

Table 29

**WITHIN-RANGE CASES: POSITION OF SENTENCE FOR OFFENDERS
IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 1999**

PRIMARY OFFENSE	TOTAL	Guideline Minimum		Lower-Half of Range		Midpoint of Range		Upper-Half of Range		Guideline Maximum	
		n	%	n	%	n	%	n	%	n	%
TOTAL	28,155	17,368	61.7	3,077	10.9	2,121	7.5	1,554	5.5	4,035	14.3
Murder	50	12	24.0	8	16.0	1	2.0	8	16.0	21	42.0
Manslaughter	40	15	37.5	4	10.0	1	2.5	3	7.5	17	42.5
Kidnaping/Hostage-Taking	39	11	28.2	9	23.1	6	15.4	4	10.3	9	23.1
Sexual Abuse	147	69	46.9	12	8.2	11	7.5	12	8.2	43	29.3
Assault	272	123	45.2	29	10.7	26	9.6	33	12.1	61	22.4
Robbery	1,030	505	49.0	159	15.4	96	9.3	113	11.0	157	15.2
Arson	43	10	23.3	9	20.9	3	7.0	2	4.7	19	44.2
Drugs - Trafficking	9,989	7,115	71.2	996	10.0	584	5.8	352	3.5	942	9.4
Drugs - Communication Facility	218	56	25.7	2	0.9	6	2.8	5	2.3	149	68.3
Drugs - Simple Possession	395	248	62.8	21	5.3	28	7.1	21	5.3	77	19.5
Firearms	1,692	868	51.3	181	10.7	188	11.1	129	7.6	326	19.3
Burglary/B&E	40	22	55.0	7	17.5	2	5.0	1	2.5	8	20.0
Auto Theft	99	61	61.6	6	6.1	12	12.1	5	5.1	15	15.2
Larceny	1,361	936	68.8	139	10.2	78	5.7	67	4.9	141	10.4
Fraud	3,529	2,183	61.9	394	11.2	312	8.8	211	6.0	429	12.2
Embezzlement	669	462	69.1	125	18.7	31	4.6	24	3.6	27	4.0
Forgery/Counterfeiting	883	503	57.0	102	11.6	96	10.9	65	7.4	117	13.3
Bribery	86	55	64.0	10	11.6	6	7.0	6	7.0	9	10.5
Tax	420	329	78.3	29	6.9	21	5.0	16	3.8	25	6.0
Money Laundering	489	311	63.6	65	13.3	38	7.8	26	5.3	49	10.0
Racketeering/Extortion	416	180	43.3	50	12.0	30	7.2	24	5.8	132	31.7
Gambling/Lottery	67	49	73.1	4	6.0	6	9.0	4	6.0	4	6.0
Civil Rights	46	32	69.6	4	8.7	5	10.9	0	0.0	5	10.9
Immigration	4,382	2,059	47.0	589	13.4	408	9.3	329	7.5	997	22.8
Pornography/Prostitution	236	129	54.7	11	4.7	31	13.1	12	5.1	53	22.5
Prison Offenses	216	123	56.9	20	9.3	21	9.7	18	8.3	34	15.7
Administration of Justice Offenses	501	308	61.5	31	6.2	41	8.2	28	5.6	93	18.6
Environmental/Wildlife	101	82	81.2	8	7.9	5	5.0	3	3.0	3	3.0
National Defense	5	3	60.0	1	20.0	0	0.0	0	0.0	1	20.0
Antitrust	12	10	83.3	1	8.3	1	8.3	0	0.0	0	0.0
Food & Drug	52	44	84.6	4	7.7	1	1.9	3	5.8	0	0.0
Other Miscellaneous Offenses	630	455	72.2	47	7.5	26	4.1	30	4.8	72	11.4

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¹Of the 55,557 cases, 34,020 were sentenced within the applicable guideline range. Of those, 30,560 had complete guideline application information. An additional 2,404 cases were excluded due to several logical criteria. Of the remaining 28,156 cases, one was excluded due to missing primary offense category. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1999 Datafile, USSCFY99.