

Table 32B

**ABOVE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553: DEGREE
OF INCREASE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2016**

PRIMARY OFFENSE	N	Median Sentence in Months	Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	939	60	14	33.3
Murder	0	--	--	--
Manslaughter	8	102	22	48.9
Kidnapping/Hostage Taking	2	--	--	--
Sexual Abuse	26	102	22	30.1
Assault	21	72	15	22.8
Robbery	27	122	24	30.4
Arson	1	--	--	--
Drugs - Trafficking	133	72	14	24.3
Drugs - Communication Facility	5	42	12	23.1
Drugs - Simple Possession	4	12	6	86.0
Firearms	223	94	21	31.6
Burglary/B&E	1	--	--	--
Auto Theft	2	--	--	--
Larceny	12	39	14	57.4
Fraud	82	48	12	39.5
Embezzlement	4	27	3	32.1
Forgery/Counterfeiting	11	48	15	77.8
Bribery	3	108	21	24.1
Tax	7	27	9	30.4
Money Laundering	6	39	12	48.6
Racketeering/Extortion	29	96	28	29.7
Gambling/Lottery	0	--	--	--
Civil Rights	0	--	--	--
Immigration	224	24	6	50.0
Child Pornography	31	168	24	20.0
Prison Offenses	10	36	13	85.7
Administration of Justice Offenses	39	36	15	50.0
Environmental/Wildlife	0	--	--	--
National Defense	1	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	27	42	12	60.0

¹ Of the 67,742 cases, 1,131 were sentenced above the guideline range with *Booker*/18 U.S.C. § 3553. Of these, 962 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, 22 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.

SOURCE: U.S. Sentencing Commission, 2016 Datafile, USSCFY16.