

**Table 27**

**SENTENCES RELATIVE TO THE GUIDELINE RANGE  
BY EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
Fiscal Year 2006**

PRIMARY OFFENSE	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURES <sup>2</sup>		UPWARD DEPARTURES W/ <i>BOOKER</i> <sup>2</sup>		ABOVE RANGE WITH W/ <i>BOOKER</i> <sup>2</sup>		REMAINING ABOVE RANGE <sup>2</sup>	
		n	%	n	%	n	%	n	%	n	%
<b>TOTAL</b>	<b>70,128</b>	<b>43,271</b>	<b>61.7</b>	<b>412</b>	<b>0.6</b>	<b>177</b>	<b>0.3</b>	<b>455</b>	<b>0.6</b>	<b>84</b>	<b>0.1</b>
Murder	80	48	60.0	8	10.0	2	2.5	3	3.8	0	0.0
Manslaughter	59	38	64.4	3	5.1	1	1.7	6	10.2	1	1.7
Kidnapping/Hostage Taking	61	25	41.0	1	1.6	0	0.0	0	0.0	0	0.0
Sexual Abuse	262	175	66.8	7	2.7	5	1.9	8	3.1	0	0.0
Assault	583	390	66.9	20	3.4	5	0.9	11	1.9	2	0.3
Robbery	1,152	758	65.8	13	1.1	8	0.7	9	0.8	2	0.2
Arson	71	40	56.3	3	4.2	2	2.8	4	5.6	0	0.0
Drugs - Trafficking	24,881	13,351	53.7	43	0.2	18	0.1	51	0.2	16	0.1
Drugs - Communication Facility	409	267	65.3	1	0.2	2	0.5	1	0.2	2	0.5
Drugs - Simple Possession	606	565	93.2	7	1.2	2	0.3	4	0.7	2	0.3
Firearms	8,330	5,809	69.7	74	0.9	31	0.4	93	1.1	7	0.1
Burglary/B&E	48	41	85.4	0	0.0	2	4.2	1	2.1	0	0.0
Auto Theft	62	42	67.7	2	3.2	0	0.0	2	3.2	0	0.0
Larceny	1,579	1,246	78.9	6	0.4	5	0.3	17	1.1	4	0.3
Fraud	6,787	4,374	64.4	38	0.6	34	0.5	68	1.0	15	0.2
Embezzlement	563	433	76.9	0	0.0	1	0.2	2	0.4	0	0.0
Forgery/Counterfeiting	1,157	846	73.1	14	1.2	3	0.3	10	0.9	3	0.3
Bribery	183	102	55.7	0	0.0	0	0.0	0	0.0	0	0.0
Tax	591	323	54.7	1	0.2	1	0.2	5	0.8	1	0.2
Money Laundering	896	420	46.9	7	0.8	3	0.3	2	0.2	2	0.2
Racketeering/Extortion	610	342	56.1	9	1.5	2	0.3	4	0.7	0	0.0
Gambling/Lottery	113	84	74.3	0	0.0	0	0.0	0	0.0	0	0.0
Civil Rights	63	40	63.5	0	0.0	0	0.0	1	1.6	0	0.0
Immigration	17,049	10,843	63.6	113	0.7	28	0.2	103	0.6	18	0.1
Pornography/Prostitution	1,286	851	66.2	20	1.6	13	1.0	23	1.8	1	0.1
Prison Offenses	341	278	81.5	2	0.6	0	0.0	3	0.9	0	0.0
Administration of Justice Offenses	1,076	674	62.6	17	1.6	7	0.7	11	1.0	4	0.4
Environmental/Wildlife	150	103	68.7	0	0.0	0	0.0	0	0.0	1	0.7
National Defense	36	13	36.1	0	0.0	0	0.0	1	2.8	0	0.0
Antitrust	12	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	60	45	75.0	1	1.7	0	0.0	2	3.3	0	0.0
Other Miscellaneous Offenses	972	705	72.5	2	0.2	2	0.2	10	1.0	3	0.3

**Table 27 (cont.)**

PRIMARY OFFENSE	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K1.3 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE <sup>3</sup>		DOWNWARD DEPARTURE W/ BOOKER <sup>3</sup>		BELOW RANGE W/ BOOKER <sup>3</sup>		REMAINING BELOW RANGE	
	n	%	n	%	n	%	n	%	n	%	n	%	n	%
<b>TOTAL</b>	<b>10,134</b>	<b>14.5</b>	<b>5,163</b>	<b>7.4</b>	<b>1,930</b>	<b>2.8</b>	<b>1,901</b>	<b>2.7</b>	<b>1,432</b>	<b>2.0</b>	<b>4,240</b>	<b>6.0</b>	<b>929</b>	<b>1.3</b>
<b>Murder</b>	10	12.5	0	0.0	5	6.3	1	1.3	1	1.3	1	1.3	1	1.3
<b>Manslaughter</b>	0	0.0	0	0.0	1	1.7	1	1.7	2	3.4	6	10.2	0	0.0
<b>Kidnapping/Hostage Taking</b>	23	37.7	0	0.0	4	6.6	0	0.0	0	0.0	4	6.6	4	6.6
<b>Sexual Abuse</b>	5	1.9	1	0.4	22	8.4	6	2.3	9	3.4	20	7.6	4	1.5
<b>Assault</b>	6	1.0	9	1.5	43	7.4	18	3.1	18	3.1	47	8.1	14	2.4
<b>Robbery</b>	144	12.5	0	0.0	30	2.6	48	4.2	49	4.3	78	6.8	13	1.1
<b>Arson</b>	18	25.4	0	0.0	2	2.8	0	0.0	1	1.4	1	1.4	0	0.0
<b>Drugs - Trafficking</b>	6,465	26.0	1,390	5.6	630	2.5	599	2.4	527	2.1	1,485	6.0	306	1.2
<b>Drugs - Communication Facility</b>	80	19.6	0	0.0	9	2.2	7	1.7	10	2.4	25	6.1	5	1.2
<b>Drugs - Simple Possession</b>	4	0.7	0	0.0	7	1.2	2	0.3	2	0.3	9	1.5	2	0.3
<b>Firearms</b>	960	11.5	41	0.5	209	2.5	247	3.0	178	2.1	563	6.8	118	1.4
<b>Burglary/B&amp;E</b>	2	4.2	0	0.0	0	0.0	0	0.0	0	0.0	1	2.1	1	2.1
<b>Auto Theft</b>	12	19.4	0	0.0	1	1.6	1	1.6	1	1.6	1	1.6	0	0.0
<b>Larceny</b>	103	6.5	6	0.4	23	1.5	40	2.5	30	1.9	73	4.6	26	1.6
<b>Fraud</b>	1,035	15.2	5	0.1	142	2.1	205	3.0	199	2.9	522	7.7	150	2.2
<b>Embezzlement</b>	17	3.0	0	0.0	9	1.6	17	3.0	19	3.4	50	8.9	15	2.7
<b>Forgery/Counterfeiting</b>	98	8.5	3	0.3	21	1.8	32	2.8	22	1.9	85	7.3	20	1.7
<b>Bribery</b>	45	24.6	1	0.5	5	2.7	4	2.2	4	2.2	16	8.7	6	3.3
<b>Tax</b>	81	13.7	0	0.0	13	2.2	33	5.6	29	4.9	89	15.1	15	2.5
<b>Money Laundering</b>	234	26.1	7	0.8	45	5.0	28	3.1	43	4.8	91	10.2	14	1.6
<b>Racketeering/Extortion</b>	136	22.3	0	0.0	35	5.7	14	2.3	12	2.0	46	7.5	10	1.6
<b>Gambling/Lottery</b>	16	14.2	0	0.0	0	0.0	1	0.9	3	2.7	6	5.3	3	2.7
<b>Civil Rights</b>	12	19.0	0	0.0	2	3.2	3	4.8	1	1.6	4	6.3	0	0.0
<b>Immigration</b>	328	1.9	3,682	21.6	521	3.1	477	2.8	164	1.0	635	3.7	137	0.8
<b>Pornography/Prostitution</b>	53	4.1	7	0.5	51	4.0	45	3.5	44	3.4	168	13.1	10	0.8
<b>Prison Offenses</b>	10	2.9	3	0.9	6	1.8	9	2.6	9	2.6	18	5.3	3	0.9
<b>Administration of Justice Offenses</b>	132	12.3	6	0.6	58	5.4	36	3.3	28	2.6	80	7.4	23	2.1
<b>Environmental/Wildlife</b>	9	6.0	1	0.7	7	4.7	5	3.3	4	2.7	12	8.0	8	5.3
<b>National Defense</b>	6	16.7	1	2.8	3	8.3	2	5.6	3	8.3	5	13.9	2	5.6
<b>Antitrust</b>	9	75.0	0	0.0	1	8.3	1	8.3	0	0.0	1	8.3	0	0.0
<b>Food &amp; Drug</b>	8	13.3	0	0.0	3	5.0	0	0.0	0	0.0	1	1.7	0	0.0
<b>Other Miscellaneous Offenses</b>	73	7.5	0	0.0	22	2.3	19	2.0	20	2.1	97	10.0	19	2.0

<sup>1</sup>Of the 72,585 cases, 2,457 were excluded due to one or both of the following reasons: missing primary offense (67) or missing information needed to determine the relationship between the sentence imposed and the guideline range (2,398). Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup>See Tables 24-24C for a list of departure reasons comprising these categories.

<sup>3</sup>See Tables 25-25C for a list of departure reasons comprising these categories.