

Table 36

**EXTENT OF UPWARD VARIANCES
BY TYPE OF CRIME¹
Fiscal Year 2019**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Increase In Months	Percent Increase	Sentence In Months	Increase In Months	Percent Increase
TOTAL	1,421	79	23	65.0	60	12	37.5
Administration of Justice	22	35	9	44.2	30	6	25.8
Antitrust	0	--	--	--	--	--	--
Arson	5	124	49	64.4	120	48	44.4
Assault	29	102	31	56.9	96	18	27.7
Bribery/Corruption	5	36	10	70.3	36	6	100.0
Burglary/Trespass	4	26	7	63.7	23	6	55.8
Child Pornography	20	139	34	35.7	132	24	27.7
Commercialized Vice	15	53	21	68.1	46	10	53.3
Drug Possession	21	10	3	44.4	7	1	16.7
Drug Trafficking	275	104	30	71.7	84	18	33.3
Environmental	1	--	--	--	--	--	--
Extortion/Racketeering	9	51	21	75.6	50	13	81.8
Firearms	310	84	26	54.3	70	18	35.2
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	7	42	16	64.7	36	19	51.4
Fraud/Theft/Embezzlement	104	56	18	80.8	44	13	50.0
Immigration	328	27	10	75.1	20	6	50.0
Individual Rights	3	74	11	32.0	84	13	18.3
Kidnapping	0	--	--	--	--	--	--
Manslaughter	9	119	44	83.3	96	30	23.7
Money Laundering	10	112	39	61.5	72	24	49.4
Murder	9	381	100	42.3	382	65	25.7
National Defense	0	--	--	--	--	--	--
Obscenity/Other Sex Offenses	14	62	32	117.0	48	21	61.1
Prison Offenses	17	24	9	55.6	20	6	50.0
Robbery	96	185	43	33.6	180	30	22.4
Sexual Abuse	38	167	40	96.7	147	22	19.5
Stalking/Harassing	17	79	35	83.9	60	29	50.0
Tax	9	49	13	37.5	50	10	24.4
Other	44	11	4	52.0	9	3	33.3

¹ Of the 76,538 cases, in 1,431 the sentence was a variance above the guideline range. Due to an inability to calculate the extent of departure for cases with a sentence of life, two offenders were excluded from this table. Also, eight offenders were excluded due to several logical criteria. Sentences greater than 470 months and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2019 Datafile, USSCFY19.