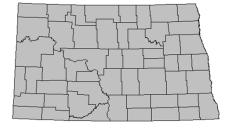
## **Fiscal Year 2012 Guideline Sentences**

# NORTH DAKOTA



Average Age <sup>3</sup>	Mean	Median
TOTAL	33	31
Male	33	32
Female	34	31
Mode of Conviction <sup>4</sup>		
TOTAL	288	100.0%
Plea	282	97.9%
Trial	6	2.1%

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

TOTAL	то	TOTAL		le	Female		
	285	100.0%	260	91.2%	25	8.8%	
White	93	32.6%	81	87.1%	12	12.9%	
Black	18	6.3%	17	94.4%	1	5.6%	
Hispanic	115	40.4%	111	96.5%	4	3.5%	
Other	59	20.7%	51	86.4%	8	13.6%	

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

TOTAL	288	100.0%
Sentenced Within Guideline Range	150	52.1%
Upward Departure from Guideline Range	1	0.3%
Upward Departure with <i>Booker</i> /18 U.S.C. § 3553	0	0.0%
Above Guideline Range with <i>Booker</i> /18 U.S.C. § 3553	4	1.4%
All Remaining Cases Above Guideline Range	1	0.3%
§5K1.1 Substantial Assistance Departure	75	26.0%
§5K3.1 Early Disposition Program Departure	9	3.1%
Other Government-Sponsored Below Guideline Range	10	3.5%
Downward Departure from Guideline Range	6	2.1%
Downward Departure with Booker/18 U.S.C. § 3553	2	0.7%
Below Guideline Range with Booker/18 U.S.C. § 3553	28	9.7%
All Remaining Cases Below Guideline Range	2	0.7%

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

	TOTAL 288	Robbery	Larceny	Embezlmnt	Fraud	Drug Trafck	Counterftng	Firearms	Immigratn	All Other
		1	3	2	17	74	2	25	98	66
CASES INVOLVING PRISON <sup>6</sup>										
<b>Total Receiving Prison</b>	275	1	3	0	14	73	2	23	97	62
Prison	267	1	3	0	14	72	2	21	97	57
Prison/Community Split	8	0	0	0	0	1	0	2	0	5
Prison Term Ordered										
Up to 12 Months	115	0	0	0	10	4	1	3	88	9
13-24 Months	32	1	1	0	1	8	1	5	3	12
25-36 Months	21	0	1	0	1	8	0	4	2	5
37-60 Months	29	0	1	0	1	13	0	6	2	6
Over 60 Months	76	0	0	0	1	40	0	5	0	30
Mean Sentence	53	-	30	-	24	103	-	52	4	77
Median Sentence	21	-	33	-	2	72	-	33	2	49
CASES INVOLVING										
PROBATION	10	0	0	2	2	1	0	2	1	4
Total Receiving Probation	13	0	<b>0</b> 0	2		1	0	2	1	
Probation Only	8	0	÷	0		0	0	0	1	4
Probation and Confinement	5	0	0	2	0	1	0	2	0	0
CASES INVOLVING FINES AND RESTITUTION <sup>7</sup>										
Total Receiving Fines and										
Restitution	50	0	3	2	6	4	2	2	0	31
Median Dollar Amount	\$3,294	-	-	-	\$22,210	\$5,596	-	-	-	\$2,890

Footnotes and a complete description of all variables in this table are provided in Appendix A. SOURCE: U.S. Sentencing Commission, 2012 Datafile, USSCFY12.