

**Table 31**

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE  
BY TYPE OF CRIME<sup>1</sup>  
Fiscal Year 2019**

TYPE OF CRIME	TOTAL	WITHIN GUIDELINE		DEPARTURE								VARIANCE	
		RANGE		UPWARD		§5K1.1		§5K3.1		DOWNWARD			
		N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>76,034</b>	<b>39,078</b>	<b>51.4</b>	<b>364</b>	<b>0.5</b>	<b>7,272</b>	<b>9.6</b>	<b>7,119</b>	<b>9.4</b>	<b>3,162</b>	<b>4.2</b>	<b>19,039</b>	<b>25.0</b>
Administration of Justice	695	357	51.4	12	1.7	36	5.2	6	0.9	43	6.2	241	34.7
Antitrust	20	2	10.0	0	0.0	15	75.0	0	0.0	0	0.0	3	15.0
Arson	68	35	51.5	2	2.9	9	13.2	0	0.0	2	2.9	20	29.4
Assault	768	380	49.5	18	2.3	39	5.1	1	0.1	55	7.2	275	35.8
Bribery/Corruption	341	63	18.5	0	0.0	118	34.6	0	0.0	27	7.9	133	39.0
Burglary/Trespass	64	40	62.5	1	1.6	1	1.6	0	0.0	2	3.1	20	31.3
Child Pornography	1,368	413	30.2	10	0.7	30	2.2	0	0.0	95	6.9	820	59.9
Commercialized Vice	90	32	35.6	1	1.1	9	10.0	0	0.0	7	7.8	41	45.6
Drug Possession	490	445	90.8	2	0.4	2	0.4	0	0.0	3	0.6	38	7.8
Drug Trafficking	19,813	6,734	34.0	64	0.3	4,460	22.5	1,224	6.2	846	4.3	6,485	32.7
Environmental	173	82	47.4	0	0.0	10	5.8	0	0.0	14	8.1	67	38.7
Extortion/Racketeering	183	88	48.1	2	1.1	21	11.5	0	0.0	9	4.9	63	34.4
Firearms	8,474	4,618	54.5	56	0.7	563	6.6	8	0.1	305	3.6	2,924	34.5
Food and Drug	48	34	70.8	1	2.1	0	0.0	0	0.0	1	2.1	12	25.0
Forgery/Counter/Copyright	276	135	48.9	1	0.4	29	10.5	0	0.0	11	4.0	100	36.2
Fraud/Theft/Embezzlement	6,273	2,991	47.7	19	0.3	830	13.2	17	0.3	205	3.3	2,211	35.2
Immigration	29,239	19,193	65.6	103	0.4	205	0.7	5,852	20.0	1,141	3.9	2,745	9.4
Individual Rights	64	34	53.1	0	0.0	7	10.9	0	0.0	3	4.7	20	31.3
Kidnapping	96	30	31.3	2	2.1	18	18.8	0	0.0	9	9.4	37	38.5
Manslaughter	74	39	52.7	7	9.5	0	0.0	0	0.0	5	6.8	23	31.1
Money Laundering	1,174	289	24.6	4	0.3	333	28.4	7	0.6	67	5.7	474	40.4
Murder	373	143	38.3	4	1.1	87	23.3	0	0.0	33	8.8	106	28.4
National Defense	193	54	28.0	0	0.0	40	20.7	0	0.0	23	11.9	76	39.4
Obscenity/Other Sex Offenses	392	235	59.9	3	0.8	0	0.0	1	0.3	12	3.1	141	36.0
Prison Offenses	610	402	65.9	3	0.5	11	1.8	3	0.5	30	4.9	161	26.4
Robbery	1,825	711	39.0	29	1.6	262	14.4	0	0.0	100	5.5	723	39.6
Sexual Abuse	1,165	458	39.3	14	1.2	58	5.0	0	0.0	77	6.6	558	47.9
Stalking/Harassing	223	113	50.7	4	1.8	2	0.9	0	0.0	15	6.7	89	39.9
Tax	547	139	25.4	0	0.0	69	12.6	0	0.0	16	2.9	323	59.0
Other	915	789	86.2	2	0.2	8	0.9	0	0.0	6	0.7	110	12.0

<sup>1</sup> Of the 76,538 cases, 504 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.

SOURCE: U.S. Sentencing Commission, 2019 Datafile, USSCFY19.