## **Pre-Blakely Fiscal Year 2004 Guideline Sentences**

| Gender. | Race. | and | Ethnicity <sup>1</sup> |
|---------|-------|-----|------------------------|
| ochuci, | muce  | unu | Luminerty              |

|          | TOTAL |        | Ma    | le    | Female |       |  |
|----------|-------|--------|-------|-------|--------|-------|--|
| TOTAL    | 1,407 | 100.0% | 1,203 | 85.5% | 204    | 14.5% |  |
| White    | 341   | 24.2%  | 292   | 85.6% | 49     | 14.4% |  |
| Black    | 418   | 29.7%  | 347   | 83.0% | 71     | 17.0% |  |
| Hispanic | 625   | 44.4%  | 547   | 87.5% | 78     | 12.5% |  |
| Other    | 23    | 1.6%   | 17    | 73.9% | 6      | 26.1% |  |

### Departure Status<sup>2</sup>

| TOTAL                                   | 1,422 | 100.0% |
|---|-------|--------|
| Sentenced Within Guideline Range        | 1,183 | 83.2%  |
| Substantial Assistance Departure        | 197   | 13.9%  |
| Government Sponsored Downward Departure | 2     | 0.1%   |
| Other Downward Departure                | 36    | 2.5%   |
| Upward Departure                        | 4     | 0.3%   |

| Average Age <sup>3</sup> | Mean | Median |
|--------------------------|------|--------|
| TOTAL                    | 36.9 | 36.0   |
| Male                     | 37.0 | 36.0   |
| Female                   | 36.2 | 36.0   |
|                          |      |        |

| n | Mode of Conviction <sup>4</sup> |       |        |
|---|---------------------------------|-------|--------|
| 0 | TOTAL                           | 1,483 | 100.0% |
| 0 | Plea                            | 1,366 | 92.1%  |
| 0 | Trial                           | 117   | 7.9%   |

## SENTENCING INFORMATION BY PRIMARY OFFENSE<sup>5</sup>

| SENTENCING INFORM                                     | TOTAL 1  |         |          | Embezlmnt | ezlmnt Fraud Drug Trafck | Counterftng Fir | Firearms | Firearms Immigratn | All Other |          |
|---|----------|---------|----------|-----------|--------------------------|-----------------|----------|--------------------|-----------|----------|
|   | 1,484    | 10      | 34       | 16        | 211                      | 713             | 20       | 87                 | 189       | 204      |
| CASES INVOLVING PRISON                                | 6        |         |          |           |                          |                 |          |                    |           |          |
| <b>Total Receiving Prison</b>                         | 1,313    | 10      | 25       | 7         | 151                      | 699             | 15       | 84                 | 165       | 157      |
| Prison  | 1,270    | 10      | 20       | 6         | 141                      | 689             | 13       | 81                 | 164       | 146      |
| Prison/Community Split                                | 43       | 0       | 5        | 1         | 10                       | 10              | 2        | 3                  | 1         | 11       |
| <b>Prison Term Ordered</b>                            |          |         |          |           |                          |                 |          |                    |           |          |
| Up to 12 Months                                       | 162      | 0       | 11       | 3         | 32                       | 16              | 5        | 10                 | 59        | 26       |
| 13-24 Months  | 196      | 0       | 7        | 3         | 58                       | 38              | 5        | 15                 | 29        | 41       |
| 25-36 Months  | 115      | 1       | 3        | 0         | 16                       | 45              | 3        | 10                 | 16        | 21       |
| 37-60 Months  | 383      | 2       | 3        | 0         | 31                       | 270             | 2        | 10                 | 31        | 34       |
| Over 60 Months  | 421      | 7       | 1        | 0         | 11                       | 325             | 0        | 39                 | 7         | 31       |
| Mean Sentence   | 70.9     | 110.7   | 26.6     | 9.3       | 29.5                     | 88.9            | 19.7     | 135.8              | 23.1      | 49.9     |
| Median Sentence                                       | 46.0     | 79.0    | 15.0     | 9.0       | 22.0                     | 59.0            | 14.0     | 53.5               | 15.0      | 30.0     |
| CASES INVOLVING<br>PROBATION                          |          |         |          |           |                          |                 |          |                    |           |          |
| Total Receiving Probation                             | 169      | 0       | 9        | 9         | 59                       | 14              | 5        | 3                  | 23        | 47       |
| Probation Only  | 105      | 0       | 7        | 7         | 30                       | 12              | 3        | 2                  | 14        | 30       |
| Probation and Confinement                             | 64       | 0       | 2        | 2         | 29                       | 2               | 2        | 1                  | 9         | 17       |
| CASES INVOLVING FINES<br>AND RESTITUTION <sup>7</sup> |          |         |          |           |                          |                 |          |                    |           |          |
| Total Receiving Fines and<br>Restitution              | 337      | 8       | 18       | 13        | 126                      | 66              | 2        | 14                 | 9         | 81       |
| Median Dollar Amount                                  | \$16,771 | \$4,567 | \$22,559 | \$18,267  | \$69,634                 | \$5,000         | \$14,950 | \$7,375            | \$1,356   | \$32,280 |

Footnotes and a complete description of all variables in this table are provided in Appendix A. SOURCE: U.S. Sentencing Commission, 2004 Datafile, USSCFY04, Pre-Blakely Only Cases (October 1, 2003, through June 24, 2004).

# FLORIDA, Southern