

Table 26A

DOWNWARD DEPARTURE RATE BY CIRCUIT AND DISTRICT¹
Fiscal Year 2003

CIRCUIT District	OVERALL CASE TOTAL	DEPARTURES	SUBSTANTIAL ASSISTANCE DEPARTURES		GOV'T INITIATED DOWNWARD DEPARTURES ²		OTHER DOWNWARD DEPARTURES ³	
		BELOW RANGE TOTAL	n	%	n	%	n	%
TOTAL	65,171	19,377	10,360	15.9	4,121	6.3	4,896	7.5
D.C. CIRCUIT	477	168	126	26.4	21	4.4	21	4.4
District of Columbia	477	168	126	26.4	21	4.4	21	4.4
FIRST CIRCUIT	1,832	402	247	13.5	12	0.7	143	7.8
Maine	167	36	32	19.2	0	0.0	4	2.4
Massachusetts	557	172	72	12.9	4	0.7	96	17.2
New Hampshire	187	75	61	32.6	2	1.1	12	6.4
Puerto Rico	803	97	70	8.7	6	0.7	21	2.6
Rhode Island	118	22	12	10.2	0	0.0	10	8.5
SECOND CIRCUIT	4,763	1,729	832	17.5	133	2.8	764	16.0
Connecticut	399	192	39	9.8	28	7.0	125	31.3
New York								
Eastern	1,688	751	276	16.4	90	5.3	385	22.8
Northern	371	144	93	25.1	2	0.5	49	13.2
Southern	1,647	353	214	13.0	3	0.2	136	8.3
Western	484	213	161	33.3	10	2.1	42	8.7
Vermont	174	76	49	28.2	0	0.0	27	15.5
THIRD CIRCUIT	2,783	1,024	801	28.8	17	0.6	206	7.4
Delaware	153	49	26	17.0	3	2.0	20	13.1
New Jersey	866	304	229	26.4	2	0.2	73	8.4
Pennsylvania								
Eastern	969	455	376	38.8	5	0.5	74	7.6
Middle	327	112	96	29.4	1	0.3	15	4.6
Western	379	87	65	17.2	1	0.3	21	5.5
Virgin Islands	89	17	9	10.1	5	5.6	3	3.4
FOURTH CIRCUIT	5,698	1,278	1,045	18.3	17	0.3	216	3.8
Maryland	556	202	147	26.4	3	0.5	52	9.4
North Carolina								
Eastern	620	235	191	30.8	2	0.3	42	6.8
Middle	351	50	41	11.7	0	0.0	9	2.6
Western	575	205	184	32.0	3	0.5	18	3.1
South Carolina	1,013	244	222	21.9	1	0.1	21	2.1
Virginia								
Eastern	1,454	157	109	7.5	0	0.0	48	3.3
Western	555	152	129	23.2	8	1.4	15	2.7
West Virginia								
Northern	266	20	14	5.3	0	0.0	6	2.3
Southern	308	13	8	2.6	0	0.0	5	1.6

Table 26A (cont.)

CIRCUIT District	OVERALL CASE TOTAL	DEPARTURES BELOW RANGE TOTAL	SUBSTANTIAL ASSISTANCE DEPARTURES		GOV'T INITIATED DOWNWARD DEPARTURES ²		OTHER DOWNWARD DEPARTURES ³	
			n	%	n	%	n	%
FIFTH CIRCUIT	13,298	3,380	1,667	12.5	714	5.4	999	7.5
Louisiana								
Eastern	495	83	57	11.5	11	2.2	15	3.0
Middle	121	31	28	23.1	0	0.0	3	2.5
Western	351	65	56	16.0	1	0.3	8	2.3
Mississippi								
Northern	165	55	45	27.3	5	3.0	5	3.0
Southern	430	78	62	14.4	0	0.0	16	3.7
Texas								
Eastern	621	88	56	9.0	2	0.3	30	4.8
Northern	1,114	204	149	13.4	5	0.4	50	4.5
Southern	5,004	1,547	466	9.3	562	11.2	519	10.4
Western	4,997	1,229	748	15.0	128	2.6	353	7.1
SIXTH CIRCUIT	4,789	1,457	1,179	24.6	22	0.5	256	5.3
Kentucky								
Eastern	474	167	156	32.9	2	0.4	9	1.9
Western	397	67	43	10.8	4	1.0	20	5.0
Michigan								
Eastern	693	203	151	21.8	4	0.6	48	6.9
Western	441	139	109	24.7	3	0.7	27	6.1
Ohio								
Northern	907	311	231	25.5	6	0.7	74	8.2
Southern	513	187	152	29.6	0	0.0	35	6.8
Tennessee								
Eastern	616	177	161	26.1	0	0.0	16	2.6
Middle	256	81	70	27.3	0	0.0	11	4.3
Western	492	125	106	21.5	3	0.6	16	3.3
SEVENTH CIRCUIT	3,041	806	646	21.2	24	0.8	136	4.5
Illinois								
Central	370	105	88	23.8	3	0.8	14	3.8
Northern	1,223	376	304	24.9	5	0.4	67	5.5
Southern	349	92	77	22.1	0	0.0	15	4.3
Indiana								
Northern	375	93	82	21.9	4	1.1	7	1.9
Southern	270	84	64	23.7	9	3.3	11	4.1
Wisconsin								
Eastern	282	43	19	6.7	3	1.1	21	7.4
Western	172	13	12	7.0	0	0.0	1	0.6
EIGHTH CIRCUIT	4,329	1,156	761	17.6	87	2.0	308	7.1
Arkansas								
Eastern	237	30	21	8.9	1	0.4	8	3.4
Western	191	38	33	17.3	0	0.0	5	2.6
Iowa								
Northern	420	125	114	27.1	2	0.5	9	2.1
Southern	392	113	80	20.4	2	0.5	31	7.9
Minnesota	465	166	106	22.8	5	1.1	55	11.8
Missouri								
Eastern	739	194	153	20.7	9	1.2	32	4.3
Western	681	193	157	23.1	9	1.3	27	4.0
Nebraska	693	203	55	7.9	54	7.8	94	13.6
North Dakota	206	46	23	11.2	3	1.5	20	9.7
South Dakota	305	48	19	6.2	2	0.7	27	8.9

Table 26A (cont.)

CIRCUIT District	OVERALL CASE TOTAL	DEPARTURES BELOW RANGE TOTAL	SUBSTANTIAL ASSISTANCE DEPARTURES		GOV'T INITIATED DOWNWARD DEPARTURES ²		OTHER DOWNWARD DEPARTURES ³	
			n	%	n	%	n	%
NINTH CIRCUIT	13,286	5,217	1,360	10.2	2,546	19.2	1,311	9.9
Alaska	153	38	28	18.3	0	0.0	10	6.5
Arizona	4,430	2,511	259	5.8	1,853	41.8	399	9.0
California								
Central	1,296	242	153	11.8	9	0.7	80	6.2
Eastern	885	205	152	17.2	7	0.8	46	5.2
Northern	644	206	90	14.0	24	3.7	92	14.3
Southern	2,578	995	125	4.8	528	20.5	342	13.3
Guam	94	30	29	30.9	0	0.0	1	1.1
Hawaii	331	117	98	29.6	0	0.0	19	5.7
Idaho	258	130	83	32.2	32	12.4	15	5.8
Montana	343	50	34	9.9	1	0.3	15	4.4
Nevada	688	123	43	6.3	34	4.9	46	6.7
Northern Mariana Islands	22	5	5	22.7	0	0.0	0	0.0
Oregon	606	211	120	19.8	8	1.3	83	13.7
Washington								
Eastern	367	113	18	4.9	30	8.2	65	17.7
Western	591	241	123	20.8	20	3.4	98	16.6
TENTH CIRCUIT	4,476	1,180	422	9.4	512	11.4	246	5.5
Colorado	547	204	159	29.1	4	0.7	41	7.5
Kansas	543	94	65	12.0	0	0.0	29	5.3
New Mexico	1,956	646	78	4.0	483	24.7	85	4.3
Oklahoma								
Eastern	80	21	6	7.5	10	12.5	5	6.3
Northern	164	21	19	11.6	0	0.0	2	1.2
Western	171	17	13	7.6	0	0.0	4	2.3
Utah	815	142	65	8.0	11	1.3	66	8.1
Wyoming	200	35	17	8.5	4	2.0	14	7.0
ELEVENTH CIRCUIT	6,399	1,580	1,274	19.9	16	0.3	290	4.5
Alabama								
Middle	167	55	47	28.1	1	0.6	7	4.2
Northern	482	115	102	21.2	1	0.2	12	2.5
Southern	318	83	64	20.1	6	1.9	13	4.1
Florida								
Middle	1,517	510	413	27.2	2	0.1	95	6.3
Northern	364	136	127	34.9	0	0.0	9	2.5
Southern	2,144	332	248	11.6	1	0.0	83	3.9
Georgia								
Middle	391	101	90	23.0	3	0.8	8	2.0
Northern	722	173	120	16.6	2	0.3	51	7.1
Southern	294	75	63	21.4	0	0.0	12	4.1

¹See Table 26 for a detailed account of cases excluded from this table. The percent values presented in Table 26A represent the proportion of the total number of cases with complete sentencing information (62,313) that received substantial assistance departures, other government initiated departures, and other downward departures, respectively.

²See Table 25 for a list of departure reasons comprising this category.

³See Table 25A for a list of departure reasons comprising this category.

SOURCE: U.S. Sentencing Commission, 2003 Datafile, USSCFY2003.