

Table 5.36.2006

Sentences within and departing from U.S. Sentencing Commission guidelines in U.S. District Courts

By primary offense, fiscal year 2006

Primary offense	Total cases	Downward departures											
		Within guideline range		Substantial assistance departure ^a		Early disposition		Other Government initiated departures		Other downward departure		Upward departure	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	70,128	43,271	61.7%	10,134	14.5%	5,163	7.4%	1,930	2.8%	8,502	12.1%	1,128	1.6%
Murder	80	48	60.0	10	12.5	0	X	5	6.3	4	5.0	13	16.2
Manslaughter	59	38	64.4	0	X	0	X	1	1.7	9	15.2	11	18.6
Kidnaping, hostage-taking	61	25	41.0	23	37.7	0	X	4	6.6	8	13.1	1	1.6
Sexual abuse	262	175	66.8	5	1.9	1	0.4	22	8.4	39	14.9	20	7.6
Assault	583	390	66.9	6	1.0	9	1.5	43	7.4	97	16.6	38	6.5
Robbery	1,152	758	65.8	144	12.5	0	X	30	2.6	188	16.3	32	2.8
Arson	71	40	56.3	18	25.4	0	X	2	2.8	2	2.8	9	12.7
Drug offenses													
Trafficking	24,881	13,351	53.7	6,465	26.0	1,390	5.6	630	2.5	2,917	11.7	128	0.5
Communication facility	409	267	65.3	80	19.6	0	X	9	2.2	47	11.5	6	1.5
Simple possession	606	565	93.2	4	0.7	0	X	7	1.2	15	2.5	15	2.5
Firearms	8,330	5,809	69.7	960	11.5	41	0.5	209	2.5	1,106	13.3	205	2.5
Burglary, breaking and entering	48	41	85.4	2	4.2	0	X	0	X	2	4.2	3	6.2
Auto theft	62	42	67.7	12	19.4	0	X	1	1.6	3	4.8	4	6.4
Larceny	1,579	1,246	78.9	103	6.5	6	0.4	23	1.5	169	10.7	32	2.0
Fraud	6,787	4,374	64.4	1,035	15.2	5	0.1	142	2.1	1,076	15.8	155	2.3
Embezzlement	563	433	76.9	17	3.0	0	X	9	1.6	101	17.9	3	0.5
Forgery, counterfeiting	1,157	846	73.1	98	8.5	3	0.3	21	1.8	159	13.7	30	2.6
Bribery	183	102	55.7	45	24.6	1	0.5	5	2.7	30	16.4	0	X
Tax	591	323	54.7	81	13.7	0	X	13	2.2	166	28.1	8	1.4
Money laundering	896	420	46.9	234	26.1	7	0.8	45	5	176	19.6	14	1.6
Racketeering, extortion	610	342	56.1	136	22.3	0	X	35	5.7	82	13.4	15	2.5
Gambling, lottery	113	84	74.3	16	14.2	0	X	0	X	13	11.5	0	X
Civil rights	63	40	63.5	12	19.0	0	X	2	3.2	8	12.7	1	1.6
Immigration	17,049	10,843	63.6	328	1.9	3,682	21.6	521	3.1	1,413	8.3	262	1.5
Pornography, prostitution	1,286	851	66.2	53	4.1	7	0.5	51	4	267	20.8	57	4.4
Prison offenses	341	278	81.5	10	2.9	3	0.9	6	1.8	39	11.4	5	1.5
Administration of justice offenses	1,076	674	62.6	132	12.3	6	0.6	58	5.4	167	15.5	39	3.6
Environmental, wildlife	150	103	68.7	9	6.0	1	0.7	7	4.7	29	19.3	1	0.7
National defense	36	13	36.1	6	16.7	1	2.8	3	8.3	12	33.3	1	2.8
Antitrust	12	0	X	9	75.0	0	X	1	8.3	2	16.7	0	X
Food and drug	60	45	75.0	8	13.3	0	X	3	5	1	1.7	3	5.0
Other	972	705	72.5	73	7.5	0	X	22	2.3	155	15.9	17	1.7

Note: See Note, table 5.26.2006. A case is determined to involve no departure if the sentence imposed is within the guideline range. If a sentence imposed by the court falls outside the guideline range, the court provides reasons for the departure. (Source, Appendix A.) Of the 72,585 guideline cases, 2,457 cases were excluded due to one or both of the following conditions: missing primary offense type, 67; or missing/inapplicable departure information, 2,398.

^aCases departed downward based on a motion by the Government for a reduced sentence due to the defendant's substantial assistance to authorities.

Source: U.S. Sentencing Commission, *2006 Sourcebook of Federal Sentencing Statistics*, Table 27 [Online]. Available: <http://www.ussc.gov/ANNRPT/2006/table27.pdf> [Mar. 15, 2007]. Table adapted by SOURCEBOOK staff.