

Table 29

**WITHIN-RANGE CASES: POSITION OF SENTENCE FOR OFFENDERS
IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2002 (Prior to Enactment of the PROTECT Act)**

PRIMARY OFFENSE	TOTAL	Guideline Minimum		Lower Half of Range		Midpoint of Range		Upper Half of Range		Guideline Maximum	
		n	%	n	%	n	%	n	%	n	%
TOTAL	30,748	18,379	59.8	4,563	14.8	2,738	8.9	1,954	6.4	3,114	10.1
Murder	23	12	52.2	3	13.0	1	4.3	5	21.7	2	8.7
Manslaughter	37	10	27.0	4	10.8	3	8.1	3	8.1	17	45.9
Kidnapping/Hostage Taking	25	10	40.0	5	20.0	0	0.0	5	20.0	5	20.0
Sexual Abuse	124	39	31.5	18	14.5	19	15.3	6	4.8	42	33.9
Assault	283	129	45.6	39	13.8	26	9.2	26	9.2	63	22.3
Robbery	920	453	49.2	144	15.7	92	10.0	108	11.7	123	13.4
Arson	20	11	55.0	2	10.0	0	0.0	2	10.0	5	25.0
Drugs - Trafficking	11,298	7,919	70.1	1,617	14.3	731	6.5	429	3.8	602	5.3
Drugs - Communication Facility	102	65	63.7	15	14.7	5	4.9	1	1.0	16	15.7
Drugs - Simple Possession	279	204	73.1	21	7.5	15	5.4	15	5.4	24	8.6
Firearms	3,019	1,501	49.7	433	14.3	387	12.8	216	7.2	482	16.0
Burglary/B&E	25	12	48.0	2	8.0	3	12.0	1	4.0	7	28.0
Auto Theft	78	30	38.5	10	12.8	14	17.9	5	6.4	19	24.4
Larceny	1,400	921	65.8	157	11.2	92	6.6	81	5.8	149	10.6
Fraud	3,726	2,040	54.8	605	16.2	377	10.1	214	5.7	490	13.2
Embezzlement	514	310	60.3	127	24.7	39	7.6	16	3.1	22	4.3
Forgery/Counterfeiting	958	566	59.1	150	15.7	81	8.5	59	6.2	102	10.6
Bribery	71	44	62.0	9	12.7	6	8.5	3	4.2	9	12.7
Tax	297	198	66.7	42	14.1	26	8.8	11	3.7	20	6.7
Money Laundering	405	259	64.0	51	12.6	26	6.4	35	8.6	34	8.4
Racketeering/Extortion	286	169	59.1	32	11.2	26	9.1	15	5.2	44	15.4
Gambling/Lottery	54	40	74.1	9	16.7	2	3.7	1	1.9	2	3.7
Civil Rights	42	26	61.9	7	16.7	2	4.8	4	9.5	3	7.1
Immigration	5,104	2,398	47.0	873	17.1	627	12.3	599	11.7	607	11.9
Pornography/Prostitution	365	190	52.1	46	12.6	39	10.7	24	6.6	66	18.1
Prison Offenses	181	87	48.1	31	17.1	18	9.9	8	4.4	37	20.4
Administration of Justice Offenses	563	352	62.5	62	11.0	50	8.9	39	6.9	60	10.7
Environmental/Wildlife	58	47	81.0	6	10.3	1	1.7	2	3.4	2	3.4
National Defense	2	1	50.0	0	0.0	0	0.0	1	50.0	0	0.0
Antitrust	4	0	0.0	3	75.0	1	25.0	0	0.0	0	0.0
Food & Drug	39	29	74.4	2	5.1	4	10.3	2	5.1	2	5.1
Other Miscellaneous Offenses	446	307	68.8	38	8.5	25	5.6	18	4.0	58	13.0

¹Of the 64,366 cases, 38,159 were sentenced within the applicable guideline range. Of those, 32,817 had complete guideline application information. An additional 2,069 cases were excluded due to several logical criteria. Descriptions of variables used in this table are provided in Appendix A.

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