

Table 29

**WITHIN-RANGE CASES: POSITION OF SENTENCE FOR OFFENDERS
IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 1998**

PRIMARY OFFENSE	TOTAL	Guideline Minimum		Lower-Half of Range		Midpoint of Range		Upper-Half of Range		Guideline Maximum	
		n	%	n	%	n	%	n	%	n	%
TOTAL	27,402	16,521	60.3	3,035	11.1	2,122	7.7	1,519	5.5	4,205	15.3
Murder	32	8	25.0	7	21.9	1	3.1	3	9.4	13	40.6
Manslaughter	33	7	21.2	6	18.2	4	12.1	4	12.1	12	36.4
Kidnaping/Hostage-Taking	29	11	37.9	5	17.2	4	13.8	1	3.4	8	27.6
Sexual Abuse	151	55	36.4	14	9.3	24	15.9	14	9.3	44	29.1
Assault	327	169	51.7	44	13.5	25	7.6	27	8.3	62	19.0
Robbery	1,287	651	50.6	192	14.9	128	9.9	99	7.7	217	16.9
Arson	58	19	32.8	9	15.5	6	10.3	2	3.4	22	37.9
Drugs - Trafficking	9,622	6,719	69.8	942	9.8	602	6.3	383	4.0	976	10.1
Drugs - Communication Facility	221	48	21.7	13	5.9	4	1.8	5	2.3	151	68.3
Drugs - Simple Possession	357	250	70.0	29	8.1	23	6.4	14	3.9	41	11.5
Firearms	1,544	780	50.5	161	10.4	180	11.7	115	7.4	308	19.9
Burglary/B&E	54	20	37.0	3	5.6	13	24.1	6	11.1	12	22.2
Auto Theft	87	44	50.6	10	11.5	10	11.5	8	9.2	15	17.2
Larceny	1,779	1,211	68.1	150	8.4	109	6.1	102	5.7	207	11.6
Fraud	3,904	2,331	59.7	448	11.5	357	9.1	233	6.0	535	13.7
Embezzlement	563	374	66.4	128	22.7	25	4.4	15	2.7	21	3.7
Forgery/Counterfeiting	565	328	58.1	65	11.5	46	8.1	46	8.1	80	14.2
Bribery	139	95	68.3	14	10.1	13	9.4	6	4.3	11	7.9
Tax	550	396	72.0	56	10.2	33	6.0	16	2.9	49	8.9
Money Laundering	478	313	65.5	57	11.9	38	8.0	30	6.3	40	8.4
Racketeering/Extortion	263	117	44.5	19	7.2	11	4.2	10	3.8	106	40.3
Gambling/Lottery	102	86	84.3	3	2.9	7	6.9	3	2.9	3	2.9
Civil Rights	60	39	65.0	7	11.7	4	6.7	4	6.7	6	10.0
Immigration	3,854	1,577	40.9	537	13.9	345	9.0	315	8.2	1,080	28.0
Pornography/Prostitution	182	82	45.1	15	8.2	28	15.4	11	6.0	46	25.3
Prison Offenses	208	103	49.5	27	13.0	31	14.9	11	5.3	36	17.3
Administration of Justice Offenses	498	347	69.7	31	6.2	31	6.2	21	4.2	68	13.7
Environmental/Wildlife	61	46	75.4	8	13.1	1	1.6	3	4.9	3	4.9
National Defense	7	7	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Antitrust	6	2	33.3	3	50.0	0	0.0	0	0.0	1	16.7
Food & Drug	28	23	82.1	2	7.1	2	7.1	0	0.0	1	3.6
Other Miscellaneous Offenses	353	263	74.5	30	8.5	17	4.8	12	3.4	31	8.8

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¹Of the 50,754 cases, 31,772 were sentenced within the applicable guideline range. Of those, 28,488 had complete guideline application information. An additional 1,032 cases were excluded due to several logical criteria. Of the remaining 27,456 cases, 54 were excluded due to missing primary offense category. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1998 Datafile, USSCFY98.