

Table 29

**WITHIN-RANGE CASES: POSITION OF SENTENCE FOR OFFENDERS
IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 1997**

| PRIMARY OFFENSE | TOTAL | Guideline Minimum | | Lower-Half of Range | | Midpoint of Range | | Upper-Half of Range | | Guideline Maximum | |
|------------------------------------|---------------|-------------------|-------------|---------------------|-------------|-------------------|------------|---------------------|------------|-------------------|-------------|
| | | n | % | n | % | n | % | n | % | n | % |
| TOTAL | 26,391 | 15,140 | 57.4 | 3,134 | 11.9 | 2,195 | 8.3 | 1,632 | 6.2 | 4,290 | 16.3 |
| Murder | 38 | 12 | 31.6 | 3 | 7.9 | 3 | 7.9 | 4 | 10.5 | 16 | 42.1 |
| Manslaughter | 33 | 12 | 36.4 | 6 | 18.2 | 4 | 12.1 | 5 | 15.2 | 6 | 18.2 |
| Kidnapping/Hostage-Taking | 43 | 17 | 39.5 | 9 | 20.9 | 0 | 0.0 | 4 | 9.3 | 13 | 30.2 |
| Sexual Abuse | 153 | 58 | 37.9 | 17 | 11.1 | 14 | 9.2 | 11 | 7.2 | 53 | 34.6 |
| Assault | 367 | 161 | 43.9 | 41 | 11.2 | 33 | 9.0 | 49 | 13.4 | 83 | 22.6 |
| Robbery | 1,238 | 594 | 48.0 | 196 | 15.8 | 130 | 10.5 | 96 | 7.8 | 222 | 17.9 |
| Arson | 56 | 22 | 39.3 | 6 | 10.7 | 7 | 12.5 | 5 | 8.9 | 16 | 28.6 |
| Drugs - Trafficking | 8,818 | 5,809 | 65.9 | 1,042 | 11.8 | 594 | 6.7 | 422 | 4.8 | 951 | 10.8 |
| Drugs - Communication Facility | 222 | 52 | 23.4 | 3 | 1.4 | 8 | 3.6 | 4 | 1.8 | 155 | 69.8 |
| Drugs - Simple Possession | 385 | 233 | 60.5 | 38 | 9.9 | 21 | 5.5 | 26 | 6.8 | 67 | 17.4 |
| Firearms | 1,485 | 729 | 49.1 | 177 | 11.9 | 164 | 11.0 | 115 | 7.7 | 300 | 20.2 |
| Burglary/B&E | 47 | 21 | 44.7 | 5 | 10.6 | 6 | 12.8 | 7 | 14.9 | 8 | 17.0 |
| Auto Theft | 100 | 68 | 68.0 | 11 | 11.0 | 7 | 7.0 | 3 | 3.0 | 11 | 11.0 |
| Larceny | 1,849 | 1,220 | 66.0 | 173 | 9.4 | 139 | 7.5 | 109 | 5.9 | 208 | 11.2 |
| Fraud | 4,231 | 2,467 | 58.3 | 512 | 12.1 | 422 | 10.0 | 259 | 6.1 | 571 | 13.5 |
| Embezzlement | 614 | 412 | 67.1 | 118 | 19.2 | 33 | 5.4 | 31 | 5.0 | 20 | 3.3 |
| Forgery/Counterfeiting | 472 | 276 | 58.5 | 62 | 13.1 | 39 | 8.3 | 36 | 7.6 | 59 | 12.5 |
| Bribery | 138 | 94 | 68.1 | 17 | 12.3 | 11 | 8.0 | 6 | 4.3 | 10 | 7.2 |
| Tax | 632 | 443 | 70.1 | 53 | 8.4 | 47 | 7.4 | 29 | 4.6 | 60 | 9.5 |
| Money Laundering | 400 | 250 | 62.5 | 53 | 13.3 | 32 | 8.0 | 25 | 6.3 | 40 | 10.0 |
| Racketeering/Extortion | 292 | 124 | 42.5 | 26 | 8.9 | 12 | 4.1 | 17 | 5.8 | 113 | 38.7 |
| Gambling/Lottery | 93 | 71 | 76.3 | 6 | 6.5 | 9 | 9.7 | 3 | 3.2 | 4 | 4.3 |
| Civil Rights | 95 | 55 | 57.9 | 10 | 10.5 | 10 | 10.5 | 10 | 10.5 | 10 | 10.5 |
| Immigration | 3,177 | 1,027 | 32.3 | 451 | 14.2 | 348 | 11.0 | 275 | 8.7 | 1,076 | 33.9 |
| Pornography/Prostitution | 165 | 84 | 50.9 | 8 | 4.8 | 19 | 11.5 | 13 | 7.9 | 41 | 24.8 |
| Prison Offenses | 219 | 111 | 50.7 | 19 | 8.7 | 25 | 11.4 | 24 | 11.0 | 40 | 18.3 |
| Administration of Justice Offenses | 568 | 374 | 65.8 | 38 | 6.7 | 44 | 7.7 | 22 | 3.9 | 90 | 15.8 |
| Environmental/Wildlife | 75 | 69 | 92.0 | 0 | 0.0 | 0 | 0.0 | 3 | 4.0 | 3 | 4.0 |
| National Defense | 6 | 5 | 83.3 | 0 | 0.0 | 1 | 16.7 | 0 | 0.0 | 0 | 0.0 |
| Antitrust | 1 | 0 | 0.0 | 1 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Food & Drug | 39 | 29 | 74.4 | 3 | 7.7 | 1 | 2.6 | 3 | 7.7 | 3 | 7.7 |
| Other Miscellaneous Offenses | 340 | 241 | 70.9 | 30 | 8.8 | 12 | 3.5 | 16 | 4.7 | 41 | 12.1 |

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¹Of the 48,848 cases, 31,233 were sentenced within the applicable guideline range. Of those, 27,365 had complete guideline application information. An additional 944 cases were excluded due to several logical criteria. Of the remaining 26,421 cases, 30 were excluded due to missing primary offense category. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1997 Datafile, USSCFY97.