

Table 26A

DOWNWARD DEPARTURE RATE BY CIRCUIT AND DISTRICT¹
Fiscal Year 2004, Post-Blakely (June 25, 2004, through September 30, 2004)

CIRCUIT District	OVERALL CASE TOTAL	DEPARTURES	SUBSTANTIAL ASSISTANCE DEPARTURES		GOV'T SPONSORED DOWNWARD DEPARTURES ²		OTHER DOWNWARD DEPARTURES ³	
		BELOW RANGE TOTAL	n	%	n	%	n	%
TOTAL	16,792	4,638	2,425	14.4	1,441	8.6	772	4.6
D.C. CIRCUIT	142	51	42	29.6	5	3.5	4	2.8
District of Columbia	142	51	42	29.6	5	3.5	4	2.8
FIRST CIRCUIT	446	99	74	16.6	0	0.0	25	5.6
Maine	71	25	24	33.8	0	0.0	1	1.4
Massachusetts	122	33	14	11.5	0	0.0	19	15.6
New Hampshire	45	20	18	40.0	0	0.0	2	4.4
Puerto Rico	161	14	12	7.5	0	0.0	2	1.2
Rhode Island	47	7	6	12.8	0	0.0	1	2.1
SECOND CIRCUIT	974	367	224	23.0	26	2.7	117	12.0
Connecticut	88	37	23	26.1	1	1.1	13	14.8
New York								
Eastern	298	163	80	26.8	18	6.0	65	21.8
Northern	143	43	34	23.8	1	0.7	8	5.6
Southern	224	47	27	12.1	2	0.9	18	8.0
Western	168	56	46	27.4	4	2.4	6	3.6
Vermont	53	21	14	26.4	0	0.0	7	13.2
THIRD CIRCUIT	658	228	176	26.7	3	0.5	49	7.4
Delaware	29	6	2	6.9	0	0.0	4	13.8
New Jersey	196	72	59	30.1	0	0.0	13	6.6
Pennsylvania								
Eastern	213	103	84	39.4	2	0.9	17	8.0
Middle	119	36	27	22.7	0	0.0	9	7.6
Western	85	10	4	4.7	0	0.0	6	7.1
Virgin Islands	16	1	0	0.0	1	6.3	0	0.0
FOURTH CIRCUIT	1,418	292	238	16.8	7	0.5	47	3.3
Maryland	155	50	36	23.2	2	1.3	12	7.7
North Carolina								
Eastern	136	67	59	43.4	0	0.0	8	5.9
Middle	91	11	8	8.8	0	0.0	3	3.3
Western	179	59	51	28.5	1	0.6	7	3.9
South Carolina	224	38	32	14.3	1	0.4	5	2.2
Virginia								
Eastern	379	28	18	4.7	1	0.3	9	2.4
Western	149	33	30	20.1	1	0.7	2	1.3
West Virginia								
Northern	73	5	3	4.1	1	1.4	1	1.4
Southern	32	1	1	3.1	0	0.0	0	0.0

Table 26A (cont.)

CIRCUIT District	OVERALL CASE TOTAL	DEPARTURES BELOW RANGE TOTAL	SUBSTANTIAL ASSISTANCE DEPARTURES		GOV'T SPONSORED DOWNWARD DEPARTURES ²		OTHER DOWNWARD DEPARTURES ³	
			n	%	n	%	n	%
FIFTH CIRCUIT	3,802	807	366	9.6	347	9.1	94	2.5
Louisiana								
Eastern	98	17	14	14.3	0	0.0	3	3.1
Middle	39	18	18	46.2	0	0.0	0	0.0
Western	98	8	7	7.1	0	0.0	1	1.0
Mississippi								
Northern	44	20	17	38.6	0	0.0	3	6.8
Southern	105	12	10	9.5	0	0.0	2	1.9
Texas								
Eastern	227	29	23	10.1	1	0.4	5	2.2
Northern	253	59	51	20.2	3	1.2	5	2.0
Southern	1,406	368	85	6.0	237	16.9	46	3.3
Western	1,532	276	141	9.2	106	6.9	29	1.9
SIXTH CIRCUIT	1,187	338	268	22.6	18	1.5	52	4.4
Kentucky								
Eastern	97	35	35	36.1	0	0.0	0	0.0
Western	101	13	9	8.9	3	3.0	1	1.0
Michigan								
Eastern	202	77	67	33.2	0	0.0	10	5.0
Western	97	28	23	23.7	2	2.1	3	3.1
Ohio								
Northern	220	56	36	16.4	5	2.3	15	6.8
Southern	102	46	31	30.4	1	1.0	14	13.7
Tennessee								
Eastern	157	34	29	18.5	2	1.3	3	1.9
Middle	68	16	12	17.6	2	2.9	2	2.9
Western	143	33	26	18.2	3	2.1	4	2.8
SEVENTH CIRCUIT	530	115	90	17.0	5	0.9	20	3.8
Illinois								
Central	50	4	3	6.0	0	0.0	1	2.0
Northern	170	49	43	25.3	1	0.6	5	2.9
Southern	62	10	7	11.3	0	0.0	3	4.8
Indiana								
Northern	54	18	15	27.8	2	3.7	1	1.9
Southern	52	13	8	15.4	0	0.0	5	9.6
Wisconsin								
Eastern	104	17	11	10.6	2	1.9	4	3.8
Western	38	4	3	7.9	0	0.0	1	2.6
EIGHTH CIRCUIT	1,109	235	155	14.0	22	2.0	58	5.2
Arkansas								
Eastern	70	5	4	5.7	0	0.0	1	1.4
Western	50	8	5	10.0	0	0.0	3	6.0
Iowa								
Northern	115	28	25	21.7	1	0.9	2	1.7
Southern	74	19	15	20.3	0	0.0	4	5.4
Minnesota	96	30	19	19.8	0	0.0	11	11.5
Missouri								
Eastern	228	48	34	14.9	1	0.4	13	5.7
Western	192	44	38	19.8	1	0.5	5	2.6
Nebraska	185	33	11	5.9	9	4.9	13	7.0
North Dakota	75	15	0	0.0	10	13.3	5	6.7
South Dakota	24	5	4	16.7	0	0.0	1	4.2

Table 26A (cont.)

CIRCUIT District	OVERALL CASE TOTAL	DEPARTURES BELOW RANGE TOTAL	SUBSTANTIAL ASSISTANCE DEPARTURES		GOV'T SPONSORED DOWNWARD DEPARTURES ²		OTHER DOWNWARD DEPARTURES ³	
			n	%	n	%	n	%
NINTH CIRCUIT	3,494	1,338	332	9.5	799	22.9	207	5.9
Alaska	35	8	3	8.6	0	0.0	5	14.3
Arizona	1,102	715	66	6.0	612	55.5	37	3.4
California								
Central	267	28	14	5.2	4	1.5	10	3.7
Eastern	243	91	54	22.2	26	10.7	11	4.5
Northern	174	50	25	14.4	10	5.7	15	8.6
Southern	881	207	32	3.6	116	13.2	59	6.7
Guam	12	6	4	33.3	0	0.0	2	16.7
Hawaii	72	32	24	33.3	0	0.0	8	11.1
Idaho	79	54	28	35.4	22	27.8	4	5.1
Montana	112	9	7	6.3	0	0.0	2	1.8
Nevada	134	25	16	11.9	1	0.7	8	6.0
Northern Mariana Islands	12	2	2	16.7	0	0.0	0	0.0
Oregon	140	45	23	16.4	2	1.4	20	14.3
Washington								
Eastern	96	21	11	11.5	0	0.0	10	10.4
Western	135	45	23	17.0	6	4.4	16	11.9
TENTH CIRCUIT	1,409	404	152	10.8	205	14.5	47	3.3
Colorado	142	54	41	28.9	1	0.7	12	8.5
Kansas	196	37	30	15.3	2	1.0	5	2.6
New Mexico	592	231	26	4.4	199	33.6	6	1.0
Oklahoma								
Eastern	44	4	4	9.1	0	0.0	0	0.0
Northern	65	5	4	6.2	0	0.0	1	1.5
Western	64	14	12	18.8	0	0.0	2	3.1
Utah	217	49	29	13.4	2	0.9	18	8.3
Wyoming	89	10	6	6.7	1	1.1	3	3.4
ELEVENTH CIRCUIT	1,623	364	308	19.0	4	0.2	52	3.2
Alabama								
Middle	30	8	7	23.3	0	0.0	1	3.3
Northern	123	43	39	31.7	0	0.0	4	3.3
Southern	79	14	12	15.2	0	0.0	2	2.5
Florida								
Middle	432	135	116	26.9	2	0.5	17	3.9
Northern	118	35	32	27.1	0	0.0	3	2.5
Southern	555	64	55	9.9	0	0.0	9	1.6
Georgia								
Middle	64	17	15	23.4	0	0.0	2	3.1
Northern	153	30	18	11.8	0	0.0	12	7.8
Southern	69	18	14	20.3	2	2.9	2	2.9

¹See Table 26, footnote 1 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 (15,529) that received substantial assistance departures, other government sponsored departures, and other downward departures, respectively.

²See description of the government sponsored category in Appendix A.

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