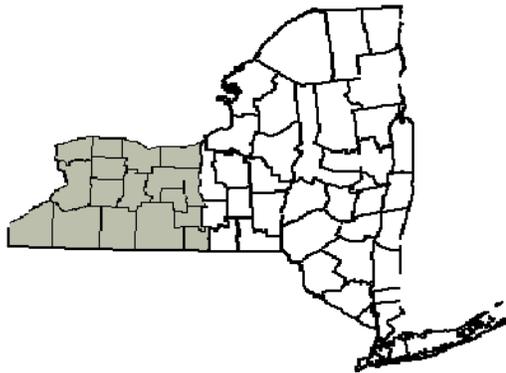


Post-Booker Fiscal Year 2005 Guideline Sentences

NEW YORK, Western



Gender, Race, and Ethnicity¹

	TOTAL		Male		Female	
	Count	Percentage	Count	Percentage	Count	Percentage
TOTAL	477	100.0%	403	84.5%	74	15.5%
White	182	38.2%	151	83.0%	31	17.0%
Black	211	44.2%	180	85.3%	31	14.7%
Hispanic	63	13.2%	54	85.7%	9	14.3%
Other	21	4.4%	18	85.7%	3	14.3%

Departure Status²

	Count	Percentage
TOTAL	480	100.0%
Sentenced Within Guideline Range	267	55.6%
Upward Departure from the Guideline Range	0	0.0%
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	0	0.0%
All Remaining Cases Above the Guideline Range	2	0.4%
§5K1.1 Substantial Assistance Departure	152	31.7%
§5K3.1 Early Disposition Program Departure	0	0.0%
Government-Sponsored Departure	9	1.9%
Downward Departure from the Guideline Range	3	0.6%
Downward Departure with <i>Booker</i> /18 U.S.C. § 3553	1	0.2%
Below the Range with <i>Booker</i> /18 U.S.C. § 3553	25	5.2%
All Remaining Cases Below the Guideline Range	21	4.4%

Average Age ³	Mean	Median
	TOTAL	35.7
Male	35.6	33.0
Female	36.4	34.5

Mode of Conviction ⁴	Count	Percentage
	TOTAL	490
Plea	468	95.5%
Trial	22	4.5%

SENTENCING INFORMATION BY PRIMARY OFFENSE⁵

	TOTAL	Robbery	Larceny	Embezzlmt	Fraud	Drug Trafck	Counterftng	Firearms	Immigratr	All Other
	490	11	15	1	54	195	3	70	44	97

CASES INVOLVING PRISON⁶

Total Receiving Prison	368	11	1	0	34	157	0	64	36	65
Prison	357	11	1	0	31	151	0	64	36	63
Prison/Community Split	11	0	0	0	3	6	0	0	0	2
Prison Term Ordered										
Up to 12 Months	70	0	1	0	21	18	0	1	9	20
13-24 Months	67	3	0	0	7	24	0	13	11	9
25-36 Months	34	1	0	0	4	13	0	9	2	5
37-60 Months	89	4	0	0	2	32	0	27	9	15
Over 60 Months	102	3	0	0	0	69	0	14	1	15
Mean Sentence	58.5	62.9	12.0	-	13.7	80.2	-	50.9	25.3	53.5
Median Sentence	37.0	51.0	12.0	-	9.5	60.0	-	49.5	20.0	31.5

CASES INVOLVING PROBATION

Total Receiving Probation	119	0	13	1	20	38	3	6	8	30
Probation Only	81	0	11	1	14	19	1	5	7	23
Probation and Confinement	38	0	2	0	6	19	2	1	1	7

CASES INVOLVING FINES AND RESTITUTION⁷

Total Receiving Fines and Restitution	172	5	12	1	29	53	0	24	9	39
Median Dollar Amount	\$1,000	\$6,660	\$4,019	\$1,000	\$26,211	\$1,000	-	\$500	\$1,000	\$1,000

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).