

Table 31C

**BELOW THE GUIDELINE RANGE WITH *BOOKER* / 18 U.S.C. § 3553: DEGREE
OF DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2005, Post-Booker (January 12, 2005, through September 30, 2005)**

PRIMARY OFFENSE	n	Median Sentence in Months²	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	2,979	30.0	13.0	33.3
Murder	6	108.0	25.0	20.5
Manslaughter	2	--	--	--
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	16	30.0	21.5	43.0
Assault	18	13.0	12.0	47.2
Robbery	61	51.0	14.0	20.0
Arson	2	--	--	--
Drugs - Trafficking	1,131	72.0	20.0	23.8
Drugs - Communication Facility	34	12.0	8.5	38.9
Drugs - Simple Possession	4	21.0	11.0	43.2
Firearms	449	30.0	12.0	27.3
Burglary/B&E	4	8.0	7.0	47.1
Auto Theft	5	24.0	5.0	19.8
Larceny	76	0.0	8.0	100.0
Fraud	309	8.0	10.0	59.9
Embezzlement	28	0.5	9.0	96.4
Forgery/Counterfeiting	50	4.5	6.0	66.7
Bribery	10	0.0	8.5	100.0
Tax	59	3.0	10.0	87.5
Money Laundering	55	15.0	12.0	47.8
Racketeering/Extortion	28	54.0	29.0	43.4
Gambling/Lottery	3	0.0	6.0	100.0
Civil Rights	6	36.5	6.0	22.2
Immigration	449	20.0	10.0	33.3
Pornography/Prostitution	82	30.0	18.0	36.0
Prison Offenses	14	10.5	8.0	47.4
Administration of Justice Offenses	42	3.0	8.5	75.1
Environmental/Wildlife	5	4.0	6.0	35.1
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	3	0.0	30.0	100.0
Other Miscellaneous Offenses	27	0.0	10.0	100.0

¹Of the 53,674 cases, 3,199 were sentenced below the guideline range with Booker / 18 U.S.C § 3553. Of these, 2,987 had complete guideline application information. An additional two cases were excluded due to several logical criteria. Of the remaining 2,985 cases, six were excluded due to one or both of the following reasons: missing primary offense category (0) or missing sentence information (6). Descriptions of variables used in this table are provided in Appendix A.

²Cases with guideline maximums of life or probation (i.e., sentence lengths of zero months) were included in the sentence average computations as 470 months and zero months, respectively, but were excluded from measures of decrease in the table.