

Table 27

**SENTENCES RELATIVE TO THE GUIDELINE RANGE
BY EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2015**

PRIMARY OFFENSE	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURES ²		UPWARD DEPARTURES W/ BOOKER ²		ABOVE RANGE W/ BOOKER ²		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
TOTAL	68,270	32,262	47.3	349	0.5	95	0.1	1,002	1.5	60	0.1
Murder	91	47	51.6	3	3.3	0	0.0	2	2.2	0	0.0
Manslaughter	52	22	42.3	10	19.2	2	3.8	5	9.6	0	0.0
Kidnapping/Hostage Taking	43	18	41.9	0	0.0	1	2.3	1	2.3	2	4.7
Sexual Abuse	527	235	44.6	13	2.5	2	0.4	19	3.6	0	0.0
Assault	718	411	57.2	18	2.5	9	1.3	33	4.6	3	0.4
Robbery	738	349	47.3	13	1.8	5	0.7	29	3.9	0	0.0
Arson	59	20	33.9	1	1.7	0	0.0	6	10.2	0	0.0
Drugs - Trafficking	20,027	7,028	35.1	79	0.4	12	0.1	179	0.9	12	0.1
Drugs - Communication Facility	316	159	50.3	0	0.0	0	0.0	5	1.6	0	0.0
Drugs - Simple Possession	448	429	95.8	0	0.0	0	0.0	3	0.7	0	0.0
Firearms	7,049	3,713	52.7	65	0.9	19	0.3	250	3.5	15	0.2
Burglary/B&E	36	20	55.6	1	2.8	0	0.0	3	8.3	0	0.0
Auto Theft	62	37	59.7	0	0.0	0	0.0	4	6.5	0	0.0
Larceny	873	486	55.7	2	0.2	0	0.0	14	1.6	0	0.0
Fraud	7,047	2,836	40.2	30	0.4	6	0.1	97	1.4	8	0.1
Embezzlement	329	182	55.3	0	0.0	0	0.0	2	0.6	0	0.0
Forgery/Counterfeiting	511	302	59.1	1	0.2	0	0.0	12	2.3	1	0.2
Bribery	216	65	30.1	0	0.0	0	0.0	2	0.9	0	0.0
Tax	559	152	27.2	1	0.2	0	0.0	5	0.9	0	0.0
Money Laundering	667	197	29.5	3	0.4	0	0.0	1	0.1	0	0.0
Racketeering/Extortion	1,005	381	37.9	3	0.3	0	0.0	11	1.1	0	0.0
Gambling/Lottery	76	38	50.0	0	0.0	0	0.0	1	1.3	0	0.0
Civil Rights	46	15	32.6	1	2.2	0	0.0	1	2.2	0	0.0
Immigration	20,608	11,822	57.4	82	0.4	24	0.1	210	1.0	16	0.1
Child Pornography	1,903	584	30.7	3	0.2	5	0.3	27	1.4	0	0.0
Prison Offenses	468	323	69.0	0	0.0	1	0.2	13	2.8	0	0.0
Administration of Justice Offenses	1,165	633	54.3	11	0.9	5	0.4	34	2.9	1	0.1
Environmental/Wildlife	140	63	45.0	0	0.0	1	0.7	0	0.0	0	0.0
National Defense	99	29	29.3	0	0.0	0	0.0	2	2.0	0	0.0
Antitrust	15	1	6.7	0	0.0	0	0.0	0	0.0	0	0.0
Food & Drug	141	92	65.2	3	2.1	0	0.0	4	2.8	0	0.0
Other Miscellaneous Offenses	2,236	1,573	70.3	6	0.3	3	0.1	27	1.2	2	0.1

Table 27 (cont.)

PRIMARY OFFENSE	§5K1.1		§5K3.1		OTHER		DOWNWARD		DOWNWARD		BELOW		REMAINING	
	SUBSTANTIAL		EARLY		GOV'T		DOWNWARD		DEPARTURE		RANGE		BELOW	
	ASSISTANCE		DISPOSITION		SPONSORED		DEPARTURE ³		W/ BOOKER ³		W/ BOOKER ³		RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	8,470	12.4	6,294	9.2	5,224	7.7	1,521	2.2	583	0.9	12,032	17.6	378	0.6
Murder	22	24.2	0	0.0	8	8.8	0	0.0	1	1.1	8	8.8	0	0.0
Manslaughter	1	1.9	0	0.0	4	7.7	0	0.0	0	0.0	8	15.4	0	0.0
Kidnapping/Hostage Taking	7	16.3	0	0.0	2	4.7	2	4.7	0	0.0	9	20.9	1	2.3
Sexual Abuse	47	8.9	0	0.0	97	18.4	4	0.8	5	0.9	105	19.9	0	0.0
Assault	5	0.7	4	0.6	99	13.8	10	1.4	7	1.0	109	15.2	10	1.4
Robbery	74	10.0	1	0.1	71	9.6	18	2.4	13	1.8	164	22.2	1	0.1
Arson	21	35.6	0	0.0	5	8.5	0	0.0	0	0.0	6	10.2	0	0.0
Drugs - Trafficking	4,931	24.6	1,222	6.1	2,059	10.3	338	1.7	219	1.1	3,869	19.3	79	0.4
Drugs - Communication Facility	36	11.4	4	1.3	27	8.5	1	0.3	3	0.9	76	24.1	5	1.6
Drugs - Simple Possession	1	0.2	2	0.4	4	0.9	0	0.0	0	0.0	7	1.6	2	0.4
Firearms	763	10.8	13	0.2	636	9.0	127	1.8	47	0.7	1,370	19.4	31	0.4
Burglary/B&E	2	5.6	0	0.0	0	0.0	0	0.0	0	0.0	9	25.0	1	2.8
Auto Theft	12	19.4	0	0.0	2	3.2	1	1.6	0	0.0	5	8.1	1	1.6
Larceny	55	6.3	0	0.0	70	8.0	22	2.5	13	1.5	196	22.5	15	1.7
Fraud	1,337	19.0	3	0.0	607	8.6	107	1.5	80	1.1	1,870	26.5	66	0.9
Embezzlement	16	4.9	1	0.3	27	8.2	13	4.0	0	0.0	86	26.1	2	0.6
Forgery/Counterfeiting	47	9.2	0	0.0	26	5.1	14	2.7	8	1.6	96	18.8	4	0.8
Bribery	67	31.0	1	0.5	16	7.4	3	1.4	5	2.3	57	26.4	0	0.0
Tax	79	14.1	0	0.0	45	8.1	17	3.0	15	2.7	239	42.8	6	1.1
Money Laundering	156	23.4	2	0.3	94	14.1	15	2.2	10	1.5	185	27.7	4	0.6
Racketeering/Extortion	218	21.7	0	0.0	134	13.3	17	1.7	12	1.2	219	21.8	10	1.0
Gambling/Lottery	13	17.1	1	1.3	9	11.8	1	1.3	0	0.0	13	17.1	0	0.0
Civil Rights	6	13.0	0	0.0	6	13.0	1	2.2	0	0.0	15	32.6	1	2.2
Immigration	250	1.2	5,032	24.4	441	2.1	723	3.5	80	0.4	1,829	8.9	99	0.5
Child Pornography	62	3.3	0	0.0	387	20.3	26	1.4	34	1.8	765	40.2	10	0.5
Prison Offenses	9	1.9	0	0.0	44	9.4	5	1.1	2	0.4	70	15.0	1	0.2
Administration of Justice Offenses	70	6.0	5	0.4	112	9.6	17	1.5	6	0.5	267	22.9	4	0.3
Environmental/Wildlife	23	16.4	0	0.0	12	8.6	5	3.6	2	1.4	31	22.1	3	2.1
National Defense	27	27.3	0	0.0	10	10.1	5	5.1	4	4.0	22	22.2	0	0.0
Antitrust	10	66.7	0	0.0	2	13.3	0	0.0	0	0.0	2	13.3	0	0.0
Food & Drug	9	6.4	0	0.0	8	5.7	5	3.5	4	2.8	15	10.6	1	0.7
Other Miscellaneous Offenses	94	4.2	3	0.1	160	7.2	24	1.1	13	0.6	310	13.9	21	0.9

¹ Of the 71,003 cases, 2,733 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

² See Tables 24-24B for a list of departure reasons comprising these categories.

³ See Tables 25-25B for a list of departure reasons comprising these categories.