

Table 27

POSITION OF SENTENCE RELATIVE TO GUIDELINE RANGE BY PRIMARY OFFENSE CATEGORY¹
(October 1, 1995, through September 30, 1996)

PRIMARY OFFENSE	DOWNWARD DEPARTURE		SUBSTANTIAL ASSISTANCE DEPARTURE		FIRST QUARTER of RANGE		SECOND QUARTER of RANGE		THIRD QUARTER of RANGE		FOURTH QUARTER of RANGE		UPWARD DEPARTURE		
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
TOTAL	34,894	4,001	11.5	7,556	21.7	15,283	43.8	3,344	9.6	1,164	3.3	3,180	9.1	366	1.0
Murder	53	10	18.9	11	20.8	6	11.3	6	11.3	6	11.3	10	18.9	4	7.6
Manslaughter	52	10	19.2	1	1.9	16	30.8	4	7.7	2	3.8	16	30.8	3	5.6
Kidnapping/Hostage-Taking	64	6	12.1	11	16.7	11	16.7	13	19.7	4	6.1	12	18.2	7	10.6
Sexual Abuse	157	35	22.3	1	0.6	47	29.9	26	16.6	3	1.9	40	25.5	5	3.2
Assault	373	50	13.8	9	2.4	164	43.9	47	12.5	13	3.5	72	19.2	18	4.8
Robbery	1,448	135	9.4	201	14.2	582	39.9	156	10.7	107	7.3	230	15.8	37	2.7
Arson	83	12	16.1	15	18.4	33	37.9	4	4.6	2	2.3	16	18.4	1	2.3
Drugs - Trafficking	14,175	1,428	10.2	4,872	35.0	5,864	40.8	922	6.4	334	2.3	718	5.0	37	0.3
Drugs - Communication Facility	222	37	17.8	75	33.6	76	33.6	13	5.8	1	0.4	17	7.5	3	1.3
Drugs - Simple Possession	376	7	1.8	14	3.7	209	55.2	37	9.7	16	4.2	87	22.8	6	2.6
Firearms	2,128	210	10.0	318	16.0	858	39.6	241	11.2	117	5.4	337	15.5	47	2.4
Burglary/B&E	82	7	8.5	8	9.8	35	42.7	10	12.2	3	3.7	19	23.2	0	0.0
Auto Theft	108	3	2.7	24	23.4	46	41.4	13	11.7	3	2.7	17	15.3	2	2.7
Larceny	1,947	121	6.5	136	7.2	1,212	61.9	227	11.6	54	2.8	170	8.7	27	1.4
Fraud	5,192	429	8.5	882	17.4	2,433	46.5	621	11.8	154	2.9	606	11.6	67	1.3
Embezzlement	706	94	13.5	29	4.4	484	68.2	58	8.2	15	2.1	25	3.5	1	0.1
Forgery/Counterfeiting	631	28	4.4	68	10.7	332	52.6	90	14.2	35	5.5	72	11.4	6	1.1
Bribery	211	19	8.8	58	29.5	96	44.2	20	9.2	6	2.8	10	4.6	2	0.9
Tax	719	43	6.1	84	12.0	413	57.2	98	13.5	19	2.6	58	8.0	4	0.6
Money Laundering	703	92	13.6	204	29.7	266	37.0	50	7.0	26	3.6	56	7.8	9	1.2
Racketeering/Extortion	364	65	17.9	124	35.0	112	30.0	29	7.8	7	1.9	22	5.9	5	1.6
Gambling/Lottery	131	8	6.1	46	35.1	52	39.7	11	8.4	3	2.3	10	7.6	1	0.8
Civil Rights	88	4	5.6	15	16.8	39	43.8	9	10.1	0	0.0	11	12.4	10	11.2
Immigration	3,187	971	32.4	127	4.1	1,049	31.9	449	13.7	183	5.6	374	11.3	34	1.1
Pornography/Prostitution	175	29	16.6	23	13.1	72	41.1	17	9.7	3	1.7	19	10.9	12	6.9
Prison Offenses	299	20	6.6	21	7.3	110	36.8	67	22.2	18	6.0	59	19.5	4	1.7
Administration of Justice Offenses	668	68	10.7	119	17.8	320	47.6	66	9.9	18	2.6	70	10.2	7	1.2
Environmental/Wildlife	96	8	9.2	14	14.3	70	72.4	3	3.1	0	0.0	1	1.0	0	0.0
National Defense	18	3	15.8	3	21.0	10	52.6	1	5.3	0	0.0	1	5.3	0	0.0
Antitrust	14	0	0.0	2	14.3	10	71.4	2	14.3	0	0.0	0	0.0	0	0.0
Food & Drug	31	3	9.1	6	24.2	18	54.6	1	3.0	0	0.0	3	9.1	0	0.0
Other Miscellaneous Offenses	393	46	11.3	35	9.8	238	59.6	33	8.3	12	3.0	22	5.8	7	2.3

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¹Of the 42,436 cases, the Commission received complete guideline application information for data in this table for 37,125. Of these, 129 were excluded due to one or more of the following reasons: missing primary offense category (1), missing sentencing information (85), missing departure information (23), or missing statutory information (25). Additionally, 2,102 cases were excluded due to several logical criteria other than missing information. This table includes sentences with conditions of confinement as defined in USSG §5C1.1. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1996 Datafile, MONFY96.