

Table 5.36.2007

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

By primary offense, fiscal year 2007

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	69,801	42,446	60.8%	10,042	14.4%	5,224	7.5%	2,604	3.7%	8,428	12.0%	1,057	1.5%
Murder	81	55	67.9	6	7.4	0	X	6	7.4	11	13.5	3	3.7
Manslaughter	65	38	58.5	1	1.5	1	1.5	5	7.7	10	15.4	10	15.5
Kidnaping, hostage-taking	48	14	29.2	21	43.8	1	2.1	10	20.8	2	4.2	0	X
Sexual abuse	378	273	72.2	8	2.1	0	X	25	6.6	48	12.7	24	6.4
Assault	530	374	70.6	10	1.9	10	1.9	41	7.7	71	13.4	24	4.6
Robbery	1,109	733	66.1	131	11.8	1	0.1	34	3.1	185	16.7	25	2.3
Arson	78	39	50.0	26	33.3	0	X	2	2.6	3	3.9	8	10.3
Drug offenses													
Trafficking	24,199	13,022	53.8	6,177	25.5	1,268	5.2	822	3.4	2,806	11.6	104	0.5
Communication facility	367	222	60.5	62	16.9	0	X	16	4.4	65	17.8	2	0.5
Simple possession	527	479	90.9	8	1.5	1	0.2	3	0.6	18	3.4	18	3.4
Firearms	8,328	5,826	70.0	992	11.9	38	0.5	223	2.7	1,099	13.1	150	1.8
Burglary, breaking and entering	41	27	65.9	0	X	0	X	2	4.9	10	24.4	2	4.8
Motor vehicle theft	62	42	67.7	7	11.3	0	X	1	1.6	9	14.5	3	4.8
Larceny	1,598	1,253	78.4	93	5.8	6	0.4	41	2.6	183	11.4	22	1.4
Fraud	7,160	4,627	64.6	1,109	15.5	5	0.1	166	2.3	1,103	15.4	150	2.1
Embezzlement	452	339	75.0	14	3.1	0	X	9	2	89	19.7	1	0.2
Forgery, counterfeiting	1,115	814	73.0	136	12.2	1	0.1	17	1.5	124	11.1	23	2.1
Bribery	240	100	41.7	90	37.5	0	X	8	3.3	40	16.7	2	0.8
Tax	627	298	47.5	106	16.9	5	0.8	20	3.2	192	30.7	6	1.0
Money laundering	903	441	48.8	228	25.2	10	1.1	52	5.8	164	18.2	8	0.8
Racketeering, extortion	614	330	53.7	138	22.5	0	X	35	5.7	97	15.8	14	2.3
Gambling, lottery	111	64	57.7	11	9.9	0	X	2	1.8	33	29.7	1	0.9
Civil rights	64	32	50.0	15	23.4	1	1.6	4	6.3	12	18.8	0	X
Immigration	16,903	10,220	60.5	324	1.9	3,849	22.8	865	5.1	1,293	7.7	352	2.0
Pornography, prostitution	1,430	898	62.8	63	4.4	3	0.2	66	4.6	357	25.0	43	2.9
Prison offenses	310	239	77.1	17	5.5	9	2.9	13	4.2	25	8.1	7	2.2
Administration of justice offenses	968	584	60.3	113	11.7	7	0.7	62	6.4	170	17.6	32	3.3
Environmental, wildlife	156	88	56.4	24	15.4	0	X	13	8.3	30	19.2	1	0.6
National defense	29	9	31.0	10	34.5	0	X	3	10.3	7	24.1	0	X
Antitrust	15	2	13.3	7	46.7	0	X	0	X	6	40.0	0	X
Food and drug	68	53	77.9	6	8.8	0	X	3	4.4	5	7.4	1	1.5
Other	1,225	911	74.4	89	7.3	8	0.7	35	2.9	161	13.1	21	1.7

Note: See Note, table 5.26.2007. 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 72,865 guideline cases, 3,064 cases were excluded due to one or both of the following conditions: missing primary offense type, 100; or missing/inapplicable departure information, 2,972.

^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, *2007 Sourcebook of Federal Sentencing Statistics*, Table 27 [Online]. Available: <http://www.ussc.gov/ANNRPT/2007/table27.pdf> [Apr. 17, 2008]. Table adapted by SOURCEBOOK staff.