

Table 5.38

Fines and restitution ordered in U.S. Sentencing Commission guideline cases

By primary offense, fiscal year 1995

Primary offense	Total cases	No fine or restitution ordered		Restitution ordered/no fine		Fine ordered/no restitution		Both fine and restitution ordered		Amount of payment ordered (dollar amount)			
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Total cases	Mean	Median	Sum
Total	38,246	23,528	61.5%	6,943	18.2%	6,773	17.7%	1,002	2.6%	14,224	\$111,598	\$3,852	\$1,587,364,609
Murder	85	47	55.3	19	22.4	11	12.9	8	9.4	36	15,342	4,626	552,298
Manslaughter	42	30	71.4	12	28.6	5	11.9	0	X	17	5,550	4,530	94,353
Kidnaping, hostage-taking	62	40	64.5	7	11.3	11	17.7	4	6.5	21	18,503	5,000	388,552
Sexual abuse	177	118	66.7	23	13.0	30	16.9	6	3.4	59	3,670	1,143	216,531
Assault	390	272	69.7	53	13.6	60	15.4	5	1.3	117	5,125	1,650	599,561
Robbery	1,595	604	37.9	865	54.2	55	3.4	71	4.5	933	14,667	3,104	13,683,923
Arson	97	38	39.2	46	47.4	7	7.2	6	6.2	54	151,481	16,601	8,179,946
Drug offenses													
Trafficking	14,118	11,594	82.1	101	0.7	2,406	17.0	17	0.1	2,508	14,987	2,000	37,586,290
Communication facility	331	280	84.6	0	X	51	15.4	0	X	49	2,941	1,600	144,130
Simple possession	767	515	67.1	3	0.4	246	32.1	3	0.4	252	1,314	1,000	331,003
Firearms	2,569	1,907	74.2	156	6.1	490	19.1	16	0.6	645	6,550	2,000	4,224,867
Burglary, breaking and entering	66	14	21.2	44	66.7	4	6.1	4	6.1	50	2,933	1,372	146,644
Auto theft	148	53	35.8	64	43.2	22	14.9	9	6.1	93	112,451	4,000	10,457,940
Larceny	2,485	660	26.6	1,076	43.3	564	22.7	185	7.4	1,760	137,899	2,330	242,702,648
Fraud	5,894	1,517	25.7	3,212	54.5	782	13.3	383	6.5	4,159	262,375	10,100	1,091,217,393
Embezzlement	811	168	20.7	519	64.0	74	9.1	50	6.2	628	57,399	8,029	36,046,826
Forgery, counterfeiting	790	353	44.7	279	35.3	106	13.4	52	6.6	418	9,052	1,595	3,783,750
Bribery	303	123	40.6	46	15.2	121	39.9	13	4.3	177	37,429	5,000	6,624,948
Tax	741	251	33.9	105	14.2	312	42.1	73	9.9	466	65,719	9,465	30,624,895
Money laundering	832	515	61.9	73	8.8	231	27.8	13	1.6	308	201,755	5,000	62,140,517
Racketeering, extortion	414	248	59.9	54	13.0	104	25.1	8	1.9	161	135,649	7,500	21,839,551
Gambling, lottery	218	101	46.3	2	0.9	114	52.3	1	0.5	117	17,652	3,000	2,065,310
Civil rights	102	38	37.3	25	24.5	36	35.3	3	2.9	61	3,323	1,000	202,687
Immigration	3,164	2,817	90.7	11	0.3	279	8.8	3	0.1	284	3,255	1,000	924,407
Pornography, prostitution	95	59	62.1	5	5.3	31	32.6	0	X	35	8,032	4,000	281,136
Prison offenses	373	321	86.1	6	1.6	46	12.3	0	X	52	1,807	1,000	93,964
Administration of justice offenses	717	483	67.4	41	5.7	177	24.7	16	2.2	231	21,356	2,000	4,933,295
Environmental, wildlife	127	43	33.9	5	3.9	67	52.8	12	9.4	81	3,562	1,700	288,497
National defense	35	25	71.4	1	2.9	9	25.7	0	X	10	10,003	4,000	100,030
Anti-trust	18	2	11.1	0	X	15	83.3	1	5.6	16	44,406	22,500	710,500
Food and drug	60	26	43.3	1	1.7	33	55.0	0	X	34	12,278	5,000	417,438
Other	615	212	34.5	89	14.5	274	44.6	40	6.5	392	14,696	1,000	5,760,779

Note: See Note, table 5.34. Of the 38,500 guideline cases, 254 cases were excluded due to one or both of the following conditions: missing primary offense category, 123; and missing information on type of economic sanction for cases in which orders were made, 135. A total of 14,224 cases were used to calculate amount of payments ordered. This differs from the 14,718 cases in which fines and/or restitution were ordered due to the exclusion of cases in which the amount of fine and/or restitution was not specified. Fine information includes either fines and/or cost of supervision.

Source: U.S. Sentencing Commission, *Annual Report 1995* (Washington, DC: U.S. Sentencing Commission, 1996), p. 65.