

Table 32A

**UPWARD DEPARTURES WITH *BOOKER* /18 U.S.C. § 3553: 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	136	71.0	19.0	40.6
Murder	0	--	--	--
Manslaughter	4	96.0	31.5	33.1
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	7	120.0	51.0	37.9
Assault	2	--	--	--
Robbery	5	96.0	18.0	39.1
Arson	2	--	--	--
Drugs - Trafficking	14	165.0	46.5	43.6
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	2	--	--	--
Firearms	26	56.0	12.0	35.0
Burglary/B&E	0	--	--	--
Auto Theft	1	--	--	--
Larceny	1	--	--	--
Fraud	25	60.0	14.0	45.5
Embezzlement	0	--	--	--
Forgery/Counterfeiting	4	81.0	35.0	77.5
Bribery	0	--	--	--
Tax	1	--	--	--
Money Laundering	1	--	--	--
Racketeering/Extortion	2	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	22	60.0	13.5	88.2
Pornography/Prostitution	6	276.0	46.5	25.0
Prison Offenses	0	--	--	--
Administration of Justice Offenses	7	36.0	9.0	66.7
Environmental/Wildlife	1	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	3	27.0	4.0	50.0

¹Of the 72,865 cases, 143 received an upward departure from the guideline range with *Booker* /18 U.S.C § 3553. Of these, 139 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, one case was 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.