

**Table 32**

**UPWARD DEPARTURE CASES: DEGREE OF DEPARTURE  
FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
Fiscal Year 2004, Post-Blakely (June 25, 2004, through September 30, 2004)**

PRIMARY OFFENSE	n	Median Sentence in Months <sup>2</sup>	DEGREE OF INCREASE FOR UPWARD DEPARTURE <sup>3</sup>	
			Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
<b>TOTAL</b>	<b>82</b>	<b>60.0</b>	<b>13.0</b>	<b>31.9</b>
Murder	4	348.0	105.0	48.5
Manslaughter	2	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	1	--	--	--
Assault	4	49.5	19.0	60.1
Robbery	4	137.0	13.0	9.5
Arson	0	--	--	--
Drugs - Trafficking	4	26.0	8.0	39.6
Drugs - Communication Facility	1	--	--	--
Drugs - Simple Possession	1	--	--	--
Firearms	16	120.0	33.0	28.9
Burglary/B&E	0	--	--	--
Auto Theft	1	--	--	--
Larceny	5	60.0	10.0	60.0
Fraud	10	50.5	10.0	30.4
Embezzlement	0	--	--	--
Forgery/Counterfeiting	2	--	--	--
Bribery	0	--	--	--
Tax	1	--	--	--
Money Laundering	1	--	--	--
Racketeering/Extortion	1	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	12	28.5	7.6	36.3
Pornography/Prostitution	8	136.0	29.0	19.2
Prison Offenses	0	--	--	--
Administration of Justice Offenses	3	12.0	4.0	50.0
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	1	--	--	--

<sup>1</sup>Of the 18,203 cases, 95 received an upward departure. Of these, 89 had complete guideline application information. An additional six cases were excluded due to several logical criteria. Of the remaining 83 cases, one were excluded due to one or both of the following reasons: missing primary offense category (0) or missing sentence information (1).

<sup>2</sup>Cases 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.

<sup>3</sup>See Table 24 for a list of the departure reasons comprising this category.