

Table 31B

**DOWNWARD DEPARTURES WITH *BOOKER* /18 U.S.C. § 3553: DEGREE
OF DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2009**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	807	24.0	18.0	44.4
Murder	1	--	--	--
Manslaughter	1	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	7	15.0	10.0	33.2
Assault	11	15.0	16.0	64.7
Robbery	26	39.5	21.5	35.8
Arson	1	--	--	--
Drugs - Trafficking	278	60.0	25.0	31.7
Drugs - Communication Facility	8	6.0	42.0	87.3
Drugs - Simple Possession	0	--	--	--
Firearms	96	19.5	17.0	42.8
Burglary/B&E	0	--	--	--
Auto Theft	1	--	--	--
Larceny	14	0.0	9.5	100.0
Fraud	83	3.0	12.0	86.3
Embezzlement	10	0.0	11.0	99.9
Forgery/Counterfeiting	11	0.0	8.0	100.0
Bribery	2	--	--	--
Tax	28	2.0	12.0	83.3
Money Laundering	21	17.0	18.0	55.4
Racketeering/Extortion	6	16.0	27.5	72.8
Gambling/Lottery	3	0.0	12.0	99.8
Civil Rights	1	--	--	--
Immigration	116	23.5	16.0	39.6
Pornography/Prostitution	51	60.0	39.0	44.4
Prison Offenses	2	--	--	--
Administration of Justice Offenses	12	8.5	14.0	55.6
Environmental/Wildlife	3	0.0	8.0	100.0
National Defense	2	--	--	--
Antitrust	0	--	--	--
Food & Drug	1	--	--	--
Other Miscellaneous Offenses	11	0.0	10.0	100.0

¹Of the 81,372 cases, 861 received a downward departure from the guideline range with *Booker*/18 U.S.C § 3553. Of these, 811 had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a guideline minimum of life, an additional three cases were also excluded from this table. Of the remaining 808 cases, one was excluded due to missing sentence information. Note that the information presented in this table does include sentences of probation, but 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.