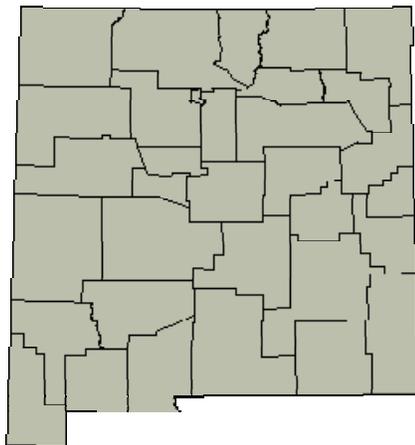


**Pre-Blakely Fiscal Year 2004 Guideline Sentences**

**NEW MEXICO**



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

|              | TOTAL        |               | Male         |              | Female     |             |
|--------------|--------------|---------------|--------------|--------------|------------|-------------|
| <b>TOTAL</b> | <b>1,625</b> | <b>100.0%</b> | <b>1,494</b> | <b>91.9%</b> | <b>131</b> | <b>8.1%</b> |
| White        | 158          | 9.7%          | 134          | 84.8%        | 24         | 15.2%       |
| Black        | 51           | 3.1%          | 44           | 86.3%        | 7          | 13.7%       |
| Hispanic     | 1,353        | 83.3%         | 1,257        | 92.9%        | 96         | 7.1%        |
| Other        | 63           | 3.9%          | 59           | 93.7%        | 4          | 6.3%        |

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

|   |              |               |
|---|--------------|---------------|
| <b>TOTAL</b>                            | <b>1,621</b> | <b>100.0%</b> |
| Sentenced Within Guideline Range        | 1,112        | 68.6%         |
| Substantial Assistance Departure        | 63           | 3.9%          |
| Government Sponsored Downward Departure | 384          | 23.7%         |
| Other Downward Departure                | 52           | 3.2%          |
| Upward Departure                        | 10           | 0.6%          |

**Average Age<sup>3</sup>**

|              | Mean        | Median      |
|--------------|-------------|-------------|
| <b>TOTAL</b> | <b>31.9</b> | <b>30.0</b> |
| Male         | 31.8        | 30.0        |
| Female       | 32.7        | 32.0        |

**Mode of Conviction<sup>4</sup>**

|              |              |               |
|--------------|--------------|---------------|
| <b>TOTAL</b> | <b>1,627</b> | <b>100.0%</b> |
| Plea         | 1,609        | 98.9%         |
| Trial        | 18           | 1.1%          |

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

|  | TOTAL | Robbery | Larceny | Embezzlmt | Fraud | Drug Traffck | Counterftng | Firearms | Immigratn | All Other |
|--|-------|---------|---------|-----------|-------|--------------|-------------|----------|-----------|-----------|
|  | 1,629 | 19      | 10      | 4         | 29    | 435          | 7           | 66       | 957       | 102       |

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

|                               |              |           |          |          |           |            |          |           |            |           |
|-------------------------------|--------------|-----------|----------|----------|-----------|------------|----------|-----------|------------|-----------|
| <b>Total Receiving Prison</b> | <b>1,542</b> | <b>19</b> | <b>3</b> | <b>1</b> | <b>14</b> | <b>415</b> | <b>3</b> | <b>60</b> | <b>942</b> | <b>85</b> |
| Prison                        | 1,517        | 18        | 1        | 1        | 13        | 404        | 3        | 60        | 934        | 83        |
| Prison/Community Split        | 25           | 1         | 2        | 0        | 1         | 11         | 0        | 0         | 8          | 2         |
| <b>Prison Term Ordered</b>    |              |           |          |          |           |            |          |           |            |           |
| Up to 12 Months               | 596          | 0         | 3        | 1        | 10        | 53         | 3        | 3         | 509        | 14        |
| 13-24 Months                  | 406          | 0         | 0        | 0        | 4         | 128        | 0        | 15        | 233        | 26        |
| 25-36 Months                  | 127          | 2         | 0        | 0        | 0         | 44         | 0        | 12        | 61         | 8         |
| 37-60 Months                  | 253          | 9         | 0        | 0        | 0         | 108        | 0        | 12        | 116        | 8         |
| Over 60 Months                | 158          | 8         | 0        | 0        | 0         | 81         | 0        | 18        | 22         | 29        |
| Mean Sentence                 | 27.5         | 75.3      | 3.1      | 3.0      | 9.1       | 42.9       | 5.1      | 57.9      | 15.8       | 54.4      |
| Median Sentence               | 15.0         | 57.0      | 4.0      | 3.0      | 7.0       | 30.0       | 4.6      | 35.5      | 9.0        | 26.8      |

**CASES INVOLVING PROBATION**

|                                  |           |          |          |          |           |           |          |          |          |           |
|----------------------------------|-----------|----------|----------|----------|-----------|-----------|----------|----------|----------|-----------|
| <b>Total Receiving Probation</b> | <b>80</b> | <b>0</b> | <b>7</b> | <b>3</b> | <b>15</b> | <b>19</b> | <b>4</b> | <b>6</b> | <b>9</b> | <b>17</b> |
| Probation Only                   | 45        | 0        | 6        | 2        | 8         | 8         | 4        | 3        | 2        | 12        |
| Probation and Confinement        | 35        | 0        | 1        | 1        | 7         | 11        | 0        | 3        | 7        | 5         |

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

|  |           |           |          |          |           |          |          |          |          |           |
|--|-----------|-----------|----------|----------|-----------|----------|----------|----------|----------|-----------|
| <b>Total Receiving Fines and Restitution</b> | <b>82</b> | <b>15</b> | <b>6</b> | <b>4</b> | <b>16</b> | <b>6</b> | <b>4</b> | <b>5</b> | <b>1</b> | <b>25</b> |
| Median Dollar Amount                         | \$1,728   | \$1,619   | \$19,839 | \$18,338 | \$32,744  | \$5,742  | \$235    | \$4,000  | \$100    | \$1,000   |

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).