports. National data published in Crime in the United States-1989.
- 9 Represents 1981-82. Source: U.S. Department of Commerce, Bureau of the Census. (1988). City County Data Book. Data derived from U.S. Bureau of the Census, 1977 and 1982 Census of Governments, Governmental Finances, Compendium of Government Finances, Series GC77(4)-5 and GC82(4)-5. Direct general expenditure comprises all expenditures of the local governments, excluding utility, liquor stores, and insurance trust expenditures and any intergovernmental transfers.
- 10 Represents 1990 population. Source for all federal judicial districts except Puerto Rico and the Virgin Islands: U.S. Department of Commerce, Bureau of the Census, City County Data Book (1990). Source for Puerto Rico: U.S. Department of Commerce, Bureau of the Census. (June, 1982). Characteristics of the Population, 1980 Census of Population. "Number of Inhabitants," Part 53, Vol.1, Chapter A. Source for the Virgin Islands: U.S. Department of Commerce, Bureau of the Census. (November, 1982). Characteristics of the Population, 1980 Census of Population. "Number of Inhabitants," Part 55, Vol.1, Chapter A, Table 2.
- 11 Represents 1985 for all federal judicial districts except Puerto Rico. Source for all districts except Puerto Rico: U.S. Department of Commerce, Bureau of the Census. (1988). City County Data Book. Data derived from U.S. Bureau of the Census, Current Population Reports, Series P-26. Represents 1979 for Puerto Rico. Source: U.S. Department of Commerce, Bureau of the Census. (February, 1984). Characteristics of the Population, 1980 Census of Population. "General Social and Economic Characteristics," Part 53A, Vol.1, Chapter C, Table 54.
- 12 Represents 1990 population. Source for all federal judicial districts except Puerto Rico and the Virgin Islands: U.S. Department of Commerce, Bureau of the Census, City County Data Book (1990). Source for Puerto Rico: U.S. Department of Commerce, Bureau of the Census. (June, 1982). Characteristics of the Population, 1980 Census of Population. "Number of

Inhabitants," Part 53, Vol.1, Chapter A. Source for the Virgin Islands: U.S. Department of Commerce, Bureau of the Census. (November, 1982). Characteristics of the Population, 1980 Census of Population. "Number of Inhabitants," Part 55, Vol.1, Chapter A, Table 2.

- 13 Represents 1986. Source: U.S. Department of Commerce, Bureau of the Census. (1988). City County Data Book. Based on total civilian labor force. Data derived from U.S. Bureau of Labor Statistics, Employment and Unemployment for States and Local Areas, annual.
- 14 Represents 1990 population. Source for all federal judicial districts except Puerto Rico and the Virgin Islands: U.S. Department of Commerce, Bureau of the Census, City County Data Book (1990). Source for Puerto Rico: U.S. Department of Commerce, Bureau of the Census. (May, 1983). Characteristics of the Population, 1980 Census of Population. "General Population Characteristics," Part 53, Vol.1, Chapter B. Source for the Virgin Islands: U.S. Department of Commerce, Bureau of the Census. (April, 1983). Characteristics of the Population, 1980 Census of Population. "General Population Characteristics," Part 55, Vol.1, Chapter B, Table 14.
- 15 Source for all federal judicial districts except Puerto Rico: U.S. Department of Commerce, Bureau of the Census. (1988). City County Data Book. Nonfarm employment estimated as the sum of the number of persons employed in private nonfarm establishments (excluding self-employed persons, domestic service workers, railroad workers jointly covered by Social Security and railroad retirement programs, workers on oceanborne vessels, and workers in foreign countries), 1985; the number of persons employed in local government, 1982; and the number of civilians employed in federal government, 1984. Source for Puerto Rico: U.S. Department of Commerce, Bureau of the Census. (September, 1984). Characteristics of the Population, 1980 Census of Population. "Detailed Population Characteristics," Part 53, Vol.1, Chapter D, Table 122 A, B, C.
- 16 Covers support of and assistance to needy persons contingent upon their needs. Includes cash assistance, vendor payments made directly to private purveyors for commodities and services provided under welfare programs, welfare institutions, payments to other governments for welfare purposes, amounts for administration and support of private welfare agencies and other public welfare services.
- 17 Represents employees of financial, real estate, and insurance establishments.
- 18 Represents 1982. Source: U.S. Department of Commerce, Bureau of the Census. (1988). City County Data Book. Data derived from U.S. Bureau of the Census, 1982 Census of Agriculture, State and County Data, Series AC82-A. The acreage designated as "land in farms" consists primarily of agricultural land used for crops, pasture, or grazing. It also includes woodland and wasteland not actually under cultivation or used for pasture or grazing, provided it was part of the farm operator's total operation. All land in Indian reservations used for growing crops or grazing livestock is included as land in farms.

Appendix B

Selected Sentencing Statistics (by district)

- **Fiscal Year 1991 Guideline Sentences**
- **Selected Federal Criminal Justice Indicators**
- **Crimes Reported To Police**
- **Selected Demographic Indicators**

Figure B-1

SUMMARY COURT AND DEMOGRAPHIC STATISTICS

SELECTED DEMOGRAPHIC INDICATORS				
	MINIMUM	MAXIMUM	MEDIAN	MEAN
POPULATION				
Population	96,569	15,118,299	1,995,818	2,739,163
Population per Sq. Mile	1.0	9,633.3	92.4	348.7
AGE DISTRIBUTION				
Percent Age 0-14	16.3	31.2	21.7	21.9
Percent Age 15-24	12.1	17.6	14.9	14.9
Percent Age 25-34	14.0	20.5	16.7	16.9
Percent Age 35-44	13.0	18.7	14.9	15.0
Percent Age 45-64	14.3	21.2	18.6	18.6
Percent Age 65+	4.1	19.1	12.8	12.7
ECONOMIC				
Income per Capita	\$6,775	\$14,090	\$9,869	\$10,165
Percent Unemployed	2.8	14.5	7.2	7.5
Distribution of Nonfarm Employment				
Percent Manufacturing	2.9	38.2	20.7	20.1
Percent Retail	8.3	24.7	18.8	18.6
Percent Finance	3.5	17.7	5.5	5.8
Percent Service	12.2	44.8	21.8	22.0
Percent Acreage in Farms	0.0	93.0	39.3	43.6
OTHER				
1989 Crime Rate (per 100,000 population)	2,020	10,916	4,922	5,271
Per Capita Local Expenditure				
Police Protection	\$20.71	\$200.69	\$48.51	\$53.70
Elementary and Secondary Education	\$289.96	\$1,055.00	\$437.35	\$450.89
Health and Hospitals	\$.84	\$321.80	\$87.90	\$92.75
Public Welfare	\$.00	\$546.01	\$7.69	\$41.92
Highways	\$13.10	\$186.89	\$57.48	\$66.26

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS

	MINIMUM	MAXIMUM	MEDIAN	MEAN
NUMBER OF COURT PROFESSIONALS				
District Court Judges	1	39	6	8
Assistant U.S. Attorneys	5	144	18	29
Assistant Federal Defenders	0	38	8	9
Probation Officers	6	146	22	34
CASES FILED				
Civil	356	10,069	1,677	2,291
Criminal	62	2,333	342	500

NATIONAL DATA

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	770	Civil ³	210,757
AUSAs ⁴	2,652	Criminal ⁵	46,043
Assistant Federal Defenders ⁶	451		
Probation Officers ⁷	3,111		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	22,753	94,301	627,307	1,019,367	2,948,192	7,655,207	1,593,158	13,288,389
Per 100,000 Population	9	38	252	410	1,185	3,078	641	5,343

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	252,002,962	Income per Capita ¹¹	\$ 10,797	Police Protection	\$ 60.34
Population per Square Mile ¹²	71.2	Percent Unemployed ¹³	7.0	Elementary and Secondary Education	\$ 451.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 92.22
Percent Age 0-14	21.5	Percent Mfg.	20.8	Public Welfare ¹⁶	\$ 63.75
Percent Age 15-24	14.8	Percent Retail	18.0	Highways	\$ 62.62
Percent Age 25-34	17.4	Percent Finance ¹⁷	6.4	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.1	Percent Service	23.1		
Percent Age 45-64	18.6	Percent Govt.	13.1		
Percent Age 65+	12.6	Percent Other	18.6		43.6

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
33,419	2,587	2,652	2,449	2,917	2,658	2,810	2,987	3,164	2,777	3,103	2,524	2,791

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	27,164 (100.0)	12,167 (44.8)	7,528 (27.7)	6,387 (23.5)	1,082 (4.0)	34.2	\$ 773	TOTAL	33,237 100.0
MALE	22,534 (83.0)	10,039	5,981	5,627	887	34.3	\$ 791	PLEA	28,383 85.4
FEMALE	4,630 (17.0)	2,128	1,547	760	195	33.7	\$ 687	TRIAL	4,854 14.6

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	Total Receiving Prison N (Row%)	TYPE OF SENTENCE				LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	32,723 (100.0)	25,620 (76.5)	23,643 (72.3)	685 (2.1)	692 (2.1)	62	6,062	4,489	2,528	3,829	7,772
Robbery	1,357 (100.0)	1,352 (99.6)	1,344 (99.0)	0 (0.4)	2 (0.2)	107	13	29	91	367	848
Larceny	2,390 (100.0)	955 (40.0)	829 (34.7)	50 (2.1)	76 (3.2)	14	574	233	84	40	14
Embezzlement	1,120 (100.0)	359 (32.1)	282 (25.2)	8 (0.7)	69 (6.2)	12	239	91	15	12	1
Fraud	3,423 (100.0)	1,933 (56.5)	1,698 (49.6)	90 (2.6)	145 (4.2)	18	974	557	187	144	35
Drug Offenses ⁶	13,691 (100.0)	12,830 (93.7)	12,598 (92.0)	99 (0.7)	133 (1.0)	87	1,006	1,698	1,357	2,473	6,206
Simple Possess.	901 (100.0)	459 (50.9)	410 (45.5)	42 (4.7)	7 (0.8)	10	419	6	0	7	12
Counterfeiting	824 (100.0)	480 (58.3)	435 (52.8)	27 (3.3)	18 (2.2)	16	251	143	37	23	9
Firearms	2,456 (100.0)	2,093 (85.2)	1,983 (80.7)	44 (1.8)	66 (2.7)	48	533	605	280	332	328
Immigration	2,267 (100.0)	1,768 (78.0)	1,580 (69.7)	166 (7.3)	22 (1.0)	12	999	530	91	21	7
Other	4,294 (100.0)	2,791 (65.0)	2,484 (57.9)	153 (3.6)	154 (3.6)	35	1,054	597	386	410	312

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	7,597 (23.2)	4,730 (14.5)	2,867 (8.8)	106 (0.3)	11,197 (34.2)	6,003	4,380	814	\$ 33,960 (10,720)
Robbery	5 (0.4)	4 (0.3)	1 (0.1)	0 (0.0)	606 (44.7)	35	548	23	\$ 11,370 (553)
Larceny	1,398 (58.5)	1,006 (42.1)	392 (16.4)	37 (1.6)	1,639 (68.6)	688	747	204	\$ 12,197 (1,566)
Embezzlement	759 (67.8)	363 (32.4)	396 (35.4)	2 (0.2)	819 (73.1)	136	618	65	\$ 48,068 (782)
Fraud	1,480 (43.2)	753 (22.0)	727 (21.2)	10 (0.3)	2,311 (67.5)	458	1,558	295	\$ 72,827 (2,174)
Drug Offenses ⁶	857 (6.3)	482 (3.5)	375 (2.7)	4 (0.0)	2,229 (16.3)	2,036	163	30	\$ 31,301 (2,154)
Simple Possess.	432 (48.0)	370 (41.1)	62 (6.9)	10 (1.1)	395 (43.8)	384	9	2	\$ 1,328 (391)
Counterfeiting	342 (41.5)	179 (21.7)	163 (19.8)	2 (0.2)	408 (49.5)	124	224	60	\$ 4,672 (394)
Firearms	361 (14.7)	225 (9.2)	136 (5.5)	2 (0.1)	531 (21.6)	464	56	11	\$ 3,470 (517)
Immigration	479 (21.1)	381 (16.8)	98 (4.3)	20 (0.9)	291 (12.8)	273	13	5	\$ 3,394 (287)
Other	1,484 (34.6)	967 (22.5)	517 (12.0)	19 (0.4)	1,968 (45.8)	1,405	444	119	\$ 36,908 (1,902)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

ALABAMA, Northern
11th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Birmingham
(2) Huntsville
(3) Gadsden

(4) Talladega
(5) Tuscaloosa

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	11	Civil ³	3,136
AUSAs ⁴	25	Criminal ⁵	265
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	33		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	274	743	3,629	9,273	24,641	64,509	10,217	113,286
Per 100,000 Population	12	33	160	410	1,090	2,853	452	5,010

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,367,636	Income per Capita ¹¹	\$ 9,060	Police Protection	\$ 40.30
Population per Square Mile ¹²	106.2	Percent Unemployed ¹³	9.7	Elementary and Secondary Education	\$ 326.68
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 151.21
Percent Age 0-14	20.9	Percent Mfg.	25.1	Public Welfare ¹⁶	\$ 3.68
Percent Age 15-24	15.1	Percent Retail	16.8	Highways	\$ 57.20
Percent Age 25-34	16.4	Percent Finance ¹⁷	5.0	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.8	Percent Service	18.1		
Percent Age 45-64	19.9	Percent Govt.	15.8		
Percent Age 65+	12.9	Percent Other	19.3		30.2

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
219	25	17	20	13	21	20	27	23	11	17	17	8

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	201 (100.0)	120 (59.7)	79 (39.3)	0 (0.0)	2 (1.0)	35.0	\$ 691	TOTAL	219 100.0
MALE	139 (69.2)	93	44	0	2	35.5	\$ 759	PLEA	183 83.6
FEMALE	62 (30.8)	27	35	0	0	33.8	\$ 540	TRIAL	36 16.4

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			Average Months Prison ⁴	LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)		PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	212 (100.0)	98 (46.2)	86 (40.6)	2 (0.9)	10 (4.7)	70	22	23	11	8	34
Robbery	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	63	0	0	0	0	1
Larceny	37 (100.0)	4 (10.8)	3 (8.1)	0 (0.0)	1 (2.7)	8	3	1	0	0	0
Embezzlement	11 (100.0)	1 (9.1)	1 (9.1)	0 (0.0)	0 (0.0)	15	0	1	0	0	0
Fraud	28 (100.0)	8 (28.6)	5 (17.9)	1 (3.6)	2 (7.1)	21	3	3	0	2	0
Drug Offenses ⁶	52 (100.0)	48 (92.3)	46 (88.5)	0 (0.0)	2 (3.9)	102	4	8	5	4	27
Simple Possess.	7 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	21 (100.0)	4 (19.1)	3 (14.3)	0 (0.0)	1 (4.8)	7	3	1	0	0	0
Firearms	15 (100.0)	12 (80.0)	11 (73.3)	0 (0.0)	1 (6.7)	64	2	4	3	1	2
Immigration	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Other	40 (100.0)	20 (50.0)	16 (40.0)	1 (2.5)	3 (7.5)	43	7	5	3	1	4

CASES INVOLVING PROBATION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	112 (52.8)	64 (30.2)	48 (22.6)	2 (0.9)	110 (51.9)	51	48	11	\$ 7,929 (104)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Larceny	32 (26.5)	28 (75.7)	4 (10.8)	1 (2.7)	25 (67.6)	15	7	3	\$ 1,644 (24)
Embezzlement	10 (20.9)	4 (36.4)	6 (54.6)	0 (0.0)	8 (72.7)	0	8	0	\$ 19,417 (8)
Fraud	20 (71.4)	8 (28.6)	12 (42.9)	0 (0.0)	23 (82.1)	2	19	2	\$ 21,942 (22)
Drug Offenses ⁶	4 (7.7)	1 (1.9)	3 (5.8)	0 (0.0)	5 (9.6)	4	1	0	\$ 3,815 (4)
Simple Possess.	7 (100.0)	7 (100.0)	0 (0.0)	0 (0.0)	5 (71.4)	5	0	0	\$ 1,160 (5)
Counterfeiting	17 (81.0)	8 (38.1)	9 (42.9)	0 (0.0)	15 (71.4)	4	8	3	\$ 1,451 (15)
Firearms	3 (20.0)	2 (13.3)	1 (6.7)	0 (0.0)	3 (20.0)	1	2	0	\$ 1,659 (3)
Immigration	0 (—)	0 (—)	0 (—)	0 (—)	0 (—)	0	0	0	-- (0)
Other	19 (47.5)	6 (15.0)	13 (32.5)	1 (2.5)	26 (65.0)	20	3	3	\$ 4,317 (23)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

ALABAMA, Middle
11th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Montgomery
(2) Dothan

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	4	Civil ³	1,535
AUSAs ⁴	11	Criminal ⁵	272
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	16		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	104	295	921	4,187	9,969	25,121	1,781	42,378
Per 100,000 Population	11	32	100	453	1,079	2,719	193	4,587

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	949,497	Income per Capita ¹¹	\$ 8,244	Police Protection	\$ 36.32
Population per Square Mile ¹²	61.7	Percent Unemployed ¹³	8.7	Elementary and Secondary Education	\$ 318.67
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 114.66
Percent Age 0-14	22.0	Percent Mfg.	26.4	Public Welfare ¹⁶	\$ 1.95
Percent Age 15-24	16.9	Percent Retail	16.9	Highways	\$ 54.35
Percent Age 25-34	15.7	Percent Finance ¹⁷	4.3	Percent acreage in farms ¹⁸	
Percent Age 35-44	13.9	Percent Service	16.5		
Percent Age 45-64	18.6	Percent Govt.	16.4		
Percent Age 65+	12.9	Percent Other	19.4		

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
150	11	18	6	11	6	20	16	13	15	11	16	7

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	142 (100.0)	73 (51.4)	66 (46.5)	3 (2.1)	0 (0.0)	36.0	\$ 554	TOTAL	150
MALE	107 (75.4)	58	46	3	0	36.2	\$ 567	PLEA	123
FEMALE	35 (24.6)	15	20	0	0	35.5	\$ 513	TRIAL	27

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	150 (100.0)	97 (64.7)	89 (59.3)	2 (1.3)	6 (4.0)	52	29	22	7	12	27
Robbery	6 (100.0)	6 (100.0)	5 (83.3)	0 (0.0)	1 (16.7)	77	1	0	0	0	5
Larceny	27 (100.0)	10 (37.0)	8 (29.6)	0 (0.0)	2 (7.4)	11	7	2	1	0	0
Embezzlement	13 (100.0)	4 (30.8)	3 (23.1)	0 (0.0)	1 (7.7)	11	3	1	0	0	0
Fraud	13 (100.0)	5 (38.5)	5 (38.5)	0 (0.0)	0 (0.0)	10	4	1	0	0	0
Drug Offenses ⁶	38 (100.0)	34 (89.5)	33 (86.8)	0 (0.0)	1 (2.6)	91	2	4	3	9	16
Simple Possess.	6 (100.0)	3 (50.0)	1 (16.7)	2 (33.3)	0 (0.0)	4	3	0	0	0	0
Counterfeiting	8 (100.0)	6 (75.0)	6 (75.0)	0 (0.0)	0 (0.0)	11	4	2	0	0	0
Firearms	14 (100.0)	11 (78.6)	11 (78.6)	0 (0.0)	0 (0.0)	26	2	7	0	1	1
Immigration	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	21	0	1	0	0	0
Other	24 (100.0)	17 (70.8)	16 (66.7)	0 (0.0)	1 (4.2)	51	3	4	3	2	5

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	53 (35.3)	24 (16.0)	29 (19.3)	0 (0.0)	73 (48.7)	28	38	7	\$ 6,632 (69)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	4 (66.7)	1	3	0	\$ 1,299 (4)
Larceny	17 (63.0)	14 (51.9)	3 (11.1)	0 (0.0)	24 (88.9)	8	13	3	\$ 2,957 (23)
Embezzlement	9 (69.2)	2 (15.4)	7 (53.9)	0 (0.0)	8 (61.5)	0	7	1	\$ 21,154 (8)
Fraud	8 (61.5)	0 (0.0)	8 (61.5)	0 (0.0)	7 (53.9)	0	6	1	\$ 16,303 (6)
Drug Offenses ⁶	4 (10.5)	0 (0.0)	4 (10.5)	0 (0.0)	9 (23.7)	9	0	0	\$ 4,509 (9)
Simple Possess.	3 (50.0)	3 (50.0)	0 (0.0)	0 (0.0)	6 (100.0)	6	0	0	\$ 1,000 (6)
Counterfeiting	2 (25.0)	1 (12.5)	1 (12.5)	0 (0.0)	5 (62.5)	0	3	2	\$ 927 (3)
Firearms	3 (21.4)	0 (0.0)	3 (21.4)	0 (0.0)	1 (7.1)	0	1	0	\$ 36,011 (1)
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	7 (29.2)	4 (16.7)	3 (12.5)	0 (0.0)	9 (37.5)	4	5	0	\$ 3,558 (9)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

ALABAMA, Southern
11th Circuit

**City Supplying Sentencing
Guideline Documentation:¹**

(1) Mobile

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	6	Civil ³	1,077
AUSAs ⁴	12	Criminal ⁵	241
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	17		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	74	248	1,155	6,957	8,516	18,476	1,781	37,207
Per 100,000 Population	11	36	170	1,025	1,255	2,723	262	5,482

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	723,454	Income per Capita ¹¹	\$ 7,999	Police Protection	\$ 40.99
Population per Square Mile ¹²	55.3	Percent Unemployed ¹³	11.7	Elementary and Secondary Education	\$ 322.74
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 69.90
Percent Age 0-14	23.8	Percent Mfg.	21.5	Public Welfare ¹⁶	\$.66
Percent Age 15-24	14.9	Percent Retail	19.1	Highways	\$ 52.23
Percent Age 25-34	15.4	Percent Finance ¹⁷	5.2	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.0	Percent Service	19.0		
Percent Age 45-64	18.9	Percent Govt.	12.7		
Percent Age 65+	13.1	Percent Other	22.5		25.7

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
298	34	34	30	28	36	9	11	35	26	21	17	17

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²		
		White	Black	Hispanic	Other				Number	Col %
TOTAL (Row%)	253 (100.0)	121 (47.8)	111 (43.9)	18 (7.1)	3 (1.2)	35.3	\$ 725	TOTAL	297	100.0
MALE	193 (76.3)	88	86	16	3	35.0	\$ 781	PLEA	199	67.0
FEMALE	60 (23.7)	33	25	2	0	36.2	\$ 547	TRIAL	98	33.0

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	297 (100.0)	247 (83.2)	233 (78.5)	7 (2.4)	7 (2.4)	114	42	21	17	41	116
Robbery	4 (100.0)	4 (100.0)	4 (100.0)	0 (0.0)	0 (0.0)	73	0	0	0	3	1
Larceny	3 (100.0)	1 (33.3)	1 (33.3)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Embezzlement	5 (100.0)	2 (40.0)	1 (20.0)	0 (0.0)	1 (20.0)	9	2	0	0	0	0
Fraud	50 (100.0)	29 (58.0)	26 (52.0)	0 (0.0)	3 (6.0)	17	17	2	3	3	0
Drug Offenses ⁶	183 (100.0)	176 (96.2)	172 (94.0)	3 (1.6)	1 (0.6)	147	10	12	10	28	115
Simple Possess.	3 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	4 (100.0)	2 (50.0)	1 (25.0)	1 (25.0)	0 (0.0)	--	0	0	0	0	0
Firearms	21 (100.0)	19 (90.5)	18 (85.7)	0 (0.0)	1 (4.8)	19	8	4	3	3	0
Immigration	2 (100.0)	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	21	0	1	0	0	0
Other	22 (100.0)	12 (54.6)	9 (40.9)	2 (9.1)	1 (4.6)	23	5	2	1	4	0

CASES INVOLVING PROBATION

PRIMARY OFFENSE	TYPE OF SENTENCE			CASES N (Row%)	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	50 (16.8)	27 (9.1)	23 (7.7)	0 (0.0)	88 (29.6)	38	49	1	\$ 55,550 (85)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	3 (75.0)	0	3	0	\$ 39,870 (3)
Larceny	2 (66.7)	1 (33.3)	1 (33.3)	0 (0.0)	2 (66.7)	0	2	0	\$ 2,856 (2)
Embezzlement	3 (60.0)	0 (0.0)	3 (60.0)	0 (0.0)	2 (40.0)	0	2	0	\$ 60,107 (2)
Fraud	21 (42.0)	9 (18.0)	12 (24.0)	0 (0.0)	40 (80.0)	3	36	1	\$ 8,372 (37)
Drug Offenses ⁶	7 (3.8)	4 (2.2)	3 (1.6)	0 (0.0)	23 (12.6)	21	2	0	\$ 177,870 (23)
Simple Possess.	3 (100.0)	2 (66.7)	1 (33.3)	0 (0.0)	2 (66.7)	2	0	0	\$ 1,000 (2)
Counterfeiting	2 (50.0)	1 (25.0)	1 (25.0)	0 (0.0)	2 (50.0)	0	2	0	\$ 830 (2)
Firearms	2 (9.5)	1 (4.8)	1 (4.8)	0 (0.0)	6 (28.6)	5	1	0	\$ 633 (6)
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (50.0)	1	0	0	\$ 25,000 (1)
Other	10 (45.5)	9 (40.9)	1 (4.6)	0 (0.0)	7 (31.8)	6	1	0	\$ 6,143 (7)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

ALASKA
9th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Anchorage
(2) Fairbanks

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	5	Civil ³	674
AUSAs ⁴	11	Criminal ⁵	217
Assistant Federal Defenders ⁶	2		
Probation Officers ⁷	9		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	38	387	415	1,936	4,739	16,617	2,982	27,114
Per 100,000 Population	7	73	78	364	892	3,128	561	5,103

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	550,043	Income per Capita ¹¹	\$ 13,650	Police Protection	\$ 167.21
Population per Square Mile ¹²	1.0	Percent Unemployed ¹³	10.8	Elementary and Secondary Education	\$ 1,055.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 114.75
Percent Age 0-14	27.2	Percent Mfg.	4.1	Public Welfare ¹⁶	\$ 6.56
Percent Age 15-24	14.2	Percent Retail	18.7	Highways	\$ 186.88
Percent Age 25-34	20.5	Percent Finance ¹⁷	18.7	Percent acreage in farms ¹⁸	
Percent Age 35-44	18.7	Percent Service	21.8		
Percent Age 45-64	15.2	Percent Govt.	20.0		
Percent Age 65+	4.1	Percent Other	29.7		.4

A complete description of the footnotes is provided in Appendix A.

FISCAL YEAR 1991 GUIDELINE SENTENCES

Alaska

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
76	5	5	3	12	2	2	12	12	7	9	3	4

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²		
GENDER	TOTAL ¹		RACE				Average Age	Average Monthly Income		
	N	(Col %)	White	Black	Hispanic	Other				
TOTAL (Row%)	54	(100.0)	30 (55.6)	9 (16.7)	6 (11.1)	9 (16.7)	34.8	\$ 1,555	TOTAL	76 100.0
MALE	47	(87.0)	26	8	6	7	34.5	\$ 1,621	PLEA	57 75.0
FEMALE	7	(13.0)	4	1	0	2	36.9	\$ 1,112	TRIAL	19 25.0

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE				LENGTH OF PRISON TERM				
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	72 (100.0)	49 (68.1)	44 (61.1)	2 (2.8)	3 (4.2)	55	19	3	4	3	19
Robbery	5 (100.0)	5 (100.0)	5 (100.0)	0 (0.0)	0 (0.0)	65	0	1	0	2	2
Larceny	11 (100.0)	5 (45.5)	3 (27.3)	1 (9.1)	1 (9.1)	2	5	0	0	0	0
Embezzlement	6 (100.0)	4 (66.7)	4 (66.7)	0 (0.0)	0 (0.0)	16	2	1	1	0	0
Fraud	3 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Drug Offenses ⁶	19 (100.0)	17 (89.5)	17 (89.5)	0 (0.0)	0 (0.0)	114	1	0	0	0	15
Simple Possess.	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	10	1	0	0	0	0
Firearms	11 (100.0)	10 (90.9)	10 (90.9)	0 (0.0)	0 (0.0)	21	5	1	3	1	0
Immigration	2 (100.0)	1 (50.0)	0 (0.0)	1 (50.0)	0 (0.0)	6	1	0	0	0	0
Other	12 (100.0)	6 (50.0)	4 (33.3)	0 (0.0)	2 (16.7)	34	4	0	0	0	2

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	23 (31.9)	14 (19.4)	9 (12.5)	0 (0.0)	44 (61.1)	27	13	4	\$ 20,471 (42)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	4 (80.0)	1	2	1	\$ 4,968 (4)
Larceny	6 (54.6)	6 (54.6)	0 (0.0)	0 (0.0)	9 (81.8)	7	2	0	\$ 2,057 (8)
Embezzlement	2 (33.3)	1 (16.7)	1 (16.7)	0 (0.0)	6 (100.0)	0	6	0	\$ 134,324 (5)
Fraud	3 (100.0)	2 (66.7)	1 (33.3)	0 (0.0)	2 (66.7)	0	1	1	\$ 4,994 (2)
Drug Offenses ⁶	2 (10.5)	0 (0.0)	2 (10.5)	0 (0.0)	5 (26.3)	3	2	0	\$ 9,758 (5)
Simple Possess.	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	2 (100.0)	2	0	0	\$ 613 (2)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	0	0	1	\$ 1,800 (1)
Firearms	1 (9.1)	1 (9.1)	0 (0.0)	0 (0.0)	6 (54.6)	5	0	1	\$ 3,276 (6)
Immigration	1 (50.0)	0 (0.0)	1 (50.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	6 (50.0)	3 (25.0)	3 (25.0)	0 (0.0)	9 (75.0)	9	0	0	\$ 7,817 (9)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
 SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

ARIZONA
9th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Tucson
- (2) Phoenix
- (3) Yuma

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	11	Civil ³	2,830
AUSAs ⁴	57	Criminal ⁵	1,215
Assistant Federal Defenders ⁶	20		
Probation Officers ⁷	67		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	278	1,479	5,873	15,967	60,477	170,645	31,468	286,187
Per 100,000 Population	8	41	163	443	1,676	4,730	872	7,933

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	3,665,228	Income per Capita ¹¹	\$ 10,561	Police Protection	\$ 76.17
Population per Square Mile ¹²	32.3	Percent Unemployed ¹³	6.9	Elementary and Secondary Education	\$ 453.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 64.45
Percent Age 0-14	22.7	Percent Mfg.	14.4	Public Welfare ¹⁶	\$ 23.44
Percent Age 15-24	14.8	Percent Retail	20.2	Highways	\$ 69.14
Percent Age 25-34	17.3	Percent Finance ¹⁷	6.4	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.4	Percent Service	23.6		
Percent Age 45-64	17.7	Percent Govt.	13.3		
Percent Age 65+	13.1	Percent Other	22.2		52.0

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
860	33	57	72	78	72	60	71	86	94	109	55	73

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	695 (100.0)	188 (27.1)	24 (3.5)	390 (56.1)	93 (13.4)	31.9	\$ 334	TOTAL	859 100.0
MALE	593 (85.3)	153	19	340	81	31.7	\$ 327	PLEA	791 92.1
FEMALE	102 (14.7)	35	5	50	12	33.0	\$ 375	TRIAL	68 7.9

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	850 (100.0)	643 (75.7)	614 (72.2)	20 (2.4)	9 (1.1)	42	187	157	97	82	99
Robbery	39 (100.0)	39 (100.0)	39 (100.0)	0 (0.0)	0 (0.0)	99	0	3	4	15	17
Larceny	26 (100.0)	9 (34.6)	4 (15.4)	0 (0.0)	5 (19.2)	9	7	2	0	0	0
Embezzlement	20 (100.0)	1 (5.0)	1 (5.0)	0 (0.0)	0 (0.0)	8	1	0	0	0	0
Fraud	30 (100.0)	8 (26.7)	8 (26.7)	0 (0.0)	0 (0.0)	12	5	2	0	0	0
Drug Offenses ⁶	401 (100.0)	353 (88.0)	351 (87.5)	1 (0.3)	1 (0.3)	43	66	94	78	56	55
Simple Possess.	54 (100.0)	20 (37.0)	15 (27.8)	5 (9.3)	0 (0.0)	4	14	0	0	0	0
Counterfeiting	11 (100.0)	6 (54.6)	5 (45.5)	0 (0.0)	1 (9.1)	27	3	2	0	0	1
Firearms	37 (100.0)	29 (78.4)	25 (67.6)	3 (8.1)	1 (2.7)	27	14	5	1	2	4
Immigration	105 (100.0)	82 (78.1)	73 (69.5)	9 (8.6)	0 (0.0)	12	46	24	5	0	0
Other	127 (100.0)	96 (75.6)	93 (73.2)	2 (1.6)	1 (0.8)	55	31	25	9	9	22

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	203 (23.9)	144 (16.9)	59 (6.9)	4 (0.5)	248 (29.2)	113	123	12	\$ 7,006 (242)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	34 (87.2)	3	28	3	\$ 5,529 (32)
Larceny	17 (65.4)	11 (42.3)	6 (23.1)	0 (0.0)	22 (84.6)	3	18	1	\$ 7,183 (22)
Embezzlement	19 (95.0)	13 (65.0)	6 (30.0)	0 (0.0)	17 (85.0)	1	16	0	\$ 13,883 (17)
Fraud	22 (73.3)	10 (33.3)	12 (40.0)	0 (0.0)	26 (86.7)	5	19	2	\$ 17,755 (26)
Drug Offenses ⁶	48 (12.0)	38 (9.5)	10 (2.5)	0 (0.0)	56 (14.0)	54	1	1	\$ 7,700 (53)
Simple Possess.	34 (63.0)	30 (55.6)	4 (7.4)	0 (0.0)	5 (9.3)	5	0	0	\$ 780 (5)
Counterfeiting	5 (45.5)	4 (36.4)	1 (9.1)	0 (0.0)	9 (81.8)	2	5	2	\$ 1,038 (9)
Firearms	8 (21.6)	6 (16.2)	2 (5.4)	0 (0.0)	5 (13.5)	4	1	0	\$ 1,050 (4)
Immigration	19 (18.1)	12 (11.4)	7 (6.7)	4 (3.8)	19 (18.1)	16	2	1	\$ 843 (19)
Other	31 (24.4)	20 (15.8)	11 (8.7)	0 (0.0)	55 (43.3)	20	33	2	\$ 4,023 (55)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

ARKANSAS, Eastern
8th Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

(1) Little Rock
(2) Forest City

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	7	Civil ³	1,952
AUSAs ⁴	13	Criminal ⁵	235
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	15		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	174	765	2,174	6,267	19,725	44,701	4,798	78,604
Per 100,000 Population	12	55	156	450	1,416	3,210	344	5,643

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	1,394,442	Income per Capita ¹¹	\$ 8,307	Police Protection	\$ 29.49
Population per Square Mile ¹²	49.3	Percent Unemployed ¹³	9.2	Elementary and Secondary Education	\$ 361.05
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 56.13
Percent Age 0-14	22.5	Percent Mfg.	23.4	Public Welfare ¹⁶	\$ 1.92
Percent Age 15-24	14.9	Percent Retail	18.3	Highways	\$ 42.63
Percent Age 25-34	15.7	Percent Finance ¹⁷	5.4	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.1	Percent Service	19.6		
Percent Age 45-64	19.0	Percent Govt.	14.6		
Percent Age 65+	13.7	Percent Other	18.7		55.4

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
219	22	16	13	12	30	12	17	24	18	24	15	16

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²		
		White	Black	Hispanic	Other				Number	Col %
TOTAL (Row%)	206 (100.0)	127 (61.7)	75 (36.4)	3 (1.5)	1 (0.5)	34.6	\$ 492	TOTAL	219	100.0
MALE	176 (85.4)	109	63	3	1	34.7	\$ 505	PLEA	191	87.2
FEMALE	30 (14.6)	18	12	0	0	33.8	\$ 415	TRIAL	28	12.8

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	218 (100.0)	172 (78.9)	167 (76.6)	2 (0.9)	3 (1.4)	45	54	35	19	28	35
Robbery	8 (100.0)	8 (100.0)	8 (100.0)	0 (0.0)	0 (0.0)	49	1	0	0	5	1
Larceny	14 (100.0)	14 (100.0)	13 (92.9)	0 (0.0)	1 (7.1)	17	6	6	0	2	0
Embezzlement	5 (100.0)	3 (60.0)	3 (60.0)	0 (0.0)	0 (0.0)	15	2	1	0	0	0
Fraud	34 (100.0)	17 (50.0)	17 (50.0)	0 (0.0)	0 (0.0)	16	10	5	1	1	0
Drug Offenses ⁶	109 (100.0)	96 (88.1)	94 (86.2)	0 (0.0)	2 (1.8)	61	22	14	12	17	30
Simple Possess.	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Firearms	20 (100.0)	18 (90.0)	17 (85.0)	1 (5.0)	0 (0.0)	35	6	8	0	0	4
Immigration	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Other	25 (100.0)	16 (64.0)	15 (60.0)	1 (4.0)	0 (0.0)	23	7	1	5	3	0

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	46 (21.1)	27 (12.4)	19 (8.7)	0 (0.0)	51 (23.4)	36	13	2	\$ 14,057 (48)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (12.5)	0	1	0	\$ 4,850 (1)
Larceny	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (7.1)	1	0	0	\$ 5,000 (1)
Embezzlement	2 (40.0)	1 (20.0)	1 (20.0)	0 (0.0)	2 (40.0)	0	2	0	\$ 25,608 (2)
Fraud	17 (50.0)	10 (29.4)	7 (20.6)	0 (0.0)	16 (47.1)	10	5	1	\$ 17,197 (14)
Drug Offenses ⁶	13 (11.9)	5 (4.6)	8 (7.3)	0 (0.0)	17 (15.6)	15	2	0	\$ 12,030 (17)
Simple Possess.	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Counterfeiting	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Firearms	2 (10.0)	2 (10.0)	0 (0.0)	0 (0.0)	5 (25.0)	5	0	0	\$ 6,800 (5)
Immigration	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	9 (36.0)	6 (24.0)	3 (12.0)	0 (0.0)	9 (36.0)	5	3	1	\$ 16,799 (8)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

ARKANSAS, Western
8th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Fort Smith
(2) Fayetteville

(3) El Dorado
(4) Hot Springs

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	5	Civil ³	1,013
AUSAs ⁴	6	Criminal ⁵	132
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	9		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	66	248	476	2,256	8,516	21,519	1,976	35,057
Per 100,000 Population	7	26	50	236	890	2,250	207	3,666

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	956,283	Income per Capita ¹¹	\$ 8,495	Police Protection	\$ 25.90
Population per Square Mile ¹²	40.2	Percent Unemployed ¹³	8.1	Elementary and Secondary Education	\$ 333.96
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 117.02
Percent Age 0-14	21.2	Percent Mfg.	31.4	Public Welfare ¹⁶	\$ 2.53
Percent Age 15-24	14.0	Percent Retail	18.4	Highways	\$ 47.62
Percent Age 25-34	14.6	Percent Finance ¹⁷	3.6	Percent acreage in farms ¹⁸	
Percent Age 35-44	13.6	Percent Service	16.4		
Percent Age 45-64	20.0	Percent Govt.	12.2		
Percent Age 65+	16.6	Percent Other	18.0		30.6

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
84	11	6	10	7	7	6	8	10	2	3	5	9

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	62 (100.0)	41 (66.1)	19 (30.7)	1 (1.6)	1 (1.6)	35.5	\$ 439	TOTAL	84 100.0
MALE	51 (82.3)	34	15	1	1	35.6	\$ 464	PLEA	64 76.2
FEMALE	11 (17.7)	7	4	0	0	34.5	\$ 324	TRIAL	20 23.8

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
	N (Row%)		N (Row%)	N (Row%)	1-12		13-24	25-36	37-60	Over 60	
	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	
TOTAL	82 (100.0)	61 (74.4)	58 (70.7)	2 (2.4)	1 (1.2)	51	13	16	5	13	14
Robbery	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	57	0	0	1	0	1
Larceny	9 (100.0)	5 (55.6)	5 (55.6)	0 (0.0)	0 (0.0)	25	2	1	1	1	0
Embezzlement	7 (100.0)	6 (85.7)	4 (57.1)	1 (14.3)	1 (14.3)	19	3	1	0	2	0
Fraud	12 (100.0)	8 (66.7)	7 (58.3)	1 (8.3)	0 (0.0)	11	6	2	0	0	0
Drug Offenses ⁶	25 (100.0)	24 (96.0)	24 (96.0)	0 (0.0)	0 (0.0)	81	1	7	0	7	9
Simple Possess.	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Counterfeiting	6 (100.0)	3 (50.0)	3 (50.0)	0 (0.0)	0 (0.0)	32	0	1	1	1	0
Firearms	8 (100.0)	5 (62.5)	5 (62.5)	0 (0.0)	0 (0.0)	40	0	2	1	1	1
Immigration	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Other	13 (100.0)	8 (61.5)	8 (61.5)	0 (0.0)	0 (0.0)	57	1	2	1	1	3

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount? \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	21 (25.6)	10 (12.2)	11 (13.4)	0 (0.0)	39 (47.6)	24	13	2	\$ 65,467 (37)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (100.0)	0	2	0	\$ 702 (2)
Larceny	4 (44.4)	1 (11.1)	3 (33.3)	0 (0.0)	4 (44.4)	1	3	0	\$ 5,807 (4)
Embezzlement	1 (14.3)	0 (0.0)	1 (14.3)	0 (0.0)	5 (71.4)	2	3	0	\$ 432,746 (5)
Fraud	4 (33.3)	2 (16.7)	2 (16.7)	0 (0.0)	5 (41.7)	4	1	0	\$ 11,969 (5)
Drug Offenses ⁶	1 (4.0)	1 (4.0)	0 (0.0)	0 (0.0)	5 (20.0)	5	0	0	\$ 7,196 (5)
Simple Possess.	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Counterfeiting	3 (50.0)	2 (33.3)	1 (16.7)	0 (0.0)	6 (100.0)	1	3	2	\$ 2,196 (5)
Firearms	3 (37.5)	1 (12.5)	2 (25.0)	0 (0.0)	3 (37.5)	3	0	0	\$ 3,667 (3)
Immigration	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Other	5 (38.5)	3 (23.1)	2 (15.4)	0 (0.0)	9 (69.2)	8	1	0	\$ 14,512 (8)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

CALIFORNIA, Northern
9th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) San Francisco
(2) Oakland
(3) San Jose

(4) Monterey
(5) Santa Rosa
(6) Santa Cruz

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	19	Civil ³	5,167
AUSAs ⁴	54	Criminal ⁵	600
Assistant Federal Defenders ⁶	14		
Probation Officers ⁷	65		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	548	2,915	18,142	27,257	71,399	225,573	45,033	390,867
Per 100,000 Population	8	44	276	414	1,085	3,429	685	5,941

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	6,578,801	Income per Capita ¹¹	\$ 13,541	Police Protection	\$ 80.94
Population per Square Mile ¹²	319.1	Percent Unemployed ¹³	6.0	Elementary and Secondary Education	\$ 446.87
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 181.67
Percent Age 0-14	19.7	Percent Mfg.	18.8	Public Welfare ¹⁶	\$ 153.31
Percent Age 15-24	13.9	Percent Retail	17.1	Highways	\$ 57.48
Percent Age 25-34	19.3	Percent Finance ¹⁷	7.8	Percent acreage in farms ¹⁸	
Percent Age 35-44	17.1	Percent Service	24.2		
Percent Age 45-64	18.6	Percent Govt.	12.3		
Percent Age 65+	11.3	Percent Other	19.7		42.2

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
341	24	30	13	34	25	35	29	22	31	37	28	33

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²	
GENDER	TOTAL ¹	RACE				Average Age	Average Monthly Income		
	N (Col %)	White	Black	Hispanic	Other				
TOTAL (Row%)	314 (100.0)	140 (44.6)	72 (22.9)	56 (17.8)	46 (14.7)	34.9	\$ 7	TOTAL	336 100.0
MALE	273 (86.9)	125	59	52	37	35.1	\$ 3	PLEA	301 89.6
FEMALE	41 (13.1)	15	13	4	9	34.0	\$ 4	TRIAL	35 10.4

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE				LENGTH OF PRISON TERM				
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	331 (100.0)	235 (71.0)	222 (67.1)	7 (2.1)	6 (1.8)	62	40	51	27	32	85
Robbery	43 (100.0)	42 (97.7)	41 (95.4)	1 (2.3)	0 (0.0)	114	0	0	0	9	33
Larceny	29 (100.0)	13 (44.8)	10 (34.5)	3 (10.3)	0 (0.0)	18	5	6	1	1	0
Embezzlement	30 (100.0)	6 (20.0)	5 (16.7)	0 (0.0)	1 (3.3)	12	3	3	0	0	0
Fraud	50 (100.0)	31 (62.0)	28 (56.0)	1 (2.0)	2 (4.0)	23	13	9	3	3	3
Drug Offenses ⁶	70 (100.0)	66 (94.3)	65 (92.9)	1 (1.4)	0 (0.0)	102	1	4	5	12	44
Simple Possess.	3 (100.0)	1 (33.3)	1 (33.3)	0 (0.0)	0 (0.0)	6	1	0	0	0	0
Counterfeiting	7 (100.0)	6 (85.7)	6 (85.7)	0 (0.0)	0 (0.0)	21	1	4	1	0	0
Firearms	10 (100.0)	8 (80.0)	6 (60.0)	0 (0.0)	2 (20.0)	20	3	2	2	1	0
Immigration	21 (100.0)	17 (81.0)	17 (81.0)	0 (0.0)	0 (0.0)	22	2	9	6	0	0
Other	68 (100.0)	45 (66.2)	43 (63.2)	1 (1.5)	1 (1.5)	30	11	14	9	6	5

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	96 (29.0)	59 (17.8)	37 (11.2)	0 (0.0)	158 (47.7)	54	94	10	\$,335 (146)
Robbery	1 (2.3)	1 (2.3)	0 (0.0)	0 (0.0)	21 (48.8)	0	21	0	\$ 997 (18)
Larceny	16 (55.2)	13 (44.8)	3 (10.3)	0 (0.0)	22 (75.9)	5	15	2	\$,467 (21)
Embezzlement	24 (80.0)	18 (60.0)	6 (20.0)	0 (0.0)	25 (83.3)	4	17	4	\$,324 (25)
Fraud	19 (38.0)	7 (14.0)	12 (24.0)	0 (0.0)	37 (74.0)	4	29	4	\$ 3,791 (31)
Drug Offenses ⁶	4 (5.7)	2 (2.9)	2 (2.9)	0 (0.0)	11 (15.7)	10	1	0	\$,211 (11)
Simple Possess.	2 (66.7)	1 (33.3)	1 (33.3)	0 (0.0)	1 (33.3)	1	0	0	--00 (1)
Counterfeiting	1 (14.3)	0 (0.0)	1 (14.3)	0 (0.0)	1 (14.3)	0	1	0	-- (1)
Firearms	2 (20.0)	2 (20.0)	0 (0.0)	0 (0.0)	3 (30.0)	3	0	0	\$ 950 (3)
Immigration	4 (19.1)	3 (14.3)	1 (4.8)	0 (0.0)	6 (28.6)	6	0	0	\$ 717 (6)
Other	23 (33.8)	12 (17.7)	11 (16.2)	0 (0.0)	31 (45.6)	21	10	0	\$,239 (29)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
 SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

CALIFORNIA, Eastern
9th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Sacramento
(2) Fresno
(3) Redding

(4) Bakersfield
(5) Modesto

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	11	Civil ³	2,349
AUSAs ⁴	34	Criminal ⁵	723
Assistant Federal Defenders ⁶	14		
Probation Officers ⁷	56		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	508	2,534	10,206	26,824	79,112	185,987	39,602	344,773
Per 100,000 Population	9	46	187	492	1,451	3,410	726	6,321

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	5,455,602	Income per Capita ¹¹	\$ 9,730	Police Protection	\$ 74.92
Population per Square Mile ¹²	62.5	Percent Unemployed ¹³	10.0	Elementary and Secondary Education	\$ 516.79
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 126.64
Percent Age 0-14	24.7	Percent Mfg.	11.7	Public Welfare ¹⁶	\$ 205.47
Percent Age 15-24	14.4	Percent Retail	21.3	Highways	\$ 65.68
Percent Age 25-34	17.4	Percent Finance ¹⁷	5.3	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.2	Percent Service	20.9		
Percent Age 45-64	17.2	Percent Govt.	20.6		
Percent Age 65+	11.2	Percent Other	20.2		35.2

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
438	36	33	26	38	35	17	58	35	43	45	30	42

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other				
TOTAL (Row%)	307 (100.0)	199 (64.8)	35 (11.4)	60 (19.5)	13 (4.2)	34.2	\$ 759	TOTAL	436 100.0
MALE	235 (76.5)	147	28	51	9	34.8	\$ 755	PLEA	405 92.9
FEMALE	72 (23.5)	52	7	9	4	32.2	\$ 773	TRIAL	31 7.1

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE				LENGTH OF PRISON TERM				
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	430 (100.0)	312 (72.6)	284 (66.1)	19 (4.4)	9 (2.1)	62	78	76	23	31	104
Robbery	40 (100.0)	40 (100.0)	40 (100.0)	0 (0.0)	0 (0.0)	106	0	0	1	9	30
Larceny	27 (100.0)	12 (44.4)	9 (33.3)	3 (11.1)	0 (0.0)	10	8	4	0	0	0
Embezzlement	40 (100.0)	8 (20.0)	6 (15.0)	0 (0.0)	2 (5.0)	9	6	2	0	0	0
Fraud	40 (100.0)	27 (67.5)	24 (60.0)	1 (2.5)	2 (5.0)	19	10	9	7	1	0
Drug Offenses ⁶	106 (100.0)	100 (94.3)	100 (94.3)	0 (0.0)	0 (0.0)	110	6	3	8	18	65
Simple Possess.	12 (100.0)	1 (8.3)	1 (8.3)	0 (0.0)	0 (0.0)	4	1	0	0	0	0
Counterfeiting	9 (100.0)	4 (44.4)	2 (22.2)	1 (11.1)	1 (11.1)	10	3	1	0	0	0
Firearms	21 (100.0)	18 (85.7)	16 (76.2)	1 (4.8)	1 (4.8)	76	3	4	2	3	6
Immigration	89 (100.0)	84 (94.4)	74 (83.2)	10 (11.2)	0 (0.0)	16	33	47	3	0	1
Other	46 (100.0)	18 (39.1)	12 (26.1)	3 (6.5)	3 (6.5)	37	8	6	2	0	2

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	118 (27.4)	79 (18.4)	39 (9.1)	0 (0.0)	144 (33.5)	54	86	4	\$ 14,941 (135)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	22 (55.0)	0	22	0	\$ 3,220 (17)
Larceny	15 (55.6)	9 (33.3)	6 (22.2)	0 (0.0)	15 (55.6)	5	9	1	\$ 2,516 (15)
Embezzlement	32 (80.0)	21 (52.5)	11 (27.5)	0 (0.0)	29 (72.5)	4	25	0	\$ 32,008 (29)
Fraud	13 (32.5)	5 (12.5)	8 (20.0)	0 (0.0)	26 (65.0)	4	22	0	\$ 35,416 (23)
Drug Offenses ⁶	6 (5.7)	2 (1.9)	4 (3.8)	0 (0.0)	11 (10.4)	10	1	0	\$ 5,414 (11)
Simple Possess.	11 (91.7)	9 (75.0)	2 (16.7)	0 (0.0)	5 (41.7)	5	0	0	\$ 251 (5)
Counterfeiting	5 (55.6)	4 (44.4)	1 (11.1)	0 (0.0)	5 (55.6)	2	2	1	\$ 2,158 (5)
Firearms	3 (14.3)	1 (4.8)	2 (9.5)	0 (0.0)	3 (14.3)	3	0	0	\$ 1,500 (3)
Immigration	5 (5.6)	2 (2.3)	3 (3.4)	0 (0.0)	5 (5.6)	3	2	0	\$ 2,432 (5)
Other	28 (60.9)	26 (56.5)	2 (4.4)	0 (0.0)	23 (50.0)	18	3	2	\$ 4,249 (22)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

CALIFORNIA, Central
9th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Los Angeles (3) Lancaster
(2) Santa Ana (4) Barstow

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	30	Civil ³	10,069
AUSAs ⁴	133	Criminal ⁵	1,082
Assistant Federal Defenders ⁶	38		
Probation Officers ⁷	135		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	2,241	6,238	76,244	113,904	211,626	446,590	176,556	1,033,399
Per 100,000 Population	15	41	504	753	1,400	2,954	1,168	6,835

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	15,118,299	Income per Capita ¹¹	\$ 11,981	Police Protection	\$ 93.97
Population per Square Mile ¹²	377.4	Percent Unemployed ¹³	6.1	Elementary and Secondary Education	\$ 453.34
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 112.87
Percent Age 0-14	22.5	Percent Mfg.	22.3	Public Welfare ¹⁶	\$ 162.34
Percent Age 15-24	16.0	Percent Retail	16.7	Highways	\$ 48.28
Percent Age 25-34	19.5	Percent Finance ¹⁷	6.9	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.1	Percent Service	24.9		
Percent Age 45-64	16.9	Percent Govt.	11.4		
Percent Age 65+	9.9	Percent Other	17.8		22.5

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
1,130	87	83	72	106	109	86	103	82	88	142	84	88

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other				
TOTAL (Row%)	959 (100.0)	317 (33.1)	269 (28.1)	320 (33.4)	53 (5.5)	32.9	\$ 1,562	TOTAL	1,127 100.0
MALE	807 (84.2)	263	225	283	36	33.0	\$ 1,680	PLEA	878 77.9
FEMALE	152 (15.8)	54	44	37	17	32.3	\$ 935	TRIAL	249 22.1

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	1,114 (100.0)	942 (84.6)	895 (80.3)	19 (1.7)	28 (2.5)	81	211	102	61	141	414
Robbery	206 (100.0)	205 (99.5)	205 (99.5)	0 (0.0)	0 (0.0)	100	1	4	14	57	129
Larceny	64 (100.0)	32 (50.0)	29 (45.3)	0 (0.0)	3 (4.7)	19	16	9	2	5	0
Embezzlement	38 (100.0)	11 (29.0)	7 (18.4)	0 (0.0)	4 (10.5)	7	9	2	0	0	0
Fraud	103 (100.0)	64 (62.1)	54 (52.4)	1 (1.0)	9 (8.7)	17	33	15	9	7	0
Drug Offenses ⁶	355 (100.0)	345 (97.2)	341 (96.1)	4 (1.1)	0 (0.0)	130	10	12	16	48	258
Simple Possess.	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	52 (100.0)	36 (69.2)	33 (63.5)	1 (1.9)	2 (3.9)	19	17	11	2	4	2
Firearms	63 (100.0)	55 (87.3)	54 (85.7)	0 (0.0)	1 (1.6)	48	12	20	6	6	11
Immigration	123 (100.0)	106 (86.2)	100 (81.3)	3 (2.4)	3 (2.4)	10	79	10	2	3	2
Other	108 (100.0)	88 (81.5)	72 (66.7)	10 (9.3)	6 (5.6)	46	34	19	10	11	12

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	166 (14.9)	76 (6.8)	90 (8.1)	6 (0.5)	253 (22.7)	141	97	15	\$ 48,171 (239)
Robbery	1 (0.5)	1 (0.5)	0 (0.0)	0 (0.0)	26 (12.6)	4	21	1	\$ 2,064 (24)
Larceny	30 (46.9)	19 (29.7)	11 (17.2)	2 (3.1)	41 (64.1)	16	17	8	\$ 4,537 (37)
Embezzlement	27 (71.1)	7 (18.4)	20 (52.6)	0 (0.0)	26 (68.4)	5	21	0	\$ 14,562 (25)
Fraud	39 (37.9)	19 (18.5)	20 (19.4)	0 (0.0)	51 (49.5)	17	30	4	\$ 99,721 (47)
Drug Offenses ⁶	10 (2.8)	5 (1.4)	5 (1.4)	0 (0.0)	35 (9.9)	35	0	0	\$ 110,806 (35)
Simple Possess.	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	2 (100.0)	2	0	0	\$ 2,290 (2)
Counterfeiting	15 (28.9)	5 (9.6)	10 (19.2)	1 (1.9)	15 (28.9)	10	3	2	\$ 5,387 (15)
Firearms	8 (12.7)	2 (3.2)	6 (9.5)	0 (0.0)	6 (9.5)	6	0	0	\$ 2,700 (5)
Immigration	17 (13.8)	6 (4.9)	11 (8.9)	0 (0.0)	15 (12.2)	14	1	0	\$ 22,716 (14)
Other	17 (15.7)	10 (9.3)	7 (6.5)	3 (2.8)	36 (33.3)	32	4	0	\$ 55,699 (35)

CALIFORNIA, Southern
9th Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

- (1) San Diego
- (2) Mineral
- (3) El Centro

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	10	Civil ³	1,890
AUSAs ⁴	61	Criminal ⁵	1,260
Assistant Federal Defenders ⁶	19		
Probation Officers ⁷	73		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	227	939	6,876	13,874	36,083	89,202	39,602	186,803
Per 100,000 Population	9	36	264	532	1,384	3,421	1,519	7,165

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	2,607,319	Income per Capita ¹¹	\$ 11,394	Police Protection	\$ 59.89
Population per Square Mile ¹²	311.0	Percent Unemployed ¹³	5.7	Elementary and Secondary Education	\$ 444.14
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 138.75
Percent Age 0-14	21.2	Percent Mfg.	15.3	Public Welfare ¹⁶	\$ 141.38
Percent Age 15-24	17.0	Percent Retail	19.8	Highways	\$ 39.52
Percent Age 25-34	19.8	Percent Finance ¹⁷	6.9	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.1	Percent Service	24.9		
Percent Age 45-64	16.0	Percent Govt.	16.1		
Percent Age 65+	10.9	Percent Other	17.0		22.1

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
1,220	85	106	121	97	98	93	132	101	90	120	73	104

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	940 (100.0)	336 (35.7)	57 (6.1)	534 (56.8)	13 (1.4)	31.8	\$ 366	TOTAL	1,220 100.0
MALE	828 (88.1)	278	46	492	12	31.8	\$ 354	PLEA	1,117 91.6
FEMALE	112 (11.9)	58	11	42	1	31.8	\$ 451	TRIAL	103 8.4

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	1,194 (100.0)	1,017 (85.2)	989 (82.8)	21 (1.8)	7 (0.6)	48	286	252	84	121	254
Robbery	44 (100.0)	44 (100.0)	44 (100.0)	0 (0.0)	0 (0.0)	100	0	0	5	9	30
Larceny	19 (100.0)	8 (42.1)	8 (42.1)	0 (0.0)	0 (0.0)	11	5	2	0	0	1
Embezzlement	12 (100.0)	1 (8.3)	1 (8.3)	0 (0.0)	0 (0.0)	15	0	1	0	0	0
Fraud	58 (100.0)	33 (56.9)	31 (53.5)	1 (1.7)	1 (1.7)	14	21	8	2	1	0
Drug Offenses ⁶	517 (100.0)	487 (94.2)	479 (92.7)	4 (0.8)	4 (0.8)	74	27	89	47	101	218
Simple Possess.	191 (100.0)	142 (74.4)	133 (69.6)	8 (4.2)	1 (0.5)	6	139	0	0	0	0
Counterfeiting	14 (100.0)	11 (78.6)	11 (78.6)	0 (0.0)	0 (0.0)	14	5	2	0	2	0
Firearms	40 (100.0)	33 (82.5)	33 (82.5)	0 (0.0)	0 (0.0)	54	8	16	4	0	4
Immigration	226 (100.0)	213 (94.3)	210 (92.9)	2 (0.9)	1 (0.4)	18	53	127	23	2	0
Other	73 (100.0)	45 (61.6)	39 (53.4)	6 (8.2)	0 (0.0)	18	28	7	3	6	1

CASES INVOLVING PROBATION

PRIMARY OFFENSE	CASES			N (Row%)	CASES				
	Total Receiving Probation	TYPE OF SENTENCE			Total Receiving Fines and Restitution	TYPE OF SENTENCE			Average Dollar Amount ⁷
		Probation Only N (Row%)	Probation + Confinement N (Row%)			N (Row%)	Fine Only	Restitution Only	
TOTAL	176 (14.7)	146 (12.2)	30 (2.5)	1 (0.1)	194 (16.3)	121	66	7	\$ 10,318 (186)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	27 (61.4)	1	26	0	\$ 4,509 (24)
Larceny	11 (57.9)	11 (57.9)	0 (0.0)	0 (0.0)	7 (36.8)	3	4	0	\$ 27,069 (7)
Embezzlement	11 (91.7)	9 (75.0)	2 (16.7)	0 (0.0)	4 (33.3)	0	4	0	\$ 34,521 (3)
Fraud	25 (43.1)	19 (32.8)	6 (10.3)	0 (0.0)	28 (48.3)	9	13	6	\$ 34,060 (26)
Drug Offenses ⁶	30 (5.8)	22 (4.3)	8 (1.6)	0 (0.0)	23 (4.5)	22	1	0	\$ 13,391 (22)
Simple Possess.	48 (25.1)	45 (23.6)	3 (1.6)	1 (0.5)	47 (24.6)	44	3	0	\$ 1,112 (47)
Counterfeiting	3 (21.4)	2 (14.3)	1 (7.1)	0 (0.0)	3 (21.4)	2	1	0	\$ 1,189 (3)
Firearms	7 (17.5)	4 (10.0)	3 (7.5)	0 (0.0)	6 (15.0)	5	1	0	\$ 1,400 (6)
Immigration	13 (5.8)	12 (5.3)	1 (0.4)	0 (0.0)	19 (8.4)	18	1	0	\$ 1,694 (19)
Other	28 (38.4)	22 (30.1)	6 (8.2)	0 (0.0)	30 (41.1)	17	12	1	\$ 8,318 (29)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

COLORADO
10th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Denver
(2) Boulder

(3) Colorado Springs
(4) Grand Junction

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	10	Civil ³	2,126
AUSAs ⁴	34	Criminal ⁵	382
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	38		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	138	1,520	2,980	12,660	39,760	127,719	14,082	198,859
Per 100,000 Population	4	46	90	384	1,207	3,877	427	6,035

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	3,294,394	Income per Capita ¹¹	\$ 11,713	Police Protection	\$ 62.34
Population per Square Mile ¹²	31.8	Percent Unemployed ¹³	7.4	Elementary and Secondary Education	\$ 523.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 82.29
Percent Age 0-14	22.3	Percent Mfg.	14.2	Public Welfare ¹⁶	\$ 67.27
Percent Age 15-24	14.1	Percent Retail	19.5	Highways	\$ 62.29
Percent Age 25-34	18.6	Percent Finance ¹⁷	6.9	Percent acreage in farms ¹⁸	
Percent Age 35-44	17.2	Percent Service	23.4		
Percent Age 45-64	17.9	Percent Govt.	13.2		
Percent Age 65+	10.0	Percent Other	23.0		50.6

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
294	14	20	10	48	17	22	19	46	30	21	24	23

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	260 (100.0)	158 (60.8)	39 (15.0)	55 (21.2)	8 (3.1)	36.9	\$ 861	TOTAL	293 100.0
MALE	214 (82.3)	131	31	45	7	37.3	\$ 917	PLEA	282 96.2
FEMALE	46 (17.7)	27	8	10	1	34.9	\$ 602	TRIAL	11 3.8

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE				LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	288 (100.0)	202 (70.1)	181 (62.9)	3 (1.0)	18 (6.3)	37	61	54	19	30	38
Robbery	12 (100.0)	12 (100.0)	12 (100.0)	0 (0.0)	0 (0.0)	118	0	1	0	2	9
Larceny	21 (100.0)	11 (52.4)	10 (47.6)	1 (4.8)	0 (0.0)	14	6	4	0	1	0
Embezzlement	17 (100.0)	7 (41.2)	4 (23.5)	0 (0.0)	3 (17.7)	7	6	1	0	0	0
Fraud	45 (100.0)	26 (57.8)	20 (44.4)	2 (4.4)	4 (8.9)	21	8	11	1	6	0
Drug Offenses ⁶	100 (100.0)	92 (92.0)	86 (86.0)	0 (0.0)	6 (6.0)	45	15	26	11	15	25
Simple Possess.	4 (100.0)	2 (50.0)	2 (50.0)	0 (0.0)	0 (0.0)	33	1	0	0	1	0
Counterfeiting	3 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Firearms	47 (100.0)	29 (61.7)	26 (55.3)	0 (0.0)	3 (6.4)	16	15	7	6	1	0
Immigration	8 (100.0)	5 (62.5)	5 (62.5)	0 (0.0)	0 (0.0)	14	3	2	0	0	0
Other	31 (100.0)	18 (58.1)	16 (51.6)	0 (0.0)	2 (6.5)	36	7	2	1	4	4

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	86 (29.9)	49 (17.0)	37 (12.9)	0 (0.0)	102 (35.4)	44	49	9	\$ 13,764 (92)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	4 (33.3)	0	4	0	\$ 2,639 (4)
Larceny	10 (47.6)	8 (38.1)	2 (9.5)	0 (0.0)	14 (66.7)	4	7	3	\$ 1,132 (12)
Embezzlement	10 (58.8)	4 (23.5)	6 (35.3)	0 (0.0)	12 (70.6)	0	11	1	\$ 11,291 (10)
Fraud	19 (42.2)	11 (24.4)	8 (17.8)	0 (0.0)	31 (68.9)	5	24	2	\$ 34,047 (30)
Drug Offenses ⁶	8 (8.0)	3 (3.0)	5 (5.0)	0 (0.0)	9 (9.0)	9	0	0	\$ 4,222 (9)
Simple Possess.	2 (50.0)	1 (25.0)	1 (25.0)	0 (0.0)	2 (50.0)	2	0	0	\$ 625 (2)
Counterfeiting	3 (100.0)	1 (33.3)	2 (66.7)	0 (0.0)	2 (66.7)	0	1	1	\$ 4,079 (2)
Firearms	18 (38.3)	12 (25.5)	6 (12.8)	0 (0.0)	15 (31.9)	15	0	0	\$ 591 (10)
Immigration	3 (37.5)	2 (25.0)	1 (12.5)	0 (0.0)	2 (25.0)	2	0	0	\$ 1,625 (2)
Other	13 (41.9)	7 (22.6)	6 (19.4)	0 (0.0)	11 (35.5)	7	2	2	\$ 4,656 (11)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

CONNECTICUT
2nd Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Hartford
(2) Bridgeport
(3) New Haven

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	8	Civil ³	2,876
AUSAs ⁴	28	Criminal ⁵	289
Assistant Federal Defenders ⁶	4		
Probation Officers ⁷	26		

CRIMES REPORTED TO POLICE^a								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	166	917	7,698	9,372	40,234	94,206	23,973	176,566
Per 100,000 Population	6	32	273	332	1,426	3,340	850	6,259

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	3,287,116	Income per Capita ¹¹	\$ 14,090	Police Protection	\$ 55.15
Population per Square Mile ¹²	674.7	Percent Unemployed ¹³	3.8	Elementary and Secondary Education	\$ 477.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 15.48
Percent Age 0-14	19.2	Percent Mfg.	27.9	Public Welfare ¹⁶	\$ 24.19
Percent Age 15-24	14.1	Percent Retail	16.4	Highways	\$ 49.34
Percent Age 25-34	17.8	Percent Finance ¹⁷	8.6		
Percent Age 35-44	15.5	Percent Service	23.1		
Percent Age 45-64	19.8	Percent Govt.	8.5		
Percent Age 65+	13.6	Percent Other	15.5	Percent acreage in farms ¹⁸	14.2

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
240	10	16	11	23	17	24	35	32	19	18	7	28

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²		
		White	Black	Hispanic	Other				Number	Col %
TOTAL (Row%)	198 (100.0)	103 (52.0)	48 (24.2)	42 (21.2)	5 (2.5)	33.9	\$ 970	TOTAL	238	100.0
MALE	172 (86.9)	93	38	38	3	34.2	\$ 996	PLEA	223	93.7
FEMALE	26 (13.1)	10	10	4	2	31.8	\$ 804	TRIAL	15	6.3

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
	N (Row%)		N (Row%)	N (Row%)	N (Row%)		1-12	13-24	25-36	37-60	Over 60
TOTAL	237 (100.0)	145 (61.2)	141 (59.5)	0 (0.0)	4 (1.7)	59	23	28	19	28	47
Robbery	17 (100.0)	17 (100.0)	17 (100.0)	0 (0.0)	0 (0.0)	104	1	0	3	3	10
Larceny	15 (100.0)	4 (26.7)	3 (20.0)	0 (0.0)	1 (6.7)	22	2	1	0	1	0
Embezzlement	14 (100.0)	1 (7.1)	1 (7.1)	0 (0.0)	0 (0.0)	15	0	1	0	0	0
Fraud	33 (100.0)	13 (39.4)	11 (33.3)	0 (0.0)	2 (6.1)	15	6	5	0	2	0
Drug Offenses ⁶	80 (100.0)	69 (86.3)	69 (86.3)	0 (0.0)	0 (0.0)	77	2	9	11	14	33
Simple Possess.	4 (100.0)	2 (50.0)	2 (50.0)	0 (0.0)	0 (0.0)	3	2	0	0	0	0
Counterfeiting	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Firearms	29 (100.0)	20 (69.0)	20 (69.0)	0 (0.0)	0 (0.0)	32	6	5	3	4	2
Immigration	7 (100.0)	4 (57.1)	4 (57.1)	0 (0.0)	0 (0.0)	25	1	2	0	1	0
Other	36 (100.0)	15 (41.7)	14 (38.9)	0 (0.0)	1 (2.8)	34	3	5	2	3	2

CASES INVOLVING PROBATION

PRIMARY OFFENSE	TYPE OF SENTENCE			CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			N (Row%)	Fine Only	Restitution Only	
TOTAL	91 (38.4)	56 (23.6)	35 (14.8)	1 (0.4)	104 (43.9)	44	52	8	\$ 26,129 (98)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	12 (70.6)	0	12	0	\$ 3,936 (12)
Larceny	11 (73.3)	8 (53.3)	3 (20.0)	0 (0.0)	9 (60.0)	0	9	0	\$ 12,753 (9)
Embezzlement	13 (92.9)	7 (50.0)	6 (42.9)	0 (0.0)	12 (85.7)	0	11	1	\$ 50,802 (12)
Fraud	20 (60.6)	13 (39.4)	7 (21.2)	0 (0.0)	25 (75.8)	5	17	3	\$ 32,134 (25)
Drug Offenses ⁶	11 (13.8)	5 (6.3)	6 (7.5)	0 (0.0)	17 (21.3)	17	0	0	\$ 14,508 (13)
Simple Possess.	2 (50.0)	2 (50.0)	0 (0.0)	0 (0.0)	3 (75.0)	3	0	0	\$ 1,500 (3)
Counterfeiting	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	2 (100.0)	1	0	1	\$ 500 (1)
Firearms	9 (31.0)	5 (17.2)	4 (13.8)	0 (0.0)	8 (27.6)	7	1	0	\$ 27,938 (8)
Immigration	3 (42.9)	2 (28.6)	1 (14.3)	0 (0.0)	1 (14.3)	1	0	0	\$ 10,000 (1)
Other	20 (55.6)	13 (36.1)	7 (19.4)	1 (2.8)	15 (41.7)	10	2	3	\$ 39,894 (14)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

DELAWARE
3rd Circuit

**City Supplying Sentencing
Guideline Documentation:¹**

(1) Wilmington

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	6	Civil ³	769
AUSAs ⁴	7	Criminal ⁵	108
Assistant Federal Defenders ⁶	13		
Probation Officers ⁷	9		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	33	581	1,090	2,622	6,399	21,772	2,934	35,431
Per 100,000 Population	5	87	164	394	961	3,268	440	5,319

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	666,168	Income per Capita ¹¹	\$ 11,375	Police Protection	\$ 51.50
Population per Square Mile ¹²	344.8	Percent Unemployed ¹³	4.3	Elementary and Secondary Education	\$ 421.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NON-FARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 0.84
Percent Age 0-14	20.8	Percent Mfg.	26.5	Public Welfare ¹⁶	\$ 0.84
Percent Age 15-24	15.1	Percent Retail	18.0	Highways	\$ 38.84
Percent Age 25-34	17.9	Percent Finance ¹⁷	6.9	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.8	Percent Service	22.2		
Percent Age 45-64	19.2	Percent Govt.	8.1		
Percent Age 65+	12.1	Percent Other	18.3		53.0

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
117	11	16	9	9	11	5	19	8	11	4	5	9

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	96 (100.0)	30 (31.3)	61 (63.5)	4 (4.2)	1 (1.0)	30.2	\$ 575	TOTAL	116 100.0
MALE	80 (83.3)	22	54	3	1	30.1	\$ 569	PLEA	102 87.9
FEMALE	16 (16.7)	8	7	1	0	30.8	\$ 607	TRIAL	14 12.1

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)		1-12	13-24	25-36	37-60	Over 60
TOTAL	116 (100.0)	98 (84.5)	94 (81.0)	2 (1.7)	2 (1.7)	50	27	22	16	9	23
Robbery	6 (100.0)	6 (100.0)	6 (100.0)	0 (0.0)	0 (0.0)	182	0	0	0	1	5
Larceny	3 (100.0)	1 (33.3)	0 (0.0)	0 (0.0)	1 (33.3)	4	1	0	0	0	0
Embezzlement	0 (100.0)	0 (-)	0 (-)	0 (-)	0 (-)	--	0	0	0	0	0
Fraud	20 (100.0)	12 (60.0)	10 (50.0)	1 (5.0)	1 (5.0)	17	7	1	3	1	0
Drug Offenses ⁶	57 (100.0)	54 (94.7)	54 (94.7)	0 (0.0)	0 (0.0)	52	12	14	8	5	15
Simple Possess.	3 (100.0)	3 (100.0)	3 (100.0)	0 (0.0)	0 (0.0)	72	0	0	0	1	2
Counterfeiting	0 (100.0)	0 (-)	0 (-)	0 (-)	0 (-)	--	0	0	0	0	0
Firearms	15 (100.0)	15 (100.0)	14 (93.3)	1 (6.7)	0 (0.0)	30	4	7	3	0	1
Immigration	3 (100.0)	3 (100.0)	3 (100.0)	0 (0.0)	0 (0.0)	7	2	0	0	0	0
Other	9 (100.0)	4 (44.4)	4 (44.4)	0 (0.0)	0 (0.0)	29	1	0	2	1	0

CASES INVOLVING PROBATION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			N (Row%)	Fine Only	Restitution Only	
TOTAL	18 (15.5)	4 (3.5)	14 (12.1)	0 (0.0)	45 (38.8)	13	30	2	\$ 26,171 (45)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Larceny	2 (66.7)	1 (33.3)	1 (33.3)	0 (0.0)	3 (100.0)	1	2	0	\$ 12,119 (3)
Embezzlement	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Fraud	8 (40.0)	2 (10.0)	6 (30.0)	0 (0.0)	17 (85.0)	1	16	0	\$ 57,735 (17)
Drug Offenses ⁶	3 (5.3)	1 (1.8)	2 (3.5)	0 (0.0)	14 (24.6)	4	10	0	\$ 2,241 (14)
Simple Possess.	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Counterfeiting	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	4 (26.7)	4	0	0	\$ 1,250 (4)
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (33.3)	1	0	0	\$ 1,600 (1)
Other	5 (55.6)	0 (0.0)	5 (55.6)	0 (0.0)	6 (66.7)	2	2	2	\$ 20,311 (6)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

DISTRICT OF COLUMBIA
District of Columbia Circuit

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	23	Civil ³	2,949
AUSAs ⁴	69	Criminal ⁵	775
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	62		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	472	303	7,367	6,779	12,035	30,370	8,109	65,435
Per 100,000 Population	78	50	1,214	1,117	1,983	5,004	1,336	10,782

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	606,900	Income per Capita ¹¹	\$ 13,530	Police Protection	\$ 200.69
Population per Square Mile ¹²	9,633.3	Percent Unemployed ¹³	7.7	Elementary and Secondary Education	\$ 519.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 321.80
Percent Age 0-14	16.3	Percent Mfg.	2.9	Public Welfare ¹⁶	\$ 564.01
Percent Age 15-24	16.6	Percent Retail	8.3	Highways	\$ 141.87
Percent Age 25-34	20.0	Percent Finance ¹⁷	6.4	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.7	Percent Service	33.5		
Percent Age 45-64	18.6	Percent Govt.	41.8		
Percent Age 65+	12.8	Percent Other	7.1		0.0

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
521	44	39	35	55	42	51	39	56	37	53	22	48

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	457 (100.0)	35 (7.7)	376 (82.3)	28 (6.1)	18 (3.9)	29.8	\$ 531	TOTAL	518 100.0
MALE	372 (81.4)	28	308	23	13	29.7	\$ 541	PLEA	320 61.8
FEMALE	85 (18.6)	7	68	5	5	30.3	\$ 489	TRIAL	198 38.2

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	508 (100.0)	413 (81.3)	400 (78.7)	5 (1.0)	8 (1.6)	89	61	33	23	54	241
Robbery	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	194	0	0	0	0	2
Larceny	24 (100.0)	9 (37.5)	7 (29.2)	0 (0.0)	2 (8.3)	23	4	3	0	0	2
Embezzlement	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	12	1	0	0	0	0
Fraud	31 (100.0)	12 (38.7)	9 (29.0)	0 (0.0)	3 (9.7)	23	5	2	3	2	0
Drug Offenses ⁶	333 (100.0)	318 (95.5)	317 (95.2)	0 (0.0)	1 (0.3)	107	13	20	14	42	228
Simple Possess.	40 (100.0)	25 (62.5)	25 (62.5)	0 (0.0)	0 (0.0)	22	18	1	0	3	3
Counterfeiting	24 (100.0)	8 (33.3)	6 (25.0)	2 (8.3)	0 (0.0)	7	8	0	0	0	0
Firearms	15 (100.0)	13 (86.7)	13 (86.7)	0 (0.0)	0 (0.0)	50	0	2	5	4	2
Immigration	15 (100.0)	7 (46.7)	6 (40.0)	1 (6.7)	0 (0.0)	15	5	1	0	1	0
Other	22 (100.0)	18 (81.8)	14 (63.6)	2 (9.1)	2 (9.1)	33	7	4	1	2	4

CASES INVOLVING PROBATION

PRIMARY OFFENSE	CASES RECEIVING PROBATION			CASES	CASES RECEIVING FINES AND RESTITUTION				
	Total Receiving Probation	TYPE OF SENTENCE			Total Receiving Fines and Restitution	TYPE OF SENTENCE			Average Dollar Amount ⁷
		Probation Only	Probation + Confinement			Fine Only	Restitution Only	Both	
	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)				
TOTAL	95 (18.7)	58 (11.4)	37 (7.3)	0 (0.0)	61 (12.0)	28	27	6	\$ 16,153 (60)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Larceny	15 (62.5)	2 (8.3)	13 (54.2)	0 (0.0)	13 (54.2)	1	11	1	\$ 7,500 (13)
Embezzlement	1 (50.0)	0 (0.0)	1 (50.0)	0 (0.0)	2 (100.0)	1	1	0	\$ 72,873 (2)
Fraud	19 (61.3)	10 (32.3)	9 (29.0)	0 (0.0)	20 (64.5)	3	13	4	\$ 25,290 (20)
Drug Offenses ⁶	15 (4.5)	11 (3.3)	4 (1.2)	0 (0.0)	11 (3.3)	11	0	0	\$ 13,544 (11)
Simple Possess.	15 (37.5)	12 (30.0)	3 (7.5)	0 (0.0)	6 (15.0)	6	0	0	\$ 1,467 (6)
Counterfeiting	16 (66.7)	13 (54.2)	3 (12.5)	0 (0.0)	1 (4.2)	0	1	0	\$ 8,438 (1)
Firearms	2 (13.3)	2 (13.3)	0 (0.0)	0 (0.0)	1 (6.7)	1	0	0	\$ 500 (1)
Immigration	8 (53.3)	6 (40.0)	2 (13.3)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	4 (18.2)	2 (9.1)	2 (9.1)	0 (0.0)	7 (31.8)	5	1	1	\$ 8,908 (6)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

FLORIDA, Northern
11th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Pensacola
(2) Tallahassee

(3) Gainesville
(4) Panama City

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	4	Civil ³	1,290
AUSAs ⁴	17	Criminal ⁵	733
Assistant Federal Defenders ⁶	4		
Probation Officers ⁷	23		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	78	549	1,964	8,323	19,450	42,462	3,926	76,752
Per 100,000 Population	6	43	154	653	1,525	3,330	308	6,019

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,280,184	Income per Capita ¹¹	\$ 9,170	Police Protection	\$ 49.10
Population per Square Mile ¹²	76.4	Percent Unemployed ¹³	5.9	Elementary and Secondary Education	\$ 433.33
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 87.98
Percent Age 0-14	20.8	Percent Mfg.	10.3	Public Welfare ¹⁶	\$ 5.21
Percent Age 15-24	17.6	Percent Retail	22.9	Highways	\$ 58.70
Percent Age 25-34	17.3	Percent Finance ¹⁷	5.6	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.5	Percent Service	23.1		
Percent Age 45-64	18.6	Percent Govt.	19.6		
Percent Age 65+	11.2	Percent Other	18.4		22.5

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
254	23	32	20	24	33	11	11	16	22	22	22	18

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	202 (100.0)	123 (60.9)	66 (32.7)	9 (4.5)	4 (2.0)	35.7	\$ 1,185	TOTAL	253 100.0
MALE	169 (83.7)	102	57	7	3	36.2	\$ 1,266	PLEA	182 71.9
FEMALE	33 (16.3)	21	9	2	1	33.4	\$ 770	TRIAL	71 28.1

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	236 (100.0)	194 (82.2)	187 (79.2)	6 (2.5)	1 (0.4)	109	22	15	22	24	111
Robbery	8 (100.0)	8 (100.0)	8 (100.0)	0 (0.0)	0 (0.0)	187	0	0	0	1	7
Larceny	11 (100.0)	4 (36.4)	4 (36.4)	0 (0.0)	0 (0.0)	10	3	1	0	0	0
Embezzlement	7 (100.0)	4 (57.1)	3 (42.9)	1 (14.3)	0 (0.0)	11	3	0	1	0	0
Fraud	14 (100.0)	4 (28.6)	3 (21.4)	1 (7.1)	0 (0.0)	37	2	1	0	0	1
Drug Offenses ⁶	145 (100.0)	134 (92.4)	133 (91.7)	0 (0.0)	1 (0.7)	133	4	6	10	17	97
Simple Possess.	1 (100.0)	1 (100.0)	0 (0.0)	1 (100.0)	0 (0.0)	6	1	0	0	0	0
Counterfeiting	5 (100.0)	1 (20.0)	1 (20.0)	0 (0.0)	0 (0.0)	6	1	0	0	0	0
Firearms	8 (100.0)	7 (87.5)	7 (87.5)	0 (0.0)	0 (0.0)	98	1	1	1	0	4
Immigration	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	24	0	1	0	0	0
Other	36 (100.0)	30 (83.3)	27 (75.0)	3 (8.3)	0 (0.0)	32	7	5	10	6	2

CASES INVOLVING PROBATION

PRIMARY OFFENSE	CASES			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			N (Row%)	Fine Only	Restitution Only	
TOTAL	41 (17.4)	28 (11.9)	13 (5.5)	1 (0.4)	40 (17.0)	22	15	3	\$ 18,336 (36)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	3 (37.5)	0	3	0	\$ 124,734 (3)
Larceny	6 (54.6)	3 (27.3)	3 (27.3)	1 (9.1)	6 (54.6)	2	4	0	\$ 7,327 (6)
Embezzlement	3 (42.9)	2 (28.6)	1 (14.3)	0 (0.0)	1 (14.3)	0	1	0	\$ 5,416 (1)
Fraud	10 (71.4)	5 (35.7)	5 (35.7)	0 (0.0)	7 (50.0)	1	3	3	\$ 14,885 (6)
Drug Offenses ⁶	11 (7.6)	9 (6.2)	2 (1.4)	0 (0.0)	9 (6.2)	9	0	0	\$ 18,000 (7)
Simple Possess.	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Counterfeiting	4 (80.0)	4 (80.0)	0 (0.0)	0 (0.0)	3 (60.0)	2	1	0	\$ 1,033 (3)
Firearms	1 (12.5)	1 (12.5)	0 (0.0)	0 (0.0)	1 (12.5)	1	0	0	\$ 4,000 (1)
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	6 (16.7)	4 (11.1)	2 (5.6)	0 (0.0)	10 (27.8)	7	3	0	\$ 1,566 (9)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

FLORIDA, Middle
11th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Tampa
(2) Jacksonville
(3) Orlando

(4) Cocoa
(5) Fort Meyers
(6) Ocala

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	10	Civil ³	4,362
AUSAs ⁴	61	Criminal ⁵	927
Assistant Federal Defenders ⁶	15		
Probation Officers ⁷	86		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	648	3,498	20,188	48,853	136,937	280,049	42,113	532,286
Per 100,000 Population	9	49	286	691	1,937	3,961	596	7,529

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	6,898,817	Income per Capita ¹¹	\$ 10,852	Police Protection	\$ 61.56
Population per Square Mile ¹²	299.2	Percent Unemployed ¹³	5.5	Elementary and Secondary Education	\$ 379.82
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 93.85
Percent Age 0-14	18.4	Percent Mfg.	12.2	Public Welfare ¹⁶	\$ 7.70
Percent Age 15-24	12.6	Percent Retail	22.1	Highways	\$ 48.44
Percent Age 25-34	16.1	Percent Finance ¹⁷	7.1	Percent acreage in farms ¹⁸	
Percent Age 35-44	13.8	Percent Service	26.1		
Percent Age 45-64	19.9	Percent Govt.	11.6		
Percent Age 65+	19.1	Percent Other	21.0		45.6

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
926	71	57	38	54	103	72	70	108	77	85	100	91

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²	
GENDER	TOTAL ¹	RACE				Average Age	Average Monthly Income		
	N (Col %)	White	Black	Hispanic	Other				
TOTAL (Row%)	768 (100.0)	427 (55.6)	213 (27.7)	118 (15.4)	10 (1.3)	34.9	\$ 775	TOTAL	922 100.0
MALE	643 (83.7)	363	171	102	7	35.2	\$ 800	PLEA	748 81.1
FEMALE	125 (16.3)	64	42	16	3	33.0	\$ 645	TRIAL	174 18.9

PRIMARY OFFENSE	TOTAL CASES³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison⁴	PRISON TERM ORDERED (months)⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	902 (100.0)	755 (83.7)	711 (78.8)	21 (2.3)	23 (2.6)	89	133	92	54	109	355
Robbery	61 (100.0)	61 (100.0)	61 (100.0)	0 (0.0)	0 (0.0)	107	0	0	2	17	42
Larceny	51 (100.0)	24 (47.1)	20 (39.2)	2 (3.9)	2 (3.9)	22	11	3	4	2	2
Embezzlement	27 (100.0)	12 (44.4)	12 (44.4)	0 (0.0)	0 (0.0)	10	10	2	0	0	0
Fraud	93 (100.0)	65 (69.9)	58 (62.4)	3 (3.2)	4 (4.3)	15	34	20	7	3	0
Drug Offenses⁶	437 (100.0)	422 (96.6)	417 (95.4)	1 (0.2)	4 (0.9)	122	12	28	22	67	292
Simple Possess.	6 (100.0)	2 (33.3)	2 (33.3)	0 (0.0)	0 (0.0)	3	1	0	0	0	0
Counterfeiting	56 (100.0)	39 (69.6)	30 (53.6)	4 (7.1)	5 (8.9)	14	21	11	2	3	0
Firearms	59 (100.0)	53 (89.8)	49 (83.1)	1 (1.7)	3 (5.1)	50	18	12	7	5	9
Immigration	9 (100.0)	7 (77.8)	7 (77.8)	0 (0.0)	0 (0.0)	19	3	3	0	1	0
Other	103 (100.0)	70 (68.0)	55 (53.4)	10 (9.7)	5 (4.9)	42	23	13	10	11	10

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	146 (16.2)	82 (9.1)	64 (7.1)	1 (0.1)	255 (28.3)	72	172	11	\$ 25,914 (229)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	33 (54.1)	0	32	1	\$ 12,568 (26)
Larceny	26 (51.0)	19 (37.3)	7 (13.7)	1 (2.0)	36 (70.6)	5	29	2	\$ 19,317 (34)
Embezzlement	15 (55.6)	5 (18.5)	10 (37.0)	0 (0.0)	17 (63.0)	2	15	0	\$ 25,249 (17)
Fraud	28 (30.1)	12 (12.9)	16 (17.2)	0 (0.0)	68 (73.1)	3	62	3	\$ 51,072 (58)
Drug Offenses ⁶	15 (3.4)	7 (1.6)	8 (1.8)	0 (0.0)	25 (5.7)	25	0	0	\$ 9,922 (23)
Simple Possess.	4 (66.7)	4 (66.7)	0 (0.0)	0 (0.0)	3 (50.0)	3	0	0	\$ 1,167 (3)
Counterfeiting	17 (30.4)	7 (12.5)	10 (17.9)	0 (0.0)	26 (46.4)	5	20	1	\$ 1,264 (26)
Firearms	6 (10.2)	3 (5.1)	3 (5.1)	0 (0.0)	7 (11.9)	6	1	0	\$ 1,889 (7)
Immigration	2 (22.2)	2 (22.2)	0 (0.0)	0 (0.0)	2 (22.2)	1	1	0	\$ 1,000 (1)
Other	33 (32.0)	23 (22.3)	10 (9.7)	0 (0.0)	38 (36.9)	22	12	4	\$ 37,664 (34)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
 SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

FLORIDA, Southern
11th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Miami
(2) Fort Lauderdale
(3) West Palm Beach
(4) Fort Pierce
(5) Key West

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	16	Civil ³	4,719
AUSAs ⁴	144	Criminal ⁵	1,375
Assistant Federal Defenders ⁶	30		
Probation Officers ⁷	146		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	617	2,482	30,225	37,942	113,281	244,126	57,438	486,111
Per 100,000 Population	13	54	662	830	2,477	5,338	1,256	10,630

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	4,758,925	Income per Capita ¹¹	\$ 12,446	Police Protection	\$ 92.66
Population per Square Mile ¹²	351.3	Percent Unemployed ¹³	6.0	Elementary and Secondary Education	\$ 375.77
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 130.10
Percent Age 0-14	18.4	Percent Mfg.	11.3	Public Welfare ¹⁶	\$ 10.53
Percent Age 15-24	12.1	Percent Retail	21.7	Highways	\$ 48.84
Percent Age 25-34	16.5	Percent Finance ¹⁷	8.3	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.1	Percent Service	26.6		
Percent Age 45-64	19.9	Percent Govt.	10.6		
Percent Age 65+	19.0	Percent Other	21.4		42.5

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
1,297	94	118	77	105	108	107	138	80	119	147	69	135

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	1,077 (100.0)	319 (29.6)	271 (25.2)	480 (44.6)	7 (0.7)	35.2	\$ 661	TOTAL	1,294
MALE	883 (82.0)	269	197	412	5	35.6	\$ 693	PLEA	961
FEMALE	194 (18.0)	50	74	68	2	33.4	\$ 517	TRIAL	333

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)		1-12	13-24	25-36	37-60	Over 60
TOTAL	1,285 (100.0)	1,139 (88.6)	1,104 (85.9)	25 (2.0)	10 (0.8)	93	169	126	67	198	573
Robbery	32 (100.0)	32 (100.0)	32 (100.0)	0 (0.0)	0 (0.0)	129	0	0	2	8	22
Larceny	49 (100.0)	26 (53.1)	23 (46.9)	2 (4.1)	1 (2.0)	12	18	6	1	1	0
Embezzlement	39 (100.0)	15 (38.5)	12 (30.8)	0 (0.0)	3 (7.7)	10	11	3	1	0	0
Fraud	72 (100.0)	41 (56.9)	39 (54.2)	2 (2.8)	0 (0.0)	17	22	13	3	3	0
Drug Offenses ⁶	763 (100.0)	747 (97.9)	739 (96.9)	7 (0.9)	1 (0.1)	120	14	22	32	165	513
Simple Possess.	10 (100.0)	3 (30.0)	3 (30.0)	0 (0.0)	0 (0.0)	6	3	0	0	0	0
Counterfeiting	56 (100.0)	37 (66.1)	30 (53.6)	6 (10.7)	1 (1.8)	16	20	11	4	2	0
Firearms	104 (100.0)	102 (98.1)	98 (94.2)	1 (1.0)	3 (2.9)	67	23	35	9	10	25
Immigration	72 (100.0)	58 (80.6)	51 (70.8)	7 (9.7)	0 (0.0)	12	32	17	3	1	0
Other	88 (100.0)	78 (88.6)	77 (87.5)	0 (0.0)	1 (1.1)	40	26	19	12	8	13

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES N (Row%)	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	145 (11.3)	79 (6.2)	66 (5.1)	1 (0.1)	205 (16.0)	74	123	8	\$ 21,199 (199)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	19 (59.4)	1	17	1	\$ 8,225 (17)
Larceny	23 (46.9)	13 (26.5)	10 (20.4)	0 (0.0)	28 (57.1)	5	22	1	\$ 3,881 (27)
Embezzlement	24 (61.5)	13 (33.3)	11 (28.2)	0 (0.0)	27 (69.2)	3	22	2	\$ 31,882 (27)
Fraud	31 (43.1)	14 (19.4)	17 (23.6)	0 (0.0)	53 (73.6)	4	46	3	\$ 36,801 (50)
Drug Offenses ⁶	16 (2.1)	10 (1.3)	6 (0.8)	0 (0.0)	31 (4.1)	31	0	0	\$ 30,436 (31)
Simple Possess.	7 (70.0)	7 (70.0)	0 (0.0)	0 (0.0)	5 (50.0)	5	0	0	\$ 1,550 (5)
Counterfeiting	19 (33.9)	7 (12.5)	12 (21.4)	0 (0.0)	8 (14.3)	0	8	0	\$ 3,532 (8)
Firearms	2 (1.9)	2 (1.9)	0 (0.0)	0 (0.0)	5 (4.8)	4	1	0	\$ 4,314 (5)
Immigration	14 (19.4)	9 (12.5)	5 (6.9)	0 (0.0)	10 (13.9)	8	2	0	\$ 5,030 (10)
Other	9 (10.2)	4 (4.6)	5 (5.7)	1 (1.1)	19 (21.6)	13	5	1	\$ 11,675 (19)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

GEORGIA, Northern
11th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Atlanta
(3) Rome

(2) Gainesville
(4) Newnan

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	12	Civil ³	3,386
AUSAs ⁴	39	Criminal ⁵	399
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	56		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	424	2,086	11,922	17,019	62,158	148,432	32,732	274,773
Per 100,000 Population	12	58	332	473	1,728	4,128	910	7,641

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	3,708,451	Income per Capita ¹¹	\$ 11,534	Police Protection	\$ 49.05
Population per Square Mile ¹²	260.0	Percent Unemployed ¹³	5.1	Elementary and Secondary Education	\$ 398.97
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 213.99
Percent Age 0-14	21.7	Percent Mfg.	21.0	Public Welfare ¹⁶	\$ 2.23
Percent Age 15-24	15.1	Percent Retail	17.9	Highways	\$ 41.84
Percent Age 25-34	19.3	Percent Finance ¹⁷	6.3	Percent acreage in farms ¹⁸	
Percent Age 35-44	16.8	Percent Service	20.4		
Percent Age 45-64	18.1	Percent Govt.	11.1		
Percent Age 65+	9.0	Percent Other	23.2		

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
451	38	33	36	40	37	27	52	43	43	47	28	27

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²		
		White	Black	Hispanic	Other				Number	Col %
TOTAL (Row%)	389 (100.0)	215 (55.3)	153 (39.3)	10 (2.6)	11 (2.8)	36.4	\$ 910	TOTAL	448	100.0
MALE	318 (81.7)	177	121	9	11	36.7	\$ 828	PLEA	350	78.1
FEMALE	71 (18.3)	38	32	1	0	34.9	\$ 1,276	TRIAL	98	21.9

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
	N (Row%)	N (Row%)	N (Row%)	N (Row%)	1-12		13-24	25-36	37-60	Over 60	
TOTAL	409 (100.0)	305 (74.6)	287 (70.2)	2 (0.5)	16 (3.9)	73	55	47	36	46	118
Robbery	20 (100.0)	20 (100.0)	20 (100.0)	0 (0.0)	0 (0.0)	104	0	0	2	5	13
Larceny	44 (100.0)	13 (29.6)	13 (29.6)	0 (0.0)	0 (0.0)	27	2	6	3	2	0
Embezzlement	21 (100.0)	9 (42.9)	7 (33.3)	0 (0.0)	2 (9.5)	14	4	5	0	0	0
Fraud	46 (100.0)	34 (73.9)	30 (65.2)	0 (0.0)	4 (8.7)	22	12	12	5	3	1
Drug Offenses ⁶	168 (100.0)	154 (91.7)	147 (87.5)	2 (1.2)	5 (3.0)	109	9	6	15	27	97
Simple Possess.	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	6	1	0	0	0	0
Counterfeiting	18 (100.0)	14 (77.8)	12 (66.7)	0 (0.0)	2 (11.1)	19	4	4	3	1	0
Firearms	23 (100.0)	18 (78.3)	17 (73.9)	0 (0.0)	1 (4.4)	43	3	7	4	1	3
Immigration	10 (100.0)	9 (90.0)	9 (90.0)	0 (0.0)	0 (0.0)	10	7	2	0	0	0
Other	57 (100.0)	33 (57.9)	31 (54.4)	0 (0.0)	2 (3.5)	27	13	5	4	7	4

CASES INVOLVING PROBATION

PRIMARY OFFENSE	CASES RECEIVING PROBATION			CASES	CASES RECEIVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	98 (24.0)	52 (12.7)	46 (11.3)	6 (1.5)	242 (59.2)	155	69	18	\$ 38,964 (234)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	12 (60.0)	2	9	1	\$ 5,734 (10)
Larceny	25 (56.8)	17 (38.6)	8 (18.2)	6 (13.6)	39 (88.6)	15	16	8	\$ 10,699 (36)
Embezzlement	12 (57.1)	3 (14.3)	9 (42.9)	0 (0.0)	21 (100.0)	7	13	1	\$ 54,200 (19)
Fraud	12 (26.1)	5 (10.9)	7 (15.2)	0 (0.0)	37 (80.4)	11	20	6	\$ 164,987 (37)
Drug Offenses ⁶	14 (8.3)	6 (3.6)	8 (4.8)	0 (0.0)	66 (39.3)	66	0	0	\$ 15,307 (65)
Simple Possess.	1 (50.0)	0 (0.0)	1 (50.0)	0 (0.0)	2 (100.0)	2	0	0	\$ 500 (2)
Counterfeiting	4 (22.2)	2 (11.1)	2 (11.1)	0 (0.0)	14 (77.8)	7	5	2	\$ 13,763 (14)
Firearms	5 (21.7)	4 (17.4)	1 (4.4)	0 (0.0)	11 (47.8)	11	0	0	\$ 5,909 (11)
Immigration	1 (10.0)	1 (10.0)	0 (0.0)	0 (0.0)	5 (50.0)	4	1	0	\$ 3,859 (5)
Other	24 (42.1)	14 (24.6)	10 (17.5)	0 (0.0)	35 (61.4)	30	5	0	\$ 7,650 (35)

GEORGIA, Middle
11th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Macon
(2) Columbus
(3) Valdosta

(4) Albany
(5) Athens

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	3	Civil ³	1,106
AUSAs ⁴	13	Criminal ⁵	2,169
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	18		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	183	743	2,354	5,893	21,898	47,647	4,961	83,679
Per 100,000 Population	11	46	145	363	1,349	2,935	306	5,155

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	1,606,335	Income per Capita ¹¹	\$ 8,440	Police Protection	\$ 41.67
Population per Square Mile ¹²	64.7	Percent Unemployed ¹³	7.2	Elementary and Secondary Education	\$ 372.38
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 239.23
Percent Age 0-14	22.9	Percent Mfg.	26.8	Public Welfare ¹⁶	\$ 3.65
Percent Age 15-24	16.8	Percent Retail	17.7	Highways	\$ 46.16
Percent Age 25-34	16.3	Percent Finance ¹⁷	4.3	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.1	Percent Service	14.4		
Percent Age 45-64	18.1	Percent Govt.	19.4		
Percent Age 65+	11.8	Percent Other	17.4		40.9

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
235	12	24	21	19	20	21	14	33	22	14	18	17

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	200 (100.0)	88 (44.0)	91 (45.5)	12 (6.0)	9 (4.5)	36.2	\$ 735	TOTAL	233 100.0
MALE	128 (64.0)	58	62	6	2	36.2	\$ 591	PLEA	196 84.1
FEMALE	72 (36.0)	30	29	6	7	36.1	\$ 989	TRIAL	37 15.9

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)							
TOTAL	231 (100.0)	142 (61.5)	130 (56.3)	12 (5.2)	0 (0.0)	97	24	19	13	21	65
Robbery	14 (100.0)	14 (100.0)	14 (100.0)	0 (0.0)	0 (0.0)	89	0	1	1	4	8
Larceny	74 (100.0)	9 (12.2)	0 (0.0)	9 (12.2)	0 (0.0)	2	9	0	0	0	0
Embezzlement	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Fraud	9 (100.0)	8 (88.9)	7 (77.8)	1 (11.1)	0 (0.0)	20	2	3	3	0	0
Drug Offenses ⁶	65 (100.0)	62 (95.4)	62 (95.4)	0 (0.0)	0 (0.0)	151	3	2	4	6	47
Simple Possess.	7 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	5 (100.0)	2 (40.0)	2 (40.0)	0 (0.0)	0 (0.0)	91	0	2	0	0	0
Firearms	18 (100.0)	18 (100.0)	18 (100.0)	0 (0.0)	0 (0.0)	105	1	2	2	5	8
Immigration	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	24	0	1	0	0	0
Other	35 (100.0)	28 (80.0)	26 (74.3)	2 (5.7)	0 (0.0)	38	9	8	3	6	2

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	86 (37.2)	76 (32.9)	10 (4.3)	3 (1.3)	114 (49.4)	89	22	3	\$ 6,144 (114)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (7.1)	0	1	0	\$ 3,394 (1)
Larceny	63 (85.1)	58 (78.4)	5 (6.8)	2 (2.7)	65 (87.8)	60	3	2	\$ 432 (65)
Embezzlement	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	2 (100.0)	1	1	0	\$ 1,375 (2)
Fraud	1 (11.1)	1 (11.1)	0 (0.0)	0 (0.0)	6 (66.7)	1	5	0	\$ 78,244 (6)
Drug Offenses ⁶	3 (4.6)	3 (4.6)	0 (0.0)	0 (0.0)	8 (12.3)	7	1	0	\$ 10,153 (8)
Simple Possess.	6 (85.7)	4 (57.1)	2 (28.6)	1 (14.3)	5 (71.4)	5	0	0	\$ 895 (5)
Counterfeiting	3 (60.0)	3 (60.0)	0 (0.0)	0 (0.0)	4 (80.0)	2	1	1	\$ 4,495 (4)
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (11.1)	2	0	0	\$ 2,000 (2)
Immigration	1 (50.0)	0 (0.0)	1 (50.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	7 (20.0)	6 (17.1)	1 (2.9)	0 (0.0)	21 (60.0)	11	10	0	\$ 4,242 (21)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

GEORGIA, Southern
11th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Savannah
- (2) Augusta
- (3) Brunswick

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	3	Civil ³	1,371
AUSAs ⁴	15	Criminal ⁵	372
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	22		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	146	522	2,332	3,577	15,696	34,146	4,489	60,908
Per 100,000 Population	13	45	203	311	1,364	2,968	390	5,294

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	1,163,430	Income per Capita ¹¹	\$ 8,628	Police Protection	\$ 41.58
Population per Square Mile ¹²	61.3	Percent Unemployed ¹³	7.0	Elementary and Secondary Education	\$ 385.50
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 278.74
Percent Age 0-14	23.5	Percent Mfg.	24.7	Public Welfare ¹⁶	\$ 4.35
Percent Age 15-24	16.3	Percent Retail	19.9	Highways	\$ 51.09
Percent Age 25-34	17.0	Percent Finance ¹⁷	4.0		
Percent Age 35-44	14.3	Percent Service	16.0		
Percent Age 45-64	17.6	Percent Govt.	17.3		
Percent Age 65+	11.3	Percent Other	18.1	Percent acreage in farms ¹⁸	31.0

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
170	16	5	29	19	27	10	11	6	25	3	14	5

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	126 (100.0)	79 (62.7)	44 (34.9)	2 (1.6)	1 (0.8)	36.1	\$ 1,076	TOTAL	168 100.0
MALE	106 (84.1)	70	34	2	0	35.9	\$ 1,192	PLEA	134 79.8
FEMALE	20 (15.9)	9	10	0	1	37.1	\$ 458	TRIAL	34 20.2

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ¹ N (Row%)	Total Receiving Prison N (Row%)	TYPE OF SENTENCE			Average Months Prison ⁴	LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)		PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	162 (100.0)	121 (74.7)	115 (71.0)	4 (2.5)	2 (1.2)	87	22	13	14	10	61
Robbery	5 (100.0)	4 (80.0)	4 (80.0)	0 (0.0)	0 (0.0)	123	0	0	0	0	4
Larceny	34 (100.0)	14 (41.2)	13 (38.2)	1 (2.9)	0 (0.0)	18	9	1	3	0	1
Embezzlement	4 (100.0)	2 (50.0)	2 (50.0)	0 (0.0)	0 (0.0)	9	2	0	0	0	0
Fraud	9 (100.0)	6 (66.7)	6 (66.7)	0 (0.0)	0 (0.0)	23	1	2	2	1	0
Drug Offenses ⁶	74 (100.0)	71 (96.0)	71 (96.0)	0 (0.0)	0 (0.0)	116	2	6	7	9	47
Simple Possess.	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Firearms	5 (100.0)	3 (60.0)	3 (60.0)	0 (0.0)	0 (0.0)	132	0	0	0	0	3
Immigration	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Other	27 (100.0)	20 (74.1)	15 (55.6)	3 (11.1)	2 (7.4)	47	8	4	2	0	6

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES N (Row%)	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	41 (25.3)	32 (19.8)	9 (5.6)	0 (0.0)	80 (49.4)	53	22	5	\$ 7,860 (77)
Robbery	1 (20.0)	1 (20.0)	0 (0.0)	0 (0.0)	3 (60.0)	0	3	0	\$ 1,006 (3)
Larceny	20 (58.8)	15 (44.1)	5 (14.7)	0 (0.0)	28 (82.4)	16	8	4	\$ 2,386 (26)
Embezzlement	2 (50.0)	1 (25.0)	1 (25.0)	0 (0.0)	3 (75.0)	0	3	0	\$ 35,068 (3)
Fraud	3 (33.3)	2 (22.2)	1 (11.1)	0 (0.0)	6 (66.7)	1	4	1	\$ 17,977 (6)
Drug Offenses ⁶	3 (4.1)	3 (4.1)	0 (0.0)	0 (0.0)	23 (31.1)	23	0	0	\$ 10,764 (23)
Simple Possess.	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	1 (100.0)	1	0	0	\$ 300 (1)
Counterfeiting	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	1 (100.0)	0	1	0	\$ 8,064 (1)
Firearms	2 (40.0)	1 (20.0)	1 (20.0)	0 (0.0)	1 (20.0)	1	0	0	\$ 5,000 (1)
Immigration	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	1 (50.0)	1	0	0	-- (0)
Other	7 (25.9)	6 (22.2)	1 (3.7)	0 (0.0)	13 (48.2)	10	3	0	\$ 5,088 (13)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

**City Supplying Sentencing
Guideline Documentation:¹**

(1) Honolulu

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	5	Civil ³	765
AUSAs ⁴	17	Criminal ⁵	1,811
Assistant Federal Defenders ⁶	6		
Probation Officers ⁷	13		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	44	360	1,013	1,696	13,611	46,735	4,217	67,676
Per 100,000 Population	4	32	91	153	1,228	4,217	380	6,105

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,108,229	Income per Capita ¹¹	\$11,003	Police Protection	n/a
Population per Square Mile ¹²	172.5	Percent Unemployed ¹³	4.8	Elementary and Secondary Education	n/a
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	n/a
Percent Age 0-14	21.5	Percent Mfg.	5.6	Public Welfare ¹⁶	n/a
Percent Age 15-24	14.7	Percent Retail	24.7	Highways	n/a
Percent Age 25-34	18.1	Percent Finance ¹⁷	8.0	Percent acreage in farms ¹⁸	
Percent Age 35-44	16.1	Percent Service	30.2		
Percent Age 45-64	18.3	Percent Govt.	12.3		
Percent Age 65+	11.3	Percent Other	19.2		47.6

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
220	17	16	17	15	17	18	37	26	15	11	11	20

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²		
		White	Black	Hispanic	Other				Number	Col %
TOTAL (Row%)	94 (100.0)	30 (31.9)	5 (5.3)	2 (2.1)	57 (60.6)	34.4	\$ 885	TOTAL	218	100.0
MALE	75 (79.8)	22	3	1	49	34.5	\$ 961	PLEA	187	85.8
FEMALE	19 (20.2)	8	2	1	8	34.2	\$ 589	TRIAL	31	14.2

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	211 (100.0)	138 (65.4)	134 (63.5)	3 (1.4)	1 (0.5)	60	28	25	14	30	40
Robbery	7 (100.0)	7 (100.0)	7 (100.0)	0 (0.0)	0 (0.0)	87	0	0	0	2	5
Larceny	50 (100.0)	12 (24.0)	10 (20.0)	2 (4.0)	0 (0.0)	7	11	1	0	0	0
Embezzlement	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Fraud	29 (100.0)	22 (75.9)	22 (75.9)	0 (0.0)	0 (0.0)	30	5	8	3	5	1
Drug Offenses ⁶	80 (100.0)	76 (95.0)	76 (95.0)	0 (0.0)	0 (0.0)	82	4	10	8	22	32
Simple Possess.	9 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	17	0	1	0	0	0
Firearms	5 (100.0)	4 (80.0)	4 (80.0)	0 (0.0)	0 (0.0)	20	1	2	1	0	0
Immigration	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Other	27 (100.0)	16 (59.3)	14 (51.9)	1 (3.7)	1 (3.7)	37	7	3	2	1	2

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	60 (28.4)	41 (19.4)	19 (9.0)	13 (6.2)	117 (55.5)	83	27	7	\$ 25,003 (115)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	6 (85.7)	0	6	0	\$ 6,212 (6)
Larceny	34 (68.0)	24 (48.0)	10 (20.0)	4 (8.0)	48 (96.0)	39	6	3	\$ 1,222 (47)
Embezzlement	1 (100.0)	0 (0.0)	1 (100.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Fraud	6 (20.7)	3 (10.3)	3 (10.3)	1 (3.5)	22 (75.9)	9	9	4	\$ 106,023 (22)
Drug Offenses ⁶	4 (5.0)	1 (1.3)	3 (3.8)	0 (0.0)	11 (13.8)	11	0	0	\$ 11,388 (11)
Simple Possess.	5 (55.6)	5 (55.6)	0 (0.0)	4 (44.4)	9 (100.0)	9	0	0	\$ 909 (8)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	1 (50.0)	2 (100.0)	1	1	0	\$ 111,000 (2)
Firearms	1 (20.0)	1 (20.0)	0 (0.0)	0 (0.0)	1 (20.0)	1	0	0	\$ 1,000 (1)
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	1 (100.0)	1	0	0	\$ 40,000 (1)
Other	9 (33.3)	7 (25.9)	2 (7.4)	2 (7.4)	17 (63.0)	12	5	0	\$ 3,092 (17)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Boise
(2) Pocatello
(3) Moscow

(4) Twin Falls
(5) Caldwell

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	3	Civil ³	539
AUSAs ⁴	9	Criminal ⁵	86
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	11		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	27	273	150	2,305	8,115	28,042	1,649	40,561
Per 100,000 Population	3	27	15	232	815	2,818	166	4,076

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,006,749	Income per Capita ¹¹	\$ 8,567	Police Protection	\$ 41.84
Population per Square Mile ¹²	12.2	Percent Unemployed ¹³	8.7	Elementary and Secondary Education	\$ 380.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 99.05
Percent Age 0-14	25.9	Percent Mfg.	17.4	Public Welfare ¹⁶	\$ 5.12
Percent Age 15-24	14.5	Percent Retail	19.6	Highways	\$ 72.58
Percent Age 25-34	15.2	Percent Finance ¹⁷	5.3	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.8	Percent Service	19.5		
Percent Age 45-64	17.6	Percent Govt.	16.4		
Percent Age 65+	12.0	Percent Other	21.8		26.4

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
75	9	9	6	7	6	7	5	5	2	7	4	8

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²		
		White	Black	Hispanic	Other				Number	Col %
TOTAL (Row%)	57 (100.0)	36 (63.2)	1 (1.8)	17 (29.8)	3 (5.3)	33.8	\$ 542	TOTAL	74	100.0
MALE	44 (77.2)	29	1	12	2	34.7	\$ 569	PLEA	50	67.6
FEMALE	13 (22.8)	7	0	5	1	30.6	\$ 451	TRIAL	24	32.4

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	Total Receiving Prison N (Row%)	TYPE OF SENTENCE				LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	74 (100.0)	52 (70.3)	52 (70.3)	0 (0.0)	0 (0.0)	114	7	10	4	3	28
Robbery	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	36	0	0	1	0	0
Larceny	5 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Embezzlement	5 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Fraud	8 (100.0)	4 (50.0)	4 (50.0)	0 (0.0)	0 (0.0)	25	1	2	0	0	1
Drug Offenses ⁶	25 (100.0)	24 (96.0)	24 (96.0)	0 (0.0)	0 (0.0)	187	0	2	0	2	20
Simple Possess.	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Counterfeiting	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	13	1	1	0	0	0
Firearms	10 (100.0)	9 (90.0)	9 (90.0)	0 (0.0)	0 (0.0)	75	1	2	1	0	5
Immigration	5 (100.0)	4 (80.0)	4 (80.0)	0 (0.0)	0 (0.0)	23	0	3	1	0	0
Other	13 (100.0)	8 (61.5)	8 (61.5)	0 (0.0)	0 (0.0)	67	4	0	1	1	2

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	22 (29.7)	10 (13.5)	12 (16.2)	0 (0.0)	36 (48.7)	19	12	5	\$ 3,475 (34)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Larceny	5 (100.0)	3 (60.0)	2 (40.0)	0 (0.0)	5 (100.0)	2	2	1	\$ 2,824 (5)
Embezzlement	5 (100.0)	2 (40.0)	3 (60.0)	0 (0.0)	3 (60.0)	0	2	1	\$ 6,708 (3)
Fraud	4 (50.0)	2 (25.0)	2 (25.0)	0 (0.0)	6 (75.0)	0	3	3	\$ 5,612 (4)
Drug Offenses ⁶	1 (4.0)	0 (0.0)	1 (4.0)	0 (0.0)	6 (24.0)	6	0	0	\$ 2,993 (6)
Simple Possess.	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (50.0)	0	1	0	\$ 100 (1)
Firearms	1 (10.0)	0 (0.0)	1 (10.0)	0 (0.0)	5 (50.0)	4	1	0	\$ 3,406 (5)
Immigration	1 (20.0)	0 (0.0)	1 (20.0)	0 (0.0)	1 (20.0)	1	0	0	\$ 250 (1)
Other	5 (38.5)	3 (23.1)	2 (15.4)	0 (0.0)	9 (69.2)	6	3	0	\$ 2,902 (9)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

ILLINOIS, Northern
7th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Chicago
- (2) Freeport
- (3) Glen Ellyn

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	27	Civil ³	8,312
AUSAs ⁴	87	Criminal ⁵	747
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	100		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape*	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	1,029	—	42,388	50,702	92,667	289,943	67,769	544,498
Per 100,000 Population	13	—	528	632	1,154	3,612	844	6,783

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	8,028,703	Income per Capita ¹¹	\$ 11,958	Police Protection	\$ 89.76
Population per Square Mile ¹²	742.3	Percent Unemployed ¹³	7.3	Elementary and Secondary Education	\$ 456.51
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 50.42
Percent Age 0-14	21.9	Percent Mfg.	23.4	Public Welfare ¹⁶	\$ 14.71
Percent Age 15-24	14.5	Percent Retail	16.6	Highways	\$ 55.93
Percent Age 25-34	18.2	Percent Finance ¹⁷	7.8	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.2	Percent Service	24.1		
Percent Age 45-64	18.6	Percent Govt.	10.6		
Percent Age 65+	11.5	Percent Other	17.5		

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
559	44	63	50	49	38	60	30	58	24	48	40	55

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE						Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other					Number	Col %
TOTAL (Row%)	515 (100.0)	160 (31.1)	185 (35.9)	163 (31.7)	7 (1.4)			35.5	\$ 645	TOTAL	557 100.0
MALE	449 (87.2)	143	148	151	7			35.6	\$ 660	PLEA	453 81.3
FEMALE	66 (12.8)	17	37	12	0			34.6	\$ 543	TRIAL	104 18.7

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)		1-12	13-24	25-36	37-60	Over 60
TOTAL	550 (100.0)	429 (78.0)	405 (73.6)	17 (3.1)	7 (1.3)	71	73	51	54	87	160
Robbery	31 (100.0)	30 (96.8)	29 (93.6)	1 (3.2)	0 (0.0)	109	0	0	3	9	18
Larceny	65 (100.0)	32 (49.2)	31 (47.7)	0 (0.0)	1 (1.5)	11	19	11	1	0	0
Embezzlement	16 (100.0)	3 (18.8)	2 (12.5)	0 (0.0)	1 (6.3)	21	1	1	1	0	0
Fraud	56 (100.0)	33 (58.9)	28 (50.0)	3 (5.4)	2 (3.6)	35	11	11	3	4	3
Drug Offenses ⁵	235 (100.0)	228 (97.0)	227 (96.6)	1 (0.4)	0 (0.0)	97	5	10	28	59	126
Simple Possess.	17 (100.0)	1 (5.9)	1 (5.9)	0 (0.0)	0 (0.0)	2	1	0	0	0	0
Counterfeiting	24 (100.0)	16 (66.7)	15 (62.5)	1 (4.2)	0 (0.0)	14	11	3	1	1	0
Firearms	28 (100.0)	26 (92.9)	23 (82.1)	2 (7.1)	1 (3.6)	65	3	8	6	2	7
Immigration	12 (100.0)	10 (83.3)	8 (66.7)	2 (16.7)	0 (0.0)	11	7	1	1	0	0
Other	66 (100.0)	50 (75.8)	41 (62.1)	7 (10.6)	2 (3.0)	32	15	6	10	12	6

CASES INVOLVING PROBATION

PRIMARY OFFENSE	Total Receiving Probation N (Row%)	TYPE OF SENTENCE		CASES N (Row%)	Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	121 (22.0)	69 (12.6)	52 (9.5)	0 (0.0)	165 (30.0)	53	99	13	\$ 183,356 (163)
Robbery	1 (3.2)	0 (0.0)	1 (3.2)	0 (0.0)	12 (38.7)	0	12	0	\$ 12,649 (12)
Larceny	33 (50.8)	25 (38.5)	8 (12.3)	0 (0.0)	33 (50.8)	9	24	0	\$ 5,744 (33)
Embezzlement	13 (81.3)	8 (50.0)	5 (31.3)	0 (0.0)	6 (37.5)	1	4	1	\$ 10,721 (6)
Fraud	23 (41.1)	9 (16.1)	14 (25.0)	0 (0.0)	41 (73.2)	3	35	3	\$ 60,537 (39)
Drug Offenses ⁶	7 (3.0)	2 (0.9)	5 (2.1)	0 (0.0)	22 (9.4)	13	7	2	\$ 1,207,690 (22)
Simple Possess.	16 (94.1)	14 (82.4)	2 (11.8)	0 (0.0)	9 (52.9)	4	4	1	\$ 760 (9)
Counterfeiting	8 (33.3)	4 (16.7)	4 (16.7)	0 (0.0)	4 (16.7)	2	1	1	\$ 2,080 (4)
Firearms	2 (7.1)	0 (0.0)	2 (7.1)	0 (0.0)	5 (17.9)	3	1	1	\$ 3,035 (5)
Immigration	2 (16.7)	1 (8.3)	1 (8.3)	0 (0.0)	1 (8.3)	0	0	1	\$ 10,875 (1)
Other	16 (24.2)	6 (9.1)	10 (15.2)	0 (0.0)	32 (48.5)	18	11	3	\$ 15,938 (32)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

ILLINOIS, Central
7th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Springfield
(2) Peoria

(3) Danville
(4) Rock Island

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	4	Civil ³	1,239
AUSAs ⁴	13	Criminal ⁵	272
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	20		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape*	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	63	—	1,476	5,480	18,189	56,095	2,764	84,067
Per 100,000 Population	3	—	69	255	847	2,613	129	3,916

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,159,991	Income per Capita ¹¹	\$ 10,041	Police Protection	\$ 44.43
Population per Square Mile ¹²	76.0	Percent Unemployed ¹³	8.9	Elementary and Secondary Education	\$ 400.73
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 59.79
Percent Age 0-14	21.1	Percent Mfg.	20.1	Public Welfare ¹⁶	\$ 15.53
Percent Age 15-24	15.5	Percent Retail	19.2	Highways	\$ 91.24
Percent Age 25-34	15.4	Percent Finance ¹⁷	6.5	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.3	Percent Service	21.5		
Percent Age 45-64	19.0	Percent Govt.	15.0		
Percent Age 65+	14.8	Percent Other	17.7		88.7

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
201	11	16	14	11	13	17	12	19	13	20	22	33

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²			
GENDER	TOTAL ¹		RACE				Average Age	Average Monthly Income			
	N	(Col %)	White	Black	Hispanic	Other					Number
TOTAL (Row%)	186	(100.0)	127 (68.3)	42 (22.6)	14 (7.5)	3 (1.6)	34.9	\$ 713	TOTAL	200	100.0
MALE	150	(80.6)	101	33	14	2	34.9	\$ 732	PLEA	163	81.5
FEMALE	36	(19.4)	26	9	0	1	35.1	\$ 634	TRIAL	37	18.5

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE				LENGTH OF PRISON TERM				
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	199 (100.0)	160 (80.4)	152 (76.4)	3 (1.5)	5 (2.5)	78	21	26	19	28	66
Robbery	8 (100.0)	8 (100.0)	8 (100.0)	0 (0.0)	0 (0.0)	129	0	0	0	3	5
Larceny	14 (100.0)	2 (14.3)	2 (14.3)	0 (0.0)	0 (0.0)	25	1	0	0	1	0
Embezzlement	8 (100.0)	5 (62.5)	4 (50.0)	0 (0.0)	1 (12.5)	14	3	1	1	0	0
Fraud	31 (100.0)	21 (67.7)	19 (61.3)	0 (0.0)	2 (6.5)	27	3	10	5	2	1
Drug Offenses ⁶	88 (100.0)	82 (93.2)	80 (90.9)	0 (0.0)	2 (2.3)	95	7	5	4	16	50
Simple Possess.	0 (100.0)	0 (-)	0 (-)	0 (-)	0 (-)	--	0	0	0	0	0
Counterfeiting	2,151 (100.0)	2 (0.1)	2 (0.1)	0 (0.0)	0 (0.0)	11	1	1	0	0	0
Firearms	27 (100.0)	25 (92.6)	24 (88.9)	1 (3.7)	0 (0.0)	100	2	5	4	4	10
Immigration	5 (100.0)	4 (80.0)	3 (60.0)	1 (20.0)	0 (0.0)	25	1	2	0	1	0
Other	16 (100.0)	11 (68.8)	10 (62.5)	1 (6.3)	0 (0.0)	23	3	2	5	1	0

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation	TYPE OF SENTENCE			Total Receiving Fines and Restitution	TYPE OF SENTENCE			Average Dollar Amount ⁷
		Probation Only	Probation + Confinement			Fine Only	Restitution Only	Both	
TOTAL	39 (19.6)	7 (3.5)	32 (16.1)	0 (0.0)	88 (44.2)	27	53	8	\$ 16,201 (86)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (25.0)	0	2	0	\$ 1,171 (2)
Larceny	12 (85.7)	1 (7.1)	11 (78.6)	0 (0.0)	12 (85.7)	1	10	1	\$ 6,375 (12)
Embezzlement	3 (37.5)	1 (12.5)	2 (25.0)	0 (0.0)	4 (50.0)	0	4	0	\$ 41,647 (4)
Fraud	10 (32.3)	2 (6.5)	8 (25.8)	0 (0.0)	26 (83.9)	4	20	2	\$ 22,176 (24)
Drug Offenses ⁶	6 (6.8)	1 (1.1)	5 (5.7)	0 (0.0)	22 (25.0)	9	8	5	\$ 23,492 (22)
Simple Possess.	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (0.1)	0	1	0	\$ 60 (1)
Firearms	2 (7.4)	0 (0.0)	2 (7.4)	0 (0.0)	10 (37.0)	6	4	0	\$ 2,208 (10)
Immigration	1 (20.0)	1 (20.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	5 (31.3)	1 (6.3)	4 (25.0)	0 (0.0)	11 (68.8)	7	4	0	\$ 6,967 (11)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
 SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

ILLINOIS, Southern
7th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) East St. Louis
- (2) Alton
- (3) Benton

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	3	Civil ³	1,311
AUSAs ⁴	17	Criminal ⁵	209
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	12		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape*	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	89	—	1,144	3,527	10,249	25,452	2,870	43,331
Per 100,000 Population	7	—	93	285	829	2,060	232	3,506

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,241,908	Income per Capita ¹¹	\$ 9,176	Police Protection	\$ 40.76
Population per Square Mile ¹²	75.7	Percent Unemployed ¹³	12.0	Elementary and Secondary Education	\$ 433.14
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 99.17
Percent Age 0-14	21.6	Percent Mfg.	17.6	Public Welfare ¹⁶	\$ 19.53
Percent Age 15-24	14.3	Percent Retail	19.1	Highways	\$ 75.70
Percent Age 25-34	15.8	Percent Finance ¹⁷	4.7	Percent acreage in farms ¹⁸	
Percent Age 35-44	13.8	Percent Service	19.5		
Percent Age 45-64	19.1	Percent Govt.	16.8		
Percent Age 65+	15.4	Percent Other	22.3		71.7

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
137	14	17	5	11	9	17	10	15	11	6	5	17

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other				
TOTAL (Row%)	113 (100.0)	73 (64.6)	34 (30.1)	4 (3.5)	2 (1.8)	34.2	\$ 546	TOTAL	137
MALE	78 (69.0)	48	25	4	1	34.1	\$ 450	PLEA	129
FEMALE	35 (31.0)	25	9	0	1	34.6	\$ 762	TRIAL	8
									Col %
									100.0
									94.2
									5.8

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	Nsw Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	1-12	13-24	25-36	37-60
TOTAL	128 (100.0)	88 (68.8)	81 (63.3)	4 (3.1)	3 (2.3)	74	17	12	5	14	40
Robbery	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	97	0	0	0	0	1
Larceny	18 (100.0)	4 (22.2)	3 (16.7)	0 (0.0)	1 (5.6)	7	3	1	0	0	0
Embezzlement	4 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Fraud	21 (100.0)	5 (23.8)	4 (19.1)	1 (4.8)	0 (0.0)	21	1	2	1	1	0
Drug Offenses ⁶	61 (100.0)	61 (100.0)	56 (91.8)	3 (4.9)	2 (3.3)	93	7	5	2	9	38
Simple Possess.	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Counterfeiting	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	5	1	0	0	0	0
Firearms	8 (100.0)	8 (100.0)	8 (100.0)	0 (0.0)	0 (0.0)	46	3	2	1	1	1
Immigration	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Other	14 (100.0)	8 (57.1)	8 (57.1)	0 (0.0)	0 (0.0)	26	2	2	1	3	0

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	40 (31.3)	28 (21.9)	12 (9.4)	0 (0.0)	32 (25.0)	16	16	0	\$ 9,730 (32)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Larceny	14 (77.8)	14 (77.8)	0 (0.0)	0 (0.0)	12 (66.7)	6	6	0	\$ 4,068 (12)
Embezzlement	4 (100.0)	1 (25.0)	3 (75.0)	0 (0.0)	2 (50.0)	1	1	0	\$ 9,454 (2)
Fraud	16 (76.2)	9 (42.9)	7 (33.3)	0 (0.0)	11 (52.4)	4	7	0	\$ 15,129 (11)
Drug Offenses ⁶	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (1.6)	0	1	0	\$ 725 (1)
Simple Possess.	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (12.5)	1	0	0	\$ 41,700 (1)
Immigration	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Other	6 (42.9)	4 (28.6)	2 (14.3)	0 (0.0)	5 (35.7)	4	1	0	\$ 6,961 (5)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

INDIANA, Northern
7th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) South Bend
(2) Gary
(3) Fort Wayne

(4) Hammond
(5) Lafayette

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	6	Civil ³	1,484
AUSAs ⁴	16	Criminal ⁵	189
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	20		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	122	546	2,006	6,039	15,481	52,047	10,176	86,417
Per 100,000 Population	7	30	110	330	847	2,848	557	4,729

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	2,276,556	Income per Capita ¹¹	\$ 9,869	Police Protection	\$ 39.78
Population per Square Mile ¹²	170.7	Percent Unemployed ¹³	7.3	Elementary and Secondary Education	\$ 433.57
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 60.82
Percent Age 0-14	22.7	Percent Mfg.	33.3	Public Welfare ¹⁶	\$ 62.41
Percent Age 15-24	15.4	Percent Retail	17.7	Highways	\$ 43.39
Percent Age 25-34	16.1	Percent Finance ¹⁷	4.5	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.7	Percent Service	19.2		
Percent Age 45-64	18.7	Percent Govt.	11.0		
Percent Age 65+	12.4	Percent Other	14.4		78.9

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
133	12	19	9	2	8	16	10	10	15	11	3	18

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other				
TOTAL (Row%)	111 (100.0)	73 (65.8)	24 (21.6)	12 (10.8)	2 (1.8)	39.2	\$ 936	TOTAL	133 100.0
MALE	92 (82.9)	64	18	8	2	39.7	\$ 999	PLEA	113 85.0
FEMALE	19 (17.1)	9	6	4	0	36.7	\$ 632	TRIAL	20 15.0

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			Average Months Prison ⁴	LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)		PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	131 (100.0)	88 (67.2)	82 (62.6)	3 (2.3)	3 (2.3)	53	31	19	10	11	17
Robbery	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	72	0	0	1	0	1
Larceny	22 (100.0)	11 (50.0)	11 (50.0)	0 (0.0)	0 (0.0)	13	8	2	0	0	1
Embezzlement	2 (100.0)	1 (50.0)	0 (0.0)	0 (0.0)	1 (50.0)	8	1	0	0	0	0
Fraud	18 (100.0)	9 (50.0)	7 (38.9)	1 (5.6)	1 (5.6)	18	4	2	1	2	0
Drug Offenses ⁶	34 (100.0)	32 (94.1)	32 (94.1)	0 (0.0)	0 (0.0)	113	3	4	6	4	15
Simple Possess.	2 (100.0)	1 (50.0)	0 (0.0)	1 (50.0)	0 (0.0)	4	1	0	0	0	0
Counterfeiting	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	2	1	0	0	0	0
Firearms	11 (100.0)	10 (90.9)	9 (81.8)	0 (0.0)	1 (9.1)	23	2	5	1	2	0
Immigration	4 (100.0)	4 (100.0)	4 (100.0)	0 (0.0)	0 (0.0)	3	4	0	0	0	0
Other	34 (100.0)	17 (50.0)	16 (47.1)	1 (2.9)	0 (0.0)	19	7	6	1	3	0

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount? \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	43 (32.8)	22 (16.8)	21 (16.0)	0 (0.0)	46 (35.1)	17	27	2	\$ 25,582 (45)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Larceny	11 (50.0)	8 (36.4)	3 (13.6)	0 (0.0)	13 (59.1)	3	10	0	\$ 32,841 (12)
Embezzlement	1 (50.0)	0 (0.0)	1 (50.0)	0 (0.0)	2 (100.0)	0	1	1	\$ 8,493 (2)
Fraud	9 (50.0)	5 (27.8)	4 (22.2)	0 (0.0)	13 (72.2)	3	9	1	\$ 29,044 (13)
Drug Offenses ⁶	2 (5.9)	1 (2.9)	1 (2.9)	0 (0.0)	2 (5.9)	2	0	0	\$ 9,050 (2)
Simple Possess.	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	2 (100.0)	2	0	0	\$ 2,750 (2)
Counterfeiting	1 (50.0)	0 (0.0)	1 (50.0)	0 (0.0)	2 (100.0)	0	2	0	\$ 106 (2)
Firearms	1 (9.1)	0 (0.0)	1 (9.1)	0 (0.0)	2 (18.2)	1	1	0	\$ 26,674 (2)
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	17 (50.0)	7 (20.6)	10 (29.4)	0 (0.0)	10 (29.4)	6	4	0	\$ 28,538 (10)

**INDIANA, Southern
7th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Indianapolis
(2) New Albany
(3) Terre Haute

- (4) Evansville
(5) Muncie

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	7	Civil ³	2,111
AUSAs ⁴	18	Criminal ⁵	310
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	17		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	139	1,084	2,635	8,768	23,159	65,718	9,743	111,246
Per 100,000 Population	6	48	117	389	1,027	2,915	432	4,934

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	3,267,603	Income per Capita ¹¹	\$ 10,052	Police Protection	\$ 32.15
Population per Square Mile ¹²	144.6	Percent Unemployed ¹³	6.4	Elementary and Secondary Education	\$ 413.33
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 121.95
Percent Age 0-14	21.4	Percent Mfg.	26.6	Public Welfare ¹⁶	\$ 46.09
Percent Age 15-24	15.1	Percent Retail	19.0	Highways	\$ 45.52
Percent Age 25-34	16.8	Percent Finance ¹⁷	5.5	Percent acreage in farms ¹⁸ 66.1	
Percent Age 35-44	14.8	Percent Service	19.8		
Percent Age 45-64	19.2	Percent Govt.	12.7		
Percent Age 65+	12.7	Percent Other	16.4		

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
152	9	16	12	8	6	14	11	17	15	11	15	18

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other				
								Number	Col %
TOTAL (Row%)	128 (100.0)	100 (78.1)	22 (17.2)	5 (3.9)	1 (0.8)	36.4	\$ 904	TOTAL	152 100.0
MALE	112 (87.5)	87	20	4	1	36.8	\$ 933	PLEA	138 90.8
FEMALE	16 (12.5)	13	2	1	0	33.9	\$ 701	TRIAL	14 9.2

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	151 (100.0)	117 (77.5)	102 (67.6)	8 (5.3)	7 (4.6)	68	29	19	19	12	38
Robbery	17 (100.0)	17 (100.0)	17 (100.0)	0 (0.0)	0 (0.0)	143	0	0	0	3	14
Larceny	11 (100.0)	8 (72.7)	7 (63.6)	1 (9.1)	0 (0.0)	19	3	2	3	0	0
Embezzlement	7 (100.0)	5 (71.4)	2 (28.6)	1 (14.3)	2 (28.6)	13	3	1	1	0	0
Fraud	26 (100.0)	15 (57.7)	12 (46.2)	1 (3.9)	2 (7.7)	13	9	6	0	0	0
Drug Offenses ⁶	34 (100.0)	32 (94.1)	30 (88.2)	1 (2.9)	1 (2.9)	117	3	0	7	4	18
Simple Possess.	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Counterfeiting	6 (100.0)	3 (50.0)	3 (50.0)	0 (0.0)	0 (0.0)	38	0	2	0	0	1
Firearms	15 (100.0)	14 (93.3)	12 (80.0)	1 (6.7)	1 (6.7)	17	6	6	1	1	0
Immigration	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Other	35 (100.0)	23 (65.7)	19 (54.3)	3 (8.6)	1 (2.9)	44	5	2	7	4	5

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	34 (22.5)	4 (2.7)	30 (19.9)	0 (0.0)	65 (43.1)	23	38	4	\$ 14,477 (61)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	11 (64.7)	1	10	0	\$ 5,079 (8)
Larceny	3 (27.3)	0 (0.0)	3 (27.3)	0 (0.0)	6 (54.6)	0	6	0	\$ 18,213 (6)
Embezzlement	2 (28.6)	0 (0.0)	2 (28.6)	0 (0.0)	5 (71.4)	0	5	0	\$ 31,400 (5)
Fraud	11 (42.3)	1 (3.9)	10 (38.5)	0 (0.0)	16 (61.5)	1	12	3	\$ 12,360 (15)
Drug Offenses ⁶	2 (5.9)	0 (0.0)	2 (5.9)	0 (0.0)	5 (14.7)	5	0	0	\$ 2,000 (5)
Simple Possess.	0 (—)	0 (—)	0 (—)	0 (—)	0 (—)	0	0	0	-- (0)
Counterfeiting	3 (50.0)	0 (0.0)	3 (50.0)	0 (0.0)	4 (66.7)	2	2	0	\$ 10,421 (4)
Firearms	1 (6.7)	0 (0.0)	1 (6.7)	0 (0.0)	3 (20.0)	3	0	0	\$ 8,000 (3)
Immigration	0 (—)	0 (—)	0 (—)	0 (—)	0 (—)	0	0	0	-- (0)
Other	12 (34.3)	3 (8.6)	9 (25.7)	0 (0.0)	15 (42.9)	11	3	1	\$ 20,999 (15)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

IOWA, Northern
8th Circuit

**Cities Supplying Sentencing
Guideline Documentation:**

- (1) Cedar Rapids
(2) Sioux City

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	4	Civil ³	658
AUSAs ⁴	12	Criminal ⁵	102
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	9		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	18	160	309	2,349	8,892	29,312	1,706	42,746
Per 100,000 Population	1	13	24	184	697	2,297	134	3,350

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	1,281,312	Income per Capita ¹¹	\$ 9,280	Police Protection	\$ 39.71
Population per Square Mile ¹²	41.6	Percent Unemployed ¹³	7.6	Elementary and Secondary Education	\$ 489.70
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 88.07
Percent Age 0-14	22.4	Percent Mfg.	21.0	Public Welfare ¹⁶	\$ 23.73
Percent Age 15-24	13.4	Percent Retail	19.5	Highways	\$ 127.66
Percent Age 25-34	14.6	Percent Finance ¹⁷	5.3	Percent acreage in farms ¹⁸	
Percent Age 35-44	13.8	Percent Service	21.1		
Percent Age 45-64	19.3	Percent Govt.	14.7		
Percent Age 65+	16.5	Percent Other	18.4		93.0

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
76	4	2	6	5	4	4	10	13	6	2	10	10

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other				
TOTAL (Row%)	67 (100.0)	61 (91.0)	5 (7.5)	0 (0.0)	1 (1.5)	38.4	\$ 1,022	TOTAL	75 100.0
MALE	57 (85.1)	52	4	0	1	39.6	\$ 1,133	PLEA	59 78.7
FEMALE	10 (14.9)	9	1	0	0	31.8	\$ 386	TRIAL	16 21.3

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			Average Months Prison ⁴	LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)		PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	76 (100.0)	68 (89.5)	62 (81.6)	0 (0.0)	6 (7.9)	57	18	17	4	7	22
Robbery	0 (100.0)	0 (-)	0 (-)	0 (-)	0 (-)	--	0	0	0	0	0
Larceny	4 (100.0)	4 (100.0)	4 (100.0)	0 (0.0)	0 (0.0)	10	2	2	0	0	0
Embezzlement	4 (100.0)	2 (50.0)	0 (0.0)	0 (0.0)	2 (50.0)	8	2	0	0	0	0
Fraud	14 (100.0)	11 (78.6)	8 (57.1)	0 (0.0)	3 (21.4)	12	7	4	0	0	0
Drug Offenses ⁶	37 (100.0)	37 (100.0)	37 (100.0)	0 (0.0)	0 (0.0)	88	3	5	2	7	20
Simple Possess.	0 (100.0)	0 (-)	0 (-)	0 (-)	0 (-)	--	0	0	0	0	0
Counterfeiting	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	28	0	0	1	0	0
Firearms	6 (100.0)	5 (83.3)	5 (83.3)	0 (0.0)	0 (0.0)	38	1	2	1	0	1
Immigration	0 (100.0)	0 (-)	0 (-)	0 (-)	0 (-)	--	0	0	0	0	0
Other	10 (100.0)	8 (80.0)	7 (70.0)	0 (0.0)	1 (10.0)	21	3	4	0	0	1

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			N (Row%)	Fine Only	Restitution Only	
TOTAL	8 (10.5)	3 (4.0)	5 (6.6)	0 (0.0)	38 (50.0)	13	21	4	\$ 19,922 (35)
Robbery	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Larceny	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (50.0)	0	2	0	\$ 151,703 (2)
Embezzlement	2 (50.0)	2 (50.0)	0 (0.0)	0 (0.0)	3 (75.0)	1	2	0	\$ 4,496 (2)
Fraud	3 (21.4)	0 (0.0)	3 (21.4)	0 (0.0)	12 (85.7)	3	7	2	\$ 9,872 (12)
Drug Offenses ⁸	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	12 (32.4)	4	7	1	\$ 4,928 (12)
Simple Possess.	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Firearms	1 (16.7)	0 (0.0)	1 (16.7)	0 (0.0)	3 (50.0)	2	0	1	\$ 1,500 (3)
Immigration	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Other	2 (20.0)	1 (10.0)	1 (10.0)	0 (0.0)	6 (60.0)	3	3	0	\$ 50,696 (4)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

**IOWA, Southern
8th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Des Moines
(2) Davenport

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	4	Civil ³	1,097
AUSAs ⁴	10	Criminal ⁵	126
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	10		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	37	346	775	4,226	13,276	47,992	2,949	69,601
Per 100,000 Population	2	23	52	286	898	3,246	199	4,706

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,495,443	Income per Capita ¹¹	\$ 10,541	Police Protection	\$ 43.18
Population per Square Mile ¹²	59.5	Percent Unemployed ¹³	6.5	Elementary and Secondary Education	\$ 471.20
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 104.36
Percent Age 0-14	21.4	Percent Mfg.	18.8	Public Welfare ¹⁶	\$ 25.74
Percent Age 15-24	15.0	Percent Retail	20.0	Highways	\$ 110.55
Percent Age 25-34	16.1	Percent Finance ¹⁷	8.0	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.6	Percent Service	22.3		
Percent Age 45-64	18.5	Percent Govt.	14.2		
Percent Age 65+	14.3	Percent Other	16.6		88.6

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
129	17	12	10	11	4	13	7	10	18	7	17	3

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²	
GENDER	TOTAL ¹	RACE				Average Age	Average Monthly Income		
	N (Col %)	White	Black	Hispanic	Other				
TOTAL (Row%)	116 (100.0)	83 (71.6)	15 (12.9)	18 (15.5)	0 (0.0)	33.4	\$ 674	TOTAL	129
MALE	91 (78.4)	65	11	15	0	33.0	\$ 581	PLEA	100
FEMALE	25 (21.6)	18	4	3	0	34.8	\$ 1,012	TRIAL	29
									Col %
									77.5
									22.5

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	129 (100.0)	108 (83.7)	99 (76.7)	4 (3.1)	5 (3.9)	74	15	15	7	21	48
Robbery	13 (100.0)	13 (100.0)	13 (100.0)	0 (0.0)	0 (0.0)	108	0	0	0	3	10
Larceny	11 (100.0)	6 (54.6)	4 (36.4)	1 (9.1)	1 (9.1)	19	3	2	0	0	1
Embezzlement	6 (100.0)	3 (50.0)	2 (33.3)	0 (0.0)	1 (16.7)	5	3	0	0	0	0
Fraud	5 (100.0)	3 (60.0)	1 (20.0)	0 (0.0)	2 (40.0)	9	2	1	0	0	0
Drug Offenses ⁶	72 (100.0)	71 (98.6)	70 (97.2)	0 (0.0)	1 (1.4)	81	4	9	4	16	36
Simple Possess.	0 (100.0)	0 (—)	0 (—)	0 (—)	0 (—)	—	0	0	0	0	0
Counterfeiting	3 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	—	0	0	0	0	0
Firearms	7 (100.0)	4 (57.1)	4 (57.1)	0 (0.0)	0 (0.0)	116	0	1	1	1	1
Immigration	7 (100.0)	5 (71.4)	2 (28.6)	3 (42.9)	0 (0.0)	15	3	1	1	0	0
Other	5 (100.0)	3 (60.0)	3 (60.0)	0 (0.0)	0 (0.0)	31	0	1	1	1	0

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	21 (15.3)	7 (5.4)	14 (10.9)	0 (0.0)	41 (31.8)	10	29	2	\$ 25,581 (40)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	10 (76.9)	0	10	0	\$ 2,213 (10)
Larceny	5 (45.5)	2 (18.2)	3 (27.3)	0 (0.0)	9 (81.8)	2	7	0	\$ 73,658 (8)
Embezzlement	3 (50.0)	0 (0.0)	3 (50.0)	0 (0.0)	4 (66.7)	0	3	1	\$ 16,223 (4)
Fraud	2 (40.0)	0 (0.0)	2 (40.0)	0 (0.0)	5 (100.0)	0	5	0	\$ 30,724 (5)
Drug Offenses ⁶	1 (1.4)	0 (0.0)	1 (1.4)	0 (0.0)	3 (4.2)	3	0	0	\$ 53,333 (3)
Simple Possess.	0 (—)	0 (—)	0 (—)	0 (—)	0 (—)	0	0	0	-- (0)
Counterfeiting	3 (100.0)	2 (66.7)	1 (33.3)	0 (0.0)	3 (100.0)	0	3	0	\$ 5,617 (3)
Firearms	3 (42.9)	2 (28.6)	1 (14.3)	0 (0.0)	3 (42.9)	3	0	0	\$ 3,667 (3)
Immigration	2 (28.6)	0 (0.0)	2 (28.6)	0 (0.0)	1 (14.3)	1	0	0	\$ 2,000 (1)
Other	2 (40.0)	1 (20.0)	1 (20.0)	0 (0.0)	3 (60.0)	1	1	1	\$ 1,163 (3)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

KANSAS
10th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Kansas City
- (2) Wichita
- (3) Topeka

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	9	Civil ³	1,789
AUSAs ⁴	20	Criminal ⁵	391
Assistant Federal Defenders ⁶	6		
Probation Officers ⁷	26		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	98	1,002	2,914	7,066	28,851	80,187	8,301	128,419
Per 100,000 Population	4	41	118	286	1,167	3,244	336	5,196

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,477,574	Income per Capita ¹¹	\$ 10,684	Police Protection	\$ 45.54
Population per Square Mile ¹²	30.3	Percent Unemployed ¹³	5.4	Elementary and Secondary Education	\$ 459.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 84.42
Percent Age 0-14	22.8	Percent Mfg.	20.3	Public Welfare ¹⁶	\$ 3.33
Percent Age 15-24	14.2	Percent Retail	19.2	Highways	\$ 111.07
Percent Age 25-34	16.7	Percent Finance ¹⁷	5.9	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.6	Percent Service	20.0		
Percent Age 45-64	17.9	Percent Govt.	14.7		
Percent Age 65+	13.8	Percent Other	19.9		89.9

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
245	14	25	14	23	16	19	22	22	28	22	20	20

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²	
GENDER	TOTAL ¹	RACE				Average Age	Average Monthly Income		
	N (Col %)	White	Black	Hispanic	Other				
								Number	Col %
TOTAL (Row%)	200 (100.0)	133 (66.5)	39 (19.5)	24 (12.0)	4 (2.0)	38.7	\$ 1,060	TOTAL	244 100.0
MALE	139 (69.5)	92	25	20	2	37.7	\$ 1,103	PLEA	209 85.7
FEMALE	61 (30.5)	41	14	4	2	40.8	\$ 961	TRIAL	35 14.3

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	240 (100.0)	152 (63.3)	144 (60.0)	2 (0.8)	6 (2.5)	48	43	28	21	30	29
Robbery	15 (100.0)	15 (100.0)	15 (100.0)	0 (0.0)	0 (0.0)	107	0	0	2	4	9
Larceny	62 (100.0)	6 (9.7)	4 (6.5)	1 (1.6)	1 (1.6)	6	6	0	0	0	0
Embezzlement	20 (100.0)	8 (40.0)	7 (35.0)	0 (0.0)	1 (5.0)	10	7	1	0	0	0
Fraud	26 (100.0)	21 (80.8)	19 (73.1)	0 (0.0)	2 (7.7)	28	8	10	0	1	2
Drug Offenses ⁶	59 (100.0)	56 (94.9)	55 (93.2)	0 (0.0)	1 (1.7)	67	6	6	12	14	17
Simple Possess.	4 (100.0)	2 (50.0)	1 (25.0)	1 (25.0)	0 (0.0)	6	2	0	0	0	0
Counterfeiting	5 (100.0)	3 (60.0)	3 (60.0)	0 (0.0)	0 (0.0)	14	1	2	0	0	0
Firearms	5 (100.0)	4 (80.0)	4 (80.0)	0 (0.0)	0 (0.0)	80	0	1	0	2	1
Immigration	5 (100.0)	5 (100.0)	5 (100.0)	0 (0.0)	0 (0.0)	27	1	2	1	1	0
Other	39 (100.0)	32 (82.1)	31 (79.5)	0 (0.0)	1 (2.6)	24	12	6	6	8	0

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	87 (36.3)	71 (29.6)	16 (6.7)	1 (0.4)	143 (59.6)	87	45	11	\$ 42,777 (140)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	9 (60.0)	1	7	1	\$ 11,144 (8)
Larceny	55 (88.7)	53 (85.5)	2 (3.2)	1 (1.6)	61 (98.4)	53	6	2	\$ 1,382 (61)
Embezzlement	12 (60.0)	5 (25.0)	7 (35.0)	0 (0.0)	15 (75.0)	1	13	1	\$ 58,179 (15)
Fraud	5 (19.2)	3 (11.5)	2 (7.7)	0 (0.0)	23 (88.5)	6	14	3	\$ 203,789 (22)
Drug Offenses ⁶	3 (5.1)	0 (0.0)	3 (5.1)	0 (0.0)	7 (11.9)	7	0	0	\$ 8,929 (7)
Simple Possess.	2 (50.0)	2 (50.0)	0 (0.0)	0 (0.0)	1 (25.0)	1	0	0	\$ 1,000 (1)
Counterfeiting	2 (40.0)	2 (40.0)	0 (0.0)	0 (0.0)	5 (100.0)	2	1	2	\$ 554 (5)
Firearms	1 (20.0)	1 (20.0)	0 (0.0)	0 (0.0)	1 (20.0)	1	0	0	\$ 250 (1)
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	7 (18.0)	5 (12.8)	2 (5.1)	0 (0.0)	21 (53.9)	15	4	2	\$ 19,639 (20)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

KENTUCKY, Eastern
6th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Covington
(2) Lexington
(3) London

(4) Pikeville
(5) Ashland
(6) Harlan

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	7	Civil ³	2,046
AUSAs ⁴	20	Criminal ⁵	238
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	18		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	143	522	892	5,485	12,618	31,261	3,374	54,295
Per 100,000 Population	8	29	49	303	696	1,725	186	2,996

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,813,697	Income per Capita ¹¹	\$ 8,088	Police Protection	\$ 25.54
Population per Square Mile ¹²	89.0	Percent Unemployed ¹³	9.4	Elementary and Secondary Education	\$ 319.55
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 25.23
Percent Age 0-14	21.8	Percent Mfg.	18.6	Public Welfare ¹⁶	\$ 2.56
Percent Age 15-24	15.8	Percent Retail	21.0	Highways	\$ 33.07
Percent Age 25-34	16.6	Percent Finance ¹⁷	4.3	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.1	Percent Service	19.1		
Percent Age 45-64	18.9	Percent Govt.	13.3		
Percent Age 65+	11.9	Percent Other	23.7		47.0

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
195	25	20	10	9	14	12	14	26	14	18	21	12

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other				
TOTAL (Row%)	162 (100.0)	143 (88.3)	14 (8.6)	4 (2.5)	1 (0.6)	36.7	\$ 831	TOTAL	194 100.0
MALE	144 (88.9)	127	13	4	0	37.1	\$ 891	PLEA	160 82.5
FEMALE	18 (11.1)	16	1	0	1	33.3	\$ 358	TRIAL	34 17.5

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	193 (100.0)	160 (82.9)	153 (79.3)	0 (0.0)	7 (3.6)	51	42	38	20	17	40
Robbery	7 (100.0)	7 (100.0)	7 (100.0)	0 (0.0)	0 (0.0)	159	0	0	1	1	5
Larceny	18 (100.0)	16 (88.9)	12 (66.7)	0 (0.0)	4 (22.2)	9	12	3	1	0	0
Embezzlement	10 (100.0)	4 (40.0)	3 (30.0)	0 (0.0)	1 (10.0)	9	3	1	0	0	0
Fraud	19 (100.0)	13 (68.4)	13 (68.4)	0 (0.0)	0 (0.0)	16	5	6	1	1	0
Drug Offenses ⁶	86 (100.0)	84 (97.7)	82 (95.4)	0 (0.0)	2 (2.3)	62	13	17	14	9	31
Simple Possess.	3 (100.0)	2 (66.7)	2 (66.7)	0 (0.0)	0 (0.0)	7	2	0	0	0	0
Counterfeiting	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	24	0	1	0	0	0
Firearms	13 (100.0)	13 (100.0)	13 (100.0)	0 (0.0)	0 (0.0)	66	2	5	1	2	3
Immigration	3 (100.0)	3 (100.0)	3 (100.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Other	33 (100.0)	17 (51.5)	17 (51.5)	0 (0.0)	0 (0.0)	25	5	5	2	4	1

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	33 (17.1)	16 (8.3)	17 (8.8)	0 (0.0)	58 (30.1)	16	35	7	\$ 17,971 (54)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (28.6)	0	2	0	\$ 1,248 (2)
Larceny	2 (11.1)	2 (11.1)	0 (0.0)	0 (0.0)	12 (66.7)	1	9	2	\$ 7,783 (11)
Embezzlement	6 (60.0)	2 (20.0)	4 (40.0)	0 (0.0)	5 (50.0)	1	4	0	\$ 60,188 (4)
Fraud	6 (31.6)	1 (5.3)	5 (26.3)	0 (0.0)	15 (79.0)	1	13	1	\$ 37,320 (13)
Drug Offenses ⁶	2 (2.3)	0 (0.0)	2 (2.3)	0 (0.0)	9 (10.5)	7	2	0	\$ 10,252 (9)
Simple Possess.	1 (33.3)	1 (33.3)	0 (0.0)	0 (0.0)	1 (33.3)	1	0	0	\$ 1,000 (1)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (15.4)	1	1	0	\$ 1,250 (2)
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	16 (48.5)	10 (30.3)	6 (18.2)	0 (0.0)	12 (36.4)	4	4	4	\$ 5,055 (12)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

KENTUCKY, Western
6th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Louisville
(2) Hopkinsville
(3) Bowling Green

(4) Paducah
(5) Owensboro
(6) Nortonville

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	5	Civil ³	1,505
AUSAs ⁴	18	Criminal ⁵	489
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	24		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	121	543	1,648	4,997	15,581	39,942	3,962	66,794
Per 100,000 Population	6	29	88	267	833	2,135	212	3,570

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,871,599	Income per Capita ¹¹	\$ 9,124	Police Protection	\$ 35.00
Population per Square Mile ¹²	97.1	Percent Unemployed ¹³	9.1	Elementary and Secondary Education	\$ 309.94
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 61.24
Percent Age 0-14	21.2	Percent Mfg.		Public Welfare ¹⁶	18.421
Percent Age 15-24	14.8	Percent Retail	18.6	Highways	\$ 24.95
Percent Age 25-34	16.5	Percent Finance ¹⁷	5.1	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.7	Percent Service	20.0		
Percent Age 45-64	19.4	Percent Govt.	12.6		
Percent Age 65+	13.4	Percent Other	20.2		

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
327	30	22	17	16	20	35	27	40	22	31	29	38

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other				
TOTAL (Row%)	276 (100.0)	182 (65.9)	75 (27.2)	8 (2.9)	11 (4.0)	34.3	\$ 707	TOTAL	325 100.0
MALE	176 (63.8)	122	46	5	3	33.7	\$ 773	PLEA	294 90.5
FEMALE	100 (36.2)	60	29	3	8	35.4	\$ 591	TRIAL	31 9.5

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	321 (100.0)	118 (36.8)	110 (34.3)	1 (0.3)	7 (2.2)	48	40	23	14	15	26
Robbery	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	102	0	0	0	0	2
Larceny	133 (100.0)	12 (9.0)	11 (8.3)	0 (0.0)	1 (0.8)	5	11	0	1	0	0
Embezzlement	14 (100.0)	3 (21.4)	2 (14.3)	0 (0.0)	1 (7.1)	4	3	0	0	0	0
Fraud	29 (100.0)	9 (31.0)	7 (24.1)	0 (0.0)	2 (6.9)	16	3	4	1	1	0
Drug Offenses ⁶	49 (100.0)	48 (98.0)	47 (95.9)	0 (0.0)	1 (2.0)	57	8	5	9	10	16
Simple Possess.	12 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	24	0	1	0	0	0
Firearms	20 (100.0)	15 (75.0)	14 (70.0)	0 (0.0)	1 (5.0)	44	3	6	0	4	2
Immigration	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Other	60 (100.0)	28 (46.7)	26 (43.3)	1 (1.7)	1 (1.7)	65	12	7	3	0	6

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	202 (62.9)	165 (51.4)	37 (11.5)	1 (0.3)	206 (64.2)	140	49	17	\$ 32,711 (202)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (100.0)	0	2	0	\$ 10,218 (1)
Larceny	120 (90.2)	113 (85.0)	7 (5.3)	1 (0.8)	115 (86.5)	90	13	12	\$ 1,026 (114)
Embezzlement	11 (78.6)	3 (21.4)	8 (57.1)	0 (0.0)	10 (71.4)	6	3	1	\$ 3,156 (10)
Fraud	20 (69.0)	6 (20.7)	14 (48.3)	0 (0.0)	18 (62.1)	3	15	0	\$ 35,351 (17)
Drug Offenses ^d	1 (2.0)	1 (2.0)	0 (0.0)	0 (0.0)	17 (34.7)	7	9	1	\$ 5,314 (16)
Simple Possess.	12 (100.0)	11 (91.7)	1 (8.3)	0 (0.0)	8 (66.7)	7	1	0	\$ 958 (8)
Counterfeiting	1 (50.0)	0 (0.0)	1 (50.0)	0 (0.0)	1 (50.0)	1	0	0	\$ 2,000 (1)
Firearms	5 (25.0)	4 (20.0)	1 (5.0)	0 (0.0)	5 (25.0)	3	1	1	\$ 1,434 (5)
Immigration	0 (—)	0 (—)	0 (—)	0 (—)	0 (—)	0	0	0	— (0)
Other	32 (53.3)	27 (45.0)	5 (8.3)	0 (0.0)	30 (50.0)	23	5	2	\$ 191,532 (30)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

LOUISIANA, Eastern
5th Circuit

**City Supplying Sentencing
Guideline Documentation:¹**

(1) New Orleans

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	15	Civil ³	4,575
AUSAs ⁴	29	Criminal ⁵	448
Assistant Federal Defenders ⁶	7		
Probation Officers ⁷	36		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	399	729	8,041	8,732	25,786	57,689	16,894	118,270
Per 100,000 Population	28	52	572	621	1,833	4,102	1,201	8,409

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,619,759	Income per Capita ¹¹	\$ 9,346	Police Protection	\$ 66.39
Population per Square Mile ¹²	202.5	Percent Unemployed ¹³	12.0	Elementary and Secondary Education	\$ 418.80
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 136.05
Percent Age 0-14	24.1	Percent Mfg.	9.9	Public Welfare ¹⁶	\$ 5.83
Percent Age 15-24	15.0	Percent Retail	20.6	Highways	\$ 56.85
Percent Age 25-34	17.1	Percent Finance ¹⁷	6.0		
Percent Age 35-44	15.0	Percent Service	24.5		
Percent Age 45-64	17.9	Percent Govt.	12.7		
Percent Age 65+	10.8	Percent Other	26.4	Percent acreage in farms ¹⁸	16.2

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
375	29	33	28	42	27	44	18	22	34	31	43	24

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	314 (100.0)	134 (42.7)	107 (34.1)	53 (16.9)	20 (6.4)	33.9	\$ 664	TOTAL	374 100.0
MALE	261 (83.1)	119	85	42	15	34.1	\$ 701	PLEA	333 89.0
FEMALE	53 (16.9)	15	22	11	5	33.1	\$ 481	TRIAL	41 11.0

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE				LENGTH OF PRISON TERM				
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	368 (100.0)	230 (62.5)	217 (59.0)	4 (1.1)	9 (2.5)	39	70	64	27	29	38
Robbery	4 (100.0)	4 (100.0)	4 (100.0)	0 (0.0)	0 (0.0)	157	0	0	0	0	4
Larceny	29 (100.0)	18 (62.1)	16 (55.2)	0 (0.0)	2 (6.9)	13	10	6	2	0	0
Embezzlement	3 (100.0)	1 (33.3)	1 (33.3)	0 (0.0)	0 (0.0)	5	1	0	0	0	0
Fraud	57 (100.0)	27 (47.4)	24 (42.1)	1 (1.8)	2 (3.5)	16	15	9	2	1	0
Drug Offenses ⁶	128 (100.0)	108 (84.4)	106 (82.8)	0 (0.0)	2 (1.6)	61	12	20	15	26	33
Simple Possess.	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	6	1	0	0	0	0
Counterfeiting	11 (100.0)	9 (81.8)	9 (81.8)	0 (0.0)	0 (0.0)	14	4	3	2	0	0
Firearms	28 (100.0)	25 (89.3)	24 (85.7)	0 (0.0)	1 (3.6)	18	7	15	3	0	0
Immigration	38 (100.0)	5 (13.2)	3 (7.9)	2 (5.3)	0 (0.0)	8	4	1	0	0	0
Other	68 (100.0)	32 (47.1)	29 (42.7)	1 (1.5)	2 (2.9)	18	16	10	3	2	1

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	138 (37.5)	81 (22.0)	57 (15.5)	0 (0.0)	162 (44.0)	113	42	7	\$ 6,967 (159)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Larceny	11 (37.9)	5 (17.2)	6 (20.7)	0 (0.0)	18 (62.1)	5	11	2	\$ 3,296 (16)
Embezzlement	2 (66.7)	1 (33.3)	1 (33.3)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Fraud	30 (52.6)	14 (24.6)	16 (28.1)	0 (0.0)	40 (70.2)	9	27	4	\$ 18,517 (40)
Drug Offenses ⁶	20 (15.6)	3 (2.3)	17 (13.3)	0 (0.0)	50 (39.1)	50	0	0	\$ 3,754 (49)
Simple Possess.	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	1 (50.0)	1	0	0	\$ 1,000 (1)
Counterfeiting	2 (18.2)	0 (0.0)	2 (18.2)	0 (0.0)	3 (27.3)	1	1	1	\$ 373 (3)
Firearms	3 (10.7)	2 (7.1)	1 (3.6)	0 (0.0)	8 (28.6)	8	0	0	\$ 5,781 (8)
Immigration	33 (86.8)	32 (84.2)	1 (2.6)	0 (0.0)	5 (13.2)	5	0	0	\$ 690 (5)
Other	36 (52.9)	23 (33.8)	13 (19.1)	0 (0.0)	37 (54.4)	34	3	0	\$ 2,121 (37)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

LOUISIANA, Middle
5th Circuit

**City Supplying Sentencing
Guideline Documentation:¹**

(1) Baton Rouge

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	3	Civil ³	1,260
AUSAs ⁴	6	Criminal ⁵	62
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	11		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	66	182	1,005	4,170	9,345	24,084	3,907	42,759
Per 100,000 Population	13	36	198	822	1,841	4,745	770	8,425

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	623,853	Income per Capita ¹¹	\$ 9,281	Police Protection	\$ 62.12
Population per Square Mile ¹²	152.8	Percent Unemployed ¹³	11.7	Elementary and Secondary Education	\$ 450.64
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 63.33
Percent Age 0-14	24.2	Percent Mfg.	12.9	Public Welfare ¹⁶	\$ 6.28
Percent Age 15-24	16.9	Percent Retail	20.9	Highways	\$ 50.86
Percent Age 25-34	17.6	Percent Finance ¹⁷	7.0	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.3	Percent Service	21.9		
Percent Age 45-64	16.8	Percent Govt.	11.6		
Percent Age 65+	9.2	Percent Other	25.6		34.7

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
49	3	2	5	0	4	0	1	7	10	1	6	10

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	43 (100.0)	22 (51.2)	19 (44.2)	2 (4.7)	(0.0)	35.6	\$ 930	TOTAL	49
MALE	36 (83.7)	17	17	2	0	35.6	\$ 896	PLEA	44
FEMALE	7 (16.3)	5	2	0	0	35.6	\$ 1,106	TRIAL	5

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)		1-12	13-24	25-36	37-60	Over 60
TOTAL	49 (100.0)	39 (79.6)	37 (75.5)	2 (4.1)	2 (4.1)	51	14	7	6	4	8
Robbery	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Larceny	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	6	2	0	0	0	0
Embezzlement	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Fraud	11 (100.0)	7 (63.6)	5 (45.5)	0 (0.0)	2 (18.2)	10	6	0	1	0	0
Drug Offenses ⁵	28 (100.0)	27 (96.4)	27 (96.4)	0 (0.0)	0 (0.0)	70	5	5	5	4	0
Simple Possess.	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Firearms	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Immigration	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Other	7 (100.0)	3 (42.9)	3 (42.9)	0 (0.0)	0 (0.0)	16	1	2	0	0	0

CASES INVOLVING PROBATION

PRIMARY OFFENSE	Total Receiving Probation	TYPE OF SENTENCE		CASES	Total Receiving Fines and Restitution	TYPE OF SENTENCE			Average Dollar Amount ⁷
		Probation Only	Probation + Confinement			Fine Only	Restitution Only	Both	
	N (Row%)	N (Row%)	N (Row%)		N (Row%)	N (Row%)	\$	(N)	
TOTAL	10 (20.4)	2 (4.1)	8 (16.3)	0 (0.0)	25 (51.0)	15	9	1	\$ 57,442 (23)
Robbery	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Larceny	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (100.0)	0	2	0	\$ 27,020 (2)
Embezzlement	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Fraud	4 (36.4)	2 (18.2)	2 (18.2)	0 (0.0)	9 (81.8)	1	7	1	\$ 91,626 (7)
Drug Offenses ⁶	1 (3.6)	0 (0.0)	1 (3.6)	0 (0.0)	9 (32.1)	9	0	0	\$ 69,028 (9)
Simple Possess.	1 (100.0)	0 (0.0)	1 (100.0)	0 (0.0)	1 (100.0)	1	0	0	\$ 1,000 (1)
Counterfeiting	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Firearms	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Immigration	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Other	4 (57.1)	0 (0.0)	4 (57.1)	0 (0.0)	4 (57.1)	4	0	0	\$ 875 (4)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

LOUISIANA, Western
5th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Lake Charles
(2) Lafayette
(3) Shreveport

(4) Monroe
(5) Alexandria

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	8	Civil ³	2,762
AUSAs ⁴	18	Criminal ⁵	301
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	24		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	184	630	1,782	7,843	18,688	49,392	3,143	81,662
Per 100,000 Population	11	39	109	482	1,148	3,034	193	5,016

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,976,361	Income per Capita ¹¹	\$ 8,273	Police Protection	\$ 47.44
Population per Square Mile ¹²	60.9	Percent Unemployed ¹³	14.5	Elementary and Secondary Education	\$ 479.14
AGE DISTRIBUTION¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT¹⁵		Health & Hospitals	\$ 92.50
Percent Age 0-14	25.0	Percent Mfg.	14.0	Public Welfare ¹⁶	\$ 1.79
Percent Age 15-24	15.5	Percent Retail	19.8	Highways	\$ 77.37
Percent Age 25-34	16.0	Percent Finance ¹⁷	5.5	Percent acreage in farms ¹⁸	
Percent Age 35-44	13.5	Percent Service	19.8		
Percent Age 45-64	18.0	Percent Govt.	15.2		
Percent Age 65+	12.0	Percent Other	25.8		

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
193	6	21	18	21	10	15	16	13	19	14	28	12

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other				
TOTAL (Row%)	175 (100.0)	93 (53.1)	66 (37.7)	13 (7.4)	3 (1.7)	33.4	\$ 776	TOTAL	191 100.0
MALE	135 (77.1)	69	50	13	3	33.9	\$ 861	PLEA	178 93.2
FEMALE	40 (22.9)	24	16	0	0	31.8	\$ 490	TRIAL	13 6.8

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	Total Receiving Prison N (Row%)	TYPE OF SENTENCE			Average Months Prison ⁴	LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)		PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	190 (100.0)	119 (62.6)	103 (54.2)	9 (4.7)	7 (3.7)	29	59	17	9	19	14
Robbery	0 (100.0)	0 (-)	0 (-)	0 (-)	0 (-)	--	0	0	0	0	0
Larceny	52 (100.0)	20 (38.5)	18 (34.6)	1 (1.9)	1 (1.9)	8	18	2	0	0	0
Embezzlement	5 (100.0)	2 (40.0)	1 (20.0)	0 (0.0)	1 (20.0)	4	2	0	0	0	0
Fraud	23 (100.0)	11 (47.8)	10 (43.5)	1 (4.4)	0 (0.0)	12	8	2	0	1	0
Drug Offenses ⁶	42 (100.0)	39 (92.9)	39 (92.9)	0 (0.0)	0 (0.0)	48	7	9	4	8	11
Simple Possess.	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	3 (100.0)	3 (100.0)	1 (33.3)	1 (33.3)	1 (33.3)	3	3	0	0	0	0
Firearms	18 (100.0)	14 (77.8)	13 (72.2)	0 (0.0)	1 (5.6)	34	6	1	1	5	1
Immigration	9 (100.0)	7 (77.8)	1 (11.1)	6 (66.7)	0 (0.0)	8	6	0	1	0	0
Other	36 (100.0)	23 (63.9)	20 (55.6)	0 (0.0)	3 (8.3)	32	9	3	3	5	2

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	TYPE OF SENTENCE			CASES	TYPE OF SENTENCE				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	71 (37.4)	51 (26.8)	20 (10.5)	0 (0.0)	61 (32.1)	35	16	10	\$ 5,704 (53)
Robbery	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Larceny	32 (61.5)	25 (48.1)	7 (13.5)	0 (0.0)	26 (50.0)	15	6	5	\$ 436 (22)
Embezzlement	3 (60.0)	0 (0.0)	3 (60.0)	0 (0.0)	2 (40.0)	0	2	0	-- (0)
Fraud	12 (52.2)	8 (34.8)	4 (17.4)	0 (0.0)	11 (47.8)	3	8	0	\$ 12,039 (9)
Drug Offenses ⁶	3 (7.1)	1 (2.4)	2 (4.8)	0 (0.0)	3 (7.1)	3	0	0	\$ 2,197 (3)
Simple Possess.	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	2 (100.0)	2	0	0	\$ 800 (2)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (66.7)	0	0	2	\$ 790 (2)
Firearms	4 (22.2)	3 (16.7)	1 (5.6)	0 (0.0)	6 (33.3)	6	0	0	\$ 4,202 (6)
Immigration	2 (22.2)	1 (11.1)	1 (11.1)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	13 (36.1)	11 (30.6)	2 (5.6)	0 (0.0)	9 (25.0)	6	0	3	\$ 16,598 (9)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

MAINE
1st Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

(1) Portland
(2) Bangor

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	2	Civil ³	687
AUSAs ⁴	12	Criminal ⁵	168
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	9		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	30	241	308	1,177	10,102	31,367	2,169	45,394
Per 100,000 Population	2	20	25	96	823	2,554	177	3,697

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	1,227,928	Income per Capita ¹¹	\$ 9,042	Police Protection	\$ 30.82
Population per Square Mile ¹²	39.6	Percent Unemployed ¹³	5.3	Elementary and Secondary Education	\$ 398.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 27.66
Percent Age 0-14	21.1	Percent Mfg.	25.5	Public Welfare ¹⁶	\$ 6.32
Percent Age 15-24	14.2	Percent Retail	18.9	Highways	\$ 63.22
Percent Age 25-34	16.7	Percent Finance ¹⁷	5.1	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.7	Percent Service	20.9		
Percent Age 45-64	19.0	Percent Govt.	14.4		
Percent Age 65+	13.3	Percent Other	15.1		7.4

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
133	12	18	11	6	2	9	10	17	13	19	4	12

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²		
		White	Black	Hispanic	Other			Number	Col %	
TOTAL (Row%)	95 (100.0)	85 (89.5)	1 (1.1)	6 (6.3)	3 (3.2)	33.3	\$ 479	TOTAL	131	100.0
MALE	85 (89.5)	76	1	6	2	33.5	\$ 480	PLEA	111	84.7
FEMALE	10 (10.5)	9	0	0	1	31.6	\$ 470	TRIAL	20	15.3

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			Average Months Prison ⁴	LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)		PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	131 (100.0)	121 (92.4)	112 (85.5)	5 (3.8)	4 (3.1)	50	29	24	18	21	28
Robbery	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	60	0	0	0	1	0
Larceny	5 (100.0)	4 (80.0)	4 (80.0)	0 (0.0)	0 (0.0)	6	3	1	0	0	0
Embezzlement	5 (100.0)	3 (60.0)	2 (40.0)	0 (0.0)	1 (20.0)	12	2	1	0	0	0
Fraud	14 (100.0)	12 (85.7)	8 (57.1)	3 (21.4)	1 (7.1)	12	7	3	2	0	0
Drug Offenses ⁶	71 (100.0)	71 (100.0)	68 (95.8)	1 (1.4)	2 (2.8)	60	7	15	11	15	23
Simple Possess.	0 (100.0)	0 (-)	0 (-)	0 (-)	0 (-)	--	0	0	0	0	0
Counterfeiting	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Firearms	15 (100.0)	14 (93.3)	14 (93.3)	0 (0.0)	0 (0.0)	83	2	3	3	3	3
Immigration	6 (100.0)	5 (83.3)	4 (66.7)	1 (16.7)	0 (0.0)	4	4	0	0	0	0
Other	12 (100.0)	11 (91.7)	11 (91.7)	0 (0.0)	0 (0.0)	36	4	1	2	2	2

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	9 (6.9)	7 (5.3)	2 (1.5)	1 (0.8)	43 (32.8)	30	8	5	\$ 32,576 (43)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	0	1	0	\$ 2,345 (1)
Larceny	1 (20.0)	1 (20.0)	0 (0.0)	0 (0.0)	4 (80.0)	1	1	2	\$ 1,755 (4)
Embezzlement	2 (40.0)	1 (20.0)	1 (20.0)	0 (0.0)	3 (60.0)	1	2	0	\$ 11,580 (3)
Fraud	2 (14.3)	2 (14.3)	0 (0.0)	0 (0.0)	6 (42.9)	0	4	2	\$ 203,779 (6)
Drug Offenses ⁶	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	15 (21.1)	15	0	0	\$ 6,340 (15)
Simple Possess.	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Counterfeiting	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	1 (50.0)	1	0	0	\$ 500 (1)
Firearms	1 (6.7)	1 (6.7)	0 (0.0)	0 (0.0)	4 (26.7)	4	0	0	\$ 1,938 (4)
Immigration	1 (16.7)	1 (16.7)	0 (0.0)	0 (0.0)	2 (33.3)	2	0	0	\$ 625 (2)
Other	0 (0.0)	0 (0.0)	0 (0.0)	1 (8.3)	7 (58.3)	6	0	1	\$ 4,200 (7)

MARYLAND
4th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Baltimore
(2) Hyattsville

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	14	Civil ³	3,551
AUSAs ⁴	39	Criminal ⁵	630
Assistant Federal Defenders ⁶	10		
Probation Officers ⁷	77		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	552	2,185	17,393	23,804	53,540	147,390	33,885	278,749
Per 100,000 Population	12	46	364	498	1,120	3,083	709	5,832

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	4,781,468	Income per Capita ¹¹	\$ 12,967	Police Protection	\$ 63.57
Population per Square Mile ¹²	486.1	Percent Unemployed ¹³	4.5	Elementary and Secondary Education	\$ 477.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 54.32
Percent Age 0-14	20.6	Percent Mfg.	13.1	Public Welfare ¹⁶	\$ 2.31
Percent Age 15-24	14.2	Percent Retail	19.1	Highways	\$ 98.24
Percent Age 25-34	18.8	Percent Finance ¹⁷	6.3		
Percent Age 35-44	16.3	Percent Service	25.4		
Percent Age 45-64	19.2	Percent Govt.	17.8		
Percent Age 65+	10.8	Percent Other	18.2	Percent acreage in farms ¹⁸	40.6

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
388	36	40	33	45	32	25	31	33	30	37	19	27

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	340 (100.0)	129 (37.9)	190 (55.9)	12 (3.5)	9 (2.7)	33.3	\$ 789	TOTAL	386 100.0
MALE	261 (76.8)	98	145	11	7	34.0	\$ 849	PLEA	301 78.0
FEMALE	79 (23.2)	31	45	1	2	31.1	\$ 589	TRIAL	85 22.0

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	382 (100.0)	280 (73.3)	255 (66.8)	5 (1.3)	20 (5.2)	78	82	40	17	33	106
Robbery	19 (100.0)	19 (100.0)	19 (100.0)	0 (0.0)	0 (0.0)	87	1	0	2	6	10
Larceny	68 (100.0)	28 (41.2)	25 (36.8)	2 (2.9)	1 (1.5)	10	23	3	2	0	0
Embezzlement	15 (100.0)	9 (60.0)	5 (33.3)	0 (0.0)	4 (26.7)	13	6	2	0	1	0
Fraud	51 (100.0)	33 (64.7)	29 (56.9)	0 (0.0)	4 (7.8)	17	14	14	1	4	0
Drug Offenses ⁶	110 (100.0)	109 (99.1)	108 (98.2)	1 (0.9)	0 (0.0)	155	2	2	2	13	90
Simple Possess.	20 (100.0)	8 (40.0)	7 (35.0)	1 (5.0)	0 (0.0)	6	7	1	0	0	0
Counterfeiting	7 (100.0)	4 (57.1)	4 (57.1)	0 (0.0)	0 (0.0)	13	3	0	1	0	0
Firearms	38 (100.0)	33 (86.8)	30 (79.0)	0 (0.0)	3 (7.9)	40	7	8	9	6	3
Immigration	7 (100.0)	5 (71.4)	5 (71.4)	0 (0.0)	0 (0.0)	11	2	1	0	0	0
Other	47 (100.0)	32 (68.1)	23 (48.9)	1 (2.1)	8 (17.0)	27	17	9	0	3	3

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	Total Receiving Probation	TYPE OF SENTENCE		CASES N (Row%)	Total Receiving Fines and Restitution	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
	N (Row%)	N (Row%)	N (Row%)		N (Row%)	N (Row%)	Fine Only	Restitution Only	Both
TOTAL	102 (26.7)	54 (14.1)	48 (12.6)	0 (0.0)	149 (39.0)	70	69	10	\$ 20,954 (144)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	6 (31.6)	0	6	0	\$ 2,038 (6)
Larceny	40 (58.8)	27 (39.7)	13 (19.1)	0 (0.0)	42 (61.8)	18	21	3	\$ 15,955 (41)
Embezzlement	6 (40.0)	1 (6.7)	5 (33.3)	0 (0.0)	10 (66.7)	1	9	0	\$ 67,801 (9)
Fraud	18 (35.3)	5 (9.8)	13 (25.5)	0 (0.0)	34 (66.7)	6	23	5	\$ 24,508 (32)
Drug Offenses ⁶	1 (0.9)	0 (0.0)	1 (0.9)	0 (0.0)	8 (7.3)	8	0	0	\$ 87,125 (8)
Simple Possess.	12 (60.0)	8 (40.0)	4 (20.0)	0 (0.0)	12 (60.0)	12	0	0	\$ 1,008 (12)
Counterfeiting	3 (42.9)	2 (28.6)	1 (14.3)	0 (0.0)	4 (57.1)	3	1	0	\$ 2,755 (4)
Firearms	5 (13.2)	2 (5.3)	3 (7.9)	0 (0.0)	8 (21.1)	7	1	0	\$ 1,634 (8)
Immigration	2 (28.6)	2 (28.6)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	15 (31.9)	7 (14.9)	8 (17.0)	0 (0.0)	25 (53.2)	15	8	2	\$ 9,307 (24)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

MASSACHUSETTS

1st Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

(1) Boston
(2) Springfield
(3) Worcester

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	14	Civil ³	3,923
AUSAs ⁴	55	Criminal ⁵	302
Assistant Federal Defenders ⁶	3		
Probation Officers ⁷	32		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	211	1,513	10,941	22,330	48,042	112,336	43,866	239,239
Per 100,000 Population	4	32	231	471	1,014	2,372	926	5,050

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	6,016,425	Income per Capita ¹¹	\$ 12,510	Police Protection	\$ 61.98
Population per Square Mile ¹²	769.0	Percent Unemployed ¹³	3.8	Elementary and Secondary Education	\$ 454.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 53.85
Percent Age 0-14	18.9	Percent Mfg.	23.4	Public Welfare ¹⁶	\$ 8.13
Percent Age 15-24	15.4	Percent Retail	17.6	Highways	\$ 45.72
Percent Age 25-34	18.3	Percent Finance ¹⁷	6.6	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.3	Percent Service	29.1		
Percent Age 45-64	18.5	Percent Govt.	9.4		
Percent Age 65+	13.6	Percent Other	14.0		12.2

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
355	24	32	31	25	24	29	24	26	41	26	43	30

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other				
TOTAL (Row%)	309 (100.0)	221 (71.5)	42 (13.6)	39 (12.6)	7 (2.3)	36.6	\$ 847	TOTAL	349 100.0
MALE	280 (90.6)	200	38	35	7	36.8	\$ 845	PLEA	277 79.4
FEMALE	29 (9.4)	21	4	4	0	34.2	\$ 866	TRIAL	72 20.6

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	348 (100.0)	278 (79.9)	259 (74.4)	10 (2.9)	9 (2.6)	52	57	64	41	40	73
Robbery	14 (100.0)	14 (100.0)	14 (100.0)	0 (0.0)	0 (0.0)	68	0	2	3	4	5
Larceny	15 (100.0)	4 (26.7)	3 (20.0)	0 (0.0)	1 (6.7)	20	1	1	2	0	0
Embezzlement	12 (100.0)	7 (58.3)	3 (25.0)	0 (0.0)	4 (33.3)	12	4	2	1	0	0
Fraud	54 (100.0)	36 (66.7)	34 (63.0)	2 (3.7)	0 (0.0)	22	13	10	8	4	1
Drug Offenses ⁶	136 (100.0)	121 (89.0)	119 (86.8)	2 (1.5)	1 (0.7)	66	11	23	17	20	48
Simple Possess.	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	4	1	0	0	0	0
Counterfeiting	3 (100.0)	3 (100.0)	3 (100.0)	0 (0.0)	0 (0.0)	24	1	1	1	0	0
Firearms	55 (100.0)	49 (89.1)	47 (85.5)	1 (1.8)	1 (1.8)	64	10	15	3	7	14
Immigration	13 (100.0)	10 (76.9)	6 (46.2)	4 (30.8)	0 (0.0)	11	7	3	0	0	0
Other	44 (100.0)	33 (75.0)	30 (68.2)	1 (2.3)	2 (4.6)	36	9	7	6	5	5

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	70 (20.1)	38 (10.9)	32 (9.2)	0 (0.0)	98 (28.2)	38	50	10	\$ 101,853 (95)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	3 (21.4)	0	1	2	\$ 150,718 (3)
Larceny	11 (73.3)	5 (33.3)	6 (40.0)	0 (0.0)	12 (80.0)	1	10	1	\$ 81,257 (12)
Embezzlement	5 (41.7)	1 (8.3)	4 (33.3)	0 (0.0)	6 (50.0)	1	5	0	\$ 21,094 (6)
Fraud	18 (33.3)	6 (11.1)	12 (22.2)	0 (0.0)	39 (72.2)	6	28	5	\$ 211,675 (36)
Drug Offenses ⁶	15 (11.0)	11 (8.1)	4 (2.9)	0 (0.0)	7 (5.2)	7	0	0	\$ 9,886 (7)
Simple Possess.	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	1 (50.0)	1	0	0	\$ 1,000 (1)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Firearms	6 (10.9)	4 (7.3)	2 (3.6)	0 (0.0)	6 (10.9)	4	2	0	\$ 1,362 (6)
Immigration	3 (23.1)	2 (15.4)	1 (7.7)	0 (0.0)	1 (7.7)	1	0	0	\$ 500 (1)
Other	11 (25.0)	8 (18.2)	3 (6.8)	0 (0.0)	23 (52.3)	17	4	2	\$ 18,394 (23)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

MICHIGAN, Eastern
6th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Detroit
(2) Flint

(3) Bay City
(4) Ann Arbor

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	19	Civil ³	5,495
AUSAs ⁴	56	Criminal ⁵	656
Assistant Federal Defenders ⁶	9		
Probation Officers ⁷	60		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	848	4,577	18,955	31,464	74,985	213,067	57,850	401,746
Per 100,000 Population	14	74	307	510	1,214	3,451	937	6,507

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	6,283,331	Income per Capita ¹¹	\$ 11,517	Police Protection	\$ 82.17
Population per Square Mile ¹²	235.2	Percent Unemployed ¹³	8.6	Elementary and Secondary Education	\$ 549.36
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 112.85
Percent Age 0-14	21.8	Percent Mfg.	28.3	Public Welfare ¹⁶	\$ 14.57
Percent Age 15-24	14.8	Percent Retail	18.0	Highways	\$ 63.63
Percent Age 25-34	17.1	Percent Finance ¹⁷	4.9	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.3	Percent Service	22.8		
Percent Age 45-64	19.1	Percent Govt.	12.2		
Percent Age 65+	11.8	Percent Other	13.7		38.8

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
780	51	50	37	75	81	68	92	64	49	68	79	66

JEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	709 (100.0)	289 (40.8)	366 (51.6)	47 (6.6)	7 (1.0)	33.7	\$ 654	TOTAL	778 100.0
MALE	598 (84.3)	243	309	39	7	33.8	\$ 681	PLEA	646 83.0
FEMALE	111 (15.7)	46	57	8	0	33.1	\$ 509	TRIAL	132 17.0

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	755 (100.0)	633 (83.8)	603 (79.9)	21 (2.8)	9 (1.2)	65	145	121	72	80	211
Robbery	21 (100.0)	21 (100.0)	21 (100.0)	0 (0.0)	0 (0.0)	91	0	0	1	6	13
Larceny	35 (100.0)	20 (57.1)	18 (51.4)	2 (5.7)	0 (0.0)	13	12	7	0	1	0
Embezzlement	19 (100.0)	9 (47.4)	7 (36.8)	1 (5.3)	1 (5.3)	11	7	1	1	0	0
Fraud	98 (100.0)	67 (68.4)	62 (63.3)	3 (3.1)	2 (2.0)	18	33	24	7	2	1
Drug Offenses ⁶	345 (100.0)	331 (95.9)	324 (93.9)	8 (1.7)	1 (0.3)	97	24	32	36	61	178
Simple Possess.	14 (100.0)	5 (35.7)	5 (35.7)	0 (0.0)	0 (0.0)	23	4	0	0	0	1
Counterfeiting	30 (100.0)	21 (70.0)	20 (66.7)	1 (3.3)	0 (0.0)	17	10	7	2	0	1
Firearms	100 (100.0)	95 (95.0)	91 (91.0)	1 (1.0)	3 (3.0)	32	26	35	17	6	10
Immigration	17 (100.0)	15 (88.2)	9 (52.9)	6 (35.3)	0 (0.0)	11	8	4	2	0	0
Other	76 (100.0)	49 (64.5)	46 (60.5)	1 (1.3)	2 (2.6)	37	21	11	6	4	7

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	119 (15.8)	41 (5.4)	78 (10.3)	3 (0.4)	244 (32.3)	126	99	19	\$ 49,043 (223)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	12 (57.1)	1	11	0	\$ 6,561 (12)
Larceny	15 (42.9)	6 (17.1)	9 (25.7)	0 (0.0)	30 (85.7)	8	18	4	\$ 20,442 (29)
Embezzlement	10 (52.6)	4 (21.1)	6 (31.6)	0 (0.0)	15 (79.0)	2	10	3	\$ 95,995 (14)
Fraud	30 (30.6)	7 (7.1)	23 (23.5)	1 (1.0)	60 (61.2)	14	42	4	\$ 85,631 (55)
Drug Offenses ⁶	14 (4.1)	7 (2.0)	7 (2.0)	0 (0.0)	47 (13.6)	42	3	2	\$ 96,207 (38)
Simple Possess.	7 (50.0)	6 (42.9)	1 (7.1)	2 (14.3)	9 (64.3)	9	0	0	\$ 3,862 (9)
Counterfeiting	9 (30.0)	0 (0.0)	9 (30.0)	0 (0.0)	11 (36.7)	3	5	3	\$ 4,126 (10)
Firearms	5 (5.0)	3 (3.0)	2 (2.0)	0 (0.0)	15 (15.0)	10	3	2	\$ 7,607 (14)
Immigration	2 (11.8)	0 (0.0)	2 (11.8)	0 (0.0)	2 (11.8)	2	0	0	\$ 650 (2)
Other	27 (35.5)	8 (10.5)	19 (25.0)	0 (0.0)	43 (56.6)	35	7	1	\$ 9,295 (40)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

MICHIGAN, Western
6th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Grand Rapids
(2) Lansing
(3) Kalamazoo

(4) Marquette
(5) Muskegon

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	5	Civil ³	1,707
AUSAs ⁴	20	Criminal ⁵	200
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	14		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	113	2,520	2,530	11,231	29,316	90,186	7,369	143,265
Per 100,000 Population	4	85	85	378	987	3,038	248	4,825

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	3,011,966	Income per Capita ¹¹	\$ 9,588	Police Protection	\$ 50.32
Population per Square Mile ¹²	84.5	Percent Unemployed ¹³	9.1	Elementary and Secondary Education	\$ 474.18
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 124.86
Percent Age 0-14	22.9	Percent Mfg.	30.4	Public Welfare ¹⁶	\$ 21.16
Percent Age 15-24	15.7	Percent Retail	18.3	Highways	\$ 76.67
Percent Age 25-34	16.5	Percent Finance ¹⁷	4.3	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.8	Percent Service	20.1		
Percent Age 45-64	18.0	Percent Govt.	13.6		
Percent Age 65+	12.1	Percent Other	13.4		24.8

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
119	12	4	10	14	8	6	9	8	11	11	15	11

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other				
TOTAL (Row%)	108 (100.0)	73 (67.6)	21 (19.4)	10 (9.3)	4 (3.7)	34.7	\$ 928	TOTAL	119 100.0
MALE	90 (83.3)	60	17	9	4	34.9	\$ 974	PLEA	105 88.2
FEMALE	18 (16.7)	13	4	1	0	33.5	\$ 698	TRIAL	14 11.8

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	114 (100.0)	87 (76.3)	71 (62.3)	14 (12.3)	2 (1.8)	39	39	21	3	11	13
Robbery	5 (100.0)	5 (100.0)	5 (100.0)	0 (0.0)	0 (0.0)	179	0	0	0	2	3
Larceny	13 (100.0)	9 (69.2)	8 (61.5)	1 (7.7)	0 (0.0)	8	7	2	0	0	0
Embezzlement	9 (100.0)	5 (55.6)	3 (33.3)	2 (22.2)	0 (0.0)	6	5	0	0	0	0
Fraud	10 (100.0)	7 (70.0)	3 (30.0)	2 (20.0)	2 (20.0)	8	7	0	0	0	0
Drug Offenses ⁶	23 (100.0)	21 (91.3)	21 (91.3)	0 (0.0)	0 (0.0)	81	2	4	0	5	10
Simple Possess.	2 (100.0)	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	5	2	0	0	0	0
Counterfeiting	4 (100.0)	2 (50.0)	2 (50.0)	0 (0.0)	0 (0.0)	24	0	2	0	0	0
Firearms	19 (100.0)	17 (89.5)	13 (68.4)	4 (21.1)	0 (0.0)	18	8	7	0	2	0
Immigration	4 (100.0)	4 (100.0)	3 (75.0)	1 (25.0)	0 (0.0)	14	1	3	0	0	0
Other	25 (100.0)	15 (60.0)	12 (48.0)	3 (12.0)	0 (0.0)	17	7	3	3	2	0

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount? \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	26 (22.8)	14 (12.3)	12 (10.5)	1 (0.9)	50 (43.9)	23	19	8	\$ 9,329 (46)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	3 (60.0)	0	3	0	\$ 21,726 (2)
Larceny	4 (30.8)	2 (15.4)	2 (15.4)	0 (0.0)	3 (23.1)	2	0	1	\$ 1,336 (3)
Embezzlement	4 (44.4)	2 (22.2)	2 (22.2)	0 (0.0)	9 (100.0)	1	7	1	\$ 9,037 (8)
Fraud	3 (30.0)	0 (0.0)	3 (30.0)	0 (0.0)	8 (80.0)	3	2	3	\$ 24,200 (8)
Drug Offenses ⁶	2 (8.7)	1 (4.4)	1 (4.4)	0 (0.0)	3 (13.0)	3	0	0	\$ 2,917 (3)
Simple Possess.	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (50.0)	1	0	0	\$ 1,000 (1)
Counterfeiting	2 (50.0)	2 (50.0)	0 (0.0)	0 (0.0)	3 (75.0)	0	3	0	\$ 153 (3)
Firearms	2 (10.5)	2 (10.5)	0 (0.0)	0 (0.0)	6 (31.6)	5	1	0	\$ 2,081 (5)
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	9 (36.0)	5 (20.0)	4 (16.0)	1 (4.0)	14 (56.0)	8	3	3	\$ 7,319 (13)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

MINNESOTA
8th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Minneapolis
(2) St. Paul

(3) International Falls
(4) Winona

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	9	Civil ³	1,909
AUSAs ⁴	25	Criminal ⁵	329
Assistant Federal Defenders ⁶	4		
Probation Officers ⁷	28		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	77	1,069	1,696	5,510	30,511	109,795	10,868	159,526
Per 100,000 Population	2	24	39	126	697	2,510	248	3,646

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	4,375,099	Income per Capita ¹¹	\$ 11,186	Police Protection	\$ 54.85
Population per Square Mile ¹²	55.0	Percent Unemployed ¹³	5.3	Elementary and Secondary Education	\$ 554.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 111.17
Percent Age 0-14	22.8	Percent Mfg.	21.7	Public Welfare ¹⁶	\$ 157.12
Percent Age 15-24	14.0	Percent Retail	18.9	Highways	\$ 128.96
Percent Age 25-34	17.8	Percent Finance ¹⁷	6.5		
Percent Age 35-44	15.2	Percent Service	24.3		
Percent Age 45-64	17.7	Percent Govt.	11.6		
Percent Age 65+	12.5	Percent Other	17.0	Percent acreage in farms ¹⁸	54.4

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
309	24	16	29	24	31	24	19	37	23	34	23	25

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	267 (100.0)	164 (61.4)	74 (27.7)	15 (5.6)	14 (5.2)	34.8	\$ 584	TOTAL	308 100.0
MALE	227 (85.0)	143	61	13	10	34.6	\$ 591	PLEA	230 74.7
FEMALE	40 (15.0)	21	13	2	4	35.9	\$ 541	TRIAL	78 25.3

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			Average Months Prison ⁴	LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)		PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	304 (100.0)	252 (82.9)	247 (81.3)	1 (0.3)	4 (1.3)	63	46	45	35	45	77
Robbery	23 (100.0)	23 (100.0)	23 (100.0)	0 (0.0)	0 (0.0)	111	0	1	0	3	19
Larceny	16 (100.0)	4 (25.0)	4 (25.0)	0 (0.0)	0 (0.0)	20	2	0	2	0	0
Embezzlement	16 (100.0)	6 (37.5)	6 (37.5)	0 (0.0)	0 (0.0)	10	5	1	0	0	0
Fraud	38 (100.0)	27 (71.1)	25 (65.8)	0 (0.0)	2 (5.3)	16	13	7	4	1	0
Drug Offenses ⁶	128 (100.0)	125 (97.7)	124 (96.9)	0 (0.0)	1 (0.8)	79	3	18	19	33	52
Simple Possess.	0 (100.0)	0 (-)	0 (-)	0 (-)	0 (-)	--	0	0	0	0	0
Counterfeiting	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	26	0	1	1	0	0
Firearms	21 (100.0)	21 (100.0)	20 (95.2)	0 (0.0)	1 (4.8)	53	4	5	3	4	4
Immigration	6 (100.0)	5 (83.3)	5 (83.3)	0 (0.0)	0 (0.0)	25	0	1	3	0	0
Other	54 (100.0)	39 (72.2)	38 (70.4)	1 (1.9)	0 (0.0)	34	19	11	3	4	2

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	52 (17.1)	34 (11.2)	18 (5.9)	0 (0.0)	67 (22.0)	23	44	0	\$ 7,197 (64)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	11 (47.8)	0	11	0	\$ 2,851 (10)
Larceny	12 (75.0)	9 (56.3)	3 (18.8)	0 (0.0)	8 (50.0)	2	6	0	\$ 4,076 (7)
Embezzlement	10 (62.5)	7 (43.8)	3 (18.8)	0 (0.0)	11 (68.8)	0	11	0	\$ 19,379 (11)
Fraud	11 (29.0)	4 (10.5)	7 (18.4)	0 (0.0)	18 (47.4)	4	14	0	\$ 6,425 (18)
Drug Offenses ⁶	3 (2.3)	2 (1.6)	1 (0.8)	0 (0.0)	8 (6.3)	8	0	0	\$ 8,192 (8)
Simple Possess.	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Immigration	1 (16.7)	1 (16.7)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	15 (27.8)	11 (20.4)	4 (7.4)	0 (0.0)	11 (20.4)	9	2	0	\$ 919 (10)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

MISSISSIPPI, Northern
5th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Oxford
- (2) Aberdeen
- (3) Greenville

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	3	Civil ³	1,033
AUSAs ⁴	11	Criminal ⁵	103
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	13		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	61	142	283	948	5,235	10,146	858	17,673
Per 100,000 Population	13	29	58	195	1,078	2,089	177	3,639

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	970,176	Income per Capita ¹¹	\$ 6,775	Police Protection	\$ 26.03
Population per Square Mile ¹²	49.0	Percent Unemployed ¹³	12.2	Elementary and Secondary Education	\$ 341.60
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 176.71
Percent Age 0-14	24.2	Percent Mfg.	37.7	Public Welfare ¹⁶	\$ 2.44
Percent Age 15-24	17.1	Percent Retail	15.5	Highways	\$ 86.82
Percent Age 25-34	14.9	Percent Finance ¹⁷	3.5	Percent acreage in farms ¹⁸	
Percent Age 35-44	13.1	Percent Service	12.2		
Percent Age 45-64	17.7	Percent Govt.	15.3		
Percent Age 65+	13.0	Percent Other	14.7		52.6

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
185	21	6	16	24	28	7	18	19	7	10	15	14

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	169 (100.0)	81 (47.9)	87 (51.5)	0 (0.0)	1 (0.6)	39.5	\$ 714	TOTAL	184
MALE	141 (83.4)	71	69	0	1	40.1	\$ 725	PLEA	166
FEMALE	28 (16.6)	10	18	0	0	36.5	\$ 658	TRIAL	18

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	179 (100.0)	122 (68.2)	105 (58.7)	5 (2.8)	12 (6.7)	34	50	31	11	9	21
Robbery	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	18	0	2	0	0	0
Larceny	5 (100.0)	3 (60.0)	3 (60.0)	0 (0.0)	0 (0.0)	20	1	1	0	1	0
Embezzlement	4 (100.0)	2 (50.0)	1 (25.0)	0 (0.0)	1 (25.0)	9	1	1	0	0	0
Fraud	47 (100.0)	21 (44.7)	11 (23.4)	2 (4.3)	8 (17.0)	13	16	3	1	0	1
Drug Offenses ⁶	53 (100.0)	47 (88.7)	45 (84.9)	2 (3.8)	0 (0.0)	50	10	9	7	5	16
Simple Possess.	3 (100.0)	2 (66.7)	2 (66.7)	0 (0.0)	0 (0.0)	10	2	0	0	0	0
Counterfeiting	10 (100.0)	6 (60.0)	6 (60.0)	0 (0.0)	0 (0.0)	14	3	3	0	0	0
Firearms	12 (100.0)	11 (91.7)	10 (83.3)	0 (0.0)	1 (8.3)	29	3	4	1	2	1
Immigration	0 (100.0)	0 (-)	0 (-)	0 (-)	0 (-)	--	0	0	0	0	0
Other	43 (100.0)	28 (65.1)	25 (58.1)	1 (2.3)	2 (4.7)	34	14	8	2	1	3

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	57 (31.8)	42 (23.5)	15 (8.4)	0 (0.0)	113 (63.1)	61	29	23	\$ 5,184 (108)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Larceny	2 (40.0)	1 (20.0)	1 (20.0)	0 (0.0)	4 (80.0)	1	3	0	\$ 777 (3)
Embezzlement	2 (50.0)	1 (25.0)	1 (25.0)	0 (0.0)	4 (100.0)	1	3	0	\$ 15,626 (4)
Fraud	26 (55.3)	22 (46.8)	4 (8.5)	0 (0.0)	43 (91.5)	7	14	22	\$ 6,687 (41)
Drug Offenses ⁶	6 (11.3)	5 (9.4)	1 (1.9)	0 (0.0)	24 (45.3)	22	2	0	\$ 3,951 (23)
Simple Possess.	1 (33.3)	1 (33.3)	0 (0.0)	0 (0.0)	3 (100.0)	3	0	0	\$ 2,000 (3)
Counterfeiting	4 (40.0)	2 (20.0)	2 (20.0)	0 (0.0)	6 (60.0)	1	4	1	\$ 1,409 (6)
Firearms	1 (8.3)	1 (8.3)	0 (0.0)	0 (0.0)	2 (16.7)	2	0	0	\$ 3,250 (2)
Immigration	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Other	15 (34.9)	9 (20.9)	6 (14.0)	0 (0.0)	27 (62.8)	24	3	0	\$ 4,192 (26)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

**MISSISSIPPI, Southern
5th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Jackson
- (2) Biloxi
- (3) Hattiesburg

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	6	Civil ³	1,789
AUSAs ⁴	15	Criminal ⁵	256
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	19		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	119	562	1,437	2,444	16,976	29,314	3,218	54,070
Per 100,000 Population	11	52	134	228	1,581	2,730	300	5,036

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	1,603,040	Income per Capita ¹¹	\$ 7,895	Police Protection	\$ 31.84
Population per Square Mile ¹²	58.4	Percent Unemployed ¹³	11.4	Elementary and Secondary Education	\$ 327.50
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 151.85
Percent Age 0-14	24.0	Percent Mfg.	21.1	Public Welfare ¹⁶	\$ 5.60
Percent Age 15-24	15.8	Percent Retail	18.8	Highways	\$ 97.85
Percent Age 25-34	15.9	Percent Finance ¹⁷	5.5	Percent acreage in farms ¹⁸	
Percent Age 35-44	13.9	Percent Service	17.7		
Percent Age 45-64	18.1	Percent Govt.	17.4		
Percent Age 65+	12.2	Percent Other	19.5		32.8

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
212	16	13	20	31	22	12	12	20	17	21	16	12

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²		
		White	Black	Hispanic	Other				Number	Col %
TOTAL (Row%)	184 (100.0)	109 (59.2)	66 (35.9)	3 (1.6)	6 (3.3)	36.0	\$ 879	TOTAL	211	100.0
MALE	138 (75.0)	83	46	3	6	37.1	\$ 948	PLEA	187	88.6
FEMALE	46 (25.0)	26	20	0	0	32.5	\$ 673	TRIAL	24	11.4

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			Average Months Prison ⁴	LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)		PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	210 (100.0)	125 (59.5)	115 (54.8)	4 (1.9)	6 (2.9)	44	34	35	15	16	24
Robbery	9 (100.0)	9 (100.0)	9 (100.0)	0 (0.0)	0 (0.0)	77	0	1	1	4	3
Larceny	7 (100.0)	4 (57.1)	3 (42.9)	0 (0.0)	1 (14.3)	15	1	2	1	0	0
Embezzlement	14 (100.0)	5 (35.7)	5 (35.7)	0 (0.0)	0 (0.0)	12	2	3	0	0	0
Fraud	49 (100.0)	25 (51.0)	24 (49.0)	0 (0.0)	1 (2.0)	17	11	9	1	4	0
Drug Offenses ⁶	42 (100.0)	38 (90.5)	38 (90.5)	0 (0.0)	0 (0.0)	78	5	5	5	4	19
Simple Possess.	0 (100.0)	0 (-)	0 (-)	0 (-)	0 (-)	--	0	0	0	0	0
Counterfeiting	14 (100.0)	8 (57.1)	8 (57.1)	0 (0.0)	0 (0.0)	15	3	4	1	0	0
Firearms	16 (100.0)	10 (62.5)	10 (62.5)	0 (0.0)	0 (0.0)	55	1	5	1	2	1
Immigration	6 (100.0)	4 (66.7)	3 (50.0)	1 (16.7)	0 (0.0)	8	2	1	0	0	0
Other	53 (100.0)	22 (41.5)	15 (28.3)	3 (5.7)	4 (7.6)	23	9	5	5	2	1

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	85 (40.5)	48 (22.9)	37 (17.6)	0 (0.0)	115 (54.8)	68	28	19	\$ 9,743 (110)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Larceny	3 (42.9)	2 (28.6)	1 (14.3)	0 (0.0)	3 (42.9)	2	1	0	\$ 11,488 (2)
Embezzlement	9 (64.3)	3 (21.4)	6 (42.9)	0 (0.0)	12 (85.7)	3	8	1	\$ 10,255 (12)
Fraud	24 (49.0)	14 (28.6)	10 (20.4)	0 (0.0)	31 (63.3)	9	11	11	\$ 22,241 (30)
Drug Offenses ⁶	4 (9.5)	1 (2.4)	3 (7.1)	0 (0.0)	14 (33.3)	13	0	1	\$ 5,893 (13)
Simple Possess.	0 (→)	0 (→)	0 (→)	0 (→)	0 (→)	0	0	0	-- (0)
Counterfeiting	6 (42.9)	1 (7.1)	5 (35.7)	0 (0.0)	9 (64.3)	4	3	2	\$ 3,595 (8)
Firearms	6 (37.5)	3 (18.8)	3 (18.8)	0 (0.0)	8 (50.0)	7	1	0	\$ 2,303 (8)
Immigration	2 (33.3)	1 (16.7)	1 (16.7)	0 (0.0)	2 (33.3)	2	0	0	\$ 1,275 (2)
Other	31 (58.5)	23 (43.4)	8 (15.1)	0 (0.0)	36 (67.9)	28	4	4	\$ 3,776 (35)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

MISSOURI, Eastern
8th Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

(1) St. Louis
(2) Cape Girardeau

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	8	Civil ³	2,966
AUSAs ⁴	25	Criminal ⁵	284
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	32		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	259	741	5,802	12,823	25,524	69,049	12,981	127,179
Per 100,000 Population	10	30	234	517	1,029	2,784	523	5,127

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	2,652,609	Income per Capita ¹¹	\$ 10,881	Police Protection	\$ 62.10
Population per Square Mile ¹²	92.4	Percent Unemployed ¹³	6.6	Elementary and Secondary Education	\$ 398.62
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 82.45
Percent Age 0-14	22.0	Percent Mfg.	21.3	Public Welfare ¹⁶	\$ 2.01
Percent Age 15-24	13.6	Percent Retail	16.8	Highways	\$ 54.20
Percent Age 25-34	16.9	Percent Finance ¹⁷	5.8	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.6	Percent Service	24.2		
Percent Age 45-64	19.2	Percent Govt.	11.6		
Percent Age 65+	13.8	Percent Other	20.2		60.2

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
245	25	16	17	18	27	14	28	21	21	21	18	19

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	230 (100.0)	124 (53.9)	94 (40.9)	10 (4.4)	2 (0.9)	35.0	\$ 995	TOTAL	243 100.0
MALE	185 (80.4)	99	76	8	2	35.3	\$ 1,033	PLEA	186 76.5
FEMALE	45 (19.6)	25	18	2	0	33.7	\$ 837	TRIAL	57 23.5

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	240 (100.0)	190 (79.2)	185 (77.1)	1 (0.4)	4 (1.7)	71	45	26	25	23	71
Robbery	7 (100.0)	7 (100.0)	7 (100.0)	0 (0.0)	0 (0.0)	114	0	0	0	2	5
Larceny	21 (100.0)	9 (42.9)	8 (38.1)	0 (0.0)	1 (4.8)	13	6	1	2	0	0
Embezzlement	17 (100.0)	6 (35.3)	5 (29.4)	0 (0.0)	1 (5.9)	14	3	3	0	0	0
Fraud	36 (100.0)	22 (61.1)	21 (58.3)	0 (0.0)	1 (2.8)	16	11	5	5	1	0
Drug Offenses ⁶	99 (100.0)	96 (97.0)	96 (97.0)	0 (0.0)	0 (0.0)	109	4	9	8	12	63
Simple Possess.	8 (100.0)	8 (100.0)	8 (100.0)	0 (0.0)	0 (0.0)	5	8	0	0	0	0
Counterfeiting	3 (100.0)	3 (100.0)	3 (100.0)	0 (0.0)	0 (0.0)	6	3	0	0	0	0
Firearms	15 (100.0)	15 (100.0)	15 (100.0)	0 (0.0)	0 (0.0)	58	3	3	3	3	3
Immigration	0 (100.0)	0 (-)	0 (-)	0 (-)	0 (-)	--	0	0	0	0	0
Other	34 (100.0)	24 (70.6)	22 (64.7)	1 (2.9)	1 (2.9)	28	7	5	7	5	0

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	Total Receiving Probation	TYPE OF SENTENCE		CASES	Total Receiving Fines and Restitution	TYPE OF SENTENCE			Average Dollar Amount ⁷
		Probation Only	Probation + Confinement			Fine Only	Restitution Only	Both	
	N (Row%)	N (Row%)	N (Row%)		N (Row%)				\$ (N)
TOTAL	50 (20.8)	28 (11.7)	22 (9.2)	0 (0.0)	81 (33.8)	50	18	13	\$ 7,253 (80)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Larceny	12 (57.1)	7 (33.3)	5 (23.8)	0 (0.0)	11 (52.4)	4	2	5	\$ 835 (10)
Embezzlement	11 (64.7)	7 (41.2)	4 (23.5)	0 (0.0)	12 (70.6)	6	6	0	\$ 6,112 (12)
Fraud	14 (38.9)	6 (16.7)	8 (22.2)	0 (0.0)	15 (41.7)	2	8	5	\$ 15,021 (15)
Drug Offenses ⁶	3 (3.0)	1 (1.0)	2 (2.0)	0 (0.0)	16 (16.2)	16	0	0	\$ 6,484 (16)
Simple Possess.	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	5 (62.5)	5	0	0	\$ 1,020 (5)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	3 (100.0)	2	1	0	\$ 2,219 (3)
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (6.7)	1	0	0	\$ 6,000 (1)
Immigration	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Other	10 (29.4)	7 (20.6)	3 (8.8)	0 (0.0)	18 (52.9)	14	1	3	\$ 8,430 (18)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

MISSOURI, Western
8th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Kansas City
- (2) Springfield
- (3) Jefferson City

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	8	Civil ³	2,338
AUSAs ⁴	32	Criminal ⁵	688
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	32		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	169	838	5,171	9,569	25,516	66,897	13,992	122,152
Per 100,000 Population	8	39	239	443	1,182	3,098	648	5,657

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	2,464,464	Income per Capita ¹¹	\$ 9,597	Police Protection	\$ 48.52
Population per Square Mile ¹²	61.2	Percent Unemployed ¹³	5.5	Elementary and Secondary Education	\$ 354.81
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 105.63
Percent Age 0-14	21.3	Percent Mfg.	19.8	Public Welfare ¹⁶	\$ 3.55
Percent Age 15-24	14.7	Percent Retail	18.3	Highways	\$ 57.51
Percent Age 25-34	16.4	Percent Finance ¹⁷	6.4	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.1	Percent Service	22.7		
Percent Age 45-64	19.1	Percent Govt.	13.2		
Percent Age 65+	14.2	Percent Other	19.5		70.7

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
378	23	20	29	45	26	45	58	34	25	19	24	30

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	304 (100.0)	188 (61.8)	112 (36.8)	4 (1.3)	0 (0.0)	34.5	\$ 706	TOTAL	377 100.0
MALE	237 (78.0)	141	93	3	0	35.1	\$ 682	PLEA	299 79.3
FEMALE	67 (22.0)	47	19	1	0	32.6	\$ 787	TRIAL	78 20.7

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	377 (100.0)	291 (77.2)	279 (74.0)	2 (0.5)	10 (2.7)	83	55	57	24	38	116
Robbery	5 (100.0)	5 (100.0)	5 (100.0)	0 (0.0)	0 (0.0)	142	0	0	1	1	3
Larceny	37 (100.0)	24 (64.9)	23 (62.2)	0 (0.0)	1 (2.7)	17	7	12	4	1	0
Embezzlement	27 (100.0)	7 (25.9)	5 (18.5)	0 (0.0)	2 (7.4)	4	7	0	0	0	0
Fraud	38 (100.0)	27 (71.1)	24 (63.2)	1 (2.6)	2 (5.3)	17	14	9	1	2	1
Drug Offenses ⁶	185 (100.0)	173 (93.5)	171 (92.4)	0 (0.0)	2 (1.1)	119	13	12	15	28	105
Simple Possess.	9 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	18 (100.0)	8 (44.4)	8 (44.4)	0 (0.0)	0 (0.0)	14	3	4	0	0	0
Firearms	20 (100.0)	19 (95.0)	19 (95.0)	0 (0.0)	0 (0.0)	52	1	10	2	2	4
Immigration	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	11	1	1	0	0	0
Other	36 (100.0)	26 (72.2)	22 (61.1)	1 (2.8)	3 (8.3)	26	9	9	1	4	3

CASES INVOLVING PROBATION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	86 (22.8)	56 (14.9)	30 (8.0)	0 (0.0)	201 (53.3)	141	52	8	\$ 18,972 (197)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	4 (80.0)	1	2	1	\$ 10,595 (3)
Larceny	13 (35.1)	5 (13.5)	8 (21.6)	0 (0.0)	21 (56.8)	10	10	1	\$ 2,611 (21)
Embezzlement	20 (74.1)	15 (55.6)	5 (18.5)	0 (0.0)	21 (77.8)	5	14	2	\$ 15,140 (20)
Fraud	11 (29.0)	6 (15.8)	5 (13.2)	0 (0.0)	25 (65.8)	7	18	0	\$ 103,308 (24)
Drug Offenses ⁶	12 (6.5)	9 (4.9)	3 (1.6)	0 (0.0)	87 (47.0)	85	0	2	\$ 8,906 (87)
Simple Possess.	9 (100.0)	8 (88.9)	1 (11.1)	0 (0.0)	7 (77.8)	7	0	0	\$ 893 (7)
Counterfeiting	10 (55.6)	5 (27.8)	5 (27.8)	0 (0.0)	14 (77.8)	9	3	2	\$ 943 (14)
Firearms	1 (5.0)	0 (0.0)	1 (5.0)	0 (0.0)	7 (35.0)	5	2	0	\$ 1,919 (6)
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (50.0)	1	0	0	\$ 250 (1)
Other	10 (27.8)	8 (22.2)	2 (5.6)	0 (0.0)	14 (38.9)	11	3	0	\$ 4,479 (14)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

MONTANA
9th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Billings
(2) Great Falls
(3) Missoula

(4) Glasgow
(5) Helena
(6) Butte

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	5	Civil ³	743
AUSAs ⁴	8	Criminal ⁵	239
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	12		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	35	174	157	718	5,078	23,947	1,725	31,834
Per 100,000 Population	5	23	21	97	684	3,227	232	4,289

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	799,065	Income per Capita ¹¹	\$ 8,781	Police Protection	\$ 45.66
Population per Square Mile ¹²	5.5	Percent Unemployed ¹³	8.1	Elementary and Secondary Education	\$ 570.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 36.97
Percent Age 0-14	23.5	Percent Mfg.	8.4	Public Welfare ¹⁶	\$ 23.92
Percent Age 15-24	13.1	Percent Retail	22.4	Highways	\$ 90.24
Percent Age 25-34	15.4	Percent Finance ¹⁷	5.4	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.9	Percent Service	23.0		
Percent Age 45-64	18.9	Percent Govt.	19.1		
Percent Age 65+	13.3	Percent Other	21.8		65.1

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
209	10	24	20	20	22	12	14	18	16	21	17	15

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
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CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	206 (100.0)	121 (58.7)	108 (52.4)	2 (1.0)	11 (5.3)	44	41	27	10	16	27
Robbery	0 (100.0)	0 (-)	0 (-)	0 (-)	0 (-)	--	0	0	0	0	0
Larceny	13 (100.0)	3 (23.1)	3 (23.1)	0 (0.0)	0 (0.0)	22	1	1	1	0	0
Embezzlement	9 (100.0)	2 (22.2)	2 (22.2)	0 (0.0)	0 (0.0)	13	1	1	0	0	0
Fraud	33 (100.0)	9 (27.3)	6 (18.2)	0 (0.0)	3 (9.1)	10	7	1	1	0	0
Drug Offenses ⁶	59 (100.0)	52 (88.1)	49 (83.1)	0 (0.0)	3 (5.1)	65	11	10	3	7	21
Simple Possess.	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Firearms	18 (100.0)	13 (72.2)	13 (72.2)	0 (0.0)	0 (0.0)	25	5	5	1	1	1
Immigration	11 (100.0)	9 (81.8)	7 (63.6)	2 (18.2)	0 (0.0)	12	5	4	0	0	0
Other	59 (100.0)	33 (55.9)	28 (47.5)	0 (0.0)	5 (8.5)	40	11	5	4	8	5

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount? \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	85 (41.3)	74 (35.9)	11 (5.3)	0 (0.0)	115 (55.8)	50	56	9	\$ 9,009 (105)
Robbery	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Larceny	10 (76.9)	9 (69.2)	1 (7.7)	0 (0.0)	11 (84.6)	0	9	2	\$ 3,395 (8)
Embezzlement	7 (77.8)	5 (55.6)	2 (22.2)	0 (0.0)	5 (55.6)	2	3	0	\$ 36,050 (5)
Fraud	24 (72.7)	20 (60.6)	4 (12.1)	0 (0.0)	25 (75.8)	6	18	1	\$ 4,938 (22)
Drug Offenses ⁶	7 (11.9)	4 (6.8)	3 (5.1)	0 (0.0)	19 (32.2)	11	6	2	\$ 6,995 (18)
Simple Possess.	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	1 (50.0)	1	0	0	\$ 1,000 (1)
Counterfeiting	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	2 (100.0)	0	2	0	\$ 3,485 (2)
Firearms	5 (27.8)	5 (27.8)	0 (0.0)	0 (0.0)	4 (22.2)	4	0	0	\$ 1,138 (4)
Immigration	2 (18.2)	2 (18.2)	0 (0.0)	0 (0.0)	3 (27.3)	2	0	1	\$ 2,490 (3)
Other	26 (44.1)	25 (42.4)	1 (1.7)	0 (0.0)	45 (76.3)	24	18	3	\$ 11,523 (42)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

NEBRASKA
8th Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

(1) Omaha
(2) Lincoln

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	3	Civil ³	1,216
AUSAs ⁴	13	Criminal ⁵	195
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	15		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	44	468	806	3,874	11,282	46,533	2,786	65,753
Per 100,000 Population	3	30	51	246	718	2,960	177	4,185

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	1,578,385	Income per Capita ¹¹	\$ 10,546	Police Protection	\$ 39.80
Population per Square Mile ¹²	20.6	Percent Unemployed ¹³	5.0	Elementary and Secondary Education	\$ 480.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 109.45
Percent Age 0-14	23.0	Percent Mfg.	15.5	Public Welfare ¹⁶	\$ 21.01
Percent Age 15-24	14.0	Percent Retail	19.4	Highways	\$ 111.66
Percent Age 25-34	16.3	Percent Finance ¹⁷	7.8	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.5	Percent Service	22.6		
Percent Age 45-64	18.0	Percent Govt.	15.7		
Percent Age 65+	14.1	Percent Other	19.1		91.7

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
186	7	15	19	28	8	17	18	10	11	19	20	14

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	136 (100.0)	87 (64.0)	24 (17.7)	12 (8.8)	13 (9.6)	34.2	\$ 644	TOTAL	186 100.0
MALE	107 (78.7)	66	18	11	12	34.3	\$ 643	PLEA	173 93.0
FEMALE	29 (21.3)	21	6	1	1	34.1	\$ 649	TRIAL	13 7.0

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	182 (100.0)	130 (71.4)	117 (64.3)	6 (3.3)	7 (3.9)	41	43	27	20	17	23
Robbery	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	51	0	0	0	1	0
Larceny	10 (100.0)	3 (30.0)	3 (30.0)	0 (0.0)	0 (0.0)	18	2	0	1	0	0
Embezzlement	8 (100.0)	2 (25.0)	0 (0.0)	0 (0.0)	2 (25.0)	4	2	0	0	0	0
Fraud	34 (100.0)	20 (58.8)	17 (50.0)	2 (5.9)	1 (2.9)	16	12	6	0	2	0
Drug Offenses ⁶	88 (100.0)	78 (88.6)	74 (84.1)	1 (1.1)	3 (3.4)	55	13	17	15	13	20
Simple Possess.	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	2 (100.0)	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	6	2	0	0	0	0
Firearms	5 (100.0)	4 (80.0)	3 (60.0)	0 (0.0)	1 (20.0)	11	3	0	1	0	0
Immigration	7 (100.0)	4 (57.1)	2 (28.6)	2 (28.6)	0 (0.0)	11	3	1	0	0	0
Other	26 (100.0)	16 (61.5)	16 (61.5)	0 (0.0)	0 (0.0)	35	6	3	3	1	3

CASES INVOLVING PROBATION

PRIMARY OFFENSE	CASES RECEIVING PROBATION			CASES	CASES RECEIVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			N (Row%)	Fine Only	Restitution Only	
TOTAL	52 (28.6)	21 (11.5)	31 (17.0)	0 (0.0)	84 (46.2)	34	43	7	\$ 9,680 (72)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	0	0	1	-- (0)
Larceny	7 (70.0)	4 (40.0)	3 (30.0)	0 (0.0)	7 (70.0)	3	2	2	\$ 6,966 (6)
Embezzlement	6 (75.0)	2 (25.0)	4 (50.0)	0 (0.0)	8 (100.0)	2	6	0	\$ 2,866 (7)
Fraud	14 (41.2)	3 (8.8)	11 (32.4)	0 (0.0)	21 (61.8)	2	16	3	\$ 26,445 (21)
Drug Offenses ⁶	10 (11.4)	4 (4.6)	6 (6.8)	0 (0.0)	33 (37.5)	20	13	0	\$ 1,841 (24)
Simple Possess.	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (50.0)	0	1	0	\$ 900 (1)
Firearms	1 (20.0)	1 (20.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Immigration	3 (42.9)	3 (42.9)	0 (0.0)	0 (0.0)	2 (28.6)	2	0	0	\$ 170 (2)
Other	10 (38.5)	3 (11.5)	7 (26.9)	0 (0.0)	11 (42.3)	5	5	1	\$ 3,123 (11)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

NEVADA
9th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Las Vegas
- (2) Reno
- (3) Carson City

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	6	Civil ³	1,689
AUSAs ⁴	25	Criminal ⁵	405
Assistant Federal Defenders ⁶	7		
Probation Officers ⁷	34		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	108	689	2,784	3,117	15,002	39,110	6,801	67,611
Per 100,000 Population	10	62	250	280	1,349	3,518	612	6,081

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,201,833	Income per Capita ¹¹	\$ 11,200	Police Protection	\$ 76.45
Population per Square Mile ¹²	10.9	Percent Unemployed ¹³	6.0	Elementary and Secondary Education	\$ 446.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 164.77
Percent Age 0-14	21.1	Percent Mfg.	5.3	Public Welfare ¹⁶	\$ 15.82
Percent Age 15-24	13.5	Percent Retail	17.1	Highways	\$ 71.18
Percent Age 25-34	18.5	Percent Finance ¹⁷	4.5		
Percent Age 35-44	16.0	Percent Service	44.8		
Percent Age 45-64	20.3	Percent Govt.	10.5		
Percent Age 65+	10.6	Percent Other	17.8	Percent acreage in farms ¹⁸	14.2

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
243	6	15	14	16	26	15	21	26	25	31	21	27

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	217 (100.0)	146 (67.3)	40 (18.4)	21 (9.7)	10 (4.6)	36.1	\$ 1,482	TOTAL	242 100.0
MALE	175 (80.6)	118	30	17	10	36.8	\$ 1,656	PLEA	200 82.6
FEMALE	42 (19.4)	28	10	4	0	33.3	\$ 755	TRIAL	42 17.4

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			Average Months Prison ⁴	LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)		PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	239 (100.0)	165 (69.0)	158 (66.1)	5 (2.1)	2 (0.8)	55	46	36	22	18	42
Robbery	34 (100.0)	34 (100.0)	34 (100.0)	0 (0.0)	0 (0.0)	94	1	1	5	7	20
Larceny	14 (100.0)	8 (57.1)	7 (50.0)	0 (0.0)	1 (7.1)	19	1	5	2	0	0
Embezzlement	5 (100.0)	1 (20.0)	1 (20.0)	0 (0.0)	0 (0.0)	8	1	0	0	0	0
Fraud	69 (100.0)	39 (56.5)	37 (53.6)	1 (1.5)	1 (1.5)	22	18	13	4	2	1
Drug Offenses ⁶	48 (100.0)	35 (72.9)	34 (70.8)	1 (2.1)	0 (0.0)	98	6	4	2	6	17
Simple Possess.	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Counterfeiting	16 (100.0)	11 (68.8)	11 (68.8)	0 (0.0)	0 (0.0)	15	7	1	3	0	0
Firearms	11 (100.0)	11 (100.0)	10 (90.9)	1 (9.1)	0 (0.0)	65	1	4	1	2	3
Immigration	3 (100.0)	3 (100.0)	3 (100.0)	0 (0.0)	0 (0.0)	12	1	2	0	0	0
Other	39 (100.0)	23 (59.0)	21 (53.9)	2 (5.1)	0 (0.0)	19	10	6	5	1	1

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	72 (30.1)	45 (18.8)	27 (11.3)	2 (0.8)	152 (63.6)	52	81	19	\$ 13,671 (150)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	21 (61.8)	3	18	0	\$ 6,283 (20)
Larceny	6 (42.9)	2 (14.3)	4 (28.6)	0 (0.0)	13 (92.9)	1	11	1	\$ 36,727 (13)
Embezzlement	4 (80.0)	2 (40.0)	2 (40.0)	0 (0.0)	4 (80.0)	0	4	0	\$ 21,247 (4)
Fraud	30 (43.5)	17 (24.6)	13 (18.8)	0 (0.0)	63 (91.3)	14	38	11	\$ 15,620 (67)
Drug Offenses ⁶	12 (25.0)	12 (25.0)	0 (0.0)	1 (2.1)	20 (41.7)	16	4	0	\$ 10,423 (20)
Simple Possess.	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Counterfeiting	5 (31.3)	1 (6.3)	4 (25.0)	0 (0.0)	10 (62.5)	5	2	3	\$ 10,154 (10)
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (9.1)	1	0	0	\$ 5,000 (1)
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	15 (38.5)	11 (28.2)	4 (10.3)	1 (2.6)	20 (51.3)	12	4	4	\$ 3,957 (20)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

NEW HAMPSHIRE
1st Circuit

**City Supplying Sentencing
Guideline Documentation:¹**

(1) Concord

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	3	Civil ³	609
AUSAs ⁴	10	Criminal ⁵	75
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	6		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	21	369	296	724	7,878	27,115	2,638	39,041
Per 100,000 Population	2	35	28	68	737	2,536	247	3,653

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,109,252	Income per Capita ¹¹	\$ 11,659	Police Protection	\$ 42.41
Population per Square Mile ¹²	123.4	Percent Unemployed ¹³	2.8	Elementary and Secondary Education	\$ 396.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 4.33
Percent Age 0-14	21.4	Percent Mfg.	27.8	Public Welfare ¹⁶	\$ 47.60
Percent Age 15-24	14.4	Percent Retail	19.9	Highways	\$ 67.51
Percent Age 25-34	18.5	Percent Finance ¹⁷	5.8	Percent acreage in farms ¹⁸	
Percent Age 35-44	16.5	Percent Service	20.7		
Percent Age 45-64	18.1	Percent Govt.	9.4		
Percent Age 65+	11.3	Percent Other	16.3		8.2

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
73	9	6	4	6	4	8	9	3	11	4	4	5

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	65 (100.0)	57 (87.7)	3 (4.6)	4 (6.2)	1 (1.5)	39.5	\$ 1,899	TOTAL	73 100.0
MALE	61 (93.8)	55	3	2	1	39.9	\$ 1,975	PLEA	66 90.4
FEMALE	4 (6.2)	2	0	2	0	34.2	\$ 748	TRIAL	7 9.6

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			Average Months Prison ⁴	LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)		PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	71 (100.0)	44 (62.0)	40 (56.3)	2 (2.8)	2 (2.8)	27	12	14	5	5	5
Robbery	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Larceny	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	32	0	0	2	0	0
Embezzlement	4 (100.0)	2 (50.0)	2 (50.0)	0 (0.0)	0 (0.0)	21	1	0	1	0	0
Fraud	14 (100.0)	8 (57.1)	7 (50.0)	0 (0.0)	1 (7.1)	11	6	2	0	0	0
Drug Offenses ⁶	24 (100.0)	19 (79.2)	18 (75.0)	1 (4.2)	0 (0.0)	38	1	7	1	4	4
Simple Possess.	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	2 (100.0)	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	6	1	0	0	0	0
Firearms	7 (100.0)	3 (42.9)	2 (28.6)	0 (0.0)	1 (14.3)	11	2	1	0	0	0
Immigration	3 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Other	14 (100.0)	8 (57.1)	8 (57.1)	0 (0.0)	0 (0.0)	30	1	4	1	1	1

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount? \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	27 (38.0)	15 (21.1)	12 (16.9)	0 (0.0)	28 (39.4)	14	13	1	\$ 111,520 (27)
Robbery	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Larceny	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (50.0)	0	1	0	\$ 54,500 (1)
Embezzlement	2 (50.0)	0 (0.0)	2 (50.0)	0 (0.0)	2 (50.0)	0	2	0	\$ 660,573 (2)
Fraud	6 (42.9)	2 (14.3)	4 (28.6)	0 (0.0)	9 (64.3)	1	7	1	\$ 124,221 (9)
Drug Offenses ⁶	5 (20.8)	4 (16.7)	1 (4.2)	0 (0.0)	5 (20.8)	4	1	0	\$ 18,375 (4)
Simple Possess.	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	1 (100.0)	1	0	0	\$ 1,000 (1)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Firearms	4 (57.1)	4 (57.1)	0 (0.0)	0 (0.0)	2 (28.6)	2	0	0	\$ 1,750 (2)
Immigration	3 (100.0)	1 (33.3)	2 (66.7)	0 (0.0)	2 (66.7)	2	0	0	\$ 500 (2)
Other	6 (42.9)	3 (21.4)	3 (21.4)	0 (0.0)	6 (42.9)	4	2	0	\$ 73,066 (6)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

NEW JERSEY
3rd Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Newark
(2) Camden

(3) Trenton
(4) Paterson

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	15	Civil ³	5,763
AUSAs ⁴	71	Criminal ⁵	745
Assistant Federal Defenders ⁶	13		
Probation Officers ⁷	63		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	432	2,307	23,269	24,052	78,628	219,767	72,628	421,083
Per 100,000 Population	6	30	301	311	1,017	2,843	940	5,448

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	7,730,188	Income per Capita ¹¹	\$ 13,129	Police Protection	\$ 72.13
Population per Square Mile ¹²	1,035.1	Percent Unemployed ¹³	5.0	Elementary and Secondary Education	\$ 527.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 43.03
Percent Age 0-14	19.5	Percent Mfg.	22.6	Public Welfare ¹⁶	\$ 101.24
Percent Age 15-24	13.9	Percent Retail	16.6	Highways	\$ 56.95
Percent Age 25-34	17.6	Percent Finance ¹⁷	6.0	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.5	Percent Service	23.3		
Percent Age 45-64	20.2	Percent Govt.	12.0		
Percent Age 65+	13.4	Percent Other	19.5		19.2

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
474	44	25	19	45	47	51	38	49	51	45	16	44

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	402 (100.0)	181 (45.0)	109 (27.1)	98 (24.4)	14 (3.5)	36.5	\$ 1,028	TOTAL	474 100.0
MALE	336 (83.6)	156	87	84	9	36.8	\$ 1,072	PLEA	453 95.6
FEMALE	66 (16.4)	25	22	14	5	34.9	\$ 806	TRIAL	21 4.4

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE				LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	467 (100.0)	273 (58.5)	257 (55.0)	8 (1.7)	8 (1.7)	43	92	59	30	38	50
Robbery	7 (100.0)	7 (100.0)	7 (100.0)	0 (0.0)	0 (0.0)	121	0	0	2	3	2
Larceny	113 (100.0)	61 (54.0)	58 (51.3)	0 (0.0)	3 (2.7)	19	29	17	8	6	1
Embezzlement	37 (100.0)	10 (27.0)	10 (27.0)	0 (0.0)	0 (0.0)	15	4	5	0	1	0
Fraud	76 (100.0)	44 (57.9)	44 (57.9)	0 (0.0)	0 (0.0)	21	19	13	5	4	2
Drug Offenses ⁶	85 (100.0)	77 (90.6)	75 (88.2)	2 (2.4)	0 (0.0)	83	7	10	5	15	39
Simple Possess.	11 (100.0)	2 (18.2)	2 (18.2)	0 (0.0)	0 (0.0)	4	2	0	0	0	0
Counterfeiting	32 (100.0)	15 (46.9)	12 (37.5)	2 (6.3)	1 (3.1)	11	10	3	1	0	0
Firearms	15 (100.0)	10 (66.7)	9 (60.0)	0 (0.0)	1 (6.7)	22	3	3	3	0	1
Immigration	8 (100.0)	1 (12.5)	0 (0.0)	1 (12.5)	0 (0.0)	3	1	0	0	0	0
Other	83 (100.0)	46 (55.4)	40 (48.2)	3 (3.6)	3 (3.6)	42	17	8	6	9	5

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	194 (41.5)	119 (25.5)	75 (0.0)	0 (0.0)	239 (51.2)	116	94	29	\$ 50,925 (229)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (28.6)	0	2	0	\$ 2,660 (2)
Larceny	52 (46.0)	29 (25.7)	23 (0.0)	0 (0.0)	59 (52.2)	17	30	12	\$ 14,821 (56)
Embezzlement	27 (73.0)	9 (24.3)	18 (0.0)	0 (0.0)	34 (91.9)	7	21	6	\$ 38,222 (32)
Fraud	32 (42.1)	17 (22.4)	15 (0.0)	0 (0.0)	53 (69.7)	19	28	6	\$ 174,668 (49)
Drug Offenses ⁶	8 (9.4)	6 (7.1)	2 (0.0)	0 (0.0)	14 (16.5)	13	1	0	\$ 21,679 (14)
Simple Possess.	9 (81.8)	9 (81.8)	0 (0.0)	0 (0.0)	6 (54.6)	6	0	0	\$ 575 (6)
Counterfeiting	17 (53.1)	11 (34.4)	6 (0.0)	0 (0.0)	17 (53.1)	4	10	3	\$ 3,429 (17)
Firearms	5 (33.3)	4 (26.7)	1 (0.0)	0 (0.0)	6 (40.0)	6	0	0	\$ 2,750 (6)
immigration	7 (87.5)	7 (87.5)	0 (0.0)	0 (0.0)	5 (62.5)	3	0	2	\$ 1,840 (5)
Other	37 (44.6)	27 (32.5)	10 (0.0)	0 (0.0)	43 (51.8)	41	2	0	\$ 15,563 (42)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

NEW MEXICO
10th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Albuquerque
(2) Las Cruces

(3) Santa Fe
(4) Farmington

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	6	Civil ³	1,254
AUSAs ⁴	18	Criminal ⁵	630
Assistant Federal Defenders ⁶	7		
Probation Officers ⁷	27		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	92	544	1,421	7,192	19,136	46,442	3,876	78,703
Per 100,000 Population	8	47	124	626	1,666	4,044	338	6,853

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,515,069	Income per Capita ¹¹	\$ 8,814	Police Protection	\$ 55.26
Population per Square Mile ¹²	12.5	Percent Unemployed ¹³	9.2	Elementary and Secondary Education	\$ 564.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 51.09
Percent Age 0-14	25.0	Percent Mfg.	7.5	Public Welfare ¹⁶	\$ 3.13
Percent Age 15-24	14.5	Percent Retail	21.0	Highways	\$ 59.43
Percent Age 25-34	16.9	Percent Finance ¹⁷	5.4	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.0	Percent Service	22.7		
Percent Age 45-64	17.8	Percent Govt.	17.4		
Percent Age 65+	10.8	Percent Other	26.0		60.6

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
517	55	57	40	42	25	27	37	52	25	43	78	36

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²		
		White	Black	Hispanic	Other				Number	Col %
TOTAL (Row%)	445 (100.0)	137 (30.8)	37 (8.3)	227 (51.0)	44 (9.9)	32.8	\$ 467	TOTAL	512	100.0
MALE	384 (86.3)	110	30	201	43	32.8	\$ 458	PLEA	438	85.5
FEMALE	61 (13.7)	27	7	26	1	32.8	\$ 522	TRIAL	74	14.5

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	516 (100.0)	445 (86.2)	394 (76.4)	28 (5.4)	23 (4.5)	35	159	120	59	42	65
Robbery	13 (100.0)	13 (100.0)	13 (100.0)	0 (0.0)	0 (0.0)	66	0	2	0	7	4
Larceny	18 (100.0)	12 (66.7)	10 (55.6)	1 (5.6)	1 (5.6)	19	6	4	1	0	1
Embezzlement	14 (100.0)	6 (42.9)	3 (21.4)	0 (0.0)	3 (21.4)	11	3	3	0	0	0
Fraud	20 (100.0)	19 (95.0)	13 (65.0)	3 (15.0)	3 (15.0)	9	16	3	0	0	0
Drug Offenses ⁶	259 (100.0)	250 (96.5)	238 (91.9)	1 (0.4)	11 (4.3)	43	52	80	41	27	50
Simple Possess.	17 (100.0)	10 (58.8)	8 (47.1)	2 (11.8)	0 (0.0)	18	9	0	0	0	1
Counterfeiting	6 (100.0)	2 (33.3)	2 (33.3)	0 (0.0)	0 (0.0)	18	1	0	1	0	0
Firearms	22 (100.0)	18 (81.8)	16 (72.7)	0 (0.0)	2 (9.1)	51	5	6	1	3	3
Immigration	65 (100.0)	55 (84.6)	36 (55.4)	19 (29.2)	0 (0.0)	11	39	9	6	0	1
Other	82 (100.0)	60 (73.2)	55 (67.1)	2 (2.4)	3 (3.7)	26	28	13	9	5	5

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	71 (13.8)	41 (8.0)	30 (5.8)	0 (0.0)	41 (8.0)	23	16	2	\$ 9,676 (40)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (7.7)	0	1	0	\$ 9,205 (1)
Larceny	6 (33.3)	5 (27.8)	1 (5.6)	0 (0.0)	6 (33.3)	1	5	0	\$ 1,840 (6)
Embezzlement	8 (57.1)	5 (35.7)	3 (21.4)	0 (0.0)	7 (50.0)	0	6	1	\$ 24,880 (6)
Fraud	1 (5.0)	0 (0.0)	1 (5.0)	0 (0.0)	6 (30.0)	4	1	1	\$ 21,065 (6)
Drug Offenses ⁶	9 (3.5)	3 (1.2)	6 (2.3)	0 (0.0)	6 (2.3)	6	0	0	\$ 9,750 (6)
Simple Possess.	7 (41.2)	6 (35.3)	1 (5.3)	0 (0.0)	2 (11.8)	2	0	0	\$ 1,000 (2)
Counterfeiting	4 (66.7)	2 (33.3)	2 (33.3)	0 (0.0)	1 (16.7)	0	1	0	\$ 33 (1)
Firearms	4 (18.2)	4 (18.2)	0 (0.0)	0 (0.0)	1 (4.6)	1	0	0	\$ 2,000 (1)
Immigration	10 (15.4)	5 (7.7)	5 (7.7)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	22 (26.8)	11 (13.4)	11 (13.4)	0 (0.0)	11 (13.4)	9	2	0	\$ 2,709 (11)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

**NEW YORK, Northern
2nd Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Albany
- (2) Syracuse
- (3) Binghamton

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	4	Civil ³	1,475
AUSAs ⁴	20	Criminal ⁵	457
Assistant Federal Defenders ⁶	35		
Probation Officers ⁷	14		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	92	738	1,756	6,432	26,101	76,491	4,616	116,226
Per 100,000 Population	3	22	52	192	777	2,278	137	3,461

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	3,357,709	Income per Capita ¹¹	\$ 10,086	Police Protection	\$ 36.87
Population per Square Mile ¹²	109.6	Percent Unemployed ¹³	6.6	Elementary and Secondary Education	\$ 595.72
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 56.64
Percent Age 0-14	20.5	Percent Mfg.	22.2	Public Welfare ¹⁶	\$ 216.69
Percent Age 15-24	16.1	Percent Retail	18.3	Highways	\$ 117.14
Percent Age 25-34	16.6	Percent Finance ¹⁷	5.3		
Percent Age 35-44	14.6	Percent Service	24.7		
Percent Age 45-64	18.5	Percent Govt.	15.4		
Percent Age 65+	13.5	Percent Other	14.1	Percent acreage in farms ¹⁸	27.9

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
308	17	14	22	32	14	16	34	17	25	46	28	43

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	182 (100.0)	122 (67.0)	23 (12.6)	31 (17.0)	6 (3.3)	34.9	\$ 933	TOTAL	270 100.0
MALE	160 (87.9)	104	22	29	5	35.0	\$ 969	PLEA	237 87.8
FEMALE	22 (12.1)	18	1	2	1	33.5	\$ 675	TRIAL	33 12.2

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ² N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	259 (100.0)	180 (69.5)	151 (58.3)	26 (10.0)	3 (1.2)	29	55	46	33	17	19
Robbery	5 (100.0)	5 (100.0)	5 (100.0)	0 (0.0)	0 (0.0)	45	0	0	3	0	2
Larceny	15 (100.0)	4 (26.7)	4 (26.7)	0 (0.0)	0 (0.0)	16	2	1	1	0	0
Embezzlement	13 (100.0)	2 (15.4)	1 (7.7)	0 (0.0)	1 (7.7)	12	1	1	0	0	0
Fraud	21 (100.0)	8 (38.1)	8 (38.1)	0 (0.0)	0 (0.0)	19	1	4	3	0	0
Drug Offenses ⁶	100 (100.0)	96 (96.0)	96 (96.0)	0 (0.0)	0 (0.0)	40	18	26	20	15	17
Simple Possess.	7 (100.0)	2 (28.6)	2 (28.6)	0 (0.0)	0 (0.0)	3	2	0	0	0	0
Counterfeiting	6 (100.0)	4 (66.7)	3 (50.0)	1 (16.7)	0 (0.0)	4	4	0	0	0	0
Firearms	6 (100.0)	5 (83.3)	4 (66.7)	1 (16.7)	0 (0.0)	18	1	3	1	0	0
Immigration	47 (100.0)	30 (63.8)	12 (25.5)	18 (38.3)	0 (0.0)	8	15	5	1	0	0
Other	39 (100.0)	24 (61.5)	16 (41.0)	6 (15.4)	2 (5.1)	18	11	6	4	2	0

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	64 (24.7)	41 (15.8)	23 (8.9)	15 (5.8)	99 (38.2)	63	29	7	\$ 13,700 (97)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	4 (80.0)	0	4	0	\$ 12,451 (4)
Larceny	11 (73.3)	7 (46.7)	4 (26.7)	0 (0.0)	4 (26.7)	0	3	1	\$ 12,488 (4)
Embezzlement	11 (84.6)	3 (23.1)	8 (61.5)	0 (0.0)	11 (84.6)	0	6	5	\$ 18,784 (11)
Fraud	12 (57.1)	10 (47.6)	2 (9.5)	1 (4.8)	21 (100.0)	13	7	1	\$ 43,480 (20)
Drug Offenses ⁶	4 (4.0)	2 (2.0)	2 (2.0)	0 (0.0)	5 (5.0)	4	1	0	\$ 8,150 (5)
Simple Possess.	5 (71.4)	5 (71.4)	0 (0.0)	0 (0.0)	5 (71.4)	5	0	0	\$ 900 (5)
Counterfeiting	2 (33.3)	2 (33.3)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Firearms	1 (16.7)	1 (16.7)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Immigration	3 (6.4)	3 (6.4)	0 (0.0)	14 (29.8)	30 (63.8)	30	0	0	\$ 553 (30)
Other	15 (38.5)	8 (20.5)	7 (18.0)	0 (0.0)	19 (48.7)	11	8	0	\$ 5,062 (18)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

**NEW YORK, Southern
2nd Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) New York City (3) Middletown
(2) White Plains (4) Poughkeepsie

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	39	Civil ³	7,966
AUSAs ⁴	125	Criminal ⁵	1,081
Assistant Federal Defenders ⁶	35		
Probation Officers ⁷	98		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	1,234	1,631	47,692	34,970	61,645	194,483	52,667	394,322
Per 100,000 Population	27	36	1,049	769	1,355	4,276	1,158	8,670

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	4,551,993	Income per Capita ¹¹	\$ 13,806	Police Protection	\$ 67.96
Population per Square Mile ¹²	1295.4	Percent Unemployed ¹³	6.0	Elementary and Secondary Education	\$ 733.02
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 87.90
Percent Age 0-14	19.0	Percent Mfg.	14.8	Public Welfare ¹⁶	\$ 211.65
Percent Age 15-24	14.0	Percent Retail	11.9	Highways	\$ 73.21
Percent Age 25-34	18.6	Percent Finance ¹⁷	17.7	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.8	Percent Service	33.1		
Percent Age 45-64	20.0	Percent Govt.	5.0		
Percent Age 65+	12.5	Percent Other	17.5		16.2

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
853	86	53	55	80	71	76	75	79	103	87	34	54

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	688 (100.0)	181 (26.3)	222 (32.3)	247 (35.9)	38 (5.5)	34.1	\$ 1,616	TOTAL	847 100.0
MALE	561 (81.5)	156	159	212	34	34.2	\$ 1,560	PLEA	706 83.4
FEMALE	127 (18.5)	25	63	35	4	33.9	\$ 1,860	TRIAL	141 16.6

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	833 (100.0)	57E (69.0)	528 (63.4)	27 (3.2)	20 (2.4)	66	130	86	52	59	212
Robbery	25 (100.0)	25 (100.0)	23 (92.0)	2 (8.0)	0 (0.0)	111	0	1	2	6	16
Larceny	81 (100.0)	26 (32.1)	25 (30.9)	1 (1.2)	0 (0.0)	22	10	8	2	1	2
Embezzlement	41 (100.0)	8 (19.5)	7 (17.1)	1 (2.4)	0 (0.0)	14	6	1	0	1	0
Fraud	138 (100.0)	75 (54.4)	64 (46.4)	6 (4.4)	5 (3.6)	17	40	16	8	6	2
Drug Offenses ⁶	377 (100.0)	343 (91.0)	327 (86.7)	10 (2.7)	6 (1.6)	90	33	39	25	40	187
Simple Possess.	6 (100.0)	2 (33.3)	2 (33.3)	0 (0.0)	0 (0.0)	32	1	0	0	1	0
Counterfeiting	23 (100.0)	14 (60.9)	12 (52.2)	1 (4.4)	1 (4.4)	16	4	5	1	1	0
Firearms	22 (100.0)	17 (77.3)	15 (68.2)	0 (0.0)	2 (9.1)	19	7	3	4	0	1
Immigration	24 (100.0)	16 (66.7)	13 (54.2)	3 (12.5)	0 (0.0)	13	7	6	1	0	0
Other	96 (100.0)	49 (51.0)	40 (41.7)	3 (3.1)	6 (6.3)	27	22	7	9	3	4

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	254 (30.5)	171 (20.5)	83 (10.0)	4 (0.5)	260 (31.2)	122	129	9	\$ 49,036 (235)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	6 (24.0)	0	6	0	\$ 11,756 (5)
Larceny	54 (66.7)	47 (58.0)	7 (8.6)	1 (1.2)	42 (51.9)	7	32	3	\$ 113,225 (36)
Embezzlement	33 (80.5)	17 (41.5)	16 (39.0)	0 (0.0)	24 (58.5)	5	17	2	\$ 110,462 (21)
Fraud	62 (44.9)	33 (23.9)	29 (21.0)	1 (0.7)	88 (63.8)	16	68	4	\$ 39,686 (83)
Drug Offenses ⁶	33 (8.8)	22 (5.8)	11 (2.9)	1 (0.3)	38 (10.1)	38	0	0	\$ 33,799 (31)
Simple Possess.	4 (66.7)	4 (66.7)	0 (0.0)	0 (0.0)	2 (33.3)	2	0	0	\$ 1,000 (2)
Counterfeiting	9 (39.1)	7 (30.4)	2 (8.7)	0 (0.0)	9 (39.1)	5	4	0	\$ 31,830 (9)
Firearms	5 (22.7)	4 (18.2)	1 (4.6)	0 (0.0)	7 (31.8)	7	0	0	\$ 1,931 (7)
Immigration	8 (33.3)	5 (20.8)	3 (12.5)	0 (0.0)	7 (29.2)	7	0	0	\$ 1,936 (7)
Other	46 (47.9)	32 (33.3)	14 (14.6)	1 (1.0)	37 (38.5)	35	2	0	\$ 12,106 (34)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

**NEW YORK, Eastern
2nd Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Brooklyn
- (2) Uniondale
- (3) Mineola

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	15	Civil ³	4,983
AUSAs ⁴	95	Criminal ⁵	1,213
Assistant Federal Defenders ⁶	35		
Probation Officers ⁷	98		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	1,166	2,057	58,548	41,858	91,797	177,536	119,521	492,483
Per 100,000 Population	16	28	808	578	1,267	2,451	1,650	6,798

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	7,240,451	Income per Capita ¹¹	\$ 11,706	Police Protection	\$ 128.11
Population per Square Mile ¹²	5042.1	Percent Unemployed ¹³	6.1	Elementary and Secondary Education	\$ 503.33
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 179.26
Percent Age 0-14	19.7	Percent Mfg.	15.4	Public Welfare ¹⁶	\$ 383.81
Percent Age 15-24	14.4	Percent Retail	15.2	Highways	\$ 68.33
Percent Age 25-34	17.5	Percent Finance ¹⁷	4.9	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.1	Percent Service	23.4		
Percent Age 45-64	20.3	Percent Govt.	23.3		
Percent Age 65+	13.0	Percent Other	17.7		5.7

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
1,004	77	78	78	78	76	102	94	100	95	84	60	82

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	694 (100.0)	223 (32.1)	270 (38.9)	160 (23.1)	41 (5.9)	33.3	\$ 553	TOTAL	1,003 100.0
MALE	575 (82.9)	196	222	122	35	33.2	\$ 601	PLEA	898 89.5
FEMALE	119 (17.1)	27	48	38	6	33.9	\$ 321	TRIAL	105 10.5

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	995 (100.0)	796 (80.0)	770 (77.4)	11 (1.1)	15 (1.5)	52	127	92	130	213	178
Robbery	17 (100.0)	17 (100.0)	17 (100.0)	0 (0.0)	0 (0.0)	114	0	0	0	7	10
Larceny	38 (100.0)	21 (55.3)	19 (50.0)	0 (0.0)	2 (5.3)	13	12	6	2	0	0
Embezzlement	12 (100.0)	2 (16.7)	1 (8.3)	0 (0.0)	1 (8.3)	21	1	0	1	0	0
Fraud	118 (100.0)	57 (48.3)	53 (44.9)	0 (0.0)	4 (3.4)	13	34	11	8	0	0
Drug Offenses ⁶	597 (100.0)	556 (93.1)	552 (92.5)	3 (0.5)	1 (0.2)	60	22	50	112	186	152
Simple Possess.	3 (100.0)	3 (100.0)	3 (100.0)	0 (0.0)	0 (0.0)	4	2	0	0	0	0
Counterfeiting	19 (100.0)	11 (57.9)	11 (57.9)	0 (0.0)	0 (0.0)	22	6	2	0	0	1
Firearms	36 (100.0)	25 (69.4)	22 (61.1)	1 (2.8)	2 (5.6)	29	9	11	3	0	2
Immigration	24 (100.0)	17 (70.8)	16 (66.7)	1 (4.2)	0 (0.0)	8	9	1	0	0	0
Other	131 (100.0)	87 (66.4)	76 (58.0)	6 (4.6)	5 (3.8)	40	32	11	4	20	13

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	198 (19.9)	124 (12.5)	74 (7.4)	1 (0.1)	146 (14.7)	106	32	8	\$ 45,379 (138)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (5.9)	0	1	0	\$ 790 (1)
Larceny	16 (42.1)	7 (18.4)	9 (23.7)	1 (2.6)	13 (34.2)	7	5	1	\$ 17,752 (13)
Embezzlement	10 (83.3)	6 (50.0)	4 (33.3)	0 (0.0)	8 (66.7)	1	6	1	\$ 21,967 (4)
Fraud	61 (51.7)	38 (32.2)	23 (19.5)	0 (0.0)	35 (29.7)	15	16	4	\$ 81,744 (33)
Drug Offenses ⁶	41 (6.9)	24 (4.0)	17 (2.9)	0 (0.0)	28 (4.7)	28	0	0	\$ 56,485 (27)
Simple Possess.	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (33.3)	1	0	0	\$ 2,500 (1)
Counterfeiting	8 (42.1)	3 (15.8)	5 (26.3)	0 (0.0)	6 (31.6)	6	0	0	\$ 3,750 (6)
Firearms	11 (30.6)	8 (22.2)	3 (8.3)	0 (0.0)	6 (16.7)	5	1	0	\$ 3,779 (6)
Immigration	7 (29.2)	3 (12.5)	4 (16.7)	0 (0.0)	5 (20.8)	5	0	0	\$ 1,650 (5)
Other	44 (33.6)	35 (26.7)	9 (6.9)	0 (0.0)	43 (32.8)	38	3	2	\$ 39,627 (42)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

**NEW YORK, Western
2nd Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Buffalo
(2) Rochester

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	6	Civil ³	1,403
AUSAs ⁴	25	Criminal ⁵	378
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	20		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	114	922	4,280	8,465	27,795	83,145	9,937	134,658
Per 100,000 Population	4	32	151	298	979	2,927	350	4,741

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,840,302	Income per Capita ¹¹	\$ 10,606	Police Protection	\$ 49.86
Population per Square Mile ¹²	240.7	Percent Unemployed ¹³	6.9	Elementary and Secondary Education	\$ 599.45
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 76.13
Percent Age 0-14	20.8	Percent Mfg.	27.3	Public Welfare ¹⁶	\$ 225.68
Percent Age 15-24	14.6	Percent Retail	17.5	Highways	\$ 108.10
Percent Age 25-34	16.5	Percent Finance ¹⁷	4.7	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.7	Percent Service	23.5		
Percent Age 45-64	19.3	Percent Govt.	13.1		
Percent Age 65+	14.0	Percent Other	13.8		43.8

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
240	29	10	19	16	14	19	28	28	15	17	26	19

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²	
GENDER	TOTAL ¹	RACE				Average Age	Average Monthly Income		
	N (Col %)	White	Black	Hispanic	Other				
TOTAL (Row%)	210 (100.0)	98 (46.7)	82 (39.1)	25 (11.9)	5 (2.4)	34.7	\$ 801	TOTAL	239 100.0
MALE	168 (80.0)	81	63	20	4	35.2	\$ 817	PLEA	224 93.7
FEMALE	42 (20.0)	17	19	5	1	32.9	\$ 738	TRIAL	15 6.3

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Rece ving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	238 (100.0)	129 (54.2)	114 (47.9)	15 (6.3)	0 (0.0)	40	41	24	10	32	20
Robbery	10 (100.0)	10 (100.0)	10 (100.0)	0 (0.0)	0 (0.0)	52	1	0	0	6	3
Larceny	29 (100.0)	6 (20.7)	5 (17.2)	1 (3.5)	0 (0.0)	5	6	0	0	0	0
Embezzlement	17 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Fraud	33 (100.0)	10 (30.3)	8 (24.2)	2 (6.1)	0 (0.0)	13	7	1	1	1	0
Drug Offenses ⁶	72 (100.0)	66 (91.7)	61 (84.7)	5 (6.9)	0 (0.0)	61	5	14	7	23	16
Simple Possess.	10 (100.0)	1 (10.0)	1 (10.0)	0 (0.0)	0 (0.0)	5	1	0	0	0	0
Counterfeiting	6 (100.0)	5 (83.3)	5 (83.3)	0 (0.0)	0 (0.0)	21	1	3	0	1	0
Firearms	8 (100.0)	5 (62.5)	4 (50.0)	1 (12.5)	0 (0.0)	8	3	1	1	0	0
Immigration	19 (100.0)	17 (89.5)	12 (63.2)	5 (26.3)	0 (0.0)	10	11	4	1	0	0
Other	34 (100.0)	9 (26.5)	8 (23.5)	1 (2.9)	0 (0.0)	19	6	1	0	1	1

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	108 (45.4)	87 (36.6)	21 (8.8)	1 (0.4)	120 (50.4)	67	43	10	\$ 6,988 (119)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	6 (60.0)	1	4	1	\$ 16,833 (6)
Larceny	23 (79.3)	20 (69.0)	3 (10.3)	0 (0.0)	21 (72.4)	9	11	1	\$ 4,268 (21)
Embezzlement	16 (94.1)	10 (58.8)	6 (35.3)	1 (5.9)	14 (82.4)	3	11	0	\$ 10,442 (13)
Fraud	23 (69.7)	17 (51.5)	6 (18.2)	0 (0.0)	23 (69.7)	6	11	6	\$ 6,328 (23)
Drug Offenses ⁶	6 (8.3)	4 (5.6)	2 (2.8)	0 (0.0)	11 (15.3)	10	1	0	\$ 13,419 (11)
Simple Possess.	9 (90.0)	9 (90.0)	0 (0.0)	0 (0.0)	6 (60.0)	6	0	0	\$ 850 (6)
Counterfeiting	1 (16.7)	1 (16.7)	0 (0.0)	0 (0.0)	2 (33.3)	0	2	0	\$ 865 (2)
Firearms	3 (37.5)	3 (37.5)	0 (0.0)	0 (0.0)	4 (50.0)	4	0	0	\$ 1,468 (4)
Immigration	2 (10.5)	1 (5.3)	1 (5.3)	0 (0.0)	9 (47.4)	9	0	0	\$ 6,863 (9)
Other	25 (73.5)	22 (64.7)	3 (8.8)	0 (0.0)	24 (70.6)	19	3	2	\$ 5,731 (24)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

NORTH CAROLINA, Eastern
4th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Fayetteville
(2) Raleigh
(3) New Bern

(4) Wilmington
(5) Wilson
(6) Washington

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	5	Civil ³	1,278
AUSAs ⁴	17	Criminal ⁵	1,055
Assistant Federal Defenders ⁶	7		
Probation Officers ⁷	32		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	262	850	3,037	9,959	37,614	73,934	6,741	132,397
Per 100,000 Population	10	33	119	392	1,479	2,907	265	5,205

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	2,554,964	Income per Capita ¹¹	\$ 8,722	Police Protection	\$ 34.81
Population per Square Mile ¹²	106.4	Percent Unemployed ¹³	5.9	Elementary and Secondary Education	\$ 399.44
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 75.47
Percent Age 0-14	21.3	Percent Mfg.	25.8	Public Welfare ¹⁶	\$ 27.63
Percent Age 15-24	16.9	Percent Retail	19.7	Highways	\$ 14.90
Percent Age 25-34	17.9	Percent Finance ¹⁷	4.5	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.9	Percent Service	16.4		
Percent Age 45-64	18.2	Percent Govt.	16.2		
Percent Age 65+	10.8	Percent Other	17.4		37.6

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
352	28	21	31	21	20	21	11	24	37	48	43	47

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	279 (100.0)	117 (41.9)	144 (51.6)	7 (2.5)	11 (3.9)	33.1	\$ 586	TOTAL	345 100.0
MALE	222 (79.6)	94	116	5	7	33.4	\$ 587	PLEA	303 87.8
FEMALE	57 (20.4)	23	28	2	4	32.1	\$ 581	TRIAL	42 12.2

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			Average Months Prison ⁴	LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)		PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	345 (100.0)	229 (66.4)	220 (63.8)	2 (0.6)	7 (2.0)	68	42	33	22	48	84
Robbery	23 (100.0)	23 (100.0)	23 (100.0)	0 (0.0)	0 (0.0)	86	0	0	0	10	13
Larceny	36 (100.0)	8 (22.2)	7 (19.4)	0 (0.0)	1 (2.8)	10	6	1	1	0	0
Embezzlement	12 (100.0)	2 (16.7)	2 (16.7)	0 (0.0)	0 (0.0)	11	1	1	0	0	0
Fraud	26 (100.0)	11 (42.3)	11 (42.3)	0 (0.0)	0 (0.0)	18	7	1	0	1	2
Drug Offenses ⁶	126 (100.0)	118 (93.7)	116 (92.1)	1 (0.8)	1 (0.8)	94	7	14	12	23	62
Simple Possess.	3 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	12 (100.0)	7 (58.3)	7 (58.3)	0 (0.0)	0 (0.0)	19	4	2	0	0	1
Firearms	30 (100.0)	27 (90.0)	27 (90.0)	0 (0.0)	0 (0.0)	46	2	5	4	12	4
Immigration	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Other	77 (100.0)	33 (42.9)	27 (35.1)	1 (1.3)	5 (6.5)	23	15	9	5	2	2

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	116 (33.6)	85 (24.6)	31 (9.0)	0 (0.0)	207 (60.0)	112	71	24	\$ 5,823 (202)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	19 (82.6)	1	14	4	\$ 3,866 (19)
Larceny	28 (77.8)	20 (55.6)	8 (22.2)	0 (0.0)	29 (80.6)	8	13	8	\$ 2,796 (28)
Embezzlement	10 (83.3)	7 (58.3)	3 (25.0)	0 (0.0)	11 (91.7)	3	8	0	\$ 6,235 (11)
Fraud	15 (57.7)	9 (34.6)	6 (23.1)	0 (0.0)	21 (80.8)	8	10	3	\$ 8,909 (20)
Drug Offenses ⁶	8 (6.4)	7 (5.6)	1 (0.8)	0 (0.0)	41 (32.5)	31	9	1	\$ 6,865 (40)
Simple Possess.	3 (100.0)	2 (66.7)	1 (33.3)	0 (0.0)	3 (100.0)	3	0	0	\$ 1,158 (3)
Counterfeiting	5 (41.7)	4 (33.3)	1 (8.3)	0 (0.0)	11 (91.7)	5	4	2	\$ 1,231 (11)
Firearms	3 (10.0)	1 (3.3)	2 (6.7)	0 (0.0)	10 (33.3)	7	3	0	\$ 2,321 (10)
Immigration	0 (—)	0 (—)	0 (—)	0 (—)	0 (—)	0	0	0	-- (0)
Other	44 (57.1)	35 (45.5)	9 (11.7)	0 (0.0)	62 (80.5)	46	10	6	\$ 7,717 (60)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

NORTH CAROLINA, Middle
4th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Greensboro
(2) Winston-Salem
(3) Durham

(4) Rockingham
(5) Salisbury

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	5	Civil ³	644
AUSAs ⁴	8	Criminal ⁵	275
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	22		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	193	690	2,562	7,428	29,753	58,728	5,461	104,815
Per 100,000 Population	9	34	125	363	1,456	2,874	267	5,128

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	2,049,556	Income per Capita ¹¹	\$ 10,197	Police Protection	\$ 45.67
Population per Square Mile ¹²	183.9	Percent Unemployed ¹³	5.0	Elementary and Secondary Education	\$ 385.54
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 89.63
Percent Age 0-14	19.3	Percent Mfg.	38.2	Public Welfare ¹⁶	\$ 25.94
Percent Age 15-24	15.5	Percent Retail	15.4	Highways	\$ 20.20
Percent Age 25-34	17.1	Percent Finance ¹⁷	4.2		
Percent Age 35-44	15.4	Percent Service	17.6		
Percent Age 45-64	19.9	Percent Govt.	9.9		
Percent Age 65+	12.8	Percent Other	14.7	Percent acreage in farms ¹⁸	34.5

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
313	23	34	35	31	19	18	13	42	40	8	23	27

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other				
TOTAL (Row%)	263 (100.0)	89 (33.8)	150 (57.0)	19 (7.2)	5 (1.9)	32.3	\$ 471	TOTAL	311 100.0
MALE	224 (85.2)	79	124	16	5	32.6	\$ 467	PLEA	239 76.8
FEMALE	39 (14.8)	10	26	3	0	31.1	\$ 495	TRIAL	72 23.2

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	311 (100.0)	281 (90.4)	277 (89.1)	2 (0.6)	2 (0.6)	110	20	28	15	50	168
Robbery	37 (100.0)	37 (100.0)	37 (100.0)	0 (0.0)	0 (0.0)	131	0	1	3	7	26
Larceny	7 (100.0)	2 (28.6)	2 (28.6)	0 (0.0)	0 (0.0)	29	0	1	0	1	0
Embezzlement	10 (100.0)	2 (20.0)	2 (20.0)	0 (0.0)	0 (0.0)	24	1	0	0	1	0
Fraud	19 (100.0)	13 (68.4)	12 (63.2)	0 (0.0)	1 (5.3)	17	5	5	1	2	0
Drug Offenses ⁶	188 (100.0)	186 (98.9)	186 (98.9)	0 (0.0)	0 (0.0)	124	4	14	6	26	136
Simple Possess.	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Counterfeiting	11 (100.0)	5 (45.5)	5 (45.5)	0 (0.0)	0 (0.0)	35	0	2	0	3	0
Firearms	25 (100.0)	25 (100.0)	24 (96.0)	1 (4.0)	0 (0.0)	83	4	5	4	6	6
Immigration	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Other	14 (100.0)	11 (78.6)	9 (64.3)	1 (7.1)	1 (7.1)	28	6	0	1	4	0

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	30 (9.7)	14 (4.5)	16 (5.1)	0 (0.0)	112 (36.0)	52	54	6	\$ 18,344 (108)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	25 (67.6)	2	22	1	\$ 30,221 (24)
Larceny	5 (71.4)	2 (28.6)	3 (42.9)	0 (0.0)	6 (85.7)	1	4	1	\$ 1,526 (4)
Embezzlement	8 (80.0)	4 (40.0)	4 (40.0)	0 (0.0)	10 (100.0)	4	6	0	\$ 22,098 (10)
Fraud	6 (31.6)	1 (5.3)	5 (26.3)	0 (0.0)	14 (73.7)	1	12	1	\$ 56,561 (13)
Drug Offenses ⁶	2 (1.1)	1 (0.5)	1 (0.5)	0 (0.0)	37 (19.7)	35	1	1	\$ 6,289 (37)
Simple Possess.	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Counterfeiting	6 (54.6)	3 (27.3)	3 (27.3)	0 (0.0)	5 (45.5)	0	3	2	\$ 1,069 (5)
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	8 (32.0)	6	2	0	\$ 2,424 (8)
Immigration	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Other	3 (21.4)	3 (21.4)	0 (0.0)	0 (0.0)	7 (50.0)	3	4	0	\$ 5,151 (7)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

NORTH CAROLINA, Western
4th Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

(1) Charlotte
(2) Asheville

(3) Bryson City
(4) Statesville

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	5	Civil ³	736
AUSAs ⁴	11	Criminal ⁵	489
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	28		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	231	676	4,298	9,800	30,793	63,376	6,090	115,264
Per 100,000 Population	12	34	219	500	1,570	3,232	311	5,878

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	2,024,117	Income per Capita ¹¹	\$ 9,809	Police Protection	\$ 38.42
Population per Square Mile ¹²	147.9	Percent Unemployed ¹³	5.1	Elementary and Secondary Education	\$ 381.55
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 111.18
Percent Age 0-14	19.5	Percent Mfg.	34.2	Public Welfare ¹⁶	\$ 25.22
Percent Age 15-24	14.9	Percent Retail	15.4	Highways	\$ 19.66
Percent Age 25-34	16.7	Percent Finance ¹⁷	4.4	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.4	Percent Service	15.0		
Percent Age 45-64	20.4	Percent Govt.	9.7		
Percent Age 65+	13.1	Percent Other	21.3		23.7

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
361	11	51	14	22	12	70	36	52	13	32	9	39

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²		
GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		Number	Col %
		White	Black	Hispanic	Other					
TOTAL (Row%)	234 (100.0)	131 (56.0)	76 (32.5)	15 (6.4)	12 (5.1)	33.6	\$ 616	TOTAL	361	100.0
MALE	190 (81.2)	104	61	14	11	33.6	\$ 612	PLEA	337	93.4
FEMALE	44 (18.8)	27	15	1	1	33.4	\$ 633	TRIAL	24	6.6

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	351 (100.0)	274 (78.1)	265 (75.5)	1 (0.3)	8 (2.3)	68	49	38	22	74	89
Robbery	20 (100.0)	20 (100.0)	20 (100.0)	0 (0.0)	0 (0.0)	103	1	0	2	3	14
Larceny	12 (100.0)	5 (41.7)	5 (41.7)	0 (0.0)	0 (0.0)	27	2	1	0	2	0
Embezzlement	12 (100.0)	3 (25.0)	3 (25.0)	0 (0.0)	0 (0.0)	18	2	0	0	1	0
Fraud	21 (100.0)	10 (47.6)	9 (42.9)	0 (0.0)	1 (4.8)	22	4	2	2	2	0
Drug Offenses ⁶	170 (100.0)	153 (90.0)	152 (89.4)	1 (0.6)	0 (0.0)	85	13	18	10	38	72
Simple Possess.	6 (100.0)	3 (50.0)	3 (50.0)	0 (0.0)	0 (0.0)	2	3	0	0	0	0
Counterfeiting	15 (100.0)	8 (53.3)	8 (53.3)	0 (0.0)	0 (0.0)	13	4	4	0	0	0
Firearms	40 (100.0)	38 (95.0)	38 (95.0)	0 (0.0)	0 (0.0)	59	4	5	4	23	2
Immigration	0 (100.0)	0 (-)	0 (-)	0 (-)	0 (-)	--	0	0	0	0	0
Other	55 (100.0)	34 (61.8)	27 (49.1)	0 (0.0)	7 (12.7)	20	16	8	4	5	1

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	77 (21.9)	48 (13.7)	29 (8.3)	0 (0.0)	182 (51.9)	117	54	11	\$ 99,942 (175)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	11 (55.0)	1	10	0	\$ 26,253 (10)
Larceny	7 (58.3)	3 (25.0)	4 (33.3)	0 (0.0)	7 (58.3)	1	4	2	\$ 5,728 (6)
Embezzlement	9 (75.0)	5 (41.7)	4 (33.3)	0 (0.0)	10 (83.3)	1	6	3	\$ 15,698 (9)
Fraud	11 (52.4)	6 (28.6)	5 (23.8)	0 (0.0)	18 (85.7)	4	11	3	\$ 965,664 (17)
Drug Offenses ⁶	17 (10.0)	13 (7.7)	4 (2.4)	0 (0.0)	89 (52.4)	83	5	1	\$ 4,419 (89)
Simple Possession ⁵	3 (50.0)	2 (33.3)	1 (16.7)	0 (0.0)	4 (66.7)	4	0	0	\$ 1,267 (3)
Counterfeiting	7 (46.7)	3 (20.0)	4 (26.7)	0 (0.0)	10 (66.7)	1	9	0	\$ 2,972 (10)
Firearms	2 (5.0)	2 (5.0)	0 (0.0)	0 (0.0)	11 (27.5)	10	1	0	\$ 8,168 (11)
Immigration	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Other	21 (38.2)	14 (25.5)	7 (12.7)	0 (0.0)	22 (40.0)	12	8	2	\$ 5,936 (20)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

NORTH DAKOTA
8th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Bismarck
(2) Fargo
(3) Minot

(4) Devils Lake
(5) Grand Forks

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	5	Civil ³	533
AUSAs ⁴	7	Criminal ⁵	165
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	11		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	5	123	36	206	1,914	12,291	704	15,279
Per 100,000 Population	1	26	7	43	397	2,549	146	3,169

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	638,800	Income per Capita ¹¹	\$ 9,635	Police Protection	\$ 37.64
Population per Square Mile ¹²	9.2	Percent Unemployed ¹³	6.3	Elementary and Secondary Education	\$ 522.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 9.16
Percent Age 0-14	23.3	Percent Mfg.	6.7	Public Welfare ¹⁶	\$ 20.34
Percent Age 15-24	14.8	Percent Retail	21.4	Highways	\$ 124.10
Percent Age 25-34	16.3	Percent Finance ¹⁷	5.8	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.1	Percent Service	25.2		
Percent Age 45-64	17.3	Percent Govt.	18.7		
Percent Age 65+	14.3	Percent Other	22.2		90.7

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
133	11	7	13	6	4	6	9	22	12	21	13	9

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other				
TOTAL (Row%)	101 (100.0)	42 (41.6)	1 (1.0)	3 (3.0)	55 (54.5)	32.6	\$ 692	TOTAL	132 100.0
MALE	82 (81.2)	38	1	3	40	33.0	\$ 754	PLEA	120 90.9
FEMALE	19 (18.8)	4	0	0	15	31.2	\$ 425	TRIAL	12 9.1

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	130 (100.0)	82 (63.1)	49 (37.7)	21 (16.2)	12 (9.2)	20	38	19	5	12	3
Robbery	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	54	0	0	0	2	0
Larceny	7 (100.0)	3 (42.9)	2 (28.6)	0 (0.0)	1 (14.3)	4	3	0	0	0	0
Embezzlement	4 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Fraud	18 (100.0)	13 (72.2)	3 (16.7)	7 (38.9)	3 (16.7)	6	10	1	0	0	0
Drug Offenses ⁶	44 (100.0)	22 (50.0)	17 (38.6)	0 (0.0)	5 (11.4)	25	7	7	2	4	2
Simple Possess.	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	4 (100.0)	1 (25.0)	1 (25.0)	0 (0.0)	0 (0.0)	19	0	1	0	0	0
Firearms	7 (100.0)	5 (71.4)	4 (57.1)	0 (0.0)	1 (14.3)	19	3	1	0	1	0
Immigration	12 (100.0)	12 (100.0)	1 (8.3)	11 (91.7)	0 (0.0)	6	6	2	1	0	0
Other	31 (100.0)	24 (77.4)	19 (61.3)	3 (9.7)	2 (6.5)	25	9	7	2	5	1

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	Total Receiving Probation N (Row%)	TYPE OF SENTENCE		CASES N (Row%)	Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	48 (36.9)	22 (16.9)	26 (20.0)	0 (0.0)	39 (30.0)	12	27	0	\$ 6,085 (36)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (100.0)	0	2	0	\$ 1,320 (2)
Larceny	4 (57.1)	2 (28.6)	2 (28.6)	0 (0.0)	4 (57.1)	1	3	0	\$ 6,933 (4)
Embezzlement	4 (100.0)	0 (0.0)	4 (100.0)	0 (0.0)	3 (75.0)	0	3	0	\$ 6,266 (2)
Fraud	5 (27.8)	2 (11.1)	3 (16.7)	0 (0.0)	5 (27.8)	1	4	0	\$ 26,319 (4)
Drug Offenses ⁶	22 (50.0)	13 (29.6)	9 (20.5)	0 (0.0)	8 (18.2)	7	1	0	\$ 935 (8)
Simple Possess.	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Counterfeiting	3 (75.0)	2 (50.0)	1 (25.0)	0 (0.0)	4 (100.0)	0	4	0	\$ 3,465 (4)
Firearms	2 (28.6)	0 (0.0)	2 (28.6)	0 (0.0)	1 (14.3)	1	0	0	\$ 5,000 (1)
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	7 (22.6)	2 (6.5)	5 (16.1)	0 (0.0)	12 (38.7)	2	10	0	\$ 4,049 (11)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

OHIO, Northern
6th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Cleveland
(2) Akron

(3) Toledo
(4) Lima

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	13	Civil ³	4,389
AUSAs ⁴	40	Criminal ⁵	450
Assistant Federal Defenders ⁶	4		
Probation Officers ⁷	50		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	362	2,508	10,895	13,867	48,032	131,115	29,598	236,377
Per 100,000 Population	7	50	219	279	966	2,636	595	4,752

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	5,770,574	Income per Capita ¹¹	\$ 10,443	Police Protection	\$ 59.18
Population per Square Mile ¹²	320.5	Percent Unemployed ¹³	8.6	Elementary and Secondary Education	\$ 451.78
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 86.65
Percent Age 0-14	21.5	Percent Mfg.	29.0	Public Welfare ¹⁶	\$ 66.32
Percent Age 15-24	14.1	Percent Retail	17.6	Highways	\$ 60.32
Percent Age 25-34	16.1	Percent Finance ¹⁷	4.7	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.9	Percent Service	21.7		
Percent Age 45-64	19.6	Percent Govt.	11.8		
Percent Age 65+	13.8	Percent Other	15.3		63.2

A complete description of the footnotes is provided in Appendix A.

FISCAL YEAR 1991 GUIDELINE SENTENCES

Ohio, Northern

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
426	33	22	27	26	40	33	51	60	36	39	23	36

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	377 (100.0)	162 (43.0)	193 (51.2)	19 (5.0)	3 (0.8)	35.0	\$ 923	TOTAL	424 100.0
MALE	315 (83.6)	140	160	12	3	35.4	\$ 977	PLEA	368 86.8
FEMALE	62 (16.4)	22	33	7	0	32.8	\$ 648	TRIAL	56 13.2

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	Total Receiving Prison N (Row%)	TYPE OF SENTENCE				LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	424 (100.0)	276 (65.1)	258 (60.9)	0 (0.0)	18 (4.3)	72	44	46	22	58	105
Robbery	32 (100.0)	32 (100.0)	32 (100.0)	0 (0.0)	0 (0.0)	80	1	2	2	14	13
Larceny	24 (100.0)	8 (33.3)	6 (25.0)	0 (0.0)	2 (8.3)	10	5	3	0	0	0
Embezzlement	42 (100.0)	9 (21.4)	6 (14.3)	0 (0.0)	3 (7.1)	13	4	4	0	0	0
Fraud	54 (100.0)	18 (33.3)	16 (29.6)	0 (0.0)	2 (3.7)	19	7	8	1	2	0
Drug Offenses ⁶	159 (100.0)	144 (90.6)	140 (88.1)	0 (0.0)	4 (2.5)	98	8	10	9	32	85
Simple Possess.	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	13 (100.0)	6 (46.2)	5 (38.5)	0 (0.0)	1 (7.7)	12	4	2	0	0	0
Firearms	51 (100.0)	35 (68.6)	32 (62.8)	0 (0.0)	3 (5.9)	55	8	8	7	6	6
Immigration	4 (100.0)	3 (75.0)	3 (75.0)	0 (0.0)	0 (0.0)	18	1	1	1	0	0
Other	43 (100.0)	21 (48.8)	18 (41.9)	0 (0.0)	3 (7.0)	25	6	8	2	4	1

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	148 (34.9)	76 (17.9)	72 (17.0)	0 (0.0)	160 (37.7)	66	86	8	\$ 12,355 (157)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	15 (46.9)	1	13	1	\$ 4,206 (15)
Larceny	16 (66.7)	5 (20.8)	11 (45.8)	0 (0.0)	17 (70.8)	3	11	3	\$ 11,262 (17)
Embezzlement	33 (78.6)	19 (45.2)	14 (33.3)	0 (0.0)	35 (83.3)	7	28	0	\$ 15,787 (35)
Fraud	36 (66.7)	15 (27.8)	21 (38.9)	0 (0.0)	33 (61.1)	6	26	1	\$ 24,588 (33)
Drug Offenses ⁶	15 (9.4)	9 (5.7)	6 (3.8)	0 (0.0)	11 (6.9)	10	1	0	\$ 4,545 (11)
Simple Possess.	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Counterfeiting	7 (53.9)	1 (7.7)	6 (46.2)	0 (0.0)	9 (69.2)	4	5	0	\$ 9,451 (9)
Firearms	16 (31.4)	8 (15.7)	8 (15.7)	0 (0.0)	15 (29.4)	15	0	0	\$ 2,659 (14)
Immigration	1 (25.0)	1 (25.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	22 (51.2)	16 (37.2)	6 (14.0)	0 (0.0)	25 (58.1)	20	2	3	\$ 6,475 (23)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

**OHIO, Southern
6th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Columbus
- (2) Cincinnati
- (3) Dayton

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	8	Civil ³	2,482
AUSAs ⁴	25	Criminal ⁵	445
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	42		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	262	2,203	8,767	12,229	47,872	143,111	19,965	234,409
Per 100,000 Population	6	51	202	281	1,101	3,291	459	5,672

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	5,076,541	Income per Capita ¹¹	\$ 10,288	Police Protection	\$ 52.12
Population per Square Mile ¹²	220.7	Percent Unemployed ¹³	7.5	Elementary and Secondary Education	\$ 437.69
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 61.60
Percent Age 0-14	21.7	Percent Mfg.	24.4	Public Welfare ¹⁶	\$ 53.46
Percent Age 15-24	15.2	Percent Retail	18.6	Highways	\$ 56.02
Percent Age 25-34	17.1	Percent Finance ¹⁷	6.1	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.9	Percent Service	22.4		
Percent Age 45-64	19.0	Percent Govt.	12.7		
Percent Age 65+	12.0	Percent Other	15.7	55.2	

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
446	21	37	28	42	37	58	34	53	24	31	44	37

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	391 (100.0)	189 (48.3)	191 (48.9)	7 (1.8)	4 (1.0)	34.0	\$ 808	TOTAL	446 100.0
MALE	295 (75.4)	153	135	4	3	34.1	\$ 867	PLEA	401 89.9
FEMALE	96 (24.6)	36	56	3	1	33.4	\$ 628	TRIAL	45 10.1

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	Total Receiving Prison N (Row%)	TYPE OF SENTENCE				LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	437 (100.0)	287 (65.7)	270 (61.8)	3 (0.7)	14 (3.2)	57	86	39	27	43	92
Robbery	21 (100.0)	20 (95.2)	20 (95.2)	0 (0.0)	0 (0.0)	108	2	0	2	6	10
Larceny	41 (100.0)	14 (34.2)	12 (29.3)	0 (0.0)	2 (4.9)	14	10	2	1	0	1
Embezzlement	34 (100.0)	9 (26.5)	7 (20.6)	0 (0.0)	2 (5.9)	9	8	1	0	0	0
Fraud	65 (100.0)	31 (47.7)	28 (43.1)	0 (0.0)	3 (4.6)	14	17	11	2	0	1
Drug Offenses ⁶	158 (100.0)	151 (95.6)	147 (93.0)	1 (0.6)	3 (1.9)	79	13	16	15	32	75
Simple Possess.	7 (100.0)	1 (14.3)	1 (14.3)	0 (0.0)	0 (0.0)	5	1	0	0	0	0
Counterfeiting	17 (100.0)	12 (70.6)	12 (70.6)	0 (0.0)	0 (0.0)	18	5	3	4	0	0
Firearms	37 (100.0)	28 (75.7)	24 (64.9)	1 (2.7)	3 (8.1)	27	19	5	0	1	3
Immigration	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Other	55 (100.0)	21 (38.2)	19 (34.6)	1 (1.8)	1 (1.8)	28	11	1	3	4	2

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	148 (33.9)	88 (20.1)	60 (13.7)	2 (0.5)	152 (34.8)	40	106	6	\$ 13,566 (136)
Robbery	1 (4.8)	1 (4.8)	0 (0.0)	0 (0.0)	16 (76.2)	1	15	0	\$ 5,017 (13)
Larceny	26 (63.4)	17 (41.5)	9 (22.0)	1 (2.4)	28 (68.3)	5	20	3	\$ 4,113 (20)
Embezzlement	25 (73.5)	15 (44.1)	10 (29.4)	0 (0.0)	25 (73.5)	5	18	2	\$ 18,006 (24)
Fraud	34 (52.3)	16 (24.6)	18 (27.7)	0 (0.0)	42 (64.6)	3	38	1	\$ 21,396 (40)
Drug Offenses ⁶	7 (4.4)	3 (1.9)	4 (2.5)	0 (0.0)	11 (7.0)	10	1	0	\$ 26,524 (10)
Simple Possess.	6 (85.7)	5 (71.4)	1 (14.3)	0 (0.0)	4 (57.1)	4	0	0	\$ 288 (4)
Counterfeiting	5 (29.4)	0 (0.0)	5 (29.4)	0 (0.0)	9 (52.9)	0	9	0	\$ 4,578 (8)
Firearms	8 (21.6)	3 (8.1)	5 (13.5)	1 (2.7)	2 (5.4)	2	0	0	\$ 375 (2)
Immigration	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	34 (61.8)	26 (47.3)	8 (14.6)	0 (0.0)	15 (27.3)	10	5	0	\$ 7,049 (15)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

OKLAHOMA, Northern
10th Circuit

**City Supplying Sentencing
Guideline Documentation:¹**

(1) Tulsa

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	6	Civil ³	1,022
AUSAs ⁴	11	Criminal ⁵	143
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	14		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	80	503	1,674	3,928	12,851	23,975	9,033	52,044
Per 100,000 Population	10	60	199	467	1,528	2,851	1,074	6,189

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	840,805	Income per Capita ¹¹	\$ 10,823	Police Protection	\$ 43.81
Population per Square Mile ¹²	98.3	Percent Unemployed ¹³	9.1	Elementary and Secondary Education	\$ 440.21
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 22.79
Percent Age 0-14	22.2	Percent Mfg.	18.9	Public Welfare ¹⁶	\$ 1.36
Percent Age 15-24	13.5	Percent Retail	16.4	Highways	\$ 56.54
Percent Age 25-34	16.5	Percent Finance ¹⁷	5.6	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.2	Percent Service	22.4		
Percent Age 45-64	19.7	Percent Govt.	9.7		
Percent Age 65+	12.9	Percent Other	26.9		68.9

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
111	5	6	12	13	4	16	6	6	6	14	7	16

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other				
TOTAL (Row%)	101 (100.0)	76 (75.3)	22 (21.8)	2 (2.0)	1 (1.0)	33.7	\$ 652	TOTAL	110 100.0
MALE	78 (77.2)	63	13	2	0	33.2	\$ 689	PLEA	96 87.3
FEMALE	23 (22.8)	13	9	0	1	35.3	\$ 528	TRIAL	14 12.7

CASES INVOLVING PRISON

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	109 (100.0)	80 (73.4)	76 (69.7)	1 (0.9)	3 (2.8)	61	26	15	10	9	20
Robbery	4 (100.0)	4 (100.0)	4 (100.0)	0 (0.0)	0 (0.0)	83	0	0	1	0	3
Larceny	12 (100.0)	7 (58.3)	6 (50.0)	0 (0.0)	1 (8.3)	10	5	2	0	0	0
Embezzlement	7 (100.0)	3 (42.9)	3 (42.9)	0 (0.0)	0 (0.0)	46	1	0	0	1	1
Fraud	41 (100.0)	28 (68.3)	27 (65.9)	0 (0.0)	1 (2.4)	15	15	8	4	1	0
Drug Offenses ⁶	19 (100.0)	19 (100.0)	19 (100.0)	0 (0.0)	0 (0.0)	146	1	1	3	1	13
Simple Possess.	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	12	1	0	0	0	0
Counterfeiting	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Firearms	6 (100.0)	5 (83.3)	4 (66.7)	1 (16.7)	0 (0.0)	26	2	0	2	1	0
Immigration	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Other	17 (100.0)	13 (76.5)	12 (70.6)	0 (0.0)	1 (5.9)	75	1	4	0	5	3

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES RECEIVING PROBATION			CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	29 (26.6)	18 (16.5)	11 (10.1)	0 (0.0)	69 (63.3)	8	60	1	\$ 230,919 (66)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (25.0)	0	1	0	\$ 2,943 (1)
Larceny	5 (41.7)	4 (33.3)	1 (8.3)	0 (0.0)	9 (75.0)	0	9	0	\$ 2,798 (9)
Embezzlement	4 (57.1)	4 (57.1)	0 (0.0)	0 (0.0)	7 (100.0)	1	6	0	\$ 1,500,711 (7)
Fraud	13 (31.7)	6 (14.6)	7 (17.1)	0 (0.0)	36 (87.8)	1	34	1	\$ 141,530 (33)
Drug Offenses ⁶	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (10.5)	2	0	0	\$ 9,000 (2)
Simple Possess.	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Counterfeiting	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Firearms	1 (16.7)	1 (16.7)	0 (0.0)	0 (0.0)	2 (33.3)	2	0	0	\$ 4,240 (2)
Immigration	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Other	4 (23.5)	1 (5.9)	3 (17.7)	0 (0.0)	12 (70.6)	2	10	0	\$ 885 (12)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

OKLAHOMA, Eastern
10th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Muskogee
- (2) Durant
- (3) Ardmore

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	5	Civil ³	726
AUSAs ⁴	5	Criminal ⁵	71
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	7		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	50	177	215	1,527	6,842	11,647	1,478	21,936
Per 100,000 Population	8	28	34	240	1,074	1,828	232	3,444

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	639,115	Income per Capita ¹¹	\$ 7,448	Police Protection	\$ 25.19
Population per Square Mile ¹²	30.8	Percent Unemployed ¹³	9.8	Elementary and Secondary Education	\$ 429.08
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 172.58
Percent Age 0-14	22.2	Percent Mfg.	17.3	Public Welfare ¹⁶	\$ 1.17
Percent Age 15-24	13.8	Percent Retail	19.0	Highways	\$ 64.55
Percent Age 25-34	14.0	Percent Finance ¹⁷	4.4	Percent acreage in farms ¹⁸	
Percent Age 35-44	13.5	Percent Service	15.2		
Percent Age 45-64	20.3	Percent Govt.	23.3		
Percent Age 65+	16.2	Percent Other	20.8		58.1

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
65	2	3	2	18	4	6	2	8	10	0	8	2

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other				
TOTAL (Row%)	61 (100.0)	46 (75.4)	7 (11.5)	5 (8.2)	3 (4.9)	38.3	\$ 645	TOTAL	64 100.0
MALE	49 (80.3)	37	6	5	1	39.4	\$ 682	PLEA	40 62.5
FEMALE	12 (19.7)	9	1	0	2	33.7	\$ 495	TRIAL	24 37.5

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	64 (100.0)	46 (71.9)	44 (68.8)	2 (3.1)	0 (0.0)	153	6	5	1	8	26
Robbery	0 (100.0)	0 (—)	0 (—)	0 (—)	0 (—)	--	0	0	0	0	0
Larceny	3 (100.0)	1 (33.3)	0 (0.0)	1 (33.3)	0 (0.0)	9	1	0	0	0	0
Embezzlement	4 (100.0)	1 (25.0)	1 (25.0)	0 (0.0)	0 (0.0)	12	1	0	0	0	0
Fraud	6 (100.0)	1 (16.7)	1 (16.7)	0 (0.0)	0 (0.0)	12	1	0	0	0	0
Drug Offenses ⁶	27 (100.0)	26 (96.3)	26 (96.3)	0 (0.0)	0 (0.0)	163	1	1	0	4	20
Simple Possess.	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	0 (100.0)	0 (—)	0 (—)	0 (—)	0 (—)	--	0	0	0	0	0
Firearms	12 (100.0)	11 (91.7)	10 (83.3)	1 (8.3)	0 (0.0)	206	0	3	1	2	5
Immigration	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Other	10 (100.0)	6 (60.0)	6 (60.0)	0 (0.0)	0 (0.0)	84	2	1	0	2	1

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES			N (Row%)	CASES				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	18 (28.1)	8 (12.5)	10 (15.6)	0 (0.0)	15 (23.4)	7	7	1	\$ 5,181 (15)
Robbery	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Larceny	2 (66.7)	2 (66.7)	0 (0.0)	0 (0.0)	2 (66.7)	0	2	0	\$ 385 (2)
Embezzlement	3 (75.0)	0 (0.0)	3 (75.0)	0 (0.0)	3 (75.0)	1	2	0	\$ 11,126 (3)
Fraud	5 (83.3)	1 (16.7)	4 (66.7)	0 (0.0)	4 (66.7)	0	3	1	\$ 6,293 (4)
Drug Offenses ⁶	1 (3.7)	1 (3.7)	0 (0.0)	0 (0.0)	3 (11.1)	3	0	0	\$ 4,967 (3)
Simple Possess.	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Counterfeiting	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Firearms	1 (8.3)	0 (0.0)	1 (8.3)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Immigration	1 (100.0)	0 (0.0)	1 (100.0)	0 (0.0)	1 (100.0)	1	0	0	\$ 2,000 (1)
Other	4 (40.0)	3 (30.0)	1 (10.0)	0 (0.0)	2 (20.0)	2	0	0	\$ 750 (2)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

OKLAHOMA, Western
10th Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

(1) Oklahoma City
(2) Lawton

(3) Woodward
(4) Enid

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	7	Civil ³	2,014
AUSAs ⁴	22	Criminal ⁵	431
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	21		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	123	798	1,946	6,193	25,816	58,759	8,411	102,046
Per 100,000 Population	7	48	117	372	1,550	3,527	505	6,126

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	1,665,665	Income per Capita ¹¹	\$ 10,105	Police Protection	\$ 43.59
Population per Square Mile ¹²	42.4	Percent Unemployed ¹³	7.3	Elementary and Secondary Education	\$ 425.72
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 117.76
Percent Age 0-14	22.4	Percent Mfg.	12.8	Public Welfare ¹⁶	\$ 1.58
Percent Age 15-24	15.3	Percent Retail	20.9	Highways	\$ 74.84
Percent Age 25-34	16.9	Percent Finance ¹⁷	6.0	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.3	Percent Service	19.3		
Percent Age 45-64	18.4	Percent Govt.	17.6		
Percent Age 65+	12.7	Percent Other	23.4		82.9

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
212	7	20	18	12	30	29	13	18	13	19	15	18

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other				
TOTAL (Row%)	157 (100.0)	100 (63.7)	43 (27.4)	7 (4.5)	7 (4.5)	35.6	\$ 1,558	TOTAL	211 100.0
MALE	127 (80.9)	83	32	7	5	35.7	\$ 1,684	PLEA	182 86.3
FEMALE	30 (19.1)	17	11	0	2	35.2	\$ 1,024	TRIAL	29 13.7

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)							
TOTAL	208 (100.0)	171 (82.2)	163 (78.4)	5 (2.4)	3 (1.4)	48	54	40	19	23	34
Robbery	6 (100.0)	6 (100.0)	6 (100.0)	0 (0.0)	0 (0.0)	142	0	0	1	0	5
Larceny	15 (100.0)	11 (73.3)	10 (66.7)	1 (6.7)	0 (0.0)	14	6	4	1	0	0
Embezzlement	9 (100.0)	5 (55.6)	5 (55.6)	0 (0.0)	0 (0.0)	9	3	2	0	0	0
Fraud	37 (100.0)	28 (75.7)	26 (70.3)	1 (2.7)	1 (2.7)	13	14	11	2	0	0
Drug Offenses ⁶	49 (100.0)	49 (100.0)	49 (100.0)	0 (0.0)	0 (0.0)	98	3	7	3	9	27
Simple Possess.	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Counterfeiting	15 (100.0)	10 (66.7)	10 (66.7)	0 (0.0)	0 (0.0)	10	7	3	0	0	0
Firearms	17 (100.0)	16 (94.1)	14 (82.4)	2 (11.8)	0 (0.0)	18	7	6	2	1	0
Immigration	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	16	1	1	0	0	0
Other	58 (100.0)	44 (75.9)	41 (70.7)	1 (1.7)	2 (3.5)	37	13	6	10	13	2

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	37 (17.8)	24 (11.5)	13 (6.3)	0 (0.0)	62 (29.8)	23	34	5	\$ 100,033 (59)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (16.7)	0	1	0	\$ 6,600 (1)
Larceny	4 (26.7)	3 (20.0)	1 (6.7)	0 (0.0)	7 (46.7)	1	5	1	\$ 34,916 (5)
Embezzlement	4 (44.4)	1 (11.1)	3 (33.3)	0 (0.0)	5 (55.6)	1	4	0	\$ 107,887 (5)
Fraud	9 (24.3)	4 (10.8)	5 (13.5)	0 (0.0)	18 (48.7)	2	15	1	\$ 249,967 (16)
Drug Offenses ⁶	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (2.0)	1	0	0	\$ 10,000 (1)
Simple Possess.	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Counterfeiting	5 (33.3)	4 (26.7)	1 (6.7)	0 (0.0)	7 (46.7)	1	5	1	\$ 984 (7)
Firearms	1 (5.9)	0 (0.0)	1 (5.9)	0 (0.0)	1 (5.9)	1	0	0	\$ 20,000 (1)
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	14 (24.1)	12 (20.7)	2 (3.5)	0 (0.0)	22 (37.9)	16	4	2	\$ 50,458 (22)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

OREGON
9th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Portland
- (2) Eugene
- (3) Vale

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	7	Civil ³	2,005
AUSAs ⁴	26	Criminal ⁵	590
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	28		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	108	1,330	4,097	8,831	32,156	100,355	13,000	159,877
Per 100,000 Population	4	47	145	311	1,134	3,540	459	5,640

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,842,321	Income per Capita ¹¹	\$ 9,925	Police Protection	\$ 58.39
Population per Square Mile ¹²	29.6	Percent Unemployed ¹³	8.5	Elementary and Secondary Education	\$ 577.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 55.86
Percent Age 0-14	21.6	Percent Mfg.	19.7	Public Welfare ¹⁶	\$ 7.62
Percent Age 15-24	13.3	Percent Retail	19.9	Highways	\$ 91.40
Percent Age 25-34	15.9	Percent Finance ¹⁷	5.8	Percent acreage in farms ¹⁸	
Percent Age 35-44	16.7	Percent Service	22.3		
Percent Age 45-64	18.8	Percent Govt.	14.5		
Percent Age 65+	13.8	Percent Other	17.8		28.8

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
418	33	37	25	44	37	25	35	37	27	45	33	40

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²		
		White	Black	Hispanic	Other				Number	Col %
TOTAL (Row%)	304 (100.0)	184 (60.5)	21 (6.9)	88 (29.0)	11 (3.6)	23.8	\$ 349	TOTAL	418	100.0
MALE	269 (88.5)	156	20	84	9	33.6	\$ 338	PLEA	385	92.1
FEMALE	35 (11.5)	28	1	4	2	35.4	\$ 428	TRIAL	33	7.9

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	416 (100.0)	367 (88.2)	355 (85.3)	3 (0.7)	9 (2.2)	64	43	64	26	81	153
Robbery	49 (100.0)	49 (100.0)	49 (100.0)	0 (0.0)	0 (0.0)	90	0	1	4	16	28
Larceny	14 (100.0)	7 (50.0)	5 (35.7)	0 (0.0)	2 (14.3)	12	4	2	1	0	0
Embezzlement	7 (100.0)	2 (28.6)	1 (14.3)	0 (0.0)	1 (14.3)	9	2	0	0	0	0
Fraud	29 (100.0)	15 (51.7)	12 (41.4)	1 (3.5)	2 (6.9)	14	8	6	1	0	0
Drug Offenses ⁶	204 (100.0)	196 (96.1)	193 (94.6)	0 (0.0)	3 (1.5)	80	6	13	11	51	115
Simple Possess.	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	100	0	0	0	0	1
Counterfeiting	7 (100.0)	4 (57.1)	4 (57.1)	0 (0.0)	0 (0.0)	17	1	2	1	0	0
Firearms	30 (100.0)	28 (93.3)	28 (93.3)	0 (0.0)	0 (0.0)	63	2	7	2	9	8
Immigration	48 (100.0)	46 (95.8)	46 (95.8)	0 (0.0)	0 (0.0)	17	15	29	2	0	0
Other	26 (100.0)	19 (73.1)	16 (61.5)	2 (7.7)	1 (3.9)	28	5	4	4	5	1

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	48 (11.5)	26 (6.3)	22 (5.3)	1 (0.2)	81 (19.5)	27	50	4	\$ 130,417 (81)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	19 (38.8)	1	17	1	\$ 1,693 (19)
Larceny	7 (50.0)	5 (35.7)	2 (14.3)	0 (0.0)	7 (50.0)	2	5	0	\$ 3,356 (7)
Embezzlement	5 (71.4)	2 (28.6)	3 (42.9)	0 (0.0)	6 (85.7)	1	5	0	\$ 4,402 (6)
Fraud	14 (48.3)	7 (24.1)	7 (24.1)	0 (0.0)	19 (65.5)	2	15	2	\$ 541,095 (19)
Drug Offenses ⁶	8 (3.9)	5 (2.5)	3 (1.5)	0 (0.0)	15 (7.4)	12	3	0	\$ 11,121 (15)
Simple Possess.	1 (50.0)	0 (0.0)	1 (50.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Counterfeiting	3 (42.9)	1 (14.3)	2 (28.6)	0 (0.0)	3 (42.9)	0	3	0	\$ 1,273 (3)
Firearms	2 (6.7)	0 (0.0)	2 (6.7)	0 (0.0)	4 (13.3)	2	2	0	\$ 900 (4)
Immigration	2 (4.2)	2 (4.2)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	6 (23.1)	4 (15.4)	2 (7.7)	1 (3.9)	8 (30.8)	7	0	1	\$ 3,340 (8)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

PENNSYLVANIA, Eastern
3rd Circuit

**Cities Supplying Sentencing
Guideline Documentation:**¹

(1) Philadelphia
(2) Reading

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	29	Civil ³	8,164
AUSAs ⁴	74	Criminal ⁵	549
Assistant Federal Defenders ⁶	11		
Probation Officers ⁷	71		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Total
Number of Crimes	607	1,443	15,559	14,843	43,669	108,747	37,103	221,971
Per 100,000 Population	12	28	302	288	848	2,111	720	4,309

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	5,179,074	Income per Capita ¹¹	\$ 11,168	Police Protection	\$ 69.71
Population per Square Mile ¹²	942.9	Percent Unemployed ¹³	5.6	Elementary and Secondary Education	\$ 427.27
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 42.22
Percent Age 0-14	20.2	Percent Mfg.	24.0	Public Welfare ¹⁶	\$ 42.58
Percent Age 15-24	14.1	Percent Retail	16.0	Highways	\$ 35.66
Percent Age 25-34	17.0	Percent Finance ¹⁷	6.8		
Percent Age 35-44	14.8	Percent Service	26.5		
Percent Age 45-64	19.5	Percent Govt.	11.2		
Percent Age 65+	14.4	Percent Other	15.5	Percent acreage in farms ¹⁸	39.3

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
505	22	24	35	49	33	40	37	49	50	58	47	61

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²		
		White	Black	Hispanic	Other				Number	Col %
TOTAL (Row%)	412 (100.0)	166 (40.3)	119 (28.9)	105 (25.5)	22 (5.3)	35.0	\$ 863	TOTAL	503	100.0
MALE	330 (80.1)	135	95	81	19	34.7	\$ 879	PLEA	430	85.5
FEMALE	82 (19.9)	31	24	24	3	36.1	\$ 798	TRIAL	73	14.5

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)		1-12	13-24	25-36	37-60	Over 60
TOTAL	489 (100.0)	338 (69.1)	329 (67.3)	5 (1.0)	4 (0.8)	67	60	53	29	63	127
Robbery	10 (100.0)	10 (100.0)	10 (100.0)	0 (0.0)	0 (0.0)	130	0	0	0	0	10
Larceny	23 (100.0)	11 (47.8)	11 (47.8)	0 (0.0)	0 (0.0)	12	6	5	0	0	0
Embezzlement	21 (100.0)	4 (19.1)	4 (19.1)	0 (0.0)	0 (0.0)	11	2	2	0	0	0
Fraud	64 (100.0)	30 (46.9)	29 (45.3)	1 (1.6)	0 (0.0)	23	8	15	4	0	3
Drug Offenses ⁶	246 (100.0)	223 (90.7)	219 (89.0)	3 (1.2)	1 (0.4)	83	15	23	21	55	107
Simple Possess.	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	14 (100.0)	4 (28.6)	4 (28.6)	0 (0.0)	0 (0.0)	12	2	1	0	1	0
Firearms	50 (100.0)	25 (50.0)	24 (48.0)	0 (0.0)	1 (2.0)	33	14	6	1	1	3
Immigration	3 (100.0)	2 (66.7)	2 (66.7)	0 (0.0)	0 (0.0)	17	1	0	1	0	0
Other	57 (100.0)	29 (50.9)	26 (45.6)	1 (1.8)	2 (3.5)	31	12	1	2	6	4

CASES INVOLVING PROBATION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			CASES N (Row%)	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	151 (30.9)	84 (17.2)	67 (13.7)	0 (0.0)	220 (45.0)	121	69	30	\$ 77,131 (212)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (20.0)	0	2	0	\$ 11,408 (1)
Larceny	12 (52.2)	3 (13.0)	9 (39.1)	0 (0.0)	12 (52.2)	3	8	1	\$ 193,072 (12)
Embezzlement	17 (81.0)	5 (23.8)	12 (57.1)	0 (0.0)	21 (100.0)	0	13	8	\$ 35,294 (21)
Fraud	34 (53.1)	17 (26.6)	17 (26.6)	0 (0.0)	58 (90.6)	12	30	16	\$ 158,330 (55)
Drug Offenses ⁶	23 (9.4)	16 (6.5)	7 (2.9)	0 (0.0)	46 (18.7)	41	4	1	\$ 31,670 (46)
Simple Possess.	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	1 (100.0)	1	0	0	\$ 1,000 (1)
Counterfeiting	10 (71.4)	5 (35.7)	5 (35.7)	0 (0.0)	10 (71.4)	2	7	1	\$ 6,424 (10)
Firearms	25 (50.0)	20 (40.0)	5 (10.0)	0 (0.0)	29 (58.0)	29	0	0	\$ 1,379 (29)
Immigration	1 (33.3)	1 (33.3)	0 (0.0)	0 (0.0)	1 (33.3)	1	0	0	\$ 500 (1)
Other	28 (49.1)	16 (28.1)	12 (21.1)	0 (0.0)	40 (70.2)	32	5	3	\$ 83,656 (36)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

PENNSYLVANIA, Middle
3rd Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

(1) Harrisburg
(2) Scranton

(3) Wikes-Barre
(4) Williamsport

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	7	Civil ³	1,842
AUSAs ⁴	17	Criminal ⁵	260
Assistant Federal Defenders ⁶	4		
Probation Officers ⁷	10		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	86	592	1,330	4,195	16,124	44,690	4,469	71,486
Per 100,000 Population	3	22	49	155	596	1,651	165	2,641

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	2,748,917	Income per Capita ¹¹	\$ 9,397	Police Protection	\$ 20.71
Population per Square Mile ¹²	135.2	Percent Unemployed ¹³	6.7	Elementary and Secondary Education	\$ 402.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 33.84
Percent Age 0-14	19.5	Percent Mfg.	28.8	Public Welfare ¹⁶	\$ 34.95
Percent Age 15-24	14.9	Percent Retail	18.0	Highways	\$ 38.16
Percent Age 25-34	15.6	Percent Finance ¹⁷	4.6	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.7	Percent Service	20.1		
Percent Age 45-64	20.0	Percent Govt.	12.3		
Percent Age 65+	15.3	Percent Other	16.2		29.7

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
242	14	20	22	24	13	34	28	15	15	16	23	15

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other				
TOTAL (Row%)	205 (100.0)	139 (67.8)	30 (14.6)	33 (16.1)	3 (1.5)	35.1	\$ 1,043	TOTAL	241 100.0
MALE	159 (77.6)	109	21	27	2	34.8	\$ 1,180	PLEA	225 93.4
FEMALE	46 (22.4)	30	9	6	1	36.2	\$ 570	TRIAL	16 6.6

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	234 (100.0)	170 (72.7)	163 (69.7)	6 (2.6)	1 (0.4)	51	45	35	16	27	46
Robbery	8 (100.0)	8 (100.0)	8 (100.0)	0 (0.0)	0 (0.0)	88	0	1	1	0	6
Larceny	11 (100.0)	5 (45.5)	4 (36.4)	0 (0.0)	1 (9.1)	8	5	0	0	0	0
Embezzlement	3 (100.0)	2 (66.7)	2 (66.7)	0 (0.0)	0 (0.0)	9	1	1	0	0	0
Fraud	52 (100.0)	30 (57.7)	27 (51.9)	3 (5.8)	0 (0.0)	16	16	8	4	1	0
Drug Offenses ⁶	98 (100.0)	91 (92.9)	90 (91.8)	1 (1.0)	0 (0.0)	65	15	15	9	20	32
Simple Possess.	5 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	2 (100.0)	1 (50.0)	0 (0.0)	1 (50.0)	0 (0.0)	4	1	0	0	0	0
Firearms	26 (100.0)	17 (65.4)	17 (65.4)	0 (0.0)	0 (0.0)	71	0	5	1	6	5
Immigration	2 (100.0)	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	38	1	0	0	0	1
Other	27 (100.0)	14 (51.9)	14 (51.9)	0 (0.0)	0 (0.0)	20	6	5	1	0	2

CASES INVOLVING PROBATION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	59 (25.2)	48 (20.5)	11 (4.7)	5 (2.1)	106 (45.3)	61	35	10	\$ 15,460 (104)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (25.0)	0	1	1	\$ 1,589 (2)
Larceny	6 (54.6)	5 (45.5)	1 (9.1)	0 (0.0)	10 (90.9)	4	6	0	\$ 8,101 (10)
Embezzlement	1 (33.3)	0 (0.0)	1 (33.3)	0 (0.0)	1 (33.3)	0	1	0	\$ 52,262 (1)
Fraud	19 (36.5)	17 (32.7)	2 (3.9)	3 (5.8)	42 (80.8)	10	24	8	\$ 29,882 (40)
Drug Offenses ⁶	7 (7.1)	5 (5.1)	2 (2.0)	0 (0.0)	20 (20.4)	18	2	0	\$ 5,784 (20)
Simple Possess.	5 (100.0)	5 (100.0)	0 (0.0)	0 (0.0)	1 (20.0)	1	0	0	\$ 200 (1)
Counterfeiting	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	1 (50.0)	1	0	0	\$ 100 (1)
Firearms	8 (30.8)	6 (23.1)	2 (7.7)	1 (3.9)	9 (34.6)	9	0	0	\$ 1,050 (9)
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	12 (44.4)	9 (33.3)	3 (11.1)	1 (3.7)	20 (74.1)	18	1	1	\$ 7,536 (20)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

PENNSYLVANIA, Western
3rd Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

(1) Pittsburgh
(2) Erie

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	11	Civil ³	2,836
AUSAs ⁴	26	Criminal ⁵	271
Assistant Federal Defenders ⁶	5		
Probation Officers ⁷	24		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	110	1,091	3,807	7,303	23,402	56,575	18,147	110,435
Per 100,000 Population	3	28	97	187	599	1,447	464	2,825

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	3,953,652	Income per Capita ¹¹	\$ 9,763	Police Protection	\$ 34.31
Population per Square Mile ¹²	207.4	Percent Unemployed ¹³	8.8	Elementary and Secondary Education	\$ 426.72
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 36.97
Percent Age 0-14	19.2	Percent Mfg.	20.7	Public Welfare ¹⁶	\$ 33.13
Percent Age 15-24	13.7	Percent Retail	19.0	Highways	\$ 49.00
Percent Age 25-34	15.3	Percent Finance ¹⁷	5.5		
Percent Age 35-44	14.6	Percent Service	25.3		
Percent Age 45-64	20.6	Percent Govt.	11.2	Percent acreage in farms ¹⁸	24.9
Percent Age 65+	16.7	Percent Other	18.2		

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
219	17	8	14	23	14	34	20	19	13	11	22	24

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	164 (100.0)	108 (65.9)	54 (32.9)	1 (0.6)	1 (0.6)	37.9	\$ 722	TOTAL	217 100.0
MALE	124 (75.6)	81	41	1	1	38.8	\$ 731	PLEA	166 76.5
FEMALE	40 (24.4)	27	13	0	0	35.0	\$ 694	TRIAL	51 23.5

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	205 (100.0)	113 (55.1)	106 (51.7)	5 (2.4)	2 (1.0)	81	26	13	13	14	46
Robbery	8 (100.0)	8 (100.0)	8 (100.0)	0 (0.0)	0 (0.0)	92	0	0	0	2	6
Larceny	18 (100.0)	8 (44.4)	6 (33.3)	1 (5.6)	1 (5.6)	17	5	0	2	1	0
Embezzlement	18 (100.0)	2 (11.1)	2 (11.1)	0 (0.0)	0 (0.0)	19	1	0	1	0	0
Fraud	45 (100.0)	17 (37.8)	15 (33.3)	1 (2.2)	1 (2.2)	24	6	4	4	3	0
Drug Offenses ⁶	51 (100.0)	48 (94.1)	46 (90.2)	2 (3.9)	0 (0.0)	131	2	3	3	6	33
Simple Possess.	3 (100.0)	2 (66.7)	2 (66.7)	0 (0.0)	0 (0.0)	36	1	0	0	0	1
Counterfeiting	7 (100.0)	4 (57.1)	4 (57.1)	0 (0.0)	0 (0.0)	13	2	2	0	0	0
Firearms	17 (100.0)	14 (82.4)	14 (82.4)	0 (0.0)	0 (0.0)	55	4	2	3	2	3
Immigration	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Other	38 (100.0)	10 (26.3)	9 (23.7)	1 (2.6)	0 (0.0)	74	5	2	0	0	3

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	92 (44.9)	31 (15.1)	61 (29.8)	0 (0.0)	61 (29.8)	18	40	3	\$ 12,363 (59)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (25.0)	0	2	0	\$ 3,446 (2)
Larceny	10 (55.6)	6 (33.3)	4 (22.2)	0 (0.0)	5 (27.8)	0	5	0	\$ 32,291 (5)
Embezzlement	16 (88.9)	3 (16.7)	13 (72.2)	0 (0.0)	12 (66.7)	1	11	0	\$ 16,867 (12)
Fraud	28 (62.2)	11 (24.4)	17 (37.8)	0 (0.0)	25 (55.6)	4	18	3	\$ 9,503 (24)
Drug Offenses ⁶	3 (5.9)	2 (3.9)	1 (2.0)	0 (0.0)	4 (7.8)	4	0	0	\$ 17,629 (4)
Simple Possess.	1 (33.3)	1 (33.3)	0 (0.0)	0 (0.0)	2 (66.7)	2	0	0	\$ 800 (2)
Counterfeiting	3 (42.9)	2 (28.6)	1 (14.3)	0 (0.0)	3 (42.9)	0	3	0	\$ 9,023 (3)
Firearms	3 (17.7)	1 (5.9)	2 (11.8)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Immigration	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Other	28 (73.7)	5 (13.2)	23 (60.5)	0 (0.0)	8 (21.1)	7	1	0	\$ 4,486 (7)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

PUERTO RICO
1st Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Ponce
- (2) San Juan
- (3) Mayaguez

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	7	Civil ³	1,677
AUSAs ⁴	20	Criminal ⁵	452
Assistant Federal Defenders ⁶	4		
Probation Officers ⁷	21		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	600	426	20,923	7,963	34,781	39,795	19,883	124,371
Per 100,000 Population	17	12	594	226	988	1,130	565	3,532

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	3,196,520	Income per Capita ¹¹	\$ 2,126	Police Protection	n/a
Population per Square Mile ¹²	924.1	Percent Unemployed ¹³	n/a	Elementary and Secondary Education	n/a
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF EMPLOYMENT ¹⁵		Health & Hospitals	n/a
Percent Age 0-17	38.2	Percent Mfg.	19.7	Public Welfare ¹⁶	n/a
Percent Age 18-64	53.9	Percent Retail	14.0	Highways	n/a
Percent Age 65+	7.9	Percent Finance ¹⁷	2.8	Percent acreage in farms ¹⁸ n/a	
		Percent Service	20.4		
		Percent Govt.	33.8		
		Percent Other	9.3		

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
244	10	18	10	26	30	18	28	21	18	21	27	17

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other				
								Number	Col %
TOTAL (Row%)	212 (100.0)	9 (4.3)	40 (18.9)	163 (76.9)	0 (0.0)	32.5	\$ 2,064	TOTAL	244 100.0
MALE	167 (78.8)	6	25	136	0	33.1	\$ 2,500	PLEA	195 79.9
FEMALE	45 (21.2)	3	15	27	0	30.2	\$ 447	TRIAL	49 20.1

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	242 (100.0)	206 (85.1)	203 (83.9)	3 (1.2)	0 (0.0)	88	16	22	16	50	98
Robbery	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	57	0	0	0	1	0
Larceny	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Embezzlement	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Fraud	3 (100.0)	2 (66.7)	2 (66.7)	0 (0.0)	0 (0.0)	8	2	0	0	0	0
Drug Offenses ⁶	170 (100.0)	167 (98.2)	166 (97.7)	1 (0.6)	0 (0.0)	103	3	9	10	45	98
Simple Possess.	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Counterfeiting	3 (100.0)	2 (66.7)	2 (66.7)	0 (0.0)	0 (0.0)	8	2	0	0	0	0
Firearms	7 (100.0)	6 (85.7)	6 (85.7)	0 (0.0)	0 (0.0)	22	3	2	0	1	0
Immigration	43 (100.0)	19 (44.2)	18 (41.9)	1 (2.3)	0 (0.0)	21	4	8	4	1	0
Other	12 (100.0)	9 (75.0)	8 (66.7)	1 (8.3)	0 (0.0)	25	2	3	2	2	0

CASES INVOLVING PROBATION

PRIMARY OFFENSE	CASES			N (Row%)	CASES				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	36 (14.9)	30 (12.4)	6 (2.5)	0 (0.0)	22 (9.1)	19	3	0	\$ 7,947 (22)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Larceny	1 (100.0)	0 (0.0)	1 (100.0)	0 (0.0)	1 (100.0)	0	1	0	\$ 210 (1)
Embezzlement	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Fraud	1 (33.3)	0 (0.0)	1 (33.3)	0 (0.0)	2 (66.7)	0	2	0	\$ 10,187 (2)
Drug Offenses ⁶	3 (1.8)	3 (1.8)	0 (0.0)	0 (0.0)	10 (5.9)	10	0	0	\$ 11,700 (10)
Simple Possess.	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Counterfeiting	1 (33.3)	0 (0.0)	1 (33.3)	0 (0.0)	1 (33.3)	1	0	0	\$ 500 (1)
Firearms	1 (14.3)	0 (0.0)	1 (14.3)	0 (0.0)	3 (42.9)	3	0	0	\$ 8,333 (3)
Immigration	24 (55.8)	22 (51.2)	2 (4.7)	0 (0.0)	4 (9.3)	4	0	0	\$ 2,813 (4)
Other	3 (25.0)	3 (25.0)	0 (0.0)	0 (0.0)	1 (8.3)	1	0	0	\$ 500 (1)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

RHODE ISLAND
1st Circuit

**City Supplying Sentencing
Guideline Documentation:¹**

(1) Providence

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	4	Civil ³	649
AUSAs ⁴	11	Criminal ⁵	120
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	8		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	48	248	1,224	2,814	12,755	27,046	9,577	53,712
Per 100,000 Population	5	25	123	282	1,278	2,710	960	5,383

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,003,464	Income per Capita ¹¹	\$ 10,892	Police Protection	\$ 59.35
Population per Square Mile ¹²	951.2	Percent Unemployed ¹³	4.0	Elementary and Secondary Education	\$ 434.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 1.70
Percent Age 0-14	18.9	Percent Mfg.	29.3	Public Welfare ¹⁶	\$ 22.89
Percent Age 15-24	15.5	Percent Retail	17.7	Highways	\$ 39.00
Percent Age 25-34	17.3	Percent Finance ¹⁷	5.6	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.7	Percent Service	25.3		
Percent Age 45-64	18.5	Percent Govt.	8.8		
Percent Age 65+	15.0	Percent Other	13.3		

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
104	5	4	10	14	14	8	9	4	7	12	4	13

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²		
		White	Black	Hispanic	Other				Number	Col %
TOTAL (Row%)	85 (100.0)	32 (37.7)	14 (16.5)	38 (44.7)	1 (1.2)	33.0	\$ 674	TOTAL	104	100.0
MALE	75 (88.2)	28	13	33	1	33.3	\$ 652	PLEA	84	80.8
FEMALE	10 (11.8)	4	1	5	0	30.5	\$ 844	TRIAL	20	19.2

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	102 (100.0)	92 (90.2)	82 (80.4)	10 (9.8)	0 (0.0)	56	16	15	9	22	28
Robbery	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	106	0	0	0	0	1
Larceny	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	7	1	0	0	0	0
Embezzlement	9 (100.0)	3 (33.3)	3 (33.3)	0 (0.0)	0 (0.0)	17	2	0	1	0	0
Fraud	9 (100.0)	9 (100.0)	7 (77.8)	2 (22.2)	0 (0.0)	29	3	1	1	2	1
Drug Offenses ⁶	59 (100.0)	58 (98.3)	52 (88.1)	6 (10.2)	0 (0.0)	66	1	9	5	20	23
Simple Possess.	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Counterfeiting	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	6	1	0	0	0	0
Firearms	6 (100.0)	6 (100.0)	6 (100.0)	0 (0.0)	0 (0.0)	97	1	2	0	0	3
Immigration	6 (100.0)	6 (100.0)	6 (100.0)	0 (0.0)	0 (0.0)	14	3	3	0	0	0
Other	9 (100.0)	7 (77.8)	5 (55.6)	2 (22.2)	0 (0.0)	15	4	0	2	0	0

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	9 (8.8)	7 (6.9)	2 (2.0)	1 (1.0)	51 (50.0)	35	11	5	\$ 52,223 (41)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	0	1	0	\$ 41,290 (1)
Larceny	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	0	1	0	\$ 8,000 (1)
Embezzlement	6 (66.7)	5 (55.6)	1 (11.1)	0 (0.0)	7 (77.8)	0	4	3	\$ 6,609 (6)
Fraud	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	6 (66.7)	1	4	1	\$ 346,952 (5)
Drug Offenses ⁶	0 (0.0)	0 (0.0)	0 (0.0)	1 (1.7)	25 (42.4)	25	0	0	\$ 12,108 (18)
Simple Possess.	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Counterfeiting	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	2 (100.0)	0	1	1	\$ 5,632 (1)
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (33.3)	2	0	0	\$ 3,900 (2)
Other	2 (22.2)	1 (11.1)	1 (11.1)	0 (0.0)	7 (77.8)	7	0	0	\$ 12,292 (7)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

SOUTH CAROLINA
4th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Greenville
(2) Columbia
(3) Charleston
(4) Florence

(5) Aiken
(6) Greenwood
(7) Orangeburg
(8) Spartanburg

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	11	Civil ³	3,763
AUSAs ⁴	28	Criminal ⁵	573
Assistant Federal Defenders ⁶	6		
Probation Officers ⁷	46		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	387	1,860	5,296	26,351	47,902	114,633	13,413	209,842
Per 100,000 Population	11	53	152	756	1,375	3,290	385	6,022

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	3,486,703	Income per Capita ¹¹	\$ 8,890	Police Protection	\$ 33.95
Population per Square Mile ¹²	115.4	Percent Unemployed ¹³	6.2	Elementary and Secondary Education	\$ 403.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 112.65
Percent Age 0-14	22.0	Percent Mfg.	30.5	Public Welfare ¹⁶	\$ 3.86
Percent Age 15-24	16.1	Percent Retail	17.4	Highways	\$ 16.97
Percent Age 25-34	17.0	Percent Finance ¹⁷	4.7	Percent acreage in farms ¹⁸ 28.9	
Percent Age 35-44	15.0	Percent Service	16.5		
Percent Age 45-64	18.6	Percent Govt.	12.5		
Percent Age 65+	11.4	Percent Other	18.5		

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
480	36	50	20	43	41	36	31	60	31	49	36	47

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	408 (100.0)	215 (52.7)	174 (42.7)	14 (3.4)	5 (1.2)	35.5	\$ 1,417	TOTAL	477 100.0
MALE	335 (82.1)	180	138	13	4	36.1	\$ 1,610	PLEA	417 87.4
FEMALE	73 (17.9)	35	36	1	1	33.0	\$ 527	TRIAL	60 12.6

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			Average Months Prison ⁴	LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)		PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	472 (100.0)	296 (62.7)	276 (58.5)	9 (1.9)	11 (2.3)	71	69	49	22	65	90
Robbery	17 (100.0)	17 (100.0)	17 (100.0)	0 (0.0)	0 (0.0)	121	0	0	1	6	10
Larceny	32 (100.0)	14 (43.8)	12 (37.5)	1 (3.1)	1 (3.1)	16	8	4	2	0	0
Embezzlement	27 (100.0)	4 (14.8)	3 (11.1)	1 (3.7)	0 (0.0)	32	0	3	0	1	0
Fraud	40 (100.0)	12 (30.0)	11 (27.5)	1 (2.5)	0 (0.0)	15	7	3	2	0	0
Drug Offenses ⁶	152 (100.0)	135 (88.8)	129 (84.9)	2 (1.3)	4 (2.6)	107	13	13	9	29	71
Simple Possess.	15 (100.0)	3 (20.0)	2 (13.3)	1 (6.7)	0 (0.0)	6	3	0	0	0	0
Counterfeiting	21 (100.0)	4 (19.1)	4 (19.1)	0 (0.0)	0 (0.0)	11	3	1	0	0	0
Firearms	84 (100.0)	62 (73.8)	57 (67.9)	2 (2.4)	3 (3.6)	34	17	16	3	21	4
Immigration	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Other	82 (100.0)	45 (54.9)	41 (50.0)	1 (1.2)	3 (3.7)	37	18	9	5	8	5

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount? \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	172 (36.4)	104 (22.0)	68 (14.4)	4 (0.9)	126 (26.7)	60	61	5	\$ 103,747 (121)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (11.8)	0	2	0	\$ 1,233 (2)
Larceny	18 (56.3)	11 (34.4)	7 (21.9)	0 (0.0)	17 (53.1)	5	9	3	\$ 4,388 (16)
Embezzlement	23 (85.2)	12 (44.4)	11 (40.7)	0 (0.0)	18 (66.7)	2	16	0	\$ 5,079 (18)
Fraud	28 (70.0)	13 (32.5)	15 (37.5)	0 (0.0)	22 (55.0)	4	17	1	\$ 4,935 (21)
Drug Offenses ⁶	17 (11.2)	8 (5.3)	9 (5.9)	0 (0.0)	5 (3.3)	4	1	0	\$ 25,024 (5)
Simple Possess.	12 (80.0)	10 (66.7)	2 (13.3)	0 (0.0)	9 (60.0)	9	0	0	\$ 1,942 (9)
Counterfeiting	17 (81.0)	14 (66.7)	3 (14.3)	0 (0.0)	9 (42.9)	1	7	1	\$ 1,076 (7)
Firearms	22 (26.2)	13 (15.5)	9 (10.7)	0 (0.0)	10 (11.9)	9	1	0	\$ 728 (10)
Immigration	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	2 (100.0)	2	0	0	\$ 1,625 (2)
Other	33 (40.2)	21 (25.6)	12 (14.6)	4 (4.9)	32 (39.0)	24	8	0	\$ 391,127 (31)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

SOUTH DAKOTA
8th Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

(1) Rapid City
(2) Pierre

(3) Sioux Falls
(4) Aberdeen

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	5	Civil ³	411
AUSAs ⁴	10	Criminal ⁵	247
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	17		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	12	224	84	738	3,243	13,516	696	18,513
Per 100,000 Population	2	37	14	122	535	2,231	115	3,056

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	696,004	Income per Capita ¹¹	\$ 8,553	Police Protection	\$ 34.38
Population per Square Mile ¹²	9.2	Percent Unemployed ¹³	4.7	Elementary and Secondary Education	\$ 424.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 25.99
Percent Age 0-14	24.2	Percent Mfg.	12.1	Public Welfare ¹⁶	\$ 5.87
Percent Age 15-24	14.1	Percent Retail	20.9	Highways	\$ 99.78
Percent Age 25-34	15.7	Percent Finance ¹⁷	6.4		
Percent Age 35-44	13.7	Percent Service	23.1		
Percent Age 45-64	17.6	Percent Govt.	18.3		
Percent Age 65+	14.5	Percent Other	19.2	Percent acreage in farms ¹⁸	90.1

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
184	9	9	14	15	10	20	23	16	15	19	11	23

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other				
								Number	Col %
TOTAL (Row%)	151 (100.0)	64 (42.4)	1 (0.7)	0 (0.0)	86 (57.0)	34.0	\$ 403	TOTAL	184 100.0
MALE	132 (87.4)	54	1	0	77	34.0	\$ 381	PLEA	168 91.3
FEMALE	19 (12.6)	10	0	0	9	34.0	\$ 558	TRIAL	16 8.7

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	183 (100.0)	140 (76.5)	132 (72.1)	1 (0.6)	7 (3.8)	37	47	32	16	22	23
Robbery	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Larceny	20 (100.0)	7 (35.0)	7 (35.0)	0 (0.0)	0 (0.0)	9	5	2	0	0	0
Embezzlement	10 (100.0)	8 (80.0)	5 (50.0)	0 (0.0)	3 (30.0)	10	4	4	0	0	0
Fraud	22 (100.0)	11 (50.0)	9 (40.9)	0 (0.0)	2 (9.1)	14	6	4	1	0	0
Drug Offenses ⁶	41 (100.0)	35 (85.4)	35 (85.4)	0 (0.0)	0 (0.0)	42	11	6	5	5	8
Simple Possess.	4 (100.0)	1 (25.0)	1 (25.0)	0 (0.0)	0 (0.0)	2	1	0	0	0	0
Counterfeiting	4 (100.0)	2 (50.0)	2 (50.0)	0 (0.0)	0 (0.0)	6	2	0	0	0	0
Firearms	22 (100.0)	18 (81.8)	17 (77.3)	0 (0.0)	1 (4.6)	28	7	6	3	1	1
Immigration	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Other	60 (100.0)	58 (96.7)	56 (93.3)	1 (1.7)	1 (1.7)	51	11	10	7	16	14

CASES INVOLVING PROBATION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	43 (23.5)	27 (14.8)	16 (8.7)	0 (0.0)	53 (29.0)	9	42	2	\$ 8,011 (50)
Robbery	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Larceny	13 (65.0)	5 (25.0)	8 (40.0)	0 (0.0)	11 (55.0)	2	9	0	\$ 3,979 (11)
Embezzlement	2 (20.0)	2 (20.0)	0 (0.0)	0 (0.0)	8 (80.0)	0	8	0	\$ 16,918 (8)
Fraud	11 (50.0)	7 (31.8)	4 (18.2)	0 (0.0)	21 (95.5)	1	18	2	\$ 11,231 (18)
Drug Offenses ⁶	6 (14.6)	5 (12.2)	1 (2.4)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Simple Possess.	3 (75.0)	3 (75.0)	0 (0.0)	0 (0.0)	2 (50.0)	1	1	0	\$ 575 (2)
Counterfeiting	2 (50.0)	0 (0.0)	2 (50.0)	0 (0.0)	3 (75.0)	0	3	0	\$ 1,254 (3)
Firearms	4 (18.2)	3 (13.6)	1 (4.6)	0 (0.0)	3 (13.6)	3	0	0	\$ 250 (3)
Immigration	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Other	2 (3.3)	2 (3.3)	0 (0.0)	0 (0.0)	5 (8.3)	2	3	0	\$ 2,718 (5)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

TENNESSEE, Eastern
6th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Chattanooga
(2) Knoxville

(3) Greenville
(4) Newport

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	4	Civil ³	1,730
AUSAs ⁴	15	Criminal ⁵	380
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	23		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	115	484	1,996	5,737	18,673	38,975	6,965	72,945
Per 100,000 Population	7	30	122	352	1,146	2,391	427	4,475

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,995,818	Income per Capita ¹¹	\$ 8,960	Police Protection	\$ 35.94
Population per Square Mile ¹²	124.3	Percent Unemployed ¹³	8.8	Elementary and Secondary Education	\$ 313.64
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 117.43
Percent Age 0-14	19.4	Percent Mfg.	31.6	Public Welfare ¹⁶	\$ 13.33
Percent Age 15-24	14.9	Percent Retail	17.8	Highways	\$ 44.52
Percent Age 25-34	15.7	Percent Finance ¹⁷	4.1	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.2	Percent Service	18.9		
Percent Age 45-64	21.2	Percent Govt.	14.2		
Percent Age 65+	13.6	Percent Other	13.3		38.5

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
374	36	48	22	34	49	35	32	21	23	24	22	28

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	308 (100.0)	229 (74.4)	71 (23.1)	3 (1.0)	5 (1.6)	35.8	\$ 739	TOTAL	373 100.0
MALE	258 (83.8)	191	59	3	5	36.4	\$ 801	PLEA	335 89.8
FEMALE	50 (16.2)	38	12	0	0	33.0	\$ 416	TRIAL	38 10.2

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	370 (100.0)	272 (73.5)	260 (70.3)	2 (0.5)	10 (2.7)	60	67	53	33	42	76
Robbery	24 (100.0)	24 (100.0)	24 (100.0)	0 (0.0)	0 (0.0)	110	1	1	0	9	13
Larceny	23 (100.0)	10 (43.5)	8 (34.8)	0 (0.0)	2 (8.7)	10	7	3	0	0	0
Embezzlement	22 (100.0)	7 (31.8)	7 (31.8)	0 (0.0)	0 (0.0)	9	6	1	0	0	0
Fraud	31 (100.0)	22 (71.0)	18 (58.1)	0 (0.0)	4 (12.9)	12	13	7	1	0	0
Drug Offenses ⁶	154 (100.0)	138 (89.6)	136 (88.3)	0 (0.0)	2 (1.3)	81	12	24	21	25	56
Simple Possess.	3 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Firearms	47 (100.0)	38 (80.9)	37 (78.7)	0 (0.0)	1 (2.1)	39	7	12	8	7	4
Immigration	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	12	1	0	0	0	0
Other	64 (100.0)	32 (50.0)	29 (45.3)	2 (3.1)	1 (1.6)	20	20	5	3	1	3

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			N (Row%)	Fine Only	Restitution Only	
TOTAL	98 (26.5)	70 (18.9)	28 (7.6)	0 (0.0)	151 (40.8)	67	73	11	\$ 17,632 (144)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	12 (50.0)	0	12	0	\$ 18,562 (12)
Larceny	13 (56.5)	10 (43.5)	3 (13.0)	0 (0.0)	18 (78.3)	3	10	5	\$ 13,329 (17)
Embezzlement	15 (68.2)	6 (27.3)	9 (40.9)	0 (0.0)	16 (72.7)	3	13	0	\$ 25,966 (16)
Fraud	9 (29.0)	7 (22.6)	2 (6.5)	0 (0.0)	27 (87.1)	2	23	2	\$ 41,966 (24)
Drug Offenses ⁶	16 (10.4)	11 (7.1)	5 (3.3)	0 (0.0)	28 (18.2)	24	4	0	\$ 10,660 (27)
Simple Possess.	3 (100.0)	3 (100.0)	0 (0.0)	0 (0.0)	1 (33.3)	1	0	0	\$ 1,000 (1)
Counterfeiting	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Firearms	9 (19.2)	5 (10.6)	4 (8.5)	0 (0.0)	11 (23.4)	10	0	1	\$ 2,453 (11)
Immigration	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	1 (50.0)	1	0	0	\$ 3,000 (1)
Other	32 (50.0)	27 (42.2)	5 (7.8)	0 (0.0)	37 (57.8)	23	11	3	\$ 9,950 (35)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

TENNESSEE, Middle
6th Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

(1) Nashville
(2) Clarksville

(3) Cookeville
(4) Columbia

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	4	Civil ³	1,375
AUSAs ⁴	12	Criminal ⁵	355
Assistant Federal Defenders ⁶	5		
Probation Officers ⁷	22		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	114	710	2,483	6,889	14,401	35,072	4,779	64,448
Per 100,000 Population	10	60	209	579	1,211	2,948	402	5,419

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	1,515,530	Income per Capita ¹¹	\$ 9,959	Police Protection	\$ 43.73
Population per Square Mile ¹²	108.3	Percent Unemployed ¹³	6.8	Elementary and Secondary Education	\$ 289.96
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 104.02
Percent Age 0-14	21.0	Percent Mfg.	26.6	Public Welfare ¹⁶	\$ 5.60
Percent Age 15-24	15.1	Percent Retail	17.4	Highways	\$ 48.83
Percent Age 25-34	17.7	Percent Finance ¹⁷	6.2	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.4	Percent Service	21.0		
Percent Age 45-64	19.0	Percent Govt.	10.4		
Percent Age 65+	11.7	Percent Other	18.4		50.7

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
220	15	11	21	25	13	19	15	19	15	25	29	13

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	170 (100.0)	119 (70.0)	46 (27.1)	3 (1.8)	2 (1.2)	35.2	\$ 750	TOTAL	210 100.0
MALE	136 (80.6)	95	37	3	1	36.1	\$ 764	PLEA	189 90.0
FEMALE	34 (20.0)	24	9	0	1	31.8	\$ 696	TRIAL	21 10.0

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	212 (100.0)	155 (73.1)	147 (69.3)	5 (2.4)	3 (1.4)	37	64	22	15	20	31
Robbery	24 (100.0)	24 (100.0)	23 (95.8)	1 (4.2)	0 (0.0)	70	0	0	3	7	13
Larceny	16 (100.0)	8 (50.0)	8 (50.0)	0 (0.0)	0 (0.0)	13	5	1	0	1	0
Embezzlement	9 (100.0)	2 (22.2)	2 (22.2)	0 (0.0)	0 (0.0)	20	0	2	0	0	0
Fraud	30 (100.0)	21 (70.0)	18 (60.0)	1 (3.3)	2 (6.7)	20	11	4	1	5	0
Drug Offenses ⁶	27 (100.0)	26 (96.3)	26 (96.3)	0 (0.0)	0 (0.0)	79	1	4	5	2	13
Simple Possess.	5 (100.0)	1 (20.0)	1 (20.0)	0 (0.0)	0 (0.0)	8	1	0	0	0	0
Counterfeiting	10 (100.0)	1 (10.0)	1 (10.0)	0 (0.0)	0 (0.0)	9	1	0	0	0	0
Firearms	21 (100.0)	19 (90.5)	18 (85.7)	1 (4.8)	0 (0.0)	46	2	7	4	2	4
Immigration	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Other	70 (100.0)	53 (75.7)	50 (71.4)	2 (2.9)	1 (1.4)	11	43	4	2	3	1

CASES INVOLVING PROBATION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	57 (26.9)	32 (15.1)	25 (11.8)	0 (0.0)	126 (59.4)	57	59	10	\$ 17,204 (119)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	13 (54.2)	0	13	0	\$ 6,391 (13)
Larceny	8 (50.0)	6 (37.5)	2 (12.5)	0 (0.0)	15 (93.8)	4	10	1	\$ 6,570 (15)
Embezzlement	7 (77.8)	2 (22.2)	5 (55.6)	0 (0.0)	5 (55.6)	1	4	0	\$ 45,986 (4)
Fraud	9 (30.0)	4 (13.3)	5 (16.7)	0 (0.0)	26 (86.7)	4	20	2	\$ 62,784 (25)
Drug Offenses ⁶	1 (3.7)	1 (3.7)	0 (0.0)	0 (0.0)	5 (18.5)	4	0	1	\$ 3,811 (5)
Simple Possess.	4 (80.0)	4 (80.0)	0 (0.0)	0 (0.0)	3 (60.0)	3	0	0	\$ 1,067 (3)
Counterfeiting	9 (90.0)	2 (20.0)	7 (70.0)	0 (0.0)	9 (90.0)	1	7	1	\$ 1,645 (7)
Firearms	2 (9.5)	1 (4.8)	1 (4.8)	0 (0.0)	5 (23.8)	3	2	0	\$ 4,620 (4)
Immigration	0 (–)	0 (–)	0 (–)	0 (–)	0 (–)	0	0	0	– (0)
Other	17 (24.3)	12 (17.1)	5 (7.1)	0 (0.0)	45 (64.3)	37	3	5	\$ 1,393 (43)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

TENNESSEE, Western
6th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Memphis
(2) Jackson

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	5	Civil ³	1,264
AUSAs ⁴	19	Criminal ⁵	389
Assistant Federal Defenders ⁶	4		
Probation Officers ⁷	21		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	224	1,037	4,544	5,796	20,499	35,466	14,106	81,672
Per 100,000 Population	19	87	381	486	1,719	2,974	1,183	6,849

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,365,837	Income per Capita ¹¹	\$ 9,065	Police Protection	\$ 59.95
Population per Square Mile ¹²	123.1	Percent Unemployed ¹³	8.3	Elementary and Secondary Education	\$ 294.93
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 110.11
Percent Age 0-14	22.3	Percent Mfg.	22.0	Public Welfare ¹⁶	\$ 3.93
Percent Age 15-24	15.2	Percent Retail	17.0	Highways	\$ 53.56
Percent Age 25-34	16.8	Percent Finance ¹⁷	5.1	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.0	Percent Service	21.3		
Percent Age 45-64	18.3	Percent Govt.	14.9		
Percent Age 65+	12.5	Percent Other	19.7		55.9

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
347	23	29	38	24	27	29	15	29	26	35	30	42

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	278 (100.0)	80 (28.8)	185 (66.6)	12 (4.3)	1 (0.4)	32.2	\$ 449	TOTAL	346 100.0
MALE	225 (80.9)	69	144	11	1	32.2	\$ 476	PLEA	271 78.3
FEMALE	53 (19.1)	11	41	1	0	32.2	\$ 336	TRIAL	75 21.7

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	338 (100.0)	257 (76.0)	231 (68.3)	18 (5.3)	8 (2.4)	64	56	34	11	49	96
Robbery	12 (100.0)	12 (100.0)	12 (100.0)	0 (0.0)	0 (0.0)	138	0	0	0	6	6
Larceny	18 (100.0)	9 (50.0)	8 (44.4)	1 (5.6)	0 (0.0)	9	8	1	0	0	0
Embezzlement	10 (100.0)	3 (30.0)	3 (30.0)	0 (0.0)	0 (0.0)	26	0	1	2	0	0
Fraud	53 (100.0)	23 (43.4)	20 (37.7)	1 (1.9)	2 (3.8)	17	15	4	0	2	1
Drug Offenses ⁶	164 (100.0)	149 (90.9)	142 (86.6)	3 (1.8)	4 (2.4)	79	18	17	8	23	83
Simple Possess.	4 (100.0)	3 (75.0)	2 (50.0)	1 (25.0)	0 (0.0)	19	1	1	0	1	0
Counterfeiting	11 (100.0)	4 (36.4)	4 (36.4)	0 (0.0)	0 (0.0)	8	4	0	0	0	0
Firearms	26 (100.0)	25 (96.2)	24 (92.3)	1 (3.9)	0 (0.0)	50	3	5	0	15	2
Immigration	14 (100.0)	10 (71.4)	0 (0.0)	10 (71.4)	0 (0.0)	--	0	0	0	0	0
Other	26 (100.0)	19 (73.1)	16 (61.5)	1 (3.9)	2 (7.7)	32	7	5	1	2	4

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	81 (24.0)	46 (13.6)	35 (10.4)	0 (0.0)	62 (24.3)	23	55	4	\$ 10,901 (73)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (16.7)	1	1	0	\$ 25,838 (2)
Larceny	9 (50.0)	6 (33.3)	3 (16.7)	0 (0.0)	7 (38.9)	1	6	0	\$ 1,244 (7)
Embezzlement	7 (70.0)	4 (40.0)	3 (30.0)	0 (0.0)	8 (80.0)	0	8	0	\$ 24,981 (7)
Fraud	30 (56.6)	16 (30.2)	14 (26.4)	0 (0.0)	36 (67.9)	3	31	2	\$ 7,619 (32)
Drug Offenses ⁶	15 (9.2)	8 (4.9)	7 (4.3)	0 (0.0)	9 (5.5)	9	0	0	\$ 31,740 (8)
Simple Possess.	1 (25.0)	1 (25.0)	0 (0.0)	0 (0.0)	2 (50.0)	2	0	0	\$ 2,160 (2)
Counterfeiting	7 (63.6)	4 (36.4)	3 (27.3)	0 (0.0)	8 (72.7)	1	6	1	\$ 700 (7)
Firearms	1 (3.9)	1 (3.9)	0 (0.0)	0 (0.0)	1 (3.9)	1	0	0	\$ 13,000 (1)
Immigration	4 (28.6)	4 (28.6)	0 (0.0)	0 (0.0)	2 (14.3)	1	1	0	\$ 250 (1)
Other	7 (26.9)	2 (7.7)	5 (19.2)	0 (0.0)	7 (26.9)	4	2	1	\$ 6,726 (6)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

TEXAS, Northern
5th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Dallas
(2) Ft. Worth
(3) Lubbock
(4) Amarillo

(5) Abilene
(6) Wichita Falls
(7) San Angelo
(8) Arlington

(9) Garland
(10) Mineral Wells

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	12	Civil ³	4,576
AUSAs ⁴	55	Criminal ⁵	717
Assistant Federal Defenders ⁶	6		
Probation Officers ⁷	68		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	800	3,290	17,207	29,172	100,918	247,283	51,287	449,957
Per 100,000 Population	16	64	336	569	1,969	4,824	1,000	8,778

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	5,020,327	Income per Capita ¹¹	\$ 11,283	Police Protection	\$ 51.39
Population per Square Mile ¹²	52.4	Percent Unemployed ¹³	6.6	Elementary and Secondary Education	\$ 411.05
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 98.13
Percent Age 0-14	23.2	Percent Mfg.	19.6	Public Welfare ¹⁶	\$ 3.07
Percent Age 15-24	14.9	Percent Retail	18.7	Highways	\$ 62.98
Percent Age 25-34	19.1	Percent Finance ¹⁷	7.8	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.9	Percent Service	21.0		
Percent Age 45-64	17.5	Percent Govt.	10.2		
Percent Age 65+	10.3	Percent Other	24.8		88.5

FISCAL YEAR 1991 GUIDELINE SENTENCES

Texas, Northern

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
582	43	47	56	47	31	35	38	49	58	66	71	41

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	514 (100.0)	287 (55.8)	112 (21.8)	101 (19.7)	14 (2.7)	35.4	\$ 638	TOTAL	582 100.0
MALE	441 (85.8)	243	94	92	12	35.5	\$ 663	PLEA	519 89.2
FEMALE	73 (14.2)	44	18	9	2	34.5	\$ 482	TRIAL	63 10.8

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	Total Receiving Prison N (Row%)	TYPE OF SENTENCE			Average Months Prison ⁴	LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)		PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	569 (100.0)	479 (84.2)	472 (83.0)	3 (0.5)	4 (0.7)	57	113	104	52	85	122
Robbery	23 (100.0)	23 (100.0)	23 (100.0)	0 (0.0)	0 (0.0)	95	0	0	0	7	16
Larceny	36 (100.0)	31 (81.6)	31 (81.6)	0 (0.0)	0 (0.0)	18	17	5	6	3	0
Embezzlement	12 (100.0)	9 (75.0)	8 (66.7)	0 (0.0)	1 (8.3)	17	5	2	0	2	0
Fraud	88 (100.0)	60 (68.2)	56 (63.6)	2 (2.3)	2 (2.3)	16	31	20	3	5	0
Drug Offenses ⁶	153 (100.0)	146 (95.4)	145 (94.8)	1 (0.7)	0 (0.0)	102	6	18	12	32	78
Simple Possess.	7 (100.0)	1 (14.3)	1 (14.3)	0 (0.0)	0 (0.0)	4	1	0	0	0	0
Counterfeiting	7 (100.0)	6 (85.7)	6 (85.7)	0 (0.0)	0 (0.0)	25	1	3	1	1	0
Firearms	81 (100.0)	72 (88.9)	72 (88.9)	0 (0.0)	0 (0.0)	58	9	21	10	17	15
Immigration	48 (100.0)	40 (83.3)	40 (83.3)	0 (0.0)	0 (0.0)	12	23	10	5	0	0
Other	112 (100.0)	91 (81.3)	90 (80.4)	0 (0.0)	1 (0.9)	43	20	25	15	18	13

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE				CASES					
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	90 (15.8)	59 (10.4)	31 (5.5)	0 (0.0)	139 (24.4)	61	70	8	\$ 34,255 (136)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	11 (47.8)	3	8	0	\$ 14,554 (10)
Larceny	7 (18.4)	4 (10.5)	3 (7.9)	0 (0.0)	12 (31.6)	2	10	0	\$ 3,351 (12)
Embezzlement	3 (25.0)	3 (25.0)	0 (0.0)	0 (0.0)	6 (50.0)	1	5	0	\$ 156,331 (6)
Fraud	28 (31.8)	13 (14.8)	15 (17.1)	0 (0.0)	50 (56.8)	12	31	7	\$ 51,804 (48)
Drug Offenses ⁵	7 (4.6)	3 (2.0)	4 (2.6)	0 (0.0)	11 (7.2)	11	0	0	\$ 9,500 (11)
Simple Possess.	6 (85.7)	6 (85.7)	0 (0.0)	0 (0.0)	3 (42.9)	3	0	0	\$ 4,167 (3)
Counterfeiting	1 (14.3)	1 (14.3)	0 (0.0)	0 (0.0)	1 (14.3)	1	0	0	\$ 500 (1)
Firearms	9 (11.1)	7 (8.6)	2 (2.5)	0 (0.0)	10 (12.4)	10	0	0	\$ 1,585 (10)
Immigration	8 (16.7)	7 (14.6)	1 (2.1)	0 (0.0)	5 (10.4)	3	2	0	\$ 7,657 (5)
Other	21 (18.8)	15 (13.4)	6 (5.4)	0 (0.0)	30 (26.8)	15	14	1	\$ 29,223 (30)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

TEXAS, Southern
5th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Corpus Christi
(2) Houston
(3) Brownsville
(4) Laredo

(5) McAllen
(6) Galveston
(7) Rio Grande City

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	15	Civil ³	5,494
AUSAs ⁴	77	Criminal ⁵	1,766
Assistant Federal Defenders ⁶	26		
Probation Officers ⁷	131		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	916	2,662	17,744	21,168	104,231	209,321	65,580	421,622
Per 100,000 Population	17	48	320	382	1,883	3,781	1,184	7,615

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	5,538,045	Income per Capita ¹¹	\$ 10,560	Police Protection	\$ 51.30
Population per Square Mile ¹²	130.5	Percent Unemployed ¹³	11.4	Elementary and Secondary Education	\$ 489.59
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 72.55
Percent Age 0-14	25.2	Percent Mfg.	13.3	Public Welfare ¹⁶	\$ 4.80
Percent Age 15-24	15.8	Percent Retail	18.9	Highways	\$ 58.50
Percent Age 25-34	18.4	Percent Finance ¹⁷	6.6	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.5	Percent Service	21.8		
Percent Age 45-64	16.6	Percent Govt.	12.0		
Percent Age 65+	8.5	Percent Other	27.4		75.5

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
2,076	202	144	196	189	158	155	234	226	176	162	128	106

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

MODE OF CONVICTION²

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	1,676 (100.0)	255 (15.2)	79 (4.7)	1,331 (79.4)	11 (0.7)	32.4	\$ 607	TOTAL	2,075 100.0
MALE	1,501 (89.6)	221	69	1,201	10	32.4	\$ 622	PLEA	1,909 92.0
FEMALE	175 (10.4)	34	10	130	1	32.9	\$ 482	TRIAL	166 8.0

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	2,064 (100.0)	1,678 (81.3)	1,636 (79.3)	11 (0.5)	31 (1.5)	40	579	357	193	243	297
Robbery	15 (100.0)	15 (100.0)	15 (100.0)	0 (0.0)	0 (0.0)	146	0	0	1	4	10
Larceny	31 (100.0)	13 (41.9)	13 (41.9)	0 (0.0)	0 (0.0)	16	6	3	4	0	0
Embezzlement	15 (100.0)	5 (33.3)	5 (33.3)	0 (0.0)	0 (0.0)	7	4	1	0	0	0
Fraud	61 (100.0)	37 (60.7)	34 (55.7)	0 (0.0)	3 (4.9)	18	18	11	4	4	0
Drug Offenses ⁶	972 (100.0)	910 (93.6)	899 (92.5)	2 (0.2)	9 (0.9)	57	76	230	143	204	257
Simple Possess.	141 (100.0)	75 (53.2)	68 (48.2)	2 (1.4)	5 (3.6)	7	72	1	0	0	0
Counterfeiting	13 (100.0)	10 (76.9)	10 (76.9)	0 (0.0)	0 (0.0)	14	4	5	1	0	0
Firearms	109 (100.0)	95 (88.1)	94 (86.2)	0 (0.0)	2 (1.8)	44	30	25	13	14	14
Immigration	501 (100.0)	367 (73.3)	356 (71.1)	5 (1.0)	6 (1.2)	8	314	45	2	0	2
Other	206 (100.0)	150 (72.8)	142 (68.9)	2 (1.0)	6 (2.9)	33	55	36	25	17	14

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	386 (18.7)	254 (12.3)	132 (8.4)	0 (0.0)	693 (33.6)	612	67	14	\$ 4,261 (681)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	6 (40.0)	1	5	0	\$ 4,669 (5)
Larceny	18 (58.1)	11 (35.5)	7 (22.6)	0 (0.0)	24 (77.4)	9	11	4	\$ 3,704 (23)
Embezzlement	10 (66.7)	3 (20.0)	7 (46.7)	0 (0.0)	11 (73.3)	3	5	3	\$ 10,153 (11)
Fraud	24 (39.3)	7 (29.5)	6 (9.8)	0 (0.0)	40 (65.6)	15	23	2	\$ 18,198 (37)
Drug Offenses ⁶	62 (6.4)	31 (3.2)	31 (3.2)	0 (0.0)	348 (35.8)	347	0	1	\$ 2,438 (344)
Simple Possess.	66 (46.8)	45 (31.9)	21 (14.9)	0 (0.0)	86 (61.0)	85	0	1	\$ 1,038 (65)
Counterfeiting	3 (23.1)	1 (7.7)	2 (15.4)	0 (0.0)	6 (46.2)	2	4	0	\$ 7,291 (5)
Firearms	13 (11.9)	4 (3.7)	9 (8.3)	0 (0.0)	34 (31.2)	34	0	0	\$ 1,682 (33)
Immigration	134 (26.8)	108 (21.6)	26 (5.2)	0 (0.0)	52 (10.4)	52	0	0	\$ 1,138 (52)
Other	56 (27.2)	33 (16.0)	23 (11.2)	0 (0.0)	86 (41.8)	64	19	3	\$ 10,815 (86)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

TEXAS, Eastern
5th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Beaumont
(2) Tyler
(3) Plano

(4) Texarkana
(5) Sherman

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	8	Civil ³	2,700
AUSAs ⁴	24	Criminal ⁵	288
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	23		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	191	927	2,262	9,307	32,632	67,020	7,207	119,546
Per 100,000 Population	9	42	104	426	1,494	3,068	330	5,473

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,292,232	Income per Capita ¹¹	\$ 9,811	Police Protection	\$ 36.51
Population per Square Mile ¹²	69.8	Percent Unemployed ¹³	9.9	Elementary and Secondary Education	\$ 437.35
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 77.96
Percent Age 0-14	22.7	Percent Mfg.	22.1	Public Welfare ¹⁶	\$ 2.25
Percent Age 15-24	14.3	Percent Retail	21.1	Highways	\$ 55.51
Percent Age 25-34	16.7	Percent Finance ¹⁷	4.5	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.7	Percent Service	18.5		
Percent Age 45-64	18.8	Percent Govt.	13.7		
Percent Age 65+	12.9	Percent Other	20.2		45.2

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
270	11	27	39	6	20	23	34	32	11	33	18	16

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²		
		White	Black	Hispanic	Other				Number	Col %
TOTAL (Row%)	230 (100.0)	121 (52.6)	67 (29.1)	41 (17.8)	1 (0.4)	35.3	\$ 702	TOTAL	270	100.0
MALE	193 (83.9)	100	58	34	1	34.7	\$ 716	PLEA	234	86.7
FEMALE	37 (16.1)	21	9	7	0	37.9	\$ 630	TRIAL	36	13.3

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	Total Receiving Prison N (Row%)	TYPE OF SENTENCE				LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	267 (100.0)	212 (79.4)	198 (74.2)	8 (3.0)	6 (2.3)	68	34	39	22	50	67
Robbery	6 (100.0)	6 (100.0)	6 (100.0)	0 (0.0)	0 (0.0)	92	0	0	1	4	1
Larceny	10 (100.0)	6 (60.0)	6 (60.0)	0 (0.0)	0 (0.0)	17	3	1	2	0	0
Embezzlement	4 (100.0)	2 (50.0)	2 (50.0)	0 (0.0)	0 (0.0)	10	2	0	0	0	0
Fraud	26 (100.0)	9 (34.6)	6 (23.1)	1 (3.9)	2 (7.7)	17	5	3	0	0	1
Drug Offenses ⁶	122 (100.0)	117 (95.9)	114 (93.4)	1 (0.8)	2 (1.6)	90	7	19	10	26	55
Simple Possess.	9 (100.0)	1 (11.1)	0 (0.0)	1 (11.1)	0 (0.0)	6	1	0	0	0	0
Counterfeiting	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	12	1	0	0	0	0
Firearms	38 (100.0)	32 (84.2)	32 (84.2)	0 (0.0)	0 (0.0)	66	1	5	6	11	9
Immigration	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Other	50 (100.0)	38 (76.0)	31 (62.0)	5 (10.0)	2 (4.0)	25	14	11	3	9	1

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	55 (20.6)	43 (16.1)	12 (4.5)	0 (0.0)	87 (32.6)	40	38	9	\$ 27,778 (87)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (33.3)	0	2	0	\$ 687 (2)
Larceny	4 (40.0)	3 (30.0)	1 (10.0)	0 (0.0)	8 (80.0)	2	5	1	\$ 19,908 (8)
Embezzlement	2 (50.0)	1 (25.0)	1 (25.0)	0 (0.0)	2 (50.0)	0	1	1	\$ 32,854 (2)
Fraud	17 (65.4)	10 (38.5)	7 (26.9)	0 (0.0)	22 (84.6)	5	13	4	\$ 39,911 (22)
Drug Offenses ⁶	5 (4.1)	4 (3.3)	1 (0.8)	0 (0.0)	14 (11.5)	11	3	0	\$ 40,285 (14)
Simple Possess.	8 (88.9)	8 (88.9)	0 (0.0)	0 (0.0)	6 (66.7)	6	0	0	\$ 1,042 (6)
Counterfeiting	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	2 (100.0)	0	2	0	\$ 388 (2)
Firearms	6 (15.8)	4 (10.5)	2 (5.3)	0 (0.0)	8 (21.1)	5	1	2	\$ 2,236 (8)
Immigration	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Other	12 (24.0)	12 (24.0)	0 (0.0)	0 (0.0)	23 (46.0)	11	11	1	\$ 31,454 (23)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

TEXAS, Western
5th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- | | |
|-----------------|--------------------|
| (1) El Paso | (5) Midland-Odessa |
| (2) San Antonio | (6) Del Rio |
| (3) Waco | (7) Pecos |
| (4) Austin | |

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	7	Civil ³	2,685
AUSAs ⁴	55	Criminal ⁵	1,727
Assistant Federal Defenders ⁶	19		
Probation Officers ⁷	88		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	481	1,867	7,079	14,213	76,563	207,296	30,313	337,812
Per 100,000 Population	12	45	172	345	1,857	5,027	735	8,193

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	4,135,906	Income per Capita ¹¹	\$ 9,256	Police Protection	\$ 42.52
Population per Square Mile ¹²	45.5	Percent Unemployed ¹³	8.2	Elementary and Secondary Education	\$ 418.15
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 80.56
Percent Age 0-14	24.2	Percent Mfg.	12.7	Public Welfare ¹⁶	\$ 3.57
Percent Age 15-24	16.7	Percent Retail	20.5	Highways	\$ 38.32
Percent Age 25-34	17.6	Percent Finance ¹⁷	6.6	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.4	Percent Service	21.1		
Percent Age 45-64	16.7	Percent Govt.	16.4		
Percent Age 65+	10.5	Percent Other	22.8		80.8

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
1,652	186	136	130	146	116	157	125	140	130	165	97	124

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²	
GENDER	TOTAL ¹	RACE				Average Age	Average Monthly Income		
	N (Col %)	White	Black	Hispanic	Other				
TOTAL (Row%)	1,102 (100.0)	329 (29.8)	139 (12.6)	615 (55.8)	20 (1.8)	33.8	\$ 527	TOTAL	1,646 100.0
MALE	978 (88.7)	281	120	563	14	33.7	\$ 536	PLEA	1,455 88.4
FEMALE	124 (11.3)	47	19	52	6	34.4	\$ 454	TRIAL	191 11.6

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	1,624 (100.0)	1,330 (81.9)	1,301 (80.1)	25 (1.5)	4 (0.3)	51	338	272	182	211	319
Robbery	6 (100.0)	6 (100.0)	6 (100.0)	0 (0.0)	0 (0.0)	103	0	0	1	1	4
Larceny	78 (100.0)	25 (32.1)	24 (30.8)	1 (1.3)	0 (0.0)	12	19	5	0	0	1
Embezzlement	12 (100.0)	3 (25.0)	3 (25.0)	0 (0.0)	0 (0.0)	12	2	1	0	0	0
Fraud	85 (100.0)	53 (62.4)	49 (57.7)	2 (2.4)	2 (2.4)	20	28	12	3	7	2
Drug Offenses ⁶	752 (100.0)	741 (98.5)	740 (98.4)	1 (0.1)	0 (0.0)	70	36	133	118	174	279
Simple Possess.	87 (100.0)	70 (80.5)	66 (75.9)	4 (4.6)	0 (0.0)	9	68	1	0	0	0
Counterfeiting	22 (100.0)	15 (68.2)	15 (68.2)	0 (0.0)	0 (0.0)	16	11	2	1	0	1
Firearms	111 (100.0)	107 (96.4)	106 (95.5)	0 (0.0)	1 (0.9)	60	15	30	27	15	20
Immigration	274 (100.0)	186 (67.9)	178 (65.0)	8 (2.9)	0 (0.0)	12	112	60	7	3	0
Other	197 (100.0)	124 (62.9)	114 (57.9)	9 (4.6)	1 (0.5)	32	47	28	25	11	12

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation	TYPE OF SENTENCE			Total Receiving Fines and Restitution	TYPE OF SENTENCE			Average Dollar Amount ⁷
		Probation Only	Probation + Confinement			Fine Only	Restitution Only	Both	
TOTAL	290 (17.9)	250 (15.4)	40 (2.5)	4 (0.3)	598 (36.8)	476	64	58	\$ 12,957 (583)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	3 (50.0)	0	2	1	\$ 14,309 (2)
Larceny	50 (64.1)	42 (53.9)	8 (10.3)	3 (3.9)	67 (85.9)	36	13	18	\$ 1,755 (65)
Embezzlement	9 (75.0)	7 (58.3)	2 (16.7)	0 (0.0)	11 (91.7)	4	6	1	\$ 25,289 (11)
Fraud	32 (37.7)	26 (30.6)	6 (7.1)	0 (0.0)	70 (82.4)	17	26	27	\$ 56,603 (63)
Drug Offenses ⁶	11 (1.5)	8 (1.1)	3 (0.4)	0 (0.0)	205 (27.3)	201	2	2	\$ 12,012 (202)
Simple Possess.	17 (19.5)	17 (19.5)	0 (0.0)	0 (0.0)	33 (37.9)	33	0	0	\$ 1,606 (33)
Counterfeiting	7 (31.8)	4 (18.2)	3 (13.6)	0 (0.0)	20 (90.9)	10	3	7	\$ 2,010 (20)
Firearms	4 (3.6)	3 (2.7)	1 (0.9)	0 (0.0)	41 (36.9)	40	0	1	\$ 3,172 (41)
Immigration	88 (32.1)	85 (31.0)	3 (1.1)	0 (0.0)	22 (8.0)	22	0	0	\$ 840 (22)
Other	72 (36.6)	50 (29.4)	14 (7.1)	1 (0.5)	126 (64.0)	113	12	1	\$ 7,250 (124)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
 SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Salt Lake City
(2) Ogden

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	6	Civil ³	1,224
AUSAs ⁴	15	Criminal ⁵	342
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	18		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	51	645	978	3,203	14,973	72,648	4,058	96,556
Per 100,000 Population	3	38	57	187	876	4,250	237	5,648

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,722,850	Income per Capita ¹¹	\$ 8,535	Police Protection	\$ 52.15
Population per Square Mile ¹²	21.0	Percent Unemployed ¹³	6.0	Elementary and Secondary Education	\$ 508.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 35.39
Percent Age 0-14	31.2	Percent Mfg.	16.6	Public Welfare ¹⁶	\$ 2.79
Percent Age 15-24	16.8	Percent Retail	18.9	Highways	\$ 54.01
Percent Age 25-34	16.0	Percent Finance ¹⁷	5.5	Percent acreage in farms ¹⁸	
Percent Age 35-44	13.0	Percent Service	22.6		
Percent Age 45-64	14.3	Percent Govt.	16.4		
Percent Age 65+	8.7	Percent Other	20.0		18.6

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
195	10	15	18	17	12	21	20	26	13	14	18	11

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	165 (100.0)	104 (63.0)	11 (6.7)	32 (19.4)	18 (10.9)	33.6	\$ 621	TOTAL	191 100.0
MALE	152 (92.1)	96	9	30	17	33.0	\$ 619	PLEA	174 91.1
FEMALE	13 (7.9)	8	2	2	1	40.9	\$ 645	TRIAL	17 8.9

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	187 (100.0)	131 (70.1)	116 (62.0)	5 (2.7)	10 (5.4)	43	33	42	10	14	32
Robbery	12 (100.0)	12 (100.0)	11 (91.7)	0 (0.0)	1 (8.3)	88	1	1	0	2	8
Larceny	25 (100.0)	3 (12.0)	2 (8.0)	0 (0.0)	1 (4.0)	9	2	1	0	0	0
Embezzlement	4 (100.0)	3 (75.0)	1 (25.0)	0 (0.0)	2 (50.0)	10	2	1	0	0	0
Fraud	15 (100.0)	8 (53.3)	7 (46.7)	1 (6.7)	0 (0.0)	15	4	3	1	0	0
Drug Offenses ⁶	48 (100.0)	44 (91.7)	40 (83.3)	1 (2.1)	3 (6.3)	58	6	8	4	6	20
Simple Possess.	4 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Firearms	24 (100.0)	19 (79.2)	19 (79.2)	0 (0.0)	0 (0.0)	26	5	9	2	2	1
Immigration	20 (100.0)	18 (90.0)	16 (80.0)	2 (10.0)	0 (0.0)	17	6	12	0	0	0
Other	34 (100.0)	24 (70.6)	20 (58.8)	1 (2.9)	3 (8.8)	42	7	7	3	4	3

CASES INVOLVING PROBATION

PRIMARY OFFENSE	Total Receiving Probation	TYPE OF SENTENCE		CASES N (Row%)	Total Receiving Fines and Restitution	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
	N (Row%)	N (Row%)	N (Row%)		N (Row%)	N (Row%)	Fine Only	Restitution Only	Both
TOTAL	56 (30.0)	38 (20.3)	18 (9.6)	0 (0.0)	77 (41.2)	33	31	13	\$ 3,074 (76)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	4 (33.3)	0	4	0	\$ 4,625 (4)
Larceny	22 (88.0)	20 (80.0)	2 (8.0)	0 (0.0)	23 (92.0)	5	9	9	\$ 1,276 (22)
Embezzlement	1 (25.0)	1 (25.0)	0 (0.0)	0 (0.0)	3 (75.0)	1	2	0	\$ 18,249 (3)
Fraud	7 (46.7)	3 (20.0)	4 (26.7)	0 (0.0)	10 (66.7)	2	6	2	\$ 8,026 (10)
Drug Offenses ⁶	4 (8.3)	2 (4.2)	2 (4.2)	0 (0.0)	8 (16.7)	7	1	0	\$ 1,269 (8)
Simple Possess.	4 (100.0)	4 (100.0)	0 (0.0)	0 (0.0)	4 (100.0)	4	0	0	\$ 1,025 (4)
Counterfeiting	1 (100.0)	0 (0.0)	1 (100.0)	0 (0.0)	1 (100.0)	0	1	0	\$ 4,400 (1)
Firearms	5 (20.8)	3 (12.5)	2 (8.3)	0 (0.0)	5 (20.8)	3	1	1	\$ 815 (5)
Immigration	2 (10.0)	0 (0.0)	2 (10.0)	0 (0.0)	1 (5.0)	1	0	0	\$ 500 (1)
Other	10 (29.4)	5 (14.7)	5 (14.7)	0 (0.0)	18 (52.9)	10	7	1	\$ 1,601 (18)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

VERMONT
2nd Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Burlington
- (2) Rutland
- (3) Brattleboro

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	4	Civil ³	356
AUSAs ⁴	10	Criminal ⁵	135
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	10		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	12	136	63	479	5,789	15,224	1,091	22,794
Per 100,000 Population	2	25	12	88	1,060	2,787	200	4,174

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	562,758	Income per Capita ¹¹	\$ 9,619	Police Protection	\$ 25.06
Population per Square Mile ¹²	60.7	Percent Unemployed ¹³	4.7	Elementary and Secondary Education	\$ 468.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 3.04
Percent Age 0-14	21.5	Percent Mfg.	23.6	Public Welfare ¹⁶	\$ 0.00
Percent Age 15-24	15.1	Percent Retail	19.6	Highways	\$ 82.02
Percent Age 25-34	16.9	Percent Finance ¹⁷	4.7	Percent acreage in farms ¹⁸	
Percent Age 35-44	16.4	Percent Service	25.0		
Percent Age 45-64	18.2	Percent Govt.	11.0		
Percent Age 65+	11.8	Percent Other	16.1		26.5

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
107	7	9	9	11	15	11	11	8	3	6	8	9

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	76 (100.0)	66 (86.8)	6 (7.9)	2 (2.6)	2 (2.6)	34.5	\$ 473	TOTAL	107 100.0
MALE	61 (80.3)	54	3	2	2	34.2	\$ 500	PLEA	91 85.0
FEMALE	15 (19.7)	12	3	0	0	35.5	\$ 365	TRIAL	16 15.0

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	101 (100.0)	92 (91.1)	84 (83.2)	8 (7.9)	0 (0.0)	50	34	14	6	11	22
Robbery	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	41	0	0	0	1	0
Larceny	3 (100.0)	3 (100.0)	3 (100.0)	0 (0.0)	0 (0.0)	37	0	1	0	2	0
Embezzlement	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	1	1	0	0	0	0
Fraud	26 (100.0)	22 (84.6)	17 (65.4)	5 (19.2)	0 (0.0)	7	16	2	1	0	0
Drug Offenses ⁶	35 (100.0)	32 (91.4)	32 (91.4)	0 (0.0)	0 (0.0)	74	4	5	3	4	16
Simple Possess.	1 (100.0)	1 (100.0)	0 (0.0)	1 (100.0)	0 (0.0)	1	1	0	0	0	0
Counterfeiting	0 (100.0)	0 (-)	0 (-)	0 (-)	0 (-)	--	0	0	0	0	0
Firearms	13 (100.0)	13 (100.0)	12 (92.3)	1 (7.7)	0 (0.0)	73	3	2	1	3	4
Immigration	11 (100.0)	10 (90.9)	10 (90.9)	0 (0.0)	0 (0.0)	8	6	2	0	0	0
Other	9 (100.0)	9 (100.0)	8 (88.9)	1 (11.1)	0 (0.0)	81	3	2	1	1	2

CASES INVOLVING PROBATION

PRIMARY OFFENSE	TYPE OF SENTENCE			CASES N (Row%)	TYPE OF SENTENCE				
	Total Receiving Probation N (Row%)	Probation Only N (Row%)	Probation + Confinement N (Row%)		Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
						Fine Only	Restitution Only	Both	
TOTAL	6 (5.9)	4 (4.0)	2 (2.0)	3 (3.0)	36 (35.6)	22	13	1	\$ 10,416 (35)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Larceny	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	3 (100.0)	0	3	0	\$ 4,967 (3)
Embezzlement	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	2 (100.0)	0	1	1	\$ 2,744 (2)
Fraud	2 (7.7)	2 (7.7)	0 (0.0)	2 (7.7)	12 (46.2)	5	7	0	\$ 6,352 (11)
Drug Offenses ⁶	3 (8.6)	1 (2.9)	2 (5.7)	0 (0.0)	6 (17.1)	6	0	0	\$ 25,083 (6)
Simple Possess.	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Counterfeiting	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (15.4)	2	0	0	\$ 1,750 (2)
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	1 (9.1)	6 (54.6)	6	0	0	\$ 2,100 (6)
Other	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	5 (55.6)	3	2	0	\$ 21,540 (5)

VIRGIN ISLANDS
3rd Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) St. Thomas
- (2) St. Croix
- (3) Frederiksted

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	1	Civil ³	787
AUSAs ⁴	11	Criminal ⁵	241
Assistant Federal Defenders ⁶	4		
Probation Officers ⁷	10		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	16	58	444	1,690	3,728	3,650	956	10,542
Per 100,000 Population	17	60	459	1,750	3,860	3,780	990	10,916

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	96,569	Income per Capita ¹¹	n/a	Police Protection	n/a
Population per Square Mile ¹²	731.6	Percent Unemployed ¹³	n/a	Elementary and Secondary Education	n/a
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	n/a
Percent Age 0-17	43.3	Percent Mfg.	n/a	Public Welfare ¹⁶	n/a
Percent Age 18-64	52.1	Percent Retail	n/a	Highways	n/a
Percent Age 65+	4.6	Percent Finance ¹⁷	n/a	Percent acreage in farms ¹⁸	
		Percent Service	n/a		
		Percent Govt.	n/a		
		Percent Other	n/a		

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
81	4	4	2	5	11	3	12	7	7	12	5	9

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	69 (100.0)	4 (5.8)	44 (63.8)	15 (21.7)	6 (8.7)	30.6	\$ 453	TOTAL	79 100.0
MALE	61 (88.4)	4	39	12	6	30.6	\$ 493	PLEA	61 77.2
FEMALE	8 (11.6)	0	5	3	0	30.1	\$ 150	TRIAL	18 22.8

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	80 (100.0)	71 (88.8)	62 (77.5)	8 (10.0)	1 (1.3)	61	30	4	4	5	15
Robbery	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	365	0	0	0	0	1
Larceny	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Embezzlement	2 (100.0)	2 (100.0)	1 (50.0)	0 (0.0)	1 (50.0)	10	2	0	0	0	0
Fraud	5 (100.0)	5 (100.0)	3 (60.0)	2 (40.0)	0 (0.0)	12	4	0	1	0	0
Drug Offenses ⁶	21 (100.0)	19 (90.5)	19 (90.5)	0 (0.0)	0 (0.0)	126	5	0	1	3	10
Simple Possess.	5 (100.0)	4 (80.0)	4 (80.0)	0 (0.0)	0 (0.0)	89	1	0	0	0	3
Counterfeiting	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	6	1	0	0	0	0
Firearms	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Immigration	34 (100.0)	31 (91.2)	26 (76.5)	5 (14.7)	0 (0.0)	6	13	3	2	0	0
Other	9 (100.0)	8 (88.9)	7 (77.8)	1 (11.1)	0 (0.0)	31	4	1	0	2	1

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	9 (11.3)	9 (11.3)	0 (0.0)	0 (0.0)	24 (30.0)	20	4	0	\$ 6,550 (24)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	1	0	0	\$ 3,000 (1)
Larceny	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Embezzlement	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (50.0)	0	1	0	\$ 24,350 (1)
Fraud	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Drug Offenses ⁶	2 (9.5)	2 (9.5)	0 (0.0)	0 (0.0)	2 (9.5)	2	0	0	\$ 2,000 (2)
Simple Possess.	1 (20.0)	1 (20.0)	0 (0.0)	0 (0.0)	3 (60.0)	3	0	0	\$ 1,067 (3)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Firearms	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Immigration	3 (8.8)	3 (8.8)	0 (0.0)	0 (0.0)	11 (32.4)	11	0	0	\$ 1,232 (11)
Other	1 (11.1)	1 (11.1)	0 (0.0)	0 (0.0)	6 (66.7)	3	3	0	\$ 18,184 (6)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

VIRGINIA, Eastern
4th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Alexandria
(2) Norfolk
(3) Richmond

(4) Newport News
(5) Petersburg

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	13	Civil ³	3,491
AUSAs ⁴	48	Criminal ⁵	2,333
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	63		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	426	1,519	6,885	8,860	35,415	149,434	17,838	220,377
Per 100,000 Population	10	35	159	205	818	3,453	412	5,092

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	4,327,439	Income per Capita ¹¹	\$ 13,073	Police Protection	\$ 55.29
Population per Square Mile ¹²	263.8	Percent Unemployed ¹³	4.0	Elementary and Secondary Education	\$ 455.07
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 42.45
Percent Age 0-14	21.2	Percent Mfg.	12.4	Public Welfare ¹⁶	\$ 47.53
Percent Age 15-24	15.2	Percent Retail	18.8	Highways	\$ 37.79
Percent Age 25-34	19.6	Percent Finance ¹⁷	5.8		
Percent Age 35-44	16.5	Percent Service	24.1		
Percent Age 45-64	18.1	Percent Govt.	19.2		
Percent Age 65+	9.4	Percent Other	19.7	Percent acreage in farms ¹⁸	34.2

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
948	60	66	57	54	57	79	122	110	80	94	83	86

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other				
TOTAL (Row%)	743 (100.0)	283 (38.1)	381 (51.3)	65 (8.8)	14 (1.9)	32.8	\$ 721	TOTAL	942 100.0
MALE	596 (80.2)	223	309	56	8	32.7	\$ 725	PLEA	789 83.8
FEMALE	147 (19.8)	60	72	9	6	33.6	\$ 704	TRIAL	153 16.2

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	912 (100.0)	722 (79.2)	657 (72.0)	39 (4.3)	26 (2.9)	74	227	126	50	69	248
Robbery	16 (100.0)	16 (100.0)	16 (100.0)	0 (0.0)	0 (0.0)	266	0	0	0	2	14
Larceny	167 (100.0)	63 (37.7)	49 (29.3)	8 (4.8)	6 (3.6)	9	44	17	1	0	0
Embezzlement	19 (100.0)	13 (68.4)	9 (47.4)	0 (0.0)	4 (21.1)	8	10	3	0	0	0
Fraud	122 (100.0)	92 (75.4)	86 (70.5)	2 (1.6)	4 (3.3)	18	40	32	11	8	1
Drug Offenses ⁵	311 (100.0)	308 (99.0)	303 (97.4)	1 (0.3)	4 (1.3)	131	16	21	13	37	221
Simple Possess.	34 (100.0)	23 (67.7)	16 (47.1)	6 (17.7)	1 (2.9)	5	22	1	0	0	0
Counterfeiting	19 (100.0)	15 (79.0)	12 (63.2)	2 (10.5)	1 (5.3)	14	8	5	0	2	0
Firearms	91 (100.0)	83 (91.2)	78 (85.7)	4 (4.4)	1 (1.1)	25	41	24	10	3	5
Immigration	16 (100.0)	12 (75.0)	7 (43.8)	5 (31.3)	0 (0.0)	15	6	3	0	2	0
Other	117 (100.0)	97 (82.9)	81 (69.2)	11 (9.4)	5 (4.3)	40	40	20	15	15	7

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	177 (19.4)	116 (12.7)	61 (6.7)	13 (1.4)	383 (42.0)	196	136	51	\$ 32,641 (372)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	11 (68.8)	0	11	0	\$ 9,263 (10)
Larceny	92 (55.1)	72 (43.1)	20 (12.0)	12 (7.2)	143 (85.6)	84	28	31	\$ 5,673 (139)
Embezzlement	6 (31.6)	3 (15.8)	3 (15.8)	0 (0.0)	15 (79.0)	3	12	0	\$ 35,568 (14)
Fraud	30 (24.6)	15 (12.3)	15 (12.3)	0 (0.0)	91 (74.6)	16	64	11	\$ 95,002 (87)
Drug Offenses ⁶	3 (1.0)	2 (0.6)	1 (0.3)	0 (0.0)	33 (10.6)	27	5	1	\$ 56,854 (33)
Simple Possess.	10 (29.4)	6 (17.7)	4 (11.8)	1 (2.9)	17 (50.0)	17	0	0	\$ 3,526 (17)
Counterfeiting	4 (21.1)	3 (15.8)	1 (5.3)	0 (0.0)	13 (68.4)	1	8	4	\$ 3,403 (13)
Firearms	8 (8.8)	6 (6.6)	2 (2.2)	0 (0.0)	20 (22.0)	19	1	0	\$ 2,992 (20)
Immigration	4 (25.0)	3 (18.8)	1 (6.3)	0 (0.0)	2 (12.5)	2	0	0	\$ 38,000 (2)
Other	20 (17.1)	6 (5.1)	14 (12.0)	0 (0.0)	38 (32.5)	27	7	4	\$ 10,322 (37)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

VIRGINIA, Western
4th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Roanoke
- (2) Abingdon
- (3) Big Stone Gap
- (4) Danville

- (5) Lynchburg
- (6) Charlottesville
- (7) Harrisonburg

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	5	Civil ³	1,592
AUSAs ⁴	11	Criminal ⁵	291
Assistant Federal Defenders ⁵	-		
Probation Officers ⁷	20		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	119	401	749	2,804	9,953	38,618	2,454	55,098
Per 100,000 Population	6	22	40	151	535	2,076	132	2,962

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	1,859,919	Income per Capita ¹¹	\$ 9,352	Police Protection	\$ 32.26
Population per Square Mile ¹²	79.8	Percent Unemployed ¹³	7.3	Elementary and Secondary Education	\$ 394.15
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 2.20
Percent Age 0-14	18.8	Percent Mfg.	32.3	Public Welfare ¹⁶	\$ 31.85
Percent Age 15-24	16.1	Percent Retail	16.9	Highways	\$ 21.83
Percent Age 25-34	15.7	Percent Finance ¹⁷	4.2	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.9	Percent Service	17.6		
Percent Age 45-64	20.6	Percent Govt.	10.9		
Percent Age 65+	13.9	Percent Other	18.2		

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
324	20	35	22	37	36	13	24	42	32	28	19	16

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	281 (100.0)	199 (70.8)	77 (27.4)	3 (1.1)	2 (0.7)	34.2	\$ 621	TOTAL	323 100.0
MALE	226 (80.4)	162	59	3	2	33.6	\$ 654	PLEA	273 84.5
FEMALE	55 (19.6)	37	18	0	0	36.5	\$ 483	TRIAL	50 15.5

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	320 (100.0)	213 (66.6)	199 (62.2)	4 (1.3)	10 (3.1)	60	52	32	22	36	69
Robbery	6 (100.0)	6 (100.0)	6 (100.0)	0 (0.0)	0 (0.0)	74	0	0	0	3	3
Larceny	11 (100.0)	5 (45.5)	5 (45.5)	0 (0.0)	0 (0.0)	20	3	0	1	1	0
Embezzlement	7 (100.0)	5 (71.4)	5 (71.4)	0 (0.0)	0 (0.0)	20	3	1	0	1	0
Fraud	22 (100.0)	6 (27.3)	6 (27.3)	0 (0.0)	0 (0.0)	14	3	3	0	0	0
Drug Offenses ⁶	181 (100.0)	142 (78.5)	137 (75.7)	1 (0.6)	4 (2.2)	72	22	19	17	24	60
Simple Possess.	7 (100.0)	1 (14.3)	1 (14.3)	0 (0.0)	0 (0.0)	1	1	0	0	0	0
Counterfeiting	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	21	0	1	0	0	0
Firearms	48 (100.0)	33 (68.8)	29 (60.4)	2 (4.2)	2 (4.2)	44	10	6	4	7	5
Immigration	0 (100.0)	0 (—)	0 (—)	0 (—)	0 (—)	--	0	0	0	0	0
Other	36 (100.0)	14 (38.9)	9 (25.0)	1 (2.8)	4 (11.1)	15	10	2	0	0	1

CASES INVOLVING PROBATION

OTHER
CASES

CASES INVOLVING FINES AND RESTITUTION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	105 (32.8)	61 (19.1)	44 (13.8)	2 (0.6)	120 (37.5)	95	20	5	\$ 57,880 (114)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	3 (50.0)	1	2	0	\$ 2,771 (3)
Larceny	6 (54.6)	4 (36.4)	2 (18.2)	0 (0.0)	7 (63.6)	3	2	2	\$ 3,137 (7)
Embezzlement	1 (14.3)	1 (14.3)	0 (0.0)	1 (14.3)	6 (85.7)	2	2	2	\$ 42,277 (5)
Fraud	16 (72.7)	7 (31.8)	9 (40.9)	0 (0.0)	9 (40.9)	4	5	0	\$ 3,767 (7)
Drug Offenses ⁶	39 (21.6)	23 (12.7)	16 (8.8)	0 (0.0)	53 (29.3)	50	3	0	\$ 124,924 (50)
Simple Possess.	5 (71.4)	5 (71.4)	0 (0.0)	1 (14.3)	7 (100.0)	7	0	0	\$ 2,550 (7)
Counterfeiting	1 (50.0)	0 (0.0)	1 (50.0)	0 (0.0)	2 (100.0)	0	2	0	\$ 1,543 (2)
Firearms	15 (31.3)	10 (20.8)	5 (10.4)	0 (0.0)	11 (22.9)	8	3	0	\$ 2,404 (11)
Immigration	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Other	22 (61.1)	11 (30.6)	11 (30.6)	0 (0.0)	22 (61.1)	20	1	1	\$ 1,671 (22)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

WASHINGTON, Eastern
9th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Yakima
(2) Spokane

(3) Richland
(4) Pasco

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	5	Civil ³	649
AUSAs ⁴	11	Criminal ⁵	524
Assistant Federal Defenders ⁶	3		
Probation Officers ⁷	11		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	54	585	772	3,019	15,762	42,925	3,043	66,160
Per 100,000 Population	5	55	72	283	1,476	4,020	285	6,196

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	1,089,840	Income per Capita ¹¹	\$ 9,306	Police Protection	\$ 54.40
Population per Square Mile ¹²	26.1	Percent Unemployed ¹³	10.5	Elementary and Secondary Education	\$ 505.03
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 62.28
Percent Age 0-14	23.7	Percent Mfg.	16.4	Public Welfare ¹⁶	\$.38
Percent Age 15-24	14.9	Percent Retail	19.8	Highways	\$ 86.41
Percent Age 25-34	15.5	Percent Finance ¹⁷	4.9		
Percent Age 35-44	15.0	Percent Service	25.0		
Percent Age 45-64	18.0	Percent Govt.	15.2	Percent acreage in farms ¹⁸	57.8
Percent Age 65+	12.9	Percent Other	18.7		

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
274	11	36	13	35	1	41	10	14	44	22	22	25

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	132 (100.0)	68 (51.5)	4 (3.0)	48 (36.4)	12 (9.1)	34.2	\$ 313	TOTAL	268 100.0
MALE	118 (89.4)	59	3	47	9	34.7	\$ 296	PLEA	246 91.8
FEMALE	14 (10.6)	9	1	1	3	30.2	\$ 460	TRIAL	22 8.2

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	270 (100.0)	248 (91.9)	226 (83.7)	5 (1.9)	17 (6.3)	36	92	49	22	31	38
Robbery	10 (100.0)	10 (100.0)	10 (100.0)	0 (0.0)	0 (0.0)	111	0	0	3	2	5
Larceny	3 (100.0)	2 (66.7)	2 (66.7)	0 (0.0)	0 (0.0)	13	1	0	1	0	0
Embezzlement	4 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Fraud	8 (100.0)	5 (62.5)	5 (62.5)	0 (0.0)	0 (0.0)	5	5	0	0	0	0
Drug Offenses ⁶	73 (100.0)	70 (95.9)	67 (91.8)	0 (0.0)	3 (4.1)	55	10	7	9	19	25
Simple Possess.	2 (100.0)	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	5	2	0	0	0	0
Counterfeiting	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	1	1	0	0	0	0
Firearms	41 (100.0)	38 (92.7)	38 (92.7)	0 (0.0)	0 (0.0)	51	9	12	3	7	6
Immigration	110 (100.0)	106 (96.4)	91 (82.7)	3 (2.7)	12 (10.9)	11	60	26	4	1	0
Other	17 (100.0)	14 (82.4)	11 (64.7)	1 (5.9)	2 (11.8)	28	4	4	2	2	2

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	21 (7.8)	13 (4.8)	8 (3.0)	1 (0.4)	31 (11.5)	15	16	0	\$ 6,358 (30)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	4 (40.0)	0	4	0	\$ 9,951 (4)
Larceny	1 (33.3)	1 (33.3)	0 (0.0)	0 (0.0)	2 (66.7)	0	2	0	\$ 5,779 (2)
Embezzlement	4 (100.0)	2 (50.0)	2 (50.0)	0 (0.0)	3 (75.0)	0	3	0	\$ 7,994 (3)
Fraud	2 (25.0)	1 (12.5)	1 (12.5)	1 (12.5)	7 (87.5)	2	5	0	\$ 9,445 (6)
Drug Offenses ⁸	3 (4.1)	1 (1.4)	2 (2.7)	0 (0.0)	4 (5.5)	4	0	0	\$ 3,825 (4)
Simple Possess.	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Counterfeiting	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	1 (50.0)	1	0	0	\$ 500 (1)
Firearms	3 (7.3)	2 (4.9)	1 (2.4)	0 (0.0)	2 (4.9)	2	0	0	\$ 375 (2)
Immigration	4 (3.6)	4 (3.6)	0 (0.0)	0 (0.0)	3 (2.7)	3	0	0	\$ 3,167 (3)
Other	3 (17.7)	1 (5.9)	2 (11.8)	0 (0.0)	5 (29.4)	3	2	0	\$ 6,535 (5)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

**WASHINGTON, Western
9th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

- (1) Seattle
- (2) Tacoma
- (3) Bellingham

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	8	Civil ³	2,307
AUSAs ⁴	32	Criminal ⁵	938
Assistant Federal Defenders ⁶	8		
Probation Officers ⁷	35		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	181	2,497	5,518	11,518	45,012	149,213	18,516	232,455
Per 100,000 Population	5	66	147	306	1,197	3,968	492	6,181

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	3,776,852	Income per Capita ¹¹	\$ 11,362	Police Protection	\$ 55.94
Population per Square Mile ¹²	152.7	Percent Unemployed ¹³	7.5	Elementary and Secondary Education	\$ 495.91
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 70.79
Percent Age 0-14	21.6	Percent Mfg.	18.5	Public Welfare ¹⁶	\$ 2.62
Percent Age 15-24	13.5	Percent Retail	19.3	Highways	\$ 72.98
Percent Age 25-34	18.2	Percent Finance ¹⁷	6.9	Percent acreage in farms ¹⁸	
Percent Age 35-44	16.9	Percent Service	22.9		
Percent Age 45-64	18.2	Percent Govt.	13.5		
Percent Age 65+	11.5	Percent Other	19.0		6.5

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
332	35	31	9	25	30	29	33	39	25	29	12	35

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other				
TOTAL (Row%)	263 (100.0)	147 (55.9)	41 (15.6)	54 (20.5)	21 (8.0)	32.8	\$ 633	TOTAL	329 100.0
MALE	217 (82.5)	116	33	50	18	33.1	\$ 610	PLEA	290 88.1
FEMALE	46 (17.5)	31	8	4	3	31.5	\$ 741	TRIAL	39 11.9

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)						
TOTAL	322 (100.0)	266 (82.6)	249 (77.3)	10 (3.1)	7 (2.2)	55	59	57	22	45	74
Robbery	35 (100.0)	35 (100.0)	34 (97.1)	1 (2.9)	0 (0.0)	118	0	2	1	5	26
Larceny	16 (100.0)	11 (68.8)	7 (43.8)	0 (0.0)	4 (25.0)	17	7	1	2	1	0
Embezzlement	22 (100.0)	7 (31.8)	6 (27.3)	0 (0.0)	1 (4.6)	5	6	1	0	0	0
Fraud	30 (100.0)	21 (70.0)	17 (56.7)	4 (13.3)	0 (0.0)	14	12	1	2	2	0
Drug Offenses ⁶	86 (100.0)	81 (94.2)	80 (93.0)	0 (0.0)	1 (1.2)	79	1	12	9	19	40
Simple Possess.	4 (100.0)	3 (75.0)	0 (0.0)	3 (75.0)	0 (0.0)	2	2	0	0	0	0
Counterfeiting	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	3	1	0	0	0	0
Firearms	35 (100.0)	32 (91.4)	31 (88.6)	0 (0.0)	1 (2.9)	41	8	7	3	9	4
Immigration	51 (100.0)	43 (84.3)	41 (80.4)	2 (3.9)	0 (0.0)	17	16	21	1	3	0
Other	42 (100.0)	32 (76.2)	32 (76.2)	0 (0.0)	0 (0.0)	41	6	12	4	6	4

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	56 (17.4)	25 (7.8)	31 (9.6)	0 (0.0)	127 (39.4)	48	68	11	\$ 209,729 (119)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	28 (80.0)	0	28	0	\$ 14,884 (22)
Larceny	5 (31.3)	2 (12.5)	3 (18.8)	0 (0.0)	12 (75.0)	6	5	1	\$ 62,831 (12)
Embezzlement	15 (68.2)	3 (13.6)	12 (54.6)	0 (0.0)	18 (81.8)	3	12	3	\$ 8,327 (18)
Fraud	9 (30.0)	4 (13.3)	5 (16.7)	0 (0.0)	18 (60.0)	5	10	3	\$ 47,212 (17)
Drug Offenses ⁶	5 (5.8)	3 (3.5)	2 (2.3)	0 (0.0)	6 (7.0)	5	1	0	\$ 8,383 (6)
Simple Possess.	1 (25.0)	1 (25.0)	0 (0.0)	0 (0.0)	2 (50.0)	2	0	0	\$ 1,500 (2)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Firearms	3 (8.6)	2 (5.7)	1 (2.9)	0 (0.0)	18 (51.4)	10	8	0	\$ 5,113 (17)
Immigration	8 (15.7)	5 (9.8)	3 (5.9)	0 (0.0)	9 (17.7)	9	0	0	\$ 2,250 (9)
Other	10 (23.8)	5 (11.9)	5 (11.9)	0 (0.0)	16 (38.1)	8	4	4	\$ 1,422,559 (16)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

WEST VIRGINIA, Northern
4th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Wheeling
(2) Clarksburg
(3) Martinsburg

(4) Elkins
(5) Charleston

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	3	Civil ³	512
AUSAs ⁴	8	Criminal ⁵	142
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	16		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	31	155	177	632	4,437	9,830	997	16,259
Per 100,000 Population	4	20	23	82	576	1,276	129	2,110

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	770,159	Income per Capita ¹¹	\$ 7,974	Police Protection	\$ 23.41
Population per Square Mile ¹²	60.6	Percent Unemployed ¹³	11.0	Elementary and Secondary Education	\$ 432.63
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 66.77
Percent Age 0-14	19.7	Percent Mfg.	14.7	Public Welfare ¹⁶	\$ 1.22
Percent Age 15-24	15.4	Percent Retail	17.5	Highways	\$ 17.98
Percent Age 25-34	14.6	Percent Finance ¹⁷	3.7	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.8	Percent Service	18.4		
Percent Age 45-64	20.2	Percent Govt.	15.7		
Percent Age 65+	15.3	Percent Other	30.0		28.7

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
144	15	16	5	6	8	32	7	7	9	17	11	11

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	Number	Cpl %
		White	Black	Hispanic	Other				
TOTAL (Row%)	125 (100.0)	77 (61.6)	47 (37.6)	1 (0.8)	0 (0.0)	34.7	\$ 520	TOTAL	144
MALE	101 (80.8)	60	40	1	0	34.9	\$ 540	PLEA	124
FEMALE	24 (19.2)	17	7	0	0	33.9	\$ 438	TRIAL	20

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE				LENGTH OF PRISON TERM				
			Prison + Supervised Release	Prison Only	New Split Sentence	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	139 (100.0)	108 (77.7)	103 (74.1)	1 (0.7)	4 (2.9)	54	25	31	10	14	28
Robbery	3 (100.0)	3 (100.0)	3 (100.0)	0 (0.0)	0 (0.0)	58	0	0	0	2	1
Larceny	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Embezzlement	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	15	0	1	0	0	0
Fraud	9 (100.0)	7 (77.8)	7 (77.8)	0 (0.0)	0 (0.0)	14	6	0	0	1	0
Drug Offenses ⁶	85 (100.0)	74 (87.1)	71 (83.5)	0 (0.0)	3 (3.5)	55	14	26	5	8	21
Simple Possess.	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Counterfeiting	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Firearms	9 (100.0)	7 (77.8)	6 (66.7)	1 (11.1)	0 (0.0)	44	2	2	1	1	1
Immigration	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Other	29 (100.0)	16 (55.2)	15 (51.7)	0 (0.0)	1 (3.5)	71	3	2	4	2	5

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	30 (21.6)	10 (7.2)	20 (14.4)	1 (0.7)	104 (74.8)	80	18	6	\$ 5,365 (98)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	3 (100.0)	0	3	0	\$ 2,851 (3)
Larceny	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	1 (50.0)	1	0	0	\$ 2,000 (1)
Embezzlement	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Fraud	2 (22.2)	0 (0.0)	2 (22.2)	0 (0.0)	8 (88.9)	0	7	1	\$ 8,324 (8)
Drug Offenses ⁶	10 (11.8)	1 (1.2)	9 (10.6)	1 (1.2)	63 (74.1)	59	2	2	\$ 4,112 (61)
Simple Possess.	0 (—)	0 (—)	0 (—)	0 (—)	0 (—)	0	0	0	-- (0)
Counterfeiting	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	1 (100.0)	0	1	0	\$ 2,424 (1)
Firearms	2 (22.2)	2 (22.2)	0 (0.0)	0 (0.0)	6 (66.7)	6	0	0	\$ 1,862 (6)
Immigration	0 (—)	0 (—)	0 (—)	0 (—)	0 (—)	0	0	0	-- (0)
Other	13 (44.8)	5 (17.2)	8 (27.6)	0 (0.0)	22 (75.9)	14	5	3	\$ 10,234 (18)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

**WEST VIRGINIA, Southern
4th Circuit**

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Charleston
(2) Huntington
(3) Beckley

(4) Bluefield
(5) Parkersburg

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	5	Civil ³	1,374
AUSAs ⁴	18	Criminal ⁵	345
Assistant Federal Defenders ⁶	4		
Probation Officers ⁷	23		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	71	268	503	1,199	7,348	17,480	1,763	28,632
Per 100,000 Population	7	26	49	117	718	1,708	172	2,797

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	1,023,318	Income per Capita ¹¹	\$ 8,319	Police Protection	\$ 25.63
Population per Square Mile ¹²	89.6	Percent Unemployed ¹³	12.5	Elementary and Secondary Education	\$ 469.36
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 104.30
Percent Age 0-14	20.5	Percent Mfg.	13.0	Public Welfare ¹⁶	\$ 0.75
Percent Age 15-24	14.0	Percent Retail	20.6	Highways	\$ 13.10
Percent Age 25-34	14.6	Percent Finance ¹⁷	4.6	Percent acreage in farms ¹⁸	
Percent Age 35-44	15.4	Percent Service	20.2		
Percent Age 45-64	20.8	Percent Govt.	15.6		
Percent Age 65+	14.8	Percent Other	25.9		16.9

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
380	49	21	34	45	30	28	32	13	24	36	35	33

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²	
		White	Black	Hispanic	Other			Number	Col %
TOTAL (Row%)	316 (100.0)	173 (54.8)	138 (43.7)	4 (1.3)	1 (0.3)	32.5	\$ 566	TOTAL	380 100.0
MALE	273 (86.4)	148	121	3	1	32.9	\$ 609	PLEA	351 92.4
FEMALE	43 (13.6)	25	17	1	0	30.3	\$ 290	TRIAL	29 7.6

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			LENGTH OF PRISON TERM					
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)	Average Months Prison ⁴	PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	372 (100.0)	288 (77.4)	278 (74.7)	3 (0.8)	7 (1.9)	39	79	77	46	34	52
Robbery	2 (100.0)	2 (100.0)	2 (100.0)	0 (0.0)	0 (0.0)	128	0	0	0	1	1
Larceny	3 (100.0)	5 (83.3)	4 (66.7)	0 (0.0)	1 (16.7)	17	2	2	1	0	0
Embezzlement	5 (100.0)	2 (40.0)	2 (40.0)	0 (0.0)	0 (0.0)	14	1	1	0	0	0
Fraud	17 (100.0)	4 (23.5)	4 (23.5)	0 (0.0)	0 (0.0)	30	1	1	0	2	0
Drug Offenses ⁶	281 (100.0)	232 (82.6)	227 (80.8)	2 (0.7)	3 (1.1)	40	63	64	36	21	48
Simple Possess.	7 (100.0)	2 (28.6)	2 (28.6)	0 (0.0)	0 (0.0)	5	2	0	0	0	0
Counterfeiting	4 (100.0)	3 (75.0)	3 (75.0)	0 (0.0)	0 (0.0)	30	2	0	0	0	1
Firearms	17 (100.0)	17 (100.0)	15 (88.2)	0 (0.0)	2 (11.8)	30	2	6	4	5	0
Immigration	0 (100.0)	0 (—)	0 (—)	0 (—)	0 (—)	—	0	0	0	0	0
Other	33 (100.0)	21 (63.6)	19 (57.6)	1 (3.0)	1 (3.0)	41	6	3	5	5	2

CASES INVOLVING PROBATION

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	84 (22.6)	37 (10.0)	47 (12.6)	0 (0.0)	110 (29.6)	77	23	10	\$ 10,583 (98)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	2 (100.0)	0	2	0	\$ 107 (2)
Larceny	1 (16.7)	1 (16.7)	0 (0.0)	0 (0.0)	5 (83.3)	0	4	1	\$ 6,792 (5)
Embezzlement	3 (60.0)	0 (0.0)	3 (60.0)	0 (0.0)	5 (100.0)	0	5	0	\$ 40,646 (4)
Fraud	13 (76.5)	8 (47.1)	5 (29.4)	0 (0.0)	16 (94.1)	2	8	6	\$ 11,824 (15)
Drug Offenses ⁶	49 (17.4)	17 (6.1)	32 (11.4)	0 (0.0)	58 (20.6)	57	1	0	\$ 3,043 (52)
Simple Possess.	5 (71.4)	4 (57.1)	1 (14.3)	0 (0.0)	2 (28.6)	2	0	0	\$ 250 (1)
Counterfeiting	1 (25.0)	1 (25.0)	0 (0.0)	0 (0.0)	3 (75.0)	1	2	0	\$ 18,038 (3)
Firearms	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Immigration	0 (—)	0 (—)	0 (—)	0 (—)	0 (—)	0	0	0	-- (0)
Other	12 (36.4)	6 (18.2)	6 (18.2)	0 (0.0)	19 (57.6)	15	1	3	\$ 28,148 (16)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

WISCONSIN, Eastern
7th Circuit

**City Supplying Sentencing
Guideline Documentation:¹**

(1) Milwaukee

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	6	Civil ³	1,408
AUSAs ⁴	18	Criminal ⁵	254
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	19		

CRIMES REPORTED TO POLICE⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	197	741	5,022	4,124	23,891	93,417	17,223	144,615
Per 100,000 Population	7	25	170	140	809	3,164	583	4,898

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES⁹	
Total Population ¹⁰	2,956,740	Income per Capita ¹¹	\$ 10,834	Police Protection	\$ 88.71
Population per Square Mile ¹²	181.0	Percent Unemployed ¹³	6.9	Elementary and Secondary Education	\$ 477.93
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 140.92
Percent Age 0-14	22.5	Percent Mfg.	29.2	Public Welfare ¹⁶	\$ 52.23
Percent Age 15-24	14.0	Percent Retail	17.5	Highways	\$ 110.90
Percent Age 25-34	17.1	Percent Finance ¹⁷	5.4	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.9	Percent Service	22.0		
Percent Age 45-64	18.4	Percent Govt.	11.6		
Percent Age 65+	12.1	Percent Other	14.3		49.3

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
292	21	24	19	36	22	27	20	22	29	28	25	19

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other				
TOTAL (Row%)	270 (100.0)	110 (40.7)	96 (35.6)	51 (18.9)	13 (4.8)	34.4	\$ 1,253	TOTAL	292 100.0
MALE	223 (82.6)	97	73	42	11	34.7	\$ 944	PLEA	236 80.8
FEMALE	47 (17.4)	13	23	9	2	32.8	\$ 2,721	TRIAL	56 19.2

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON										
		Total Receiving Prison	TYPE OF SENTENCE				Average Months Prison ⁴	LENGTH OF PRISON TERM				
			Prison + Supervised Release	Prison Only	New Split Sentence	PRISON TERM ORDERED (months) ⁵						
						1-12		13-24	25-36	37-60	Over 60	
N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)	N (Row%)							
TOTAL	286 (100.0)	207 (72.4)	188 (65.7)	6 (2.1)	13 (4.6)	69	33	27	16	33	97	
Robbery	20 (100.0)	20 (100.0)	20 (100.0)	0 (0.0)	0 (0.0)	152	0	0	1	2	17	
Larceny	9 (100.0)	6 (66.7)	2 (22.2)	0 (0.0)	4 (44.4)	7	5	1	0	0	0	
Embezzlement	2 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0	
Fraud	63 (100.0)	17 (27.0)	12 (19.1)	1 (1.6)	4 (6.4)	15	11	4	0	2	0	
Drug Offenses ⁶	131 (100.0)	127 (97.0)	121 (92.4)	4 (3.1)	2 (1.5)	108	3	16	11	20	76	
Simple Possess.	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0	
Counterfeiting	2 (100.0)	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	12	1	0	0	0	0	
Firearms	17 (100.0)	15 (88.2)	14 (82.4)	0 (0.0)	1 (5.9)	62	5	2	2	3	3	
Immigration	1 (100.0)	1 (100.0)	0 (0.0)	1 (100.0)	0 (0.0)	12	1	0	0	0	0	
Other	41 (100.0)	20 (48.8)	18 (43.9)	0 (0.0)	2 (4.9)	28	7	4	2	6	1	

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	79 (27.6)	44 (15.4)	35 (12.2)	0 (0.0)	147 (51.4)	50	79	18	\$ 118,033 (146)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	16 (80.0)	0	16	0	\$ 59,308 (16)
Larceny	3 (33.3)	1 (11.1)	2 (22.2)	0 (0.0)	7 (77.8)	1	4	2	\$ 4,844 (7)
Embezzlement	2 (100.0)	0 (0.0)	2 (100.0)	0 (0.0)	2 (100.0)	0	2	0	\$ 14,442 (2)
Fraud	46 (73.0)	21 (33.3)	25 (39.7)	0 (0.0)	49 (77.8)	7	30	12	\$ 243,173 (48)
Drug Offenses ⁶	4 (3.1)	2 (1.5)	2 (1.5)	0 (0.0)	37 (28.2)	18	17	2	\$ 6,402 (37)
Simple Possess.	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Counterfeiting	1 (50.0)	1 (50.0)	0 (0.0)	0 (0.0)	2 (100.0)	0	2	0	\$ 1,800 (2)
Firearms	2 (11.8)	0 (0.0)	2 (11.8)	0 (0.0)	4 (23.5)	2	2	0	\$ 900 (4)
Immigration	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Other	21 (51.2)	19 (46.3)	2 (4.5)	0 (0.0)	30 (73.2)	22	6	2	\$ 143,489 (30)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

WISCONSIN, Western
7th Circuit

Cities Supplying Sentencing
Guideline Documentation:¹

(1) Madison
(2) Eau Claire

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	2	Civil ³	1,085
AUSAs ⁴	10	Criminal ⁵	103
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	11		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	29	271	492	2,068	12,851	51,426	3,148	70,285
Per 100,000 Population	1	14	25	107	664	2,655	163	3,629

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	1,935,029	Income per Capita ¹¹	\$ 9,464	Police Protection	\$ 64.01
Population per Square Mile ¹²	50.8	Percent Unemployed ¹³	7.3	Elementary and Secondary Education	\$ 473.25
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 130.62
Percent Age 0-14	22.0	Percent Mfg.	22.0	Public Welfare ¹⁶	\$ 54.54
Percent Age 15-24	15.4	Percent Retail	20.8	Highways	\$ 146.81
Percent Age 25-34	16.3	Percent Finance ¹⁷	5.5	Percent acreage in farms ¹⁸	
Percent Age 35-44	14.7	Percent Service	21.0		
Percent Age 45-64	18.0	Percent Govt.	15.3		
Percent Age 65+	13.6	Percent Other	15.4		49.5

A complete description of the footnotes is provided in Appendix A.

CASES RECEIVED BY USSC (by sentencing month)

TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
100	10	10	9	7	7	4	15	11	7	6	9	5

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS

GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income	MODE OF CONVICTION ²		
		White	Black	Hispanic	Other				Number	Col %
TOTAL (Row%)	85 (100.0)	70 (82.4)	6 (7.1)	6 (7.1)	3 (3.5)	34.2	\$ 1,019	TOTAL	100	100.0
MALE	68 (80.0)	53	6	6	3	34.7	\$ 1,072	PLEA	92	92.0
FEMALE	17 (20.0)	17	0	0	0	32.2	\$ 805	TRIAL	8	8.0

CASES INVOLVING PRISON

PRIMARY OFFENSE	TOTAL CASES ³ N (Row%)	CASES INVOLVING PRISON									
		Total Receiving Prison N (Row%)	TYPE OF SENTENCE			Average Months Prison ⁴	LENGTH OF PRISON TERM				
			Prison + Supervised Release N (Row%)	Prison Only N (Row%)	New Split Sentence N (Row%)		PRISON TERM ORDERED (months) ⁵				
							1-12	13-24	25-36	37-60	Over 60
TOTAL	100 (100.0)	82 (82.0)	74 (74.0)	1 (1.0)	7 (7.0)	43	19	22	11	14	16
Robbery	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Larceny	10 (100.0)	6 (60.0)	4 (40.0)	0 (0.0)	2 (20.0)	18	3	1	1	1	0
Embezzlement	11 (100.0)	4 (36.4)	4 (36.4)	0 (0.0)	0 (0.0)	20	1	2	1	0	0
Fraud	10 (100.0)	9 (90.0)	5 (50.0)	0 (0.0)	4 (40.0)	21	3	5	0	0	1
Drug Offenses ⁶	49 (100.0)	47 (95.9)	47 (95.9)	0 (0.0)	0 (0.0)	60	5	10	6	11	15
Simple Possess.	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	6	1	0	0	0	0
Counterfeiting	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	18	0	1	0	0	0
Firearms	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Immigration	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Other	18 (100.0)	14 (77.8)	12 (66.7)	1 (5.6)	1 (5.6)	20	6	3	3	2	0

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	18 (18.0)	5 (5.0)	13 (13.0)	0 (0.0)	48 (48.0)	13	33	2	\$ 36,141 (44)
Robbery	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Larceny	4 (40.0)	0 (0.0)	4 (40.0)	0 (0.0)	8 (80.0)	2	6	0	\$ 6,667 (6)
Embezzlement	7 (63.6)	1 (9.1)	6 (54.6)	0 (0.0)	10 (90.9)	6	4	0	\$ 99,673 (9)
Fraud	1 (10.0)	1 (10.0)	0 (0.0)	0 (0.0)	8 (80.0)	0	8	0	\$ 29,931 (7)
Drug Offenses ⁵	2 (4.1)	0 (0.0)	2 (4.1)	0 (0.0)	9 (18.4)	1	8	0	\$ 6,100 (8)
Simple Possess.	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	1	0	0	\$ 1,000 (1)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	0	1	0	\$ 240 (1)
Firearms	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Immigration	0 (-)	0 (-)	0 (-)	0 (-)	0 (-)	0	0	0	-- (0)
Other	4 (22.2)	3 (16.7)	1 (5.6)	0 (0.0)	11 (61.1)	3	6	2	\$ 35,226 (11)

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

WYOMING
10th Circuit

**Cities Supplying Sentencing
Guideline Documentation:¹**

(1) Cheyenne
(2) Casper

SELECTED FEDERAL CRIMINAL JUSTICE INDICATORS			
NUMBER OF COURT PROFESSIONALS		CASES FILED	
Judges ²	3	Civil ³	379
AUSAs ⁴	9	Criminal ⁵	101
Assistant Federal Defenders ⁶	-		
Probation Officers ⁷	6		

CRIMES REPORTED TO POLICE ⁸								
	Murder	Forcible Rape	Robbery	Aggravated Assault	Burglary	Larceny Theft	Motor Vehicle Theft	Crime Index Total
Number of Crimes	22	134	72	1,138	2,858	14,185	676	19,085
Per 100,000 Population	5	30	16	251	630	3,129	149	4,210

SELECTED DEMOGRAPHIC INDICATORS					
POPULATION		ECONOMIC		PER CAPITA LOCAL EXPENDITURES ⁹	
Total Population ¹⁰	453,588	Income per Capita ¹¹	\$ 9,782	Police Protection	\$ 77.75
Population per Square Mile ¹²	4.8	Percent Unemployed ¹³	9.0	Elementary and Secondary Education	\$ 851.00
AGE DISTRIBUTION ¹⁴		DISTRIBUTION OF NONFARM EMPLOYMENT ¹⁵		Health & Hospitals	\$ 209.93
Percent Age 0-14	25.2	Percent Mfg.	4.7	Public Welfare ¹⁶	\$ 1.94
Percent Age 15-24	13.8	Percent Retail	20.2	Highways	\$ 128.29
Percent Age 25-34	16.4	Percent Finance ¹⁷	4.5	Percent acreage in farms ¹⁸	
Percent Age 35-44	16.4	Percent Service	17.7		
Percent Age 45-64	17.9	Percent Govt.	20.6		
Percent Age 65+	10.4	Percent Other	32.4		54.0

A complete description of the footnotes is provided in Appendix A.

FISCAL YEAR 1991 GUIDELINE SENTENCES

Wyoming

CASES RECEIVED BY USSC (by sentencing month)												
TOTAL	Oct 90	Nov 90	Dec 90	Jan 91	Feb 91	Mar 91	Apr 91	May 91	Jun 91	Jul 91	Aug 91	Sep 91
89	8	2	4	7	10	14	11	8	8	3	8	6

DEMOGRAPHIC INFORMATION ON SENTENCED DEFENDANTS								MODE OF CONVICTION ²	
GENDER	TOTAL ¹ N (Col %)	RACE				Average Age	Average Monthly Income		
		White	Black	Hispanic	Other				
TOTAL (Row%)	80 (100.0)	62 (77.5)	3 (3.6)	6 (7.5)	9 (11.3)	34.0	\$ 473	TOTAL	89 100.0
MALE	67 (83.7)	51	3	4	9	33.5	\$ 474	PLEA	81 91.0
FEMALE	13 (16.3)	11	0	2	0	36.4	\$ 470	TRIAL	8 9.0

PRIMARY OFFENSE	TOTAL CASES ³	CASES INVOLVING PRISON									
		Total Receiving Prison	TYPE OF SENTENCE			Average Months Prison ⁴	LENGTH OF PRISON TERM				
			Prison + Supervised Release	Prison Only	New Split Sentence		PRISON TERM ORDERED (months) ⁵				
							N (Row%)	N (Row%)	N (Row%)	1-12	13-24
TOTAL	88 (100.0)	71 (80.7)	62 (79.5)	5 (5.7)	4 (4.6)	38	28	8	9	13	13
Robbery	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	42	0	0	0	1	0
Larceny	3 (100.0)	1 (33.3)	1 (33.3)	0 (0.0)	0 (0.0)	20	0	1	0	0	0
Embezzlement	3 (100.0)	2 (66.7)	2 (66.7)	0 (0.0)	0 (0.0)	4	2	0	0	0	0
Fraud	14 (100.0)	5 (35.7)	4 (28.6)	0 (0.0)	1 (7.1)	18	4	0	0	1	0
Drug Offenses ⁶	29 (100.0)	28 (96.6)	28 (96.6)	0 (0.0)	0 (0.0)	52	6	2	4	6	10
Simple Possess.	1 (100.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	--	0	0	0	0	0
Counterfeiting	1 (100.0)	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	8	1	0	0	0	0
Firearms	15 (100.0)	14 (93.3)	8 (53.3)	4 (26.7)	2 (13.3)	35	9	2	0	1	2
Immigration	0 (100.0)	0 (--)	0 (--)	0 (--)	0 (--)	--	0	0	0	0	0
Other	21 (100.0)	19 (90.5)	17 (81.0)	1 (4.8)	1 (4.8)	32	6	3	5	4	1

PRIMARY OFFENSE	CASES INVOLVING PROBATION			OTHER CASES	CASES INVOLVING FINES AND RESTITUTION				
	Total Receiving Probation N (Row%)	TYPE OF SENTENCE			Total Receiving Fines and Restitution N (Row%)	TYPE OF SENTENCE			Average Dollar Amount ⁷ \$ (N)
		Probation Only N (Row%)	Probation + Confinement N (Row%)			Fine Only	Restitution Only	Both	
TOTAL	17 (19.3)	11 (12.5)	6 (6.8)	0 (0.0)	18 (20.5)	6	12	0	\$ 19,083 (16)
Robbery	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Larceny	2 (66.7)	1 (33.3)	1 (33.3)	0 (0.0)	2 (66.7)	0	2	0	\$ 806 (2)
Embezzlement	1 (33.3)	1 (33.3)	0 (0.0)	0 (0.0)	3 (100.0)	0	3	0	\$ 6,662 (3)
Fraud	9 (64.3)	5 (35.7)	4 (28.6)	0 (0.0)	4 (28.6)	0	4	0	\$ 2,810 (3)
Drug Offenses ⁶	1 (3.5)	1 (3.5)	0 (0.0)	0 (0.0)	2 (6.9)	2	0	0	\$ 7,750 (2)
Simple Possess.	1 (100.0)	1 (100.0)	0 (0.0)	0 (0.0)	1 (100.0)	1	0	0	\$ 500 (1)
Counterfeiting	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	1 (100.0)	0	1	0	\$ 1,056 (1)
Firearms	1 (6.7)	1 (6.7)	0 (0.0)	0 (0.0)	0 (0.0)	0	0	0	-- (0)
Immigration	0 (--)	0 (--)	0 (--)	0 (--)	0 (--)	0	0	0	-- (0)
Other	2 (9.5)	1 (4.8)	1 (4.8)	0 (0.0)	5 (23.8)	3	2	0	\$ 64,563 (4)

Footnotes and a complete description of all variables in this table are provided in Appendix A.
SOURCE: U.S. Sentencing Commission, FY1991 Data File, MONFY91

Appendix C

Supplementary Tables

Table C-1

AGE, RACE, AND GENDER OF OFFENDERS SENTENCED UNDER GUIDELINES* (October 1, 1990 through September 30, 1991)

AGE	RACE									
	TOTAL		WHITE		BLACK		HISPANIC		OTHER	
	Number	Percent	Male	Female	Male	Female	Male	Female	Male	Female
Under 18	8	0.0	0	0	2	1	3	1	1	0
18	183	0.6	32	9	65	9	52	6	9	1
19	557	1.7	112	36	195	33	136	17	27	1
20	831	2.6	192	58	258	52	214	30	24	3
21	959	2.9	213	66	299	66	249	23	34	9
22	1,011	3.1	228	70	287	75	280	26	40	5
23	1,169	3.6	284	89	317	87	305	43	39	5
24	1,235	3.8	296	87	362	87	316	41	42	4
25	1,200	3.7	307	67	348	83	306	38	42	9
26	1,289	4.0	365	92	304	96	348	38	38	8
27	1,328	4.1	351	110	332	91	344	39	49	12
28	1,378	4.2	414	111	358	85	311	43	45	11
29	1,342	4.1	407	90	324	92	349	40	36	4
30	1,329	4.1	418	85	337	94	313	36	39	7
31	1,287	4.0	462	97	278	68	287	38	50	7
32	1,272	3.9	436	98	296	81	271	37	44	9
33	1,198	3.7	452	86	263	57	261	29	40	10
34	1,200	3.7	447	100	252	71	236	24	60	10
35	1,091	3.4	419	82	239	50	226	33	36	6
36	1,036	3.2	410	77	203	55	220	27	35	9
37	1,048	3.2	425	78	206	54	210	26	39	10
38	959	2.9	389	83	174	42	208	27	31	5
39	852	2.6	374	69	141	43	167	19	28	11
40	816	2.5	348	73	130	45	160	21	32	7
41	765	2.4	348	48	143	34	136	21	21	14
42	750	2.3	338	60	121	35	143	27	22	4
43	729	2.2	373	54	119	30	113	14	22	4
44	591	1.8	329	42	68	23	88	12	20	9
45	509	1.6	248	40	71	29	78	17	20	6
46	476	1.5	236	40	62	17	78	12	25	6
47	473	1.5	273	32	45	17	77	12	9	8
48	417	1.3	226	40	48	12	66	13	9	3
49	413	1.3	235	23	49	18	65	10	8	5
50	304	0.9	165	20	44	7	45	6	13	4
51	277	0.9	147	24	36	9	43	6	9	3
52	267	0.8	150	19	42	6	30	9	10	1
53	244	0.8	128	16	30	4	45	8	12	1
54	218	0.7	116	18	22	10	35	6	9	2
55	204	0.6	105	15	33	11	25	7	7	1
56	169	0.5	97	15	22	5	22	2	6	0
57	147	0.5	86	11	17	7	16	1	7	2
58	136	0.4	74	10	22	4	15	5	4	2
59	135	0.4	90	13	12	0	15	4	1	0
60	116	0.4	68	10	17	4	14	0	3	0
61	94	0.3	64	9	9	2	7	2	1	0
62	113	0.4	65	14	9	3	16	2	4	0
63	79	0.2	51	7	3	5	8	1	2	2
64	74	0.2	49	10	9	1	3	1	1	0
65	63	0.2	32	8	7	0	13	1	2	0
Over 65	241	0.7	165	31	18	3	13	3	6	2
TOTAL	32,582	100.0	12,039	2,442	7,048	1,813	6,981	904	1,113	242
Percent	100.0		37.0	7.5	21.6	5.6	21.4	2.8	3.4	0.7
Race Column Total			14,481 (44.5)		8,861 (27.2)		7,885 (24.2)		1,355 (4.1)	

*Of the 33,419 guideline cases, 837 cases were excluded due to one or more of the following conditions: missing age (468), missing race (730), or missing gender (410). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table C-2

TYPE OF GUIDELINE SENTENCE IMPOSED*
(October 1, 1990 through September 30, 1991)

TYPE OF SENTENCE IMPOSED	NUMBER	PERCENT
Prison and Supervised Release	23,703	72.3
Prison Only	691	2.1
New Split Sentence	694	2.1
Probation and Confinement	2,872	8.8
Probation Only	4,737	14.4
Other	108	0.3
Total	32,805	100.0

*Of the 33,419 guideline cases, 324 cases involving mixed law counts (both guideline and pre-guideline) were excluded. In addition, 290 cases were excluded due to missing sentencing information. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1991 Data File, MONFY91.

Table C-3

**ORGANIZATIONS SENTENCED BY PRIMARY OFFENSE CATEGORY
(January 1, 1988 through June 30, 1990)**

Offense Type	Number of Defendants	Percent of Defendants
Fraud	247	31.9
Food and Drug Act	37	4.8
Environmental	77	9.9
Antitrust	179	23.1
Taxation	56	7.2
Property	35	4.5
Public Officials	10	1.3
Racketeering	17	2.2
Obscenity	23	3.0
National Defense	28	3.6
Other	65	8.4
Total	774	100.0

Sources: United States Sentencing Commission, Organizations Sentenced in Federal District Courts, 1988; Organizations Sentenced in Federal District Courts, 1989-90.

Table C-4

**NET WORTH OF ORGANIZATION AND MEDIAN CRIMINAL FINE IMPOSED
(January 1, 1988 through June 30, 1990)**

Net Worth of Organization	Number of Defendants	Median Fine Imposed
Insolvent	72	\$15,000
Less than \$100,000	55	\$10,000
\$100,000 - \$499,999	90	\$20,000
\$500,000 - \$999,999	28	\$50,000
\$1,000,000 +	85	\$100,000
Total	330	\$20,000

Sources: United States Sentencing Commission, Organizations Sentenced in Federal District Courts, 1988; Organizations Sentenced in Federal District Courts, 1989-90.

Table C-5

DISTRIBUTION OF ORGANIZATIONAL FINE AMOUNTS
(January 1, 1988 through June 30, 1990)

Criminal Fine Imposed	Number of Defendants	Percent of Defendants
0 - \$1,999	137	17.7
\$2,000 - \$4,999	43	5.6
\$5,000 - \$9,999	78	10.1
\$10,000 - \$19,999	112	14.5
\$20,000 - \$39,999	95	12.3
\$40,000 - \$69,999	77	10.0
\$70,000 - \$119,999	63	8.1
\$120,000 - \$199,999	21	2.7
\$200,000 - \$349,999	55	7.1
\$350,000 - \$499,999	14	1.8
\$500,000 - \$999,999	38	4.9
\$1,000,000 +	41	5.3
Total	774	100.0

Sources: United States Sentencing Commission, Organizations Sentenced in Federal District Courts, 1988; Organizations Sentenced in Federal District Courts, 1989-90.