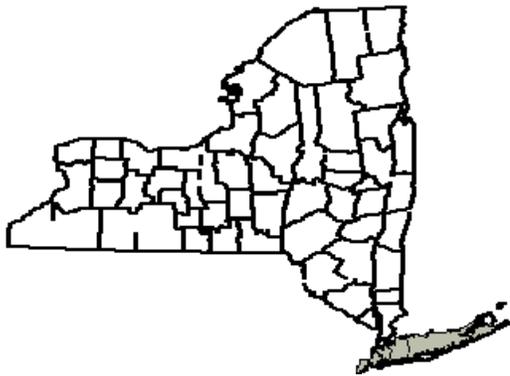


Post-Booker Fiscal Year 2005 Guideline Sentences

NEW YORK, Eastern



Gender, Race, and Ethnicity¹

	TOTAL		Male		Female	
	Count	Percentage	Count	Percentage	Count	Percentage
TOTAL	968	100.0%	814	84.1%	154	15.9%
White	291	30.1%	267	91.8%	24	8.2%
Black	324	33.5%	264	81.5%	60	18.5%
Hispanic	317	32.7%	252	79.5%	65	20.5%
Other	36	3.7%	31	86.1%	5	13.9%

Departure Status²

	Count	Percentage
TOTAL	968	100.0%
Sentenced Within Guideline Range	333	34.4%
Upward Departure from the Guideline Range	1	0.1%
Upward Departure with <i>Booker</i> /18 U.S.C. § 3553	0	0.0%
Above the Range with <i>Booker</i> /18 U.S.C. § 3553	12	1.2%
All Remaining Cases Above the Guideline Range	8	0.8%
§5K1.1 Substantial Assistance Departure	219	22.6%
§5K3.1 Early Disposition Program Departure	0	0.0%
Government-Sponsored Departure	73	7.5%
Downward Departure from the Guideline Range	66	6.8%
Downward Departure with <i>Booker</i> /18 U.S.C. § 3553	28	2.9%
Below the Range with <i>Booker</i> /18 U.S.C. § 3553	139	14.4%
All Remaining Cases Below the Guideline Range	89	9.2%

Average Age ³	Mean	Median
TOTAL	37.3	35.0
Male	37.4	35.0
Female	36.7	36.0

Mode of Conviction ⁴	Count	Percentage
TOTAL	973	100.0%
Plea	913	93.8%
Trial	60	6.2%

SENTENCING INFORMATION BY PRIMARY OFFENSE⁵

	TOTAL	Robbery	Larceny	Embezzlmt	Fraud	Drug Trafck	Counterftng	Firearms	Immigratr	All Other
	973	12	17	2	135	437	19	81	56	214

CASES INVOLVING PRISON⁶

	TOTAL	Robbery	Larceny	Embezzlmt	Fraud	Drug Trafck	Counterftng	Firearms	Immigratr	All Other
Total Receiving Prison	783	11	8	1	59	407	16	76	54	151
Prison	759	11	6	1	56	399	15	75	54	142
Prison/Community Split	24	0	2	0	3	8	1	1	0	9
Prison Term Ordered										
Up to 12 Months	129	1	2	0	22	47	4	2	17	34
13-24 Months	215	2	6	1	24	111	7	11	11	42
25-36 Months	106	1	0	0	8	59	3	14	3	18
37-60 Months	157	2	0	0	5	96	1	14	18	21
Over 60 Months	172	5	0	0	0	92	1	34	4	36
Mean Sentence	56.6	85.0	10.3	21.0	17.1	54.6	23.1	111.6	31.3	62.8
Median Sentence	30.0	51.0	12.0	21.0	15.0	33.0	24.0	54.3	24.0	24.0

CASES INVOLVING PROBATION

	TOTAL	Robbery	Larceny	Embezzlmt	Fraud	Drug Trafck	Counterftng	Firearms	Immigratr	All Other
Total Receiving Probation	189	1	9	1	76	30	3	5	2	62
Probation Only	137	1	6	1	50	26	3	4	2	44
Probation and Confinement	52	0	3	0	26	4	0	1	0	18

CASES INVOLVING FINES AND RESTITUTION⁷

	TOTAL	Robbery	Larceny	Embezzlmt	Fraud	Drug Trafck	Counterftng	Firearms	Immigratr	All Other
Total Receiving Fines and Restitution	201	7	10	1	88	11	7	8	1	68
Median Dollar Amount	\$33,788	\$2,868	\$27,564	\$1,100	\$238,618	\$5,000	\$94,312	\$20,000	\$2,000	\$10,000

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

SOURCE: U.S. Sentencing Commission, 2005 Datafile, USSCFY05, Post-Booker Only Cases (January 12, 2005, through September 30, 2005).