

Table 32

**UPWARD DEPARTURE CASES: DEGREE OF DEPARTURE  
FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY<sup>1</sup>  
Fiscal Year 1999**

PRIMARY OFFENSE	n	DEGREE OF INCREASE FOR UPWARD DEPARTURE		
		Median Sentence in Months <sup>2</sup>	Median Increase in Months from Guideline Maximum	Median Percent Increase from Guideline Maximum
<b>TOTAL</b>	<b>244</b>	<b>78.0</b>	<b>18.0</b>	<b>33.3</b>
Murder	4	198.0	32.5	26.4
Manslaughter	3	72.0	15.0	26.3
Kidnaping/Hostage-Taking	4	304.0	94.0	56.3
Sexual Abuse	9	188.0	27.0	42.2
Assault	10	55.5	18.0	28.9
Robbery	26	183.0	37.0	25.5
Arson	3	96.0	18.0	23.8
Drugs - Trafficking	22	104.0	19.0	20.5
Drugs - Communication Facility	2	48.0	31.5	214.3
Drugs - Simple Possession	2	9.5	3.0	44.0
Firearms	28	80.5	21.0	30.0
Burglary/B&E	1	60.0	19.0	46.3
Auto Theft	5	87.0	16.0	37.8
Larceny	5	36.0	6.0	50.0
Fraud	38	50.5	12.0	39.4
Embezzlement	3	97.0	19.0	37.8
Forgery/Counterfeiting	9	36.0	9.0	33.3
Bribery	3	97.0	21.0	28.6
Tax	0	—	—	—
Money Laundering	4	120.0	31.5	38.2
Racketeering/Extortion	5	192.0	14.0	13.2
Gambling/Lottery	0	—	—	—
Civil Rights	0	—	—	—
Immigration	24	46.0	9.5	39.7
Pornography/Prostitution	14	60.0	12.5	41.0
Prison Offenses	6	35.0	8.0	31.9
Administration of Justice	2	120.0	75.5	317.8
Environmental/Wildlife	1	60.0	30.0	100.0
National Defense	0	—	—	—
Antitrust	0	—	—	—
Food & Drug	0	—	—	—
Other Miscellaneous Offenses	11	78.0	30.0	135.3

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<sup>1</sup>Of the 55,557 cases, 313 received an upward departure. Of these, 284 had complete guideline application information. An additional 40 cases were excluded due to several logical criteria.

<sup>2</sup>Cases with guideline maximums of life or probation (*i.e.*, sentence lengths of zero months) were included in the sentence average computations as 470 months and zero months respectively, but were excluded from measures of increase in the table.

SOURCE: U.S. Sentencing Commission, 1999 Datafile, USSCFY99.