

The Lorax's Guide to Environmental Restorative Justice

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Overview

- The Restorative Justice Movement
- Standing in federal courts
- Environmental Restorative Justice

The Restorative Justice Movement

- Howard Zehr
 - Changing Lenses: Restorative Justice for Our Times
- Approaches in various countries
 - New South Wales, Australia – The Land and Environment Court
 - New Zealand’s Victim’s Rights Act of 2002
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- The importance of victim representation
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Standing in federal courts

- *Sierra Club v. Morton*
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- Proposed solutions to environmental standing
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Environmental Restorative Justice

- Restorative Justice's effect on recidivism
 - US Sentencing Commission Sourcebook – Comparison from 1996 -2022
 - Organizations -> No increase in sentencing
 - Individuals -> Increase in sentencing
 - Fines & Restitution
 - Organizations -> Increase in average amount imposed
 - Individuals -> Increase in average amount imposed
 - Imprisonment or Probation
 - Increase in number receiving imprisonment or probation
 - No 1996 data on probation
 - Slight decrease in length of sentence

Table 46

**FINE AND RESTITUTION IMPOSED BY PRIMARY OFFENSE CATEGORY
ON SENTENCED ORGANIZATIONS¹
(October 1, 1995, through September 30, 1996)**

PRIMARY OFFENSE	TOTAL		FINE IMPOSED				RESTITUTION IMPOSED			
	Number	Percent	Number	Percent	Mean	Median	Number	Percent	Mean	Median
TOTAL	155	100.0	114	73.5	\$1,120,023	\$89,000	46	29.7	\$566,839	\$58,151
Administration of Justice	2	1.3	0	0.0	–	–	2	100.0	\$1,200,000	\$1,200,000
Antitrust	14	9.0	14	100.0	\$1,226,221	\$315,000	1	7.1	\$194,000	–
Bribery	3	1.9	3	100.0	\$17,333	\$10,000	2	66.7	\$174,807	\$174,807
Civil Rights	1	0.6	1	100.0	\$5,000	–	0	0.0	–	–
Copyright/Trademark Infringement	3	1.9	3	100.0	\$24,333	\$8,000	0	0.0	–	–
Drugs	4	2.6	3	75.0	\$1,733	\$1,500	1	25.0	\$32	–
Environmental (Waste Discharge)	22	14.2	18	81.8	\$4,698,167	\$135,000	4	18.2	\$76,280	\$75,000
Environmental (Wildlife)	3	1.9	2	66.7	\$62,500	\$62,500	2	66.7	\$2,473	\$2,473
Export Violations	1	0.6	1	100.0	\$112,500	–	0	0.0	–	–
Firearms	2	1.3	2	100.0	\$205,658	\$205,658	0	0.0	–	–
Food & Drug	6	3.9	4	66.7	\$12,250	\$9,000	1	16.7	\$500,000	–
Forgery	1	0.6	1	100.0	\$5,000	–	1	100.0	\$40,000	–
Fraud	55	35.5	34	61.8	\$403,665	\$69,000	22	40.0	\$493,565	\$74,134
Gambling	2	1.3	2	100.0	\$40,000	\$40,000	0	0.0	–	–
Immigration	1	0.6	1	100.0	\$13,000	–	0	0.0	–	–
Larceny	2	1.3	2	100.0	\$14,000	\$14,000	0	0.0	–	–
Money Laundering	17	11.0	10	58.8	\$450,100	\$175,000	5	29.4	\$2,159,953	\$710,119
Pornography/Prostitution	1	0.6	1	100.0	\$600,000	–	0	0.0	–	–
Racketeering	1	0.6	1	100.0	\$5,600,000	–	0	0.0	–	–
Tax	9	5.8	8	88.9	\$18,625	\$15,500	3	33.3	\$188,141	\$47,225
Other	5	3.2	3	60.0	\$138,333	\$100,000	2	40.0	\$29,130	\$29,130

¹Of the 160 cases organizations sentenced pursuant to Chapter Eight or Chapter 2, Part R, five cases were excluded due to missing primary offense category. Descriptions of variables used in this table are provided in Appendix A. A description of Chapter Eight restitution provisions can be found in USSG §8B1.1.

SOURCE: U.S. Sentencing Commission, Organizational Defendants, 1996.

Table O-2

AMOUNT OF FINE AND RESTITUTION ORDERED FOR ORGANIZATIONAL OFFENDERS BY TYPE OF CRIME¹
Fiscal Year 2022

TYPE OF CRIME	FINE ORDERED				RESTITUTION ORDERED ²				FINE OR RESTITUTION ORDERED			
	N	Mean	Median	Sum	N	Mean	Median	Sum	N	Mean	Median	Sum
TOTAL	60	\$9,368,282	\$262,500	\$562,096,918	44	\$255,786,196	\$1,480,283	\$11,254,592,626	90	\$131,296,550	\$719,219	\$11,816,689,544
Administration of Justice	1	-	-	-	0	-	-	-	1	-	-	-
Antitrust	3	\$114,190,561	\$1,200,000	\$342,571,682	1	-	-	-	3	\$114,350,861	\$1,200,000	\$343,052,582
Archaeological Damage	0	-	-	-	0	-	-	-	0	-	-	-
Public Corruption: Bribery/Gratuity/Extortion	2	-	-	-	1	-	-	-	2	-	-	-
Civil	0	-	-	-	0	-	-	-	0	-	-	-
Contraband	0	-	-	-	0	-	-	-	0	-	-	-
Copyright/Trademark	2	-	-	-	1	-	-	-	2	-	-	-
Drugs	2	-	-	-	1	-	-	-	3	\$1,826,307	\$500,000	\$5,478,921
Environmental - Water	10	\$4,222,100	\$1,550,000	\$42,221,000	1	-	-	-	10	\$4,222,854	\$1,550,000	\$42,228,538
Environmental - Air	7	\$574,921	\$100,000	\$4,024,450	0	-	-	-	7	\$574,921	\$100,000	\$4,024,450
Environmental - Hazardous/Toxic Pollutants	3	\$1,698,333	\$50,000	\$5,095,000	2	-	-	-	4	\$1,282,228	\$60,741	\$5,128,911
Environmental - Wildlife	3	\$70,000	\$50,000	\$210,000	1	-	-	-	3	\$73,699	\$50,000	\$221,097
Import and Export	3	\$55,667	\$42,000	\$167,000	1	-	-	-	3	\$84,585	\$100,000	\$253,754
Firearms	0	-	-	-	0	-	-	-	0	-	-	-
Food, Drugs, Agricultural & Consumer Products	0	-	-	-	1	-	-	-	1	-	-	-
Food Stamps	0	-	-	-	0	-	-	-	0	-	-	-
Forgery	0	-	-	-	0	-	-	-	0	-	-	-
Fraud	16	\$9,876,730	\$250,000	\$158,027,686	28	\$401,578,952	\$13,871,877	\$11,244,210,649	38	\$300,058,904	\$2,902,985	\$11,402,238,335
Gambling	0	-	-	-	0	-	-	-	0	-	-	-
Immigration	3	\$121,667	\$100,000	\$365,000	0	-	-	-	3	\$121,667	\$100,000	\$365,000
Larceny/Theft/Embezzlement	0	-	-	-	2	-	-	-	2	-	-	-
Motor Vehicles	0	-	-	-	0	-	-	-	0	-	-	-
Money Laundering	3	\$918,333	\$1,100,000	\$2,755,000	2	-	-	-	5	\$1,288,413	\$1,100,000	\$6,442,063
Obscenity	0	-	-	-	1	-	-	-	1	-	-	-
Racketeering/Extortion	0	-	-	-	0	-	-	-	0	-	-	-
Tax	0	-	-	-	0	-	-	-	0	-	-	-
Other	2	-	-	-	1	-	-	-	2	-	-	-

¹ Of the 99 organizational cases, the court sentenced the offenders to pay a fine or make restitution in 90 cases. Fine information includes either fines and/or the cost of supervision. Descriptions of variables used in this table are provided in Appendix A.

² In cases of joint and several restitution, the full amount of restitution is attributed to each offender, which may result in over-inflation of the mean and total amount of restitution reported for all offenders.

Table 15
FINES AND RESTITUTION BY PRIMARY OFFENSE CATEGORY¹
(October 1, 1995, through September 30, 1996)

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	42,146	26,928	63.9	7,268	17.2	6,905	16.4	1,045	2.5	14,812	\$103,866	\$4,000	1,538,459,644
Murder	88	53	60.2	27	30.7	2	2.3	6	6.8	33	46,980	7,226	1,550,338
Manslaughter	42	30	71.4	17	40.5	3	7.1	3	7.1	23	14,776	2,885	339,856
Kidnapping/Hostage Taking	84	46	54.8	21	25.0	9	10.7	8	9.5	36	10,744	3,149	386,782
Sexual Abuse	170	103	60.6	37	21.8	20	11.8	10	5.9	67	2,266	1,000	151,837
Assault	452	309	68.4	70	15.5	68	15.0	5	1.1	143	5,350	1,000	765,095
Robbery	1,664	670	40.3	831	49.9	92	5.5	71	4.3	961	12,252	3,300	11,774,117
Arson	105	46	43.8	50	47.6	7	6.7	2	1.9	57	120,445	20,833	6,865,338
Drugs - Trafficking	16,153	13,329	82.5	127	0.8	2,676	16.6	21	0.1	2,810	15,658	2,000	43,999,640
Drugs - Communication Facility	394	314	79.7	0	0.0	80	20.3	0	0.0	80	2,865	1,000	229,177
Drugs - Simple Possession	607	369	60.8	6	1.0	230	37.9	2	0.3	236	1,224	1,000	288,736
Firearms	2,536	1,876	74.0	190	7.5	456	18.0	14	0.6	646	10,065	2,000	6,502,114
Burglary/B&E	87	27	31.0	52	59.8	4	4.6	4	4.6	57	3,264	1,000	186,028
Auto Theft	125	53	42.4	60	48.0	10	8.0	2	1.6	72	19,495	10,314	1,403,629
Larceny	2,423	655	27.0	1,069	44.1	515	21.3	184	7.6	1,721	24,792	2,600	42,666,944
Fraud	6,007	1,543	25.7	3,303	55.0	713	11.9	448	7.5	4,269	175,980	11,159	751,258,617
Embezzlement	782	179	22.9	492	62.9	67	8.6	44	5.6	599	53,394	10,000	31,983,090
Forgery/Counterfeiting	725	308	42.5	283	39.0	92	12.7	42	5.8	399	22,304	2,000	8,899,116
Bribery	256	101	39.5	34	13.3	107	41.8	14	5.5	154	67,308	7,400	10,365,413
Tax	849	271	31.9	154	18.1	369	43.5	55	6.5	559	89,182	5,000	49,852,691
Money Laundering	825	456	55.3	119	14.4	225	27.3	25	3.0	346	285,177	10,000	98,671,247
Racketeering/Extortion	544	346	63.6	69	12.7	118	21.7	11	2.0	194	2,240,068	5,000	434,573,218
Gambling/Lottery	138	60	43.5	2	1.4	75	54.3	1	0.7	78	4,851	2,000	378,381
Civil Rights	109	56	51.4	21	19.3	27	24.8	5	4.6	51	183,349	2,500	9,350,772
Immigration	4,905	4,544	92.6	13	0.3	345	7.0	3	0.1	361	2,820	1,000	1,017,864
Pornography/Prostitution	191	113	59.2	4	2.1	72	37.7	2	1.0	78	6,031	3,000	470,439
Prison Offenses	339	278	82.0	32	9.4	26	7.7	3	0.9	60	58,101	1,795	3,486,086
Administration of Justice Offenses	753	503	66.8	55	7.3	182	24.2	13	1.7	246	42,471	2,500	10,447,746
Environmental/Wildlife	129	46	35.7	16	12.4	52	40.3	15	11.6	80	5,480	2,500	438,415
National Defense	23	12	52.2	0	0.0	11	47.8	0	0.0	11	8,182	5,000	9,000
Antitrust	15	7	46.7	0	0.0	5	33.3	3	20.0	8	115,877	68,750	927,012
Food & Drug	43	15	34.9	1	2.3	25	58.1	2	4.7	28	7,740	4,000	216,720
Other Miscellaneous Offenses	572	210	36.7	113	19.8	222	38.8	27	4.7	349	25,568	1,500	8,923,186

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¹Of the 42,436 cases, 290 were excluded due to one or both of the following reasons: missing primary offense category (75) or missing information on type of economic sanction for cases in which orders were made (217). The total number of cases (14,812) used to calculate amounts of payment ordered is less than the total number of cases receiving fines and/or restitution (15,238) because of the exclusion of cases for which a fine and/or restitution was ordered but the amount was not specified and where a fine and/or restitution was not ordered. Fine information includes either fines and/or cost of supervision. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1996 Datafile, MONFY96.

Table 17

AMOUNT OF FINE AND RESTITUTION ORDERED BY TYPE OF CRIME¹
Fiscal Year 2022

TYPE OF CRIME	FINE ORDERED				RESTITUTION ORDERED ²				FINE OR RESTITUTION ORDERED			
	N	Mean	Median	Sum	N	Mean	Median	Sum	N	Mean	Median	Sum
TOTAL	4,333	\$403,655	\$1,000	\$1,749,038,374	8,038	\$1,671,037	\$45,868	\$13,431,900,000	11,910	\$1,274,629	\$10,462	\$15,180,800,000
Administration of Justice	79	\$9,035	\$2,000	\$713,800	84	\$761,878	\$3,260	\$63,997,764	153	\$422,951	\$3,000	\$64,711,564
Antitrust	6	\$107,417	\$14,500	\$644,500	4	\$27,760	\$6,729	\$111,040	7	\$107,934	\$10,032	\$755,540
Arson	2	–	–	–	69	\$264,532	\$24,113	\$18,252,720	69	\$264,808	\$24,113	\$18,271,720
Assault	45	\$2,009	\$600	\$90,408	120	\$26,308	\$3,647	\$3,156,965	163	\$19,923	\$2,330	\$3,247,373
Bribery/Corruption	100	\$68,388	\$15,000	\$6,838,812	122	\$2,207,240	\$272,984	\$269,283,248	203	\$1,360,207	\$82,845	\$276,122,060
Burglary/Trespass	16	\$2,341	\$1,000	\$37,450	71	\$15,656	\$1,036	\$1,111,575	75	\$15,320	\$2,000	\$1,149,025
Child Pornography	45	\$7,697	\$2,000	\$346,350	695	\$24,140	\$14,000	\$16,777,422	729	\$23,489	\$13,000	\$17,123,772
Commercialized Vice	28	\$34,295	\$4,000	\$960,250	7	\$22,037	\$7,556	\$154,256	35	\$31,843	\$4,000	\$1,114,506
Drug Possession	160	\$1,573	\$500	\$251,675	3	\$7,982	\$4,500	\$23,947	161	\$1,712	\$500	\$275,622
Drug Trafficking	1,139	\$5,901	\$1,000	\$6,720,888	247	\$93,627	\$5,890	\$23,125,854	1,373	\$21,738	\$1,500	\$29,846,742
Environmental	75	\$16,924	\$5,000	\$1,269,275	46	\$87,149	\$3,893	\$4,008,843	110	\$47,983	\$5,000	\$5,278,118
Extortion/Racketeering	9	\$5,867	\$5,000	\$52,800	22	\$1,018,985	\$61,929	\$22,417,659	29	\$774,843	\$27,583	\$22,470,459
Firearms	589	\$3,036	\$1,000	\$1,788,300	224	\$15,098	\$5,970	\$3,381,859	800	\$6,463	\$1,500	\$5,170,159
Food and Drug	13	\$12,692	\$2,500	\$165,000	7	\$125,408	\$163,800	\$877,859	18	\$57,937	\$5,000	\$1,042,859
Forgery/Counter/Copyright	10	\$4,750	\$4,750	\$47,500	59	\$49,627	\$1,900	\$2,927,991	67	\$44,410	\$3,300	\$2,975,491
Fraud/Theft/Embezzlement	488	\$3,518,743	\$5,000	\$1,717,146,764	3,997	\$2,290,136	\$127,415	\$9,153,673,353	4,273	\$2,544,072	\$107,605	\$10,870,800,000
Immigration	530	\$1,584	\$1,000	\$839,551	35	\$105,539	\$5,000	\$3,693,859	561	\$8,081	\$1,000	\$4,533,410
Individual Rights	16	\$6,156	\$3,600	\$98,500	25	\$56,708	\$7,163	\$1,417,705	39	\$38,877	\$5,000	\$1,516,205
Kidnapping	8	\$3,438	\$4,250	\$27,500	34	\$22,076	\$3,390	\$750,594	41	\$18,978	\$3,500	\$778,094
Manslaughter	0	–	–	–	27	\$35,105	\$4,513	\$947,822	27	\$35,105	\$4,513	\$947,822
Money Laundering	106	\$34,674	\$4,900	\$3,675,450	346	\$5,510,809	\$683,555	\$1,906,739,815	442	\$4,322,206	\$374,055	\$1,910,415,265
Murder	15	\$78,137	\$5,000	\$1,172,050	70	\$120,241	\$9,963	\$8,416,870	78	\$122,935	\$13,272	\$9,588,920
National Defense	41	\$12,135	\$1,000	\$497,545	1	–	–	–	42	\$11,965	\$1,000	\$502,545
Obscenity/Other Sex Offenses	17	\$5,799	\$1,000	\$98,575	1	–	–	–	18	\$7,212	\$1,250	\$129,820
Prison Offenses	21	\$1,365	\$500	\$28,675	4	\$9,310	\$9,704	\$37,238	25	\$2,637	\$1,000	\$65,913
Robbery	51	\$1,912	\$1,000	\$97,516	848	\$34,766	\$4,050	\$29,481,551	879	\$33,651	\$3,697	\$29,579,067
Sexual Abuse	68	\$13,985	\$1,500	\$951,000	378	\$66,406	\$10,000	\$25,101,468	438	\$59,481	\$8,057	\$26,052,468
Stalking/Harassing	32	\$8,656	\$6,250	\$277,000	30	\$24,399	\$4,750	\$731,976	59	\$17,101	\$7,000	\$1,008,976
Tax	105	\$35,080	\$10,000	\$3,683,350	425	\$2,021,295	\$283,378	\$859,050,325	452	\$1,908,703	\$272,686	\$862,733,675
Other	519	\$961	\$500	\$498,890	37	\$27,354,182	\$2,948	\$1,012,104,742	544	\$1,861,404	\$500	\$1,012,603,632

¹ Of the 64,142 cases, the court sentenced the offender to pay a fine or make restitution in 13,116 cases. The total number of cases used to calculate amounts of payment ordered (11,910) is less than the total number of cases because some cases had multiple offenders.

Table 12

TYPE OF SENTENCE IMPOSED BY PRIMARY OFFENSE CATEGORY¹
(October 1, 1995, through September 30, 1996)

PRIMARY OFFENSE	TOTAL	TOTAL RECEIVING IMPRISONMENT		Prison		Prison/Community Split Sentence ²		TOTAL RECEIVING PROBATION		Probation and Confinement		Probation Only	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	41,968	33,921	80.8	32,009	76.3	1,912	4.6	8,047	19.2	3,040	7.2	5,007	11.5
Murder	88	88	100.0	85	96.6	3	3.4	0	0.0	0	0.0	0	0.0
Manslaughter	53	48	90.6	45	84.9	3	5.7	5	9.4	2	3.8	3	5.7
Kidnapping/Hostage Taking	84	84	100.0	81	96.4	3	3.6	0	0.0	0	0.0	0	0.0
Sexual Abuse	170	153	90.0	150	88.2	3	1.8	17	10.0	8	4.7	9	5.3
Assault	449	358	79.7	341	75.9	17	3.8	91	20.3	28	6.2	63	14.0
Robbery	1,662	1,641	98.7	1,574	94.7	67	4.0	21	1.3	14	0.8	7	0.4
Arson	105	94	89.5	90	85.7	4	3.8	11	10.5	9	8.6	2	1.9
Drugs - Trafficking	16,145	15,371	95.2	15,051	93.2	320	2.0	774	4.8	329	2.0	445	2.8
Drugs - Communication Facility	392	338	86.2	320	81.6	18	4.6	54	13.8	34	8.7	20	5.1
Drugs - Simple Possession	598	291	48.7	281	47.0	10	1.7	307	51.3	38	6.4	269	45.0
Firearms	2,531	2,301	90.9	2,199	86.9	102	4.0	230	9.1	111	4.4	119	4.7
Burglary/B&E	87	76	87.4	70	80.5	6	6.9	11	12.6	6	6.9	5	5.7
Auto Theft	124	96	77.4	91	73.4	5	4.0	28	22.6	10	8.1	18	14.5
Larceny	2,381	951	39.9	801	33.6	150	6.3	1,430	60.1	460	19.3	970	40.7
Fraud	5,983	3,821	63.9	3,149	52.6	672	11.2	2,162	36.1	967	16.2	1,195	20.0
Embezzlement	764	461	60.3	296	38.7	165	21.6	303	39.7	98	12.8	205	26.8
Forgery/Counterfeiting	725	442	61.0	396	54.6	46	6.3	283	39.0	119	16.4	164	22.6
Bribery	254	136	53.5	124	48.8	12	4.7	118	46.5	53	20.9	65	25.6
Tax	828	331	40.0	254	30.7	77	9.3	497	60.0	242	29.2	255	30.8
Money Laundering	823	620	75.3	592	71.9	28	3.4	203	24.7	76	9.2	127	15.4
Racketeering/Extortion	545	497	91.2	488	89.5	9	1.7	48	8.8	21	3.9	27	5.0
Gambling/Lottery	136	43	31.6	33	24.3	10	7.4	93	68.4	37	27.2	56	41.2
Civil Rights	109	83	76.1	78	71.6	5	4.6	26	23.9	10	9.2	16	14.7
Immigration	4,882	4,354	89.2	4,299	88.1	55	1.1	528	10.8	117	2.4	411	8.4
Pornography/Prostitution	191	157	82.2	146	76.4	11	5.8	34	17.8	14	7.3	20	10.5
Prison Offenses	339	323	95.3	297	87.6	26	7.7	16	4.7	4	1.2	12	3.5
Administration of Justice Offenses	753	474	62.9	435	57.8	39	5.2	279	37.1	94	12.5	185	24.6
Environmental/Wildlife	125	40	32.0	26	20.8	14	11.2	85	68.0	28	22.4	57	45.6
National Defense	22	13	59.1	11	50.0	2	9.1	9	40.9	2	9.1	7	31.8
Antitrust	13	3	23.1	3	23.1	0	0.0	10	76.9	4	30.8	6	46.2
Food & Drug	42	10	23.8	9	21.4	1	2.4	32	76.2	8	19.0	24	57.1
Other Miscellaneous Offenses	565	223	39.5	194	34.3	29	5.1	342	60.5	97	17.2	245	43.4

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¹Of the 42,436 cases, 468 were excluded due to one or more of the following reasons: the defendant received neither imprisonment nor probation (166), missing primary offense category (75), or missing sentencing information (229). Descriptions of variables used in this table are provided in Appendix A.

²Prison/Community Split includes all cases in which defendants received prison and conditions of confinement as defined in USSG §5C1.1.

SOURCE: U.S. Sentencing Commission, 1996 Datafile, MONFY96

Table 13

SENTENCE TYPE BY TYPE OF CRIME¹
Fiscal Year 2022

TYPE OF CRIME	TOTAL	TOTAL RECEIVING IMPRISONMENT		Prison Only		Prison and Alternatives ²		TOTAL RECEIVING PROBATION		Probation and Alternatives ²		Probation Only		TOTAL RECEIVING FINE ONLY	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	64,142	59,070	92.1	57,106	89.0	1,964	3.1	4,738	7.4	1,002	1.6	3,736	5.8	334	0.5
Administration of Justice	652	473	72.5	441	67.6	32	4.9	173	26.5	29	4.4	144	22.1	6	0.9
Antitrust	8	3	37.5	3	37.5	0	0.0	5	62.5	0	0.0	5	62.5	0	0.0
Arson	106	99	93.4	96	90.6	3	2.8	7	6.6	1	0.9	6	5.7	0	0.0
Assault	850	791	93.1	765	90.0	26	3.1	51	6.0	6	0.7	45	5.3	8	0.9
Bribery/Corruption	360	277	76.9	258	71.7	19	5.3	83	23.1	25	6.9	58	16.1	0	0.0
Burglary/Trespass	112	83	74.1	83	74.1	0	0.0	29	25.9	10	8.9	19	17.0	0	0.0
Child Pornography	1,435	1,417	98.7	1,390	96.9	27	1.9	18	1.3	5	0.3	13	0.9	0	0.0
Commercialized Vice	73	53	72.6	51	69.9	2	2.7	20	27.4	3	4.1	17	23.3	0	0.0
Drug Possession	296	124	41.9	123	41.6	1	0.3	91	30.7	4	1.4	87	29.4	81	27.4
Drug Trafficking	19,938	19,261	96.6	18,493	92.8	768	3.9	673	3.4	131	0.7	542	2.7	4	0.0
Environmental	153	47	30.7	44	28.8	3	2.0	101	66.0	14	9.2	87	56.9	5	3.3
Extortion/Racketeering	121	102	84.3	96	79.3	6	5.0	18	14.9	4	3.3	14	11.6	1	0.8
Firearms	9,318	8,775	94.2	8,551	91.8	224	2.4	542	5.8	130	1.4	412	4.4	1	0.0
Food and Drug	40	24	60.0	22	55.0	2	5.0	16	40.0	0	0.0	16	40.0	0	0.0
Forgery/Counter/Copyright	111	86	77.5	79	71.2	7	6.3	25	22.5	8	7.2	17	15.3	0	0.0
Fraud/Theft/Embezzlement	5,520	4,194	76.0	3,910	70.8	284	5.1	1,285	23.3	302	5.5	983	17.8	41	0.7
Immigration	17,652	16,891	95.7	16,562	93.8	329	1.9	760	4.3	192	1.1	568	3.2	1	0.0
Individual Rights	92	60	65.2	59	64.1	1	1.1	30	32.6	1	1.1	29	31.5	2	2.2
Kidnapping	128	124	96.9	122	95.3	2	1.6	4	3.1	1	0.8	3	2.3	0	0.0
Manslaughter	80	78	97.5	70	87.5	8	10.0	2	2.5	0	0.0	2	2.5	0	0.0
Money Laundering	1,192	1,039	87.2	1,006	84.4	33	2.8	152	12.8	47	3.9	105	8.8	1	0.1
Murder	410	409	99.8	404	98.5	5	1.2	1	0.2	0	0.0	1	0.2	0	0.0
National Defense	180	138	76.7	130	72.2	8	4.4	25	13.9	7	3.9	18	10.0	17	9.4
Obscenity/Other Sex Offenses	344	324	94.2	295	85.8	29	8.4	20	5.8	5	1.5	15	4.4	0	0.0
Prison Offenses	499	479	96.0	458	91.8	21	4.2	19	3.8	2	0.4	17	3.4	1	0.2
Robbery	1,444	1,422	98.5	1,381	95.6	41	2.8	22	1.5	6	0.4	16	1.1	0	0.0
Sexual Abuse	1,499	1,492	99.5	1,463	97.6	29	1.9	6	0.4	1	0.1	5	0.3	1	0.1
Stalking/Harassing	266	233	87.6	216	81.2	17	6.4	33	12.4	10	3.8	23	8.6	0	0.0
Tax	496	302	60.9	279	56.3	23	4.6	192	38.7	40	8.1	152	30.6	2	0.4
Other	767	270	35.2	256	33.4	14	1.8	335	43.7	18	2.3	317	41.3	162	21.1

Table 13

AVERAGE SENTENCE LENGTH BY PRIMARY OFFENSE CATEGORY¹
(October 1, 1995, through September 30, 1996)

PRIMARY OFFENSE	Mean Months	Median Months	Number
TOTAL	50.7	24.0	42,025
Murder	295.7	267.0	88
Manslaughter	27.3	16.0	53
Kidnapping/Hostage Taking	180.2	99.5	84
Sexual Abuse	67.3	36.0	170
Assault	33.8	18.0	449
Rabbery	110.9	77.0	1,662
Arson	96.9	48.0	105
Drugs - Trafficking	82.8	60.0	16,131
Drugs - Communication Facility	35.2	36.0	394
Drugs - Simple Possession	6.0	1.0	606
Firearms	74.7	41.0	2,533
Burglary/B&E	25.4	18.0	87
Auto Theft	20.6	15.0	124
Larceny	6.7	4.0	2,422
Fraud	13.2	8.0	5,986
Embezzlement	6.2	4.0	780
Forgery/Counterfeiting	10.3	6.0	723
Bribery	13.1	6.0	256
Tax	8.6	5.0	849
Money Laundering	33.5	21.0	816
Racketeering/Extortion	90.5	54.0	543
Gambling/Lottery	5.8	6.0	138
Civil Rights	37.2	16.0	109
Immigration	18.4	15.0	4,863
Pornography/Prostitution	29.1	15.0	191
Prison Offenses	24.1	16.0	337
Administrations of Justice Offenses	15.4	9.0	749
Environmental/Wildlife	4.7	1.0	129
National Defense	14.1	10.0	23
Antitrust	2.4	0.0	15
Food & Drug	5.6	0.0	43
Other Miscellaneous Offenses	8.7	1.0	567

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¹Of the 42,436 cases, 411 cases were excluded due to one or both of the following reasons: missing primary offense category (75) or missing or indeterminable sentencing information (337). The information presented in this table includes the time of confinement as defined in USSC §5C1.1. Descriptions of variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1996 Datafile, MONFY96.

Table 15
SENTENCE IMPOSED BY TYPE OF CRIME¹
Fiscal Year 2022

TYPE OF CRIME	SENTENCE LENGTH ²			LENGTH OF IMPRISONMENT ³		
	Mean	Median	N	Mean	Median	N
	Months	Months		Months	Months	
TOTAL	51	26	64,141	56	30	59,068
Administration of Justice	12	8	651	16	12	472
Antitrust	5	0	8	12	15	3
Arson	45	42	106	48	48	99
Assault	64	42	850	69	46	791
Bribery/Corruption	19	12	360	24	17	277
Burglary/Trespass	18	10	112	25	18	83
Child Pornography	110	96	1,435	111	96	1,417
Commercialized Vice	24	16	73	33	20	53
Drug Possession	2	0	296	6	0	124
Drug Trafficking	78	60	19,938	80	60	19,260
Environmental	4	0	153	10	7	47
Extortion/Racketeering	61	27	121	72	33	102
Firearms	49	39	9,318	52	41	8,775
Food and Drug	11	0	40	19	10	24
Forgery/Counter/Copyright	16	12	111	19	18	86
Fraud/Theft/Embezzlement	22	12	5,520	28	21	4,194
Immigration	12	8	17,652	13	9	16,891
Individual Rights	41	18	92	63	36	60
Kidnapping	184	160	128	190	168	124
Manslaughter	86	68	80	88	74	78
Money Laundering	61	33	1,192	69	41	1,039
Murder	261	240	410	261	240	409
National Defense	35	15	180	46	30	138
Obscenity/Other Sex Offenses	22	18	344	23	18	324
Prison Offenses	12	9	499	12	9	479
Robbery	106	96	1,444	107	96	1,422
Sexual Abuse	207	180	1,499	208	180	1,492
Stalking/Harassing	26	18	266	30	24	233
Tax	14	9	496	21	14	302
Other	3	0	767	7	1	270

¹ Of the 64,142 cases, one was excluded due to missing or indeterminable sentencing information. Sentences of 470 months or greater (including life) were included in the sentence average computations as 470 months. Descriptions of variables used in this table are provided in Appendix A.

² Sentences of probation only are included here as zero months of imprisonment. In addition, the information presented in this column includes conditions of confinement as described in USSG §5C1.1.

³ Length of imprisonment does not include probation or any conditions of confinement as described in USSG §5C1.1.

SOURCE: U.S. Sentencing Commission, 2022 Datafile, USSCFY22.

Environmental Restorative Justice

- Who should speak for the trees?
- Crafting the new test for the Lorax

EPA & Ky Energy and Env't Cabinet Budgets 2022 FY

- Budget for enforcement of environmental regulations
 - EPA -> \$318,175,000
 - Ky Energy and Environment Cabinet -> \$2,186,508

Environmental Protection Groups Expenditures 2022 FY

- NRDC -> \$34,114,446
- PETA -> \$23,596,543
- Sierra Club -> \$625,643