Introduction


The Commission has continued its statutory mission to collect data on federal sentencing decisions. The Commission received documentation on 72,585 cases sentenced in 2006 under the Sentencing Reform Act. The Commission coded and assimilated the information from these sentencings into its comprehensive, computerized data collection system.

Background

The Commission collects and analyzes data on federal sentences to support its varied activities. As authorized by Congress, the Commission’s numerous research responsibilities include (1) the establishment of a research and development program to serve as a clearinghouse and information center for the collection, preparation, and dissemination of information on federal sentencing practices; (2) the publication of data concerning the sentencing process; (3) 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; and (4) the systematic collection and dissemination of information regarding the effectiveness of sentences imposed (28 U.S.C. § 995(a)(12) and (14) through (16).

The Commission maintains a comprehensive, computerized data collection system which forms the basis for its clearinghouse of federal sentencing information and which contributes to the agency’s research mission.

Pursuant to 28 U.S.C. § 994(w), each chief judge of a district is required to ensure that within 30 days of entry of judgment in a criminal case, the sentencing court submits a report of sentence to the Commission that includes (1) the judgment and commitment order; (2) the statement of reasons; (3) any plea agreement; (4) the indictment or other charging document; (5) the presentence report; and (6) any other information the Commission needs.

On March 9, 2006, the President signed into law the USA PATRIOT Improvement and Reauthorization Act, Pub. L. No. 109–177, which amended section 994(w) with a provision that requires that the statement of reasons for the sentence imposed be “stated on the written statement of reasons form issued by the Judicial Conference and approved by the United States Sentencing Commission.” On May 15, 2006, the Sentencing Commission approved AO Form 245B/C, Rev. 06/05 for individual defendants, and sentencing courts are now required to use this form.

Data from these documents are extracted and coded for input into various databases. It should be noted that data collection is a dynamic rather than a static process. When research questions arise, the Commission either analyzes existing data or adds information to its data collection system.

The Commission’s computerized datasets, without individual identifiers, are available via tape and the Internet through the Inter-University Consortium for Political and Social Research at the University of Michigan (ICPSR) and the Federal Justice Statistics Resource Center.1
Datasets

For each case in its Offender Dataset, the Commission routinely collects case identifiers, sentencing data, demographic variables, statutory information, the complete range of court guideline decisions, and departure and variance information. Throughout 2006, the Commission continued to add data elements to its extensive computerized datafile on defendants sentenced under the guidelines. In addition to its standard data collection, the Commission often codes additional variables to study various distinct issues (e.g., drug offenses, criminal history).

The Commission’s 2006 USSC Offender Dataset contains documentation on 72,585 cases sentenced under the Sentencing Reform Act between October 1, 2005, and September 30, 2006. A “case” is defined as one sentencing event for an individual defendant.

The Organizational Dataset captures information on organizations sentenced under Chapter Eight of the guidelines. The Commission collects available data on organizational structure, size, and economic viability; offense of conviction; mode of adjudication; sanctions imposed (including probation and court-ordered compliance programs); and application of the sentencing guidelines. The Commission received information on 217 organizations that were sentenced under Chapter Eight of the sentencing guidelines in 2006.

While the 2006 reporting year includes cases sentenced between October 1, 2005, and September 30, 2006, it is important to note that the offender and organizational data collected and analyzed in the 2006 Annual Report and 2006 Sourcebook of Sentencing Statistics reflect only cases reported to the Commission (i.e., guidelines cases for which the courts forwarded appropriate documentation to the Commission).

The Appeals Dataset tracks appellate review of sentencing decisions. Information captured in this module includes district, circuit, date of opinion, sentencing issues, and the appellate court’s disposition. The Commission also tracks final opinions and orders, both published and unpublished, in federal criminal appeals. In 2006, the Commission gathered information on 10,052 appellate court cases.

The appeals data system uses both the “group” and the “defendant” units of analysis. Each group comprises individual records representing all codefendants participating in a consolidated appeal. Each defendant’s record comprises the sentencing-related issues corresponding to that particular defendant. These records, linked together by a unique Commission-assigned appeals identification number, constitute a single group.

1 Commission datasets can be accessed using the Internet address http://www.ICPSR.umich.edu/ or http://fjsrc.urban.org/index.cfm.


Table of Contents

Tables and Figures

<table>
<thead>
<tr>
<th>Topic</th>
<th>Table/Figure Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Circuit and District Statistics</td>
<td></td>
</tr>
<tr>
<td>Document Submission Rate of Each</td>
<td>Table 1</td>
</tr>
<tr>
<td>Circuit and District</td>
<td></td>
</tr>
</tbody>
</table>
Guideline Offenders in Each Circuit and District Table 2

Primary Offense and Offender Characteristics

Distribution of Offenders in Each Primary Offense Category Figure A
Guideline Offenders in Each Primary Offense Category Table 3
Number of Guideline Offenders in Selected Offense Types Figure B
Race of Offenders in Each Primary Offense Category Table 4
Gender of Offenders in Each Primary Offense Category Table 5
Age Of Offenders in Each Primary Offense Category Table 6
Age, Race, and Gender of Offenders Table 7
Education of Offenders in Each Primary Offense Category Table 8
Citizenship of Offenders in Each Primary Offense Category Table 9

Sentencing Information

Guilty Pleas and Trial Rates Figure C
Guilty Pleas and Trials in Each Circuit and District Table 10
Guilty Pleas and Trials in Each Primary Offense Category Table 11
Distribution of Offenders Receiving Sentencing Options Figure D
Offenders Receiving Sentencing Options in Each Primary Offense Category Table 12
Average Sentence Length in Each Primary Offense Category Table 13
Average Length of Imprisonment for Offenders in Each Criminal History Category by Primary Offense Category Table 14
Average Length of Imprisonment in Each General Crime Category Figure E
Offenders Receiving Fines and Restitution in Each Primary Offense Category Table 15
Type of Sentence Imposed on Offenders in Each Sentencing Zone Table 16
Imprisonment Rates of Offenders Eligible for Non-Prison Sentences in Selected Offense Types Figure F

Guideline Application

Offenders Sentenced for Each Chapter Two Guideline Table 17
Offenders Receiving Each Chapter Three Guideline Adjustment Table 18
Offenders Receiving Acceptance of Responsibility Reductions in Each Primary Offense Category Table 19
Offenders Receiving Chapter Four Criminal History Points Table 20
Offenders in Each Offense Level and Criminal History Category Table 21
Offenders Receiving Career Offender/Armed Career Criminal Adjustments in Each Primary Offense Category Table 22
Offenders in Each Guideline Sentencing Range Table 23

Departures and Sentences Within the Guideline Range

National Comparison of Sentence Imposed and Position Relative to the Guideline Range Table N
Comparison of Sentence Imposed and Position Relative to the Guideline Range by Circuit (DC Circuit) Table N-DC
Comparison of Sentence Imposed and Position Relative to the Guideline Range by Circuit (1st Circuit) Table N-1
Comparison of Sentence Imposed and Position Relative to the Guideline Range by Circuit (2nd Circuit) Table N-2
Drug Cases

Distribution of Guideline Drug Offenses
Primary Drug Type of Offenders Sentenced Under Each Drug Guideline
Race of Drug Offenders for Each Drug Type
Gender of Drug Offenders for Each Drug Type
Citizenship of Drug Offenders for Each Drug Type
Criminal History Category of Drug Offenders for Each Drug Type
Plea and Trial Rates of Drug Offenders for Each Drug Type
Weapon Involvement of Drug Offenders for Each Drug Type
Role Adjustment of Drug Offenders for Each Drug Type
Acceptance of Responsibility of Drug Offenders for Each Drug Type
Mean and Median Drug Amounts (In Grams) for Selected Base Offense Levels and Drug Types
Drug Offenders Receiving Mandatory Minimums for Each Drug Type
Drug Offenders Receiving Safety Valve and Mandatory Minimums for Each Drug Type
Sentences Relative to the Guideline Range for Drug Offenders by Each Drug Type
Average Length of Imprisonment in Each Drug Type
Distribution of Drug Type
Mean Length of Imprisonment for Each Drug Type

Immigration Cases

Demographic and Offense Information for Immigration Offenses
Age of Offenders Sentenced Under Immigration Guidelines
Citizenship of Offenders Sentenced Under Immigration Guidelines
Criminal History Category and Citizenship of Offenders Sentenced Under Immigration Guidelines
Mean and Median Sentences of Offenders Sentenced under Immigration Guidelines by Departure Status

Organizational Sentencing Practices
Organizations Receiving Fines or Restitution by Primary Offense Category and Applicability of Chapter Eight Fine Guidelines
Mean and Median Fine or Restitution Imposed on Sentenced Organizations by Primary Offense Category
Chapter Eight Organizational Sentencing Components
Organizations Sentenced Under Chapter Eight: Culpability Factors

Sentencing Appeals
Types of Appeal in Each Circuit and District
Type and Disposition of Appeals Cases
Disposition of Defendant Sentencing Appeals in Each Circuit and District
Disposition of Government Sentencing Appeals in Each Circuit and District
Guideline Involved in Issues Appealed by the Defendants
Guideline Involved in Issues Appealed by the Government
Sentencing Issues Appealed for Selected Guidelines
Offense and Offender Characteristics of Appeals Defendants
Average Length of Imprisonment for Appeals Defendants in Each Primary Offense Category

Appendix A
Descriptions of Datafiles, Variables, and Footnotes

Appendix B
Selected Sentencing Statistics by District
- National
- Alaska
- Alabama Middle
- Alabama Northern
- Alabama Southern
- Arkansas Eastern
- Arkansas Western
- Arizona
- California Central
- California Eastern
- California Northern
- California Southern
- Colorado
- Connecticut
- District of Columbia
- Delaware
- Florida Middle
- Florida Northern
- Florida Southern
- Georgia Middle
- Georgia Northern
- Georgia Southern
- Guam
- Hawaii
- Iowa Northern
- Iowa Southern
- Idaho
- Illinois Central
- Illinois Northern
- Illinois Southern
- Indiana Northern
- Indiana Southern
- Kansas
- Kentucky Eastern
- Kentucky Western
- Louisiana Eastern
- Louisiana Middle
- Louisiana Western
- Massachusetts
- Maryland
- Maine
- Michigan Eastern
- Michigan Western
- Minnesota
- Missouri Eastern
- Missouri Western
- Mississippi Northern
- Mississippi Southern
- Montana
- North Carolina Eastern
- North Carolina Middle
- North Carolina Western
- North Dakota
- Nebraska
- New Hampshire
- New Jersey
- New Mexico
- Northern Mariana Islands
- Nevada
- New York Eastern
- New York Northern
- New York Southern
- New York Western
- Ohio Northern
- Ohio Southern
- Oklahoma Eastern
- Oklahoma Northern
- Oklahoma Western
- Oregon
- Pennsylvania Eastern
- Pennsylvania Middle
- Pennsylvania Western
- Puerto Rico
- Rhode Island
- South Carolina
- South Dakota
- Tennessee Eastern
- Tennessee Middle
- Tennessee Western
- Texas Eastern
- Texas Northern
- Texas Southern
- Texas Western
- Utah
- Virginia Eastern
- Virginia Western
- Virgin Islands
- Vermont
- Washington Eastern
- Washington Western
- Wisconsin Eastern
- Wisconsin Western
- West Virginia Northern
- West Virginia Southern
- Wyoming