Table 31C

BELOW GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE
OF DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY[1]
Fiscal Year 2009

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	**8,892**	**27.0**	**13.0**	**34.8**
Murder	3	120.0	90.0	54.2
Manslaughter	4	12.0	10.5	50.0
Kidnapping/Hostage Taking	3	168.0	35.0	14.9
Sexual Abuse	58	24.0	15.0	35.2
Assault	80	12.0	9.0	55.4
Robbery	156	42.0	16.6	23.4
Arson	7	12.0	22.0	49.9
Drugs - Trafficking	3,083	60.0	18.0	28.2
Drugs - Communication Facility	93	12.0	16.0	55.4
Drugs - Simple Possession	8	7.5	19.0	58.3
Firearms	1,236	30.0	13.0	28.0
Burglary/B&E	1	--	--	--
Auto Theft	8	18.0	13.5	34.4
Larceny	159	0.0	10.0	100.0
Fraud	1,069	12.0	10.0	50.0
Embezzlement	83	0.3	8.0	91.8
Forgery/Counterfeiting	101	0.0	9.0	100.0
Bribery	37	12.0	9.0	49.9
Tax	190	5.5	10.0	72.8
Money Laundering	162	15.0	15.0	53.7
Racketeering/Extortion	91	30.0	19.0	34.8
Gambling/Lottery	7	0.0	6.0	100.0
Civil Rights	12	6.0	14.5	90.5
Immigration	1,216	24.0	11.0	33.3
Pornography/Prostitution	618	60.0	31.0	36.6
Prison Offenses	34	9.5	7.5	38.8
Administration of Justice Offenses	153	0.4	10.0	98.1
Environmental/Wildlife	28	0.0	12.0	100.0
National Defense	17	30.0	12.0	40.0
Antitrust	2	--	--	--
Food & Drug	6	6.0	11.5	50.0
Other Miscellaneous Offenses	167	0.0	10.0	100.0

[1]Of the 81,372 cases, 9,358 were sentenced below the guideline range with *Booker* /18 U.S.C § 3553. Of these, 8,944 had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, an additional 42 cases were also excluded from this table. Furthermore, one case was excluded due to several logical criteria. Of the remaining 8,901 cases, nine were excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but 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, 2009 Datafile, USSCFY09.