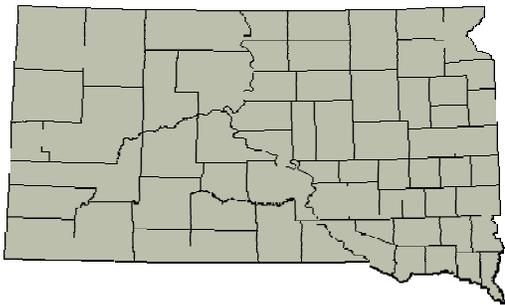


**Pre-Booker Fiscal Year 2005 Guideline Sentences**

**SOUTH DAKOTA**



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

	TOTAL		Male		Female	
<b>TOTAL</b>	<b>135</b>	<b>100.0%</b>	<b>111</b>	<b>82.2%</b>	<b>24</b>	<b>17.8%</b>
White	46	34.1%	38	82.6%	8	17.4%
Black	2	1.5%	1	50.0%	1	50.0%
Hispanic	19	14.1%	17	89.5%	2	10.5%
Other	68	50.4%	55	80.9%	13	19.1%

**Departure Status<sup>2</sup>**

<b>TOTAL</b>	<b>59</b>	<b>100.0%</b>
Sentenced Within Guideline Range	49	83.1%
Substantial Assistance Departure	7	11.9%
Government Sponsored Downward Departure	0	0.0%
Other Downward Departure	1	1.7%
Upward Departure	2	3.4%

**Average Age<sup>3</sup>**

	Mean	Median
<b>TOTAL</b>	<b>35.8</b>	<b>35.0</b>
Male	35.9	35.0
Female	35.3	34.0

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

<b>TOTAL</b>	<b>135</b>	<b>100.0%</b>
Plea	126	93.3%
Trial	9	6.7%

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

	TOTAL	Robbery	Larceny	Embezlmt	Fraud	Drug Traffck	Counterftng	Firearms	Immigratr	All Other
	135	1	9	1	10	48	2	8	7	49

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

<b>Total Receiving Prison</b>	<b>101</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>7</b>	<b>43</b>	<b>2</b>	<b>6</b>	<b>7</b>	<b>33</b>
Prison	100	1	1	0	7	43	2	6	7	33
Prison/Community Split	1	0	1	0	0	0	0	0	0	0
<b>Prison Term Ordered</b>										
Up to 12 Months	17	0	1	0	4	3	1	1	2	5
13-24 Months	25	1	0	0	3	9	0	3	3	6
25-36 Months	11	0	0	0	0	6	0	0	0	5
37-60 Months	21	0	1	0	0	10	0	0	2	8
Over 60 Months	26	0	0	0	0	14	1	2	0	9
Mean Sentence	59.0	15.0	20.5	-	7.3	70.3	57.0	51.2	21.3	68.7
Median Sentence	36.0	15.0	20.5	-	4.0	44.0	57.0	22.5	12.0	37.0

**CASES INVOLVING PROBATION**

<b>Total Receiving Probation</b>	<b>32</b>	<b>0</b>	<b>5</b>	<b>1</b>	<b>3</b>	<b>5</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>16</b>
Probation Only	27	0	4	1	1	5	0	2	0	14
Probation and Confinement	5	0	1	0	2	0	0	0	0	2

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

<b>Total Receiving Fines and Restitution</b>	<b>58</b>	<b>0</b>	<b>7</b>	<b>1</b>	<b>7</b>	<b>12</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>26</b>
Median Dollar Amount	\$4,792	-	\$250	\$19,558	\$8,306	\$801	\$3,686	\$1,000	-	\$8,760

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

SOURCE: U.S. Sentencing Commission, 2005 Datafile, USSCFY05, Pre-Booker Only Cases (October 1, 2004, through January 11, 2005).