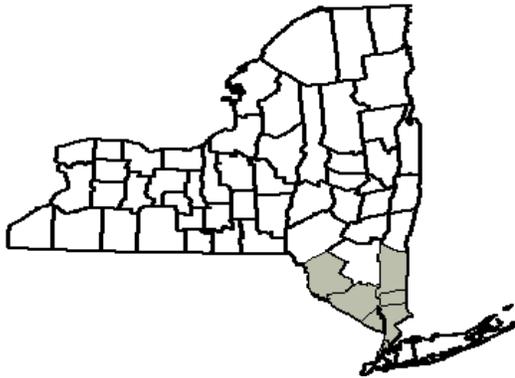


# Pre-Blakely Fiscal Year 2004 Guideline Sentences

# NEW YORK, Southern



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

	TOTAL		Male		Female	
<b>TOTAL</b>	<b>1,191</b>	<b>100.0%</b>	<b>1,053</b>	<b>88.4%</b>	<b>138</b>	<b>11.6%</b>
White	326	27.4%	304	93.3%	22	6.7%
Black	321	27.0%	268	83.5%	53	16.5%
Hispanic	498	41.8%	441	88.6%	57	11.4%
Other	46	3.9%	40	87.0%	6	13.0%

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

<b>TOTAL</b>	<b>1,174</b>	<b>100.0%</b>
Sentenced Within Guideline Range	899	76.6%
Substantial Assistance Departure	167	14.2%
Government Sponsored Downward Departure	5	0.4%
Other Downward Departure	95	8.1%
Upward Departure	8	0.7%

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

	Mean	Median
<b>TOTAL</b>	<b>37.7</b>	<b>36.0</b>
Male	37.4	36.0
Female	39.5	39.0

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

<b>TOTAL</b>	<b>1,201</b>	<b>100.0%</b>
Plea	1,130	94.1%
Trial	71	5.9%

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

	TOTAL	Robbery	Larceny	Embezzlmt	Fraud	Drug Trafck	Counterftng	Firearms	Immigratn	All Other
	1,203	11	56	10	284	398	18	124	114	188

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

<b>Total Receiving Prison</b>	<b>1,000</b>	<b>11</b>	<b>17</b>	<b>9</b>	<b>196</b>	<b>384</b>	<b>8</b>	<b>117</b>	<b>106</b>	<b>152</b>
Prison	951	11	13	8	169	381	8	114	104	143
Prison/Community Split	49	0	4	1	27	3	0	3	2	9
<b>Prison Term Ordered</b>										
Up to 12 Months	154	2	7	1	70	17	1	12	18	26
13-24 Months	187	1	5	6	57	36	5	21	24	32
25-36 Months	109	2	3	1	27	27	1	11	15	22
37-60 Months	226	2	1	1	25	100	1	31	30	35
Over 60 Months	312	4	0	0	12	202	0	42	17	35
Mean Sentence	61.4	90.2	17.2	19.6	22.5	86.5	21.1	87.9	34.6	52.1
Median Sentence	41.0	42.0	13.5	15.0	15.0	70.0	16.5	41.0	31.5	33.5

### CASES INVOLVING PROBATION

<b>Total Receiving Probation</b>	<b>193</b>	<b>0</b>	<b>39</b>	<b>1</b>	<b>83</b>	<b>12</b>	<b>10</b>	<b>5</b>	<b>7</b>	<b>36</b>
Probation Only	126	0	31	0	59	8	7	2	3	16
Probation and Confinement	67	0	8	1	24	4	3	3	4	20

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

Total Receiving Fines and Restitution	385	9	45	6	202	27	9	11	8	68
Median Dollar Amount	\$24,558	\$13,419	\$13,185	\$127,250	\$45,282	\$6,000	\$9,785	\$18,176	\$15,821	\$15,000

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).