United States Sentencing Commission

Statistical Information Packet
Fiscal Years 2007 - 2011
Judge Richard G. Kopf
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Of the 400,862 guideline cases, 4,079 cases were excluded due to one of the following reasons: missing primary offense category (150) or missing drug type (3,929).

Of the 681 guideline cases sentenced by Judge Richard G. Kopf, two cases were excluded due to missing drug type.

1 Of the 400,862 guideline cases, 4,079 cases were excluded due to one of the following reasons: missing primary offense category (150) or missing drug type (3,929). Of the 681 guideline cases sentenced by Judge Richard G. Kopf, two cases were excluded due to missing drug type.

2 The Non-Fraud White Collar category includes the following offense types: embezzlement, forgery/counterfeiting, bribery, money laundering, and tax.

### DISTRIBUTION OF GUIDELINE OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY

**Fiscal Years 2007 - 2011**

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Of the 400,862 guideline cases, 150 cases were excluded due to missing information on primary offense category.

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Of the 400,862 guideline cases, 163 cases were excluded due to missing information on mode of conviction.

## GUILTY PLEAS AND TRIALS IN EACH PRIMARY OFFENSE CATEGORY
### Fiscal Years 2007 - 2011

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Of the 400,862 guideline cases, 166 cases were excluded due to one or both of the following reasons: missing primary offense category (150) or missing mode of conviction (163).

Of the 681 guideline cases sentenced by Judge Richard G. Kopf, no cases were excluded due to missing information on mode of conviction.

### Table 4

**TYPE OF SENTENCE IMPOSED BY PRIMARY OFFENSE CATEGORY**

**Fiscal Years 2007 - 2011**

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Of the 400,862 guideline cases, 4,034 cases were excluded due to one or more of the following reasons: missing sentencing information (307), missing primary offense category (150), or cases in which the defendant received no imprisonment or probation (3,722).

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<th>%</th>
<th>N</th>
<th>%</th>
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<th>%</th>
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Of the 681 guideline cases sentenced by Judge Richard G. Kopf, one case was excluded due to cases in which the defendant received no imprisonment or probation.

### Table 6
INCARCERATION RATE OF U.S. CITIZEN DEFENDANTS ELIGIBLE FOR NON-PRISON SENTENCES
BY PRIMARY OFFENSE CATEGORY
Fiscal Years 2007 - 2011

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<th>National</th>
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<td>N</td>
<td>%</td>
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Of the 400,862 guideline cases, a U.S. Citizen was the defendant in 216,678 cases. Of these, 190,239 cases were excluded due to one or more of the following reasons: defendant ineligible for non-prison sentence (190,239), or missing sentencing information (99).

Of the 681 guideline cases sentenced by Judge Richard G. Kopf, 473 were U.S. Citizens. Of these, 454 cases were excluded due to the defendant being ineligible for non-prison sentence.

Table 7

LENGTH OF IMPRISONMENT BY PRIMARY OFFENSE CATEGORY
Fiscal Years 2007 - 2011

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Of the 400,862 guideline cases, 55,621 cases were excluded for one or more of the following reasons: zero months prison ordered (51,567), missing primary offense category (150) or missing or indeterminable sentencing information (4,054).

Of the 681 guideline cases sentenced by Judge Richard G. Kopf, 54 cases were excluded due to one of the following reasons: zero prison months ordered (53) or missing or indeterminable sentencing information (1).

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<tr>
<th>Category</th>
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<th>%</th>
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1 This table reflects the 400,862 cases sentenced nationally in Fiscal Years 2007 - 2011, 681 of which were sentenced by Judge Richard G. Kopf. Of these, 10,720 cases nationally and one case sentenced by Judge Richard G. Kopf were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range.

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

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

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

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

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

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<th>CIRCUIT</th>
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<th>ABOVE RANGE DEPARTURE W/BOOKER</th>
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Of the 400,862 cases, 10,720 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. The information needed to determine the relationship between the sentence imposed and the guideline range was missing in five percent or more of the cases received from: Middle Georgia (23.0%), Western Oklahoma (18.8%), Eastern Virginia (13.2%), Arizona (9.1%), Central California (7.9%), Maryland (7.4%), Middle Tennessee (6.0%), and Southern Mississippi (5.5%).

### Table 10

**SENTENCES RELATIVE TO THE GUIDELINE RANGE**
**BY SELECTED PRIMARY OFFENSE CATEGORY**

**Fiscal Years 2007 - 2011**

#### National

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<th>ABOVE RANGE DEPARTURE W/BOOKER</th>
<th>ABOVE RANGE W/BOOKER</th>
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#### Judge Richard G. Kopf

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<td>86 3.9</td>
<td>69 3.1</td>
<td>43 1.9</td>
<td>46 2.1</td>
<td>376 17.0</td>
<td>44 2.0</td>
<td></td>
</tr>
<tr>
<td>Forgery/Counterfeiting</td>
<td>538 11.2</td>
<td>102 2.1</td>
<td>80 1.7</td>
<td>49 1.0</td>
<td>556 11.5</td>
<td>67 1.4</td>
<td></td>
</tr>
<tr>
<td>Immigration</td>
<td>1,554 1.3</td>
<td>3,990 3.3</td>
<td>3,103 2.6</td>
<td>599 0.5</td>
<td>7,038 5.8</td>
<td>909 0.8</td>
<td></td>
</tr>
<tr>
<td>Other Miscellaneous Offenses</td>
<td>5,118 10.5</td>
<td>3,381 6.9</td>
<td>1,161 2.4</td>
<td>914 1.9</td>
<td>8,472 17.3</td>
<td>716 1.5</td>
<td></td>
</tr>
</tbody>
</table>

Of the 400,862 guideline cases, 10,853 cases were excluded due to one or both of the following reasons: missing information from the submitted documents that prevented the comparison of the sentence and the guideline range (10,720) or missing primary offense (150).

Of the 681 guideline cases sentenced by Judge Richard G. Kopf, one case was excluded due to missing information from the from the submitted documents that prevented the comparison of the sentence and the guideline range.

**Source:** U.S. Sentencing Commission, 2007 - 2011 Datafiles, USSCFY07 - USSCFY11.