

Table 32B

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

<b>PRIMARY OFFENSE</b>	<b>N</b>	<b>Median Sentence in Months</b>	<b>Median Increase in Months From Guideline Maximum</b>	<b>Median Percent Increase From Guideline Maximum</b>
<b>TOTAL</b>	<b>879</b>	<b>48</b>	<b>12</b>	<b>41.2</b>
<b>Murder</b>	3	240	30	14.3
<b>Manslaughter</b>	3	48	22	91.7
<b>Kidnapping/Hostage Taking</b>	1	--	--	--
<b>Sexual Abuse</b>	21	144	27	47.4
<b>Assault</b>	19	72	14	36.4
<b>Robbery</b>	24	120	41	48.2
<b>Arson</b>	1	--	--	--
<b>Drugs - Trafficking</b>	123	85	18	25.0
<b>Drugs - Communication Facility</b>	6	69	25	126.2
<b>Drugs - Simple Possession</b>	6	30	14	200.0
<b>Firearms</b>	155	100	21	29.7
<b>Burglary/B&amp;E</b>	2	--	--	--
<b>Auto Theft</b>	1	--	--	--
<b>Larceny</b>	14	54	14	56.1
<b>Fraud</b>	99	48	12	45.5
<b>Embezzlement</b>	2	--	--	--
<b>Forgery/Counterfeiting</b>	16	58	21	61.1
<b>Bribery</b>	1	--	--	--
<b>Tax</b>	5	42	6	33.3
<b>Money Laundering</b>	2	--	--	--
<b>Racketeering/Extortion</b>	12	72	22	33.2
<b>Gambling/Lottery</b>	0	--	--	--
<b>Civil Rights</b>	1	--	--	--
<b>Immigration</b>	285	21	6	50.0
<b>Child Pornography</b>	23	240	50	26.3
<b>Prison Offenses</b>	7	36	12	50.0
<b>Administration of Justice Offenses</b>	29	48	12	60.0
<b>Environmental/Wildlife</b>	0	--	--	--
<b>National Defense</b>	1	--	--	--
<b>Antitrust</b>	1	--	--	--
<b>Food &amp; Drug</b>	0	--	--	--
<b>Other Miscellaneous Offenses</b>	16	36	8	43.6

<sup>1</sup> Of the 86,201 cases, 947 were sentenced above the guideline range with *Booker*/18 U.S.C § 3553. Of these, 910 cases 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, 28 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.