

Table 32

**UPWARD DEPARTURE CASES: DEGREE OF DEPARTURE
FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2005, Pre-Booker (October 1, 2004, through January 11, 2005)**

PRIMARY OFFENSE	n	Median Sentence in Months²	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	112	46.0	10.5	40.0
Murder	1	--	--	--
Manslaughter	1	--	--	--
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	1	--	--	--
Assault	2	--	--	--
Robbery	2	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	10	86.0	13.0	14.3
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	7	12.0	6.0	100.0
Firearms	16	83.0	29.5	40.6
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	4	47.0	12.5	39.2
Fraud	11	42.0	12.0	100.5
Embezzlement	0	--	--	--
Forgery/Counterfeiting	4	25.5	5.5	30.3
Bribery	1	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	1	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	33	18.0	6.0	31.3
Pornography/Prostitution	9	120.0	33.0	37.9
Prison Offenses	2	--	--	--
Administration of Justice Offenses	4	25.5	6.5	75.3
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	2	--	--	--

¹Of the 18,788 cases, 128 received an upward departure. Of these, 120 had complete guideline application information. An additional eight cases were excluded due to several logical criteria. Of the remaining 112 cases, zero were excluded due to one or both of the following reasons: missing primary offense category (0) or missing sentence information (0). See Table 24 for a list of the departure reasons comprising this category.

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.