

Table 32

**UPWARD DEPARTURE CASES: DEGREE OF DEPARTURE
FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2004, Pre-Blakely (October 1, 2003, through June 24, 2004)**

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	317	71.0	17.0	31.3
Murder	4	309.5	103.5	57.4
Manslaughter	9	41.0	21.0	68.8
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	3	84.0	21.0	33.3
Assault	19	60.0	14.0	26.8
Robbery	17	188.0	25.0	28.7
Arson	0	--	--	--
Drugs - Trafficking	34	87.0	24.0	28.1
Drugs - Communication Facility	1	--	--	--
Drugs - Simple Possession	11	10.0	4.0	66.7
Firearms	68	110.0	24.0	28.6
Burglary/B&E	1	--	--	--
Auto Theft	3	120.0	87.0	263.6
Larceny	12	25.5	12.0	77.7
Fraud	44	51.0	11.0	33.3
Embezzlement	1	--	--	--
Forgery/Counterfeiting	3	168.0	17.0	9.0
Bribery	1	--	--	--
Tax	3	18.0	4.0	28.6
Money Laundering	4	64.0	13.5	18.3
Racketeering/Extortion	2	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	34	38.5	7.0	25.0
Pornography/Prostitution	21	108.0	30.0	27.7
Prison Offenses	7	41.0	8.0	19.6
Administration of Justice Offenses	10	62.5	18.5	53.9
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	5	18.0	6.0	50.0

¹Of the 51,865 cases, 382 received an upward departure. Of these, 347 had complete guideline application information. An additional 28 cases were excluded due to several logical criteria. Of the remaining 319 cases, two were excluded due to one or both of the following reasons: missing primary offense category (0) or missing sentence information (2).

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.