

Table 32B

**ABOVE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE
OF INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2006**

PRIMARY OFFENSE	n	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	412	51.5	14.0	50.0
Murder	3	240.0	37.0	24.5
Manslaughter	5	36.0	11.0	50.0
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	7	169.0	36.0	48.8
Assault	9	60.0	30.0	56.5
Robbery	8	112.0	26.5	32.8
Arson	4	120.0	39.5	65.9
Drugs - Trafficking	47	96.0	19.0	30.4
Drugs - Communication Facility	1	--	--	--
Drugs - Simple Possession	2	--	--	--
Firearms	81	71.0	16.0	33.3
Burglary/B&E	1	--	--	--
Auto Theft	2	--	--	--
Larceny	15	24.0	16.0	100.0
Fraud	65	48.0	11.0	41.2
Embezzlement	1	--	--	--
Forgery/Counterfeiting	9	36.0	14.0	71.4
Bribery	0	--	--	--
Tax	5	72.0	9.0	25.0
Money Laundering	2	--	--	--
Racketeering/Extortion	3	100.0	13.0	14.9
Gambling/Lottery	0	--	--	--
Civil Rights	1	--	--	--
Immigration	97	16.0	7.0	66.7
Pornography/Prostitution	21	198.0	60.0	50.0
Prison Offenses	3	40.0	9.0	21.2
Administration of Justice Offenses	10	42.0	12.0	48.2
Environmental/Wildlife	0	--	--	--
National Defense	1	--	--	--
Antitrust	0	--	--	--
Food & Drug	2	--	--	--
Other Miscellaneous Offenses	7	36.0	24.0	100.0

¹Of the 72,585 cases, 455 were sentenced above the guideline range with *Booker* /18 U.S.C § 3553. Of these, 431 had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a sentence of life, an additional nine cases were also excluded from this table. Furthermore, nine cases were excluded due to several logical criteria. Of the remaining 413 cases, one was excluded due to one or both of the following reasons: missing primary offense category (0) or missing sentence information (1). Note that the information presented in this table does not include any time of alternative confinement as defined in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.