

Table 26

SENTENCES RELATIVE TO THE GUIDELINE RANGE BY CIRCUIT AND DISTRICT¹
Fiscal Year 2007

| CIRCUIT District | TOTAL | WITHIN GUIDELINE RANGE | | UPWARD DEPARTURE ² | | UPWARD DEPARTURE W/ BOOKER ² | | ABOVE RANGE WITH W/ BOOKER ² | | REMAINING ABOVE RANGE | |
|-----------------------|---------------|------------------------------|-------------|----------------------------------|------------|---|------------|---|------------|-----------------------------|------------|
| | | n | % | n | % | n | % | n | % | n | % |
| TOTAL | 69,893 | 42,504 | 60.8 | 324 | 0.5 | 143 | 0.2 | 491 | 0.7 | 102 | 0.1 |
| D.C. CIRCUIT | 448 | 187 | 41.7 | 2 | 0.4 | 1 | 0.2 | 1 | 0.2 | 1 | 0.2 |
| District of Columbia | 448 | 187 | 41.7 | 2 | 0.4 | 1 | 0.2 | 1 | 0.2 | 1 | 0.2 |
| FIRST CIRCUIT | 1,918 | 1,314 | 68.5 | 11 | 0.6 | 3 | 0.2 | 7 | 0.4 | 2 | 0.1 |
| Maine | 191 | 131 | 68.6 | 1 | 0.5 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Massachusetts | 576 | 316 | 54.9 | 6 | 1.0 | 0 | 0.0 | 2 | 0.3 | 1 | 0.2 |
| New Hampshire | 239 | 122 | 51.0 | 3 | 1.3 | 0 | 0.0 | 2 | 0.8 | 0 | 0.0 |
| Puerto Rico | 770 | 653 | 84.8 | 0 | 0.0 | 2 | 0.3 | 2 | 0.3 | 1 | 0.1 |
| Rhode Island | 142 | 92 | 64.8 | 1 | 0.7 | 1 | 0.7 | 1 | 0.7 | 0 | 0.0 |
| SECOND CIRCUIT | 4,426 | 2,225 | 50.3 | 10 | 0.2 | 6 | 0.1 | 9 | 0.2 | 3 | 0.1 |
| Connecticut | 404 | 181 | 44.8 | 2 | 0.5 | 1 | 0.2 | 0 | 0.0 | 0 | 0.0 |
| New York | | | | | | | | | | | |
| Eastern | 1,043 | 433 | 41.5 | 3 | 0.3 | 5 | 0.5 | 3 | 0.3 | 2 | 0.2 |
| Northern | 435 | 229 | 52.6 | 0 | 0.0 | 0 | 0.0 | 2 | 0.5 | 0 | 0.0 |
| Southern | 1,647 | 874 | 53.1 | 2 | 0.1 | 0 | 0.0 | 4 | 0.2 | 0 | 0.0 |
| Western | 757 | 439 | 58.0 | 2 | 0.3 | 0 | 0.0 | 0 | 0.0 | 1 | 0.1 |
| Vermont | 140 | 69 | 49.3 | 1 | 0.7 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| THIRD CIRCUIT | 3,075 | 1,618 | 52.6 | 4 | 0.1 | 4 | 0.1 | 23 | 0.7 | 2 | 0.1 |
| Delaware | 106 | 68 | 64.2 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| New Jersey | 1,009 | 545 | 54.0 | 1 | 0.1 | 0 | 0.0 | 3 | 0.3 | 0 | 0.0 |
| Pennsylvania | | | | | | | | | | | |
| Eastern | 780 | 322 | 41.3 | 2 | 0.3 | 3 | 0.4 | 9 | 1.2 | 2 | 0.3 |
| Middle | 586 | 268 | 45.7 | 1 | 0.2 | 0 | 0.0 | 2 | 0.3 | 0 | 0.0 |
| Western | 489 | 345 | 70.6 | 0 | 0.0 | 1 | 0.2 | 6 | 1.2 | 0 | 0.0 |
| Virgin Islands | 105 | 70 | 66.7 | 0 | 0.0 | 0 | 0.0 | 3 | 2.9 | 0 | 0.0 |
| FOURTH CIRCUIT | 6,022 | 4,352 | 72.3 | 33 | 0.5 | 12 | 0.2 | 28 | 0.5 | 3 | 0.0 |
| Maryland | 653 | 336 | 51.5 | 2 | 0.3 | 3 | 0.5 | 0 | 0.0 | 1 | 0.2 |
| North Carolina | | | | | | | | | | | |
| Eastern | 584 | 365 | 62.5 | 9 | 1.5 | 1 | 0.2 | 7 | 1.2 | 1 | 0.2 |
| Middle | 421 | 328 | 77.9 | 1 | 0.2 | 1 | 0.2 | 1 | 0.2 | 0 | 0.0 |
| Western | 759 | 532 | 70.1 | 2 | 0.3 | 0 | 0.0 | 2 | 0.3 | 0 | 0.0 |
| South Carolina | 1,122 | 861 | 76.7 | 2 | 0.2 | 1 | 0.1 | 5 | 0.4 | 0 | 0.0 |
| Virginia | | | | | | | | | | | |
| Eastern | 1,342 | 1,071 | 79.8 | 8 | 0.6 | 3 | 0.2 | 9 | 0.7 | 0 | 0.0 |
| Western | 620 | 424 | 68.4 | 4 | 0.6 | 2 | 0.3 | 2 | 0.3 | 1 | 0.2 |
| West Virginia | | | | | | | | | | | |
| Northern | 267 | 214 | 80.1 | 3 | 1.1 | 0 | 0.0 | 2 | 0.7 | 0 | 0.0 |
| Southern | 254 | 221 | 87.0 | 2 | 0.8 | 1 | 0.4 | 0 | 0.0 | 0 | 0.0 |

Table 26 (cont.)

| CIRCUIT District | §5K1.1 SUBSTANTIAL ASSISTANCE | | §5K3.1 EARLY DISPOSITION | | OTHER GOV'T SPONSORED | | DOWNWARD DEPARTURE ³ | | DOWNWARD DEPARTURE W/ BOOKER ³ | | BELOW RANGE W/ BOOKER ³ | | REMAINING BELOW RANGE | |
|-----------------------|-------------------------------------|-------------|--------------------------------|------------|-----------------------------|------------|------------------------------------|------------|---|------------|--|-------------|-----------------------------|------------|
| | n | % | n | % | n | % | n | % | n | % | n | % | n | % |
| TOTAL | 10,049 | 14.4 | 5,233 | 7.5 | 2,614 | 3.7 | 1,757 | 2.5 | 1,013 | 1.4 | 4,957 | 7.1 | 706 | 1.0 |
| D.C. CIRCUIT | 152 | 33.9 | 0 | 0.0 | 40 | 8.9 | 3 | 0.7 | 15 | 3.3 | 39 | 8.7 | 7 | 1.6 |
| District of Columbia | 152 | 33.9 | 0 | 0.0 | 40 | 8.9 | 3 | 0.7 | 15 | 3.3 | 39 | 8.7 | 7 | 1.6 |
| FIRST CIRCUIT | 207 | 10.8 | 0 | 0.0 | 47 | 2.5 | 90 | 4.7 | 33 | 1.7 | 190 | 9.9 | 14 | 0.7 |
| Maine | 35 | 18.3 | 0 | 0.0 | 0 | 0.0 | 8 | 4.2 | 3 | 1.6 | 12 | 6.3 | 1 | 0.5 |
| Massachusetts | 62 | 10.8 | 0 | 0.0 | 17 | 3.0 | 42 | 7.3 | 15 | 2.6 | 109 | 18.9 | 6 | 1.0 |
| New Hampshire | 65 | 27.2 | 0 | 0.0 | 11 | 4.6 | 16 | 6.7 | 3 | 1.3 | 15 | 6.3 | 2 | 0.8 |
| Puerto Rico | 40 | 5.2 | 0 | 0.0 | 17 | 2.2 | 18 | 2.3 | 9 | 1.2 | 24 | 3.1 | 4 | 0.5 |
| Rhode Island | 5 | 3.5 | 0 | 0.0 | 2 | 1.4 | 6 | 4.2 | 3 | 2.1 | 30 | 21.1 | 1 | 0.7 |
| SECOND CIRCUIT | 955 | 21.6 | 2 | 0.0 | 104 | 2.3 | 240 | 5.4 | 182 | 4.1 | 620 | 14.0 | 70 | 1.6 |
| Connecticut | 73 | 18.1 | 0 | 0.0 | 9 | 2.2 | 54 | 13.4 | 30 | 7.4 | 53 | 13.1 | 1 | 0.2 |
| New York | | | | | | | | | | | | | | |
| Eastern | 244 | 23.4 | 2 | 0.2 | 35 | 3.4 | 64 | 6.1 | 83 | 8.0 | 144 | 13.8 | 25 | 2.4 |
| Northern | 132 | 30.3 | 0 | 0.0 | 7 | 1.6 | 35 | 8.0 | 9 | 2.1 | 21 | 4.8 | 0 | 0.0 |
| Southern | 252 | 15.3 | 0 | 0.0 | 31 | 1.9 | 58 | 3.5 | 48 | 2.9 | 347 | 21.1 | 31 | 1.9 |
| Western | 226 | 29.9 | 0 | 0.0 | 19 | 2.5 | 9 | 1.2 | 2 | 0.3 | 46 | 6.1 | 13 | 1.7 |
| Vermont | 28 | 20.0 | 0 | 0.0 | 3 | 2.1 | 20 | 14.3 | 10 | 7.1 | 9 | 6.4 | 0 | 0.0 |
| THIRD CIRCUIT | 833 | 27.1 | 0 | 0.0 | 52 | 1.7 | 74 | 2.4 | 71 | 2.3 | 352 | 11.4 | 42 | 1.4 |
| Delaware | 9 | 8.5 | 0 | 0.0 | 4 | 3.8 | 0 | 0.0 | 1 | 0.9 | 20 | 18.9 | 4 | 3.8 |
| New Jersey | 283 | 28.0 | 0 | 0.0 | 8 | 0.8 | 31 | 3.1 | 8 | 0.8 | 121 | 12.0 | 9 | 0.9 |
| Pennsylvania | | | | | | | | | | | | | | |
| Eastern | 262 | 33.6 | 0 | 0.0 | 10 | 1.3 | 10 | 1.3 | 28 | 3.6 | 115 | 14.7 | 17 | 2.2 |
| Middle | 208 | 35.5 | 0 | 0.0 | 24 | 4.1 | 9 | 1.5 | 11 | 1.9 | 56 | 9.6 | 7 | 1.2 |
| Western | 57 | 11.7 | 0 | 0.0 | 5 | 1.0 | 24 | 4.9 | 16 | 3.3 | 35 | 7.2 | 0 | 0.0 |
| Virgin Islands | 14 | 13.3 | 0 | 0.0 | 1 | 1.0 | 0 | 0.0 | 7 | 6.7 | 5 | 4.8 | 5 | 4.8 |
| FOURTH CIRCUIT | 1,011 | 16.8 | 0 | 0.0 | 60 | 1.0 | 99 | 1.6 | 98 | 1.6 | 284 | 4.7 | 42 | 0.7 |
| Maryland | 175 | 26.8 | 0 | 0.0 | 17 | 2.6 | 26 | 4.0 | 29 | 4.4 | 53 | 8.1 | 11 | 1.7 |
| North Carolina | | | | | | | | | | | | | | |
| Eastern | 165 | 28.3 | 0 | 0.0 | 0 | 0.0 | 8 | 1.4 | 5 | 0.9 | 17 | 2.9 | 6 | 1.0 |
| Middle | 67 | 15.9 | 0 | 0.0 | 1 | 0.2 | 2 | 0.5 | 1 | 0.2 | 19 | 4.5 | 0 | 0.0 |
| Western | 173 | 22.8 | 0 | 0.0 | 12 | 1.6 | 5 | 0.7 | 6 | 0.8 | 21 | 2.8 | 6 | 0.8 |
| South Carolina | 170 | 15.2 | 0 | 0.0 | 14 | 1.2 | 18 | 1.6 | 3 | 0.3 | 44 | 3.9 | 4 | 0.4 |
| Virginia | | | | | | | | | | | | | | |
| Eastern | 79 | 5.9 | 0 | 0.0 | 7 | 0.5 | 25 | 1.9 | 50 | 3.7 | 78 | 5.8 | 12 | 0.9 |
| Western | 140 | 22.6 | 0 | 0.0 | 7 | 1.1 | 8 | 1.3 | 1 | 0.2 | 29 | 4.7 | 2 | 0.3 |
| West Virginia | | | | | | | | | | | | | | |
| Northern | 23 | 8.6 | 0 | 0.0 | 2 | 0.7 | 5 | 1.9 | 2 | 0.7 | 16 | 6.0 | 0 | 0.0 |
| Southern | 19 | 7.5 | 0 | 0.0 | 0 | 0.0 | 2 | 0.8 | 1 | 0.4 | 7 | 2.8 | 1 | 0.4 |

Table 26 (cont.)

| CIRCUIT District | TOTAL | WITHIN GUIDELINE RANGE | | UPWARD DEPARTURE ² | | UPWARD DEPARTURE W/ BOOKER ² | | ABOVE RANGE WITH W/ BOOKER ² | | REMAINING ABOVE RANGE | |
|------------------------|---------------|------------------------------|-------------|----------------------------------|------------|---|------------|---|------------|-----------------------------|------------|
| | | n | % | n | % | n | % | n | % | n | % |
| FIFTH CIRCUIT | 14,953 | 10,738 | 71.8 | 79 | 0.5 | 46 | 0.3 | 171 | 1.1 | 26 | 0.2 |
| Louisiana | | | | | | | | | | | |
| Eastern | 423 | 328 | 77.5 | 4 | 0.9 | 7 | 1.7 | 7 | 1.7 | 0 | 0.0 |
| Middle | 166 | 126 | 75.9 | 3 | 1.8 | 1 | 0.6 | 1 | 0.6 | 0 | 0.0 |
| Western | 464 | 362 | 78.0 | 3 | 0.6 | 4 | 0.9 | 7 | 1.5 | 2 | 0.4 |
| Mississippi | | | | | | | | | | | |
| Northern | 187 | 99 | 52.9 | 1 | 0.5 | 0 | 0.0 | 3 | 1.6 | 0 | 0.0 |
| Southern | 401 | 321 | 80.0 | 4 | 1.0 | 1 | 0.2 | 6 | 1.5 | 3 | 0.7 |
| Texas | | | | | | | | | | | |
| Eastern | 978 | 786 | 80.4 | 1 | 0.1 | 0 | 0.0 | 0 | 0.0 | 1 | 0.1 |
| Northern | 1,048 | 767 | 73.2 | 11 | 1.0 | 14 | 1.3 | 54 | 5.2 | 1 | 0.1 |
| Southern | 5,576 | 3,382 | 60.7 | 31 | 0.6 | 2 | 0.0 | 23 | 0.4 | 9 | 0.2 |
| Western | 5,710 | 4,567 | 80.0 | 21 | 0.4 | 17 | 0.3 | 70 | 1.2 | 10 | 0.2 |
| SIXTH CIRCUIT | 5,178 | 2,925 | 56.5 | 16 | 0.3 | 9 | 0.2 | 26 | 0.5 | 12 | 0.2 |
| Kentucky | | | | | | | | | | | |
| Eastern | 577 | 292 | 50.6 | 2 | 0.3 | 2 | 0.3 | 2 | 0.3 | 0 | 0.0 |
| Western | 502 | 367 | 73.1 | 1 | 0.2 | 0 | 0.0 | 1 | 0.2 | 0 | 0.0 |
| Michigan | | | | | | | | | | | |
| Eastern | 756 | 416 | 55.0 | 0 | 0.0 | 1 | 0.1 | 2 | 0.3 | 3 | 0.4 |
| Western | 443 | 254 | 57.3 | 6 | 1.4 | 1 | 0.2 | 7 | 1.6 | 1 | 0.2 |
| Ohio | | | | | | | | | | | |
| Northern | 880 | 483 | 54.9 | 1 | 0.1 | 1 | 0.1 | 5 | 0.6 | 0 | 0.0 |
| Southern | 625 | 267 | 42.7 | 0 | 0.0 | 3 | 0.5 | 0 | 0.0 | 3 | 0.5 |
| Tennessee | | | | | | | | | | | |
| Eastern | 566 | 384 | 67.8 | 0 | 0.0 | 1 | 0.2 | 5 | 0.9 | 4 | 0.7 |
| Middle | 285 | 171 | 60.0 | 0 | 0.0 | 0 | 0.0 | 1 | 0.4 | 0 | 0.0 |
| Western | 544 | 291 | 53.5 | 6 | 1.1 | 0 | 0.0 | 3 | 0.6 | 1 | 0.2 |
| SEVENTH CIRCUIT | 2,908 | 1,736 | 59.7 | 9 | 0.3 | 7 | 0.2 | 25 | 0.9 | 3 | 0.1 |
| Illinois | | | | | | | | | | | |
| Central | 391 | 222 | 56.8 | 1 | 0.3 | 0 | 0.0 | 5 | 1.3 | 0 | 0.0 |
| Northern | 837 | 419 | 50.1 | 4 | 0.5 | 1 | 0.1 | 5 | 0.6 | 1 | 0.1 |
| Southern | 344 | 277 | 80.5 | 1 | 0.3 | 5 | 1.5 | 2 | 0.6 | 0 | 0.0 |
| Indiana | | | | | | | | | | | |
| Northern | 425 | 298 | 70.1 | 0 | 0.0 | 0 | 0.0 | 2 | 0.5 | 2 | 0.5 |
| Southern | 311 | 170 | 54.7 | 2 | 0.6 | 1 | 0.3 | 6 | 1.9 | 0 | 0.0 |
| Wisconsin | | | | | | | | | | | |
| Eastern | 406 | 182 | 44.8 | 0 | 0.0 | 0 | 0.0 | 3 | 0.7 | 0 | 0.0 |
| Western | 194 | 168 | 86.6 | 1 | 0.5 | 0 | 0.0 | 2 | 1.0 | 0 | 0.0 |
| EIGHTH CIRCUIT | 5,040 | 3,443 | 68.3 | 34 | 0.7 | 13 | 0.3 | 27 | 0.5 | 6 | 0.1 |
| Arkansas | | | | | | | | | | | |
| Eastern | 363 | 238 | 65.6 | 0 | 0.0 | 1 | 0.3 | 0 | 0.0 | 0 | 0.0 |
| Western | 180 | 137 | 76.1 | 0 | 0.0 | 0 | 0.0 | 1 | 0.6 | 0 | 0.0 |
| Iowa | | | | | | | | | | | |
| Northern | 454 | 319 | 70.3 | 12 | 2.6 | 1 | 0.2 | 5 | 1.1 | 2 | 0.4 |
| Southern | 371 | 220 | 59.3 | 5 | 1.3 | 2 | 0.5 | 0 | 0.0 | 0 | 0.0 |
| Minnesota | 539 | 281 | 52.1 | 1 | 0.2 | 1 | 0.2 | 0 | 0.0 | 0 | 0.0 |
| Missouri | | | | | | | | | | | |
| Eastern | 972 | 695 | 71.5 | 1 | 0.1 | 2 | 0.2 | 1 | 0.1 | 0 | 0.0 |
| Western | 806 | 594 | 73.7 | 1 | 0.1 | 3 | 0.4 | 3 | 0.4 | 1 | 0.1 |
| Nebraska | 703 | 503 | 71.6 | 7 | 1.0 | 0 | 0.0 | 8 | 1.1 | 2 | 0.3 |
| North Dakota | 210 | 124 | 59.0 | 1 | 0.5 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| South Dakota | 442 | 332 | 75.1 | 6 | 1.4 | 3 | 0.7 | 9 | 2.0 | 1 | 0.2 |

Table 26 (cont.)

| CIRCUIT District | §5K1.1 SUBSTANTIAL ASSISTANCE | | §5K3.1 EARLY DISPOSITION | | OTHER GOV'T SPONSORED | | DOWNWARD DEPARTURE ³ | | DOWNWARD DEPARTURE W/ BOOKER ³ | | BELOW RANGE W/ BOOKER ³ | | REMAINING BELOW RANGE | |
|------------------------|-------------------------------------|-------------|--------------------------------|------------|-----------------------------|------------|------------------------------------|------------|---|------------|--|-------------|-----------------------------|------------|
| | n | % | n | % | n | % | n | % | n | % | n | % | n | % |
| FIFTH CIRCUIT | 1,252 | 8.4 | 970 | 6.5 | 718 | 4.8 | 349 | 2.3 | 47 | 0.3 | 480 | 3.2 | 77 | 0.5 |
| Louisiana | | | | | | | | | | | | | | |
| Eastern | 42 | 9.9 | 0 | 0.0 | 12 | 2.8 | 3 | 0.7 | 5 | 1.2 | 11 | 2.6 | 4 | 0.9 |
| Middle | 26 | 15.7 | 0 | 0.0 | 1 | 0.6 | 3 | 1.8 | 1 | 0.6 | 4 | 2.4 | 0 | 0.0 |
| Western | 61 | 13.1 | 0 | 0.0 | 1 | 0.2 | 4 | 0.9 | 4 | 0.9 | 11 | 2.4 | 5 | 1.1 |
| Mississippi | | | | | | | | | | | | | | |
| Northern | 56 | 29.9 | 0 | 0.0 | 20 | 10.7 | 0 | 0.0 | 0 | 0.0 | 6 | 3.2 | 2 | 1.1 |
| Southern | 34 | 8.5 | 2 | 0.5 | 2 | 0.5 | 4 | 1.0 | 1 | 0.2 | 13 | 3.2 | 10 | 2.5 |
| Texas | | | | | | | | | | | | | | |
| Eastern | 98 | 10.0 | 0 | 0.0 | 37 | 3.8 | 32 | 3.3 | 4 | 0.4 | 15 | 1.5 | 4 | 0.4 |
| Northern | 127 | 12.1 | 1 | 0.1 | 19 | 1.8 | 13 | 1.2 | 4 | 0.4 | 33 | 3.1 | 4 | 0.4 |
| Southern | 381 | 6.8 | 822 | 14.7 | 551 | 9.9 | 195 | 3.5 | 7 | 0.1 | 168 | 3.0 | 5 | 0.1 |
| Western | 427 | 7.5 | 145 | 2.5 | 75 | 1.3 | 95 | 1.7 | 21 | 0.4 | 219 | 3.8 | 43 | 0.8 |
| SIXTH CIRCUIT | 1,307 | 25.2 | 2 | 0.0 | 118 | 2.3 | 94 | 1.8 | 98 | 1.9 | 503 | 9.7 | 68 | 1.3 |
| Kentucky | | | | | | | | | | | | | | |
| Eastern | 208 | 36.0 | 0 | 0.0 | 2 | 0.3 | 3 | 0.5 | 2 | 0.3 | 58 | 10.1 | 6 | 1.0 |
| Western | 62 | 12.4 | 0 | 0.0 | 26 | 5.2 | 7 | 1.4 | 3 | 0.6 | 29 | 5.8 | 6 | 1.2 |
| Michigan | | | | | | | | | | | | | | |
| Eastern | 188 | 24.9 | 0 | 0.0 | 9 | 1.2 | 19 | 2.5 | 18 | 2.4 | 87 | 11.5 | 13 | 1.7 |
| Western | 85 | 19.2 | 0 | 0.0 | 7 | 1.6 | 9 | 2.0 | 3 | 0.7 | 66 | 14.9 | 4 | 0.9 |
| Ohio | | | | | | | | | | | | | | |
| Northern | 215 | 24.4 | 0 | 0.0 | 23 | 2.6 | 24 | 2.7 | 19 | 2.2 | 94 | 10.7 | 15 | 1.7 |
| Southern | 223 | 35.7 | 2 | 0.3 | 19 | 3.0 | 15 | 2.4 | 32 | 5.1 | 57 | 9.1 | 4 | 0.6 |
| Tennessee | | | | | | | | | | | | | | |
| Eastern | 129 | 22.8 | 0 | 0.0 | 2 | 0.4 | 5 | 0.9 | 1 | 0.2 | 27 | 4.8 | 8 | 1.4 |
| Middle | 57 | 20.0 | 0 | 0.0 | 7 | 2.5 | 7 | 2.5 | 8 | 2.8 | 29 | 10.2 | 5 | 1.8 |
| Western | 140 | 25.7 | 0 | 0.0 | 23 | 4.2 | 5 | 0.9 | 12 | 2.2 | 56 | 10.3 | 7 | 1.3 |
| SEVENTH CIRCUIT | 514 | 17.7 | 0 | 0.0 | 58 | 2.0 | 75 | 2.6 | 72 | 2.5 | 340 | 11.7 | 69 | 2.4 |
| Illinois | | | | | | | | | | | | | | |
| Central | 79 | 20.2 | 0 | 0.0 | 12 | 3.1 | 9 | 2.3 | 9 | 2.3 | 51 | 13.0 | 3 | 0.8 |
| Northern | 168 | 20.1 | 0 | 0.0 | 17 | 2.0 | 42 | 5.0 | 45 | 5.4 | 94 | 11.2 | 41 | 4.9 |
| Southern | 19 | 5.5 | 0 | 0.0 | 3 | 0.9 | 7 | 2.0 | 9 | 2.6 | 16 | 4.7 | 5 | 1.5 |
| Indiana | | | | | | | | | | | | | | |
| Northern | 91 | 21.4 | 0 | 0.0 | 5 | 1.2 | 1 | 0.2 | 1 | 0.2 | 18 | 4.2 | 7 | 1.6 |
| Southern | 64 | 20.6 | 0 | 0.0 | 9 | 2.9 | 10 | 3.2 | 2 | 0.6 | 47 | 15.1 | 0 | 0.0 |
| Wisconsin | | | | | | | | | | | | | | |
| Eastern | 86 | 21.2 | 0 | 0.0 | 12 | 3.0 | 5 | 1.2 | 4 | 1.0 | 101 | 24.9 | 13 | 3.2 |
| Western | 7 | 3.6 | 0 | 0.0 | 0 | 0.0 | 1 | 0.5 | 2 | 1.0 | 13 | 6.7 | 0 | 0.0 |
| EIGHTH CIRCUIT | 740 | 14.7 | 31 | 0.6 | 132 | 2.6 | 136 | 2.7 | 69 | 1.4 | 368 | 7.3 | 41 | 0.8 |
| Arkansas | | | | | | | | | | | | | | |
| Eastern | 78 | 21.5 | 0 | 0.0 | 8 | 2.2 | 7 | 1.9 | 6 | 1.7 | 23 | 6.3 | 2 | 0.6 |
| Western | 26 | 14.4 | 0 | 0.0 | 2 | 1.1 | 3 | 1.7 | 0 | 0.0 | 11 | 6.1 | 0 | 0.0 |
| Iowa | | | | | | | | | | | | | | |
| Northern | 68 | 15.0 | 0 | 0.0 | 9 | 2.0 | 3 | 0.7 | 2 | 0.4 | 31 | 6.8 | 2 | 0.4 |
| Southern | 71 | 19.1 | 0 | 0.0 | 10 | 2.7 | 12 | 3.2 | 5 | 1.3 | 45 | 12.1 | 1 | 0.3 |
| Minnesota | 140 | 26.0 | 0 | 0.0 | 11 | 2.0 | 24 | 4.5 | 23 | 4.3 | 55 | 10.2 | 3 | 0.6 |
| Missouri | | | | | | | | | | | | | | |
| Eastern | 136 | 14.0 | 0 | 0.0 | 22 | 2.3 | 23 | 2.4 | 11 | 1.1 | 72 | 7.4 | 9 | 0.9 |
| Western | 114 | 14.1 | 0 | 0.0 | 12 | 1.5 | 13 | 1.6 | 11 | 1.4 | 39 | 4.8 | 15 | 1.9 |
| Nebraska | 33 | 4.7 | 27 | 3.8 | 35 | 5.0 | 30 | 4.3 | 3 | 0.4 | 51 | 7.3 | 4 | 0.6 |
| North Dakota | 59 | 28.1 | 4 | 1.9 | 7 | 3.3 | 5 | 2.4 | 0 | 0.0 | 6 | 2.9 | 4 | 1.9 |
| South Dakota | 15 | 3.4 | 0 | 0.0 | 16 | 3.6 | 16 | 3.6 | 8 | 1.8 | 35 | 7.9 | 1 | 0.2 |

Table 26 (cont.)

| CIRCUIT District | TOTAL | WITHIN GUIDELINE RANGE | | UPWARD DEPARTURE ² | | UPWARD DEPARTURE W/ BOOKER ² | | ABOVE RANGE WITH W/ BOOKER ² | | REMAINING ABOVE RANGE | |
|--------------------------|---------------|------------------------------|-------------|----------------------------------|------------|---|------------|---|------------|-----------------------------|------------|
| | | n | % | n | % | n | % | n | % | n | % |
| NINTH CIRCUIT | 13,419 | 5,934 | 44.2 | 96 | 0.7 | 23 | 0.2 | 63 | 0.5 | 25 | 0.2 |
| Alaska | 124 | 91 | 73.4 | 0 | 0.0 | 1 | 0.8 | 0 | 0.0 | 0 | 0.0 |
| Arizona | 3,913 | 1,216 | 31.1 | 63 | 1.6 | 8 | 0.2 | 8 | 0.2 | 3 | 0.1 |
| California | | | | | | | | | | | |
| Central | 1,268 | 666 | 52.5 | 1 | 0.1 | 3 | 0.2 | 3 | 0.2 | 2 | 0.2 |
| Eastern | 944 | 504 | 53.4 | 3 | 0.3 | 3 | 0.3 | 3 | 0.3 | 0 | 0.0 |
| Northern | 650 | 337 | 51.8 | 3 | 0.5 | 3 | 0.5 | 4 | 0.6 | 2 | 0.3 |
| Southern | 3,155 | 1,311 | 41.6 | 3 | 0.1 | 1 | 0.0 | 13 | 0.4 | 7 | 0.2 |
| Guam | 67 | 41 | 61.2 | 1 | 1.5 | 0 | 0.0 | 0 | 0.0 | 1 | 1.5 |
| Hawaii | 354 | 162 | 45.8 | 0 | 0.0 | 1 | 0.3 | 4 | 1.1 | 0 | 0.0 |
| Idaho | 249 | 125 | 50.2 | 0 | 0.0 | 0 | 0.0 | 3 | 1.2 | 0 | 0.0 |
| Montana | 362 | 285 | 78.7 | 4 | 1.1 | 1 | 0.3 | 5 | 1.4 | 1 | 0.3 |
| Nevada | 650 | 442 | 68.0 | 2 | 0.3 | 1 | 0.2 | 4 | 0.6 | 3 | 0.5 |
| Northern Mariana Islands | 19 | 11 | 57.9 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Oregon | 552 | 282 | 51.1 | 5 | 0.9 | 1 | 0.2 | 2 | 0.4 | 2 | 0.4 |
| Washington | | | | | | | | | | | |
| Eastern | 361 | 153 | 42.4 | 1 | 0.3 | 0 | 0.0 | 6 | 1.7 | 2 | 0.6 |
| Western | 751 | 308 | 41.0 | 10 | 1.3 | 0 | 0.0 | 8 | 1.1 | 2 | 0.3 |
| TENTH CIRCUIT | 5,614 | 3,365 | 59.9 | 13 | 0.2 | 5 | 0.1 | 51 | 0.9 | 10 | 0.2 |
| Colorado | 526 | 311 | 59.1 | 0 | 0.0 | 0 | 0.0 | 5 | 1.0 | 2 | 0.4 |
| Kansas | 643 | 395 | 61.4 | 1 | 0.2 | 0 | 0.0 | 32 | 5.0 | 1 | 0.2 |
| New Mexico | 2,510 | 1,421 | 56.6 | 3 | 0.1 | 1 | 0.0 | 1 | 0.0 | 2 | 0.1 |
| Oklahoma | | | | | | | | | | | |
| Eastern | 91 | 70 | 76.9 | 1 | 1.1 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| Northern | 230 | 189 | 82.2 | 1 | 0.4 | 0 | 0.0 | 1 | 0.4 | 0 | 0.0 |
| Western | 319 | 231 | 72.4 | 3 | 0.9 | 0 | 0.0 | 7 | 2.2 | 0 | 0.0 |
| Utah | 913 | 479 | 52.5 | 4 | 0.4 | 3 | 0.3 | 4 | 0.4 | 4 | 0.4 |
| Wyoming | 382 | 269 | 70.4 | 0 | 0.0 | 1 | 0.3 | 1 | 0.3 | 1 | 0.3 |
| ELEVENTH CIRCUIT | 6,892 | 4,667 | 67.7 | 17 | 0.2 | 14 | 0.2 | 60 | 0.9 | 9 | 0.1 |
| Alabama | | | | | | | | | | | |
| Middle | 242 | 134 | 55.4 | 1 | 0.4 | 0 | 0.0 | 4 | 1.7 | 0 | 0.0 |
| Northern | 550 | 344 | 62.5 | 0 | 0.0 | 0 | 0.0 | 5 | 0.9 | 1 | 0.2 |
| Southern | 355 | 234 | 65.9 | 0 | 0.0 | 1 | 0.3 | 0 | 0.0 | 1 | 0.3 |
| Florida | | | | | | | | | | | |
| Middle | 1,601 | 952 | 59.5 | 2 | 0.1 | 1 | 0.1 | 5 | 0.3 | 2 | 0.1 |
| Northern | 419 | 291 | 69.5 | 2 | 0.5 | 5 | 1.2 | 4 | 1.0 | 0 | 0.0 |
| Southern | 2,204 | 1,581 | 71.7 | 4 | 0.2 | 4 | 0.2 | 13 | 0.6 | 1 | 0.0 |
| Georgia | | | | | | | | | | | |
| Middle | 392 | 290 | 74.0 | 2 | 0.5 | 0 | 0.0 | 5 | 1.3 | 1 | 0.3 |
| Northern | 593 | 394 | 66.4 | 3 | 0.5 | 3 | 0.5 | 5 | 0.8 | 3 | 0.5 |
| Southern | 536 | 447 | 83.4 | 3 | 0.6 | 0 | 0.0 | 19 | 3.5 | 0 | 0.0 |

Table 26 (cont.)

| CIRCUIT District | §5K1.1 SUBSTANTIAL ASSISTANCE | | §5K3.1 EARLY DISPOSITION | | OTHER GOV'T SPONSORED | | DOWNWARD DEPARTURE ³ | | DOWNWARD DEPARTURE W/ BOOKER ³ | | BELOW RANGE W/ BOOKER ³ | | REMAINING BELOW RANGE | |
|--------------------------|-------------------------------------|-------------|--------------------------------|-------------|-----------------------------|------------|------------------------------------|------------|---|------------|--|------------|-----------------------------|------------|
| | n | % | n | % | n | % | n | % | n | % | n | % | n | % |
| NINTH CIRCUIT | 1,341 | 10.0 | 3,712 | 27.7 | 701 | 5.2 | 301 | 2.2 | 185 | 1.4 | 849 | 6.3 | 189 | 1.4 |
| Alaska | 5 | 4.0 | 0 | 0.0 | 5 | 4.0 | 3 | 2.4 | 4 | 3.2 | 12 | 9.7 | 3 | 2.4 |
| Arizona | 246 | 6.3 | 2,027 | 51.8 | 112 | 2.9 | 50 | 1.3 | 45 | 1.2 | 101 | 2.6 | 34 | 0.9 |
| California | | | | | | | | | | | | | | |
| Central | 212 | 16.7 | 76 | 6.0 | 83 | 6.5 | 35 | 2.8 | 35 | 2.8 | 104 | 8.2 | 48 | 3.8 |
| Eastern | 130 | 13.8 | 132 | 14.0 | 50 | 5.3 | 23 | 2.4 | 10 | 1.1 | 76 | 8.1 | 10 | 1.1 |
| Northern | 95 | 14.6 | 39 | 6.0 | 52 | 8.0 | 18 | 2.8 | 18 | 2.8 | 65 | 10.0 | 14 | 2.2 |
| Southern | 138 | 4.4 | 1,287 | 40.8 | 116 | 3.7 | 100 | 3.2 | 21 | 0.7 | 106 | 3.4 | 52 | 1.6 |
| Guam | 9 | 13.4 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 | 15 | 22.4 | 0 | 0.0 |
| Hawaii | 114 | 32.2 | 0 | 0.0 | 6 | 1.7 | 2 | 0.6 | 2 | 0.6 | 61 | 17.2 | 2 | 0.6 |
| Idaho | 51 | 20.5 | 28 | 11.2 | 5 | 2.0 | 1 | 0.4 | 4 | 1.6 | 27 | 10.8 | 5 | 2.0 |
| Montana | 39 | 10.8 | 0 | 0.0 | 0 | 0.0 | 4 | 1.1 | 1 | 0.3 | 21 | 5.8 | 1 | 0.3 |
| Nevada | 67 | 10.3 | 0 | 0.0 | 54 | 8.3 | 9 | 1.4 | 6 | 0.9 | 55 | 8.5 | 7 | 1.1 |
| Northern Mariana Islands | 4 | 21.1 | 0 | 0.0 | 2 | 10.5 | 0 | 0.0 | 1 | 5.3 | 1 | 5.3 | 0 | 0.0 |
| Oregon | 82 | 14.9 | 17 | 3.1 | 51 | 9.2 | 21 | 3.8 | 5 | 0.9 | 75 | 13.6 | 9 | 1.6 |
| Washington | | | | | | | | | | | | | | |
| Eastern | 34 | 9.4 | 85 | 23.5 | 28 | 7.8 | 5 | 1.4 | 3 | 0.8 | 44 | 12.2 | 0 | 0.0 |
| Western | 115 | 15.3 | 21 | 2.8 | 137 | 18.2 | 30 | 4.0 | 30 | 4.0 | 86 | 11.5 | 4 | 0.5 |
| TENTH CIRCUIT | 510 | 9.1 | 486 | 8.7 | 518 | 9.2 | 198 | 3.5 | 69 | 1.2 | 349 | 6.2 | 40 | 0.7 |
| Colorado | 130 | 24.7 | 0 | 0.0 | 16 | 3.0 | 21 | 4.0 | 6 | 1.1 | 30 | 5.7 | 5 | 1.0 |
| Kansas | 116 | 18.0 | 0 | 0.0 | 52 | 8.1 | 2 | 0.3 | 0 | 0.0 | 42 | 6.5 | 2 | 0.3 |
| New Mexico | 83 | 3.3 | 316 | 12.6 | 379 | 15.1 | 107 | 4.3 | 33 | 1.3 | 152 | 6.1 | 12 | 0.5 |
| Oklahoma | | | | | | | | | | | | | | |
| Eastern | 13 | 14.3 | 0 | 0.0 | 1 | 1.1 | 0 | 0.0 | 1 | 1.1 | 5 | 5.5 | 0 | 0.0 |
| Northern | 27 | 11.7 | 0 | 0.0 | 3 | 1.3 | 1 | 0.4 | 0 | 0.0 | 7 | 3.0 | 1 | 0.4 |
| Western | 23 | 7.2 | 0 | 0.0 | 1 | 0.3 | 4 | 1.3 | 0 | 0.0 | 46 | 14.4 | 4 | 1.3 |
| Utah | 82 | 9.0 | 170 | 18.6 | 49 | 5.4 | 44 | 4.8 | 19 | 2.1 | 41 | 4.5 | 14 | 1.5 |
| Wyoming | 36 | 9.4 | 0 | 0.0 | 17 | 4.5 | 19 | 5.0 | 10 | 2.6 | 26 | 6.8 | 2 | 0.5 |
| ELEVENTH CIRCUIT | 1,227 | 17.8 | 30 | 0.4 | 66 | 1.0 | 98 | 1.4 | 74 | 1.1 | 583 | 8.5 | 47 | 0.7 |
| Alabama | | | | | | | | | | | | | | |
| Middle | 82 | 33.9 | 0 | 0.0 | 4 | 1.7 | 1 | 0.4 | 0 | 0.0 | 16 | 6.6 | 0 | 0.0 |
| Northern | 139 | 25.3 | 0 | 0.0 | 4 | 0.7 | 6 | 1.1 | 1 | 0.2 | 50 | 9.1 | 0 | 0.0 |
| Southern | 81 | 22.8 | 0 | 0.0 | 1 | 0.3 | 3 | 0.8 | 1 | 0.3 | 33 | 9.3 | 0 | 0.0 |
| Florida | | | | | | | | | | | | | | |
| Middle | 393 | 24.5 | 30 | 1.9 | 15 | 0.9 | 30 | 1.9 | 18 | 1.1 | 142 | 8.9 | 11 | 0.7 |
| Northern | 87 | 20.8 | 0 | 0.0 | 0 | 0.0 | 4 | 1.0 | 5 | 1.2 | 20 | 4.8 | 1 | 0.2 |
| Southern | 246 | 11.2 | 0 | 0.0 | 26 | 1.2 | 22 | 1.0 | 34 | 1.5 | 245 | 11.1 | 28 | 1.3 |
| Georgia | | | | | | | | | | | | | | |
| Middle | 72 | 18.4 | 0 | 0.0 | 2 | 0.5 | 5 | 1.3 | 1 | 0.3 | 13 | 3.3 | 1 | 0.3 |
| Northern | 82 | 13.8 | 0 | 0.0 | 12 | 2.0 | 20 | 3.4 | 14 | 2.4 | 51 | 8.6 | 6 | 1.0 |
| Southern | 45 | 8.4 | 0 | 0.0 | 2 | 0.4 | 7 | 1.3 | 0 | 0.0 | 13 | 2.4 | 0 | 0.0 |

¹Of the 72,865 cases, 2,972 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Districts for which information needed to determine the relationship between the sentence imposed and the guideline range is missing in five percent or more of the cases received included: Western Oklahoma (42.2%), Middle Georgia (27.1%), Central California (25.5%), Eastern Virginia (24.1%), Arizona (17.1%), Western Washington (11.3%), Middle Tennessee (10.1%), Southern Mississippi (7.0%), Maryland (6.6%), Western Kentucky (6.3%), Alaska (6.1%), Northern Alabama (5.5%), Southern Florida (5.2%), and Northern Florida (5.0%). Descriptions of variables used in this table are provided in Appendix A.

²See Tables 24-24B for a list of departure reasons comprising these categories.

³See Tables 25-25B for a list of departure reasons comprising these categories.