

Table 32A

**DEPARTURES ABOVE THE GUIDELINE RANGE WITH *BOOKER* / 18 U.S.C. § 3553:
DEGREE OF INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2005, Post-Booker (January 12, 2005, through September 30, 2005)**

PRIMARY OFFENSE	n	Median Sentence in Months ²	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	35	84.0	25.0	37.9
Murder	2	--	--	--
Manslaughter	1	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	1	--	--	--
Assault	1	--	--	--
Robbery	0	--	--	--
Arson	0	--	--	--
Drugs - Trafficking	2	--	--	--
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	7	96.0	33.0	36.8
Burglary/B&E	0	--	--	--
Auto Theft	0	--	--	--
Larceny	0	--	--	--
Fraud	9	60.0	27.0	41.2
Embezzlement	0	--	--	--
Forgery/Counterfeiting	0	--	--	--
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	1	--	--	--
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	5	24.0	11.0	25.0
Pornography/Prostitution	2	--	--	--
Prison Offenses	1	--	--	--
Administration of Justice Offenses	1	--	--	--
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	2	--	--	--

¹Of the 53,674 cases, 36 received an above the guideline range departure with Booker / 18 U.S.C § 3553. Of these, 35 had complete guideline application information. An additional zero cases were excluded due to several logical criteria. Of the remaining 35 cases, zero were excluded due to one or both of the following reasons: missing primary offense category (0) or missing sentence information (0). Descriptions of variables used in this table are provided in Appendix A.

²Cases with guideline minimums 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.