



**Gender, Race, and Ethnicity<sup>1</sup>**

	TOTAL		Male		Female	
<b>TOTAL</b>	<b>69,789</b>	<b>100.0%</b>	<b>60,967</b>	<b>87.4%</b>	<b>8,822</b>	<b>12.6%</b>
White	20,759	29.7%	17,245	83.1%	3,514	16.9%
Black	16,767	24.0%	14,720	87.8%	2,047	12.2%
Hispanic	29,462	42.2%	26,758	90.8%	2,704	9.2%
Other	2,801	4.0%	2,244	80.1%	557	19.9%

**Departure Status<sup>2</sup>**

	TOTAL	
<b>TOTAL</b>	<b>74,493</b>	<b>100.0%</b>
Sentenced Within Guideline Range	44,263	59.4%
Upward Departure from Guideline Range	326	0.4%
Upward Departure with <i>Booker</i> /18 U.S.C. § 3553	147	0.2%
Above Guideline Range with <i>Booker</i> /18 U.S.C. § 3553	622	0.8%
All Remaining Cases Above Guideline Range	100	0.1%
§5K1.1 Substantial Assistance Departure	10,048	13.5%
§5K3.1 Early Disposition Program Departure	5,894	7.9%
Other Government-Sponsored Below Guideline Range	3,121	4.2%
Downward Departure from Guideline Range	1,544	2.1%
Downward Departure with <i>Booker</i> /18 U.S.C. § 3553	915	1.2%
Below Guideline Range with <i>Booker</i> /18 U.S.C. § 3553	6,678	9.0%
All Remaining Cases Below Guideline Range	835	1.1%

<b>Average Age<sup>3</sup></b>	Mean	Median
<b>TOTAL</b>	<b>35.0</b>	<b>33.0</b>
Male	34.9	33.0
Female	35.8	34.0

<b>Mode of Conviction<sup>4</sup></b>		
<b>TOTAL</b>	<b>76,427</b>	<b>100.0%</b>
Plea	73,617	96.3%
Trial	2,810	3.7%

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

	TOTAL	Robbery	Larceny	Embezmnt	Fraud	Drug Trafck	Counterftng	Firearms	Immigratr	All Other
	76,428	1,052	1,683	495	7,472	24,306	1,018	8,250	21,429	10,723

**CASES INVOLVING PRISON<sup>6</sup>**

<b>Total Receiving Prison</b>	<b>67,354</b>	<b>1,024</b>	<b>678</b>	<b>253</b>	<b>5,573</b>	<b>23,460</b>	<b>710</b>	<b>7,759</b>	<b>20,660</b>	<b>7,237</b>
Prison	65,376	1,002	608	195	5,082	22,939	646	7,577	20,419	6,908
Prison/Community Split	1,978	22	70	58	491	521	64	182	241	329
<b>Prison Term Ordered</b>										
Up to 12 Months	14,685	17	280	125	1,817	1,702	222	466	8,577	1,479
13-24 Months	13,341	61	233	73	1,459	3,040	266	1,112	5,619	1,478
25-36 Months	6,828	91	64	29	748	2,078	104	868	2,066	780
37-60 Months	12,630	293	69	13	824	5,356	73	1,642	3,118	1,242
Over 60 Months	18,620	556	17	5	527	11,103	30	3,621	627	2,134
Mean Sentence	56.9	82.7	18.8	14.6	28.6	83.2	22.2	89.2	20.2	65.2
Median Sentence	33.0	65.0	13.0	12.0	18.0	60.0	18.0	60.0	14.0	34.2

**CASES INVOLVING PROBATION**

<b>Total Receiving Probation</b>	<b>8,303</b>	<b>27</b>	<b>892</b>	<b>238</b>	<b>1,872</b>	<b>822</b>	<b>305</b>	<b>476</b>	<b>744</b>	<b>2,927</b>
Probation Only	5,596	19	676	169	1,166	446	159	252	548	2,161
Probation and Confinement	2,707	8	216	69	706	376	146	224	196	766

**CASES INVOLVING FINES AND RESTITUTION<sup>7</sup>**

<b>Total Receiving Fines and Restitution</b>	<b>17,587</b>	<b>820</b>	<b>1,351</b>	<b>436</b>	<b>5,130</b>	<b>2,459</b>	<b>638</b>	<b>1,486</b>	<b>539</b>	<b>4,728</b>
Median Dollar Amount	\$5,000	\$5,185	\$5,793	\$22,185	\$54,000	\$1,500	\$3,073	\$2,000	\$1,500	\$2,000

Footnotes and a complete description of all variables in this table are provided in Appendix A.  
SOURCE: U.S. Sentencing Commission, 2008 Datafile, USSCFY08.