

**Table 32B**

**ABOVE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE  
OF INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
Fiscal Year 2007**

<b>PRIMARY OFFENSE</b>	<b>n</b>	<b>Median Sentence in Months</b>	<b>Median Increase in Months From Guideline Maximum</b>	<b>Median Percent Increase From Guideline Maximum</b>
<b>TOTAL</b>	<b>459</b>	<b>36.0</b>	<b>11.0</b>	<b>50.0</b>
<b>Murder</b>	1	--	--	--
<b>Manslaughter</b>	4	58.0	12.0	22.6
<b>Kidnapping/Hostage Taking</b>	0	--	--	--
<b>Sexual Abuse</b>	8	120.0	45.5	38.4
<b>Assault</b>	7	60.0	24.0	45.5
<b>Robbery</b>	11	174.0	33.0	35.2
<b>Arson</b>	4	120.0	46.5	69.0
<b>Drugs - Trafficking</b>	34	88.5	11.0	20.7
<b>Drugs - Communication Facility</b>	0	--	--	--
<b>Drugs - Simple Possession</b>	7	12.0	6.0	99.8
<b>Firearms</b>	57	72.0	17.0	45.9
<b>Burglary/B&amp;E</b>	1	--	--	--
<b>Auto Theft</b>	0	--	--	--
<b>Larceny</b>	7	36.0	15.0	55.5
<b>Fraud</b>	68	45.0	10.0	33.3
<b>Embezzlement</b>	1	--	--	--
<b>Forgery/Counterfeiting</b>	7	30.0	9.0	60.0
<b>Bribery</b>	1	--	--	--
<b>Tax</b>	4	36.0	9.0	35.7
<b>Money Laundering</b>	3	12.0	6.0	100.5
<b>Racketeering/Extortion</b>	5	161.0	24.0	26.3
<b>Gambling/Lottery</b>	1	--	--	--
<b>Civil Rights</b>	0	--	--	--
<b>Immigration</b>	184	18.0	7.0	71.4
<b>Pornography/Prostitution</b>	21	216.0	60.0	40.0
<b>Prison Offenses</b>	2	--	--	--
<b>Administration of Justice Offenses</b>	13	36.0	9.0	33.3
<b>Environmental/Wildlife</b>	0	--	--	--
<b>National Defense</b>	0	--	--	--
<b>Antitrust</b>	0	--	--	--
<b>Food &amp; Drug</b>	0	--	--	--
<b>Other Miscellaneous Offenses</b>	8	21.0	6.0	75.8

<sup>1</sup>Of the 72,865 cases, 491 were sentenced above the guideline range with *Booker* /18 U.S.C § 3553. Of these, 466 had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a sentence of life, an additional two cases were also excluded from this table. Furthermore, five cases were excluded due to several logical criteria. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2007 Datafile, USSCFY07.