

**Table 29**

**WITHIN RANGE CASES: POSITION OF SENTENCE FOR OFFENDERS  
IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
Fiscal Year 2007**

PRIMARY OFFENSE	TOTAL	Guideline Minimum		Lower Half of Range		Midpoint of Range		Upper Half of Range		Guideline Maximum	
		n	%	n	%	n	%	n	%	n	%
<b>TOTAL</b>	<b>34,000</b>	<b>20,024</b>	<b>58.9</b>	<b>5,419</b>	<b>15.9</b>	<b>2,754</b>	<b>8.1</b>	<b>2,287</b>	<b>6.7</b>	<b>3,516</b>	<b>10.3</b>
Murder	28	10	35.7	6	21.4	1	3.6	3	10.7	8	28.6
Manslaughter	37	8	21.6	6	16.2	3	8.1	4	10.8	16	43.2
Kidnapping/Hostage Taking	13	9	69.2	2	15.4	0	0.0	0	0.0	2	15.4
Sexual Abuse	191	84	44.0	26	13.6	15	7.9	24	12.6	42	22.0
Assault	297	138	46.5	33	11.1	31	10.4	23	7.7	72	24.2
Robbery	668	354	53.0	107	16.0	68	10.2	58	8.7	81	12.1
Arson	26	19	73.1	2	7.7	0	0.0	1	3.8	4	15.4
Drugs - Trafficking	11,015	7,777	70.6	1,525	13.8	651	5.9	439	4.0	623	5.7
Drugs - Communication Facility	74	47	63.5	9	12.2	5	6.8	3	4.1	10	13.5
Drugs - Simple Possession	259	174	67.2	36	13.9	16	6.2	16	6.2	17	6.6
Firearms	4,869	2,768	56.8	745	15.3	406	8.3	306	6.3	644	13.2
Burglary/B&E	27	9	33.3	6	22.2	4	14.8	2	7.4	6	22.2
Auto Theft	33	14	42.4	5	15.2	2	6.1	4	12.1	8	24.2
Larceny	937	660	70.4	84	9.0	59	6.3	34	3.6	100	10.7
Fraud	3,791	2,232	58.9	522	13.8	286	7.5	299	7.9	452	11.9
Embezzlement	304	225	74.0	54	17.8	7	2.3	2	0.7	16	5.3
Forgery/Counterfeiting	716	362	50.6	111	15.5	67	9.4	63	8.8	113	15.8
Bribery	85	49	57.6	13	15.3	8	9.4	8	9.4	7	8.2
Tax	246	157	63.8	36	14.6	18	7.3	13	5.3	22	8.9
Money Laundering	375	255	68.0	55	14.7	16	4.3	21	5.6	28	7.5
Racketeering/Extortion	224	138	61.6	37	16.5	17	7.6	15	6.7	17	7.6
Gambling/Lottery	54	46	85.2	5	9.3	1	1.9	1	1.9	1	1.9
Civil Rights	22	12	54.5	3	13.6	2	9.1	0	0.0	5	22.7
Immigration	7,702	3,235	42.0	1,758	22.8	922	12.0	817	10.6	970	12.6
Pornography/Prostitution	701	414	59.1	83	11.8	51	7.3	59	8.4	94	13.4
Prison Offenses	213	89	41.8	42	19.7	26	12.2	13	6.1	43	20.2
Administration of Justice Offenses	474	288	60.8	47	9.9	39	8.2	33	7.0	67	14.1
Environmental/Wildlife	59	53	89.8	3	5.1	2	3.4	0	0.0	1	1.7
National Defense	6	3	50.0	1	16.7	1	16.7	1	16.7	0	0.0
Antitrust	2	1	50.0	1	50.0	0	0.0	0	0.0	0	0.0
Food & Drug	45	38	84.4	3	6.7	1	2.2	1	2.2	2	4.4
Other Miscellaneous Offenses	507	356	70.2	53	10.5	29	5.7	24	4.7	45	8.9

<sup>1</sup>Of the 72,865 cases, 42,504 were sentenced within the applicable guideline range. Of those, 38,021 had complete guideline application information. An additional 2,200 cases were excluded due to several logical criteria. Of the remaining 35,821 cases, 1,821 were excluded due to missing point in range information. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2007 Datafile, USSCFY07.