

Table 35

**EXTENT OF UPWARD DEPARTURES  
BY TYPE OF CRIME<sup>1</sup>  
Fiscal Year 2020**

| TYPE OF CRIME                | N          | Mean                  |                       |                     | Median                |                       |                     |
|------------------------------|------------|-----------------------|-----------------------|---------------------|-----------------------|-----------------------|---------------------|
|                              |            | Sentence<br>In Months | Increase<br>In Months | Percent<br>Increase | Sentence<br>In Months | Increase<br>In Months | Percent<br>Increase |
| <b>TOTAL</b>                 | <b>259</b> | <b>76</b>             | <b>22</b>             | <b>72.6</b>         | <b>57</b>             | <b>13</b>             | <b>38.1</b>         |
| Administration of Justice    | 4          | 47                    | 29                    | 178.7               | 44                    | 24                    | 167.9               |
| Antitrust                    | 0          | --                    | --                    | --                  | --                    | --                    | --                  |
| Arson                        | 2          | --                    | --                    | --                  | --                    | --                    | --                  |
| Assault                      | 9          | 64                    | 19                    | 54.6                | 54                    | 13                    | 18.3                |
| Bribery/Corruption           | 0          | --                    | --                    | --                  | --                    | --                    | --                  |
| Burglary/Trespass            | 0          | --                    | --                    | --                  | --                    | --                    | --                  |
| Child Pornography            | 11         | 110                   | 32                    | 43.8                | 87                    | 27                    | 45.0                |
| Commercialized Vice          | 0          | --                    | --                    | --                  | --                    | --                    | --                  |
| Drug Possession              | 2          | --                    | --                    | --                  | --                    | --                    | --                  |
| Drug Trafficking             | 57         | 114                   | 31                    | 90.7                | 96                    | 19                    | 37.9                |
| Environmental                | 0          | --                    | --                    | --                  | --                    | --                    | --                  |
| Extortion/Racketeering       | 0          | --                    | --                    | --                  | --                    | --                    | --                  |
| Firearms                     | 54         | 77                    | 25                    | 71.9                | 60                    | 20                    | 35.1                |
| Food and Drug                | 2          | --                    | --                    | --                  | --                    | --                    | --                  |
| Forgery/Counter/Copyright    | 2          | --                    | --                    | --                  | --                    | --                    | --                  |
| Fraud/Theft/Embezzlement     | 20         | 34                    | 10                    | 81.4                | 20                    | 7                     | 58.3                |
| Immigration                  | 49         | 34                    | 9                     | 48.1                | 27                    | 6                     | 33.0                |
| Individual Rights            | 0          | --                    | --                    | --                  | --                    | --                    | --                  |
| Kidnapping                   | 1          | --                    | --                    | --                  | --                    | --                    | --                  |
| Manslaughter                 | 3          | 76                    | 36                    | 101.1               | 72                    | 35                    | 94.6                |
| Money Laundering             | 14         | 17                    | 8                     | 93.3                | 14                    | 6                     | 66.7                |
| Murder                       | 1          | --                    | --                    | --                  | --                    | --                    | --                  |
| National Defense             | 0          | --                    | --                    | --                  | --                    | --                    | --                  |
| Obscenity/Other Sex Offenses | 5          | 68                    | 41                    | 146.4               | 87                    | 57                    | 190.0               |
| Prison Offenses              | 2          | --                    | --                    | --                  | --                    | --                    | --                  |
| Robbery                      | 9          | 149                   | 33                    | 35.2                | 144                   | 29                    | 14.9                |
| Sexual Abuse                 | 4          | 196                   | 53                    | 41.6                | 204                   | 45                    | 40.0                |
| Stalking/Harassing           | 5          | 51                    | 12                    | 39.6                | 48                    | 11                    | 37.5                |
| Tax                          | 0          | --                    | --                    | --                  | --                    | --                    | --                  |
| Other                        | 3          | 15                    | 3                     | 21.5                | 13                    | 2                     | 25.0                |

<sup>1</sup> Of the 64,565 cases, in 261 the sentence was an upward departure from the guideline range. Due to an inability to calculate the extent of departure for cases with a sentence of life, one offender was excluded from this table. One additional offender was excluded due to several logical criteria. Sentences greater than 470 months and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this table includes conditions of confinement as described in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2020 Datafile, USSCFY20.