

Table 32

**UPWARD DEPARTURE CASES: DEGREE OF DEPARTURE
FOR OFFENDERS IN EACH PRIMARY OFFENSE CATEGORY¹
Fiscal Year 2001**

PRIMARY OFFENSE	n	Median Sentence in Months ²	DEGREE OF INCREASE FOR UPWARD DEPARTURE	
			Median Increase in Months From Guideline Maximum	Median Percent Increase From Guideline Maximum
TOTAL	240	61.5	17.0	33.3
Murder	3	240.0	57.0	42.2
Manslaughter	4	48.0	16.5	65.6
Kidnapping/Hostage Taking	1	--	--	--
Sexual Abuse	6	67.5	22.5	75.0
Assault	9	41.0	11.0	36.7
Robbery	14	109.0	22.0	23.9
Arson	1	--	--	--
Drugs - Trafficking	24	102.0	26.0	28.0
Drugs - Communication Facility	1	--	--	--
Drugs - Simple Possession	5	24.0	9.0	100.0
Firearms	29	96.0	28.0	35.2
Burglary/B&E	1	--	--	--
Auto Theft	6	39.0	8.5	28.8
Larceny	19	45.0	9.0	36.4
Fraud	47	51.0	12.0	33.3
Embezzlement	1	--	--	--
Forgery/Counterfeiting	13	37.0	9.0	38.1
Bribery	1	--	--	--
Tax	0	--	--	--
Money Laundering	3	188.0	67.0	55.4
Racketeering/Extortion	6	214.0	48.0	26.6
Gambling/Lottery	1	--	--	--
Civil Rights	0	--	--	--
Immigration	18	54.0	11.0	35.2
Pornography/Prostitution	8	180.0	56.5	38.6
Prison Offenses	3	41.0	8.0	24.2
Administration of Justice Offenses	8	74.0	17.5	44.0
Environmental/Wildlife	0	--	--	--
National Defense	0	--	--	--
Antitrust	0	--	--	--
Food & Drug	0	--	--	--
Other Miscellaneous Offenses	8	54.0	16.0	30.1

¹Of the 59,897 cases, 307 received an upward departure. Of these, 291 had complete guideline application information. An additional 51 cases were excluded due to several logical criteria.

²Cases 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 decrease in the table.

SOURCE: U.S. Sentencing Commission, 2001 Datafile, USSCFY01.