

Table 31B

**DOWNWARD DEPARTURES WITH *BOOKER* /18 U.S.C. § 3553: DEGREE  
OF DECREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
Fiscal Year 2011**

| PRIMARY OFFENSE                    | N          | Median Sentence<br>in Months | Median Decrease<br>in Months From<br>Guideline Minimum | Median Percent<br>Decrease From<br>Guideline Minimum |
|------------------------------------|------------|------------------------------|--|--|
| <b>TOTAL</b>                       | <b>883</b> | <b>24</b>                    | <b>18</b>  | <b>46.4</b>  |
| Murder                             | 0          | --                           | --   | --   |
| Manslaughter                       | 1          | --                           | --   | --   |
| Kidnapping/Hostage Taking          | 3          | 180                          | 144  | 44.4   |
| Sexual Abuse                       | 2          | --                           | --   | --   |
| Assault                            | 11         | 18                           | 12   | 47.8   |
| Robbery                            | 12         | 30                           | 27   | 35.8   |
| Arson                              | 1          | --                           | --   | --   |
| Drugs - Trafficking                | 298        | 47                           | 27   | 36.2   |
| Drugs - Communication Facility     | 6          | 16                           | 38   | 74.8   |
| Drugs - Simple Possession          | 0          | --                           | --   | --   |
| Firearms                           | 98         | 24                           | 21   | 36.8   |
| Burglary/B&E                       | 0          | --                           | --   | --   |
| Auto Theft                         | 0          | --                           | --   | --   |
| Larceny                            | 11         | 0                            | 15   | 100.0  |
| Fraud                              | 142        | 6                            | 12   | 72.0   |
| Embezzlement                       | 4          | 19                           | 12   | 59.7   |
| Forgery/Counterfeiting             | 8          | 3                            | 11   | 85.3   |
| Bribery                            | 7          | 0                            | 12   | 99.7   |
| Tax                                | 19         | 1                            | 18   | 90.0   |
| Money Laundering                   | 16         | 9                            | 22   | 66.7   |
| Racketeering/Extortion             | 9          | 18                           | 15   | 42.9   |
| Gambling/Lottery                   | 2          | --                           | --   | --   |
| Civil Rights                       | 2          | --                           | --   | --   |
| Immigration                        | 128        | 19                           | 14   | 42.8   |
| Child Pornography                  | 56         | 42                           | 41   | 46.0   |
| Prison Offenses                    | 3          | 15                           | 6  | 37.5   |
| Administration of Justice Offenses | 13         | 12                           | 10   | 60.0   |
| Environmental/Wildlife             | 5          | 0                            | 18   | 100.0  |
| National Defense                   | 1          | --                           | --   | --   |
| Antitrust                          | 0          | --                           | --   | --   |
| Food & Drug                        | 0          | --                           | --   | --   |
| Other Miscellaneous Offenses       | 25         | 0                            | 10   | 100.0  |

<sup>1</sup> Of the 86,201 cases, 917 received a downward departure from the guideline range with *Booker* /18 U.S.C § 3553. Of these, 886 cases 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 two cases were also excluded from this table. Of the remaining 884 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.