

Table 29

**WITHIN RANGE CASES: POSITION OF SENTENCE FOR OFFENDERS
IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2010**

PRIMARY OFFENSE	TOTAL	Guideline Minimum		Lower Half of Range		Midpoint of Range		Upper Half of Range		Guideline Maximum	
		N	%	N	%	N	%	N	%	N	%
TOTAL	35,793	18,009	50.3	7,086	19.8	3,498	9.8	3,284	9.2	3,916	10.9
Murder	23	9	39.1	6	26.1	1	4.3	6	26.1	1	4.3
Manslaughter	36	14	38.9	2	5.6	8	22.2	1	2.8	11	30.6
Kidnapping/Hostage Taking	14	7	50.0	3	21.4	0	0.0	2	14.3	2	14.3
Sexual Abuse	182	74	40.7	38	20.9	13	7.1	17	9.3	40	22.0
Assault	287	118	41.1	37	12.9	34	11.8	40	13.9	58	20.2
Robbery	590	293	49.7	102	17.3	48	8.1	56	9.5	91	15.4
Arson	27	9	33.3	6	22.2	1	3.7	3	11.1	8	29.6
Drugs - Trafficking	9,166	6,109	66.6	1,462	16.0	689	7.5	390	4.3	516	5.6
Drugs - Communication Facility	100	68	68.0	13	13.0	3	3.0	3	3.0	13	13.0
Drugs - Simple Possession	176	127	72.2	24	13.6	11	6.3	4	2.3	10	5.7
Firearms	4,057	2,160	53.2	589	14.5	392	9.7	326	8.0	590	14.5
Burglary/B&E	18	4	22.2	1	5.6	4	22.2	4	22.2	5	27.8
Auto Theft	46	26	56.5	6	13.0	3	6.5	3	6.5	8	17.4
Larceny	793	561	70.7	88	11.1	52	6.6	29	3.7	63	7.9
Fraud	3,226	1,822	56.5	494	15.3	288	8.9	228	7.1	394	12.2
Embezzlement	272	202	74.3	30	11.0	10	3.7	9	3.3	21	7.7
Forgery/Counterfeiting	540	270	50.0	80	14.8	56	10.4	50	9.3	84	15.6
Bribery	69	41	59.4	15	21.7	5	7.2	2	2.9	6	8.7
Tax	200	121	60.5	33	16.5	8	4.0	8	4.0	30	15.0
Money Laundering	248	161	64.9	40	16.1	21	8.5	10	4.0	16	6.5
Racketeering/Extortion	192	120	62.5	32	16.7	7	3.6	11	5.7	22	11.5
Gambling/Lottery	37	29	78.4	6	16.2	0	0.0	0	0.0	2	5.4
Civil Rights	23	11	47.8	3	13.0	3	13.0	2	8.7	4	17.4
Immigration	13,199	4,241	32.1	3,697	28.0	1,658	12.6	1,949	14.8	1,654	12.5
Child Pornography	644	390	60.6	90	14.0	44	6.8	54	8.4	66	10.2
Prison Offenses	285	140	49.1	47	16.5	43	15.1	14	4.9	41	14.4
Administration of Justice Offenses	552	328	59.4	55	10.0	50	9.1	29	5.3	90	16.3
Environmental/Wildlife	66	54	81.8	5	7.6	1	1.5	3	4.5	3	4.5
National Defense	18	14	77.8	2	11.1	1	5.6	0	0.0	1	5.6
Antitrust	2	1	50.0	0	0.0	1	50.0	0	0.0	0	0.0
Food & Drug	37	33	89.2	0	0.0	1	2.7	2	5.4	1	2.7
Other Miscellaneous Offenses	668	452	67.7	80	12.0	42	6.3	29	4.3	65	9.7

¹ Of the 83,946 cases, 45,028 were sentenced within the applicable guideline range. Of those, 38,294 cases had complete guideline application information. An additional 2,501 cases were excluded due to several logical criteria. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2010 Datafile, USSCFY10.