

Table 32B

**ABOVE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: 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	588	48.5	14.0	50.0
Murder	2	--	--	--
Manslaughter	1	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	14	135.0	26.5	30.9
Assault	21	72.0	23.0	42.9
Robbery	12	110.0	16.5	20.9
Arson	0	--	--	--
Drugs - Trafficking	62	96.0	15.0	21.2
Drugs - Communication Facility	2	--	--	--
Drugs - Simple Possession	4	9.5	3.5	52.4
Firearms	101	96.0	23.0	30.4
Burglary/B&E	1	--	--	--
Auto Theft	1	--	--	--
Larceny	24	36.0	13.5	53.8
Fraud	66	60.0	18.0	60.5
Embezzlement	1	--	--	--
Forgery/Counterfeiting	15	36.0	16.0	100.0
Bribery	0	--	--	--
Tax	6	59.0	12.0	56.3
Money Laundering	4	48.0	16.5	72.2
Racketeering/Extortion	12	102.0	41.0	65.1
Gambling/Lottery	1	--	--	--
Civil Rights	2	--	--	--
Immigration	188	19.0	7.0	71.9
Pornography/Prostitution	24	140.0	31.5	23.5
Prison Offenses	4	30.0	9.0	31.9
Administration of Justice Offenses	11	60.0	15.0	42.5
Environmental/Wildlife	1	--	--	--
National Defense	1	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	7	24.0	8.0	50.0

¹Of the 76,478 cases, 622 were sentenced above the guideline range with *Booker*/ 18 U.S.C § 3553. Of these, 594 had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a sentence of life, an additional three cases were 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.