

Table 32B

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 Months²	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	311	60.0	14.0	41.2
Murder	1	--	--	--
Manslaughter	0	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	9	240.0	38.0	14.5
Assault	11	60.0	19.0	46.3
Robbery	8	142.5	34.5	37.8
Arson	0	--	--	--
Drugs - Trafficking	44	90.0	21.5	35.0
Drugs - Communication Facility	0	--	--	--
Drugs - Simple Possession	6	12.0	6.0	83.3
Firearms	49	84.0	22.0	37.9
Burglary/B&E	1	--	--	--
Auto Theft	2	--	--	--
Larceny	13	24.0	8.0	45.5
Fraud	52	45.5	12.0	37.1
Embezzlement	1	--	--	--
Forgery/Counterfeiting	6	60.0	16.5	60.8
Bribery	0	--	--	--
Tax	4	48.0	24.0	50.9
Money Laundering	6	114.0	17.0	52.3
Racketeering/Extortion	8	72.0	20.0	39.4
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	54	44.0	11.5	39.3
Pornography/Prostitution	20	105.0	23.5	40.6
Prison Offenses	3	30.0	3.0	11.1
Administration of Justice Offenses	8	27.0	10.5	60.7
Environmental/Wildlife	1	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	4	21.0	12.0	125.0

¹Of the 53,674 cases, 343 were sentenced above the guideline range with Booker / 18 U.S.C § 3553. Of these, 318 had complete guideline application information. An additional seven cases were excluded due to several logical criteria. Of the remaining 311 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.