

Table 31

**DOWNWARD DEPARTURE CASES: DEGREE OF DEPARTURE
FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2002 (Prior to Enactment of the PROTECT Act)**

PRIMARY OFFENSE	n	Median Sentence in Months ²	DEGREE OF DECREASE FOR DOWNWARD DEPARTURE	
			Median Decrease in Months From Guideline Minimum	Median Percent Decrease From Guideline Minimum
TOTAL	8,824	18.0	10.0	34.8
Murder	6	67.5	36.0	35.1
Manslaughter	5	13.0	4.0	34.1
Kidnapping/Hostage Taking	8	45.5	32.8	46.6
Sexual Abuse	31	15.0	11.0	50.0
Assault	57	15.0	10.0	42.9
Robbery	200	47.5	14.0	24.1
Arson	4	37.5	12.0	22.1
Drugs - Trafficking	3,555	18.0	12.0	37.5
Drugs - Communication Facility	57	30.0	14.0	37.5
Drugs - Simple Possession	4	65.0	12.0	18.1
Firearms	554	21.0	12.0	34.9
Burglary/B&E	4	7.5	7.5	70.8
Auto Theft	11	8.0	6.0	35.1
Larceny	108	0.0	8.0	100.0
Fraud	575	0.0	10.0	99.5
Embezzlement	51	0.0	8.0	99.7
Forgery/Counterfeiting	86	1.7	8.0	88.8
Bribery	18	0.0	9.0	100.0
Tax	85	0.0	9.0	100.0
Money Laundering	91	18.0	12.0	52.9
Racketeering/Extortion	64	45.8	15.0	30.6
Gambling/Lottery	11	0.0	8.0	100.0
Civil Rights	8	22.5	10.0	58.3
Immigration	2,891	24.0	9.0	28.3
Pornography/Prostitution	109	12.0	15.0	55.4
Prison Offenses	38	7.1	6.0	48.0
Administration of Justice Offenses	110	1.0	10.5	92.2
Environmental/Wildlife	16	0.0	10.0	100.0
National Defense	1	--	--	--
Antitrust	2	--	--	--
Food & Drug	11	0.0	15.0	100.0
Other Miscellaneous Offenses	53	0.0	10.0	100.0

¹Of the 64,366 cases, 9,865 received a downward departure. Of these, 9,204 had complete guideline application information. An additional 344 cases were excluded due to several logical criteria. Of the remaining 8,860 cases, 36 were excluded due to missing sentencing information.

²Cases with guideline minimums 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 decrease in the table.

SOURCE: U.S. Sentencing Commission, 2002 Datafile, USSCFY02.