

Table 31

**DOWNWARD DEPARTURE CASES:
DEGREE OF DEPARTURE FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 1998**

PRIMARY OFFENSE	n	DEGREE OF DECREASE FOR DOWNWARD DEPARTURE		
		Median Sentence in Months ²	Median Decrease in Months from Guideline Minimum	Median Percent Decrease from Guideline Minimum
TOTAL	5,991	16.0	10.0	35.1
Murder	9	96.0	11.5	13.2
Manslaughter	8	0.0	10.0	100.0
Kidnaping/Hostage-Taking	13	78.0	21.0	27.3
Sexual Abuse	36	27.0	18.0	55.0
Assault	62	13.0	12.0	51.6
Robbery	216	57.0	15.5	20.9
Arson	9	5.0	27.0	81.5
Drugs - Trafficking	2,351	18.0	12.0	34.8
Drugs - Communication Facility	43	18.0	24.0	52.6
Drugs - Simple Possession	9	36.0	12.0	53.8
Firearms	228	18.0	14.0	40.0
Burglary/B&E	4	1.0	20.0	96.3
Auto Theft	6	0.0	7.5	100.0
Larceny	143	0.0	8.0	100.0
Fraud	460	0.3	8.0	97.2
Embezzlement	82	0.0	7.0	99.2
Forgery/Counterfeiting	46	0.2	7.5	98.2
Bribery	26	0.0	9.5	100.0
Tax	69	0.0	8.0	100.0
Money Laundering	85	12.0	16.0	55.6
Racketeering/Extortion	59	30.0	26.5	40.0
Gambling/Lottery	8	1.5	6.0	90.0
Civil Rights	14	22.0	7.0	40.2
Immigration	1,774	24.0	10.0	33.3
Pornography/Prostitution	72	5.0	15.0	86.4
Prison Offenses	21	7.0	8.0	37.5
Administration of Justice	75	0.0	10.0	100.0
Environmental/Wildlife	10	0.0	8.5	100.0
National Defense	5	18.0	23.0	56.1
Antitrust	0	--	--	--
Food & Drug	7	0.0	8.0	100.0
Other Miscellaneous Offenses	41	0.0	10.0	100.0

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¹Of the 50,754 cases, 6,509 received a downward departure. Of these, 6,280 had complete guideline application information. An additional 251 cases were excluded due to several logical criteria. Of the remaining 6,029 cases, 39 were excluded due to one of the following reasons: missing offense type (7),

missing guideline minimum (1), missing sentence information (31).

²Cases with guideline minimums of life or probation (*i.e.*, sentence lengths of zero months) were included in the computations for median sentence as 470 months and zero months respectively, but were excluded from measures of decrease in the table.

SOURCE: U.S. Sentencing Commission, 1998 Datafile, USSCFY98.