

Table 32

**UPWARD DEPARTURES FROM GUIDELINE RANGE: DEGREE OF
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2007**

PRIMARY OFFENSE	n	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	297	48.0	11.0	33.3
Murder	1	--	--	--
Manslaughter	2	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	7	60.0	19.0	35.2
Assault	13	57.0	18.0	41.2
Robbery	7	120.0	49.0	60.0
Arson	2	--	--	--
Drugs - Trafficking	35	84.0	19.0	25.0
Drugs - Communication Facility	2	--	--	--
Drugs - Simple Possession	4	12.0	6.0	100.0
Firearms	40	84.0	14.0	22.5
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	7	42.0	6.0	46.3
Fraud	29	48.0	12.0	50.0
Embezzlement	0	--	--	--
Forgery/Counterfeiting	8	47.0	15.5	51.2
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	4	61.0	15.5	46.2
Racketeering/Extortion	2	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	105	21.0	6.0	26.7
Pornography/Prostitution	11	240.0	30.0	23.7
Prison Offenses	2	--	--	--
Administration of Justice Offenses	6	36.0	7.5	85.7
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	1	--	--	--
Other Miscellaneous Offenses	9	41.0	8.0	30.4

¹Of the 72,865 cases, 324 received an upward departure from the guideline range. Of these, 304 had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a sentence of life, an additional three cases were also excluded from this table. Furthermore, three cases were excluded due to several logical criteria. Of the remaining 298 cases, one was excluded due to missing sentence information. 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.