

Table 29

**WITHIN RANGE CASES: POSITION OF SENTENCE FOR OFFENDERS
IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2011**

PRIMARY OFFENSE	TOTAL	Guideline Minimum		Lower Half of Range		Midpoint of Range		Upper Half of Range		Guideline Maximum	
		N	%	N	%	N	%	N	%	N	%
TOTAL	37,037	18,760	50.7	7,147	19.3	3,781	10.2	3,373	9.1	3,976	10.7
Murder	21	9	42.9	7	33.3	3	14.3	0	0.0	2	9.5
Manslaughter	31	5	16.1	5	16.1	7	22.6	5	16.1	9	29.0
Kidnapping/Hostage Taking	17	9	52.9	0	0.0	1	5.9	3	17.6	4	23.5
Sexual Abuse	178	83	46.6	29	16.3	15	8.4	19	10.7	32	18.0
Assault	323	154	47.7	33	10.2	32	9.9	20	6.2	84	26.0
Robbery	557	291	52.2	78	14.0	43	7.7	70	12.6	75	13.5
Arson	14	7	50.0	2	14.3	0	0.0	3	21.4	2	14.3
Drugs - Trafficking	9,995	6,496	65.0	1,800	18.0	678	6.8	425	4.3	596	6.0
Drugs - Communication Facility	116	75	64.7	15	12.9	7	6.0	7	6.0	12	10.3
Drugs - Simple Possession	189	146	77.2	17	9.0	6	3.2	7	3.7	13	6.9
Firearms	4,064	2,199	54.1	551	13.6	414	10.2	328	8.1	572	14.1
Burglary/B&E	35	15	42.9	4	11.4	4	11.4	1	2.9	11	31.4
Auto Theft	34	17	50.0	10	29.4	1	2.9	4	11.8	2	5.9
Larceny	824	588	71.4	85	10.3	45	5.5	37	4.5	69	8.4
Fraud	3,206	1,790	55.8	474	14.8	285	8.9	255	8.0	402	12.5
Embezzlement	230	169	73.5	35	15.2	14	6.1	6	2.6	6	2.6
Forgery/Counterfeiting	578	300	51.9	77	13.3	53	9.2	44	7.6	104	18.0
Bribery	70	47	67.1	8	11.4	9	12.9	3	4.3	3	4.3
Tax	231	152	65.8	30	13.0	18	7.8	7	3.0	24	10.4
Money Laundering	251	166	66.1	37	14.7	17	6.8	10	4.0	21	8.4
Racketeering/Extortion	259	115	44.4	41	15.8	28	10.8	37	14.3	38	14.7
Gambling/Lottery	39	26	66.7	3	7.7	0	0.0	5	12.8	5	12.8
Civil Rights	25	13	52.0	5	20.0	4	16.0	2	8.0	1	4.0
Immigration	13,463	4,525	33.6	3,486	25.9	1,921	14.3	1,930	14.3	1,601	11.9
Child Pornography	526	313	59.5	74	14.1	34	6.5	45	8.6	60	11.4
Prison Offenses	277	100	36.1	55	19.9	35	12.6	29	10.5	58	20.9
Administration of Justice Offenses	599	342	57.1	64	10.7	65	10.9	33	5.5	95	15.9
Environmental/Wildlife	59	39	66.1	7	11.9	3	5.1	4	6.8	6	10.2
National Defense	35	26	74.3	7	20.0	1	2.9	1	2.9	0	0.0
Antitrust	1	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0
Food & Drug	34	28	82.4	3	8.8	2	5.9	0	0.0	1	2.9
Other Miscellaneous Offenses	756	515	68.1	104	13.8	36	4.8	33	4.4	68	9.0

¹ Of the 86,201 cases, 46,160 were sentenced within the applicable guideline range. Of those, 39,620 cases had complete guideline application information. An additional 2,583 cases were excluded due to several logical criteria. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2011 Datafile, USSCFY11.