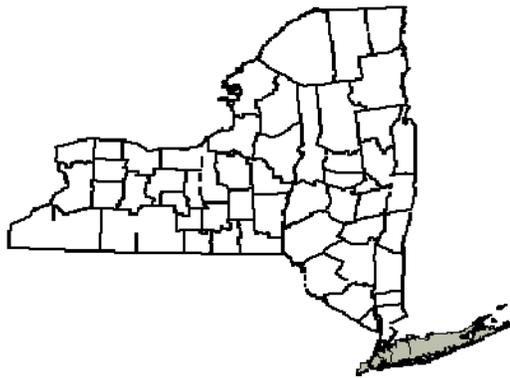


Post-Blakely Fiscal Year 2004 Guideline Sentences

NEW YORK, Eastern



Gender, Race, and Ethnicity¹

| | TOTAL | | Male | | Female | |
|--------------|------------|---------------|------------|--------------|-----------|--------------|
| TOTAL | 304 | 100.0% | 253 | 83.2% | 51 | 16.8% |
| White | 104 | 34.2% | 100 | 96.2% | 4 | 3.8% |
| Black | 96 | 31.6% | 67 | 69.8% | 29 | 30.2% |
| Hispanic | 94 | 30.9% | 78 | 83.0% | 16 | 17.0% |
| Other | 10 | 3.3% | 8 | 80.0% | 2 | 20.0% |

Departure Status²

| | | |
|---|------------|---------------|
| TOTAL | 298 | 100.0% |
| Sentenced Within Guideline Range | 135 | 45.3% |
| Substantial Assistance Departure | 80 | 26.8% |
| Government Sponsored Downward Departure | 18 | 6.0% |
| Other Downward Departure | 65 | 21.8% |
| Upward Departure | 0 | 0.0% |

Average Age³

| | Mean | Median |
|--------------|-------------|-------------|
| TOTAL | 38.9 | 37.0 |
| Male | 39.4 | 37.0 |
| Female | 36.3 | 34.0 |

Mode of Conviction⁴

| | | |
|--------------|------------|---------------|
| TOTAL | 307 | 100.0% |
| Plea | 293 | 95.4% |
| Trial | 14 | 4.6% |

SENTENCING INFORMATION BY PRIMARY OFFENSE⁵

| | TOTAL | Robbery | Larceny | Embezlmt | Fraud | Drug Traffk | Counterftng | Firearms | Immigratr | All Other |
|--|------------|----------|----------|----------|-----------|-------------|-------------|-----------|-----------|-----------|
| | 307 | 0 | 9 | 4 | 48 | 139 | 4 | 23 | 20 | 60 |

CASES INVOLVING PRISON⁶

| | | | | | | | | | | |
|-------------------------------|------------|----------|----------|----------|-----------|------------|----------|-----------|-----------|-----------|
| Total Receiving Prison | 240 | 0 | 5 | 2 | 27 | 125 | 1 | 23 | 18 | 39 |
| Prison | 235 | 0 | 4 | 2 | 26 | 124 | 1 | 23 | 18 | 37 |
| Prison/Community Split | 5 | 0 | 1 | 0 | 1 | 1 | 0 | 0 | 0 | 2 |
| Prison Term Ordered | | | | | | | | | | |
| Up to 12 Months | 45 | 0 | 1 | 0 | 11 | 21 | 0 | 1 | 6 | 5 |
| 13-24 Months | 65 | 0 | 2 | 1 | 7 | 37 | 0 | 2 | 0 | 16 |
| 25-36 Months | 38 | 0 | 1 | 0 | 4 | 22 | 1 | 5 | 2 | 3 |
| 37-60 Months | 54 | 0 | 1 | 1 | 4 | 24 | 0 | 6 | 8 | 10 |
| Over 60 Months | 36 | 0 | 0 | 0 | 1 | 19 | 0 | 9 | 2 | 5 |
| Mean Sentence | 43.1 | - | 20.1 | 30.5 | 20.4 | 36.2 | 27.0 | 131.3 | 34.7 | 36.6 |
| Median Sentence | 27.7 | - | 17.7 | 30.5 | 13.0 | 27.3 | 27.0 | 46.0 | 40.1 | 24.0 |

CASES INVOLVING PROBATION

| | | | | | | | | | | |
|----------------------------------|-----------|----------|----------|----------|-----------|-----------|----------|----------|----------|-----------|
| Total Receiving Probation | 67 | 0 | 4 | 2 | 21 | 14 | 3 | 0 | 2 | 21 |
| Probation Only | 49 | 0 | 2 | 1 | 14 | 12 | 3 | 0 | 2 | 15 |
| Probation and Confinement | 18 | 0 | 2 | 1 | 7 | 2 | 0 | 0 | 0 | 6 |

CASES INVOLVING FINES AND RESTITUTION⁷

| | | | | | | | | | | |
|--|-----------|----------|-----------|----------|-----------|----------|----------|----------|----------|-----------|
| Total Receiving Fines and Restitution | 86 | 0 | 6 | 4 | 32 | 6 | 2 | 5 | 1 | 30 |
| Median Dollar Amount | \$27,171 | - | \$137,097 | \$72,411 | \$85,557 | \$8,000 | \$25,778 | \$75,202 | \$15,000 | \$24,021 |

Footnotes and a complete description of all variables in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2004 Datafile, USSCFY04, Post-Blakely Only Cases (June 25, 2004, through September 30, 2004).