

Table 26A

DOWNWARD DEPARTURE RATE BY CIRCUIT AND DISTRICT¹
Fiscal Year 2005, Pre-Booker (October 1, 2004, through January 11, 2005)

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	17,504	4,970	2,575	14.7	1,643	9.4	752	4.3
D.C. CIRCUIT	141	40	35	24.8	4	2.8	1	0.7
District of Columbia	141	40	35	24.8	4	2.8	1	0.7
FIRST CIRCUIT	390	72	55	14.1	2	0.5	15	3.8
Maine	69	19	18	26.1	0	0.0	1	1.4
Massachusetts	103	29	15	14.6	2	1.9	12	11.7
New Hampshire	34	16	15	44.1	0	0.0	1	2.9
Puerto Rico	162	4	4	2.5	0	0.0	0	0.0
Rhode Island	22	4	3	13.6	0	0.0	1	4.5
SECOND CIRCUIT	1,037	414	253	24.4	25	2.4	136	13.1
Connecticut	93	32	21	22.6	1	1.1	10	10.8
New York								
Eastern	312	158	77	24.7	16	5.1	65	20.8
Northern	136	60	40	29.4	5	3.7	15	11.0
Southern	273	72	51	18.7	0	0.0	21	7.7
Western	168	61	45	26.8	3	1.8	13	7.7
Vermont	55	31	19	34.5	0	0.0	12	21.8
THIRD CIRCUIT	713	229	192	26.9	11	1.5	26	3.6
Delaware	13	4	2	15.4	0	0.0	2	15.4
New Jersey	260	71	67	25.8	0	0.0	4	1.5
Pennsylvania								
Eastern	212	102	77	36.3	9	4.2	16	7.5
Middle	141	34	30	21.3	2	1.4	2	1.4
Western	71	14	13	18.3	0	0.0	1	1.4
Virgin Islands	16	4	3	18.8	0	0.0	1	6.3
FOURTH CIRCUIT	1,489	331	279	18.7	9	0.6	43	2.9
Maryland	153	61	47	30.7	2	1.3	12	7.8
North Carolina								
Eastern	190	86	78	41.1	1	0.5	7	3.7
Middle	71	10	9	12.7	0	0.0	1	1.4
Western	175	58	50	28.6	4	2.3	4	2.3
South Carolina	224	41	33	14.7	0	0.0	8	3.6
Virginia								
Eastern	417	23	15	3.6	1	0.2	7	1.7
Western	131	39	36	27.5	1	0.8	2	1.5
West Virginia								
Northern	70	9	9	12.9	0	0.0	0	0.0
Southern	58	4	2	3.4	0	0.0	2	3.4

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	4,052	889	337	8.3	450	11.1	102	2.5
Louisiana								
Eastern	103	25	18	17.5	6	5.8	1	1.0
Middle	25	5	4	16.0	0	0.0	1	4.0
Western	102	17	16	15.7	0	0.0	1	1.0
Mississippi								
Northern	46	17	13	28.3	2	4.3	2	4.3
Southern	149	25	21	14.1	0	0.0	4	2.7
Texas								
Eastern	162	13	10	6.2	1	0.6	2	1.2
Northern	249	33	24	9.6	3	1.2	6	2.4
Southern	1,607	493	100	6.2	336	20.9	57	3.5
Western	1,609	261	131	8.1	102	6.3	28	1.7
SIXTH CIRCUIT	1,302	388	315	24.2	8	0.6	65	5.0
Kentucky								
Eastern	131	63	62	47.3	0	0.0	1	0.8
Western	86	18	12	14.0	2	2.3	4	4.7
Michigan								
Eastern	204	64	55	27.0	1	0.5	8	3.9
Western	104	24	17	16.3	0	0.0	7	6.7
Ohio								
Northern	250	61	46	18.4	0	0.0	15	6.0
Southern	133	43	28	21.1	0	0.0	15	11.3
Tennessee								
Eastern	154	49	42	27.3	2	1.3	5	3.2
Middle	75	17	14	18.7	0	0.0	3	4.0
Western	165	49	39	23.6	3	1.8	7	4.2
SEVENTH CIRCUIT	480	116	90	18.8	6	1.3	20	4.2
Illinois								
Central	40	10	9	22.5	1	2.5	0	0.0
Northern	156	48	38	24.4	4	2.6	6	3.8
Southern	55	7	4	7.3	0	0.0	3	5.5
Indiana								
Northern	69	15	14	20.3	1	1.4	0	0.0
Southern	75	27	22	29.3	0	0.0	5	6.7
Wisconsin								
Eastern	29	7	2	6.9	0	0.0	5	17.2
Western	56	2	1	1.8	0	0.0	1	1.8
EIGHTH CIRCUIT	1,214	306	197	16.2	45	3.7	64	5.3
Arkansas								
Eastern	51	9	7	13.7	1	2.0	1	2.0
Western	62	14	14	22.6	0	0.0	0	0.0
Iowa								
Northern	122	19	16	13.1	3	2.5	0	0.0
Southern	95	29	22	23.2	0	0.0	7	7.4
Minnesota	139	47	21	15.1	4	2.9	22	15.8
Missouri								
Eastern	220	52	45	20.5	1	0.5	6	2.7
Western	188	46	40	21.3	1	0.5	5	2.7
Nebraska	197	55	9	4.6	29	14.7	17	8.6
North Dakota	81	27	16	19.8	6	7.4	5	6.2
South Dakota	59	8	7	11.9	0	0.0	1	1.7

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	3,463	1,394	359	10.4	863	24.9	172	5.0
Alaska	34	10	5	14.7	2	5.9	3	8.8
Arizona	1,094	732	77	7.0	627	57.3	28	2.6
California								
Central	325	41	25	7.7	4	1.2	12	3.7
Eastern	234	85	30	12.8	42	17.9	13	5.6
Northern	215	61	36	16.7	11	5.1	14	6.5
Southern	697	194	36	5.2	117	16.8	41	5.9
Guam	15	4	4	26.7	0	0.0	0	0.0
Hawaii	46	13	12	26.1	0	0.0	1	2.2
Idaho	68	36	15	22.1	17	25.0	4	5.9
Montana	127	14	14	11.0	0	0.0	0	0.0
Nevada	126	19	10	7.9	3	2.4	6	4.8
Northern Mariana Islands	5	0	0	0.0	0	0.0	0	0.0
Oregon	159	62	36	22.6	2	1.3	24	15.1
Washington								
Eastern	103	26	18	17.5	1	1.0	7	6.8
Western	215	97	41	19.1	37	17.2	19	8.8
TENTH CIRCUIT	1,462	415	154	10.5	214	14.6	47	3.2
Colorado	177	61	47	26.6	4	2.3	10	5.6
Kansas	201	38	32	15.9	3	1.5	3	1.5
New Mexico	657	245	19	2.9	206	31.4	20	3.0
Oklahoma								
Eastern	30	3	3	10.0	0	0.0	0	0.0
Northern	52	11	10	19.2	0	0.0	1	1.9
Western	75	16	15	20.0	0	0.0	1	1.3
Utah	211	22	14	6.6	0	0.0	8	3.8
Wyoming	59	19	14	23.7	1	1.7	4	6.8
ELEVENTH CIRCUIT	1,761	376	309	17.5	6	0.3	61	3.5
Alabama								
Middle	48	14	12	25.0	1	2.1	1	2.1
Northern	124	41	39	31.5	0	0.0	2	1.6
Southern	84	28	19	22.6	0	0.0	9	10.7
Florida								
Middle	399	127	110	27.6	1	0.3	16	4.0
Northern	95	21	20	21.1	0	0.0	1	1.1
Southern	651	77	55	8.4	3	0.5	19	2.9
Georgia								
Middle	91	23	23	25.3	0	0.0	0	0.0
Northern	152	21	12	7.9	1	0.7	8	5.3
Southern	117	24	19	16.2	0	0.0	5	4.3

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 (17,504) 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.