

Post-Booker Fiscal Year 2005 Guideline Sentences

PUERTO RICO



Gender, Race, and Ethnicity¹

	TOTAL		Male		Female	
	Count	Percentage	Count	Percentage	Count	Percentage
TOTAL	398	100.0%	355	89.2%	43	10.8%
White	14	3.5%	12	85.7%	2	14.3%
Black	8	2.0%	7	87.5%	1	12.5%
Hispanic	376	94.5%	336	89.4%	40	10.6%
Other	0	0.0%	0	-	0	-

Departure Status²

	Count	Percentage
TOTAL	404	100.0%
Sentenced Within Guideline Range	292	72.3%
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	15	3.7%
All Remaining Cases Above the Guideline Range	2	0.5%
§5K1.1 Substantial Assistance Departure	29	7.2%
§5K3.1 Early Disposition Program Departure	0	0.0%
Government-Sponsored Departure	9	2.2%
Downward Departure from the Guideline Range	4	1.0%
Downward Departure with <i>Booker</i> /18 U.S.C. § 3553	2	0.5%
Below the Range with <i>Booker</i> /18 U.S.C. § 3553	34	8.4%
All Remaining Cases Below the Guideline Range	17	4.2%

Average Age ³	Mean	Median
TOTAL	34.8	32.0
Male	34.7	32.0
Female	35.5	35.0

Mode of Conviction ⁴	Count	Percentage
TOTAL	413	100.0%
Plea	374	90.6%
Trial	39	9.4%

SENTENCING INFORMATION BY PRIMARY OFFENSE⁵

	TOTAL	Robbery	Larceny	Embezzlmt	Fraud	Drug Trafck	Counterftng	Firearms	Immigratr	All Other
	413	3	2	2	35	196	4	22	80	69

CASES INVOLVING PRISON⁶

Total Receiving Prison	366	3	1	1	18	191	3	21	75	53
Prison	351	3	1	1	9	190	3	20	75	49
Prison/Community Split	15	0	0	0	9	1	0	1	0	4
Prison Term Ordered										
Up to 12 Months	65	0	1	1	14	6	2	5	21	15
13-24 Months	51	0	0	0	3	12	0	2	23	11
25-36 Months	25	0	0	0	0	11	1	0	8	5
37-60 Months	87	0	0	0	0	56	0	5	18	8
Over 60 Months	132	3	0	0	1	104	0	9	1	14
Mean Sentence	73.9	98.3	3.0	0.0	12.0	102.9	14.7	76.7	24.2	61.6
Median Sentence	46.0	97.0	3.0	0.0	0.0	70.0	8.4	48.0	18.0	30.0

CASES INVOLVING PROBATION

Total Receiving Probation	46	0	1	1	16	5	1	1	5	16
Probation Only	30	0	1	0	11	4	1	1	1	11
Probation and Confinement	16	0	0	1	5	1	0	0	4	5

CASES INVOLVING FINES AND RESTITUTION⁷

Total Receiving Fines and Restitution	53	1	0	2	18	12	1	0	0	19
Median Dollar Amount	\$10,797	\$35,580	-	\$80,053	\$18,048	\$4,250	\$166,000	-	-	\$13,500

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).