

Table 36

**EXTENT OF UPWARD VARIANCES
BY TYPE OF CRIME¹
Fiscal Year 2022**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Increase In Months	Percent Increase	Sentence In Months	Increase In Months	Percent Increase
TOTAL	1,469	82	24	61.9	60	13	34.0
Administration of Justice	18	39	19	86.0	30	11	66.7
Antitrust	0	--	--	--	--	--	--
Arson	7	89	27	39.5	76	12	27.5
Assault	45	96	29	46.2	84	21	30.4
Bribery/Corruption	2	--	--	--	--	--	--
Burglary/Trespass	1	--	--	--	--	--	--
Child Pornography	41	163	36	35.3	144	30	24.8
Commercialized Vice	2	--	--	--	--	--	--
Drug Possession	8	22	10	101.5	21	9	100.0
Drug Trafficking	235	99	27	80.2	84	18	30.4
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	6	98	11	16.7	54	8	11.6
Firearms	430	81	23	48.0	72	15	33.3
Food and Drug	1	--	--	--	--	--	--
Forgery/Counter/Copyright	3	66	13	60.4	41	14	13.2
Fraud/Theft/Embezzlement	150	48	17	83.8	31	9	38.2
Immigration	247	29	11	70.8	20	6	50.0
Individual Rights	1	--	--	--	--	--	--
Kidnapping	5	217	37	19.8	180	24	15.9
Manslaughter	20	121	44	72.4	120	27	58.0
Money Laundering	17	62	16	46.2	40	6	33.3
Murder	11	375	116	60.6	420	83	28.8
National Defense	1	--	--	--	--	--	--
Obscenity/Other Sex Offenses	23	58	26	94.4	51	21	70.4
Prison Offenses	10	40	15	57.4	34	8	46.4
Robbery	75	178	42	38.2	162	30	25.0
Sexual Abuse	52	185	49	46.0	144	31	27.1
Stalking/Harassing	16	56	21	77.1	52	13	41.9
Tax	1	--	--	--	--	--	--
Other	41	12	4	57.3	9	3	33.3

¹ Of the 64,142 cases, in 1,477 the sentence was a variance above the guideline range. Due to an inability to calculate the extent of departure for cases with a sentence of life, two offenders were excluded from this table. Also, six offenders were 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, 2022 Datafile, USSCFY22.