

Table 29

**WITHIN RANGE CASES: POSITION OF SENTENCE FOR OFFENDERS
IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2012**

PRIMARY OFFENSE	TOTAL	Guideline Minimum		Lower Half of Range		Midpoint of Range		Upper Half of Range		Guideline Maximum	
		N	%	N	%	N	%	N	%	N	%
TOTAL	34,956	18,126	51.9	6,727	19.2	3,567	10.2	2,851	8.2	3,685	10.5
Murder	20	2	10.0	7	35.0	1	5.0	5	25.0	5	25.0
Manslaughter	28	11	39.3	3	10.7	2	7.1	2	7.1	10	35.7
Kidnapping/Hostage Taking	11	8	72.7	1	9.1	0	0.0	1	9.1	1	9.1
Sexual Abuse	183	63	34.4	33	18.0	24	13.1	23	12.6	40	21.9
Assault	333	129	38.7	62	18.6	43	12.9	28	8.4	71	21.3
Robbery	438	223	50.9	72	16.4	41	9.4	45	10.3	57	13.0
Arson	13	5	38.5	2	15.4	0	0.0	4	30.8	2	15.4
Drugs - Trafficking	9,596	6,319	65.9	1,673	17.4	683	7.1	404	4.2	517	5.4
Drugs - Communication Facility	87	56	64.4	10	11.5	7	8.0	3	3.4	11	12.6
Drugs - Simple Possession	173	119	68.8	25	14.5	10	5.8	7	4.0	12	6.9
Firearms	4,190	2,306	55.0	569	13.6	423	10.1	312	7.4	580	13.8
Burglary/B&E	24	11	45.8	5	20.8	1	4.2	2	8.3	5	20.8
Auto Theft	31	10	32.3	4	12.9	1	3.2	4	12.9	12	38.7
Larceny	697	502	72.0	71	10.2	38	5.5	29	4.2	57	8.2
Fraud	3,219	1,851	57.5	453	14.1	247	7.7	231	7.2	437	13.6
Embezzlement	164	129	78.7	23	14.0	1	0.6	2	1.2	9	5.5
Forgery/Counterfeiting	538	281	52.2	77	14.3	45	8.4	48	8.9	87	16.2
Bribery	67	45	67.2	12	17.9	2	3.0	2	3.0	6	9.0
Tax	196	126	64.3	24	12.2	13	6.6	10	5.1	23	11.7
Money Laundering	266	170	63.9	41	15.4	17	6.4	10	3.8	28	10.5
Racketeering/Extortion	313	156	49.8	51	16.3	27	8.6	33	10.5	46	14.7
Gambling/Lottery	17	12	70.6	2	11.8	2	11.8	1	5.9	0	0.0
Civil Rights	13	10	76.9	1	7.7	0	0.0	0	0.0	2	15.4
Immigration	11,884	4,097	34.5	3,152	26.5	1,725	14.5	1,499	12.6	1,411	11.9
Child Pornography	560	360	64.3	80	14.3	33	5.9	42	7.5	45	8.0
Prison Offenses	298	119	39.9	74	24.8	39	13.1	16	5.4	50	16.8
Administration of Justice Offenses	692	385	55.6	89	12.9	83	12.0	40	5.8	95	13.7
Environmental/Wildlife	58	47	81.0	5	8.6	3	5.2	2	3.4	1	1.7
National Defense	39	21	53.8	8	20.5	2	5.1	4	10.3	4	10.3
Antitrust	1	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	34	27	79.4	2	5.9	3	8.8	2	5.9	0	0.0
Other Miscellaneous Offenses	773	525	67.9	96	12.4	51	6.6	40	5.2	61	7.9

¹ Of the 84,173 cases, 43,333 were sentenced within the applicable guideline range. Of those, 37,299 cases had complete guideline application information. An additional 2,343 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, 2012 Datafile, USSCFY12.