

Table 32A

**UPWARD DEPARTURES WITH *BOOKER*/18 U.S.C. § 3553: DEGREE OF
INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2012**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	119	72	23	52.2
Murder	0	--	--	--
Manslaughter	1	--	--	--
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	3	180	59	57.1
Assault	5	96	33	62.2
Robbery	4	180	83	90.1
Arson	0	--	--	--
Drugs - Trafficking	15	84	14	18.3
Drugs - Communication Facility	1	--	--	--
Drugs - Simple Possession	0	--	--	--
Firearms	25	120	33	32.4
Burglary/B&E	0	--	--	--
Auto Theft	1	--	--	--
Larceny	3	48	27	69.0
Fraud	16	42	18	100.0
Embezzlement	0	--	--	--
Forgery/Counterfeiting	7	60	24	80.0
Bribery	0	--	--	--
Tax	0	--	--	--
Money Laundering	0	--	--	--
Racketeering/Extortion	3	240	30	23.7
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	26	30	16	66.4
Child Pornography	5	235	33	16.5
Prison Offenses	0	--	--	--
Administration of Justice Offenses	2	--	--	--
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	2	--	--	--

¹ Of the 84,173 cases, 127 received an upward departure from the guideline range with *Booker*/18 U.S.C § 3553. Of these, 122 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 two cases were also excluded from this table. Furthermore, one case was 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.