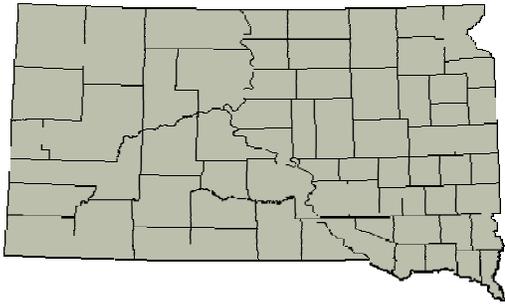


Post-Booker Fiscal Year 2005 Guideline Sentences

SOUTH DAKOTA



Gender, Race, and Ethnicity¹

	TOTAL		Male		Female	
	Count	Percentage	Count	Percentage	Count	Percentage
TOTAL	312	100.0%	258	82.7%	54	17.3%
White	83	26.6%	70	84.3%	13	15.7%
Black	15	4.8%	12	80.0%	3	20.0%
Hispanic	63	20.2%	57	90.5%	6	9.5%
Other	151	48.4%	119	78.8%	32	21.2%

Departure Status²

	Count	Percentage
TOTAL	312	100.0%
Sentenced Within Guideline Range	234	75.0%
Upward Departure from the Guideline Range	0	0.0%
Upward Departure with <i>Booker</i> /18 U.S.C. § 3553	4	1.3%
Above the Range with <i>Booker</i> /18 U.S.C. § 3553	7	2.2%
All Remaining Cases Above the Guideline Range	8	2.6%
§5K1.1 Substantial Assistance Departure	11	3.5%
§5K3.1 Early Disposition Program Departure	0	0.0%
Government-Sponsored Departure	6	1.9%
Downward Departure from the Guideline Range	6	1.9%
Downward Departure with <i>Booker</i> /18 U.S.C. § 3553	3	1.0%
Below the Range with <i>Booker</i> /18 U.S.C. § 3553	26	8.3%
All Remaining Cases Below the Guideline Range	7	2.2%

Average Age ³	Mean	Median
	TOTAL	33.6
Male	33.3	32.0
Female	35.1	34.0

Mode of Conviction ⁴	Count	Percentage
	TOTAL	312
Plea	286	91.7%
Trial	26	8.3%

SENTENCING INFORMATION BY PRIMARY OFFENSE⁵

	TOTAL	Robbery	Larceny	Embezzlmt	Fraud	Drug Trafck	Counterftng	Firearms	Immigratr	All Other
	312	1	23	1	45	100	2	19	22	99

CASES INVOLVING PRISON⁶

Total Receiving Prison	259	1	8	0	32	95	1	15	22	85
Prison	252	1	7	0	28	95	1	15	22	83
Prison/Community Split	7	0	1	0	4	0	0	0	0	2
Prison Term Ordered										
Up to 12 Months	64	0	2	0	24	6	1	0	17	14
13-24 Months	41	0	4	0	5	9	0	2	1	20
25-36 Months	20	0	2	0	1	4	0	2	1	10
37-60 Months	36	0	0	0	1	17	0	2	2	14
Over 60 Months	98	1	0	0	1	59	0	9	1	27
Mean Sentence	63.9	120.0	19.8	-	14.7	90.3	6.0	98.7	12.0	64.6
Median Sentence	37.0	120.0	19.5	-	5.0	87.0	6.0	66.0	2.9	36.0

CASES INVOLVING PROBATION

Total Receiving Probation	51	0	14	1	13	5	1	4	0	13
Probation Only	38	0	13	0	9	3	1	3	0	9
Probation and Confinement	13	0	1	1	4	2	0	1	0	4

CASES INVOLVING FINES AND RESTITUTION⁷

Total Receiving Fines and Restitution	101	0	14	0	24	8	2	6	0	47
Median Dollar Amount	\$3,596	-	\$2,250	-	\$6,350	\$950	\$590	\$5,530	-	\$3,596

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).