

Table 27

**SENTENCES RELATIVE TO THE GUIDELINE RANGE
BY EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2007**

PRIMARY OFFENSE	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURES ²		UPWARD DEPARTURES W/ <i>BOOKER</i> ²		ABOVE RANGE WITH W/ <i>BOOKER</i> ²		REMAINING ABOVE RANGE	
		n	%	n	%	n	%	n	%	n	%
TOTAL	69,801	42,446	60.8	324	0.5	143	0.2	488	0.7	102	0.1
Murder	81	55	67.9	2	2.5	0	0.0	1	1.2	0	0.0
Manslaughter	65	38	58.5	2	3.1	4	6.2	4	6.2	0	0.0
Kidnapping/Hostage Taking	48	14	29.2	0	0.0	0	0.0	0	0.0	0	0.0
Sexual Abuse	378	273	72.2	7	1.9	8	2.1	8	2.1	1	0.3
Assault	530	374	70.6	13	2.5	2	0.4	7	1.3	2	0.4
Robbery	1,109	733	66.1	7	0.6	5	0.5	12	1.1	1	0.1
Arson	78	39	50.0	2	2.6	2	2.6	4	5.1	0	0.0
Drugs - Trafficking	24,199	13,022	53.8	38	0.2	14	0.1	35	0.1	17	0.1
Drugs - Communication Facility	367	222	60.5	2	0.5	0	0.0	0	0.0	0	0.0
Drugs - Simple Possession	527	479	90.9	5	0.9	2	0.4	7	1.3	4	0.8
Firearms	8,328	5,826	70.0	48	0.6	29	0.3	60	0.7	13	0.2
Burglary/B&E	41	27	65.9	0	0.0	0	0.0	1	2.4	1	2.4
Auto Theft	62	42	67.7	0	0.0	1	1.6	0	0.0	2	3.2
Larceny	1,598	1,253	78.4	7	0.4	1	0.1	8	0.5	6	0.4
Fraud	7,160	4,627	64.6	33	0.5	25	0.3	77	1.1	15	0.2
Embezzlement	452	339	75.0	0	0.0	0	0.0	1	0.2	0	0.0
Forgery/Counterfeiting	1,115	814	73.0	8	0.7	4	0.4	9	0.8	2	0.2
Bribery	240	100	41.7	0	0.0	0	0.0	2	0.8	0	0.0
Tax	627	298	47.5	0	0.0	1	0.2	4	0.6	1	0.2
Money Laundering	903	441	48.8	4	0.4	1	0.1	3	0.3	0	0.0
Racketeering/Extortion	614	330	53.7	3	0.5	2	0.3	5	0.8	4	0.7
Gambling/Lottery	111	64	57.7	0	0.0	0	0.0	1	0.9	0	0.0
Civil Rights	64	32	50.0	0	0.0	0	0.0	0	0.0	0	0.0
Immigration	16,903	10,220	60.5	113	0.7	24	0.1	190	1.1	25	0.1
Pornography/Prostitution	1,430	898	62.8	12	0.8	6	0.4	23	1.6	2	0.1
Prison Offenses	310	239	77.1	2	0.6	0	0.0	2	0.6	3	1.0
Administration of Justice Offenses	968	584	60.3	6	0.6	8	0.8	16	1.7	2	0.2
Environmental/Wildlife	156	88	56.4	0	0.0	1	0.6	0	0.0	0	0.0
National Defense	29	9	31.0	0	0.0	0	0.0	0	0.0	0	0.0
Antitrust	15	2	13.3	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	68	53	77.9	1	1.5	0	0.0	0	0.0	0	0.0
Other Miscellaneous Offenses	1,225	911	74.4	9	0.7	3	0.2	8	0.7	1	0.1

Table 27 (cont.)

PRIMARY OFFENSE	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE ³		DOWNWARD DEPARTURE W/ BOOKER ³		BELOW RANGE W/ BOOKER ³		REMAINING BELOW RANGE	
	n	%	n	%	n	%	n	%	n	%	n	%	n	%
TOTAL	10,042	14.4	5,224	7.5	2,604	3.7	1,756	2.5	1,011	1.4	4,955	7.1	706	1.0
Murder	6	7.4	0	0.0	6	7.4	1	1.2	4	4.9	6	7.4	0	0.0
Manslaughter	1	1.5	1	1.5	5	7.7	2	3.1	0	0.0	7	10.8	1	1.5
Kidnapping/Hostage Taking	21	43.8	1	2.1	10	20.8	0	0.0	0	0.0	2	4.2	0	0.0
Sexual Abuse	8	2.1	0	0.0	25	6.6	8	2.1	6	1.6	32	8.5	2	0.5
Assault	10	1.9	10	1.9	41	7.7	20	3.8	9	1.7	36	6.8	6	1.1
Robbery	131	11.8	1	0.1	34	3.1	51	4.6	22	2.0	103	9.3	9	0.8
Arson	26	33.3	0	0.0	2	2.6	2	2.6	0	0.0	1	1.3	0	0.0
Drugs - Trafficking	6,177	25.5	1,268	5.2	822	3.4	539	2.2	368	1.5	1,707	7.1	192	0.8
Drugs - Communication Facility	62	16.9	0	0.0	16	4.4	11	3.0	9	2.5	41	11.2	4	1.1
Drugs - Simple Possession	8	1.5	1	0.2	3	0.6	1	0.2	3	0.6	9	1.7	5	0.9
Firearms	992	11.9	38	0.5	223	2.7	226	2.7	162	1.9	641	7.7	70	0.8
Burglary/B&E	0	0.0	0	0.0	2	4.9	2	4.9	2	4.9	5	12.2	1	2.4
Auto Theft	7	11.3	0	0.0	1	1.6	3	4.8	0	0.0	5	8.1	1	1.6
Larceny	93	5.8	6	0.4	41	2.6	37	2.3	14	0.9	103	6.4	29	1.8
Fraud	1,109	15.5	5	0.1	166	2.3	189	2.6	122	1.7	665	9.3	127	1.8
Embezzlement	14	3.1	0	0.0	9	2.0	6	1.3	15	3.3	60	13.3	8	1.8
Forgery/Counterfeiting	136	12.2	1	0.1	17	1.5	15	1.3	14	1.3	78	7.0	17	1.5
Bribery	90	37.5	0	0.0	8	3.3	5	2.1	5	2.1	26	10.8	4	1.7
Tax	106	16.9	5	0.8	20	3.2	38	6.1	18	2.9	121	19.3	15	2.4
Money Laundering	228	25.2	10	1.1	52	5.8	21	2.3	26	2.9	99	11.0	18	2.0
Racketeering/Extortion	138	22.5	0	0.0	35	5.7	20	3.3	8	1.3	56	9.1	13	2.1
Gambling/Lottery	11	9.9	0	0.0	2	1.8	7	6.3	2	1.8	19	17.1	5	4.5
Civil Rights	15	23.4	1	1.6	4	6.3	3	4.7	1	1.6	5	7.8	3	4.7
Immigration	324	1.9	3,849	22.8	865	5.1	445	2.6	111	0.7	617	3.7	120	0.7
Pornography/Prostitution	63	4.4	3	0.2	66	4.6	28	2.0	48	3.4	269	18.8	12	0.8
Prison Offenses	17	5.5	9	2.9	13	4.2	3	1.0	3	1.0	14	4.5	5	1.6
Administration of Justice Offenses	113	11.7	7	0.7	62	6.4	29	3.0	18	1.9	112	11.6	11	1.1
Environmental/Wildlife	24	15.4	0	0.0	13	8.3	8	5.1	2	1.3	15	9.6	5	3.2
National Defense	10	34.5	0	0.0	3	10.3	1	3.4	0	0.0	4	13.8	2	6.9
Antitrust	7	46.7	0	0.0	0	0.0	0	0.0	2	13.3	4	26.7	0	0.0
Food & Drug	6	8.8	0	0.0	3	4.4	1	1.5	1	1.5	3	4.4	0	0.0
Other Miscellaneous Offenses	89	7.3	8	0.7	35	2.9	34	2.8	16	1.3	90	7.3	21	1.7

¹Of the 72,865 cases, 3,064 were excluded due to one or both of the following reasons: missing primary offense (100) or information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range (2,972). Descriptions of variables used in this table are provided in Appendix A.

²See Tables 24-24B for a list of departure reasons comprising these categories.

³See Tables 25-25B for a list of departure reasons comprising these categories.