

Table 32

**UPWARD DEPARTURES FROM GUIDELINE RANGE: DEGREE OF
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2008**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	303	60.0	14.0	33.3
Murder	5	360.0	98.0	37.4
Manslaughter	3	60.0	14.0	30.4
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	9	84.0	31.0	53.8
Assault	14	96.0	30.0	48.7
Robbery	15	120.0	25.0	27.7
Arson	2	--	--	--
Drugs - Trafficking	42	116.0	27.0	26.3
Drugs - Communication Facility	1	--	--	--
Drugs - Simple Possession	1	--	--	--
Firearms	54	120.0	15.0	24.0
Burglary/B&E	1	--	--	--
Auto Theft	0	--	--	--
Larceny	3	37.0	16.0	76.2
Fraud	25	60.0	14.0	37.8
Embezzlement	0	--	--	--
Forgery/Counterfeiting	2	--	--	--
Bribery	0	--	--	--
Tax	2	--	--	--
Money Laundering	2	--	--	--
Racketeering/Extortion	11	66.0	15.0	36.8
Gambling/Lottery	1	--	--	--
Civil Rights	1	--	--	--
Immigration	86	21.0	6.0	33.3
Pornography/Prostitution	9	300.0	59.0	18.5
Prison Offenses	2	--	--	--
Administration of Justice Offenses	6	28.0	7.0	85.7
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	6	36.0	10.5	25.8

¹Of the 76,478 cases, 326 received an upward departure from the guideline range. Of these, 307 had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a sentence of life, one additional case was also excluded from this table. Furthermore, three cases were excluded due to several logical criteria. Note that the information presented in this table does not include any time of alternative confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.