

**Table 9: Dispositional and Durational Departures from the Guidelines**

| Offense Type              | Number of Sentences | CONFORM (%) | TYPE OF DEPARTURE |                |          |  |
|---------------------------|---------------------|-------------|-------------------|----------------|----------|--|
|                           |                     |             | Dispositional (%) | Durational (%) |          |  |
|                           |                     |             |                   | Above          | Below    |  |
| Arson-F1 (persons)        | 76                  | 63          | 21                | 5              | 11       |  |
| Arson-F2 (property)       | 63                  | 68          | 19                | 10             | 3        |  |
| Arson-F3                  | 2                   | 100         | .                 | .              | .        |  |
| Assault-Agg F1 (SBI)      | 627                 | 61          | 10                | 10             | 20       |  |
| Assault-Agg F2 (BI)       | 726                 | 76          | 11                | 4              | 9        |  |
| Assault-Reck Endanger     | 805                 | 89          | 4                 | 6              | 1        |  |
| Assault-Simple            | 4209                | 92          | 3                 | 4              | 1        |  |
| Assault-Terr Threat       | 655                 | 90          | 4                 | 5              | 1        |  |
| Burglary-F1               | 1301                | 72          | 13                | 4              | 12       |  |
| Burglary-F2               | 1490                | 80          | 3                 | 13             | 4        |  |
| Carjacking                | 41                  | 61          | 2                 | 22             | 15       |  |
| Catastrophe               | 36                  | 92          | .                 | 6              | 3        |  |
| Corrupting Child          | 543                 | 94          | 1                 | 3              | 1        |  |
| Crim Mischief-F3          | 59                  | 88          | 5                 | 3              | 3        |  |
| Crim Trespass-F2          | 466                 | 88          | 3                 | 5              | 4        |  |
| Crim Trespass-F3          | 436                 | 86          | 3                 | 10             | 0        |  |
| Drug-Felony               | 7506                | 81          | 8                 | 6              | 9        |  |
| Drug-Misd                 | 5621                | 92          | 4                 | 3              | 1        |  |
| DUI                       | 14694               | NA          | .                 | .              | .        |  |
| DUI-with SBI              | 27                  | 74          | 4                 | 15             | 7        |  |
| DUI-3rd/subsequent        | 87                  | NA          | .                 | .              | .        |  |
| Escape Felony             | 299                 | 67          | 6                 | 5              | 22       |  |
| Escape Misd               | 184                 | 88          | 4                 | 5              | 3        |  |
| Forgery-F2                | 406                 | 88          | 4                 | 7              | 1        |  |
| Forgery-F3                | 1023                | 90          | 3                 | 5              | 2        |  |
| Forgery-M1                | 120                 | 93          | 3                 | 4              | .        |  |
| Homicide-By Veh           | 62                  | 90          | 3                 | 5              | 2        |  |
| Homicide-By Veh-DUI       | 2                   | 50          | .                 | 50             | .        |  |
| Homicide-Cause Suicide    | 3                   | 100         | .                 | .              | .        |  |
| Homicide-Inchoate         | 34                  | 50          | 3                 | 38             | 9        |  |
| Homicide-Murder 1         | 25                  | NA          | .                 | .              | .        |  |
| Homicide-Murder 2         | 11                  | NA          | .                 | .              | .        |  |
| Homicide-Murder 3         | 148                 | 79          | 3                 | 7              | 10       |  |
| Homicide-Vol Mansl        | 41                  | 85          | 2                 | 5              | 7        |  |
| Homicide-Invol Mansl      | 71                  | 80          | 3                 | 13             | 4        |  |
| Indecent Assault-Agg      | 170                 | 77          | 6                 | 5              | 12       |  |
| Indecent Assault          | 583                 | 92          | 2                 | 5              | 1        |  |
| Invol Dev Sex Int         | 67                  | 66          | 4                 | 18             | 12       |  |
| Kidnapping                | 30                  | 63          | 10                | 23             | 3        |  |
| Prostitution-Felony       | 11                  | 91          | .                 | .              | 9        |  |
| Rape                      | 160                 | 68          | 3                 | 16             | 14       |  |
| Rape-Statutory            | 55                  | 71          | 7                 | 20             | 2        |  |
| Robbery-F1 (SBI)          | 1037                | 67          | 5                 | 20             | 8        |  |
| Robbery-F2(commits F1/F2) | 444                 | 79          | 6                 | 7              | 9        |  |
| Robbery-F3 (w/force)      | 350                 | 86          | 4                 | 4              | 6        |  |
| Sexual Assault            | 25                  | 92          | 8                 | .              | .        |  |
| Sexual Assault-Statutory  | 94                  | 86          | 2                 | 10             | 2        |  |
| Stalking                  | 136                 | 88          | 2                 | 6              | 4        |  |
| Theft-Felony              | 3225                | 87          | 5                 | 4              | 4        |  |
| Theft-Misd                | 7219                | 92          | 2                 | 6              | 0        |  |
| Theft-Retail Felony       | 1315                | 84          | 10                | 3              | 3        |  |
| Theft-Retail Misd         | 1522                | 96          | 1                 | 3              | .        |  |
| VUFA-Loaded               | 750                 | 89          | 5                 | 4              | 2        |  |
| VUFA-Unloaded             | 170                 | 91          | 6                 | 1              | 2        |  |
| Other Felony              | 1136                | 82          | 5                 | 7              | 6        |  |
| Other M-1                 | 1436                | 92          | 3                 | 4              | 1        |  |
| Other M-2 & M-3           | 7143                | 95          | 1                 | 4              | 0        |  |
| <b>TOTAL</b>              | <b>68977</b>        | <b>90</b>   | <b>3</b>          | <b>4</b>       | <b>3</b> |  |