

Table 32B

**ABOVE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE
OF INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2013**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	880	60	14	42.9
Murder	2	--	--	--
Manslaughter	5	120	33	52.2
Kidnapping/Hostage Taking	2	--	--	--
Sexual Abuse	19	96	21	33.3
Assault	23	84	23	46.3
Robbery	24	120	33	33.3
Arson	1	--	--	--
Drugs - Trafficking	128	78	18	29.9
Drugs - Communication Facility	6	42	18	86.0
Drugs - Simple Possession	3	12	6	100.0
Firearms	217	84	18	30.4
Burglary/B&E	0	--	--	--
Auto Theft	6	96	18	33.3
Larceny	7	24	8	55.6
Fraud	113	60	15	46.3
Embezzlement	2	--	--	--
Forgery/Counterfeiting	10	56	20	69.0
Bribery	2	--	--	--
Tax	2	--	--	--
Money Laundering	6	78	20	36.8
Racketeering/Extortion	15	132	32	37.4
Gambling/Lottery	2	--	--	--
Civil Rights	0	--	--	--
Immigration	187	24	8	50.0
Child Pornography	19	188	30	16.7
Prison Offenses	10	36	9	81.8
Administration of Justice Offenses	42	38	16	73.5
Environmental/Wildlife	1	--	--	--
National Defense	1	--	--	--
Antitrust	0	--	--	--
Food & Drug	1	--	--	--
Other Miscellaneous Offenses	24	36	15	79.8

¹ Of the 80,035 cases, 1,065 were sentenced above the guideline range with *Booker*/18 U.S.C § 3553. Of these, 892 cases had complete guideline application information. Due to an inability to calculate the extent of departure for cases with a sentence of life, one additional case was also excluded from this table. Furthermore, 11 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.