## Pre-Blakely Fiscal Year 2004 Guideline Sentences

Upward Departure

|  | TOTAL        |          | Ma  | le    | Female            |         |  |
|--|--------------|----------|-----|-------|-------------------|---------|--|
| TOTAL                                  | 469          | 100.0%   | 410 | 87.4% | 59                | 12.6%   |  |
| White                                  | 174          | 37.1%    | 150 | 86.2% | 24                | 13.8%   |  |
| Black                                  | 69           | 14.7%    | 59  | 85.5% | 10                | 14.5%   |  |
| Hispanic                               | 195          | 41.6%    | 181 | 92.8% | 14                | 7.2%    |  |
| Other                                  | 31           | 6.6%     | 20  | 64.5% | 11                | 35.5%   |  |
| Departure S                            | uuus         |          |     |       | 476               | 100.00/ |  |
| TOTAL                                  |              |          |     |       |                   | 100.00/ |  |
| TOTAL                                  |              |          |     |       | 4/0               | 100.0%  |  |
|  | thin Guideli | ne Range |     |       | <b>476</b><br>397 | 83.4%   |  |
| TOTAL<br>Sentenced Wi<br>Substantial A |              | 0        |     |       |                   |         |  |
| Sentenced Wi<br>Substantial A          | ssistance De | 0        | ure |       | 397               | 83.4%   |  |

| Average Age <sup>3</sup> | Mean | Median |  |  |
|--------------------------|------|--------|--|--|
| TOTAL                    | 35.1 | 33.0   |  |  |
| Male                     | 34.9 | 33.0   |  |  |
| Female                   | 37.0 | 36.0   |  |  |
|                          |      |        |  |  |

| Mode of Conviction <sup>4</sup> |     |        |  |  |  |
|---------------------------------|-----|--------|--|--|--|
| TOTAL                           | 489 | 100.0% |  |  |  |
| Plea                            | 468 | 95.7%  |  |  |  |
| Trial                           | 21  | 4.3%   |  |  |  |

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

| SENTENCING INFORMA                                    |         |       |          |         |          | Robbery |         | Embezlmnt | Fraud   | Drug Trafck | Counterftng | Firearms | Immigratn | All Other |
|---|---------|-------|----------|---------|----------|---------|---------|-----------|---------|-------------|-------------|----------|-----------|-----------|
|   | 489     | 27    | 16       | 9       | 69       | 69      | 17      | 95        | 124     | 63          |             |          |           |           |
| CASES INVOLVING PRISON                                | ó       |       |          |         |          |         |         |           |         |             |             |          |           |           |
| <b>Total Receiving Prison</b>                         | 427     | 27    | 14       | 1       | 46       | 69      | 12      | 93        | 119     | 46          |             |          |           |           |
| Prison  | 418     | 27    | 12       | 1       | 44       | 68      | 12      | 92        | 119     | 43          |             |          |           |           |
| Prison/Community Split                                | 9       | 0     | 2        | 0       | 2        | 1       | 0       | 1         | 0       | 3           |             |          |           |           |
| Prison Term Ordered                                   |         |       |          |         |          |         |         |           |         |             |             |          |           |           |
| Up to 12 Months                                       | 71      | 1     | 7        | 0       | 14       | 1       | 4       | 6         | 25      | 13          |             |          |           |           |
| 13-24 Months  | 61      | 0     | 3        | 1       | 18       | 2       | 4       | 6         | 21      | 6           |             |          |           |           |
| 25-36 Months  | 56      | 1     | 2        | 0       | 6        | 4       | 2       | 15        | 17      | 9           |             |          |           |           |
| 37-60 Months  | 122     | 9     | 0        | 0       | 5        | 19      | 2       | 37        | 39      | 11          |             |          |           |           |
| Over 60 Months  | 105     | 16    | 0        | 0       | 2        | 43      | 0       | 29        | 9       | 6           |             |          |           |           |
| Mean Sentence   | 52.0    | 98.7  | 12.1     | 18.0    | 23.4     | 94.7    | 19.4    | 57.7      | 32.3    | 43.6        |             |          |           |           |
| Median Sentence                                       | 38.0    | 70.0  | 10.0     | 18.0    | 18.0     | 87.0    | 16.5    | 46.0      | 30.0    | 32.0        |             |          |           |           |
| CASES INVOLVING                                       |         |       |          |         |          |         |         |           |         |             |             |          |           |           |
| PROBATION   |         |       |          |         |          |         |         |           |         |             |             |          |           |           |
| <b>Total Receiving Probation</b>                      | 59      | 0     | 1        | 8       | 23       | 0       | 5       | 2         | 5       | 15          |             |          |           |           |
| Probation Only  | 28      | 0     | 0        | 6       | 11       | 0       | 0       | 0         | 5       | 6           |             |          |           |           |
| Probation and Confinement                             | 31      | 0     | 1        | 2       | 12       | 0       | 5       | 2         | 0       | 9           |             |          |           |           |
| CASES INVOLVING FINES<br>AND RESTITUTION <sup>7</sup> |         |       |          |         |          |         |         |           |         |             |             |          |           |           |
| Total Receiving Fines and<br>Restitution              | 134     | 17    | 11       | 8       | 46       | 7       | 9       | 9         | 4       | 23          |             |          |           |           |
| Median Dollar Amount                                  | \$7,086 | \$900 | \$10,794 | \$2,550 | \$48,256 | \$1,000 | \$1,821 | \$1,962   | \$2,750 | \$19,225    |             |          |           |           |

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).

0.4%

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