## **Fiscal Year 2009 Guideline Sentences**

## **VIRGIN ISLANDS**

		Gender, Race	e, and Eth	nicity <sup>1</sup>					
			TOTAL		Male		Fer	nale	
		TOTAL	70	100.0%	62	88.6%	8	11.4%	
		White	5	7.1%	4	80.0%	1	20.0%	
		Black	50	71.4%	46	92.0%	4	8.0%	
		Hispanic	12	17.1%	10	83.3%	2	16.7%	
		Other	3	4.3%	2	66.7%	1	33.3%	
		Departure Status <sup>2</sup>							
		TOTAL	70	100.0%					
		Sentenced Wit	hin Guideli	ne Range			48	68.6%	
		Upward Departure from Guideline Range					0	0.0%	
		Upward Departure with Booker /18 U.S.C. § 3553						0.0%	
Mean	Median	Above Guideli	ine Range w	ith Booker/18 U	.S.C. § 3553	3	5	7.1%	
35.9	35.0	All Remaining Cases Above Guideline Range						0.0%	
36.3	35.5	§5K1.1 Substantial Assistance Departure						8.6%	
33.0	31.0	§5K3.1 Early l	Disposition	Program Departu	ire		0	0.0%	
		Other Governm	nent-Sponse	ored Below Guid	eline Range	;	0	0.0%	
		Downward De	parture from	n Guideline Rang	ge		0	0.0%	
73	100.0%	Downward De	parture with	n Booker/18 U.S.	C. § 3553		4	5.7%	
56	76.7%	Below Guideli	ne Range w	ith Booker/18 U.	.S.C. § 3553	3	5	7.1%	
17	23.3%	All Remaining	g Cases Belo	w Guideline Ran	ige		2	2.9%	
	<b>35.9</b> 36.3 33.0 <b>73</b> 56	35.9 35.0   36.3 35.5   33.0 31.0   73 100.0%   56 76.7%	TOTALWhiteBlackHispanicOtherDeparture StTOTALSentenced WiteUpward DepartUpward DepartUpward DepartUpward Depart35.935.031.0\$5K1.1 Substation36.335.5\$5K1.1 Substation36.331.0\$5K3.1 Early StillOther GoverninDownward DepartDownward DepartDownward DepartDownward DepartStrain35.031.0StrainStrainBelow Guidelite	TOTOTOTAL70White5Black50Hispanic12Other3Departure Status²TOTALSentenced Within GuidelinUpward Departure from GUpward Departure with BaAbove Guideline Range w35.935.036.335.533.031.0\$5K1.1 Substantial Assista33.031.0\$5K3.1 Early DispositionOther Government-SponseDownward Departure with5676.7%Below Guideline Range w	TOTAL70100.0%White57.1%Black5071.4%Hispanic1217.1%Other34.3%Departure Status²TOTALSentenced Within Guideline RangeUpward Departure from Guideline RangeUpward Departure with Booker/18 U.S.C.MeanMedian35.935.036.335.535.031.0\$5K3.1 Early Disposition Program Departure33.031.0\$5K3.1 Early Disposition Program DepartureOther Government-Sponsored Below GuidDownward Departure with Booker/18 U.S.S.5676.7%Below Guideline Range with Booker/18 U.S.	TOTALMaTOTAL70100.0%62White57.1%4Black5071.4%46Hispanic1217.1%10Other34.3%2Departure Status²TOTALSentenced Within Guideline RangeUpward Departure from Guideline RangeUpward Departure with Booker /18 U.S.C. § 3553Above Guideline Range with Booker /18 U.S.C. § 355335.935.036.335.5§5K1.1 Substantial Assistance Departure33.031.0§5K3.1 Early Disposition Program DepartureOther Government-Sponsored Below Guideline RangeDownward Departure with Booker /18 U.S.C. § 3553Below Guideline Range with Booker /18 U.S.C. § 3553	TOTALMaleTOTAL70100.0%6288.6%White57.1%480.0%Black5071.4%4692.0%Hispanic1217.1%1083.3%Other34.3%266.7%Departure Status <sup>2</sup> TOTALSentenced Within Guideline RangeUpward Departure from Guideline RangeUpward Departure with Booker /18 U.S.C. § 3553MeanMedianAbove Guideline Range with Booker /18 U.S.C. § 355335.935.031.0§5K3.1 Early Disposition Program Departure33.031.0§5K3.1 Early Disposition Program DepartureOther Government-Sponsored Below Guideline RangeDownward Departure with Booker /18 U.S.C. § 35535676.7%	TOTAL Male Fer   TOTAL 70 100.0% 62 88.6% 8   White 5 7.1% 4 80.0% 1   Black 50 71.4% 46 92.0% 4   Hispanic 12 17.1% 10 83.3% 2   Other 3 4.3% 2 66.7% 1   Departure Status <sup>2</sup> TOTAL 70 Sentenced Within Guideline Range 0   Upward Departure from Guideline Range 0 Upward Departure with Booker/18 U.S.C. § 3553 0   Mean Median Above Guideline Range with Booker/18 U.S.C. § 3553 5 5   35.9 35.0 All Remaining Cases Above Guideline Range 0 0   36.3 35.5 §5K1.1 Substantial Assistance Departure 6 6   33.0 31.0 §5K3.1 Early Disposition Program Departure 0 0   Other Government-Sponsored Below Guideline Range 0 0 0 0   Ownward Departure f	

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

	TOTAL	Robbery	Larceny	Embezlmnt	Fraud	Drug Trafck	Counterftng	Firearms	Immigratn	All Other
	73	0	1	2	6	28	0	14	16	6
CASES INVOLVING PRISON	-6									
<b>Total Receiving Prison</b>	69	0	1	1	6	25	0	14	16	6
Prison	67	0	1	1	6	23	0	14	16	6
Prison/Community Split	2	0	0	0	0	2	0	0	0	0
Prison Term Ordered										
Up to 12 Months	21	0	0	0	5	3	0	1	9	3
13-24 Months	11	0	0	0	0	4	0	4	2	1
25-36 Months	4	0	0	0	0	1	0	3	0	0
37-60 Months	14	0	1	1	1	4	0	3	3	1
Over 60 Months	17	0	0	0	0	12	0	3	1	1
Mean Sentence	42.9	-	-	-	11.3	71.6	-	40.3	19.2	23.7
Median Sentence	27.0	-	-	-	4.0	66.0	-	28.5	6.2	10.5
CASES INVOLVING										
PROBATION										
<b>Total Receiving Probation</b>	4	0	0	1	0	3	0	0	0	0
Probation Only	4	0	0	1	0	3	0	0	0	0
Probation and Confinement	0	0	0	0	0	0	0	0	0	0
CASES INVOLVING FINES AND RESTITUTION <sup>7</sup>										
Total Receiving Fines and										
Restitution	20	0	0	2	1	8	0	6	0	3
Median Dollar Amount	\$2,000	-	-	-	-	\$1,500	-	\$1,750	-	\$2,600

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