



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

|              | TOTAL        |               | Male         |              | Female     |             |
|--------------|--------------|---------------|--------------|--------------|------------|-------------|
| <b>TOTAL</b> | <b>3,742</b> | <b>100.0%</b> | <b>3,415</b> | <b>91.3%</b> | <b>327</b> | <b>8.7%</b> |
| White        | 348          | 9.3%          | 287          | 82.5%        | 61         | 17.5%       |
| Black        | 58           | 1.5%          | 53           | 91.4%        | 5          | 8.6%        |
| Hispanic     | 3,064        | 81.9%         | 2,861        | 93.4%        | 203        | 6.6%        |
| Other        | 272          | 7.3%          | 214          | 78.7%        | 58         | 21.3%       |

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

| <b>TOTAL</b>   | <b>3,724</b> | <b>100.0%</b> |
|--|--------------|---------------|
| Sentenced Within Guideline Range                           | 1,204        | 32.3%         |
| Upward Departure from Guideline Range                      | 41           | 1.1%          |
| Upward Departure with <i>Booker</i> /18 U.S.C. § 3553      | 3            | 0.1%          |
| Above Guideline Range with <i>Booker</i> /18 U.S.C. § 3553 | 9            | 0.2%          |
| All Remaining Cases Above Guideline Range                  | 3            | 0.1%          |
| §5K1.1 Substantial Assistance Departure                    | 183          | 4.9%          |
| §5K3.1 Early Disposition Program Departure                 | 1,931        | 51.9%         |
| Other Government-Sponsored Below Guideline Range           | 118          | 3.2%          |
| Downward Departure from Guideline Range                    | 48           | 1.3%          |
| Downward Departure with <i>Booker</i> /18 U.S.C. § 3553    | 26           | 0.7%          |
| Below Guideline Range with <i>Booker</i> /18 U.S.C. § 3553 | 139          | 3.7%          |
| All Remaining Cases Below Guideline Range                  | 19           | 0.5%          |

| <b>Average Age<sup>3</sup></b> | Mean        | Median      |
|--------------------------------|-------------|-------------|
| <b>TOTAL</b>                   | <b>32.9</b> | <b>31.0</b> |
| Male                           | 32.9        | 31.0        |
| Female                         | 33.4        | 31.0        |

| <b>Mode of Conviction<sup>4</sup></b> |              |               |
|---------------------------------------|--------------|---------------|
| <b>TOTAL</b>                          | <b>3,869</b> | <b>100.0%</b> |
| Plea                                  | 3,810        | 98.5%         |
| Trial                                 | 59           | 1.5%          |

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

|  | TOTAL        | Robbery   | Larceny   | Embezzlmt | Fraud     | Drug Trafck | Counterftng | Firearms   | Immigratr    | All Other  |
|--|--------------|-----------|-----------|-----------|-----------|-------------|-------------|------------|--------------|------------|
|  | <b>3,869</b> | <b>19</b> | <b>67</b> | <b>9</b>  | <b>84</b> | <b>838</b>  | <b>14</b>   | <b>200</b> | <b>2,239</b> | <b>399</b> |

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

|                               |              |           |           |          |           |            |           |            |              |            |
|-------------------------------|--------------|-----------|-----------|----------|-----------|------------|-----------|------------|--------------|------------|
| <b>Total Receiving Prison</b> | <b>3,652</b> | <b>17</b> | <b>44</b> | <b>2</b> | <b>54</b> | <b>819</b> | <b>11</b> | <b>183</b> | <b>2,223</b> | <b>299</b> |
| Prison                        | 3,614        | 16        | 40        | 2        | 53        | 807        | 11        | 181        | 2,218        | 286        |
| Prison/Community Split        | 38           | 1         | 4         | 0        | 1         | 12         | 0         | 2          | 5            | 13         |
| <b>Prison Term Ordered</b>    |              |           |           |          |           |            |           |            |              |            |
| Up to 12 Months               | 767          | 1         | 35        | 1        | 37        | 44         | 9         | 39         | 529          | 72         |
| 13-24 Months                  | 1,080        | 3         | 7         | 1        | 9         | 261        | 1         | 57         | 677          | 64         |
| 25-36 Months                  | 550          | 0         | 0         | 0        | 4         | 103        | 1         | 20         | 389          | 33         |
| 37-60 Months                  | 851          | 2         | 1         | 0        | 3         | 244        | 0         | 27         | 529          | 45         |
| Over 60 Months                | 386          | 10        | 0         | 0        | 1         | 161        | 0         | 40         | 95           | 79         |
| Mean Sentence                 | 33.9         | 79.2      | 8.3       | -        | 11.2      | 44.0       | 9.5       | 47.9       | 26.4         | 60.1       |
| Median Sentence               | 24.0         | 76.0      | 6.1       | -        | 6.0       | 36.0       | 6.0       | 24.0       | 23.0         | 30.0       |

**CASES INVOLVING PROBATION**

|                                  |            |          |           |          |           |           |          |           |           |           |
|----------------------------------|------------|----------|-----------|----------|-----------|-----------|----------|-----------|-----------|-----------|
| <b>Total Receiving Probation</b> | <b>210</b> | <b>2</b> | <b>22</b> | <b>7</b> | <b>30</b> | <b>19</b> | <b>3</b> | <b>17</b> | <b>16</b> | <b>94</b> |
| Probation Only                   | 176        | 2        | 20        | 7        | 22        | 17        | 2        | 10        | 15        | 81        |
| Probation and Confinement        | 34         | 0        | 2         | 0        | 8         | 2         | 1        | 7         | 1         | 13        |

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

|                                       |         |         |         |          |         |         |             |         |         |         |
|---------------------------------------|---------|---------|---------|----------|---------|---------|-------------|---------|---------|---------|
| Total Receiving Fines and Restitution | 307     | 14      | 31      | 9        | 37      | 26      | 3           | 25      | 20      | 142     |
| Median Dollar Amount                  | \$4,000 | \$6,479 | \$1,300 | \$10,000 | \$9,450 | \$2,500 | \$1,125,000 | \$3,000 | \$2,000 | \$3,600 |

Footnotes and a complete description of all variables in this table are provided in Appendix A.  
SOURCE: U.S. Sentencing Commission, 2008 Datafile, USSCFY08.