# **Fiscal Year 2009 Guideline Sentences**

Average Age <sup>3</sup>	Mean	Median
TOTAL	36.8	34.0
Male	36.6	34.0
Female	37.4	36.0
Mode of Conviction <sup>4</sup>		
TOTAL	358	100.0%
Plea	338	94.4%
Trial	20	5.6%

# 1

White 109 33.7% 80 73.4% 29 26.6   Black 167 51.7% 130 77.8% 37 22.2   Hispanic 35 10.8% 31 88.6% 4 11.4   Other 12 3.7% 11 91.7% 1 8.3   Departure Status <sup>2</sup> 327 100.0   Sentenced Within Guideline Range 264 80.7   Upward Departure from Guideline Range 3 0.9   Upward Departure with Booker/18 U.S.C. § 3553 0 0.0   Above Guideline Range with Booker/18 U.S.C. § 3553 5 1.5   All Remaining Cases Above Guideline Range 1 0.3   §5K1.1 Substantial Assistance Departure 18 5.5   §5K3.1 Early Disposition Program Departure 0 0.0   Other Government-Sponsored Below Guideline Range 1 0.3   Downward Departure with Booker/18 U.S.C. § 3553 0 0.0   Downward Departure with Booker/18 U.S.C. § 3553 0 0.0		TOTAL		Ma	le	Female		
Black 167 51.7% 130 77.8% 37 22.2   Hispanic 35 10.8% 31 88.6% 4 11.4   Other 12 3.7% 11 91.7% 1 8.3   Departure Status <sup>2</sup> 327 100.0 327 100.0   Sentenced Within Guideline Range 264 80.7   Upward Departure from Guideline Range 264 80.7   Upward Departure with Booker/18 U.S.C. § 3553 0 0.0   Above Guideline Range with Booker/18 U.S.C. § 3553 5 1.5   All Remaining Cases Above Guideline Range 1 0.3   §5K1.1 Substantial Assistance Departure 0 0.0   Qther Government-Sponsored Below Guideline Range 1 0.3   Downward Departure with Booker/18 U.S.C. § 3553 0 0.0	TOTAL	323	100.0%	252	78.0%	71	22.0%	
Hispanic 35 10.8% 31 88.6% 4 11.4   Other 12 3.7% 11 91.7% 1 8.3   Departure Status <sup>2</sup> 327 100.0 327 100.0   Sentenced Within Guideline Range 264 80.7   Upward Departure from Guideline Range 264 80.7   Upward Departure with Booker /18 U.S.C. § 3553 0 0.0   Above Guideline Range with Booker /18 U.S.C. § 3553 5 1.5   All Remaining Cases Above Guideline Range 1 0.3   §5K1.1 Substantial Assistance Departure 0 0.0   Other Government-Sponsored Below Guideline Range 1 0.3   Downward Departure with Booker /18 U.S.C. § 3553 0 0.0	White	109	33.7%	80	73.4%	29	26.6%	
Other123.7%1191.7%18.3Departure Status²TOTAL327100.0Sentenced Within Guideline Range26480.7Upward Departure from Guideline Range30.9Upward Departure with Booker/18 U.S.C. § 355300.0Above Guideline Range with Booker/18 U.S.C. § 355351.5All Remaining Cases Above Guideline Range10.3§5K1.1 Substantial Assistance Departure185.5§5K3.1 Early Disposition Program Departure00.0Other Government-Sponsored Below Guideline Range10.3Downward Departure with Booker/18 U.S.C. § 355300.0	Black	167	51.7%	130	77.8%	37	22.2%	
Departure Status2327100.0Sentenced Within Guideline Range26480.7Upward Departure from Guideline Range30.9Upward Departure with Booker/18 U.S.C. § 355300.0Above Guideline Range with Booker/18 U.S.C. § 355351.5All Remaining Cases Above Guideline Range10.3§5K1.1 Substantial Assistance Departure185.5§5K3.1 Early Disposition Program Departure00.0Other Government-Sponsored Below Guideline Range10.3Downward Departure with Booker/18 U.S.C. § 355300.0	Hispanic	35	10.8%	31	88.6%	4	11.4%	
TOTAL327100.0Sentenced Within Guideline Range26480.7Upward Departure from Guideline Range30.9Upward Departure with Booker /18 U.S.C. § 355300.0Above Guideline Range with Booker /18 U.S.C. § 355351.5All Remaining Cases Above Guideline Range10.7§5K1.1 Substantial Assistance Departure185.5§5K3.1 Early Disposition Program Departure00.0Other Government-Sponsored Below Guideline Range10.7Downward Departure with Booker /18 U.S.C. § 355300.0	Other	12	3.7%	11	91.7%	1	8.3%	
Sentenced Within Guideline Range26480.7Upward Departure from Guideline Range30.9Upward Departure with Booker/18 U.S.C. § 355300.0Above Guideline Range with Booker/18 U.S.C. § 355351.5All Remaining Cases Above Guideline Range10.5§5K1.1 Substantial Assistance Departure185.5§5K3.1 Early Disposition Program Departure00.0Other Government-Sponsored Below Guideline Range10.5Downward Departure with Booker/18 U.S.C. § 355300.0	Departure S	tatus <sup>2</sup>						
Upward Departure from Guideline Range30.9Upward Departure with Booker/18 U.S.C. § 355300.0Above Guideline Range with Booker/18 U.S.C. § 355351.5All Remaining Cases Above Guideline Range10.3§5K1.1 Substantial Assistance Departure185.5§5K3.1 Early Disposition Program Departure00.0Other Government-Sponsored Below Guideline Range10.3Downward Departure from Guideline Range41.2Downward Departure with Booker/18 U.S.C. § 355300.0	TOTAL					327	100.0%	
Upward Departure with Booker /18 U.S.C. § 355300.0Above Guideline Range with Booker /18 U.S.C. § 355351.5All Remaining Cases Above Guideline Range10.5§5K1.1 Substantial Assistance Departure185.5§5K3.1 Early Disposition Program Departure00.0Other Government-Sponsored Below Guideline Range10.5Downward Departure from Guideline Range41.5Downward Departure with Booker /18 U.S.C. § 355300.0	Sentenced Wi	264	80.7%					
Above Guideline Range with Booker/18 U.S.C. § 355351.5All Remaining Cases Above Guideline Range10.3§5K1.1 Substantial Assistance Departure185.5§5K3.1 Early Disposition Program Departure00.0Other Government-Sponsored Below Guideline Range10.3Downward Departure from Guideline Range41.2Downward Departure with Booker/18 U.S.C. § 355300.0	Upward Depa	3	0.9%					
All Remaining Cases Above Guideline Range10.3§5K1.1 Substantial Assistance Departure185.5§5K3.1 Early Disposition Program Departure00.0Other Government-Sponsored Below Guideline Range10.3Downward Departure from Guideline Range41.3Downward Departure with Booker/18 U.S.C. § 355300.0	Upward Depa	0	0.0%					
§5K1.1 Substantial Assistance Departure185.5§5K3.1 Early Disposition Program Departure00.0Other Government-Sponsored Below Guideline Range10.5Downward Departure from Guideline Range41.5Downward Departure with Booker /18 U.S.C. § 355300.0	Above Guidel	5	1.5%					
§5K3.1 Early Disposition Program Departure00.0Other Government-Sponsored Below Guideline Range10.3Downward Departure from Guideline Range41.2Downward Departure with Booker /18 U.S.C. § 355300.0	All Remaining	g Cases Abo	ve Guideline Ra	nge		1	0.3%	
Other Government-Sponsored Below Guideline Range10.3Downward Departure from Guideline Range41.2Downward Departure with Booker /18 U.S.C. § 355300.0	§5K1.1 Substa	18	5.5%					
Downward Departure from Guideline Range41.2Downward Departure with Booker /18 U.S.C. § 355300.0	§5K3.1 Early	0	0.0%					
Downward Departure with <i>Booker</i> /18 U.S.C. § 3553 0 0.0	Other Govern	1	0.3%					
•	Downward De	4	1.2%					
Below Guideline Range with <i>Booker</i> /18 U.S.C. § 3553 25 7.6	Downward De	0	0.0%					
	Below Guidel	25	7.6%					

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

	TOTAL 358	Robbery	Larceny	Embezlmnt	Fraud	Drug Trafck	Counterftng	Firearms	Immigratn	All Other
		10	31	4	114	56	10	45	19	69
CASES INVOLVING PRISON	6									
<b>Total Receiving Prison</b>	262	10	10	2	67	56	7	45	19	46
Prison	250	10	8	1	63	55	7	42	19	45
Prison/Community Split	12	0	2	1	4	1	0	3	0	1
<b>Prison Term Ordered</b>										
Up to 12 Months	59	0	5	2	26	1	4	4	9	8
13-24 Months	41	0	4	0	13	5	2	5	3	9
25-36 Months	26	1	0	0	6	3	1	5	2	8
37-60 Months	61	6	0	0	16	13	0	11	5	10
Over 60 Months	72	3	0	0	6	34	0	19	0	10
Mean Sentence	62.1	61.3	11.8	-	30.2	104.2	12.1	91.0	21.5	66.7
Median Sentence	37.0	56.5	12.0	-	18.0	74.5	11.0	51.0	15.0	30.0
CASES INVOLVING PROBATION										
Total Receiving Probation	93	0	21	2	47	0	2	0	0	21
Probation Only	71	0	18	0	40	0	1	0	0	12
Probation and Confinement	22	0	3	2	7	0	1	0	0	9
CASES INVOLVING FINES										
AND RESTITUTION <sup>7</sup> Total Receiving Fines and										
Restitution	237	8	27	4	88	35	7	22	0	46
Median Dollar Amount	\$4,358	\$4,573	\$7,899	\$41,488	\$12,001	\$2,000	\$3,200	\$1,500	-	\$3,390

All Remaining Cases Below Guideline Range

Footnotes and a complete description of all variables in this table are provided in Appendix A. SOURCE: U.S. Sentencing Commission, 2009 Datafile, USSCFY09.

# **MISSISSIPPI**, Southern

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1.8%