

**Table 29**

**WITHIN-RANGE CASES: POSITION OF SENTENCE FOR OFFENDERS  
IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
Fiscal Year 2003**

PRIMARY OFFENSE	TOTAL	Guideline Minimum		Lower Half of Range		Midpoint of Range		Upper Half of Range		Guideline Maximum	
		n	%	n	%	n	%	n	%	n	%
<b>TOTAL</b>	<b>36,648</b>	<b>21,879</b>	<b>59.7</b>	<b>5,226</b>	<b>14.3</b>	<b>3,305</b>	<b>9.0</b>	<b>2,463</b>	<b>6.7</b>	<b>3,775</b>	<b>10.3</b>
Murder	25	8	32.0	5	20.0	1	4.0	5	20.0	6	24.0
Manslaughter	31	8	25.8	3	9.7	4	12.9	1	3.2	15	48.4
Kidnapping/Hostage Taking	37	14	37.8	9	24.3	3	8.1	6	16.2	5	13.5
Sexual Abuse	180	70	38.9	24	13.3	15	8.3	19	10.6	52	28.9
Assault	321	145	45.2	33	10.3	30	9.3	33	10.3	80	24.9
Robbery	953	497	52.2	145	15.2	95	10.0	78	8.2	138	14.5
Arson	39	21	53.8	6	15.4	1	2.6	4	10.3	7	17.9
Drugs - Trafficking	12,438	8,884	71.4	1,660	13.3	779	6.3	439	3.5	676	5.4
Drugs - Communication Facility	92	66	71.7	6	6.5	6	6.5	3	3.3	11	12.0
Drugs - Simple Possession	587	280	47.7	68	11.6	97	16.5	47	8.0	95	16.2
Firearms	4,300	2,332	54.2	579	13.5	476	11.1	268	6.2	645	15.0
Burglary/B&E	40	13	32.5	4	10.0	5	12.5	4	10.0	14	35.0
Auto Theft	83	39	47.0	6	7.2	11	13.3	8	9.6	19	22.9
Larceny	1,561	1,082	69.3	162	10.4	97	6.2	75	4.8	145	9.3
Fraud	4,239	2,390	56.4	640	15.1	397	9.4	311	7.3	501	11.8
Embezzlement	534	321	60.1	141	26.4	27	5.1	19	3.6	26	4.9
Forgery/Counterfeiting	847	468	55.3	124	14.6	86	10.2	59	7.0	110	13.0
Bribery	98	60	61.2	17	17.3	4	4.1	2	2.0	15	15.3
Tax	237	149	62.9	35	14.8	23	9.7	13	5.5	17	7.2
Money Laundering	395	250	63.3	53	13.4	25	6.3	19	4.8	48	12.2
Racketeering/Extortion	308	181	58.8	37	12.0	34	11.0	19	6.2	37	12.0
Gambling/Lottery	49	45	91.8	0	0.0	1	2.0	1	2.0	2	4.1
Civil Rights	27	18	66.7	4	14.8	1	3.7	0	0.0	4	14.8
Immigration	7,285	3,366	46.2	1,261	17.3	926	12.7	908	12.5	824	11.3
Pornography/Prostitution	510	277	54.3	40	7.8	63	12.4	28	5.5	102	20.0
Prison Offenses	263	123	46.8	40	15.2	28	10.6	21	8.0	51	19.4
Administration of Justice Offenses	583	376	64.5	56	9.6	46	7.9	38	6.5	67	11.5
Environmental/Wildlife	59	45	76.3	9	15.3	1	1.7	1	1.7	3	5.1
National Defense	6	4	66.7	0	0.0	1	16.7	0	0.0	1	16.7
Antitrust	8	7	87.5	1	12.5	0	0.0	0	0.0	0	0.0
Food & Drug	44	37	84.1	2	4.5	1	2.3	1	2.3	3	6.8
Other Miscellaneous Offenses	469	303	64.6	56	11.9	21	4.5	33	7.0	56	11.9

<sup>1</sup>Of the 70,258 cases, 45,253 were sentenced within the applicable guideline range. Of those, 39,205 had complete guideline application information. An additional 2,523 cases were excluded due to several logical criteria. Of the remaining 36,682 cases, zero were excluded due to missing primary offense category. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2003 Datafile, USSCFY03.