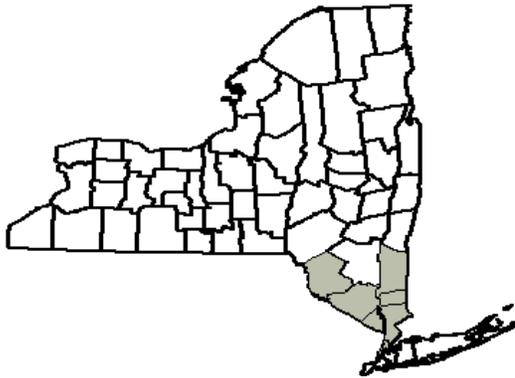


# Post-Blakely Fiscal Year 2004 Guideline Sentences

# NEW YORK, Southern



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

	TOTAL		Male		Female	
<b>TOTAL</b>	<b>254</b>	<b>100.0%</b>	<b>220</b>	<b>86.6%</b>	<b>34</b>	<b>13.4%</b>
White	80	31.5%	70	87.5%	10	12.5%
Black	76	29.9%	63	82.9%	13	17.1%
Hispanic	87	34.3%	79	90.8%	8	9.2%
Other	11	4.3%	8	72.7%	3	27.3%

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

	TOTAL	
<b>TOTAL</b>	<b>224</b>	<b>100.0%</b>
Sentenced Within Guideline Range	177	79.0%
Substantial Assistance Departure	27	12.1%
Government Sponsored Downward Departure	2	0.9%
Other Downward Departure	18	8.0%
Upward Departure	0	0.0%

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

	TOTAL	
<b>TOTAL</b>	<b>254</b>	<b>100.0%</b>
Plea	226	89.0%
Trial	28	11.0%

## Average Age<sup>3</sup>

	Mean	Median
<b>TOTAL</b>	<b>37.6</b>	<b>36.0</b>
Male	37.4	36.0
Female	39.2	39.0

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

	TOTAL	Robbery	Larceny	Embezzlmt	Fraud	Drug Trafck	Counterftng	Firearms	Immigratn	All Other
	255	0	15	5	66	74	10	27	19	39

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

<b>Total Receiving Prison</b>	<b>194</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>40</b>	<b>68</b>	<b>7</b>	<b>27</b>	<b>14</b>	<b>33</b>
Prison	185	0	4	1	36	66	7	26	14	31
Prison/Community Split	9	0	0	0	4	2	0	1	0	2
<b>Prison Term Ordered</b>										
Up to 12 Months	34	0	2	1	10	8	2	3	1	7
13-24 Months	41	0	2	0	13	7	2	5	4	8
25-36 Months	17	0	0	0	3	3	1	5	2	3
37-60 Months	40	0	0	0	7	15	1	7	5	5
Over 60 Months	55	0	0	0	3	35	0	7	2	8
Mean Sentence	58.8	-	10.1	0.0	27.3	79.3	20.7	52.6	40.0	79.7
Median Sentence	37.0	-	10.0	0.0	23.3	64.5	19.5	37.0	41.0	27.0

### CASES INVOLVING PROBATION

<b>Total Receiving Probation</b>	<b>60</b>	<b>0</b>	<b>11</b>	<b>4</b>	<b>26</b>	<b>6</b>	<b>3</b>	<b>0</b>	<b>5</b>	<b>5</b>
Probation Only	38	0	6	3	19	3	2	0	2	3
Probation and Confinement	22	0	5	1	7	3	1	0	3	2

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

<b>Total Receiving Fines and Restitution</b>	<b>100</b>	<b>0</b>	<b>13</b>	<b>4</b>	<b>48</b>	<b>3</b>	<b>3</b>	<b>5</b>	<b>2</b>	<b>22</b>
Median Dollar Amount	\$27,272	-	\$19,238	\$4,080	\$40,960	\$10,000	\$15,868	\$1,000	\$500	\$9,424

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).