

Table 32B

**ABOVE GUIDELINE RANGE 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	893	60	13	40.0
Murder	1	--	--	--
Manslaughter	4	102	51	93.6
Kidnapping/Hostage Taking	0	--	--	--
Sexual Abuse	15	120	20	24.3
Assault	19	90	19	37.9
Robbery	22	128	33	27.7
Arson	5	180	84	75.2
Drugs - Trafficking	113	91	14	25.0
Drugs - Communication Facility	8	66	13	25.0
Drugs - Simple Possession	3	24	12	100.0
Firearms	171	108	21	29.7
Burglary/B&E	1	--	--	--
Auto Theft	3	144	55	100.0
Larceny	15	48	19	62.2
Fraud	104	48	13	45.5
Embezzlement	1	--	--	--
Forgery/Counterfeiting	16	22	6	54.2
Bribery	0	--	--	--
Tax	5	60	12	29.3
Money Laundering	6	60	16	43.6
Racketeering/Extortion	18	108	35	45.9
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	241	22	6	50.0
Child Pornography	34	226	33	23.7
Prison Offenses	11	36	14	71.4
Administration of Justice Offenses	51	56	19	69.0
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	3	9	3	50.0
Other Miscellaneous Offenses	23	48	9	33.3

¹ Of the 84,173 cases, 977 were sentenced above the guideline range with *Booker*/18 U.S.C § 3553. Of these, 908 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, 13 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.