

Table 27

**SENTENCES RELATIVE TO THE GUIDELINE RANGE
BY EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2013**

PRIMARY OFFENSE	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURES ²		UPWARD DEPARTURES W/ <i>BOOKER</i> ²		ABOVE RANGE W/ <i>BOOKER</i> ²		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
TOTAL	78,628	40,233	51.2	399	0.5	132	0.2	1,065	1.4	85	0.1
Murder	89	42	47.2	5	5.6	0	0.0	2	2.2	0	0.0
Manslaughter	63	37	58.7	7	11.1	1	1.6	5	7.9	0	0.0
Kidnapping/Hostage Taking	40	12	30.0	1	2.5	0	0.0	2	5.0	0	0.0
Sexual Abuse	423	238	56.3	11	2.6	1	0.2	20	4.7	0	0.0
Assault	697	409	58.7	16	2.3	3	0.4	24	3.4	2	0.3
Robbery	837	456	54.5	9	1.1	5	0.6	24	2.9	0	0.0
Arson	69	34	49.3	1	1.4	4	5.8	1	1.4	0	0.0
Drugs - Trafficking	22,230	8,624	38.8	78	0.4	17	0.1	134	0.6	13	0.1
Drugs - Communication Facility	413	209	50.6	2	0.5	0	0.0	6	1.5	0	0.0
Drugs - Simple Possession	1,840	1,720	93.5	2	0.1	1	0.1	103	5.6	4	0.2
Firearms	8,052	4,620	57.4	67	0.8	24	0.3	277	3.4	22	0.3
Burglary/B&E	37	22	59.5	1	2.7	0	0.0	0	0.0	0	0.0
Auto Theft	87	51	58.6	2	2.3	0	0.0	6	6.9	0	0.0
Larceny	1,314	895	68.1	6	0.5	1	0.1	7	0.5	4	0.3
Fraud	7,543	3,575	47.4	22	0.3	15	0.2	121	1.6	10	0.1
Embezzlement	338	204	60.4	1	0.3	0	0.0	2	0.6	3	0.9
Forgery/Counterfeiting	728	438	60.2	2	0.3	9	1.2	10	1.4	2	0.3
Bribery	256	96	37.5	1	0.4	0	0.0	2	0.8	0	0.0
Tax	610	214	35.1	0	0.0	0	0.0	2	0.3	0	0.0
Money Laundering	825	280	33.9	5	0.6	0	0.0	6	0.7	0	0.0
Racketeering/Extortion	869	370	42.6	12	1.4	0	0.0	16	1.8	1	0.1
Gambling/Lottery	72	33	45.8	1	1.4	0	0.0	2	2.8	0	0.0
Civil Rights	57	14	24.6	0	0.0	0	0.0	0	0.0	0	0.0
Immigration	24,758	14,073	56.8	114	0.5	34	0.1	191	0.8	18	0.1
Child Pornography	1,922	648	33.7	8	0.4	3	0.2	20	1.0	1	0.1
Prison Offenses	421	297	70.5	4	1.0	3	0.7	11	2.6	1	0.2
Administration of Justice Offenses	1,390	795	57.2	9	0.6	6	0.4	43	3.1	3	0.2
Environmental/Wildlife	164	106	64.6	0	0.0	0	0.0	1	0.6	0	0.0
National Defense	125	42	33.6	1	0.8	0	0.0	1	0.8	0	0.0
Antitrust	16	2	12.5	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	68	49	72.1	0	0.0	0	0.0	1	1.5	0	0.0
Other Miscellaneous Offenses	2,275	1,628	71.6	11	0.5	5	0.2	25	1.1	1	0.0

Table 27 (cont.)

PRIMARY OFFENSE	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE ³		DOWNWARD DEPARTURE W/ BOOKER ³		BELOW RANGE W/ BOOKER ³		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	9,528	12.1	8,354	10.6	4,092	5.2	2,027	2.6	694	0.9	11,519	14.6	500	0.6
Murder	17	19.1	2	2.2	11	12.4	1	1.1	0	0.0	9	10.1	0	0.0
Manslaughter	0	0.0	0	0.0	1	1.6	3	4.8	0	0.0	9	14.3	0	0.0
Kidnapping/Hostage Taking	12	30.0	0	0.0	2	5.0	0	0.0	1	2.5	10	25.0	0	0.0
Sexual Abuse	18	4.3	0	0.0	55	13.0	10	2.4	9	2.1	60	14.2	1	0.2
Assault	15	2.2	8	1.1	89	12.8	32	4.6	12	1.7	84	12.1	3	0.4
Robbery	75	9.0	3	0.4	54	6.5	40	4.8	15	1.8	153	18.3	3	0.4
Arson	12	17.4	0	0.0	4	5.8	0	0.0	1	1.4	12	17.4	0	0.0
Drugs - Trafficking	5,751	25.9	1,484	6.7	1,513	6.8	488	2.2	248	1.1	3,770	17.0	110	0.5
Drugs - Communication Facility	54	13.1	10	2.4	46	11.1	7	1.7	0	0.0	74	17.9	5	1.2
Drugs - Simple Possession	1	0.1	0	0.0	2	0.1	1	0.1	0	0.0	5	0.3	1	0.1
Firearms	824	10.2	11	0.1	583	7.2	182	2.3	72	0.9	1,326	16.5	44	0.5
Burglary/B&E	1	2.7	0	0.0	1	2.7	0	0.0	0	0.0	12	32.4	0	0.0
Auto Theft	12	13.8	0	0.0	8	9.2	1	1.1	0	0.0	7	8.0	0	0.0
Larceny	63	4.8	3	0.2	51	3.9	22	1.7	7	0.5	238	18.1	17	1.3
Fraud	1,384	18.3	5	0.1	455	6.0	154	2.0	113	1.5	1,613	21.4	76	1.0
Embezzlement	16	4.7	0	0.0	18	5.3	7	2.1	4	1.2	81	24.0	2	0.6
Forgery/Counterfeiting	77	10.6	0	0.0	29	4.0	11	1.5	8	1.1	133	18.3	9	1.2
Bribery	64	25.0	1	0.4	21	8.2	10	3.9	1	0.4	55	21.5	5	2.0
Tax	80	13.1	0	0.0	42	6.9	25	4.1	10	1.6	234	38.4	3	0.5
Money Laundering	216	26.2	1	0.1	95	11.5	18	2.2	12	1.5	186	22.5	6	0.7
Racketeering/Extortion	157	18.1	0	0.0	108	12.4	29	3.3	10	1.2	160	18.4	6	0.7
Gambling/Lottery	16	22.2	1	1.4	3	4.2	2	2.8	1	1.4	12	16.7	1	1.4
Civil Rights	8	14.0	0	0.0	8	14.0	1	1.8	1	1.8	25	43.9	0	0.0
Immigration	293	1.2	6,812	27.5	281	1.1	867	3.5	83	0.3	1,840	7.4	152	0.6
Child Pornography	56	2.9	1	0.1	297	15.5	44	2.3	43	2.2	781	40.6	20	1.0
Prison Offenses	14	3.3	4	1.0	35	8.3	8	1.9	2	0.5	41	9.7	1	0.2
Administration of Justice Offenses	88	6.3	5	0.4	107	7.7	26	1.9	16	1.2	278	20.0	14	1.0
Environmental/Wildlife	8	4.9	0	0.0	24	14.6	3	1.8	4	2.4	17	10.4	1	0.6
National Defense	41	32.8	0	0.0	9	7.2	5	4.0	2	1.6	24	19.2	0	0.0
Antitrust	9	56.3	0	0.0	0	0.0	0	0.0	0	0.0	5	31.3	0	0.0
Food & Drug	2	2.9	0	0.0	3	4.4	0	0.0	0	0.0	13	19.1	0	0.0
Other Miscellaneous Offenses	144	6.3	3	0.1	137	6.0	30	1.3	19	0.8	252	11.1	20	0.9

¹ Of the 80,035 cases, 1,407 were excluded due to information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

² See Tables 24-24B for a list of departure reasons comprising these categories.

³ See Tables 25-25B for a list of departure reasons comprising these categories.