

Table 35

**EXTENT OF UPWARD DEPARTURES
BY TYPE OF CRIME¹
Fiscal Year 2023**

TYPE OF CRIME	N	Mean			Median		
		Sentence In Months	Increase In Months	Percent Increase	Sentence In Months	Increase In Months	Percent Increase
TOTAL	301	104	34	84.3	79	20	42.9
Administration of Justice	6	77	28	60.4	33	8	26.4
Antitrust	0	--	--	--	--	--	--
Arson	6	120	59	83.1	114	55	52.2
Assault	17	123	45	69.8	90	29	40.4
Bribery/Corruption	0	--	--	--	--	--	--
Burglary/Trespass	2	--	--	--	--	--	--
Child Pornography	4	145	21	25.8	153	17	10.9
Commercialized Vice	4	69	43	161.4	55	28	105.0
Drug Possession	1	--	--	--	--	--	--
Drug Trafficking	59	106	46	181.2	96	35	72.4
Environmental	0	--	--	--	--	--	--
Extortion/Racketeering	0	--	--	--	--	--	--
Firearms	76	83	24	58.3	77	21	37.5
Food and Drug	0	--	--	--	--	--	--
Forgery/Counter/Copyright	0	--	--	--	--	--	--
Fraud/Theft/Embezzlement	22	56	17	76.4	30	12	80.9
Immigration	39	29	8	62.5	18	8	50.0
Individual Rights	0	--	--	--	--	--	--
Kidnapping	2	--	--	--	--	--	--
Manslaughter	12	134	34	34.2	126	25	23.4
Money Laundering	3	14	5	70.8	12	5	83.3
Murder	10	314	90	53.3	300	60	21.4
National Defense	0	--	--	--	--	--	--
Obscenity/Other Sex Offenses	2	--	--	--	--	--	--
Prison Offenses	2	--	--	--	--	--	--
Robbery	14	198	61	39.4	171	25	27.0
Sexual Abuse	16	220	50	40.7	199	43	26.6
Stalking/Harassing	4	63	25	81.2	54	22	77.6
Tax	0	--	--	--	--	--	--
Other	0	--	--	--	--	--	--

¹ Of the 64,124 cases, in 314 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, four sentenced individuals were excluded from this table. Also, nine individuals 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, 2023 Datafile, USSCFY23.