

Table 32

**UPWARD DEPARTURE CASES: DEGREE OF DEPARTURE
FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2003**

| PRIMARY OFFENSE | n | Median Sentence in Months ² | DEGREE OF INCREASE FOR UPWARD DEPARTURE ³ | |
|------------------------------------|------------|--|--|--|
| | | | Median Increase in Months From Guideline Maximum | Median Percent Increase From Guideline Maximum |
| TOTAL | 479 | 51.0 | 12.0 | 39.3 |
| Murder | 7 | 235.0 | 59.0 | 48.8 |
| Manslaughter | 7 | 60.0 | 22.0 | 125.0 |
| Kidnapping/Hostage Taking | 1 | -- | -- | -- |
| Sexual Abuse | 9 | 97.0 | 29.0 | 50.0 |
| Assault | 21 | 71.0 | 19.0 | 35.2 |
| Robbery | 19 | 144.0 | 35.0 | 28.0 |
| Arson | 1 | -- | -- | -- |
| Drugs - Trafficking | 42 | 100.5 | 23.5 | 37.7 |
| Drugs - Communication Facility | 1 | -- | -- | -- |
| Drugs - Simple Possession | 95 | 9.0 | 3.0 | 50.0 |
| Firearms | 73 | 87.0 | 20.0 | 30.4 |
| Burglary/B&E | 0 | -- | -- | -- |
| Auto Theft | 2 | -- | -- | -- |
| Larceny | 16 | 49.5 | 17.0 | 65.0 |
| Fraud | 66 | 42.0 | 9.0 | 33.3 |
| Embezzlement | 0 | -- | -- | -- |
| Forgery/Counterfeiting | 7 | 46.0 | 10.0 | 53.7 |
| Bribery | 0 | -- | -- | -- |
| Tax | 1 | -- | -- | -- |
| Money Laundering | 4 | 128.0 | 30.5 | 42.5 |
| Racketeering/Extortion | 4 | 171.0 | 48.0 | 61.9 |
| Gambling/Lottery | 0 | -- | -- | -- |
| Civil Rights | 1 | -- | -- | -- |
| Immigration | 35 | 37.0 | 9.0 | 33.3 |
| Pornography/Prostitution | 34 | 165.5 | 30.5 | 29.6 |
| Prison Offenses | 8 | 60.0 | 19.0 | 56.1 |
| Administration of Justice Offenses | 16 | 33.0 | 11.0 | 69.0 |
| Environmental/Wildlife | 0 | -- | -- | -- |
| National Defense | 0 | -- | -- | -- |
| Antitrust | 0 | -- | -- | -- |
| Food & Drug | 2 | -- | -- | -- |
| Other Miscellaneous Offenses | 7 | 57.0 | 21.0 | 41.2 |

¹Of the 70,258 cases, 541 received an upward departure. Of these, 511 had complete guideline application information. An additional 32 cases were excluded due to several logical criteria. Of the remaining 479 cases, zero were excluded due to one or both of the following reasons: missing primary offense category (0) or missing sentence information (0).

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.

³See Table 24 for a list of the departure reasons comprising this category.