

Analysis of Fraud Offenses

INTRODUCTION

This section analyzes sentencing data for fraud offenses. After a brief overview of the applicable statutes and the relevant guidelines, this section provides data and analyses concerning percentage of the federal docket, geographic distribution, demographics of offenders, and sentencing trends across the four identified periods.

As used in this section, the term “fraud offenses” refers to two categories of offenses: (1) offenses sentenced pursuant to USSG §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit Bearer Obligations of the United States) under a *Guidelines Manual* effective November 1, 2001 or later in which the primary offense (based on the statute or statutes of conviction) was fraud; or (2) offenses sentenced pursuant to USSG §2F1.1 (Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit Bearer Obligations of the United States) as the primary sentencing guideline for the offense. Section 2F1.1 was deleted effective November 1, 2001, when the Commission consolidated the theft and fraud guidelines into §2B1.1.¹ The term “fraud offenders” refers to offenders whose primary sentencing

guideline² was either USSG §2B1.1 under a *Guidelines Manual* effective November 1, 2001 or later in which the primary offense was fraud, or §2F1.1.

Average sentences for fraud offenses have nearly doubled between the *Koon* and *Gall* periods, increasing from 13 months during the *Koon* period to 25 months during the *Gall* period. This was due in part to changes to the guidelines that increased penalties, and in part to changes in the seriousness of fraud offenses, at least as measured by loss amount. As a result, the average guideline minimum has increased, and the average sentence has also increased. Analysis revealed that the average sentence was nearly the same as the average guideline minimum until fiscal year 2005, when the average sentence began to increase at a slower rate than the average guideline minimum.

Throughout the *Booker* and *Gall* periods, the influence of the guidelines in fraud offenses has continued to diminish. A review of quarterly data showed that, beginning in fiscal year 2005, the rates of within range sentences have decreased, while the rates of non-government sponsored below range sentences have increased.

More districts imposed non-government sponsored below range sentences at higher rates, and did so with greater variation during the *Gall* period than during any other period. The decrease in the rates of within range sentences was largely attributable to the increasing rates of non-government sponsored below range sentences. Rates of government sponsored below range sentences were relatively stable over time. In contrast to the increased rates of non-government sponsored below range sentences, the extent of the reduction below the guideline minimum for non-government sponsored below range sentences remained relatively stable, with the average reduction near 50 percent below the guideline minimum in all four periods. In fact, the average reduction was smaller during the *Gall* period than during the *Booker* period.

² The primary sentencing guideline is the last Chapter Two guideline used in the computation to either increase or decrease the offense level. It is the Chapter Two guideline that ultimately controls a given computation and thus, the final offense level. A Chapter Four guideline, such as §4B1.1 (Career Offender) or §4B1.5 (Repeat and Dangerous Sex Offender Against Minors), is never the primary sentencing guideline, even if it results in a higher penalty than that prescribed by the Chapter Two guideline.

¹ USSG App. C, amend. 617 (effective Nov. 1, 2001).

FRAUD OFFENSES AND USSG §2B1.1

Applicable Statutes

Many statutes are referenced to this guideline. Of those statutes referenced to §2B1.1, some of the most commonly used include 18 U.S.C. § 1001; 18 U.S.C. § 1029(a); 18 U.S.C. § 1341; 18 U.S.C. § 1343; 18 U.S.C. § 1344; 18 U.S.C. § 1347; 42 U.S.C. § 408(a)(7)(B); and conspiracy offenses related to these statutes.

a. 18 U.S.C. § 1001

Section 1001 makes it unlawful to falsify or conceal material facts, make materially false statements or representations, or to knowingly make or use false writings or documents in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States. The statutory maximum penalty for the offense is either five or eight years of imprisonment, depending on the subject matter of the fraud.

b. 18 U.S.C. § 1029(a)(2)

Section 1029(a)(2) prohibits the knowing trafficking in or use of one or more unauthorized access devices leading to the defendant obtaining anything of value aggregating \$1,000 or more during a one-year period. The statutory maximum penalty for the offense is ten years of imprisonment.

c. 18 U.S.C. § 1341

Section 1341 prohibits the use of the Postal Service and other private or commercial interstate carriers to carry out schemes to defraud. The statutory maximum penalty for the offense is 20 years of imprisonment, unless the violation is related to benefits stemming from a presidentially declared major disaster or emergency, in which case the statutory maximum penalty is 30 years of imprisonment.

d. 18 U.S.C. § 1343

Section 1343 prohibits the use of wire, radio, or television communication in interstate or foreign commerce for the purpose of executing any scheme or artifice to defraud. The statutory maximum penalty for the offense is 20 years of imprisonment, unless the violation is related to benefits stemming from a presidentially declared major disaster or emergency, in which case the statutory maximum penalty is 30 years of imprisonment.

e. 18 U.S.C. § 1344

Section 1344 makes it unlawful to defraud a financial institution or to obtain any property or credit under the custody or control of a financial institution by means of false or fraudulent pretenses, representations, or promises. The statutory maximum penalty for the offense is 30 years of imprisonment.

f. 42 U.S.C. § 408(a)(7)(B)

Section 408(a)(7)(B) prohibits the fraudulent use of another's social security number to receive Social Security benefits. The statutory maximum penalty for the offense is five years of imprisonment.

USSG §2B1.1 Fraud Guideline

The base offense level under §2B1.1 is either 6 or 7, depending on the statute of conviction.³ Section 2B1.1 also includes many specific offense characteristics that may increase an offender's base offense level.⁴ For example, the base offense level may be increased by up to 30 levels based on the amount of loss associated with the offense, and by 2 to 6 levels based on the number of victims.⁵ Other specific offense characteristics that may increase the offense level include if the offense involved a government health care program, if the offense involved the unauthorized transfer or use of any means of identification, and if the offense involved the risk of death or serious bodily injury.⁶

A fraud offender's offense level is determined in large part by the amount of loss associated with the offense. The loss table has been expanded several times over the course of the four periods. The loss table in effect in 1996 provided increases of between zero and 18 levels, in 1-level increments, based on a range of losses from less than \$2,000 to more than \$80,000,000.⁷ In 2001, as part of a multi-year revision of the guidelines for economic crimes, the Commission expanded the loss table to provide increases of between zero and 26 levels, in 2-level increments, based on a range of losses from less than \$5,000 to more than \$100,000,000.⁸ In 2003, in response to the Sarbanes-Oxley Act of 2002,⁹ the Commission promulgated an

³ USSG §2B1.1(a)(1)–(2).

⁴ USSG §2B1.1(b)(1)–(18).

⁵ USSG §2B1.1(b)(1)–(2).

⁶ USSG §2B1.1(b)(8), (11), (14).

⁷ USSG App. C, amend. 155 (effective Nov. 1, 1989) (amending the loss table in 2F1.1, the guideline under which fraud offenders were sentenced before the guideline was consolidated with §2B1.1 in 2001).

⁸ USSG App. C, amend. 617 (effective Nov. 1, 2001).

⁹ Pub. L. 107–204 (2002).

emergency temporary amendment that, among other things, amended the loss table by adding two loss amount categories for increases of up to 30 levels. The loss range was expanded to include losses from less than \$5,000 to losses of more than \$400,000,000.¹⁰ The Commission later re-promulgated the emergency amendment, which made the changes to the loss table permanent.¹¹

STATISTICAL OVERVIEW: FISCAL YEAR 2011

In fiscal year 2011, federal courts sentenced 5,898 fraud offenders. The number of fraud offenses varied from circuit to circuit and from district to district. Over 50 percent of fraud offenders (51.4%, n=3,028) were sentenced in the district courts in just four circuits. The Eleventh Circuit led in numbers of fraud offenders, with 953 offenders in fiscal year 2011 (16.2% of fraud offenders nationwide), followed by the Ninth Circuit with 807 offenders (13.7% of fraud offenders nationwide), the Fifth Circuit with 672 offenders (11.4% of fraud offenders nationwide), and the Fourth Circuit with 596 offenders (10.1% of fraud offenders nationwide).¹² Among the circuits with the highest number of fraud offenders, the proportion of the overall caseload comprised of fraud offenses varied. For example in the Eleventh Circuit, fraud offenses were almost 15 percent of the circuit's caseload in fiscal year 2011. In contrast, fraud offenses were only 4.7 percent of the Ninth Circuit's overall caseload, and only 3.8 percent of the Fifth Circuit's overall caseload. As depicted in the table below, the proportion of a circuit's caseload comprised of fraud offenders ranged from a low of 3.8 percent in the Fifth Circuit to a high of 14.8 percent in the Eleventh Circuit.

¹⁰ USSG App. C, amend. 647 (effective Jan. 25, 2003).

¹¹ USSG App. C, amend. 654 (effective Nov. 1, 2003).

¹² See "National Distribution of Selected Offenses by Circuit and District, Fraud Offenses, FY 2011" Appendix Table. By way of comparison, 62.1 percent of all federal criminal offenses in fiscal year 2011 came from the district courts in those four circuits. See "National Distribution of Offenses by Circuit and District, All Offenses, FY 2011" Appendix Table.

Proportion of Caseload by Circuit

**Fraud Offenses
Fiscal Year 2011**

Circuit	Number of Fraud Offenses	Percent of Total Caseload
TOTAL	5,898	7.7
Fifth Circuit	672	3.8
Tenth Circuit	257	4.0
Ninth Circuit	807	4.7
Eighth Circuit	434	9.3
Fourth Circuit	596	10.4
Sixth Circuit	579	10.9
First Circuit	240	11.2
Seventh Circuit	341	11.6
Second Circuit	556	12.9
Third Circuit	413	14.4
D.C. Circuit	50	14.5
Eleventh Circuit	953	14.8

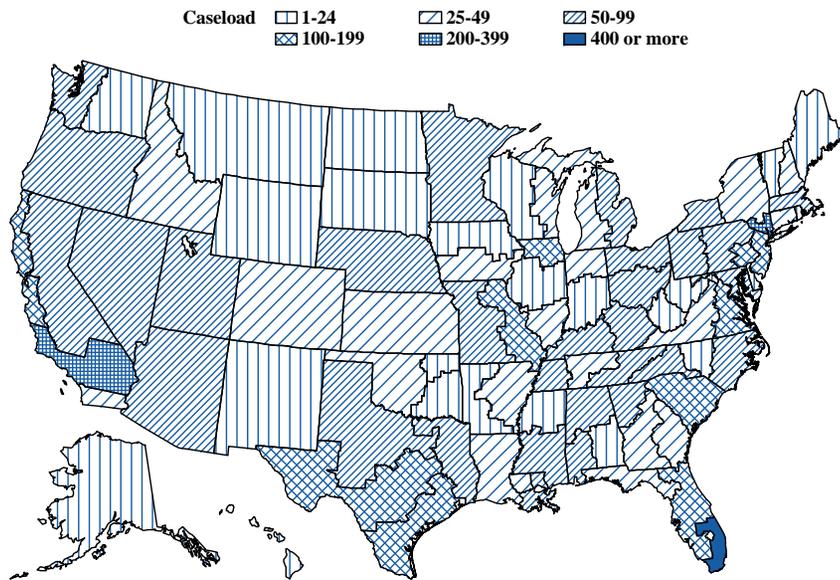
SOURCE: U.S. Sentencing Commission, 2011 *Booker* Report Datafiles.

When viewed at the district level, the number of fraud offenses in each district ranged from zero (Northern Marianna Islands) to 461 (Southern Florida). Only nine districts reported more than 150 fraud offenses. Judges in the Southern District of Florida sentenced 461 fraud offenders, which was 7.8 percent of fraud offenders nationwide. The remaining eight districts sentencing more than 150 fraud offenders in fiscal year 2011 were: Southern New York at 240 offenders (4.1% of fraud offenders nationwide), Central California at 236 offenders (4.0% of fraud offenders nationwide), Middle Florida at 173 offenders (2.9% of fraud offenders nationwide), Eastern Virginia at 168 offenders (2.8% of fraud offenders nationwide), Eastern Pennsylvania at 164 offenders (2.8% of fraud offenders nationwide), Northern Illinois at 161 offenders (2.7% of fraud offenders nationwide), Eastern New York at 160 offenders (2.7% of fraud offenders nationwide), and Western Texas at 160 offenders (2.7% of fraud offenders nationwide). These nine districts alone accounted for 32.5 percent (n=1,923) of the 5,898 fraud offenders sentenced in fiscal year 2011.¹³ More than half of the 94 districts (n=48) reported fewer than 50 fraud offenses.

¹³ See “National Distribution of Selected Offenses by Circuit and District, Fraud Offenses, FY 2011” Appendix Table. By comparison, 22.8 percent of all federal criminal offenses in fiscal year 2011 came from those nine districts. See “National Distribution of Offenses by Circuit and District, All Offenses, FY 2011” Appendix Table.

PART C: FRAUD OFFENSES

**Number of Fraud Offenders by District
Fiscal Year 2011**



Note: Districts displayed in white had no offenders convicted of the specified offense.
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

Consistent with circuit level data, fraud offenses comprised varying percentages of the districts' criminal case docket. Excluding the Northern Mariana Islands, which had no fraud offenses in fiscal year 2011, the percentage of a district's caseload comprised of fraud offenses ranged from a low of 0.5 percent (New Mexico) to a high of 24.5 percent (Guam). In 13 districts, fraud offenders represented more than 15 percent of the offenders sentenced in those districts. Those districts were: Guam (24.5% of offenders in the district, n=12), Southern Mississippi (24.1% of offenders in the district, n=72), Southern Florida (22.7% of offenders in the district, n=461), Middle Louisiana (21.6% of offenders in the district, n=29), Northern Illinois (18.5% of offenders in the district, n=161), Eastern Louisiana (17.1% of offenders in the district, n=58), Eastern Pennsylvania (17.1% of offenders in the district, n=164), New Jersey (17.0% of offenders in the district, n=134), Eastern Oklahoma (16.7% of offenders in the district, n=17), Southern New York (16.1% of offenders in the district, n=240), Northern Ohio (15.9% of

offenders in the district, n=97), Massachusetts (15.8% of offenders in the district, n=85), and Northern California (15.4% of offenders in the district, n=104). In contrast, in seven districts in which at least one fraud offender was sentenced, fraud offenders constituted less than 3 percent of the offenders sentenced in fiscal year 2011. These districts were: New Mexico (0.5% of offenders in the district, n=17), Arizona (0.8% of offenders in the district, n=61), Southern California (1.2% of offenders in the district, n=37), Southern Texas (1.5% of offenders in the district, n=120), Wyoming (2.1% of offenders in the district, n=7), North Dakota (2.2% of offenders in the district, n=6), and Western Texas (2.4% of offenders in the district, n=160).¹⁴

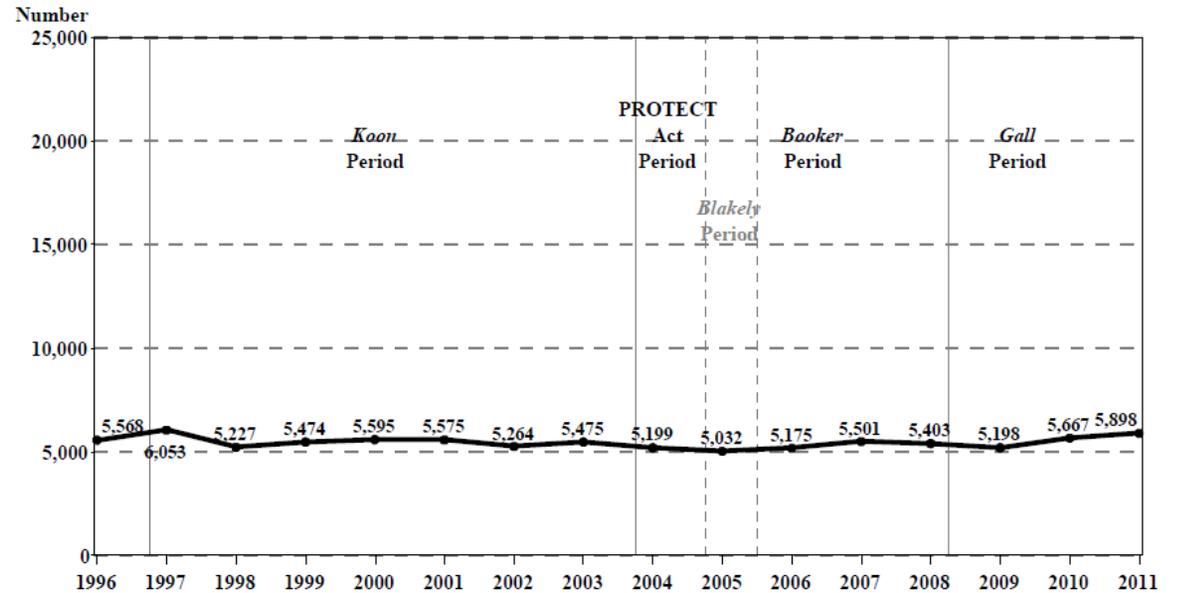
¹⁴ See "Proportion of Caseload in Each Circuit and District for Selected Offenses, Fraud Offenses, FY 2011" Appendix Table.

NATIONAL TREND ANALYSIS

This section addresses federal sentencing trends for fraud offenses over time. Much of the analysis uses time periods that are based on major changes in the legal framework governing federal sentencing rather than time periods divided by fiscal or calendar year. These four periods, the *Koon*, PROTECT Act, *Booker*, and *Gall* periods, and their significance are discussed more fully in Part A.

The number of fraud offenders has remained relatively stable across time. The percentage of fraud offenses relative to the overall federal caseload has decreased across the four periods. During the *Koon* period, 11.4 percent of federal offenses were fraud offenses. This percentage decreased to 9.3 percent during the PROTECT Act period, 8.3 percent during the *Booker* period, and 7.7 percent during the *Gall* period.

Number of Offenders by Fiscal Year
Fraud Offenses
 Fiscal Years 1996-2011



SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

NATIONAL TREND ANALYSIS

OFFENDER AND OFFENSE CHARACTERISTICS

The overwhelming majority of fraud offenders were United States citizens. White offenders were the majority of fraud offenders in each of the four periods. Black offenders were consistently the second largest group. While the percentage of White offenders has gradually decreased since the *Koon* period, the percentage of Hispanic offenders has increased over time.

During all four periods, the majority of fraud offenders were in Criminal History Category I. The percentage of offenders in each of the other criminal history categories has remained steady across the four periods.

Selected Offender Characteristics
 Fraud Offenses
Koon Period through *Gall* Period

	<i>Koon</i> Period (6/13/96 - 4/30/03) Percent	PROTECT Act Period (5/1/03 - 6/24/04) Percent	<i>Booker</i> Period (1/12/05 - 12/10/07) Percent	<i>Gall</i> Period (12/11/07-9/30/11) Percent
RACE/ETHNICITY				
White	53.3	50.9	49.7	47.6
Black	32.6	32.4	33.3	31.7
Hispanic	8.9	11.5	12.2	15.3
Other	5.2	5.2	4.7	5.4
GENDER				
Male	72.4	70.3	69.3	69.1
Female	27.6	29.7	30.7	30.9
CITIZENSHIP				
U.S. Citizen	88.4	85.4	87.8	85.0
Non-U.S. Citizen	11.6	14.6	12.2	15.0
CRIMINAL HISTORY CATEGORY				
I	68.3	68.6	67.2	68.9
II	9.7	9.9	9.1	8.9
III	9.8	9.4	9.8	9.1
IV	4.4	4.2	4.7	4.5
V	2.7	2.4	3.3	3.2
VI	5.1	5.5	5.9	5.5

Categories may not sum to exactly 100.0 percent due to rounding.
 SOURCE: U.S. Sentencing Commission, 2011 *Booker* Report Datafiles.



NATIONAL TREND ANALYSIS
OFFENDER AND OFFENSE CHARACTERISTICS

During each period, the majority of fraud offenders were sentenced to prison only, and this percentage has increased while percentages of other types of sentences have decreased.

**Types of Sentences Imposed
 Fraud Offenses
 Koon Period through Gall Period**

SENTENCE IMPOSED	<i>Koon</i> Period (6/13/96 - 4/30/03)		PROTECT Act Period (5/1/03 - 6/24/04)		<i>Booker</i> Period (1/12/05 - 12/10/07)		<i>Gall</i> Period (12/11/07-9/30/11)	
	N	%	N	%	N	%	N	%
Prison Only	20,628	54.5	3,548	56.9	9,341	60.3	14,109	67.1
Prison/Community Split	4,339	11.5	568	9.1	1,330	8.6	1,583	7.5
Probation and Confinement	5,870	15.5	818	13.1	1,873	12.1	2,046	9.7
Probation Only	7,033	18.6	1,304	20.9	2,944	19.0	3,286	15.6

Cases in which the offender received no prison or probation and cases with missing sentencing information were excluded from the analysis. Prison and Community Split includes all cases in which offenders received prison and conditions of confinement as described in USSG §5C1.1.
 SOURCE: U.S. Sentencing Commission, 2011 *Booker* Report Datafiles.

NATIONAL TREND ANALYSIS

OFFENDER AND OFFENSE CHARACTERISTICS

The average guideline minimum can generally be viewed as a proxy for the seriousness of the offense, however average guideline minimums may also increase or decrease due to amendments to the guidelines or the criminal history of the offenders. The average guideline minimum for fraud offenses has increased over the four periods. Offense levels for fraud offenders are driven in large part by loss amounts, and increasing average and median loss amounts over the four periods may indicate that fraud offenses have become more serious over time.

The average sentence length for fraud offenses has also increased over the four periods. Sentence length is influenced by various factors including the guideline range, departures, and variances. Overall for fraud offenses, average sentence length has almost doubled since the *Koon* period.

The rate of within range sentences has decreased in the *Booker* and *Gall* periods, mostly due to an increase in the rate of non-government sponsored below range sentences.

The extent of the reduction below the guideline minimum has varied depending on the type of below range sentence, but in the *Gall* period, reductions were generally about 50 percent or more below the guideline minimum, except for EDP sentences.

Selected Sentencing Characteristics
Fraud Offenses
Koon Period through *Gall* Period

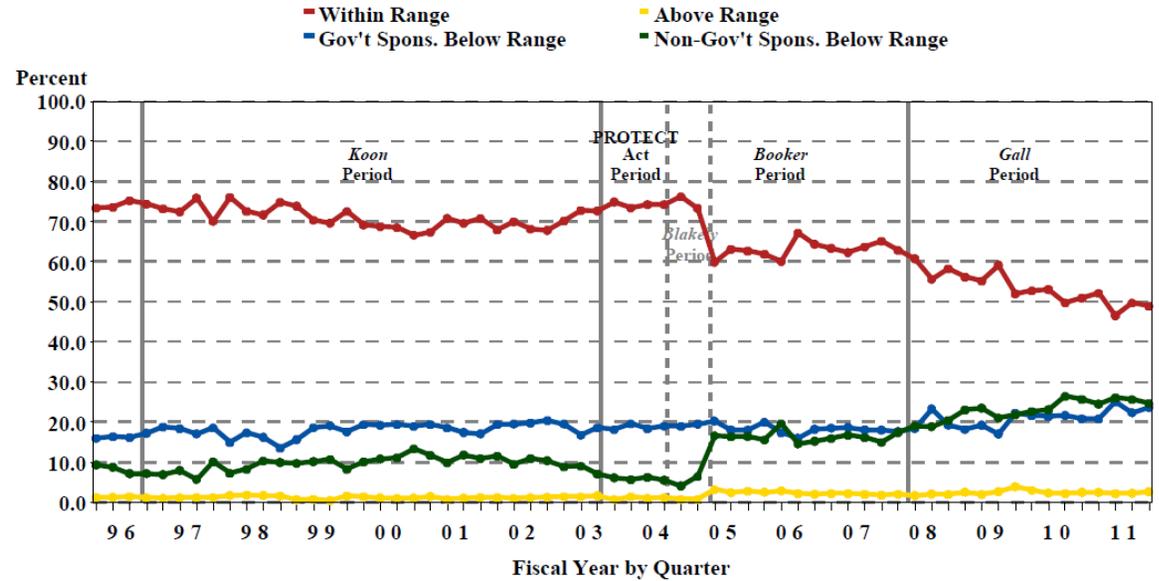
	<i>Koon</i> Period (6/13/96 - 4/30/03)	PROTECT Act Period (5/1/03 - 6/24/04)	<i>Booker</i> Period (1/12/05 - 12/10/07)	<i>Gall</i> Period (12/11/07-9/30/11)
	Percent	Percent	Percent	Percent
GUILTY PLEA	95.5	95.1	94.8	94.9
AVERAGE LOSS	\$1,098,855	\$2,187,843	\$2,394,784	\$2,628,129
MEDIAN LOSS	\$47,639	\$49,973	\$55,182	\$86,500
WEAPON	0.0	0.0	0.2	0.1
GUIDELINE ADJUSTMENTS				
Aggravating Role (USSG §3B1.1)	12.7	11.3	11.7	11.5
Mitigating Role (USSG §3B1.2)	5.6	5.1	5.3	5.8
SENTENCE RELATIVE TO GUIDELINE RANGE				
Within Range	71.1	73.8	62.8	53.4
Above Range	1.2	1.2	2.4	2.4
All Gov't Sponsored Below Range	18.1	18.8	18.3	21.0
Substantial Assistance (USSG §5K1.1)	18.0	17.9	16.2	17.0
Early Disposition Program (USSG §5K3.1)	n/a	0.0	0.0	0.2
Other Gov't Sponsored Below Range	n/a	0.9	2.1	3.9
Non-Gov't Sponsored Below Range	9.6	6.2	16.4	23.1
	Months	Months	Months	Months
AVERAGE GUIDELINE MINIMUM	14	17	22	30
AVERAGE SENTENCE	13	16	19	25
Within Range	14	17	20	27
Above Range	56	56	58	64
All Gov't Sponsored Below Range	8	11	13	18
Substantial Assistance (USSG §5K1.1)	8	11	13	17
Early Disposition Program (USSG §5K3.1)	n/a	-	6	9
Other Gov't Sponsored Below Range	n/a	19	16	22
Non-Gov't Sponsored Below Range	10	11	15	22
AVERAGE EXTENT OF REDUCTION	Percent (Months)	Percent (Months)	Percent (Months)	Percent (Months)
All Gov't Sponsored Below Range	63.6 (11)	62.5 (13)	61.4 (17)	58.8 (20)
Substantial Assistance (USSG §5K1.1)	63.6 (11)	63.0 (13)	62.1 (17)	60.4 (21)
Early Disposition Program (USSG §5K3.1)	n/a (n/a)	-	80.0 (11)	33.1 (7)
Other Gov't Sponsored Below Range	n/a (n/a)	50.0 (9)	55.8 (14)	53.6 (15)
Non-Gov't Sponsored Below Range	56.1 (9)	53.4 (10)	52.6 (11)	49.3 (13)

Categories may not sum to exactly 100.0 percent due to rounding.
SOURCE: U.S. Sentencing Commission, 2011 *Booker* Report Datafiles.

NATIONAL TREND ANALYSIS
INFLUENCE OF THE GUIDELINES

Over the past five years, the rate of within range sentences for fraud offenses has generally decreased. This decrease has coincided with increases in rates of, primarily, non-government sponsored below range sentences.

Quarterly Data for Within-Range and Out-of-Range Sentences
Fraud Offenses
Fiscal Years 1996-2011



SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

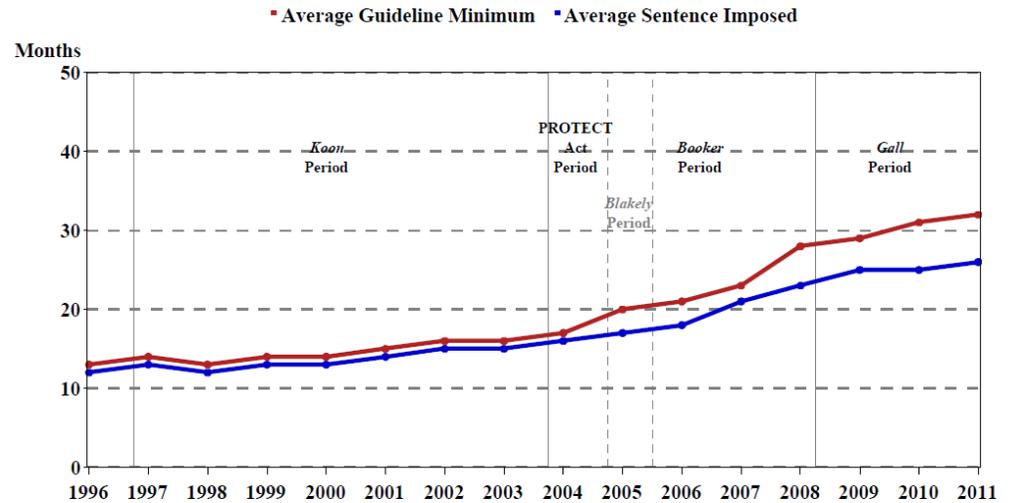
NATIONAL TREND ANALYSIS
INFLUENCE OF THE GUIDELINES

The rise in the red line indicates the average guideline minimum in fraud offenses has increased over time. However, in recent years, the average sentence has not increased as quickly as the average guideline minimum.

The percentage difference between the average guideline minimum and the average sentence has fluctuated over time, however the greatest percentage difference occurred during fiscal years 2010 and 2011. This figure and others demonstrate that the influence of the guidelines has declined in fraud offenses.

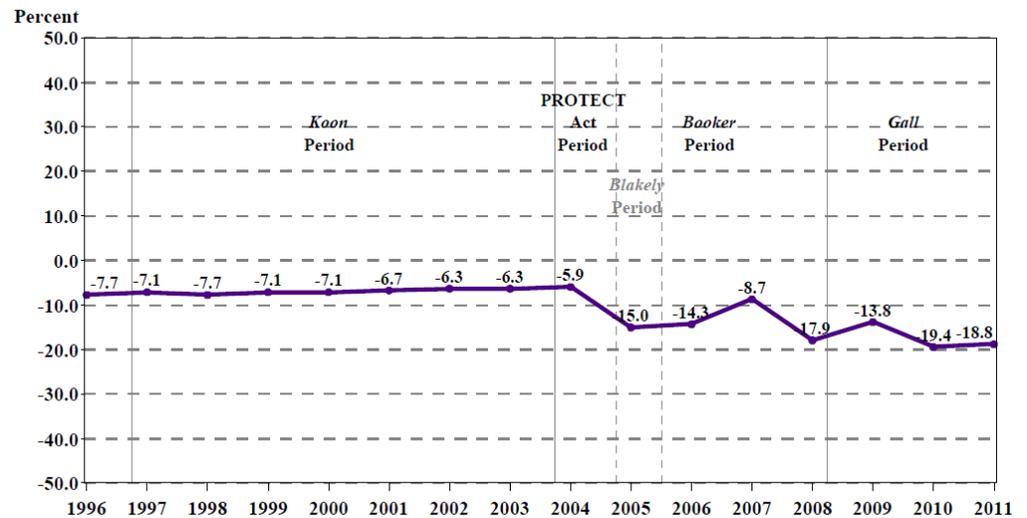
**Click on chart for corresponding table by period.*

Average Guideline Minimum and Sentence Imposed
Fraud Offenses
Fiscal Years 1996-2011



SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

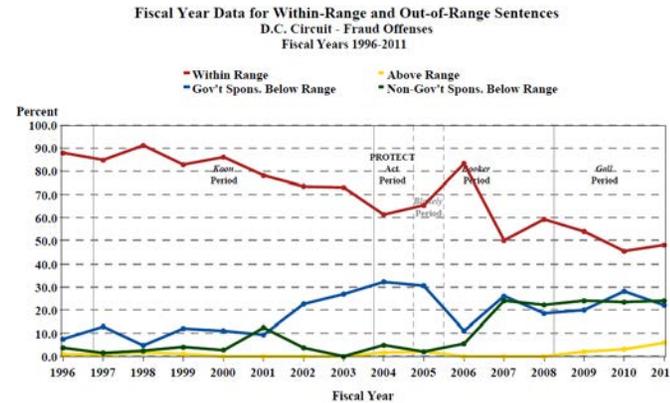
Percent Difference Between Average Guideline Minimum and Sentence Imposed
Fraud Offenses
Fiscal Years 1996-2011



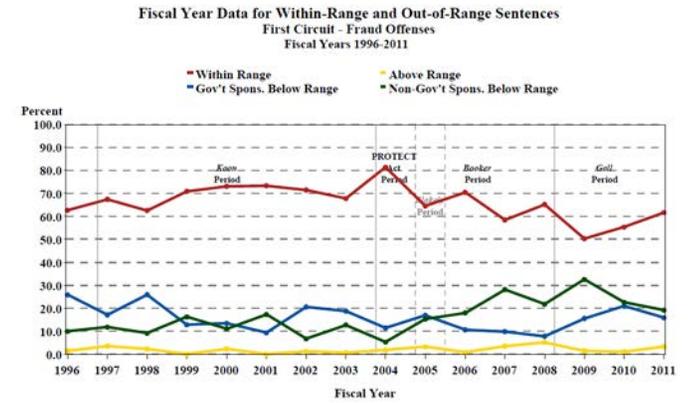
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

CIRCUIT TREND ANALYSIS
INFLUENCE OF THE GUIDELINES

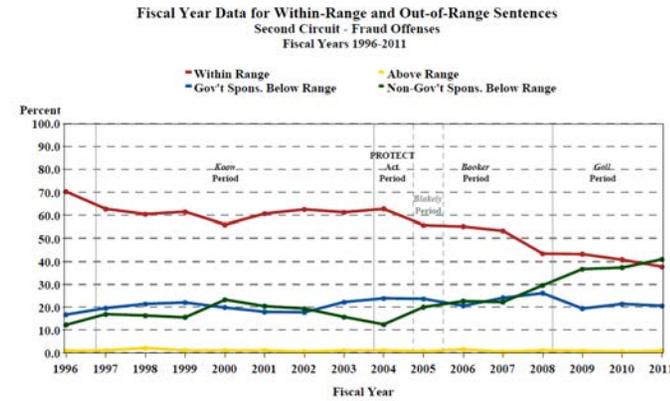
Over the past five years, the national rate of within range sentences for fraud offenses has generally decreased, while the rate of both non-government sponsored and government sponsored below range sentences has generally increased. However, below range sentence rates have varied by circuit.



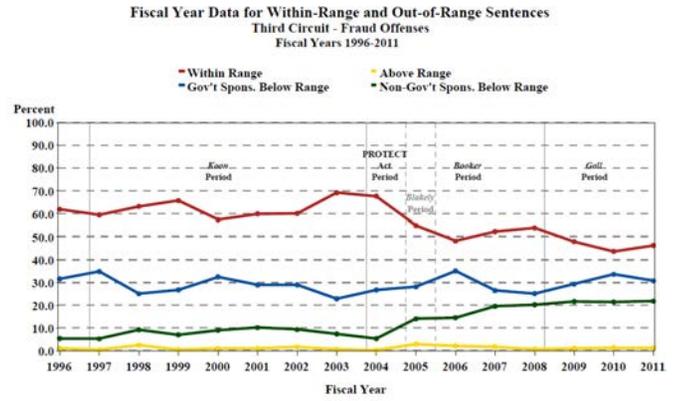
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.



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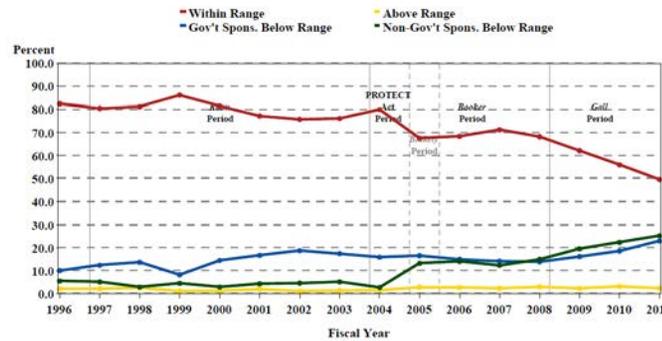


SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

CIRCUIT TREND ANALYSIS
INFLUENCE OF THE GUIDELINES

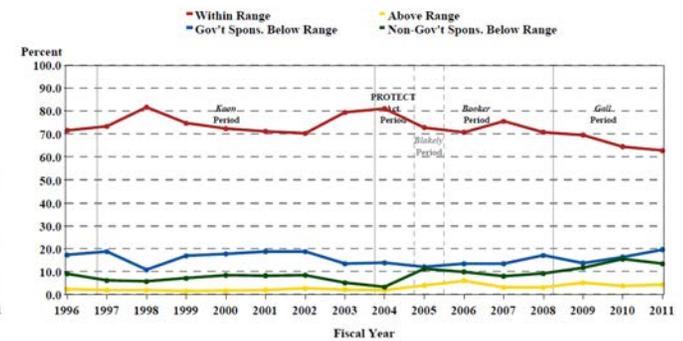
Over the past five years, the national rate of within range sentences for fraud offenses has generally decreased, while the rate of both non-government sponsored and government sponsored below range sentences has generally increased. However, below range sentence rates have varied by circuit.

Fiscal Year Data for Within-Range and Out-of-Range Sentences
 Fourth Circuit - Fraud Offenses
 Fiscal Years 1996-2011



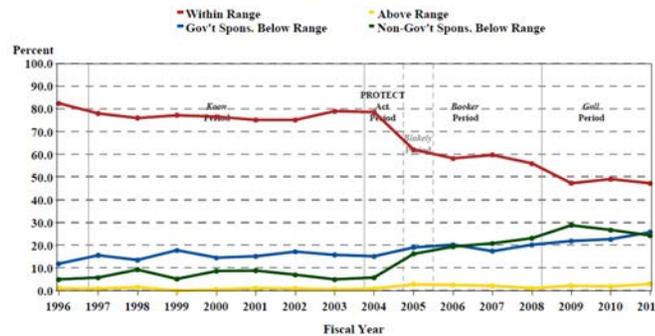
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

Fiscal Year Data for Within-Range and Out-of-Range Sentences
 Fifth Circuit - Fraud Offenses
 Fiscal Years 1996-2011



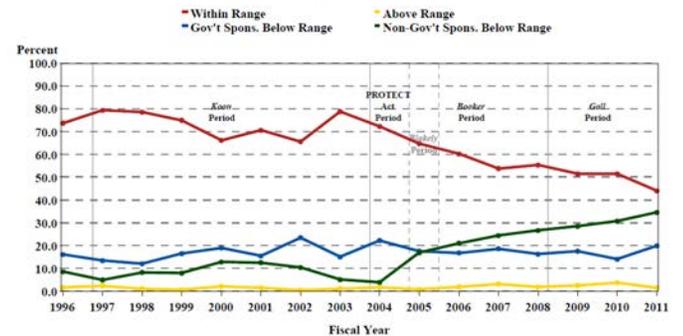
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

Fiscal Year Data for Within-Range and Out-of-Range Sentences
 Sixth Circuit - Fraud Offenses
 Fiscal Years 1996-2011



SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

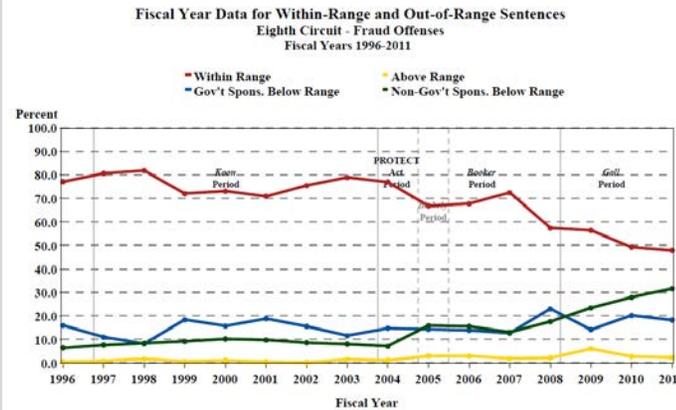
Fiscal Year Data for Within-Range and Out-of-Range Sentences
 Seventh Circuit - Fraud Offenses
 Fiscal Years 1996-2011



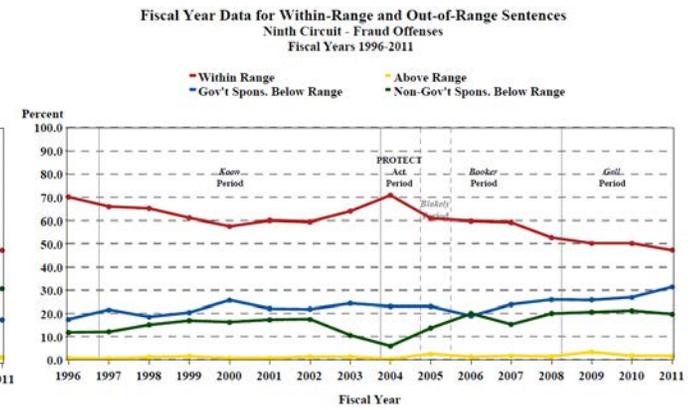
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

CIRCUIT TREND ANALYSIS
 INFLUENCE OF THE GUIDELINES

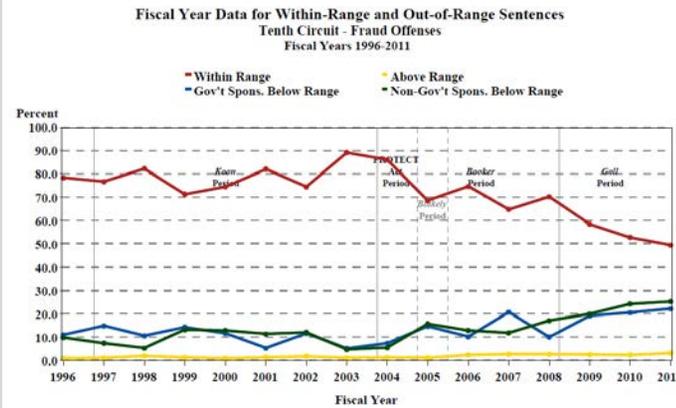
Over the past five years, the national rate of within range sentences for fraud offenses has generally decreased, while the rate of both non-government sponsored and government sponsored below range sentences has generally increased. However, below range sentence rates have varied by circuit.



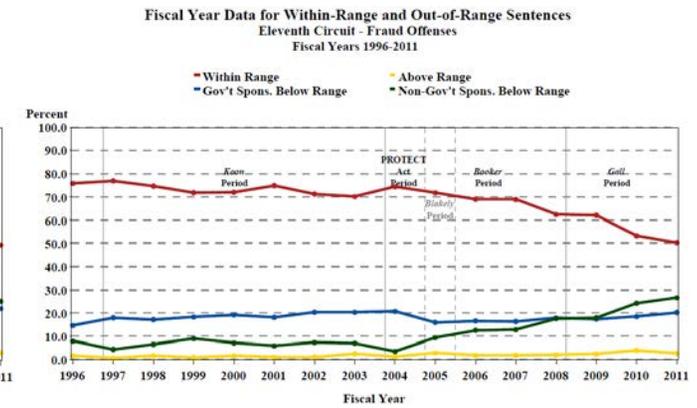
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.



SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.



SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

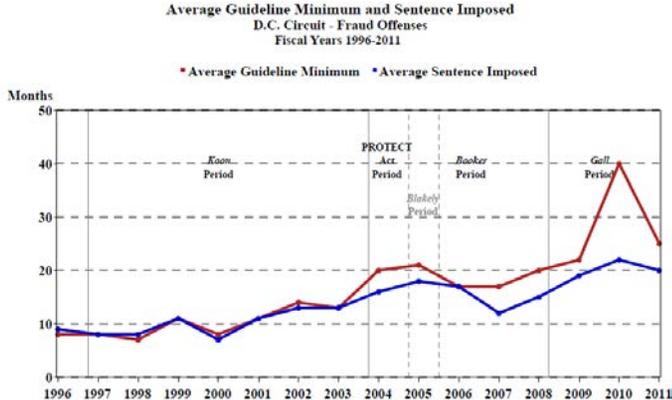


SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

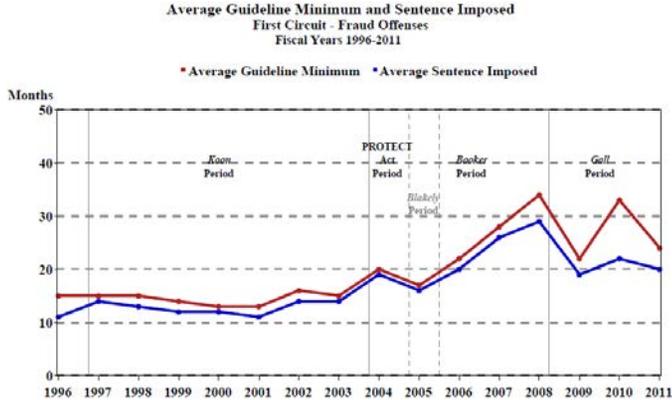
CIRCUIT TREND ANALYSIS
INFLUENCE OF THE GUIDELINES

The average guideline minimum has increased over time nationally. However, the average sentence has not increased as quickly as the average guideline minimum in recent years. This trend has been consistent across circuits.

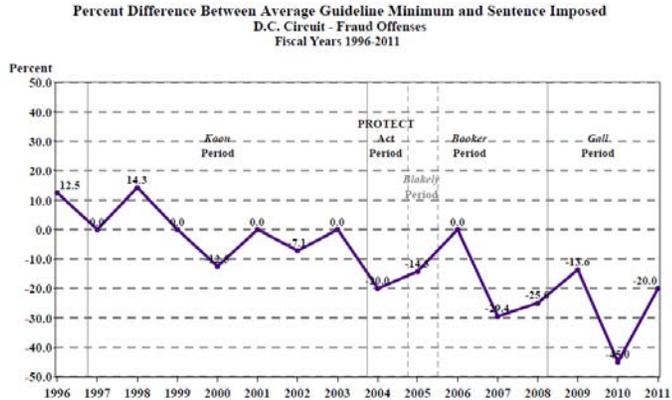
The percentage difference between the average guideline minimum and the average sentence has increased generally across circuits, but this increase has varied in degree and timing depending on the circuit. While there has been some fluctuation among the circuits, generally the influence of the guidelines appears to have diminished in fraud offenses.



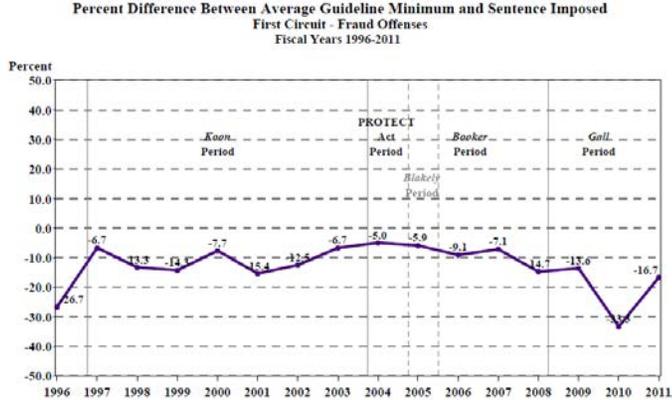
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Draftfile.



SOURCE: U.S. Sentencing Commission, 2011 Booker Report Draftfile.



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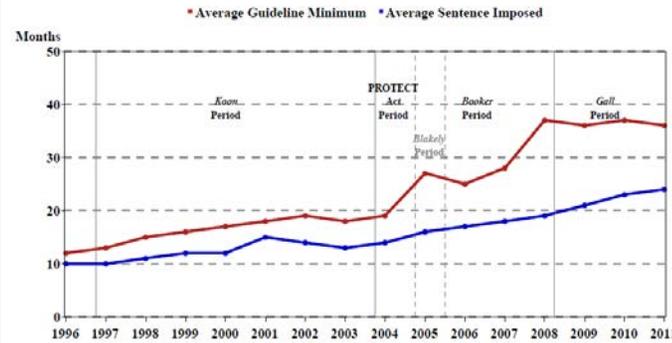
CIRCUIT TREND ANALYSIS

INFLUENCE OF THE GUIDELINES

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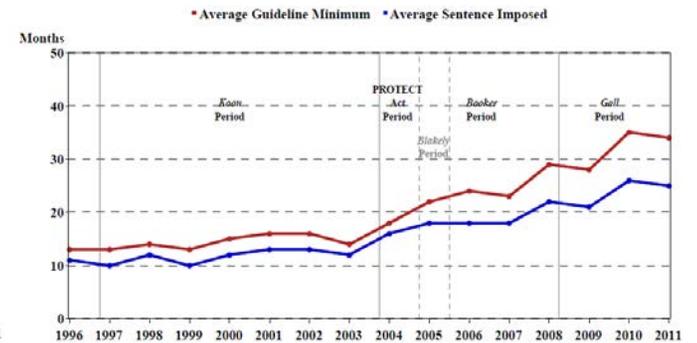
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Average Guideline Minimum and Sentence Imposed
Second Circuit - Fraud Offenses
Fiscal Years 1996-2011



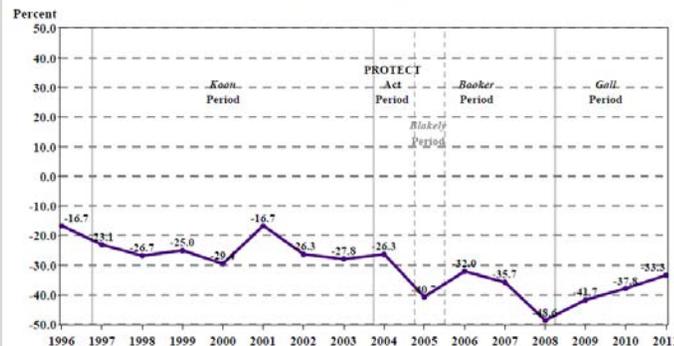
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

Average Guideline Minimum and Sentence Imposed
Third Circuit - Fraud Offenses
Fiscal Years 1996-2011



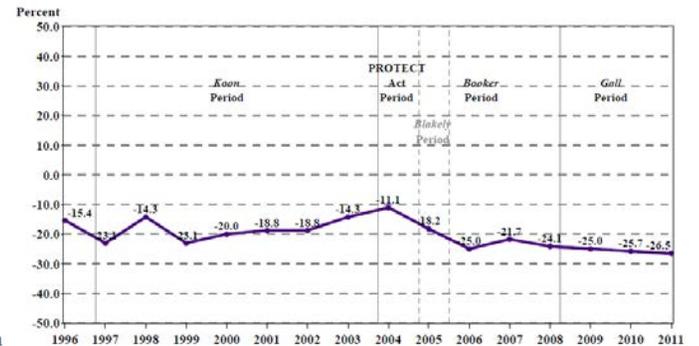
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

Percent Difference Between Average Guideline Minimum and Sentence Imposed
Second Circuit - Fraud Offenses
Fiscal Years 1996-2011



SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

Percent Difference Between Average Guideline Minimum and Sentence Imposed
Third Circuit - Fraud Offenses
Fiscal Years 1996-2011

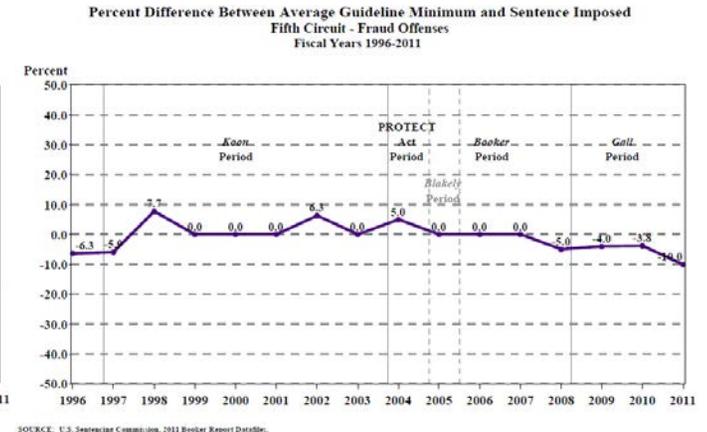
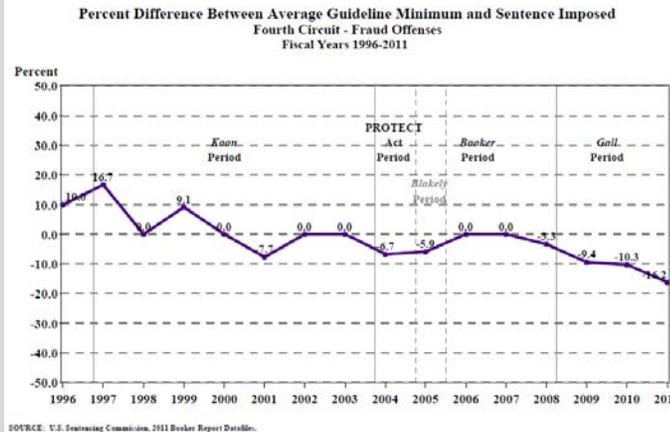
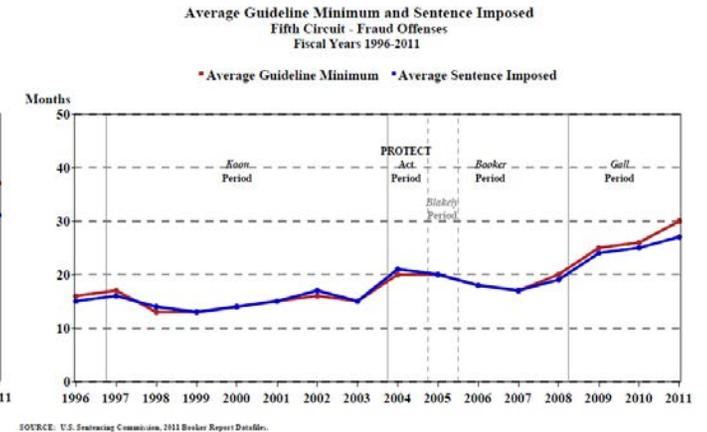
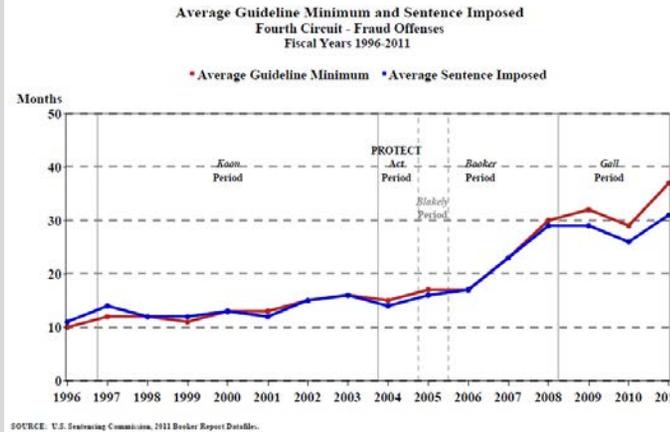


SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

CIRCUIT TREND ANALYSIS
INFLUENCE OF THE GUIDELINES

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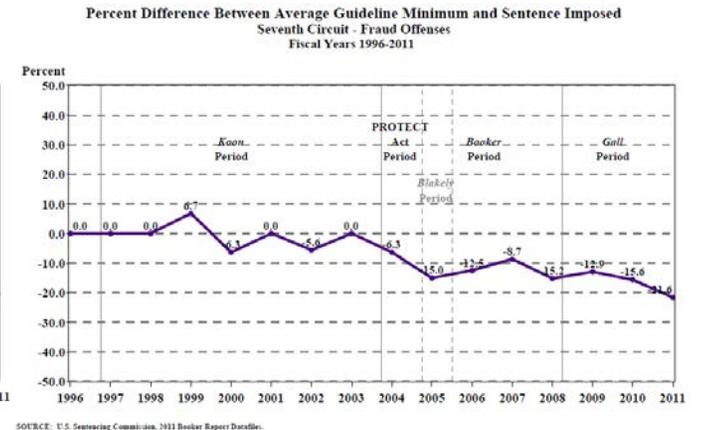
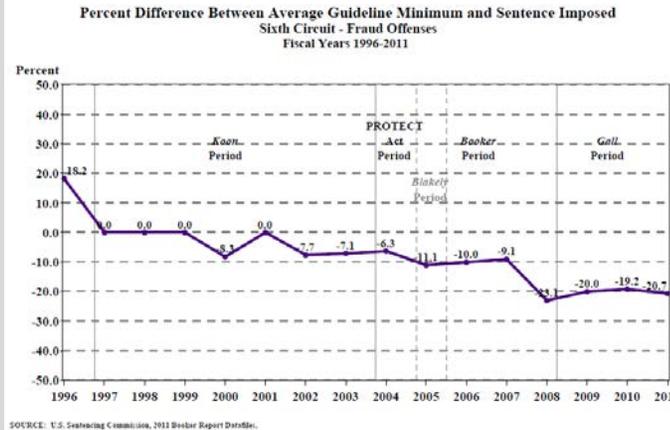
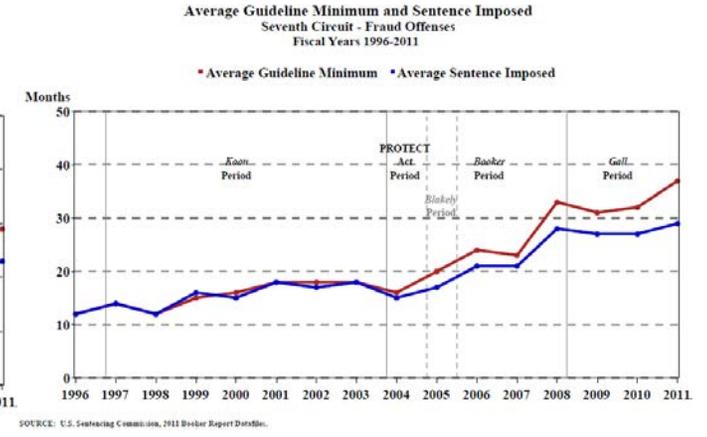
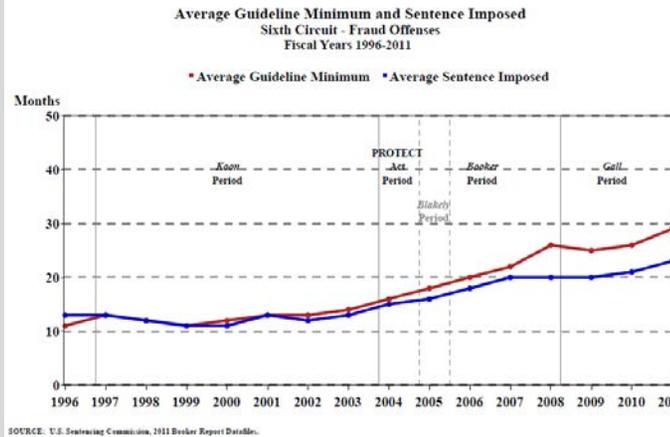
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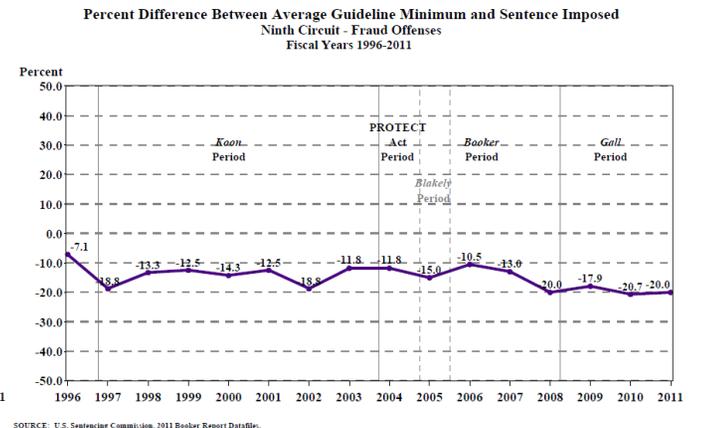
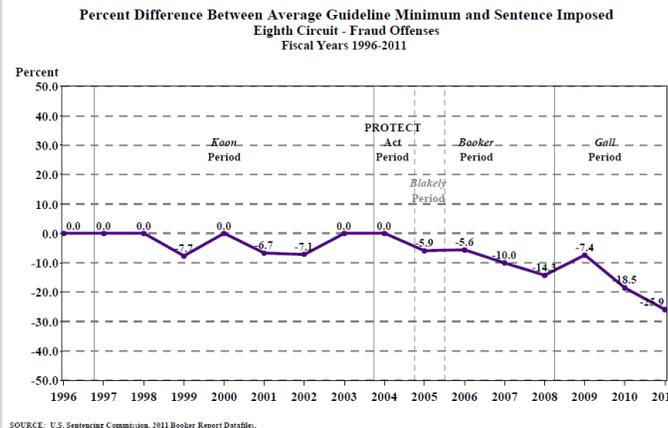
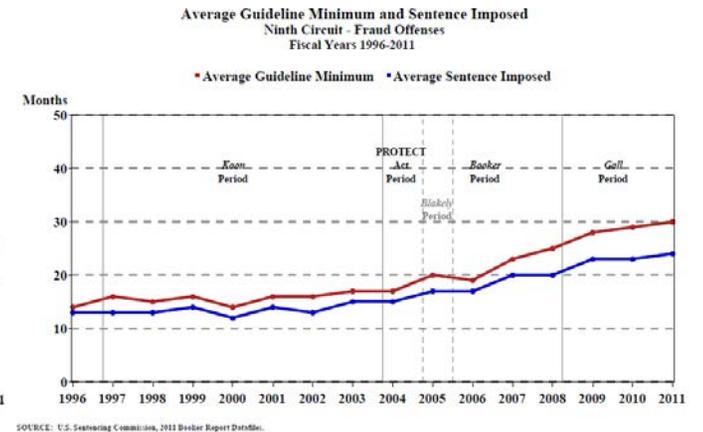
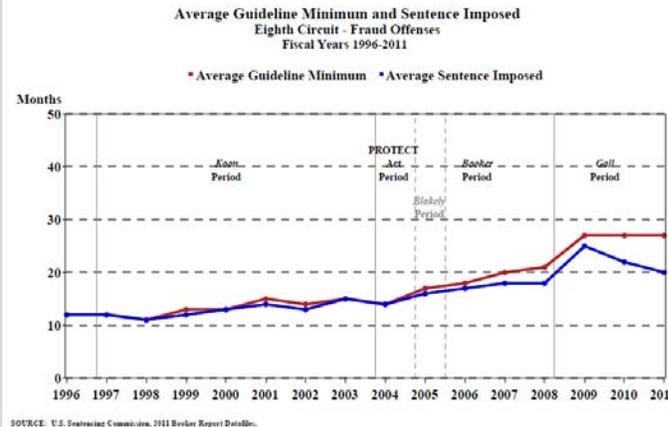
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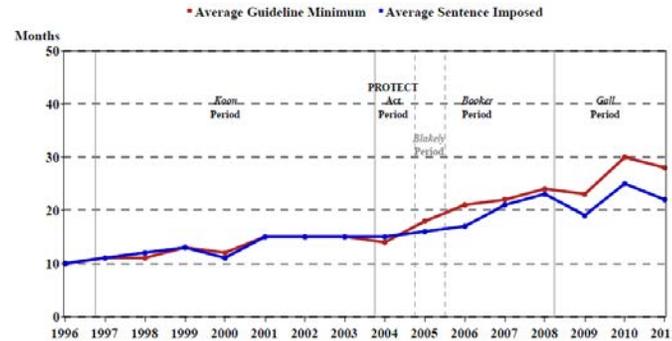


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INFLUENCE OF THE GUIDELINES

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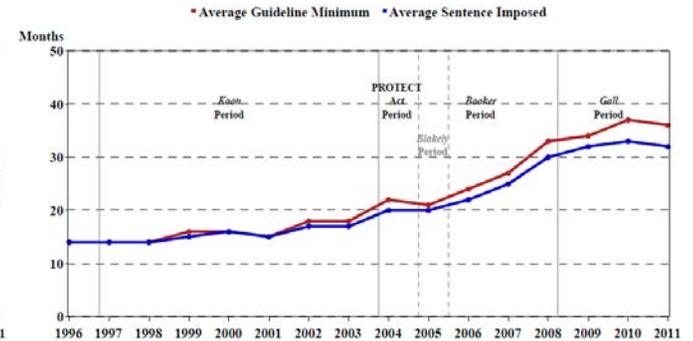
The percentage difference between the average guideline minimum and the average sentence has increased generally across circuits, but this increase has varied in degree and timing depending on the circuit. While there has been some fluctuation among the circuits, generally the influence of the guidelines appears to have diminished in fraud offenses.

Average Guideline Minimum and Sentence Imposed
 Tenth Circuit - Fraud Offenses
 Fiscal Years 1996-2011



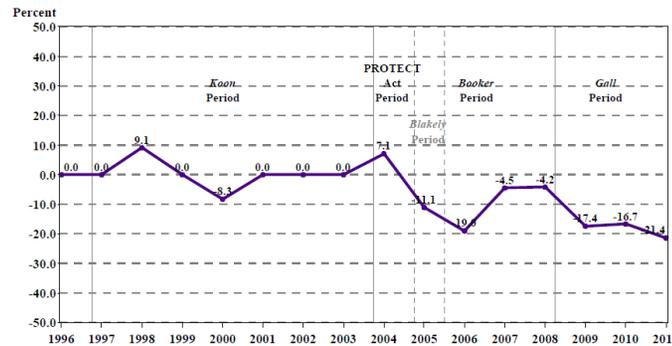
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

Average Guideline Minimum and Sentence Imposed
 Eleventh Circuit - Fraud Offenses
 Fiscal Years 1996-2011



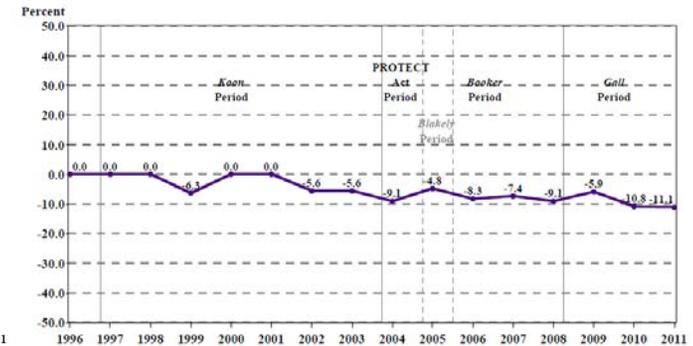
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

Percent Difference Between Average Guideline Minimum and Sentence Imposed
 Tenth Circuit - Fraud Offenses
 Fiscal Years 1996-2011



SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

Percent Difference Between Average Guideline Minimum and Sentence Imposed
 Eleventh Circuit - Fraud Offenses
 Fiscal Years 1996-2011



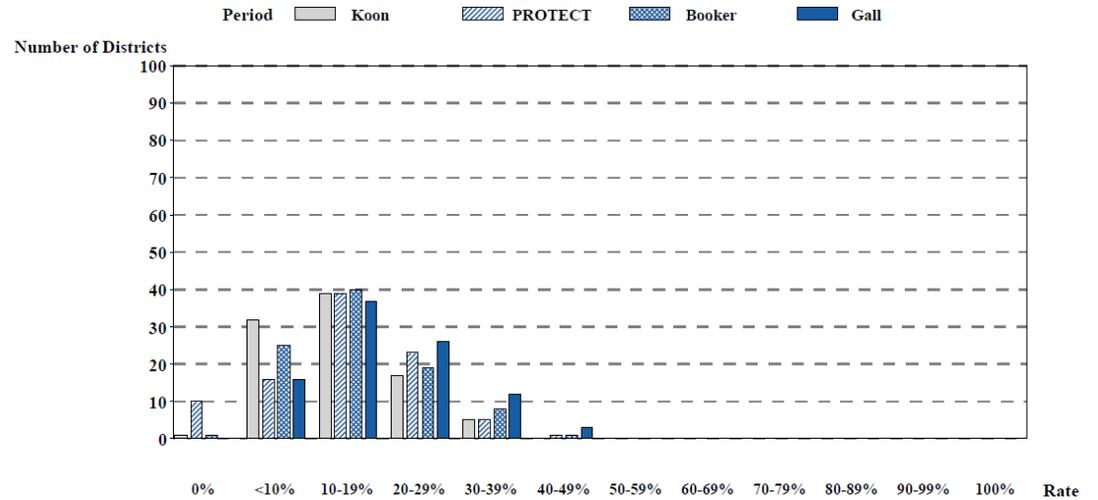
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

Most districts clustered between rates of ten and 19 percent government sponsored below range sentences during each of the periods. The districts with the highest rates of government sponsored below range sentences had rates of no more than 49 percent.

**Rate of Government Sponsored Below Range Sentences
Fraud Offenses
Koon Period through Gall Period**



SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The table lists the five districts with the highest and lowest rates of government sponsored below range sentences for each of the four periods.

Districts with the Highest and Lowest Rates of Government Sponsored Below Range Sentences Fraud Offenses
Koon Period through *Gall* Period

<i>Koon</i> Period (6/13/96 - 4/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
District	Number of Offenders	% Gov. Spon.	District	Number of Offenders	% Gov. Spon.	District	Number of Offenders	% Gov. Spon.	District	Number of Offenders	% Gov. Spon.
Districts with the Highest Rates in Each Time Period											
Eastern California	652	39.7	Eastern New York	246	40.2	New Jersey	413	40.4	Northern Iowa	91	44.0
New Jersey	915	35.2	Western North Carolina	37	37.8	Eastern New York	373	35.9	Nevada	196	41.3
Oregon	290	34.1	Arizona	79	35.4	Arizona	173	35.3	New Jersey	511	40.7
Eastern Pennsylvania	1,035	33.3	Guam	16	31.3	Maryland	181	34.3	Western North Carolina	218	38.5
Maryland	517	30.2	Delaware	26	30.8	Western Kentucky	80	33.8	Eastern New York	537	36.1
Districts with the Lowest Rates in Each Time Period											
Montana	181	5.0	Southern West Virginia	31	6.5	Hawaii	76	3.9	Western Arkansas	43	4.7
Western Wisconsin	172	4.7	Northern Oklahoma	31	6.5	Northern Iowa	52	3.8	Eastern Louisiana	245	4.5
Northern Iowa	104	3.8	Kansas	54	3.7	Rhode Island	38	2.6	Western Wisconsin	73	4.1
Alaska	117	2.6	Southern Iowa	27	3.7	South Dakota	97	2.1	Montana	123	4.1
Eastern Oklahoma	81	2.5	Eastern Wisconsin	47	2.1	Western Wisconsin	66	1.5	Maine	52	1.9

Number of Offenders refers to the total number of fraud offenders sentenced during the time period.

During the *Koon* period, one district did not impose a government sponsored below range sentence in any of the 102 fraud offenses sentenced during the period.

During the PROTECT Act period, ten districts imposed at least one sentence for a fraud offense but did not impose a government sponsored below range sentence. The total number of fraud offenders sentenced in each of those districts ranged from five to 28 offenders.

During the *Booker* period, one district did not impose a government sponsored below range sentence in any of the ten fraud offenses sentenced during the period.

SOURCE: U.S. Sentencing Commission, 2011 *Booker* Report Datafiles.

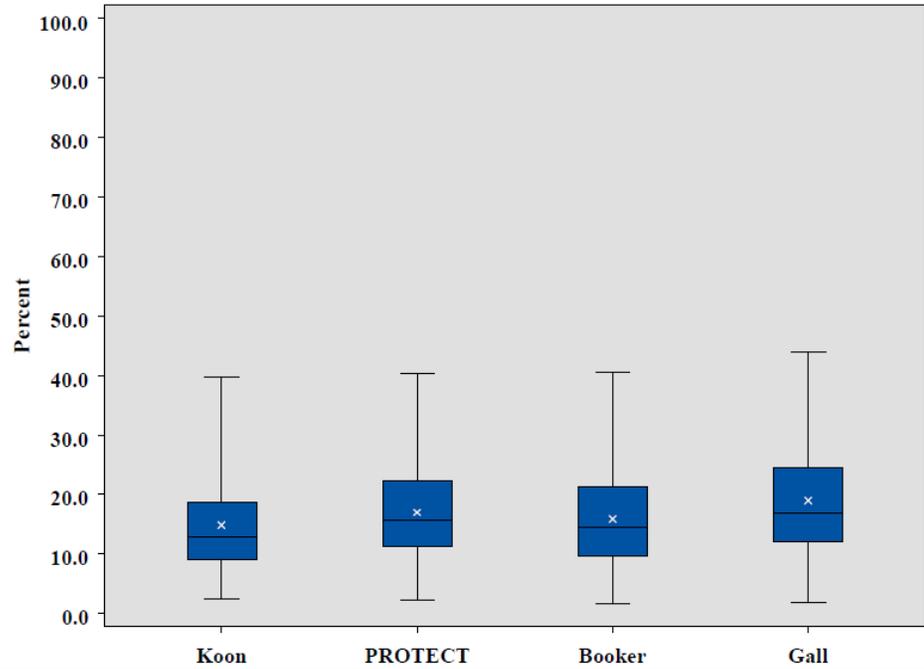
DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

This box plot reveals that the spread of government sponsored below range rates among the middle 50 percent of districts has increased over time. Moreover, as seen by the higher placement of the box along the vertical axis, the middle 50 percent of districts had slightly higher government sponsored below range rates in the *Gall* period.

**Click on chart for corresponding table.*

**Spread of Rates of Government Sponsored Below Range Sentences
Fraud Offenses
Koon Period through Gall Period**



	Koon	PROTECT	Booker	Gall
N	93.0	84.0	93.0	94.0
Min	2.5	2.1	1.5	1.9
Max	39.7	40.2	40.4	44.0
Q1	8.9	11.1	9.5	12.1
Q3	18.6	22.2	21.3	24.4
Q2	12.9	15.7	14.5	16.9
Mean	14.9	17.0	15.9	19.0

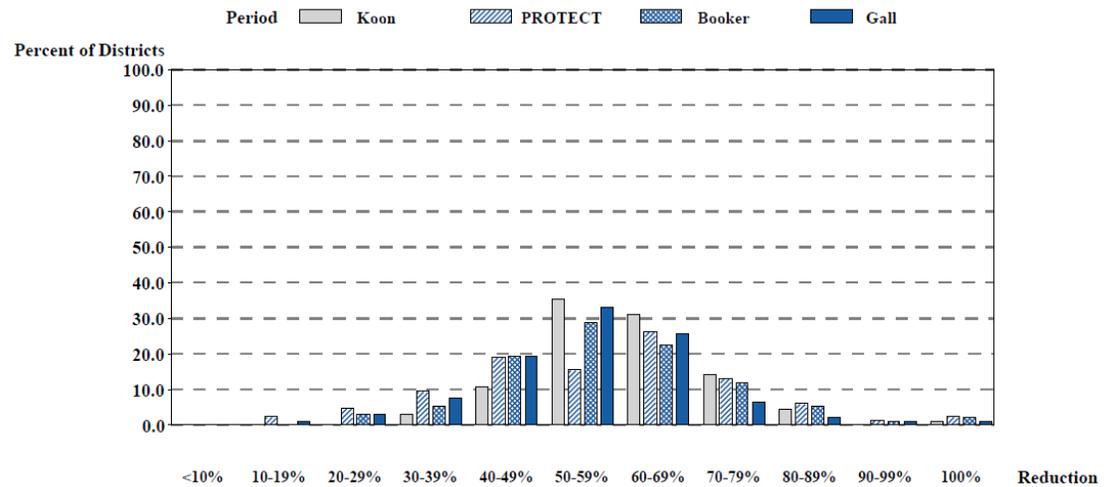
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

As illustrated by the taller bars in the middle of the graph, in the majority of districts, average reductions for government sponsored below ranges sentences were between 40 and 69 percent below the guideline minimum during all periods. There was at least one district in every period reporting a government sponsored below range sentence with 100 percent reduction below the guideline minimum. This 100 percent reduction likely reflected a reduction from a guideline range calling for a term of confinement to a sentence of probation.

**Extent of Reduction from Guideline Minimum
Government Sponsored Below Range Sentences
Fraud Offenses
Koon Period through Gall Period**



SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

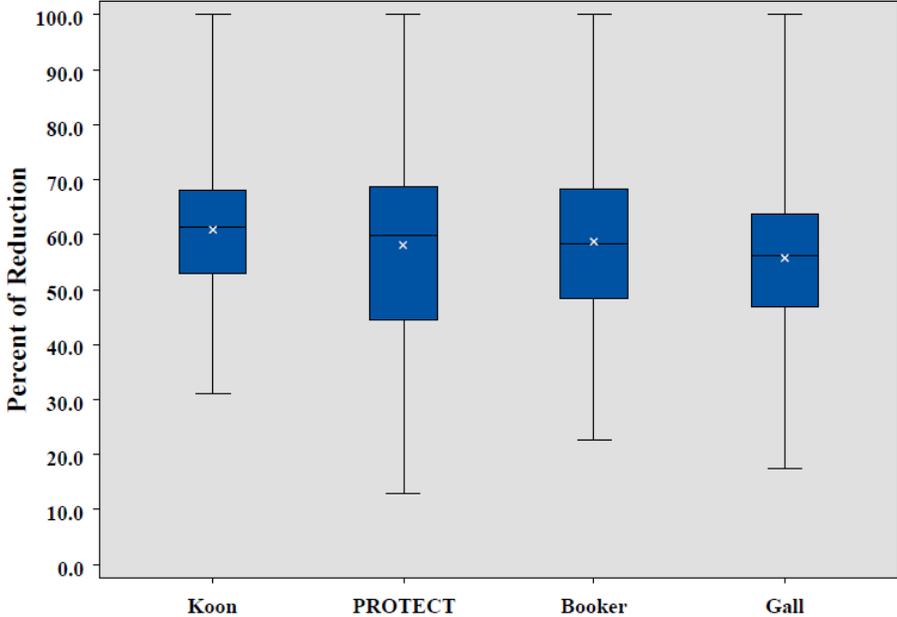


DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The box plot indicates that the spread in the extent of the reduction among the middle 50 percent of districts has decreased since the PROTECT Act period. The smaller spread in the *Gall* period compared to the *Booker* period, and the lower placement of the box along the vertical axis, indicate that the middle 50 percent of districts generally granted smaller reductions in the *Gall* period.

Spread of Average Extent of Departure Government Sponsored Below Range Sentences Fraud Offenses
Koon Period through Gall Period



	Koon	PROTECT	Booker	Gall
N	93.0	84.0	93.0	94.0
Min	31.2	13.0	22.6	17.5
Max	100.0	100.0	100.0	100.0
Q1	52.9	44.6	48.5	47.0
Q3	68.0	68.6	68.4	63.9
Q2	61.3	59.8	58.3	56.1
Mean	61.0	58.1	58.8	55.8

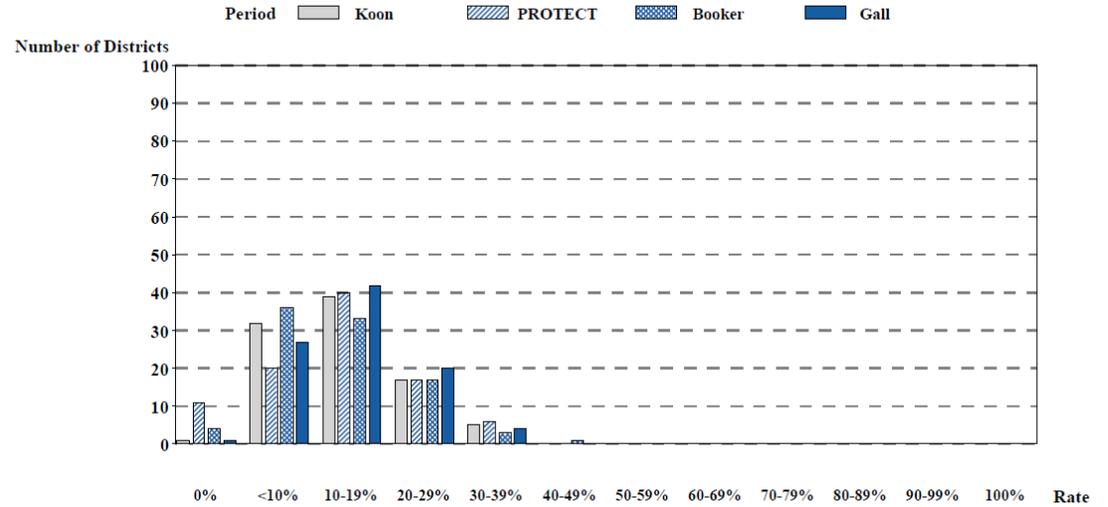
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

SUBSTANTIAL ASSISTANCE SENTENCES

Of those districts that reported below range sentences based on substantial assistance, most districts clustered around substantial assistance rates of ten to 19 percent.

**Rate of Substantial Assistance Sentences
Fraud Offenses
Koon Period through Gall Period**



SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

SUBSTANTIAL ASSISTANCE SENTENCES

The table lists the five districts with the highest and lowest rates of substantial assistance sentences for each of the four periods.

**Districts with the Highest and Lowest Rates of Substantial Assistance Sentences
Fraud Offenses
Koon Period through Gall Period**

<i>Koon</i> Period (6/13/96 - 4/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
District	Number of Offenders	% Subst. Assist.	District	Number of Offenders	% Subst. Assist.	District	Number of Offenders	% Subst. Assist.	District	Number of Offenders	% Subst. Assist.
Districts with the Highest Rates in Each Time Period											
Eastern California	652	39.7	Western North Carolina	37	37.8	New Jersey	413	40.0	New Jersey	511	38.2
New Jersey	915	35.2	Eastern New York	246	34.1	Eastern New York	373	33.2	Western North Carolina	218	34.4
Oregon	290	34.1	Arizona	79	32.9	Maryland	181	32.6	Eastern New York	537	33.0
Eastern Pennsylvania	1,035	33.3	Guam	16	31.3	Southern Ohio	207	30.4	Eastern Pennsylvania	448	31.0
Maryland	517	30.2	Delaware	26	30.8	Eastern Pennsylvania	424	29.2	Nevada	196	28.6
Districts with the Lowest Rates in Each Time Period											
Montana	181	5.0	Northern Oklahoma	31	6.5	Nebraska	95	3.2	North Dakota	34	2.9
Western Wisconsin	172	4.7	Western Missouri	51	5.9	Southern Iowa	67	3.0	Western Arkansas	43	2.3
Northern Iowa	104	3.8	Western Oklahoma	37	5.4	North Dakota	37	2.7	Northern West Virginia	45	2.2
Alaska	117	2.6	Kansas	54	3.7	Rhode Island	38	2.6	Maine	52	1.9
Eastern Oklahoma	81	2.5	Southern Iowa	27	3.7	South Dakota	97	2.1	Nebraska	125	0.8

Number of Offenders refers to the total number of fraud offenders sentenced during the time period.

During the *Koon* period, one district did not impose a substantial assistance sentence in any of the 102 fraud offenses sentenced during the period.

During the PROTECT Act period, one additional district imposed a substantial assistance sentence in 6.5 percent of fraud offenses (Southern West Virginia, N=31). Eleven districts imposed at least one sentence for a fraud offense but did not impose a substantial assistance sentence. The total number of fraud offenders sentenced in each of those districts ranged from five to 47 offenders.

During the *Booker* period, four districts imposed at least one sentence for a fraud offense, but did not impose a substantial assistance sentence. The total number of fraud offenders sentenced in each of those districts ranged from 10 to 66 offenders.

During the *Gall* period, one district did not impose a substantial assistance sentence in any of the nine fraud offenses sentenced during the period.

SOURCE: U.S. Sentencing Commission, 2011 *Booker* Report Datafiles.



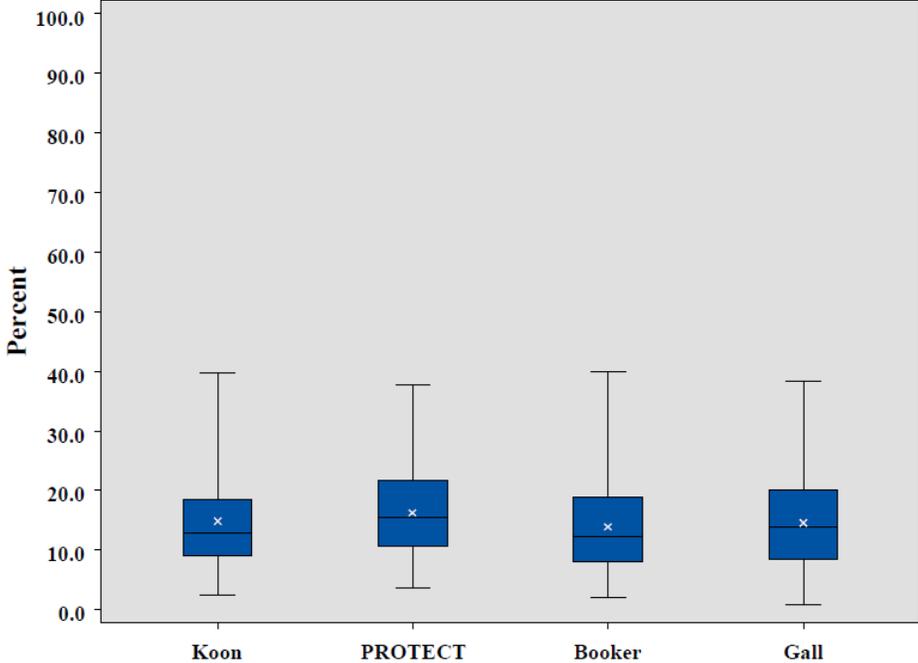
DISTRICT TREND ANALYSIS

SUBSTANTIAL ASSISTANCE SENTENCES

The box plot indicates that the spread in the rates of substantial assistance sentences among the middle 50 percent of districts was greatest in the *Gall* period. Neither the average rates nor the spread in the rates among the middle 50 percent of districts changed substantially between the *Booker* and *Gall* periods.

**Click on chart for corresponding table.*

**Spread of Rates of Substantial Assistance Sentences
Fraud Offenses
Koon Period through Gall Period**



	Koon	PROTECT	Booker	Gall
N	93.0	83.0	90.0	93.0
Min	2.5	3.7	2.1	0.8
Max	39.7	37.8	40.0	38.2
Q1	8.9	10.5	8.1	8.5
Q3	18.5	21.7	19.0	20.0
Q2	12.9	15.4	12.2	13.9
Mean	14.8	16.3	13.9	14.5

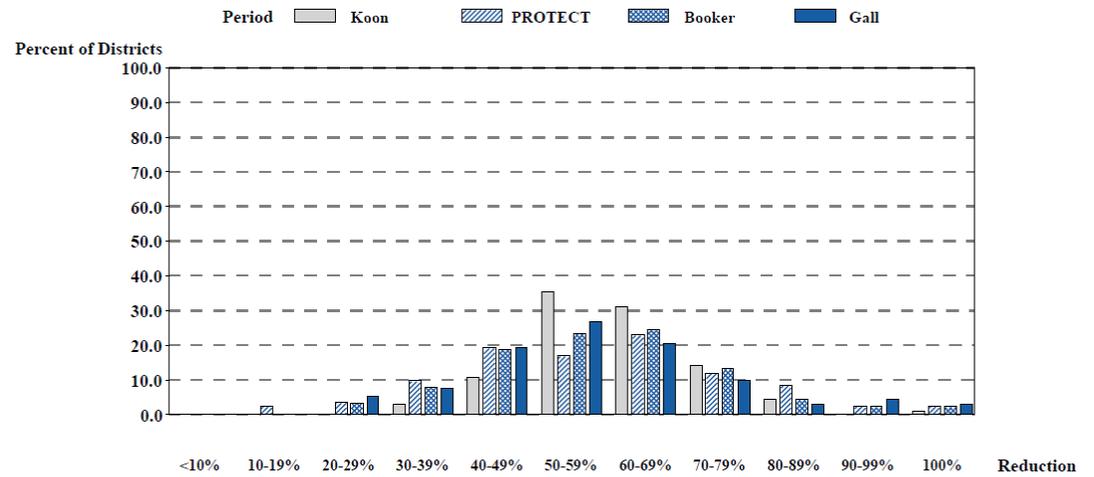
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

SUBSTANTIAL ASSISTANCE SENTENCES

The bar graph illustrates the extent of the reduction from the guideline minimum in substantial assistance sentences for fraud offenses. Across the four periods, most districts have clustered at reductions of between 50 and 69 percent below the guideline minimum.

**Extent of Reduction from Guideline Minimum
Substantial Assistance Sentences
Fraud Offenses
Koon Period through Gall Period**



SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

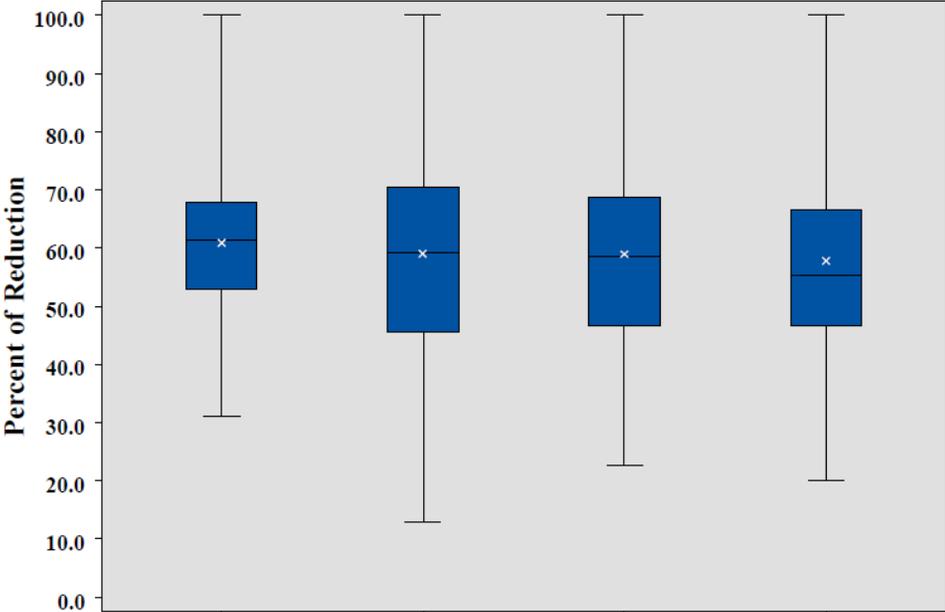


DISTRICT TREND ANALYSIS

SUBSTANTIAL ASSISTANCE SENTENCES

The spread in the average extent of the reduction among the middle 50 percent of districts has decreased since the PROTECT Act period. Both the mean and median reductions have also decreased since the PROTECT Act period and were lowest in the *Gall* period.

**Spread of Average Extent of Departure
Substantial Assistance Sentences
Fraud Offenses
Koon Period through Gall Period**



	Koon	PROTECT	Booker	Gall
N	93.0	83.0	90.0	93.0
Min	31.2	13.0	22.6	20.0
Max	100.0	100.0	100.0	100.0
Q1	52.9	45.5	46.6	46.7
Q3	67.9	70.5	68.6	66.4
Q2	61.4	59.3	58.5	55.3
Mean	60.9	59.1	59.0	57.8

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

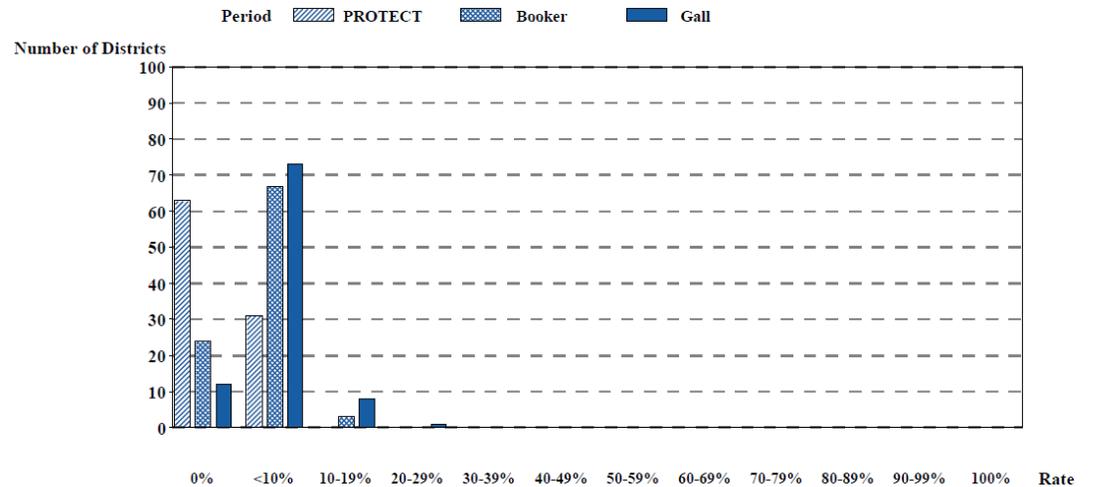
DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

Of those districts that reported other government sponsored below range sentences, the majority had rates of less than ten percent.

During the *Koon* period, except for substantial assistance motions by the government, the Commission did not differentiate between court-sponsored and other types of government-sponsored below range sentences. Although during the *Koon* period, courts were imposing below range sentences at the request of the government for reasons other than substantial assistance, the Commission reported those sentences as non-government sponsored. Accordingly, there are no reported other government sponsored below range sentences for the *Koon* period.

**Rate of Other Government Sponsored Below Range Sentences
Fraud Offenses
PROTECT Act Period through Gall Period**



Data on other government sponsored below range sentences is unavailable for the Koon period.
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The table lists the five districts with the highest and lowest rates of other government sponsored below range sentences for each of the three periods for which data was available.

**Districts with the Highest and Lowest Rates of Other Government Sponsored Below Range Sentences
Fraud Offenses
Koon Period through Gall Period**

Koon Period (6/13/96 - 4/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			Booker Period (1/12/05 - 12/10/07)			Gall Period (12/11/07-9/30/11)		
District	Number of Offenders	% Oth Gov. Spon.	District	Number of Offenders	% Oth Gov. Spon.	District	Number of Offenders	% Oth Gov. Spon.	District	Number of Offenders	% Oth Gov. Spon.
Districts with the Highest Rates in Each Time Period											
			Connecticut	59	8.5	Nebraska	95	11.6	Alaska	35	20.0
			Eastern New York	246	6.1	Wyoming	26	11.5	Western Washington	330	18.8
			Southern Alabama	19	5.3	Northern California	192	10.4	New Mexico	54	16.7
			Southern California	60	5.0	Alaska	42	9.5	Oregon	145	15.9
			New Hampshire	21	4.8	Western Kentucky	80	8.8	Eastern Texas	299	15.4
Districts with the Lowest Rates in Each Time Period											
			Central California	132	0.8	Northern Indiana	157	0.6	Western Michigan	142	0.7
			New Jersey	180	0.6	Middle Pennsylvania	186	0.5	Southern Georgia	161	0.6
			Northern Texas	187	0.5	Western New York	194	0.5	Eastern Kentucky	170	0.6
			Northern Illinois	291	0.3	New Jersey	413	0.5	Western Pennsylvania	205	0.5
			Southern New York	314	0.3	Southern Texas	224	0.4	Northern Alabama	207	0.5

Number of Offenders refers to the total number of fraud offenders sentenced during the time period. Data on other government sponsored below range sentences is unavailable for the Koon period.

During the PROTECT Act period, 63 districts imposed at least one sentence for a fraud offense but did not impose an other government sponsored below range sentence. The total number of fraud offenders sentenced in each of those districts ranged from five to 280 offenders.

During the Booker period, 24 districts imposed at least one sentence for a fraud offense but did not impose an other government sponsored below range sentence. The total number of fraud offenders sentenced in each of those districts ranged from 10 to 229 offenders.

During the Gall period, 12 districts imposed at least one sentence for a fraud offense but did not impose an other government sponsored below range sentence. The total number of fraud offenders sentenced in each of those districts ranged from five to 279 offenders.

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

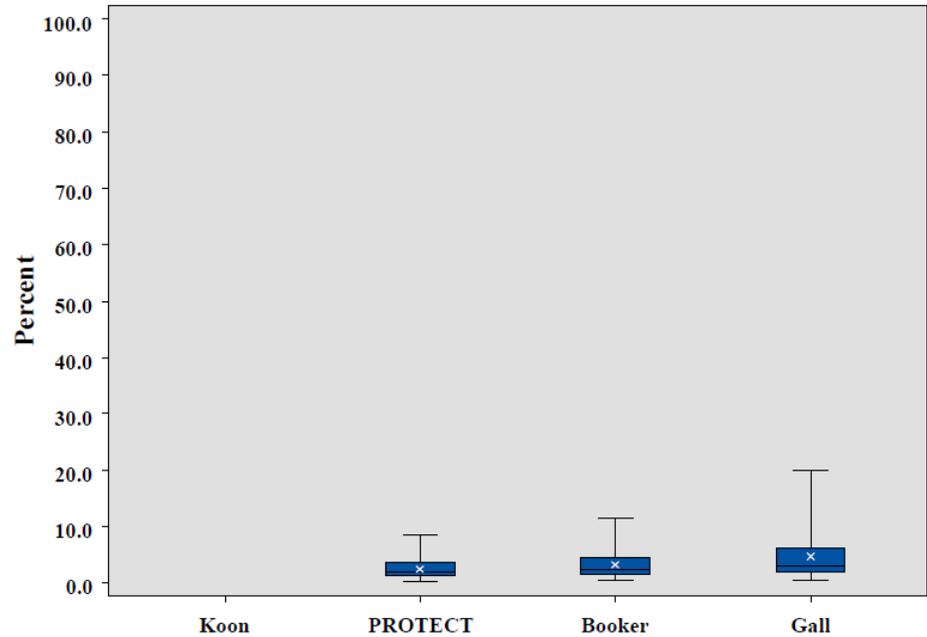
DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The box plot indicates that the number of districts reporting other government sponsored below range sentences has increased from the PROTECT Act period to the *Gall* period. With more districts reporting such sentences, the spread among the middle 50 percent of districts has increased slightly. As illustrated by the placement of the boxes along the vertical axis, the average rates among the middle 50 percent of districts have also increased slightly.

**Click on chart for corresponding table.*

**Spread of Rates of Other Government Sponsored Below Range Sentences
Fraud Offenses
Koon Period through Gall Period**



	Koon	PROTECT	Booker	Gall
N		31.0	70.0	82.0
Min		0.3	0.4	0.5
Max		8.5	11.6	20.0
Q1		1.3	1.5	2.0
Q3		3.7	4.6	6.2
Q2		1.9	2.5	3.0
Mean		2.5	3.3	4.7

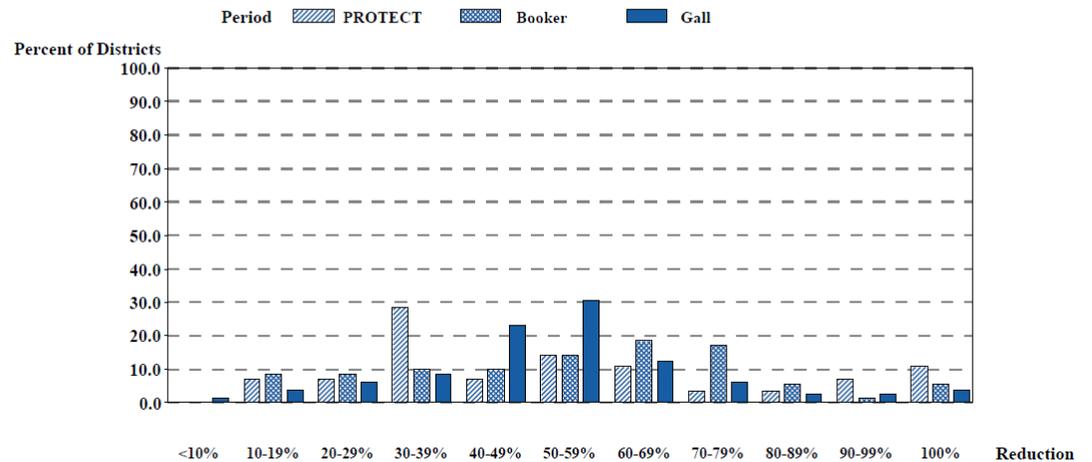
Data on other government sponsored below range sentences is unavailable for the Koon period.
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The bar graph indicates that the average extent of the reduction below the guideline minimum ranged across the graph, with the largest percentage of districts in the *Gall* period granting reductions of between 40 and 59 percent below the guideline minimum.

**Extent of Reduction from Guideline Minimum
Other Government Sponsored Below Range Sentences
Fraud Offenses
PROTECT Act Period through Gall Period**



Data on other government sponsored below range sentences is unavailable for the Koon period.
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

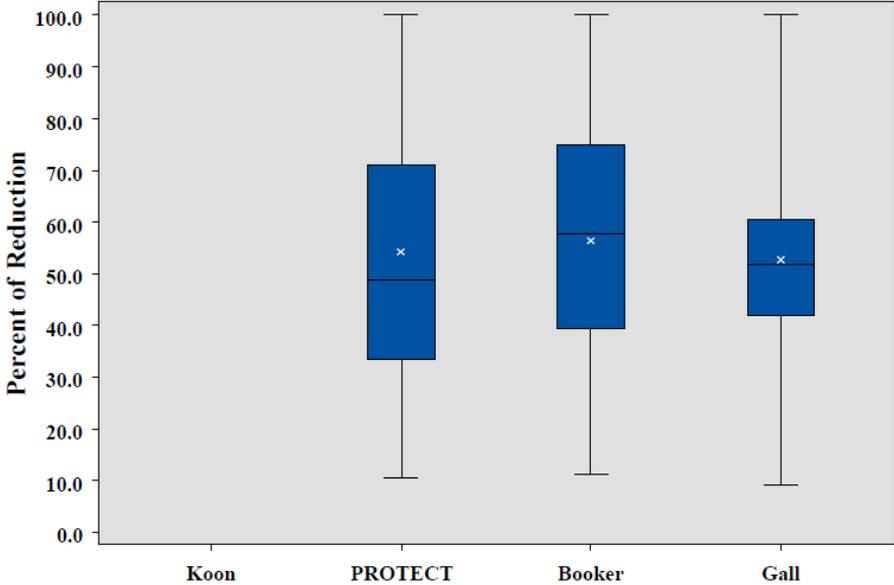


DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The box plot illustrates that, while more districts have reported other government sponsored below range sentences in fraud offenses in the *Booker* and *Gall* periods, the spread in the extent of the reduction in the middle 50 percent of districts has decreased.

**Spread of Average Extent of Departure
Other Government Sponsored Below Range Sentences
Fraud Offenses
Koon Period through Gall Period**



	Koon	PROTECT	Booker	Gall
N		28.0	70.0	82.0
Min		10.6	11.1	9.1
Max		100.0	100.0	100.0
Q1		33.3	39.4	41.9
Q3		70.8	74.9	60.6
Q2		48.9	57.7	51.7
Mean		54.2	56.4	52.7

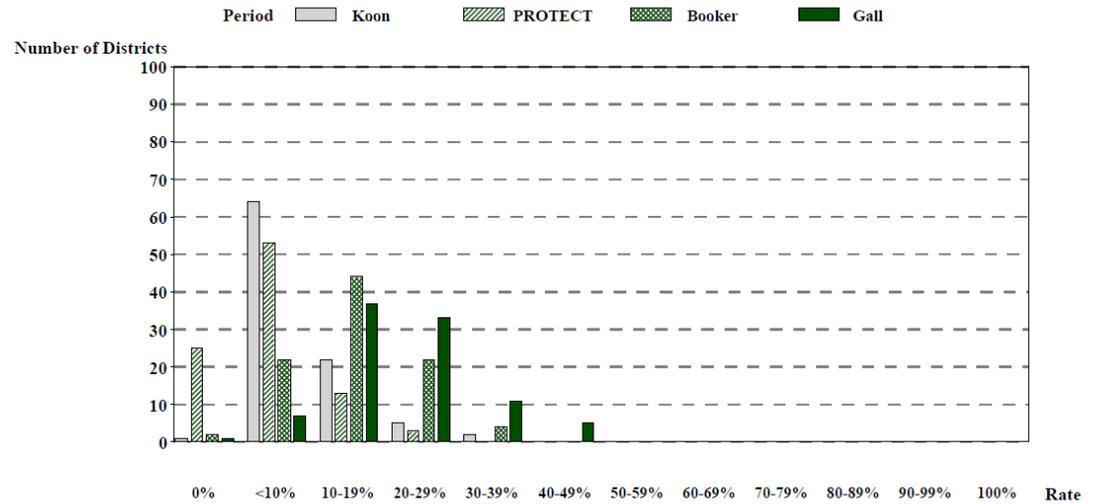
Data on other government sponsored below range sentences is unavailable for the Koon period.
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

Of those districts that reported non-government sponsored below range sentences, most districts had rates of less than ten percent during the *Koon* and PROTECT Act periods. During the *Booker* and *Gall* periods, however, most districts had higher non-government sponsored below range rates.

**Rate of Non-Government Sponsored Below Range Sentences
Fraud Offenses
Koon Period through Gall Period**



SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The table lists the five districts with the highest and lowest rates of non-government sponsored below range sentences for each of the four periods.

**Districts with the Highest and Lowest Rates of Non-Government Sponsored Below Range Sentences
Fraud Offenses
Koon Period through Gall Period**

Koon Period (6/13/96 - 4/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			Booker Period (1/12/05 - 12/10/07)			Gall Period (12/11/07-9/30/11)		
District	Number of Offenders	% Non-Gov. Spon.	District	Number of Offenders	% Non-Gov. Spon.	District	Number of Offenders	% Non-Gov. Spon.	District	Number of Offenders	% Non-Gov. Spon.
Districts with the Highest Rates in Each Time Period											
Connecticut	311	37.9	Connecticut	59	25.4	Vermont	32	37.5	Delaware	54	46.3
Vermont	120	30.0	Western Washington	85	22.4	Delaware	39	33.3	Vermont	40	45.0
Montana	181	25.4	Northern New York	52	21.2	Eastern Wisconsin	142	31.0	Guam	25	44.0
Southern California	579	24.7	Guam	16	18.8	Massachusetts	136	30.1	Southern New York	868	43.2
Idaho	99	24.2	Southern Iowa	27	18.5	Rhode Island	38	28.9	Northern Illinois	554	42.1
Districts with the Lowest Rates in Each Time Period											
South Carolina	1,012	2.3	Middle Pennsylvania	62	1.6	Eastern Oklahoma	19	5.3	North Dakota	34	8.8
Guam	50	2.0	Western Tennessee	70	1.4	Middle Alabama	42	4.8	Eastern Texas	299	7.7
Northern West Virginia	64	1.6	Nevada	78	1.3	Southern Georgia	88	4.5	Southern Georgia	161	6.8
Virgin Islands	73	1.4	Eastern California	134	0.7	Middle Georgia	78	3.8	Northern Mississippi	69	5.8
Middle North Carolina	228	1.3	South Carolina	280	0.4	Northern Mississippi	59	3.4	Northern Iowa	91	3.3

Number of Offenders refers to the total number of fraud offenders sentenced during the time period.

During the *Koon* period, one district did not impose a non-government sponsored below range sentence in any of the eight fraud offenses sentenced during the period.

During the PROTECT Act period, 25 districts imposed at least one sentence for a fraud offense but did not impose a non-government sponsored below range sentence. The total number of fraud offenders sentenced in each of those districts ranged from five to 89 offenders.

During the *Booker* period, two districts imposed at least one sentence for a fraud offense, but did not impose a non-government sponsored below range sentence. The total number of fraud offenders sentenced in each of those districts ranged from ten to 20 offenders.

During the *Gall* period, one district did not impose a non-government sponsored below range sentence in any of the five fraud offenses sentenced during the period.

SOURCE: U.S. Sentencing Commission, 2011 *Booker* Report Datafiles.



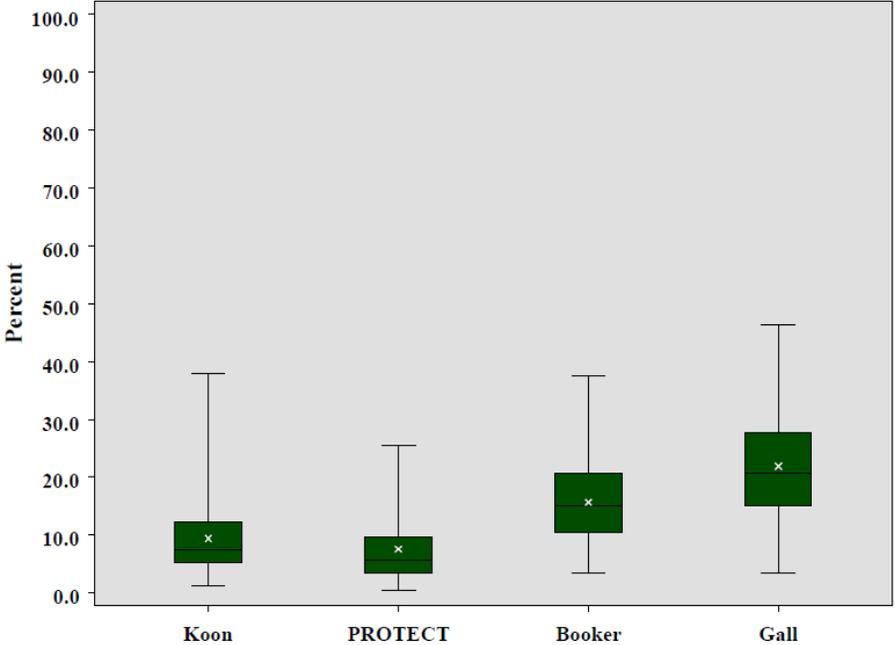
DISTRICT TREND ANALYSIS

NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

As illustrated by the increased size and higher placement of the boxes since the PROTECT Act period, the box plot indicates both increased spread in rates, and higher rates of non-government sponsored below range sentences among the middle 50 percent of districts over time.

**Click on chart for corresponding table.*

**Spread of Rates of Non-Government Sponsored Below Range Sentences Fraud Offenses
Koon Period through Gall Period**



	Koon	PROTECT	Booker	Gall
N	93.0	69.0	92.0	93.0
Min	1.3	0.4	3.4	3.3
Max	37.9	25.4	37.5	46.3
Q1	5.3	3.5	10.5	15.1
Q3	12.2	9.5	20.7	27.7
Q2	7.5	5.6	14.9	20.7
Mean	9.4	7.6	15.7	21.9

SOURCE: U.S. Sentencing Commission. 2011 Booker Report Datafiles.

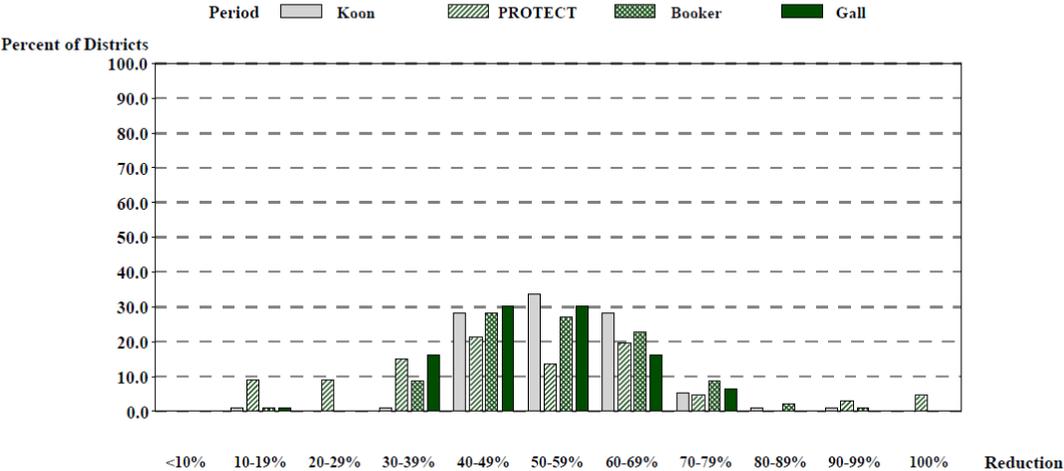


DISTRICT TREND ANALYSIS

NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

Districts tended to cluster around reductions of between 40 and 69 percent below the guideline minimum for non-government sponsored below range sentences. Only a small number of districts averaged reductions of less than 40 percent below the guideline minimum.

**Extent of Reduction from Guideline Minimum
Non-Government Sponsored Below Range Sentences
Fraud Offenses**
Koon Period through Gall Period



SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

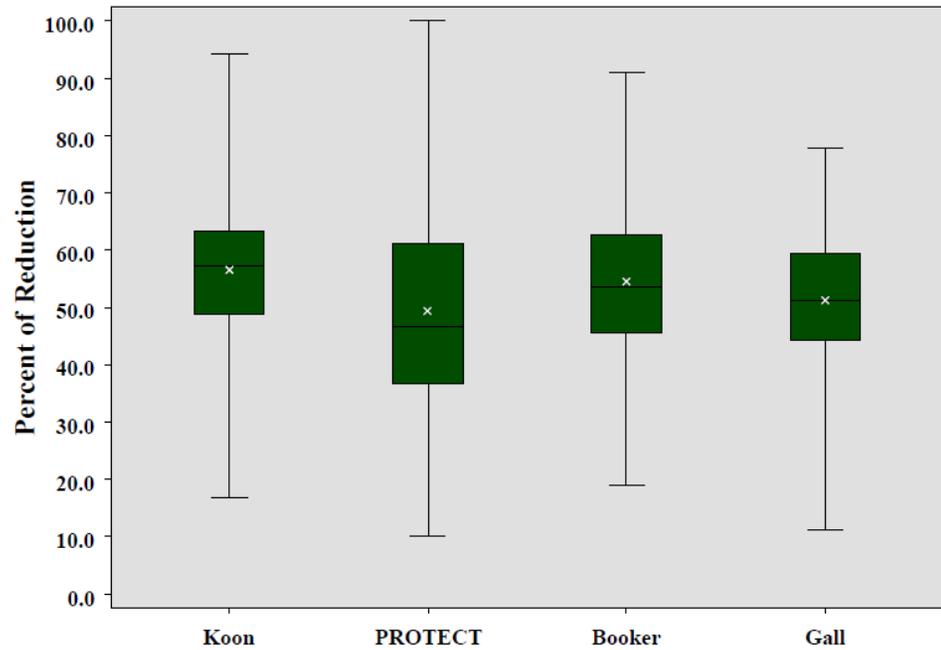
DISTRICT TREND ANALYSIS

NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

While non-government sponsored below range rates were lower during the PROTECT Act period, the spread in the average reduction was greatest during that period.

The spread among the middle 50 percent of districts in the *Booker* period was smaller than during the PROTECT Act period. However, the higher placement of the box along the vertical axis indicates generally higher average reductions in the *Booker* period.

**Spread of Average Extent of Departure
Non-Government Sponsored Below Range Sentences
Fraud Offenses
Koon Period through Gall Period**



	Koon	PROTECT	Booker	Gall
N	92.0	66.0	92.0	93.0
Min	16.7	10.0	19.0	11.1
Max	94.2	100.0	90.9	77.8
Q1	48.8	36.6	45.5	44.3
Q3	63.2	61.2	62.6	59.3
Q2	57.1	46.7	53.5	51.1
Mean	56.6	49.4	54.6	51.3

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

Appendix: Fraud Offenses

I. OVERVIEW

- ❖ National Distribution of All Offenses by Circuit and District
- ❖ National Distribution of Selected Offenses by Circuit and District
- ❖ Proportion of the Caseload for Each Circuit and District for Selected Offenses

II. SENTENCE POSITION RELATIVE TO THE GUIDELINE RANGE

- ❖ Within Range Rates by Circuit and District
- ❖ Above Range Rates by Circuit and District
- ❖ Government Sponsored Below Range Rates by Circuit and District
 - *§5K1.1 Substantial Assistance Sentences*
 - *§5K3.1 Early Disposition Program Sentences*
 - *Other Government Sponsored Below Range Sentences*
- ❖ Non-Government Sponsored Below Range Sentences by Circuit and District
- ❖ Average Guideline Minimum and Length of Imprisonment by Circuit and District

III. BOX PLOTS: BELOW RANGE RATES BY DISTRICT

- ❖ Government Sponsored Below Range Rates
 - *Koon* Period
 - PROTECT Act Period
 - *Booker* Period
 - *Gall* Period
- ❖ *§5K1.1 Substantial Assistance Rates*
 - *Koon* Period
 - PROTECT Act Period
 - *Booker* Period
 - *Gall* Period
- ❖ *Other Government Sponsored Below Range Sentences*
 - PROTECT Act Period
 - *Booker* Period
 - *Gall* Period
- ❖ Non-Government Sponsored Below Range Rates
 - *Koon* Period
 - PROTECT Act Period
 - *Booker* Period
 - *Gall* Period

**National Distribution of Offenses by Circuit and District
Fiscal Year 2011**

CIRCUIT District	All Offenses	
	N	%
TOTAL	76,216	100.0
D.C. CIRCUIT	345	0.5
District of Columbia	345	0.5
FIRST CIRCUIT	2,135	2.8
Maine	193	0.3
Massachusetts	538	0.7
New Hampshire	201	0.3
Puerto Rico	994	1.3
Rhode Island	209	0.3
SECOND CIRCUIT	4,308	5.7
Connecticut	335	0.4
New York		
Eastern	1,094	1.4
Northern	515	0.7
Southern	1,493	2.0
Western	714	0.9
Vermont	157	0.2
THIRD CIRCUIT	2,862	3.8
Delaware	112	0.1
New Jersey	787	1.0
Pennsylvania		
Eastern	957	1.3
Middle	489	0.6
Western	457	0.6
Virgin Islands	60	0.1
FOURTH CIRCUIT	5,740	7.5
Maryland	784	1.0
North Carolina		
Eastern	780	1.0
Middle	524	0.7
Western	542	0.7
South Carolina	1,011	1.3
Virginia		
Eastern	1,146	1.5
Western	363	0.5
West Virginia		
Northern	283	0.4
Southern	307	0.4

National Distribution of Offenses by Circuit and District (cont.)

CIRCUIT District	All Offenses	
	N	%
FIFTH CIRCUIT	17,801	23.4
Louisiana		
Eastern	340	0.4
Middle	134	0.2
Western	270	0.4
Mississippi		
Northern	181	0.2
Southern	299	0.4
Texas		
Eastern	988	1.3
Northern	898	1.2
Southern	8,158	10.7
Western	6,533	8.6
SIXTH CIRCUIT	5,329	7.0
Kentucky		
Eastern	585	0.8
Western	358	0.5
Michigan		
Eastern	810	1.1
Western	452	0.6
Ohio		
Northern	610	0.8
Southern	706	0.9
Tennessee		
Eastern	894	1.2
Middle	319	0.4
Western	595	0.8
SEVENTH CIRCUIT	2,931	3.8
Illinois		
Central	353	0.5
Northern	868	1.1
Southern	324	0.4
Indiana		
Northern	436	0.6
Southern	279	0.4
Wisconsin		
Eastern	487	0.6
Western	184	0.2
EIGHTH CIRCUIT	4,661	6.1
Arkansas		
Eastern	316	0.4
Western	313	0.4
Iowa		
Northern	516	0.7
Southern	386	0.5
Minnesota	438	0.6
Missouri		
Eastern	810	1.1
Western	639	0.8
Nebraska	544	0.7
North Dakota	271	0.4
South Dakota	428	0.6

National Distribution of Offenses by Circuit and District (cont.)

CIRCUIT District	All Offenses	
	N	%
NINTH CIRCUIT	17,291	22.7
Alaska	138	0.2
Arizona	7,558	9.9
California		
Central	1,712	2.2
Eastern	1,009	1.3
Northern	676	0.9
Southern	3,199	4.2
Guam	49	0.1
Hawaii	196	0.3
Idaho	338	0.4
Montana	305	0.4
Nevada	625	0.8
Northern Mariana Islands	7	0.0
Oregon	516	0.7
Washington		
Eastern	353	0.5
Western	610	0.8
TENTH CIRCUIT	6,372	8.4
Colorado	622	0.8
Kansas	653	0.9
New Mexico	3,104	4.1
Oklahoma		
Eastern	103	0.1
Northern	192	0.3
Western	375	0.5
Utah	992	1.3
Wyoming	331	0.4
ELEVENTH CIRCUIT	6,441	8.5
Alabama		
Middle	227	0.3
Northern	428	0.6
Southern	421	0.6
Florida		
Middle	1,515	2.0
Northern	363	0.5
Southern	2,027	2.7
Georgia		
Middle	368	0.5
Northern	649	0.9
Southern	443	0.6

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

National Distribution of Selected Offenses by Circuit and District
Fiscal Year 2011

CIRCUIT	TOTAL	Firearms Offenses		Fraud Offenses		Alien Smuggling Offenses		Illegal Entry Offenses		Drug Trafficking Offenses		Child Pornography Production Offenses		Child Pornography Non-Production Offenses	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	76,191	5,896	7.7	5,898	7.7	2,546	3.3	21,264	27.9	24,502	32.2	226	0.3	1,632	2.1
D.C. CIRCUIT	345	16	0.3	50	0.8	3	0.1	15	0.1	133	0.5	2	0.9	11	0.7
District of Columbia	345	16	0.3	50	0.8	3	0.1	15	0.1	133	0.5	2	0.9	11	0.7
FIRST CIRCUIT	2,134	190	3.2	240	4.1	16	0.6	114	0.5	1,129	4.6	10	4.4	39	2.4
Maine	193	39	0.7	17	0.3	2	0.1	4	0.0	70	0.3	1	0.4	8	0.5
Massachusetts	538	61	1.0	85	1.4	5	0.2	44	0.2	192	0.8	1	0.4	16	1.0
New Hampshire	201	26	0.4	25	0.4	0	0.0	6	0.0	85	0.3	1	0.4	3	0.2
Puerto Rico	993	38	0.6	98	1.7	9	0.4	30	0.1	699	2.9	7	3.1	5	0.3
Rhode Island	209	26	0.4	15	0.3	0	0.0	30	0.1	83	0.3	0	0.0	7	0.4
SECOND CIRCUIT	4,307	245	4.2	556	9.4	48	1.9	462	2.2	1,787	7.3	14	6.2	114	7.0
Connecticut	335	48	0.8	37	0.6	0	0.0	6	0.0	164	0.7	2	0.9	5	0.3
New York															
Eastern	1,094	37	0.6	160	2.7	14	0.5	146	0.7	410	1.7	0	0.0	18	1.1
Northern	515	47	0.8	26	0.4	20	0.8	59	0.3	243	1.0	7	3.1	45	2.8
Southern	1,493	57	1.0	240	4.1	5	0.2	164	0.8	579	2.4	0	0.0	7	0.4
Western	713	36	0.6	82	1.4	7	0.3	80	0.4	309	1.3	5	2.2	35	2.1
Vermont	157	20	0.3	11	0.2	2	0.1	7	0.0	82	0.3	0	0.0	4	0.2
THIRD CIRCUIT	2,861	279	4.7	413	7.0	10	0.4	206	1.0	953	3.9	9	4.0	103	6.3
Delaware	112	24	0.4	7	0.1	0	0.0	9	0.0	27	0.1	1	0.4	6	0.4
New Jersey	787	82	1.4	134	2.3	5	0.2	33	0.2	223	0.9	0	0.0	21	1.3
Pennsylvania															
Eastern	957	100	1.7	164	2.8	2	0.1	76	0.4	328	1.3	0	0.0	23	1.4
Middle	488	22	0.4	54	0.9	2	0.1	45	0.2	177	0.7	6	2.7	15	0.9
Western	457	39	0.7	52	0.9	0	0.0	36	0.2	179	0.7	2	0.9	38	2.3
Virgin Islands	60	12	0.2	2	0.0	1	0.0	7	0.0	19	0.1	0	0.0	0	0.0
FOURTH CIRCUIT	5,730	832	14.1	596	10.1	13	0.5	484	2.3	2,229	9.1	35	15.5	141	8.6
Maryland	780	110	1.9	87	1.5	2	0.1	54	0.3	251	1.0	15	6.6	31	1.9
North Carolina															
Eastern	779	148	2.5	68	1.2	0	0.0	56	0.3	346	1.4	4	1.8	8	0.5
Middle	523	159	2.7	22	0.4	0	0.0	57	0.3	153	0.6	1	0.4	20	1.2
Western	542	69	1.2	61	1.0	2	0.1	66	0.3	182	0.7	5	2.2	7	0.4
South Carolina	1,009	172	2.9	134	2.3	4	0.2	52	0.2	401	1.6	1	0.4	23	1.4
Virginia															
Eastern	1,145	75	1.3	168	2.8	5	0.2	175	0.8	389	1.6	8	3.5	30	1.8
Western	362	23	0.4	25	0.4	0	0.0	7	0.0	197	0.8	0	0.0	10	0.6
West Virginia															
Northern	283	35	0.6	15	0.3	0	0.0	12	0.1	144	0.6	0	0.0	7	0.4
Southern	307	41	0.7	16	0.3	0	0.0	5	0.0	166	0.7	1	0.4	5	0.3

National Distribution of Selected Offenses by Circuit and District (cont.)

CIRCUIT	District	Firearms Offenses		Fraud Offenses		Alien Smuggling Offenses		Illegal Entry Offenses		Drug Trafficking Offenses		Child Pornography Production Offenses		Child Pornography Non-Production Offenses	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	17,799	707	12.0	672	11.4	1,275	50.1	7,950	37.4	4,956	20.2	20	8.8	188	11.5
Louisiana															
Eastern	340	33	0.6	58	1.0	1	0.0	19	0.1	120	0.5	0	0.0	8	0.5
Middle	134	27	0.5	29	0.5	0	0.0	16	0.1	37	0.2	0	0.0	0	0.0
Western	270	41	0.7	40	0.7	0	0.0	11	0.1	60	0.2	3	1.3	11	0.7
Mississippi															
Northern	181	32	0.5	20	0.3	0	0.0	5	0.0	65	0.3	1	0.4	18	1.1
Southern	299	23	0.4	72	1.2	3	0.1	22	0.1	77	0.3	1	0.4	5	0.3
Texas															
Eastern	987	98	1.7	93	1.6	17	0.7	82	0.4	460	1.9	1	0.4	25	1.5
Northern	897	86	1.5	80	1.4	9	0.4	142	0.7	259	1.1	7	3.1	42	2.6
Southern	8,158	182	3.1	120	2.0	938	36.8	4,656	21.9	1,735	7.1	3	1.3	24	1.5
Western	6,533	185	3.1	160	2.7	307	12.1	2,997	14.1	2,143	8.7	4	1.8	55	3.4
SIXTH CIRCUIT	5,324	847	14.4	579	9.8	14	0.5	416	2.0	1,946	7.9	23	10.2	181	11.1
Kentucky															
Eastern	585	55	0.9	51	0.9	0	0.0	22	0.1	259	1.1	6	2.7	19	1.2
Western	358	27	0.5	52	0.9	0	0.0	21	0.1	158	0.6	0	0.0	10	0.6
Michigan															
Eastern	810	126	2.1	97	1.6	2	0.1	104	0.5	243	1.0	4	1.8	35	2.1
Western	450	61	1.0	42	0.7	0	0.0	108	0.5	104	0.4	4	1.8	21	1.3
Ohio															
Northern	610	117	2.0	97	1.6	2	0.1	25	0.1	173	0.7	0	0.0	28	1.7
Southern	704	63	1.1	78	1.3	3	0.1	81	0.4	269	1.1	4	1.8	36	2.2
Tennessee															
Eastern	894	143	2.4	53	0.9	4	0.2	19	0.1	474	1.9	1	0.4	12	0.7
Middle	319	89	1.5	32	0.5	0	0.0	17	0.1	82	0.3	2	0.9	11	0.7
Western	594	166	2.8	77	1.3	3	0.1	19	0.1	184	0.8	2	0.9	9	0.6
SEVENTH CIRCUIT	2,931	377	6.4	341	5.8	4	0.2	214	1.0	1,182	4.8	23	10.2	103	6.3
Illinois															
Central	353	54	0.9	23	0.4	2	0.1	28	0.1	138	0.6	6	2.7	27	1.7
Northern	868	42	0.7	161	2.7	0	0.0	105	0.5	285	1.2	6	2.7	14	0.9
Southern	324	53	0.9	28	0.5	1	0.0	7	0.0	139	0.6	5	2.2	18	1.1
Indiana															
Northern	436	126	2.1	47	0.8	1	0.0	10	0.0	147	0.6	2	0.9	12	0.7
Southern	279	18	0.3	24	0.4	0	0.0	28	0.1	143	0.6	2	0.9	15	0.9
Wisconsin															
Eastern	487	65	1.1	38	0.6	0	0.0	18	0.1	262	1.1	1	0.4	14	0.9
Western	184	19	0.3	20	0.3	0	0.0	18	0.1	68	0.3	1	0.4	3	0.2
EIGHTH CIRCUIT	4,661	586	9.9	434	7.4	20	0.8	601	2.8	1,506	6.1	37	16.4	210	12.9
Arkansas															
Eastern	316	29	0.5	37	0.6	0	0.0	52	0.2	126	0.5	1	0.4	11	0.7
Western	313	26	0.4	13	0.2	4	0.2	94	0.4	91	0.4	6	2.7	9	0.6
Iowa															
Northern	516	66	1.1	22	0.4	3	0.1	136	0.6	184	0.8	6	2.7	20	1.2
Southern	386	52	0.9	44	0.7	6	0.2	28	0.1	148	0.6	1	0.4	25	1.5
Minnesota	438	39	0.7	61	1.0	1	0.0	42	0.2	159	0.6	6	2.7	13	0.8
Missouri															
Eastern	810	124	2.1	106	1.8	2	0.1	25	0.1	225	0.9	7	3.1	54	3.3
Western	639	162	2.7	72	1.2	2	0.1	33	0.2	174	0.7	7	3.1	27	1.7
Nebraska	544	50	0.8	50	0.8	0	0.0	95	0.4	219	0.9	2	0.9	23	1.4
North Dakota	271	15	0.3	6	0.1	2	0.1	46	0.2	76	0.3	0	0.0	19	1.2
South Dakota	428	23	0.4	23	0.4	0	0.0	50	0.2	104	0.4	1	0.4	9	0.6

National Distribution of Selected Offenses by Circuit and District (cont.)

CIRCUIT	District	Firearms Offenses		Fraud Offenses		Alien Smuggling Offenses		Illegal Entry Offenses		Drug Trafficking Offenses		Child Pornography Production Offenses		Child Pornography Non-Production Offenses		
		N	%	N	%	N	%	N	%	N	%	N	%	N	%	
NINTH CIRCUIT	17,287	628	10.7	807	13.7	937	36.8	7,211	33.9	5,172	21.1	18	8.0	280	17.2	
	Alaska	138	19	0.3	8	0.1	0	0.0	4	0.0	66	0.3	0	0.0	7	0.4
	Arizona	7,558	103	1.7	61	1.0	331	13.0	4,542	21.4	2,054	8.4	1	0.4	28	1.7
	California															
	Central	1,712	59	1.0	236	4.0	33	1.3	439	2.1	511	2.1	2	0.9	50	3.1
	Eastern	1,009	42	0.7	68	1.2	0	0.0	369	1.7	295	1.2	5	2.2	38	2.3
	Northern	676	62	1.1	104	1.8	2	0.1	154	0.7	159	0.6	2	0.9	24	1.5
	Southern	3,199	37	0.6	37	0.6	557	21.9	1,129	5.3	1,151	4.7	1	0.4	39	2.4
	Guam	49	1	0.0	12	0.2	2	0.1	1	0.0	12	0.0	0	0.0	0	0.0
	Hawaii	196	10	0.2	19	0.3	1	0.0	5	0.0	103	0.4	1	0.4	8	0.5
	Idaho	338	28	0.5	30	0.5	0	0.0	93	0.4	134	0.5	1	0.4	9	0.6
	Montana	305	20	0.3	24	0.4	0	0.0	12	0.1	116	0.5	1	0.4	23	1.4
	Nevada	625	84	1.4	66	1.1	3	0.1	152	0.7	131	0.5	0	0.0	17	1.0
	Northern Mariana Islands	7	1	0.0	0	0.0	0	0.0	0	0.0	2	0.0	0	0.0	0	0.0
	Oregon	512	66	1.1	50	0.8	0	0.0	73	0.3	155	0.6	3	1.3	18	1.1
	Washington															
	Eastern	353	40	0.7	16	0.3	2	0.1	136	0.6	91	0.4	0	0.0	5	0.3
	Western	610	56	0.9	76	1.3	6	0.2	102	0.5	192	0.8	1	0.4	14	0.9
TENTH CIRCUIT	6,371	489	8.3	257	4.4	111	4.4	2,880	13.5	1,487	6.1	12	5.3	96	5.9	
	Colorado	622	86	1.5	44	0.7	4	0.2	181	0.9	159	0.6	0	0.0	8	0.5
	Kansas	653	82	1.4	47	0.8	12	0.5	62	0.3	251	1.0	2	0.9	16	1.0
	New Mexico	3,104	104	1.8	17	0.3	87	3.4	1,957	9.2	593	2.4	0	0.0	16	1.0
	Oklahoma															
	Eastern	102	16	0.3	17	0.3	0	0.0	5	0.0	21	0.1	0	0.0	2	0.1
	Northern	192	31	0.5	23	0.4	0	0.0	38	0.2	48	0.2	0	0.0	3	0.2
	Western	375	33	0.6	43	0.7	0	0.0	64	0.3	114	0.5	3	1.3	12	0.7
	Utah	992	103	1.7	59	1.0	8	0.3	490	2.3	161	0.7	5	2.2	28	1.7
	Wyoming	331	34	0.6	7	0.1	0	0.0	83	0.4	140	0.6	2	0.9	11	0.7
ELEVENTH CIRCUIT	6,441	700	11.9	953	16.2	95	3.7	711	3.3	2,022	8.3	23	10.2	166	10.2	
	Alabama															
	Middle	227	24	0.4	23	0.4	0	0.0	17	0.1	66	0.3	0	0.0	5	0.3
	Northern	428	109	1.8	58	1.0	2	0.1	32	0.2	84	0.3	3	1.3	16	1.0
	Southern	421	64	1.1	54	0.9	3	0.1	10	0.0	166	0.7	2	0.9	8	0.5
	Florida															
	Middle	1,515	149	2.5	173	2.9	27	1.1	302	1.4	534	2.2	6	2.7	49	3.0
	Northern	363	49	0.8	28	0.5	1	0.0	17	0.1	115	0.5	1	0.4	16	1.0
	Southern	2,027	92	1.6	461	7.8	49	1.9	161	0.8	640	2.6	3	1.3	32	2.0
	Georgia															
	Middle	368	41	0.7	26	0.4	0	0.0	43	0.2	96	0.4	3	1.3	6	0.4
	Northern	649	71	1.2	86	1.5	13	0.5	120	0.6	153	0.6	3	1.3	22	1.3
	Southern	443	101	1.7	44	0.7	0	0.0	9	0.0	168	0.7	2	0.9	12	0.7

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**Proportion of Caseload in Each Circuit and District for Selected Offenses
Fiscal Year 2011**

CIRCUIT	TOTAL	Firearms Offenses		Fraud Offenses		Alien Smuggling Offenses		Illegal Entry Offenses		Drug Trafficking Offenses		Child Pornography Production Offenses		Child Pornography Non-Production Offenses	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	76,191	5,896	7.7	5,898	7.7	2,546	3.3	21,264	27.9	24,502	32.2	226	0.3	1,632	2.1
D.C. CIRCUIT	345	16	4.6	50	14.5	3	0.9	15	4.3	133	38.6	2	0.6	11	3.2
District of Columbia	345	16	4.6	50	14.5	3	0.9	15	4.3	133	38.6	2	0.6	11	3.2
FIRST CIRCUIT	2,134	190	8.9	240	11.2	16	0.7	114	5.3	1,129	52.9	10	0.5	39	1.8
Maine	193	39	20.2	17	8.8	2	1.0	4	2.1	70	36.3	1	0.5	8	4.1
Massachusetts	538	61	11.3	85	15.8	5	0.9	44	8.2	192	35.7	1	0.2	16	3.0
New Hampshire	201	26	12.9	25	12.4	0	0.0	6	3.0	85	42.3	1	0.5	3	1.5
Puerto Rico	993	38	3.8	98	9.9	9	0.9	30	3.0	699	70.4	7	0.7	5	0.5
Rhode Island	209	26	12.4	15	7.2	0	0.0	30	14.4	83	39.7	0	0.0	7	3.3
SECOND CIRCUIT	4,307	245	5.7	556	12.9	48	1.1	462	10.7	1,787	41.5	14	0.3	114	2.6
Connecticut	335	48	14.3	37	11.0	0	0.0	6	1.8	164	49.0	2	0.6	5	1.5
New York															
Eastern	1,094	37	3.4	160	14.6	14	1.3	146	13.3	410	37.5	0	0.0	18	1.6
Northern	515	47	9.1	26	5.0	20	3.9	59	11.5	243	47.2	7	1.4	45	8.7
Southern	1,493	57	3.8	240	16.1	5	0.3	164	11.0	579	38.8	0	0.0	7	0.5
Western	713	36	5.0	82	11.5	7	1.0	80	11.2	309	43.3	5	0.7	35	4.9
Vermont	157	20	12.7	11	7.0	2	1.3	7	4.5	82	52.2	0	0.0	4	2.5
THIRD CIRCUIT	2,861	279	9.8	413	14.4	10	0.3	206	7.2	953	33.3	9	0.3	103	3.6
Delaware	112	24	21.4	7	6.3	0	0.0	9	8.0	27	24.1	1	0.9	6	5.4
New Jersey	787	82	10.4	134	17.0	5	0.6	33	4.2	223	28.3	0	0.0	21	2.7
Pennsylvania															
Eastern	957	100	10.4	164	17.1	2	0.2	76	7.9	328	34.3	0	0.0	23	2.4
Middle	488	22	4.5	54	11.1	2	0.4	45	9.2	177	36.3	6	1.2	15	3.1
Western	457	39	8.5	52	11.4	0	0.0	36	7.9	179	39.2	2	0.4	38	8.3
Virgin Islands	60	12	20.0	2	3.3	1	1.7	7	11.7	19	31.7	0	0.0	0	0.0
FOURTH CIRCUIT	5,730	832	14.5	596	10.4	13	0.2	484	8.4	2,229	38.9	35	0.6	141	2.5
Maryland	780	110	14.1	87	11.2	2	0.3	54	6.9	251	32.2	15	1.9	31	4.0
North Carolina															
Eastern	779	148	19.0	68	8.7	0	0.0	56	7.2	346	44.4	4	0.5	8	1.0
Middle	523	159	30.4	22	4.2	0	0.0	57	10.9	153	29.3	1	0.2	20	3.8
Western	542	69	12.7	61	11.3	2	0.4	66	12.2	182	33.6	5	0.9	7	1.3
South Carolina	1,009	172	17.0	134	13.3	4	0.4	52	5.2	401	39.7	1	0.1	23	2.3
Virginia															
Eastern	1,145	75	6.6	168	14.7	5	0.4	175	15.3	389	34.0	8	0.7	30	2.6
Western	362	23	6.4	25	6.9	0	0.0	7	1.9	197	54.4	0	0.0	10	2.8
West Virginia															
Northern	283	35	12.4	15	5.3	0	0.0	12	4.2	144	50.9	0	0.0	7	2.5
Southern	307	41	13.4	16	5.2	0	0.0	5	1.6	166	54.1	1	0.3	5	1.6

Proportion of Caseload in Each Circuit and District for Selected Offenses (cont.)

CIRCUIT	District	Firearms Offenses		Fraud Offenses		Alien Smuggling Offenses		Illegal Entry Offenses		Drug Trafficking Offenses		Child Pornography Production Offenses		Child Pornography Non-Production Offenses	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	17,799	707	4.0	672	3.8	1,275	7.2	7,950	44.7	4,956	27.8	20	0.1	188	1.1
Louisiana															
Eastern	340	33	9.7	58	17.1	1	0.3	19	5.6	120	35.3	0	0.0	8	2.4
Middle	134	27	20.1	29	21.6	0	0.0	16	11.9	37	27.6	0	0.0	0	0.0
Western	270	41	15.2	40	14.8	0	0.0	11	4.1	60	22.2	3	1.1	11	4.1
Mississippi															
Northern	181	32	17.7	20	11.0	0	0.0	5	2.8	65	35.9	1	0.6	18	9.9
Southern	299	23	7.7	72	24.1	3	1.0	22	7.4	77	25.8	1	0.3	5	1.7
Texas															
Eastern	987	98	9.9	93	9.4	17	1.7	82	8.3	460	46.6	1	0.1	25	2.5
Northern	897	86	9.6	80	8.9	9	1.0	142	15.8	259	28.9	7	0.8	42	4.7
Southern	8,158	182	2.2	120	1.5	938	11.5	4,656	57.1	1,735	21.3	3	0.0	24	0.3
Western	6,533	185	2.8	160	2.4	307	4.7	2,997	45.9	2,143	32.8	4	0.1	55	0.8
SIXTH CIRCUIT	5,324	847	15.9	579	10.9	14	0.3	416	7.8	1,946	36.6	23	0.4	181	3.4
Kentucky															
Eastern	585	55	9.4	51	8.7	0	0.0	22	3.8	259	44.3	6	1.0	19	3.2
Western	358	27	7.5	52	14.5	0	0.0	21	5.9	158	44.1	0	0.0	10	2.8
Michigan															
Eastern	810	126	15.6	97	12.0	2	0.2	104	12.8	243	30.0	4	0.5	35	4.3
Western	450	61	13.6	42	9.3	0	0.0	108	24.0	104	23.1	4	0.9	21	4.7
Ohio															
Northern	610	117	19.2	97	15.9	2	0.3	25	4.1	173	28.4	0	0.0	28	4.6
Southern	704	63	8.9	78	11.1	3	0.4	81	11.5	269	38.2	4	0.6	36	5.1
Tennessee															
Eastern	894	143	16.0	53	5.9	4	0.4	19	2.1	474	53.0	1	0.1	12	1.3
Middle	319	89	27.9	32	10.0	0	0.0	17	5.3	82	25.7	2	0.6	11	3.4
Western	594	166	27.9	77	13.0	3	0.5	19	3.2	184	31.0	2	0.3	9	1.5
SEVENTH CIRCUIT	2,931	377	12.9	341	11.6	4	0.1	214	7.3	1,182	40.3	23	0.8	103	3.5
Illinois															
Central	353	54	15.3	23	6.5	2	0.6	28	7.9	138	39.1	6	1.7	27	7.6
Northern	868	42	4.8	161	18.5	0	0.0	105	12.1	285	32.8	6	0.7	14	1.6
Southern	324	53	16.4	28	8.6	1	0.3	7	2.2	139	42.9	5	1.5	18	5.6
Indiana															
Northern	436	126	28.9	47	10.8	1	0.2	10	2.3	147	33.7	2	0.5	12	2.8
Southern	279	18	6.5	24	8.6	0	0.0	28	10.0	143	51.3	2	0.7	15	5.4
Wisconsin															
Eastern	487	65	13.3	38	7.8	0	0.0	18	3.7	262	53.8	1	0.2	14	2.9
Western	184	19	10.3	20	10.9	0	0.0	18	9.8	68	37.0	1	0.5	3	1.6
EIGHTH CIRCUIT	4,661	586	12.6	434	9.3	20	0.4	601	12.9	1,506	32.3	37	0.8	210	4.5
Arkansas															
Eastern	316	29	9.2	37	11.7	0	0.0	52	16.5	126	39.9	1	0.3	11	3.5
Western	313	26	8.3	13	4.2	4	1.3	94	30.0	91	29.1	6	1.9	9	2.9
Iowa															
Northern	516	66	12.8	22	4.3	3	0.6	136	26.4	184	35.7	6	1.2	20	3.9
Southern	386	52	13.5	44	11.4	6	1.6	28	7.3	148	38.3	1	0.3	25	6.5
Minnesota	438	39	8.9	61	13.9	1	0.2	42	9.6	159	36.3	6	1.4	13	3.0
Missouri															
Eastern	810	124	15.3	106	13.1	2	0.2	25	3.1	225	27.8	7	0.9	54	6.7
Western	639	162	25.4	72	11.3	2	0.3	33	5.2	174	27.2	7	1.1	27	4.2
Nebraska	544	50	9.2	50	9.2	0	0.0	95	17.5	219	40.3	2	0.4	23	4.2
North Dakota	271	15	5.5	6	2.2	2	0.7	46	17.0	76	28.0	0	0.0	19	7.0
South Dakota	428	23	5.4	23	5.4	0	0.0	50	11.7	104	24.3	1	0.2	9	2.1

Proportion of Caseload in Each Circuit and District for Selected Offenses (cont.)

CIRCUIT	District	Firearms Offenses		Fraud Offenses		Alien Smuggling Offenses		Illegal Entry Offenses		Drug Trafficking Offenses		Child Pornography Production Offenses		Child Pornography Non-Production Offenses	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	17,287	628	3.6	807	4.7	937	5.4	7,211	41.7	5,172	29.9	18	0.1	280	1.6
	Alaska	138	19 13.8	8	5.8	0	0.0	4	2.9	66	47.8	0	0.0	7	5.1
	Arizona	7,558	103 1.4	61	0.8	331	4.4	4,542	60.1	2,054	27.2	1	0.0	28	0.4
	California														
	Central	1,712	59 3.4	236	13.8	33	1.9	439	25.6	511	29.8	2	0.1	50	2.9
	Eastern	1,009	42 4.2	68	6.7	0	0.0	369	36.6	295	29.2	5	0.5	38	3.8
	Northern	676	62 9.2	104	15.4	2	0.3	154	22.8	159	23.5	2	0.3	24	3.6
	Southern	3,199	37 1.2	37	1.2	557	17.4	1,129	35.3	1,151	36.0	1	0.0	39	1.2
	Guam	49	1 2.0	12	24.5	2	4.1	1	2.0	12	24.5	0	0.0	0	0.0
	Hawaii	196	10 5.1	19	9.7	1	0.5	5	2.6	103	52.6	1	0.5	8	4.1
	Idaho	338	28 8.3	30	8.9	0	0.0	93	27.5	134	39.6	1	0.3	9	2.7
	Montana	305	20 6.6	24	7.9	0	0.0	12	3.9	116	38.0	1	0.3	23	7.5
	Nevada	625	84 13.4	66	10.6	3	0.5	152	24.3	131	21.0	0	0.0	17	2.7
	Northern Mariana Islands	7	1 14.3	0	0.0	0	0.0	0	0.0	2	28.6	0	0.0	0	0.0
	Oregon	512	66 12.9	50	9.8	0	0.0	73	14.3	155	30.3	3	0.6	18	3.5
	Washington														
	Eastern	353	40 11.3	16	4.5	2	0.6	136	38.5	91	25.8	0	0.0	5	1.4
	Western	610	56 9.2	76	12.5	6	1.0	102	16.7	192	31.5	1	0.2	14	2.3
TENTH CIRCUIT	6,371	489	7.7	257	4.0	111	1.7	2,880	45.2	1,487	23.3	12	0.2	96	1.5
	Colorado	622	86 13.8	44	7.1	4	0.6	181	29.1	159	25.6	0	0.0	8	1.3
	Kansas	653	82 12.6	47	7.2	12	1.8	62	9.5	251	38.4	2	0.3	16	2.5
	New Mexico	3,104	104 3.4	17	0.5	87	2.8	1,957	63.0	593	19.1	0	0.0	16	0.5
	Oklahoma														
	Eastern	102	16 15.7	17	16.7	0	0.0	5	4.9	21	20.6	0	0.0	2	2.0
	Northern	192	31 16.1	23	12.0	0	0.0	38	19.8	48	25.0	0	0.0	3	1.6
	Western	375	33 8.8	43	11.5	0	0.0	64	17.1	114	30.4	3	0.8	12	3.2
	Utah	992	103 10.4	59	5.9	8	0.8	490	49.4	161	16.2	5	0.5	28	2.8
	Wyoming	331	34 10.3	7	2.1	0	0.0	83	25.1	140	42.3	2	0.6	11	3.3
ELEVENTH CIRCUIT	6,441	700	10.9	953	14.8	95	1.5	711	11.0	2,022	31.4	23	0.4	166	2.6
	Alabama														
	Middle	227	24 10.6	23	10.1	0	0.0	17	7.5	66	29.1	0	0.0	5	2.2
	Northern	428	109 25.5	58	13.6	2	0.5	32	7.5	84	19.6	3	0.7	16	3.7
	Southern	421	64 15.2	54	12.8	3	0.7	10	2.4	166	39.4	2	0.5	8	1.9
	Florida														
	Middle	1,515	149 9.8	173	11.4	27	1.8	302	19.9	534	35.2	6	0.4	49	3.2
	Northern	363	49 13.5	28	7.7	1	0.3	17	4.7	115	31.7	1	0.3	16	4.4
	Southern	2,027	92 4.5	461	22.7	49	2.4	161	7.9	640	31.6	3	0.1	32	1.6
	Georgia														
	Middle	368	41 11.1	26	7.1	0	0.0	43	11.7	96	26.1	3	0.8	6	1.6
	Northern	649	71 10.9	86	13.3	13	2.0	120	18.5	153	23.6	3	0.5	22	3.4
	Southern	443	101 22.8	44	9.9	0	0.0	9	2.0	168	37.9	2	0.5	12	2.7

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

Rate of Within Range Sentences by Circuit and District
Fraud Offenses
Koon Period through *Gall* Period

CIRCUIT District	<i>Koon</i> Period (6/13/96 - 04/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
TOTAL	38,042	27,037	71.1	6,255	4,615	73.8	15,538	9,765	62.8	21,085	11,259	53.4
D.C. CIRCUIT	544	458	84.2	66	43	65.2	134	81	60.4	208	108	51.9
District of Columbia	544	458	84.2	66	43	65.2	134	81	60.4	208	108	51.9
FIRST CIRCUIT	1,088	758	69.7	135	103	76.3	378	239	63.2	646	375	58.0
Maine	152	129	84.9	17	16	94.1	52	40	76.9	52	30	57.7
Massachusetts	501	302	60.3	57	42	73.7	136	79	58.1	218	90	41.3
New Hampshire	166	111	66.9	21	14	66.7	84	48	57.1	108	66	61.1
Puerto Rico	173	143	82.7	25	19	76.0	68	47	69.1	203	159	78.3
Rhode Island	96	73	76.0	15	12	80.0	38	25	65.8	65	30	46.2
SECOND CIRCUIT	4,013	2,460	61.3	760	458	60.3	1,569	832	53.0	2,013	825	41.0
Connecticut	311	163	52.4	59	30	50.8	147	83	56.5	179	82	45.8
New York												
Eastern	1,122	527	47.0	246	105	42.7	373	149	39.9	537	152	28.3
Northern	195	117	60.0	52	34	65.4	101	62	61.4	123	67	54.5
Southern	1,852	1,292	69.8	314	226	72.0	722	406	56.2	868	348	40.1
Western	413	292	70.7	77	54	70.1	194	116	59.8	266	159	59.8
Vermont	120	69	57.5	12	9	75.0	32	16	50.0	40	17	42.5
THIRD CIRCUIT	2,915	1,802	61.8	540	365	67.6	1,259	643	51.1	1,491	707	47.4
Delaware	141	112	79.4	26	16	61.5	39	23	59.0	54	21	38.9
New Jersey	915	526	57.5	180	119	66.1	413	196	47.5	511	214	41.9
Pennsylvania												
Eastern	1,035	581	56.1	202	129	63.9	424	171	40.3	448	185	41.3
Middle	403	259	64.3	62	46	74.2	186	124	66.7	264	173	65.5
Western	348	257	73.9	64	49	76.6	177	111	62.7	205	107	52.2
Virgin Islands	73	67	91.8	6	6	100.0	20	18	90.0	9	7	77.8
FOURTH CIRCUIT	3,725	2,978	79.9	705	569	80.7	1,592	1,094	68.7	2,205	1,288	58.4
Maryland	517	308	59.6	85	56	65.9	181	72	39.8	297	131	44.1
North Carolina												
Eastern	299	214	71.6	38	27	71.1	115	75	65.2	194	104	53.6
Middle	228	194	85.1	13	12	92.3	87	74	85.1	82	58	70.7
Western	425	333	78.4	37	21	56.8	135	84	62.2	218	97	44.5
South Carolina	1,012	853	84.3	280	244	87.1	406	296	72.9	556	394	70.9
Virginia												
Eastern	752	650	86.4	163	133	81.6	453	330	72.8	629	359	57.1
Western	263	221	84.0	49	40	81.6	124	91	73.4	121	74	61.2
West Virginia												
Northern	64	58	90.6	9	9	100.0	41	30	73.2	45	34	75.6
Southern	165	147	89.1	31	27	87.1	50	42	84.0	63	37	58.7

Rate of Within Range Sentences by Circuit and District (cont.)

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
FIFTH CIRCUIT	4,863	3,590	73.8	629	519	82.5	1,752	1,270	72.5	2,504	1,660	66.3
Louisiana												
Eastern	337	284	84.3	35	27	77.1	87	68	78.2	245	189	77.1
Middle	204	173	84.8	37	26	70.3	144	121	84.0	165	111	67.3
Western	264	213	80.7	50	41	82.0	229	171	74.7	127	83	65.4
Mississippi												
Northern	113	98	86.7	16	13	81.3	59	44	74.6	69	53	76.8
Southern	290	247	85.2	49	44	89.8	179	144	80.4	279	237	84.9
Texas												
Eastern	361	307	85.0	85	74	87.1	155	114	73.5	299	203	67.9
Northern	1,537	1,036	67.4	187	158	84.5	354	234	66.1	398	230	57.8
Southern	1,022	738	72.2	95	75	78.9	224	154	68.8	446	256	57.4
Western	735	494	67.2	75	61	81.3	321	220	68.5	476	298	62.6
SIXTH CIRCUIT	4,170	3,199	76.7	596	469	78.7	1,572	920	58.5	2,015	999	49.6
Kentucky												
Eastern	291	245	84.2	43	36	83.7	120	73	60.8	170	90	52.9
Western	246	207	84.1	21	21	100.0	80	41	51.3	168	79	47.0
Michigan												
Eastern	800	575	71.9	114	82	71.9	352	200	56.8	395	170	43.0
Western	323	241	74.6	38	32	84.2	94	51	54.3	142	86	60.6
Ohio												
Northern	1,165	933	80.1	167	134	80.2	326	206	63.2	340	167	49.1
Southern	485	333	68.7	80	49	61.3	207	97	46.9	262	99	37.8
Tennessee												
Eastern	221	168	76.0	37	34	91.9	84	55	65.5	141	98	69.5
Middle	174	130	74.7	26	22	84.6	82	57	69.5	101	49	48.5
Western	465	367	78.9	70	59	84.3	227	140	61.7	296	161	54.4
SEVENTH CIRCUIT	2,438	1,789	73.4	500	369	73.8	1,209	717	59.3	1,211	603	49.8
Illinois												
Central	213	154	72.3	38	34	89.5	110	72	65.5	73	43	58.9
Northern	1,144	762	66.6	291	193	66.3	563	297	52.8	554	201	36.3
Southern	152	115	75.7	33	26	78.8	89	56	62.9	91	58	63.7
Indiana												
Northern	227	199	87.7	38	27	71.1	157	106	67.5	171	120	70.2
Southern	227	170	74.9	28	23	82.1	82	50	61.0	84	48	57.1
Wisconsin												
Eastern	303	238	78.5	47	42	89.4	142	77	54.2	165	81	49.1
Western	172	151	87.8	25	24	96.0	66	59	89.4	73	52	71.2
EIGHTH CIRCUIT	2,584	1,956	75.7	410	317	77.3	1,164	797	68.5	1,505	783	52.0
Arkansas												
Eastern	334	275	82.3	42	35	83.3	100	71	71.0	144	87	60.4
Western	131	101	77.1	13	11	84.6	33	21	63.6	43	36	83.7
Iowa												
Northern	104	88	84.6	19	16	84.2	52	42	80.8	91	42	46.2
Southern	118	89	75.4	27	21	77.8	67	45	67.2	110	56	50.9
Minnesota	338	233	68.9	61	49	80.3	158	102	64.6	203	67	33.0
Missouri												
Eastern	653	493	75.5	115	88	76.5	351	240	68.4	443	250	56.4
Western	396	285	72.0	51	42	82.4	174	109	62.6	241	110	45.6
Nebraska	196	141	71.9	48	29	60.4	95	65	68.4	125	64	51.2
North Dakota	119	94	79.0	7	6	85.7	37	28	75.7	34	27	79.4
South Dakota	195	157	80.5	27	20	74.1	97	74	76.3	71	44	62.0

Rate of Within Range Sentences by Circuit and District (cont.)

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
NINTH CIRCUIT	5,343	3,293	61.6	834	583	69.9	2,052	1,209	58.9	3,013	1,497	49.7
Alaska	117	92	78.6	30	23	76.7	42	23	54.8	35	13	37.1
Arizona	421	204	48.5	79	46	58.2	173	85	49.1	277	144	52.0
California												
Central	879	572	65.1	132	91	68.9	380	173	45.5	911	389	42.7
Eastern	652	343	52.6	134	92	68.7	396	274	69.2	233	146	62.7
Northern	520	341	65.6	73	54	74.0	192	99	51.6	301	158	52.5
Southern	579	326	56.3	60	43	71.7	89	51	57.3	206	124	60.2
Guam	50	44	88.0	16	8	50.0	16	12	75.0	25	10	40.0
Hawaii	166	132	79.5	35	29	82.9	76	54	71.1	87	55	63.2
Idaho	99	67	67.7	19	12	63.2	30	20	66.7	75	48	64.0
Montana	181	120	66.3	21	19	90.5	108	89	82.4	123	90	73.2
Nevada	674	423	62.8	78	60	76.9	153	100	65.4	196	85	43.4
Northern Mariana Islands	8	5	62.5	5	5	100.0	10	9	90.0	5	4	80.0
Oregon	290	150	51.7	52	36	69.2	101	50	49.5	145	63	43.4
Washington												
Eastern	83	63	75.9	15	11	73.3	54	32	59.3	64	38	59.4
Western	624	411	65.9	85	54	63.5	232	138	59.5	330	130	39.4
TENTH CIRCUIT	1,717	1,337	77.9	262	230	87.8	809	542	67.0	882	504	57.1
Colorado	415	281	67.7	45	35	77.8	186	104	55.9	141	64	45.4
Kansas	309	247	79.9	54	49	90.7	127	80	63.0	161	89	55.3
New Mexico	102	86	84.3	28	27	96.4	46	34	73.9	54	31	57.4
Oklahoma												
Eastern	81	63	77.8	11	11	100.0	19	17	89.5	45	35	77.8
Northern	267	226	84.6	31	29	93.5	89	75	84.3	67	44	65.7
Western	232	201	86.6	37	32	86.5	116	82	70.7	145	97	66.9
Utah	218	179	82.1	50	41	82.0	200	132	66.0	242	128	52.9
Wyoming	93	54	58.1	6	6	100.0	26	18	69.2	27	16	59.3
ELEVENTH CIRCUIT	4,642	3,417	73.6	818	590	72.1	2,048	1,421	69.4	3,392	1,910	56.3
Alabama												
Middle	102	82	80.4	18	14	77.8	42	30	71.4	77	49	63.6
Northern	481	410	85.2	89	72	80.9	175	125	71.4	207	112	54.1
Southern	239	205	85.8	19	15	78.9	106	86	81.1	168	111	66.1
Florida												
Middle	1,178	770	65.4	219	155	70.8	390	249	63.8	550	252	45.8
Northern	189	153	81.0	23	16	69.6	68	42	61.8	122	73	59.8
Southern	1,352	1,007	74.5	260	184	70.8	797	567	71.1	1,623	986	60.8
Georgia												
Middle	194	151	77.8	30	23	76.7	78	66	84.6	95	61	64.2
Northern	734	493	67.2	121	79	65.3	304	192	63.2	389	159	40.9
Southern	173	146	84.4	39	32	82.1	88	64	72.7	161	107	66.5

Cases missing information necessary to determine sentence position relative to the guideline range were excluded from the analysis.

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

Rate of Above Range Sentences by Circuit and District
Fraud Offenses
Koon Period through *Gall* Period

CIRCUIT District	<i>Koon</i> Period (6/13/96 - 04/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
TOTAL	38,042	464	1.2	6,255	75	1.2	15,538	373	2.4	21,085	513	2.4
D.C. CIRCUIT	544	4	0.7	66	1	1.5	134	1	0.7	208	6	2.9
District of Columbia	544	4	0.7	66	1	1.5	134	1	0.7	208	6	2.9
FIRST CIRCUIT	1,088	15	1.4	135	2	1.5	378	10	2.6	646	17	2.6
Maine	152	3	2.0	17	1	5.9	52	3	5.8	52	3	5.8
Massachusetts	501	5	1.0	57	0	0.0	136	1	0.7	218	7	3.2
New Hampshire	166	3	1.8	21	1	4.8	84	4	4.8	108	5	4.6
Puerto Rico	173	0	0.0	25	0	0.0	68	1	1.5	203	2	1.0
Rhode Island	96	4	4.2	15	0	0.0	38	1	2.6	65	0	0.0
SECOND CIRCUIT	4,013	42	1.0	760	8	1.1	1,569	13	0.8	2,013	17	0.8
Connecticut	311	7	2.3	59	2	3.4	147	1	0.7	179	0	0.0
New York												
Eastern	1,122	6	0.5	246	1	0.4	373	4	1.1	537	7	1.3
Northern	195	2	1.0	52	0	0.0	101	1	1.0	123	2	1.6
Southern	1,852	17	0.9	314	3	1.0	722	4	0.6	868	5	0.6
Western	413	4	1.0	77	1	1.3	194	3	1.5	266	3	1.1
Vermont	120	6	5.0	12	1	8.3	32	0	0.0	40	0	0.0
THIRD CIRCUIT	2,915	33	1.1	540	2	0.4	1,259	29	2.3	1,491	17	1.1
Delaware	141	1	0.7	26	0	0.0	39	0	0.0	54	0	0.0
New Jersey	915	9	1.0	180	0	0.0	413	5	1.2	511	5	1.0
Pennsylvania												
Eastern	1,035	15	1.4	202	1	0.5	424	17	4.0	448	9	2.0
Middle	403	5	1.2	62	0	0.0	186	2	1.1	264	1	0.4
Western	348	2	0.6	64	1	1.6	177	4	2.3	205	2	1.0
Virgin Islands	73	1	1.4	6	0	0.0	20	1	5.0	9	0	0.0
FOURTH CIRCUIT	3,725	62	1.7	705	10	1.4	1,592	42	2.6	2,205	58	2.6
Maryland	517	7	1.4	85	0	0.0	181	3	1.7	297	3	1.0
North Carolina												
Eastern	299	18	6.0	38	0	0.0	115	4	3.5	194	10	5.2
Middle	228	12	5.3	13	0	0.0	87	0	0.0	82	6	7.3
Western	425	3	0.7	37	0	0.0	135	1	0.7	218	3	1.4
South Carolina	1,012	8	0.8	280	1	0.4	406	4	1.0	556	6	1.1
Virginia												
Eastern	752	4	0.5	163	5	3.1	453	22	4.9	629	24	3.8
Western	263	5	1.9	49	3	6.1	124	5	4.0	121	6	5.0
West Virginia												
Northern	64	1	1.6	9	0	0.0	41	1	2.4	45	0	0.0
Southern	165	4	2.4	31	1	3.2	50	2	4.0	63	0	0.0

Rate of Above Range Sentences by Circuit and District (cont.)

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
FIFTH CIRCUIT	4,863	96	2.0	629	15	2.4	1,752	78	4.5	2,504	102	4.1
Louisiana												
Eastern	337	5	1.5	35	0	0.0	87	3	3.4	245	8	3.3
Middle	204	4	2.0	37	1	2.7	144	1	0.7	165	6	3.6
Western	264	8	3.0	50	1	2.0	229	17	7.4	127	9	7.1
Mississippi												
Northern	113	2	1.8	16	0	0.0	59	3	5.1	69	3	4.3
Southern	290	6	2.1	49	0	0.0	179	4	2.2	279	4	1.4
Texas												
Eastern	361	6	1.7	85	1	1.2	155	2	1.3	299	5	1.7
Northern	1,537	22	1.4	187	7	3.7	354	19	5.4	398	17	4.3
Southern	1,022	18	1.8	95	1	1.1	224	7	3.1	446	22	4.9
Western	735	25	3.4	75	4	5.3	321	22	6.9	476	28	5.9
SIXTH CIRCUIT	4,170	32	0.8	596	4	0.7	1,572	37	2.4	2,015	41	2.0
Kentucky												
Eastern	291	0	0.0	43	1	2.3	120	2	1.7	170	2	1.2
Western	246	0	0.0	21	0	0.0	80	1	1.3	168	2	1.2
Michigan												
Eastern	800	2	0.3	114	0	0.0	352	6	1.7	395	4	1.0
Western	323	9	2.8	38	1	2.6	94	4	4.3	142	12	8.5
Ohio												
Northern	1,165	3	0.3	167	0	0.0	326	9	2.8	340	7	2.1
Southern	485	6	1.2	80	1	1.3	207	7	3.4	262	6	2.3
Tennessee												
Eastern	221	5	2.3	37	0	0.0	84	3	3.6	141	2	1.4
Middle	174	3	1.7	26	0	0.0	82	0	0.0	101	1	1.0
Western	465	4	0.9	70	1	1.4	227	5	2.2	296	5	1.7
SEVENTH CIRCUIT	2,438	30	1.2	500	8	1.6	1,209	25	2.1	1,211	28	2.3
Illinois												
Central	213	3	1.4	38	0	0.0	110	3	2.7	73	0	0.0
Northern	1,144	6	0.5	291	2	0.7	563	6	1.1	554	8	1.4
Southern	152	0	0.0	33	2	6.1	89	3	3.4	91	5	5.5
Indiana												
Northern	227	1	0.4	38	2	5.3	157	1	0.6	171	4	2.3
Southern	227	9	4.0	28	1	3.6	82	4	4.9	84	4	4.8
Wisconsin												
Eastern	303	2	0.7	47	0	0.0	142	6	4.2	165	6	3.6
Western	172	9	5.2	25	1	4.0	66	2	3.0	73	1	1.4
EIGHTH CIRCUIT	2,584	22	0.9	410	5	1.2	1,164	32	2.7	1,505	49	3.3
Arkansas												
Eastern	334	3	0.9	42	0	0.0	100	1	1.0	144	7	4.9
Western	131	0	0.0	13	1	7.7	33	0	0.0	43	0	0.0
Iowa												
Northern	104	6	5.8	19	0	0.0	52	4	7.7	91	6	6.6
Southern	118	0	0.0	27	0	0.0	67	3	4.5	110	5	4.5
Minnesota	338	1	0.3	61	0	0.0	158	1	0.6	203	5	2.5
Missouri												
Eastern	653	3	0.5	115	1	0.9	351	7	2.0	443	9	2.0
Western	396	5	1.3	51	2	3.9	174	5	2.9	241	5	2.1
Nebraska	196	1	0.5	48	1	2.1	95	2	2.1	125	8	6.4
North Dakota	119	1	0.8	7	0	0.0	37	0	0.0	34	0	0.0
South Dakota	195	2	1.0	27	0	0.0	97	9	9.3	71	4	5.6

Rate of Above Range Sentences by Circuit and District (cont.)

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
NINTH CIRCUIT	5,343	50	0.9	834	4	0.5	2,052	38	1.9	3,013	61	2.0
Alaska	117	2	1.7	30	0	0.0	42	3	7.1	35	0	0.0
Arizona	421	4	1.0	79	1	1.3	173	7	4.0	277	4	1.4
California												
Central	879	9	1.0	132	0	0.0	380	4	1.1	911	20	2.2
Eastern	652	3	0.5	134	0	0.0	396	2	0.5	233	4	1.7
Northern	520	6	1.2	73	1	1.4	192	5	2.6	301	5	1.7
Southern	579	6	1.0	60	0	0.0	89	1	1.1	206	4	1.9
Guam	50	0	0.0	16	0	0.0	16	0	0.0	25	1	4.0
Hawaii	166	1	0.6	35	0	0.0	76	2	2.6	87	1	1.1
Idaho	99	0	0.0	19	0	0.0	30	1	3.3	75	0	0.0
Montana	181	6	3.3	21	0	0.0	108	6	5.6	123	9	7.3
Nevada	674	2	0.3	78	1	1.3	153	0	0.0	196	0	0.0
Northern Mariana Islands	8	1	12.5	5	0	0.0	10	1	10.0	5	0	0.0
Oregon	290	1	0.3	52	1	1.9	101	2	2.0	145	3	2.1
Washington												
Eastern	83	1	1.2	15	0	0.0	54	2	3.7	64	6	9.4
Western	624	8	1.3	85	0	0.0	232	2	0.9	330	4	1.2
TENTH CIRCUIT	1,717	22	1.3	262	3	1.1	809	20	2.5	882	22	2.5
Colorado	415	4	1.0	45	1	2.2	186	1	0.5	141	6	4.3
Kansas	309	3	1.0	54	0	0.0	127	5	3.9	161	6	3.7
New Mexico	102	0	0.0	28	0	0.0	46	2	4.3	54	0	0.0
Oklahoma												
Eastern	81	0	0.0	11	0	0.0	19	0	0.0	45	0	0.0
Northern	267	4	1.5	31	0	0.0	89	1	1.1	67	0	0.0
Western	232	7	3.0	37	1	2.7	116	7	6.0	145	4	2.8
Utah	218	1	0.5	50	1	2.0	200	4	2.0	242	6	2.5
Wyoming	93	3	3.2	6	0	0.0	26	0	0.0	27	0	0.0
ELEVENTH CIRCUIT	4,642	56	1.2	818	13	1.6	2,048	48	2.3	3,392	95	2.8
Alabama												
Middle	102	1	1.0	18	0	0.0	42	1	2.4	77	2	2.6
Northern	481	4	0.8	89	0	0.0	175	3	1.7	207	4	1.9
Southern	239	2	0.8	19	0	0.0	106	3	2.8	168	5	3.0
Florida												
Middle	1,178	11	0.9	219	2	0.9	390	7	1.8	550	12	2.2
Northern	189	3	1.6	23	1	4.3	68	5	7.4	122	3	2.5
Southern	1,352	12	0.9	260	5	1.9	797	10	1.3	1,623	37	2.3
Georgia												
Middle	194	7	3.6	30	2	6.7	78	3	3.8	95	9	9.5
Northern	734	10	1.4	121	2	1.7	304	5	1.6	389	5	1.3
Southern	173	6	3.5	39	1	2.6	88	11	12.5	161	18	11.2

Cases missing information necessary to determine sentence position relative to the guideline range were excluded from the analysis.

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

Rate of Government Sponsored Sentences by Circuit and District
Fraud Offenses
Koon Period through *Gall* Period

CIRCUIT District	<i>Koon</i> Period (6/13/96 - 04/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
TOTAL	38,042	6,880	18.1	6,255	1,178	18.8	15,538	2,849	18.3	21,085	4,438	21.0
D.C. CIRCUIT	544	65	11.9	66	19	28.8	134	32	23.9	208	48	23.1
District of Columbia	544	65	11.9	66	19	28.8	134	32	23.9	208	48	23.1
FIRST CIRCUIT	1,088	187	17.2	135	17	12.6	378	47	12.4	646	101	15.6
Maine	152	15	9.9	17	0	0.0	52	4	7.7	52	1	1.9
Massachusetts	501	103	20.6	57	5	8.8	136	15	11.0	218	48	22.0
New Hampshire	166	42	25.3	21	5	23.8	84	18	21.4	108	23	21.3
Puerto Rico	173	17	9.8	25	5	20.0	68	9	13.2	203	17	8.4
Rhode Island	96	10	10.4	15	2	13.3	38	1	2.6	65	12	18.5
SECOND CIRCUIT	4,013	782	19.5	760	186	24.5	1,569	363	23.1	2,013	434	21.6
Connecticut	311	23	7.4	59	12	20.3	147	22	15.0	179	29	16.2
New York												
Eastern	1,122	328	29.2	246	99	40.2	373	134	35.9	537	194	36.1
Northern	195	46	23.6	52	7	13.5	101	23	22.8	123	21	17.1
Southern	1,852	299	16.1	314	54	17.2	722	138	19.1	868	140	16.1
Western	413	77	18.6	77	14	18.2	194	42	21.6	266	45	16.9
Vermont	120	9	7.5	12	0	0.0	32	4	12.5	40	5	12.5
THIRD CIRCUIT	2,915	843	28.9	540	144	26.7	1,259	373	29.6	1,491	447	30.0
Delaware	141	19	13.5	26	8	30.8	39	3	7.7	54	8	14.8
New Jersey	915	322	35.2	180	53	29.4	413	167	40.4	511	208	40.7
Pennsylvania												
Eastern	1,035	345	33.3	202	58	28.7	424	128	30.2	448	143	31.9
Middle	403	99	24.6	62	15	24.2	186	42	22.6	264	37	14.0
Western	348	54	15.5	64	10	15.6	177	32	18.1	205	50	24.4
Virgin Islands	73	4	5.5	6	0	0.0	20	1	5.0	9	1	11.1
FOURTH CIRCUIT	3,725	535	14.4	705	104	14.8	1,592	241	15.1	2,205	396	18.0
Maryland	517	156	30.2	85	21	24.7	181	62	34.3	297	92	31.0
North Carolina												
Eastern	299	44	14.7	38	9	23.7	115	25	21.7	194	55	28.4
Middle	228	19	8.3	13	1	7.7	87	7	8.0	82	5	6.1
Western	425	71	16.7	37	14	37.8	135	41	30.4	218	84	38.5
South Carolina	1,012	128	12.6	280	34	12.1	406	50	12.3	556	55	9.9
Virginia												
Eastern	752	80	10.6	163	18	11.0	453	38	8.4	629	76	12.1
Western	263	24	9.1	49	5	10.2	124	14	11.3	121	20	16.5
West Virginia												
Northern	64	4	6.3	9	0	0.0	41	2	4.9	45	3	6.7
Southern	165	9	5.5	31	2	6.5	50	2	4.0	63	6	9.5

Rate of Government Sponsored Sentences by Circuit and District (cont.)

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
FIFTH CIRCUIT	4,863	824	16.9	629	72	11.4	1,752	233	13.3	2,504	423	16.9
Louisiana												
Eastern	337	30	8.9	35	6	17.1	87	9	10.3	245	11	4.5
Middle	204	20	9.8	37	10	27.0	144	13	9.0	165	24	14.5
Western	264	34	12.9	50	7	14.0	229	17	7.4	127	11	8.7
Mississippi												
Northern	113	7	6.2	16	3	18.8	59	10	16.9	69	9	13.0
Southern	290	21	7.2	49	4	8.2	179	17	9.5	279	13	4.7
Texas												
Eastern	361	28	7.8	85	8	9.4	155	20	12.9	299	68	22.7
Northern	1,537	378	24.6	187	16	8.6	354	72	20.3	398	96	24.1
Southern	1,022	180	17.6	95	10	10.5	224	39	17.4	446	113	25.3
Western	735	126	17.1	75	8	10.7	321	36	11.2	476	78	16.4
SIXTH CIRCUIT	4,170	644	15.4	596	92	15.4	1,572	298	19.0	2,015	460	22.8
Kentucky												
Eastern	291	37	12.7	43	5	11.6	120	25	20.8	170	39	22.9
Western	246	23	9.3	21	0	0.0	80	27	33.8	168	54	32.1
Michigan												
Eastern	800	148	18.5	114	24	21.1	352	75	21.3	395	107	27.1
Western	323	53	16.4	38	3	7.9	94	16	17.0	142	16	11.3
Ohio												
Northern	1,165	141	12.1	167	24	14.4	326	42	12.9	340	78	22.9
Southern	485	110	22.7	80	20	25.0	207	65	31.4	262	80	30.5
Tennessee												
Eastern	221	30	13.6	37	3	8.1	84	11	13.1	141	17	12.1
Middle	174	29	16.7	26	4	15.4	82	8	9.8	101	21	20.8
Western	465	73	15.7	70	9	12.9	227	29	12.8	296	48	16.2
SEVENTH CIRCUIT	2,438	406	16.7	500	99	19.8	1,209	209	17.3	1,211	206	17.0
Illinois												
Central	213	37	17.4	38	4	10.5	110	16	14.5	73	17	23.3
Northern	1,144	262	22.9	291	79	27.1	563	118	21.0	554	112	20.2
Southern	152	30	19.7	33	4	12.1	89	10	11.2	91	15	16.5
Indiana												
Northern	227	13	5.7	38	7	18.4	157	38	24.2	171	26	15.2
Southern	227	26	11.5	28	4	14.3	82	11	13.4	84	6	7.1
Wisconsin												
Eastern	303	30	9.9	47	1	2.1	142	15	10.6	165	27	16.4
Western	172	8	4.7	25	0	0.0	66	1	1.5	73	3	4.1
EIGHTH CIRCUIT	2,584	371	14.4	410	59	14.4	1,164	152	13.1	1,505	292	19.4
Arkansas												
Eastern	334	40	12.0	42	7	16.7	100	19	19.0	144	18	12.5
Western	131	22	16.8	13	1	7.7	33	7	21.2	43	2	4.7
Iowa												
Northern	104	4	3.8	19	3	15.8	52	2	3.8	91	40	44.0
Southern	118	13	11.0	27	1	3.7	67	3	4.5	110	19	17.3
Minnesota	338	43	12.7	61	7	11.5	158	17	10.8	203	55	27.1
Missouri												
Eastern	653	117	17.9	115	22	19.1	351	51	14.5	443	74	16.7
Western	396	82	20.7	51	4	7.8	174	34	19.5	241	59	24.5
Nebraska	196	23	11.7	48	10	20.8	95	14	14.7	125	12	9.6
North Dakota	119	15	12.6	7	1	14.3	37	3	8.1	34	4	11.8
South Dakota	195	12	6.2	27	3	11.1	97	2	2.1	71	9	12.7

Rate of Government Sponsored Sentences by Circuit and District (cont.)

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
NINTH CIRCUIT	5,343	1,178	22.0	834	183	21.9	2,052	460	22.4	3,013	825	27.4
Alaska	117	3	2.6	30	7	23.3	42	6	14.3	35	9	25.7
Arizona	421	111	26.4	79	28	35.4	173	61	35.3	277	98	35.4
California												
Central	879	180	20.5	132	30	22.7	380	112	29.5	911	282	31.0
Eastern	652	259	39.7	134	41	30.6	396	73	18.4	233	38	16.3
Northern	520	75	14.4	73	9	12.3	192	46	24.0	301	74	24.6
Southern	579	104	18.0	60	13	21.7	89	27	30.3	206	50	24.3
Guam	50	5	10.0	16	5	31.3	16	2	12.5	25	3	12.0
Hawaii	166	26	15.7	35	6	17.1	76	3	3.9	87	13	14.9
Idaho	99	8	8.1	19	4	21.1	30	5	16.7	75	10	13.3
Montana	181	9	5.0	21	2	9.5	108	6	5.6	123	5	4.1
Nevada	674	190	28.2	78	16	20.5	153	37	24.2	196	81	41.3
Northern Mariana Islands	8	2	25.0	5	0	0.0	10	0	0.0	5	1	20.0
Oregon	290	99	34.1	52	8	15.4	101	26	25.7	145	50	34.5
Washington												
Eastern	83	7	8.4	15	2	13.3	54	12	22.2	64	10	15.6
Western	624	100	16.0	85	12	14.1	232	44	19.0	330	101	30.6
TENTH CIRCUIT	1,717	190	11.1	262	18	6.9	809	126	15.6	882	166	18.8
Colorado	415	84	20.2	45	5	11.1	186	52	28.0	141	45	31.9
Kansas	309	26	8.4	54	2	3.7	127	22	17.3	161	36	22.4
New Mexico	102	0	0.0	28	0	0.0	46	4	8.7	54	11	20.4
Oklahoma												
Eastern	81	2	2.5	11	0	0.0	19	1	5.3	45	5	11.1
Northern	267	19	7.1	31	2	6.5	89	6	6.7	67	13	19.4
Western	232	15	6.5	37	3	8.1	116	10	8.6	145	12	8.3
Utah	218	20	9.2	50	6	12.0	200	27	13.5	242	41	16.9
Wyoming	93	24	25.8	6	0	0.0	26	4	15.4	27	3	11.1
ELEVENTH CIRCUIT	4,642	855	18.4	818	185	22.6	2,048	315	15.4	3,392	640	18.9
Alabama												
Middle	102	16	15.7	18	3	16.7	42	9	21.4	77	17	22.1
Northern	481	46	9.6	89	17	19.1	175	22	12.6	207	53	25.6
Southern	239	16	6.7	19	3	15.8	106	10	9.4	168	14	8.3
Florida												
Middle	1,178	296	25.1	219	52	23.7	390	75	19.2	550	125	22.7
Northern	189	23	12.2	23	5	21.7	68	10	14.7	122	26	21.3
Southern	1,352	249	18.4	260	65	25.0	797	119	14.9	1,623	246	15.2
Georgia												
Middle	194	26	13.4	30	5	16.7	78	6	7.7	95	16	16.8
Northern	734	172	23.4	121	30	24.8	304	55	18.1	389	118	30.3
Southern	173	11	6.4	39	5	12.8	88	9	10.2	161	25	15.5

Cases missing information necessary to determine sentence position relative to the guideline range were excluded from the analysis.

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

Rate of §5K1.1 Substantial Assistance Sentences by Circuit and District

Fraud Offenses Koon Period through Gall Period

CIRCUIT District	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
TOTAL	38,042	6,856	18.0	6,255	1,122	17.9	15,538	2,511	16.2	21,085	3,574	17.0
D.C. CIRCUIT	544	65	11.9	66	16	24.2	134	27	20.1	208	34	16.3
District of Columbia	544	65	11.9	66	16	24.2	134	27	20.1	208	34	16.3
FIRST CIRCUIT	1,088	187	17.2	135	15	11.1	378	42	11.1	646	66	10.2
Maine	152	15	9.9	17	0	0.0	52	4	7.7	52	1	1.9
Massachusetts	501	103	20.6	57	4	7.0	136	13	9.6	218	28	12.8
New Hampshire	166	42	25.3	21	4	19.0	84	15	17.9	108	13	12.0
Puerto Rico	173	17	9.8	25	5	20.0	68	9	13.2	203	12	5.9
Rhode Island	96	10	10.4	15	2	13.3	38	1	2.6	65	12	18.5
SECOND CIRCUIT	4,013	775	19.3	760	163	21.4	1,569	339	21.6	2,013	391	19.4
Connecticut	311	22	7.1	59	7	11.9	147	21	14.3	179	25	14.0
New York												
Eastern	1,122	323	28.8	246	84	34.1	373	124	33.2	537	177	33.0
Northern	195	46	23.6	52	6	11.5	101	22	21.8	123	17	13.8
Southern	1,852	299	16.1	314	53	16.9	722	128	17.7	868	128	14.7
Western	413	76	18.4	77	13	16.9	194	41	21.1	266	41	15.4
Vermont	120	9	7.5	12	0	0.0	32	3	9.4	40	3	7.5
THIRD CIRCUIT	2,915	843	28.9	540	142	26.3	1,259	361	28.7	1,491	421	28.2
Delaware	141	19	13.5	26	8	30.8	39	2	5.1	54	6	11.1
New Jersey	915	322	35.2	180	52	28.9	413	165	40.0	511	195	38.2
Pennsylvania												
Eastern	1,035	345	33.3	202	58	28.7	424	124	29.2	448	139	31.0
Middle	403	99	24.6	62	14	22.6	186	41	22.0	264	32	12.1
Western	348	54	15.5	64	10	15.6	177	29	16.4	205	49	23.9
Virgin Islands	73	4	5.5	6	0	0.0	20	0	0.0	9	0	0.0
FOURTH CIRCUIT	3,725	534	14.3	705	103	14.6	1,592	225	14.1	2,205	336	15.2
Maryland	517	156	30.2	85	21	24.7	181	59	32.6	297	81	27.3
North Carolina												
Eastern	299	44	14.7	38	9	23.7	115	25	21.7	194	51	26.3
Middle	228	19	8.3	13	1	7.7	87	7	8.0	82	4	4.9
Western	425	71	16.7	37	14	37.8	135	39	28.9	218	75	34.4
South Carolina	1,012	127	12.5	280	34	12.1	406	47	11.6	556	40	7.2
Virginia												
Eastern	752	80	10.6	163	18	11.0	453	34	7.5	629	63	10.0
Western	263	24	9.1	49	4	8.2	124	10	8.1	121	15	12.4
West Virginia												
Northern	64	4	6.3	9	0	0.0	41	2	4.9	45	1	2.2
Southern	165	9	5.5	31	2	6.5	50	2	4.0	63	6	9.5

Rate of §5K1.1 Substantial Assistance Sentences by Circuit and District (cont.)

CIRCUIT District	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
FIFTH CIRCUIT	4,863	820	16.9	629	68	10.8	1,752	199	11.4	2,504	324	12.9
Louisiana												
Eastern	337	30	8.9	35	6	17.1	87	5	5.7	245	8	3.3
Middle	204	20	9.8	37	10	27.0	144	13	9.0	165	24	14.5
Western	264	34	12.9	50	6	12.0	229	17	7.4	127	10	7.9
Mississippi												
Northern	113	7	6.2	16	3	18.8	59	7	11.9	69	7	10.1
Southern	290	21	7.2	49	4	8.2	179	17	9.5	279	13	4.7
Texas												
Eastern	361	28	7.8	85	8	9.4	155	13	8.4	299	22	7.4
Northern	1,537	377	24.5	187	15	8.0	354	59	16.7	398	85	21.4
Southern	1,022	180	17.6	95	9	9.5	224	38	17.0	446	96	21.5
Western	735	123	16.7	75	7	9.3	321	30	9.3	476	59	12.4
SIXTH CIRCUIT	4,170	642	15.4	596	89	14.9	1,572	267	17.0	2,015	390	19.4
Kentucky												
Eastern	291	37	12.7	43	5	11.6	120	25	20.8	170	38	22.4
Western	246	22	8.9	21	0	0.0	80	19	23.8	168	31	18.5
Michigan												
Eastern	800	148	18.5	114	22	19.3	352	71	20.2	395	101	25.6
Western	323	53	16.4	38	3	7.9	94	13	13.8	142	15	10.6
Ohio												
Northern	1,165	140	12.0	167	24	14.4	326	37	11.3	340	68	20.0
Southern	485	110	22.7	80	20	25.0	207	63	30.4	262	63	24.0
Tennessee												
Eastern	221	30	13.6	37	3	8.1	84	9	10.7	141	15	10.6
Middle	174	29	16.7	26	4	15.4	82	8	9.8	101	18	17.8
Western	465	73	15.7	70	8	11.4	227	22	9.7	296	41	13.9
SEVENTH CIRCUIT	2,438	405	16.6	500	97	19.4	1,209	182	15.1	1,211	177	14.6
Illinois												
Central	213	37	17.4	38	4	10.5	110	13	11.8	73	14	19.2
Northern	1,144	261	22.8	291	78	26.8	563	105	18.7	554	103	18.6
Southern	152	30	19.7	33	4	12.1	89	8	9.0	91	13	14.3
Indiana												
Northern	227	13	5.7	38	7	18.4	157	37	23.6	171	22	12.9
Southern	227	26	11.5	28	4	14.3	82	11	13.4	84	4	4.8
Wisconsin												
Eastern	303	30	9.9	47	0	0.0	142	8	5.6	165	18	10.9
Western	172	8	4.7	25	0	0.0	66	0	0.0	73	3	4.1
EIGHTH CIRCUIT	2,584	370	14.3	410	54	13.2	1,164	125	10.7	1,505	208	13.8
Arkansas												
Eastern	334	40	12.0	42	7	16.7	100	19	19.0	144	15	10.4
Western	131	22	16.8	13	1	7.7	33	6	18.2	43	1	2.3
Iowa												
Northern	104	4	3.8	19	3	15.8	52	2	3.8	91	9	9.9
Southern	118	13	11.0	27	1	3.7	67	2	3.0	110	12	10.9
Minnesota	338	43	12.7	61	6	9.8	158	13	8.2	203	50	24.6
Missouri												
Eastern	653	117	17.9	115	22	19.1	351	46	13.1	443	63	14.2
Western	396	82	20.7	51	3	5.9	174	31	17.8	241	50	20.7
Nebraska	196	22	11.2	48	8	16.7	95	3	3.2	125	1	0.8
North Dakota	119	15	12.6	7	1	14.3	37	1	2.7	34	1	2.9
South Dakota	195	12	6.2	27	2	7.4	97	2	2.1	71	6	8.5

Rate of §5K1.1 Substantial Assistance Sentences by Circuit and District (cont.)

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
NINTH CIRCUIT	5,343	1,173	22.0	834	176	21.1	2,052	358	17.4	3,013	506	16.8
Alaska	117	3	2.6	30	7	23.3	42	2	4.8	35	2	5.7
Arizona	421	110	26.1	79	26	32.9	173	46	26.6	277	52	18.8
California												
Central	879	180	20.5	132	29	22.0	380	93	24.5	911	189	20.7
Eastern	652	259	39.7	134	41	30.6	396	65	16.4	233	27	11.6
Northern	520	75	14.4	73	9	12.3	192	26	13.5	301	46	15.3
Southern	579	102	17.6	60	10	16.7	89	22	24.7	206	36	17.5
Guam	50	5	10.0	16	5	31.3	16	2	12.5	25	2	8.0
Hawaii	166	26	15.7	35	6	17.1	76	3	3.9	87	13	14.9
Idaho	99	8	8.1	19	4	21.1	30	3	10.0	75	8	10.7
Montana	181	9	5.0	21	2	9.5	108	6	5.6	123	4	3.3
Nevada	674	189	28.0	78	15	19.2	153	30	19.6	196	56	28.6
Northern Mariana Islands	8	2	25.0	5	0	0.0	10	0	0.0	5	1	20.0
Oregon	290	99	34.1	52	8	15.4	101	22	21.8	145	27	18.6
Washington												
Eastern	83	7	8.4	15	2	13.3	54	11	20.4	64	4	6.3
Western	624	99	15.9	85	12	14.1	232	27	11.6	330	39	11.8
TENTH CIRCUIT	1,717	189	11.0	262	17	6.5	809	100	12.4	882	122	13.8
Colorado	415	83	20.0	45	5	11.1	186	47	25.3	141	40	28.4
Kansas	309	26	8.4	54	2	3.7	127	14	11.0	161	23	14.3
New Mexico	102	0	0.0	28	0	0.0	46	3	6.5	54	2	3.7
Oklahoma												
Eastern	81	2	2.5	11	0	0.0	19	0	0.0	45	4	8.9
Northern	267	19	7.1	31	2	6.5	89	4	4.5	67	13	19.4
Western	232	15	6.5	37	2	5.4	116	10	8.6	145	12	8.3
Utah	218	20	9.2	50	6	12.0	200	21	10.5	242	26	10.7
Wyoming	93	24	25.8	6	0	0.0	26	1	3.8	27	2	7.4
ELEVENTH CIRCUIT	4,642	853	18.4	818	182	22.2	2,048	286	14.0	3,392	599	17.7
Alabama												
Middle	102	16	15.7	18	3	16.7	42	7	16.7	77	16	20.8
Northern	481	46	9.6	89	17	19.1	175	22	12.6	207	52	25.1
Southern	239	16	6.7	19	2	10.5	106	9	8.5	168	12	7.1
Florida												
Middle	1,178	296	25.1	219	52	23.7	390	66	16.9	550	119	21.6
Northern	189	23	12.2	23	5	21.7	68	10	14.7	122	26	21.3
Southern	1,352	249	18.4	260	65	25.0	797	110	13.8	1,623	230	14.2
Georgia												
Middle	194	25	12.9	30	4	13.3	78	6	7.7	95	14	14.7
Northern	734	171	23.3	121	29	24.0	304	48	15.8	389	106	27.2
Southern	173	11	6.4	39	5	12.8	88	8	9.1	161	24	14.9

Cases missing information necessary to determine sentence position relative to the guideline range were excluded from the analysis.

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

Rate of §5K3.1 Early Disposition Program Sentences by Circuit and District

Fraud Offenses

Koon Period through *Gall* Period

CIRCUIT District	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
TOTAL	38,042	n/a	n/a	6,255	0	0.0	15,538	4	0.0	21,085	52	0.2
D.C. CIRCUIT	544	n/a	n/a	66	0	0.0	134	0	0.0	208	0	0.0
District of Columbia	544	n/a	n/a	66	0	0.0	134	0	0.0	208	0	0.0
FIRST CIRCUIT	1,088	n/a	n/a	135	0	0.0	378	0	0.0	646	1	0.2
Maine	152	n/a	n/a	17	0	0.0	52	0	0.0	52	0	0.0
Massachusetts	501	n/a	n/a	57	0	0.0	136	0	0.0	218	0	0.0
New Hampshire	166	n/a	n/a	21	0	0.0	84	0	0.0	108	0	0.0
Puerto Rico	173	n/a	n/a	25	0	0.0	68	0	0.0	203	1	0.5
Rhode Island	96	n/a	n/a	15	0	0.0	38	0	0.0	65	0	0.0
SECOND CIRCUIT	4,013	n/a	n/a	760	0	0.0	1,569	0	0.0	2,013	0	0.0
Connecticut	311	n/a	n/a	59	0	0.0	147	0	0.0	179	0	0.0
New York												
Eastern	1,122	n/a	n/a	246	0	0.0	373	0	0.0	537	0	0.0
Northern	195	n/a	n/a	52	0	0.0	101	0	0.0	123	0	0.0
Southern	1,852	n/a	n/a	314	0	0.0	722	0	0.0	868	0	0.0
Western	413	n/a	n/a	77	0	0.0	194	0	0.0	266	0	0.0
Vermont	120	n/a	n/a	12	0	0.0	32	0	0.0	40	0	0.0
THIRD CIRCUIT	2,915	n/a	n/a	540	0	0.0	1,259	0	0.0	1,491	1	0.1
Delaware	141	n/a	n/a	26	0	0.0	39	0	0.0	54	0	0.0
New Jersey	915	n/a	n/a	180	0	0.0	413	0	0.0	511	1	0.2
Pennsylvania												
Eastern	1,035	n/a	n/a	202	0	0.0	424	0	0.0	448	0	0.0
Middle	403	n/a	n/a	62	0	0.0	186	0	0.0	264	0	0.0
Western	348	n/a	n/a	64	0	0.0	177	0	0.0	205	0	0.0
Virgin Islands	73	n/a	n/a	6	0	0.0	20	0	0.0	9	0	0.0
FOURTH CIRCUIT	3,725	n/a	n/a	705	0	0.0	1,592	0	0.0	2,205	0	0.0
Maryland	517	n/a	n/a	85	0	0.0	181	0	0.0	297	0	0.0
North Carolina												
Eastern	299	n/a	n/a	38	0	0.0	115	0	0.0	194	0	0.0
Middle	228	n/a	n/a	13	0	0.0	87	0	0.0	82	0	0.0
Western	425	n/a	n/a	37	0	0.0	135	0	0.0	218	0	0.0
South Carolina	1,012	n/a	n/a	280	0	0.0	406	0	0.0	556	0	0.0
Virginia												
Eastern	752	n/a	n/a	163	0	0.0	453	0	0.0	629	0	0.0
Western	263	n/a	n/a	49	0	0.0	124	0	0.0	121	0	0.0
West Virginia												
Northern	64	n/a	n/a	9	0	0.0	41	0	0.0	45	0	0.0
Southern	165	n/a	n/a	31	0	0.0	50	0	0.0	63	0	0.0

Rate of §5K3.1 Early Disposition Program Sentences by Circuit and District (cont.)

CIRCUIT District	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
FIFTH CIRCUIT	4,863	n/a	n/a	629	0	0.0	1,752	0	0.0	2,504	0	0.0
Louisiana												
Eastern	337	n/a	n/a	35	0	0.0	87	0	0.0	245	0	0.0
Middle	204	n/a	n/a	37	0	0.0	144	0	0.0	165	0	0.0
Western	264	n/a	n/a	50	0	0.0	229	0	0.0	127	0	0.0
Mississippi												
Northern	113	n/a	n/a	16	0	0.0	59	0	0.0	69	0	0.0
Southern	290	n/a	n/a	49	0	0.0	179	0	0.0	279	0	0.0
Texas												
Eastern	361	n/a	n/a	85	0	0.0	155	0	0.0	299	0	0.0
Northern	1,537	n/a	n/a	187	0	0.0	354	0	0.0	398	0	0.0
Southern	1,022	n/a	n/a	95	0	0.0	224	0	0.0	446	0	0.0
Western	735	n/a	n/a	75	0	0.0	321	0	0.0	476	0	0.0
SIXTH CIRCUIT	4,170	n/a	n/a	596	0	0.0	1,572	1	0.1	2,015	0	0.0
Kentucky												
Eastern	291	n/a	n/a	43	0	0.0	120	0	0.0	170	0	0.0
Western	246	n/a	n/a	21	0	0.0	80	1	1.3	168	0	0.0
Michigan												
Eastern	800	n/a	n/a	114	0	0.0	352	0	0.0	395	0	0.0
Western	323	n/a	n/a	38	0	0.0	94	0	0.0	142	0	0.0
Ohio												
Northern	1,165	n/a	n/a	167	0	0.0	326	0	0.0	340	0	0.0
Southern	485	n/a	n/a	80	0	0.0	207	0	0.0	262	0	0.0
Tennessee												
Eastern	221	n/a	n/a	37	0	0.0	84	0	0.0	141	0	0.0
Middle	174	n/a	n/a	26	0	0.0	82	0	0.0	101	0	0.0
Western	465	n/a	n/a	70	0	0.0	227	0	0.0	296	0	0.0
SEVENTH CIRCUIT	2,438	n/a	n/a	500	0	0.0	1,209	0	0.0	1,211	1	0.1
Illinois												
Central	213	n/a	n/a	38	0	0.0	110	0	0.0	73	0	0.0
Northern	1,144	n/a	n/a	291	0	0.0	563	0	0.0	554	1	0.2
Southern	152	n/a	n/a	33	0	0.0	89	0	0.0	91	0	0.0
Indiana												
Northern	227	n/a	n/a	38	0	0.0	157	0	0.0	171	0	0.0
Southern	227	n/a	n/a	28	0	0.0	82	0	0.0	84	0	0.0
Wisconsin												
Eastern	303	n/a	n/a	47	0	0.0	142	0	0.0	165	0	0.0
Western	172	n/a	n/a	25	0	0.0	66	0	0.0	73	0	0.0
EIGHTH CIRCUIT	2,584	n/a	n/a	410	0	0.0	1,164	0	0.0	1,505	31	2.1
Arkansas												
Eastern	334	n/a	n/a	42	0	0.0	100	0	0.0	144	0	0.0
Western	131	n/a	n/a	13	0	0.0	33	0	0.0	43	0	0.0
Iowa												
Northern	104	n/a	n/a	19	0	0.0	52	0	0.0	91	31	34.1
Southern	118	n/a	n/a	27	0	0.0	67	0	0.0	110	0	0.0
Minnesota	338	n/a	n/a	61	0	0.0	158	0	0.0	203	0	0.0
Missouri												
Eastern	653	n/a	n/a	115	0	0.0	351	0	0.0	443	0	0.0
Western	396	n/a	n/a	51	0	0.0	174	0	0.0	241	0	0.0
Nebraska	196	n/a	n/a	48	0	0.0	95	0	0.0	125	0	0.0
North Dakota	119	n/a	n/a	7	0	0.0	37	0	0.0	34	0	0.0
South Dakota	195	n/a	n/a	27	0	0.0	97	0	0.0	71	0	0.0

Rate of §5K3.1 Early Disposition Program Sentences by Circuit and District (cont.)

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
NINTH CIRCUIT	5,343	n/a	n/a	834	0	0.0	2,052	3	0.1	3,013	18	0.6
Alaska	117	n/a	n/a	30	0	0.0	42	0	0.0	35	0	0.0
Arizona	421	n/a	n/a	79	0	0.0	173	2	1.2	277	13	4.7
California												
Central	879	n/a	n/a	132	0	0.0	380	0	0.0	911	3	0.3
Eastern	652	n/a	n/a	134	0	0.0	396	0	0.0	233	0	0.0
Northern	520	n/a	n/a	73	0	0.0	192	0	0.0	301	0	0.0
Southern	579	n/a	n/a	60	0	0.0	89	1	1.1	206	2	1.0
Guam	50	n/a	n/a	16	0	0.0	16	0	0.0	25	0	0.0
Hawaii	166	n/a	n/a	35	0	0.0	76	0	0.0	87	0	0.0
Idaho	99	n/a	n/a	19	0	0.0	30	0	0.0	75	0	0.0
Montana	181	n/a	n/a	21	0	0.0	108	0	0.0	123	0	0.0
Nevada	674	n/a	n/a	78	0	0.0	153	0	0.0	196	0	0.0
Northern Mariana Islands	8	n/a	n/a	5	0	0.0	10	0	0.0	5	0	0.0
Oregon	290	n/a	n/a	52	0	0.0	101	0	0.0	145	0	0.0
Washington												
Eastern	83	n/a	n/a	15	0	0.0	54	0	0.0	64	0	0.0
Western	624	n/a	n/a	85	0	0.0	232	0	0.0	330	0	0.0
TENTH CIRCUIT	1,717	n/a	n/a	262	0	0.0	809	0	0.0	882	0	0.0
Colorado	415	n/a	n/a	45	0	0.0	186	0	0.0	141	0	0.0
Kansas	309	n/a	n/a	54	0	0.0	127	0	0.0	161	0	0.0
New Mexico	102	n/a	n/a	28	0	0.0	46	0	0.0	54	0	0.0
Oklahoma												
Eastern	81	n/a	n/a	11	0	0.0	19	0	0.0	45	0	0.0
Northern	267	n/a	n/a	31	0	0.0	89	0	0.0	67	0	0.0
Western	232	n/a	n/a	37	0	0.0	116	0	0.0	145	0	0.0
Utah	218	n/a	n/a	50	0	0.0	200	0	0.0	242	0	0.0
Wyoming	93	n/a	n/a	6	0	0.0	26	0	0.0	27	0	0.0
ELEVENTH CIRCUIT	4,642	n/a	n/a	818	0	0.0	2,048	0	0.0	3,392	0	0.0
Alabama												
Middle	102	n/a	n/a	18	0	0.0	42	0	0.0	77	0	0.0
Northern	481	n/a	n/a	89	0	0.0	175	0	0.0	207	0	0.0
Southern	239	n/a	n/a	19	0	0.0	106	0	0.0	168	0	0.0
Florida												
Middle	1,178	n/a	n/a	219	0	0.0	390	0	0.0	550	0	0.0
Northern	189	n/a	n/a	23	0	0.0	68	0	0.0	122	0	0.0
Southern	1,352	n/a	n/a	260	0	0.0	797	0	0.0	1,623	0	0.0
Georgia												
Middle	194	n/a	n/a	30	0	0.0	78	0	0.0	95	0	0.0
Northern	734	n/a	n/a	121	0	0.0	304	0	0.0	389	0	0.0
Southern	173	n/a	n/a	39	0	0.0	88	0	0.0	161	0	0.0

Cases missing information necessary to determine sentence position relative to the guideline range were excluded from the analysis.

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

Rate of Other Government Sponsored Below Range Sentences by Circuit and District
Fraud Offenses
Koon Period through *Gall* Period

CIRCUIT District	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
TOTAL	38,042	n/a	n/a	6,255	56	0.9	15,538	334	2.1	21,085	812	3.9
D.C. CIRCUIT	544	n/a	n/a	66	3	4.5	134	5	3.7	208	14	6.7
District of Columbia	544	n/a	n/a	66	3	4.5	134	5	3.7	208	14	6.7
FIRST CIRCUIT	1,088	n/a	n/a	135	2	1.5	378	5	1.3	646	34	5.3
Maine	152	n/a	n/a	17	0	0.0	52	0	0.0	52	0	0.0
Massachusetts	501	n/a	n/a	57	1	1.8	136	2	1.5	218	20	9.2
New Hampshire	166	n/a	n/a	21	1	4.8	84	3	3.6	108	10	9.3
Puerto Rico	173	n/a	n/a	25	0	0.0	68	0	0.0	203	4	2.0
Rhode Island	96	n/a	n/a	15	0	0.0	38	0	0.0	65	0	0.0
SECOND CIRCUIT	4,013	n/a	n/a	760	23	3.0	1,569	24	1.5	2,013	43	2.1
Connecticut	311	n/a	n/a	59	5	8.5	147	1	0.7	179	4	2.2
New York												
Eastern	1,122	n/a	n/a	246	15	6.1	373	10	2.7	537	17	3.2
Northern	195	n/a	n/a	52	1	1.9	101	1	1.0	123	4	3.3
Southern	1,852	n/a	n/a	314	1	0.3	722	10	1.4	868	12	1.4
Western	413	n/a	n/a	77	1	1.3	194	1	0.5	266	4	1.5
Vermont	120	n/a	n/a	12	0	0.0	32	1	3.1	40	2	5.0
THIRD CIRCUIT	2,915	n/a	n/a	540	2	0.4	1,259	12	1.0	1,491	25	1.7
Delaware	141	n/a	n/a	26	0	0.0	39	1	2.6	54	2	3.7
New Jersey	915	n/a	n/a	180	1	0.6	413	2	0.5	511	12	2.3
Pennsylvania												
Eastern	1,035	n/a	n/a	202	0	0.0	424	4	0.9	448	4	0.9
Middle	403	n/a	n/a	62	1	1.6	186	1	0.5	264	5	1.9
Western	348	n/a	n/a	64	0	0.0	177	3	1.7	205	1	0.5
Virgin Islands	73	n/a	n/a	6	0	0.0	20	1	5.0	9	1	11.1
FOURTH CIRCUIT	3,725	n/a	n/a	705	1	0.1	1,592	16	1.0	2,205	60	2.7
Maryland	517	n/a	n/a	85	0	0.0	181	3	1.7	297	11	3.7
North Carolina												
Eastern	299	n/a	n/a	38	0	0.0	115	0	0.0	194	4	2.1
Middle	228	n/a	n/a	13	0	0.0	87	0	0.0	82	1	1.2
Western	425	n/a	n/a	37	0	0.0	135	2	1.5	218	9	4.1
South Carolina	1,012	n/a	n/a	280	0	0.0	406	3	0.7	556	15	2.7
Virginia												
Eastern	752	n/a	n/a	163	0	0.0	453	4	0.9	629	13	2.1
Western	263	n/a	n/a	49	1	2.0	124	4	3.2	121	5	4.1
West Virginia												
Northern	64	n/a	n/a	9	0	0.0	41	0	0.0	45	2	4.4
Southern	165	n/a	n/a	31	0	0.0	50	0	0.0	63	0	0.0

Rate of Other Government Sponsored Below Range Sentences by Circuit and District (cont.)

CIRCUIT District	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
FIFTH CIRCUIT	4,863	n/a	n/a	629	4	0.6	1,752	34	1.9	2,504	99	4.0
Louisiana												
Eastern	337	n/a	n/a	35	0	0.0	87	4	4.6	245	3	1.2
Middle	204	n/a	n/a	37	0	0.0	144	0	0.0	165	0	0.0
Western	264	n/a	n/a	50	1	2.0	229	0	0.0	127	1	0.8
Mississippi												
Northern	113	n/a	n/a	16	0	0.0	59	3	5.1	69	2	2.9
Southern	290	n/a	n/a	49	0	0.0	179	0	0.0	279	0	0.0
Texas												
Eastern	361	n/a	n/a	85	0	0.0	155	7	4.5	299	46	15.4
Northern	1,537	n/a	n/a	187	1	0.5	354	13	3.7	398	11	2.8
Southern	1,022	n/a	n/a	95	1	1.1	224	1	0.4	446	17	3.8
Western	735	n/a	n/a	75	1	1.3	321	6	1.9	476	19	4.0
SIXTH CIRCUIT	4,170	n/a	n/a	596	3	0.5	1,572	30	1.9	2,015	70	3.5
Kentucky												
Eastern	291	n/a	n/a	43	0	0.0	120	0	0.0	170	1	0.6
Western	246	n/a	n/a	21	0	0.0	80	7	8.8	168	23	13.7
Michigan												
Eastern	800	n/a	n/a	114	2	1.8	352	4	1.1	395	6	1.5
Western	323	n/a	n/a	38	0	0.0	94	3	3.2	142	1	0.7
Ohio												
Northern	1,165	n/a	n/a	167	0	0.0	326	5	1.5	340	10	2.9
Southern	485	n/a	n/a	80	0	0.0	207	2	1.0	262	17	6.5
Tennessee												
Eastern	221	n/a	n/a	37	0	0.0	84	2	2.4	141	2	1.4
Middle	174	n/a	n/a	26	0	0.0	82	0	0.0	101	3	3.0
Western	465	n/a	n/a	70	1	1.4	227	7	3.1	296	7	2.4
SEVENTH CIRCUIT	2,438	n/a	n/a	500	2	0.4	1,209	27	2.2	1,211	28	2.3
Illinois												
Central	213	n/a	n/a	38	0	0.0	110	3	2.7	73	3	4.1
Northern	1,144	n/a	n/a	291	1	0.3	563	13	2.3	554	8	1.4
Southern	152	n/a	n/a	33	0	0.0	89	2	2.2	91	2	2.2
Indiana												
Northern	227	n/a	n/a	38	0	0.0	157	1	0.6	171	4	2.3
Southern	227	n/a	n/a	28	0	0.0	82	0	0.0	84	2	2.4
Wisconsin												
Eastern	303	n/a	n/a	47	1	2.1	142	7	4.9	165	9	5.5
Western	172	n/a	n/a	25	0	0.0	66	1	1.5	73	0	0.0
EIGHTH CIRCUIT	2,584	n/a	n/a	410	5	1.2	1,164	27	2.3	1,505	53	3.5
Arkansas												
Eastern	334	n/a	n/a	42	0	0.0	100	0	0.0	144	3	2.1
Western	131	n/a	n/a	13	0	0.0	33	1	3.0	43	1	2.3
Iowa												
Northern	104	n/a	n/a	19	0	0.0	52	0	0.0	91	0	0.0
Southern	118	n/a	n/a	27	0	0.0	67	1	1.5	110	7	6.4
Minnesota	338	n/a	n/a	61	1	1.6	158	4	2.5	203	5	2.5
Missouri												
Eastern	653	n/a	n/a	115	0	0.0	351	5	1.4	443	11	2.5
Western	396	n/a	n/a	51	1	2.0	174	3	1.7	241	9	3.7
Nebraska	196	n/a	n/a	48	2	4.2	95	11	11.6	125	11	8.8
North Dakota	119	n/a	n/a	7	0	0.0	37	2	5.4	34	3	8.8
South Dakota	195	n/a	n/a	27	1	3.7	97	0	0.0	71	3	4.2

Rate of Other Government Sponsored Below Range Sentences by Circuit and District (cont.)

CIRCUIT District	<i>Koon</i> Period (6/13/96 - 04/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
NINTH CIRCUIT	5,343	n/a	n/a	834	7	0.8	2,052	99	4.8	3,013	301	10.0
Alaska	117	n/a	n/a	30	0	0.0	42	4	9.5	35	7	20.0
Arizona	421	n/a	n/a	79	2	2.5	173	13	7.5	277	33	11.9
California												
Central	879	n/a	n/a	132	1	0.8	380	19	5.0	911	90	9.9
Eastern	652	n/a	n/a	134	0	0.0	396	8	2.0	233	11	4.7
Northern	520	n/a	n/a	73	0	0.0	192	20	10.4	301	28	9.3
Southern	579	n/a	n/a	60	3	5.0	89	4	4.5	206	12	5.8
Guam	50	n/a	n/a	16	0	0.0	16	0	0.0	25	1	4.0
Hawaii	166	n/a	n/a	35	0	0.0	76	0	0.0	87	0	0.0
Idaho	99	n/a	n/a	19	0	0.0	30	2	6.7	75	2	2.7
Montana	181	n/a	n/a	21	0	0.0	108	0	0.0	123	1	0.8
Nevada	674	n/a	n/a	78	1	1.3	153	7	4.6	196	25	12.8
Northern Mariana Islands	8	n/a	n/a	5	0	0.0	10	0	0.0	5	0	0.0
Oregon	290	n/a	n/a	52	0	0.0	101	4	4.0	145	23	15.9
Washington												
Eastern	83	n/a	n/a	15	0	0.0	54	1	1.9	64	6	9.4
Western	624	n/a	n/a	85	0	0.0	232	17	7.3	330	62	18.8
TENTH CIRCUIT	1,717	n/a	n/a	262	1	0.4	809	26	3.2	882	44	5.0
Colorado	415	n/a	n/a	45	0	0.0	186	5	2.7	141	5	3.5
Kansas	309	n/a	n/a	54	0	0.0	127	8	6.3	161	13	8.1
New Mexico	102	n/a	n/a	28	0	0.0	46	1	2.2	54	9	16.7
Oklahoma												
Eastern	81	n/a	n/a	11	0	0.0	19	1	5.3	45	1	2.2
Northern	267	n/a	n/a	31	0	0.0	89	2	2.2	67	0	0.0
Western	232	n/a	n/a	37	1	2.7	116	0	0.0	145	0	0.0
Utah	218	n/a	n/a	50	0	0.0	200	6	3.0	242	15	6.2
Wyoming	93	n/a	n/a	6	0	0.0	26	3	11.5	27	1	3.7
ELEVENTH CIRCUIT	4,642	n/a	n/a	818	3	0.4	2,048	29	1.4	3,392	41	1.2
Alabama												
Middle	102	n/a	n/a	18	0	0.0	42	2	4.8	77	1	1.3
Northern	481	n/a	n/a	89	0	0.0	175	0	0.0	207	1	0.5
Southern	239	n/a	n/a	19	1	5.3	106	1	0.9	168	2	1.2
Florida												
Middle	1,178	n/a	n/a	219	0	0.0	390	9	2.3	550	6	1.1
Northern	189	n/a	n/a	23	0	0.0	68	0	0.0	122	0	0.0
Southern	1,352	n/a	n/a	260	0	0.0	797	9	1.1	1,623	16	1.0
Georgia												
Middle	194	n/a	n/a	30	1	3.3	78	0	0.0	95	2	2.1
Northern	734	n/a	n/a	121	1	0.8	304	7	2.3	389	12	3.1
Southern	173	n/a	n/a	39	0	0.0	88	1	1.1	161	1	0.6

Cases missing information necessary to determine sentence position relative to the guideline range were excluded from the analysis.

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

Rate of Non-Government Sponsored Below Range Sentences by Circuit and District
Fraud Offenses
Koon Period through *Gall* Period

CIRCUIT District	<i>Koon</i> Period (6/13/96 - 04/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
TOTAL	38,042	3,661	9.6	6,255	387	6.2	15,538	2,551	16.4	21,085	4,875	23.1
D.C. CIRCUIT	544	17	3.1	66	3	4.5	134	20	14.9	208	46	22.1
District of Columbia	544	17	3.1	66	3	4.5	134	20	14.9	208	46	22.1
FIRST CIRCUIT	1,088	128	11.8	135	13	9.6	378	82	21.7	646	153	23.7
Maine	152	5	3.3	17	0	0.0	52	5	9.6	52	18	34.6
Massachusetts	501	91	18.2	57	10	17.5	136	41	30.1	218	73	33.5
New Hampshire	166	10	6.0	21	1	4.8	84	14	16.7	108	14	13.0
Puerto Rico	173	13	7.5	25	1	4.0	68	11	16.2	203	25	12.3
Rhode Island	96	9	9.4	15	1	6.7	38	11	28.9	65	23	35.4
SECOND CIRCUIT	4,013	729	18.2	760	108	14.2	1,569	361	23.0	2,013	737	36.6
Connecticut	311	118	37.9	59	15	25.4	147	41	27.9	179	68	38.0
New York												
Eastern	1,122	261	23.3	246	41	16.7	373	86	23.1	537	184	34.3
Northern	195	30	15.4	52	11	21.2	101	15	14.9	123	33	26.8
Southern	1,852	244	13.2	314	31	9.9	722	174	24.1	868	375	43.2
Western	413	40	9.7	77	8	10.4	194	33	17.0	266	59	22.2
Vermont	120	36	30.0	12	2	16.7	32	12	37.5	40	18	45.0
THIRD CIRCUIT	2,915	237	8.1	540	29	5.4	1,259	214	17.0	1,491	320	21.5
Delaware	141	9	6.4	26	2	7.7	39	13	33.3	54	25	46.3
New Jersey	915	58	6.3	180	8	4.4	413	45	10.9	511	84	16.4
Pennsylvania												
Eastern	1,035	94	9.1	202	14	6.9	424	108	25.5	448	111	24.8
Middle	403	40	9.9	62	1	1.6	186	18	9.7	264	53	20.1
Western	348	35	10.1	64	4	6.3	177	30	16.9	205	46	22.4
Virgin Islands	73	1	1.4	6	0	0.0	20	0	0.0	9	1	11.1
FOURTH CIRCUIT	3,725	150	4.0	705	22	3.1	1,592	215	13.5	2,205	463	21.0
Maryland	517	46	8.9	85	8	9.4	181	44	24.3	297	71	23.9
North Carolina												
Eastern	299	23	7.7	38	2	5.3	115	11	9.6	194	25	12.9
Middle	228	3	1.3	13	0	0.0	87	6	6.9	82	13	15.9
Western	425	18	4.2	37	2	5.4	135	9	6.7	218	34	15.6
South Carolina	1,012	23	2.3	280	1	0.4	406	56	13.8	556	101	18.2
Virginia												
Eastern	752	18	2.4	163	7	4.3	453	63	13.9	629	170	27.0
Western	263	13	4.9	49	1	2.0	124	14	11.3	121	21	17.4
West Virginia												
Northern	64	1	1.6	9	0	0.0	41	8	19.5	45	8	17.8
Southern	165	5	3.0	31	1	3.2	50	4	8.0	63	20	31.7

Rate of Non-Government Sponsored Below Range Sentences by Circuit and District (cont.)

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
FIFTH CIRCUIT	4,863	353	7.3	629	23	3.7	1,752	171	9.8	2,504	319	12.7
Louisiana												
Eastern	337	18	5.3	35	2	5.7	87	7	8.0	245	37	15.1
Middle	204	7	3.4	37	0	0.0	144	9	6.3	165	24	14.5
Western	264	9	3.4	50	1	2.0	229	24	10.5	127	24	18.9
Mississippi												
Northern	113	6	5.3	16	0	0.0	59	2	3.4	69	4	5.8
Southern	290	16	5.5	49	1	2.0	179	14	7.8	279	25	9.0
Texas												
Eastern	361	20	5.5	85	2	2.4	155	19	12.3	299	23	7.7
Northern	1,537	101	6.6	187	6	3.2	354	29	8.2	398	55	13.8
Southern	1,022	86	8.4	95	9	9.5	224	24	10.7	446	55	12.3
Western	735	90	12.2	75	2	2.7	321	43	13.4	476	72	15.1
SIXTH CIRCUIT	4,170	295	7.1	596	31	5.2	1,572	317	20.2	2,015	515	25.6
Kentucky												
Eastern	291	9	3.1	43	1	2.3	120	20	16.7	170	39	22.9
Western	246	16	6.5	21	0	0.0	80	11	13.8	168	33	19.6
Michigan												
Eastern	800	75	9.4	114	8	7.0	352	71	20.2	395	114	28.9
Western	323	20	6.2	38	2	5.3	94	23	24.5	142	28	19.7
Ohio												
Northern	1,165	88	7.6	167	9	5.4	326	69	21.2	340	88	25.9
Southern	485	36	7.4	80	10	12.5	207	38	18.4	262	77	29.4
Tennessee												
Eastern	221	18	8.1	37	0	0.0	84	15	17.9	141	24	17.0
Middle	174	12	6.9	26	0	0.0	82	17	20.7	101	30	29.7
Western	465	21	4.5	70	1	1.4	227	53	23.3	296	82	27.7
SEVENTH CIRCUIT	2,438	213	8.7	500	24	4.8	1,209	258	21.3	1,211	374	30.9
Illinois												
Central	213	19	8.9	38	0	0.0	110	19	17.3	73	13	17.8
Northern	1,144	114	10.0	291	17	5.8	563	142	25.2	554	233	42.1
Southern	152	7	4.6	33	1	3.0	89	20	22.5	91	13	14.3
Indiana												
Northern	227	14	6.2	38	2	5.3	157	12	7.6	171	21	12.3
Southern	227	22	9.7	28	0	0.0	82	17	20.7	84	26	31.0
Wisconsin												
Eastern	303	33	10.9	47	4	8.5	142	44	31.0	165	51	30.9
Western	172	4	2.3	25	0	0.0	66	4	6.1	73	17	23.3
EIGHTH CIRCUIT	2,584	235	9.1	410	29	7.1	1,164	183	15.7	1,505	381	25.3
Arkansas												
Eastern	334	16	4.8	42	0	0.0	100	9	9.0	144	32	22.2
Western	131	8	6.1	13	0	0.0	33	5	15.2	43	5	11.6
Iowa												
Northern	104	6	5.8	19	0	0.0	52	4	7.7	91	3	3.3
Southern	118	16	13.6	27	5	18.5	67	16	23.9	110	30	27.3
Minnesota	338	61	18.0	61	5	8.2	158	38	24.1	203	76	37.4
Missouri												
Eastern	653	40	6.1	115	4	3.5	351	53	15.1	443	110	24.8
Western	396	24	6.1	51	3	5.9	174	26	14.9	241	67	27.8
Nebraska	196	31	15.8	48	8	16.7	95	14	14.7	125	41	32.8
North Dakota	119	9	7.6	7	0	0.0	37	6	16.2	34	3	8.8
South Dakota	195	24	12.3	27	4	14.8	97	12	12.4	71	14	19.7

Rate of Non-Government Sponsored Below Range Sentences by Circuit and District (cont.)

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
NINTH CIRCUIT	5,343	822	15.4	834	64	7.7	2,052	345	16.8	3,013	630	20.9
Alaska	117	20	17.1	30	0	0.0	42	10	23.8	35	13	37.1
Arizona	421	102	24.2	79	4	5.1	173	20	11.6	277	31	11.2
California												
Central	879	118	13.4	132	11	8.3	380	91	23.9	911	220	24.1
Eastern	652	47	7.2	134	1	0.7	396	47	11.9	233	45	19.3
Northern	520	98	18.8	73	9	12.3	192	42	21.9	301	64	21.3
Southern	579	143	24.7	60	4	6.7	89	10	11.2	206	28	13.6
Guam	50	1	2.0	16	3	18.8	16	2	12.5	25	11	44.0
Hawaii	166	7	4.2	35	0	0.0	76	17	22.4	87	18	20.7
Idaho	99	24	24.2	19	3	15.8	30	4	13.3	75	17	22.7
Montana	181	46	25.4	21	0	0.0	108	7	6.5	123	19	15.4
Nevada	674	59	8.8	78	1	1.3	153	16	10.5	196	30	15.3
Northern Mariana Islands	8	0	0.0	5	0	0.0	10	0	0.0	5	0	0.0
Oregon	290	40	13.8	52	7	13.5	101	23	22.8	145	29	20.0
Washington												
Eastern	83	12	14.5	15	2	13.3	54	8	14.8	64	10	15.6
Western	624	105	16.8	85	19	22.4	232	48	20.7	330	95	28.8
TENTH CIRCUIT	1,717	168	9.8	262	11	4.2	809	121	15.0	882	190	21.5
Colorado	415	46	11.1	45	4	8.9	186	29	15.6	141	26	18.4
Kansas	309	33	10.7	54	3	5.6	127	20	15.7	161	30	18.6
New Mexico	102	16	15.7	28	1	3.6	46	6	13.0	54	12	22.2
Oklahoma												
Eastern	81	16	19.8	11	0	0.0	19	1	5.3	45	5	11.1
Northern	267	18	6.7	31	0	0.0	89	7	7.9	67	10	14.9
Western	232	9	3.9	37	1	2.7	116	17	14.7	145	32	22.1
Utah	218	18	8.3	50	2	4.0	200	37	18.5	242	67	27.7
Wyoming	93	12	12.9	6	0	0.0	26	4	15.4	27	8	29.6
ELEVENTH CIRCUIT	4,642	314	6.8	818	30	3.7	2,048	264	12.9	3,392	747	22.0
Alabama												
Middle	102	3	2.9	18	1	5.6	42	2	4.8	77	9	11.7
Northern	481	21	4.4	89	0	0.0	175	25	14.3	207	38	18.4
Southern	239	16	6.7	19	1	5.3	106	7	6.6	168	38	22.6
Florida												
Middle	1,178	101	8.6	219	10	4.6	390	59	15.1	550	161	29.3
Northern	189	10	5.3	23	1	4.3	68	11	16.2	122	20	16.4
Southern	1,352	84	6.2	260	6	2.3	797	101	12.7	1,623	354	21.8
Georgia												
Middle	194	10	5.2	30	0	0.0	78	3	3.8	95	9	9.5
Northern	734	59	8.0	121	10	8.3	304	52	17.1	389	107	27.5
Southern	173	10	5.8	39	1	2.6	88	4	4.5	161	11	6.8

Cases missing information necessary to determine sentence position relative to the guideline range were excluded from the analysis.

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

Average Guideline Minimum and Length of Imprisonment by Circuit and District

Fraud Offenses Koon Period through Gall Period

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	Mean Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months
TOTAL	38,126	14	13	6,275	17	16	15,572	22	19	21,088	30	25
D.C. CIRCUIT	546	9	9	67	22	19	134	19	16	208	28	19
District of Columbia	546	9	9	67	22	19	134	19	16	208	28	19
FIRST CIRCUIT	1,091	15	13	138	17	16	379	26	23	646	27	21
Maine	152	11	12	17	9	11	52	16	18	52	22	18
Massachusetts	504	18	14	57	16	13	137	35	29	218	46	33
New Hampshire	166	13	12	21	15	14	84	25	23	108	27	24
Puerto Rico	173	8	8	27	23	23	68	12	10	203	8	8
Rhode Island	96	16	18	16	25	24	38	32	32	65	22	18
SECOND CIRCUIT	4,028	17	13	762	19	14	1,573	27	17	2,015	37	22
Connecticut	311	15	12	59	20	15	147	21	15	179	40	22
New York												
Eastern	1,127	18	11	247	20	12	374	30	15	537	46	20
Northern	195	14	11	52	17	15	101	14	12	123	22	18
Southern	1,861	18	14	315	19	15	725	32	21	870	40	27
Western	414	11	11	77	16	14	194	12	10	266	16	13
Vermont	120	15	14	12	11	15	32	33	24	40	21	12
THIRD CIRCUIT	2,918	14	12	540	17	15	1,259	23	18	1,491	32	24
Delaware	141	12	12	26	24	21	39	22	19	54	36	25
New Jersey	915	16	12	180	19	16	413	24	18	511	33	23
Pennsylvania												
Eastern	1,036	14	11	202	17	13	424	28	20	448	41	31
Middle	403	15	14	62	16	16	186	17	15	264	17	15
Western	349	13	12	64	13	13	177	21	18	205	25	19
Virgin Islands	74	5	6	6	4	6	20	4	7	9	14	15
FOURTH CIRCUIT	3,730	13	13	705	14	14	1,592	20	20	2,206	32	29
Maryland	518	18	16	85	20	18	181	31	26	297	37	32
North Carolina												
Eastern	299	14	16	38	18	17	115	21	21	194	35	33
Middle	228	18	20	13	7	8	87	18	19	82	30	32
Western	425	12	12	37	23	19	135	24	22	218	54	44
South Carolina	1,012	10	9	280	10	9	406	13	13	556	20	19
Virginia												
Eastern	755	12	13	163	16	17	453	24	25	630	35	31
Western	264	13	14	49	18	20	124	16	16	121	27	25
West Virginia												
Northern	64	13	14	9	15	15	41	9	8	45	22	20
Southern	165	15	17	31	11	12	50	10	12	63	21	18

Average Guideline Minimum and Length of Imprisonment by Circuit and District (cont.)

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
	Total	Mean Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months
FIFTH CIRCUIT	4,866	15	15	629	17	19	1,752	19	19	2,504	25	24
Louisiana												
Eastern	337	13	14	35	22	23	87	7	8	245	13	14
Middle	204	8	8	37	7	11	144	8	9	165	16	16
Western	264	12	14	50	15	17	229	12	14	127	18	20
Mississippi												
Northern	113	10	12	16	9	10	59	15	16	69	23	25
Southern	290	11	12	49	16	16	179	13	14	279	19	19
Texas												
Eastern	361	13	14	85	16	17	155	22	23	299	26	23
Northern	1,538	17	16	187	15	16	354	26	26	398	34	32
Southern	1,022	17	17	95	32	31	224	30	27	446	35	31
Western	737	15	15	75	15	17	321	16	16	476	23	23
SIXTH CIRCUIT	4,183	12	12	596	16	15	1,572	21	18	2,015	27	21
Kentucky												
Eastern	291	12	11	43	12	12	120	25	21	170	30	22
Western	246	13	12	21	12	13	80	21	16	168	24	19
Michigan												
Eastern	805	14	13	114	17	15	352	22	19	395	28	21
Western	323	13	13	38	16	17	94	19	19	142	32	29
Ohio												
Northern	1,168	10	10	167	13	12	326	20	20	340	22	19
Southern	485	11	11	80	21	18	207	23	19	262	35	22
Tennessee												
Eastern	221	16	19	37	17	17	84	17	17	141	21	21
Middle	175	14	14	26	17	17	82	22	19	101	38	30
Western	469	13	13	70	16	17	227	16	14	296	21	19
SEVENTH CIRCUIT	2,447	16	16	502	17	17	1,210	23	20	1,211	34	28
Illinois												
Central	214	15	15	38	16	17	111	20	19	73	31	29
Northern	1,150	17	16	292	18	16	563	25	21	554	43	32
Southern	152	19	17	33	14	16	89	22	21	91	47	42
Indiana												
Northern	228	12	11	38	13	12	157	20	17	171	21	20
Southern	228	16	18	28	26	28	82	22	22	84	25	24
Wisconsin												
Eastern	303	15	16	48	16	16	142	22	20	165	24	21
Western	172	14	19	25	17	20	66	17	20	73	21	20
EIGHTH CIRCUIT	2,589	13	13	414	15	14	1,164	19	17	1,505	25	21
Arkansas												
Eastern	334	11	11	43	14	13	100	18	17	144	21	20
Western	131	14	13	13	7	8	33	15	13	43	19	19
Iowa												
Northern	104	11	12	19	12	12	52	15	19	91	23	25
Southern	118	13	12	27	14	14	67	17	18	110	24	19
Minnesota	341	18	16	61	19	18	158	25	21	203	44	31
Missouri												
Eastern	654	13	12	117	15	15	351	19	17	443	21	18
Western	396	16	14	51	21	23	174	25	20	241	32	23
Nebraska	197	15	14	49	12	10	95	14	12	125	14	13
North Dakota	119	8	8	7	7	8	37	4	3	34	13	13
South Dakota	195	9	10	27	7	6	97	11	15	71	18	15

Average Guideline Minimum and Length of Imprisonment by Circuit and District (cont.)

CIRCUIT	<i>Koon</i>			PROTECT Act			<i>Booker</i>			<i>Gall</i>		
	Period			Period			Period			Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	Mean	Mean	Total	Mean	Mean	Total	Mean	Mean	Total	Mean	Mean
		Guideline			Guideline			Guideline			Guideline	
		Minimum	Months		Minimum	Months		Minimum	Months		Minimum	Months
NINTH CIRCUIT	5,355	16	14	840	17	15	2,079	21	18	3,013	28	22
Alaska	117	11	13	30	12	11	42	19	18	35	21	15
Arizona	423	14	10	80	11	9	173	18	13	277	20	12
California												
Central	884	17	14	136	18	15	407	25	19	911	32	24
Eastern	654	15	13	134	18	16	396	16	15	233	30	28
Northern	520	17	14	73	16	16	192	22	19	301	32	24
Southern	579	15	12	61	17	15	89	30	23	206	27	20
Guam	52	7	10	16	8	7	16	7	6	25	14	9
Hawaii	166	12	12	35	14	14	76	21	20	87	24	23
Idaho	99	15	14	19	13	12	30	9	10	75	19	17
Montana	181	17	16	21	10	12	108	17	20	123	24	27
Nevada	674	17	15	78	16	16	153	22	20	196	32	25
Northern Mariana Islands	8	13	19	5	51	52	10	8	10	5	17	12
Oregon	291	17	14	52	17	16	101	26	21	145	27	21
Washington												
Eastern	83	11	9	15	13	11	54	16	14	64	17	16
Western	624	15	15	85	22	20	232	29	24	330	31	24
TENTH CIRCUIT	1,727	13	13	263	15	15	809	21	19	882	26	22
Colorado	415	13	13	45	10	10	186	15	11	141	30	26
Kansas	309	13	13	55	15	15	127	25	21	161	26	21
New Mexico	102	8	9	28	8	10	46	12	10	54	17	12
Oklahoma												
Eastern	82	9	8	11	8	9	19	23	25	45	22	22
Northern	267	13	14	31	14	15	89	17	18	67	21	18
Western	232	15	16	37	18	18	116	29	29	145	24	19
Utah	227	12	11	50	22	22	200	24	22	242	31	26
Wyoming	93	16	14	6	17	20	26	9	8	27	17	16
ELEVENTH CIRCUIT	4,646	15	15	819	22	20	2,049	25	23	3,392	36	32
Alabama												
Middle	102	10	10	18	9	7	42	17	13	77	30	28
Northern	483	11	12	90	21	17	175	17	12	207	22	19
Southern	239	10	10	19	9	9	106	13	13	168	20	16
Florida												
Middle	1,178	15	14	219	17	15	390	22	20	550	37	30
Northern	189	14	14	23	20	19	68	24	24	122	36	29
Southern	1,352	18	17	260	27	25	798	28	27	1,623	38	36
Georgia												
Middle	194	11	12	30	9	11	78	22	24	95	15	17
Northern	736	19	18	121	27	25	304	32	30	389	46	39
Southern	173	16	18	39	21	23	88	22	25	161	30	33

Sentences of probation only are included as zero (0) months of imprisonment. Life sentences and other sentences exceeding 470 months are capped at 470 months. This analysis includes time of confinement as described in USSG §5C1.1 (Imposition of a Term of Imprisonment). Some cases were excluded due to missing or indeterminable sentencing information.

Guideline minimums account for applicable statutory mandatory penalties. Guideline minimums of life and other guideline minimums exceeding 470 months are capped at 470 months.

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**Spread of Rates of Government Sponsored Below Range Sentences
Fraud Offenses**

District	Percent	Koon Period (6/13/96 - 4/30/03)	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed
California, Eastern	39.7	259	652
New Jersey	35.2	322	915
Oregon	34.1	99	290
Pennsylvania, Eastern	33.3	345	1,035
Maryland	30.2	156	517
New York, Eastern	29.2	328	1,122
Nevada	28.2	190	674
Arizona	26.4	111	421
Wyoming	25.8	24	93
New Hampshire	25.3	42	166
Florida, Middle	25.1	296	1,178
Northern Mariana Islands	25.0	2	8
Texas, Northern	24.6	378	1,537
Pennsylvania, Middle	24.6	99	403
New York, Northern	23.6	46	195
Georgia, Northern	23.4	172	734
Illinois, Northern	22.9	262	1,144
Ohio, Southern	22.7	110	485
Missouri, Western	20.7	82	396
Massachusetts	20.6	103	501
California, Central	20.5	180	879
Colorado	20.2	84	415
Illinois, Southern	19.7	30	152
New York, Western	18.6	77	413
Michigan, Eastern	18.5	148	800
Florida, Southern	18.4	249	1,352
California, Southern	18.0	104	579
Missouri, Eastern	17.9	117	653
Texas, Southern	17.6	180	1,022
Illinois, Central	17.4	37	213
Texas, Western	17.1	126	735
Arkansas, Western	16.8	22	131
North Carolina, Western	16.7	71	425
Tennessee, Middle	16.7	29	174
Michigan, Western	16.4	53	323
New York, Southern	16.1	299	1,852
Washington, Western	16.0	100	624
Tennessee, Western	15.7	73	465
Alabama, Middle	15.7	16	102
Hawaii	15.7	26	166
Pennsylvania, Western	15.5	54	348
North Carolina, Eastern	14.7	44	299

**Spread of Rates of Government Sponsored Below Range Sentences
Fraud Offenses (cont.)**

District	Percent	<i>Koon</i>	
		Period	
(6/13/96 - 4/30/03)			
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed
California, Northern	14.4	75	520
Tennessee, Eastern	13.6	30	221
Delaware	13.5	19	141
Georgia, Middle	13.4	26	194
Louisiana, Western	12.9	34	264
Minnesota	12.7	43	338
Kentucky, Eastern	12.7	37	291
South Carolina	12.6	128	1,012
North Dakota	12.6	15	119
Florida, Northern	12.2	23	189
Ohio, Northern	12.1	141	1,165
Arkansas, Eastern	12.0	40	334
District of Columbia	11.9	65	544
Nebraska	11.7	23	196
Indiana, Southern	11.5	26	227
Iowa, Southern	11.0	13	118
Virginia, Eastern	10.6	80	752
Rhode Island	10.4	10	96
Guam	10.0	5	50
Wisconsin, Eastern	9.9	30	303
Maine	9.9	15	152
Puerto Rico	9.8	17	173
Louisiana, Middle	9.8	20	204
Alabama, Northern	9.6	46	481
Kentucky, Western	9.3	23	246
Utah	9.2	20	218
Virginia, Western	9.1	24	263
Louisiana, Eastern	8.9	30	337
Washington, Eastern	8.4	7	83
Kansas	8.4	26	309
North Carolina, Middle	8.3	19	228
Idaho	8.1	8	99
Texas, Eastern	7.8	28	361
Vermont	7.5	9	120
Connecticut	7.4	23	311
Mississippi, Southern	7.2	21	290
Oklahoma, Northern	7.1	19	267
Alabama, Southern	6.7	16	239
Oklahoma, Western	6.5	15	232
Georgia, Southern	6.4	11	173
West Virginia, Northern	6.3	4	64
Mississippi, Northern	6.2	7	113
South Dakota	6.2	12	195
Indiana, Northern	5.7	13	227
Virgin Islands	5.5	4	73
West Virginia, Southern	5.5	9	165
Montana	5.0	9	181
Wisconsin, Western	4.7	8	172
Iowa, Northern	3.8	4	104
Alaska	2.6	3	117
Oklahoma, Eastern	2.5	2	81
New Mexico	0.0	0	102

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**Spread of Rates of Government Sponsored Below Range Sentences
Fraud Offenses**

District	Percent	PROTECT Act	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed
		Period	
		(5/1/03 - 6/24/04)	
New York, Eastern	40.2	99	246
North Carolina, Western	37.8	14	37
Arizona	35.4	28	79
Guam	31.3	5	16
Delaware	30.8	8	26
California, Eastern	30.6	41	134
New Jersey	29.4	53	180
District of Columbia	28.8	19	66
Pennsylvania, Eastern	28.7	58	202
Illinois, Northern	27.1	79	291
Louisiana, Middle	27.0	10	37
Florida, Southern	25.0	65	260
Ohio, Southern	25.0	20	80
Georgia, Northern	24.8	30	121
Maryland	24.7	21	85
Pennsylvania, Middle	24.2	15	62
New Hampshire	23.8	5	21
Florida, Middle	23.7	52	219
North Carolina, Eastern	23.7	9	38
Alaska	23.3	7	30
California, Central	22.7	30	132
Florida, Northern	21.7	5	23
California, Southern	21.7	13	60
Michigan, Eastern	21.1	24	114
Idaho	21.1	4	19
Nebraska	20.8	10	48
Nevada	20.5	16	78
Connecticut	20.3	12	59
Puerto Rico	20.0	5	25
Missouri, Eastern	19.1	22	115
Alabama, Northern	19.1	17	89
Mississippi, Northern	18.8	3	16
Indiana, Northern	18.4	7	38
New York, Western	18.2	14	77
New York, Southern	17.2	54	314
Louisiana, Eastern	17.1	6	35
Hawaii	17.1	6	35
Arkansas, Eastern	16.7	7	42
Georgia, Middle	16.7	5	30
Alabama, Middle	16.7	3	18
Iowa, Northern	15.8	3	19
Alabama, Southern	15.8	3	19

**Spread of Rates of Government Sponsored Below Range Sentences
Fraud Offenses (cont.)**

District	PROTECT Act			
	Period			
	(5/1/03 - 6/24/04)			
Percent	Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed		
Pennsylvania, Western	15.6	10	64	
Oregon	15.4	8	52	
Tennessee, Middle	15.4	4	26	
Ohio, Northern	14.4	24	167	
Indiana, Southern	14.3	4	28	
North Dakota	14.3	1	7	
Washington, Western	14.1	12	85	
Louisiana, Western	14.0	7	50	
New York, Northern	13.5	7	52	
Rhode Island	13.3	2	15	
Washington, Eastern	13.3	2	15	
Tennessee, Western	12.9	9	70	
Georgia, Southern	12.8	5	39	
California, Northern	12.3	9	73	
South Carolina	12.1	34	280	
Illinois, Southern	12.1	4	33	
Utah	12.0	6	50	
Kentucky, Eastern	11.6	5	43	
Minnesota	11.5	7	61	
Colorado	11.1	5	45	
South Dakota	11.1	3	27	
Virginia, Eastern	11.0	18	163	
Texas, Western	10.7	8	75	
Texas, Southern	10.5	10	95	
Illinois, Central	10.5	4	38	
Virginia, Western	10.2	5	49	
Montana	9.5	2	21	
Texas, Eastern	9.4	8	85	
Massachusetts	8.8	5	57	
Texas, Northern	8.6	16	187	
Mississippi, Southern	8.2	4	49	
Tennessee, Eastern	8.1	3	37	
Oklahoma, Western	8.1	3	37	
Michigan, Western	7.9	3	38	
Missouri, Western	7.8	4	51	
North Carolina, Middle	7.7	1	13	
Arkansas, Western	7.7	1	13	
West Virginia, Southern	6.5	2	31	
Oklahoma, Northern	6.5	2	31	
Kansas	3.7	2	54	
Iowa, Southern	3.7	1	27	
Wisconsin, Eastern	2.1	1	47	
New Mexico	0.0	0	28	
Wisconsin, Western	0.0	0	25	
Kentucky, Western	0.0	0	21	
Maine	0.0	0	17	
Vermont	0.0	0	12	
Oklahoma, Eastern	0.0	0	11	
West Virginia, Northern	0.0	0	9	
Virgin Islands	0.0	0	6	
Wyoming	0.0	0	6	
Northern Mariana Islands	0.0	0	5	

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**Spread of Rates of Government Sponsored Below Range Sentences
Fraud Offenses**

District	Percent	Booker Period (1/12/05 - 12/10/07)	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed
New Jersey	40.4	167	413
New York, Eastern	35.9	134	373
Arizona	35.3	61	173
Maryland	34.3	62	181
Kentucky, Western	33.8	27	80
Ohio, Southern	31.4	65	207
North Carolina, Western	30.4	41	135
California, Southern	30.3	27	89
Pennsylvania, Eastern	30.2	128	424
California, Central	29.5	112	380
Colorado	28.0	52	186
Oregon	25.7	26	101
Indiana, Northern	24.2	38	157
Nevada	24.2	37	153
California, Northern	24.0	46	192
District of Columbia	23.9	32	134
New York, Northern	22.8	23	101
Pennsylvania, Middle	22.6	42	186
Washington, Eastern	22.2	12	54
North Carolina, Eastern	21.7	25	115
New York, Western	21.6	42	194
New Hampshire	21.4	18	84
Alabama, Middle	21.4	9	42
Michigan, Eastern	21.3	75	352
Arkansas, Western	21.2	7	33
Illinois, Northern	21.0	118	563
Kentucky, Eastern	20.8	25	120
Texas, Northern	20.3	72	354
Missouri, Western	19.5	34	174
Florida, Middle	19.2	75	390
New York, Southern	19.1	138	722
Arkansas, Eastern	19.0	19	100
Washington, Western	19.0	44	232
California, Eastern	18.4	73	396
Georgia, Northern	18.1	55	304
Pennsylvania, Western	18.1	32	177
Texas, Southern	17.4	39	224
Kansas	17.3	22	127
Michigan, Western	17.0	16	94
Mississippi, Northern	16.9	10	59
Idaho	16.7	5	30
Wyoming	15.4	4	26

**Spread of Rates of Government Sponsored Below Range Sentences
Fraud Offenses (cont.)**

District	Percent	Booker Period	
		(1/12/05 - 12/10/07)	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed
Connecticut	15.0	22	147
Florida, Southern	14.9	119	797
Nebraska	14.7	14	95
Florida, Northern	14.7	10	68
Illinois, Central	14.5	16	110
Missouri, Eastern	14.5	51	351
Alaska	14.3	6	42
Utah	13.5	27	200
Indiana, Southern	13.4	11	82
Puerto Rico	13.2	9	68
Tennessee, Eastern	13.1	11	84
Texas, Eastern	12.9	20	155
Ohio, Northern	12.9	42	326
Tennessee, Western	12.8	29	227
Alabama, Northern	12.6	22	175
Vermont	12.5	4	32
Guam	12.5	2	16
South Carolina	12.3	50	406
Virginia, Western	11.3	14	124
Illinois, Southern	11.2	10	89
Texas, Western	11.2	36	321
Massachusetts	11.0	15	136
Minnesota	10.8	17	158
Wisconsin, Eastern	10.6	15	142
Louisiana, Eastern	10.3	9	87
Georgia, Southern	10.2	9	88
Tennessee, Middle	9.8	8	82
Mississippi, Southern	9.5	17	179
Alabama, Southern	9.4	10	106
Louisiana, Middle	9.0	13	144
New Mexico	8.7	4	46
Oklahoma, Western	8.6	10	116
Virginia, Eastern	8.4	38	453
North Dakota	8.1	3	37
North Carolina, Middle	8.0	7	87
Georgia, Middle	7.7	6	78
Maine	7.7	4	52
Delaware	7.7	3	39
Louisiana, Western	7.4	17	229
Oklahoma, Northern	6.7	6	89
Montana	5.6	6	108
Oklahoma, Eastern	5.3	1	19
Virgin Islands	5.0	1	20
West Virginia, Northern	4.9	2	41
Iowa, Southern	4.5	3	67
West Virginia, Southern	4.0	2	50
Hawaii	3.9	3	76
Iowa, Northern	3.8	2	52
Rhode Island	2.6	1	38
South Dakota	2.1	2	97
Wisconsin, Western	1.5	1	66
Northern Mariana Islands	0.0	0	10

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**Spread of Rates of Government Sponsored Below Range Sentences
Fraud Offenses**

District	Percent	Gall Period	
		(12/11/07 - 9/30/11)	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed
Iowa, Northern	44.0	40	91
Nevada	41.3	81	196
New Jersey	40.7	208	511
North Carolina, Western	38.5	84	218
New York, Eastern	36.1	194	537
Arizona	35.4	98	277
Oregon	34.5	50	145
Kentucky, Western	32.1	54	168
Pennsylvania, Eastern	31.9	143	448
Colorado	31.9	45	141
Maryland	31.0	92	297
California, Central	31.0	282	911
Washington, Western	30.6	101	330
Ohio, Southern	30.5	80	262
Georgia, Northern	30.3	118	389
North Carolina, Eastern	28.4	55	194
Minnesota	27.1	55	203
Michigan, Eastern	27.1	107	395
Alaska	25.7	9	35
Alabama, Northern	25.6	53	207
Texas, Southern	25.3	113	446
California, Northern	24.6	74	301
Missouri, Western	24.5	59	241
Pennsylvania, Western	24.4	50	205
California, Southern	24.3	50	206
Texas, Northern	24.1	96	398
Illinois, Central	23.3	17	73
District of Columbia	23.1	48	208
Ohio, Northern	22.9	78	340
Kentucky, Eastern	22.9	39	170
Texas, Eastern	22.7	68	299
Florida, Middle	22.7	125	550
Kansas	22.4	36	161
Alabama, Middle	22.1	17	77
Massachusetts	22.0	48	218
Florida, Northern	21.3	26	122
New Hampshire	21.3	23	108
Tennessee, Middle	20.8	21	101
New Mexico	20.4	11	54
Illinois, Northern	20.2	112	554
Northern Mariana Islands	20.0	1	5
Oklahoma, Northern	19.4	13	67

**Spread of Rates of Government Sponsored Below Range Sentences
Fraud Offenses (cont.)**

District	<i>Gall</i>			
	Period			
	(12/11/07 - 9/30/11)			
Percent	Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed		
Rhode Island	18.5	12	65	
Iowa, Southern	17.3	19	110	
New York, Northern	17.1	21	123	
Utah	16.9	41	242	
New York, Western	16.9	45	266	
Georgia, Middle	16.8	16	95	
Missouri, Eastern	16.7	74	443	
Virginia, Western	16.5	20	121	
Illinois, Southern	16.5	15	91	
Texas, Western	16.4	78	476	
Wisconsin, Eastern	16.4	27	165	
California, Eastern	16.3	38	233	
Tennessee, Western	16.2	48	296	
Connecticut	16.2	29	179	
New York, Southern	16.1	140	868	
Washington, Eastern	15.6	10	64	
Georgia, Southern	15.5	25	161	
Indiana, Northern	15.2	26	171	
Florida, Southern	15.2	246	1,623	
Hawaii	14.9	13	87	
Delaware	14.8	8	54	
Louisiana, Middle	14.5	24	165	
Pennsylvania, Middle	14.0	37	264	
Idaho	13.3	10	75	
Mississippi, Northern	13.0	9	69	
South Dakota	12.7	9	71	
Arkansas, Eastern	12.5	18	144	
Vermont	12.5	5	40	
Virginia, Eastern	12.1	76	629	
Tennessee, Eastern	12.1	17	141	
Guam	12.0	3	25	
North Dakota	11.8	4	34	
Michigan, Western	11.3	16	142	
Oklahoma, Eastern	11.1	5	45	
Wyoming	11.1	3	27	
Virgin Islands	11.1	1	9	
South Carolina	9.9	55	556	
Nebraska	9.6	12	125	
West Virginia, Southern	9.5	6	63	
Louisiana, Western	8.7	11	127	
Puerto Rico	8.4	17	203	
Alabama, Southern	8.3	14	168	
Oklahoma, Western	8.3	12	145	
Indiana, Southern	7.1	6	84	
West Virginia, Northern	6.7	3	45	
North Carolina, Middle	6.1	5	82	
Mississippi, Southern	4.7	13	279	
Arkansas, Western	4.7	2	43	
Louisiana, Eastern	4.5	11	245	
Wisconsin, Western	4.1	3	73	
Montana	4.1	5	123	
Maine	1.9	1	52	

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**Spread of Rates of §5K1.1 Substantial Assistance Sentences
Fraud Offenses**

District	<i>Koon</i> Period		
	(6/13/96 - 4/30/03)		
	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Fraud Sentences Imposed
California, Eastern	39.7	259	652
New Jersey	35.2	322	915
Oregon	34.1	99	290
Pennsylvania, Eastern	33.3	345	1,035
Maryland	30.2	156	517
New York, Eastern	28.8	323	1,122
Nevada	28.0	189	674
Arizona	26.1	110	421
Wyoming	25.8	24	93
New Hampshire	25.3	42	166
Florida, Middle	25.1	296	1,178
Northern Mariana Islands	25.0	2	8
Pennsylvania, Middle	24.6	99	403
Texas, Northern	24.5	377	1,537
New York, Northern	23.6	46	195
Georgia, Northern	23.3	171	734
Illinois, Northern	22.8	261	1,144
Ohio, Southern	22.7	110	485
Missouri, Western	20.7	82	396
Massachusetts	20.6	103	501
California, Central	20.5	180	879
Colorado	20.0	83	415
Illinois, Southern	19.7	30	152
Michigan, Eastern	18.5	148	800
Florida, Southern	18.4	249	1,352
New York, Western	18.4	76	413
Missouri, Eastern	17.9	117	653
California, Southern	17.6	102	579
Texas, Southern	17.6	180	1,022
Illinois, Central	17.4	37	213
Arkansas, Western	16.8	22	131
Texas, Western	16.7	123	735
North Carolina, Western	16.7	71	425
Tennessee, Middle	16.7	29	174
Michigan, Western	16.4	53	323
New York, Southern	16.1	299	1,852
Washington, Western	15.9	99	624
Tennessee, Western	15.7	73	465
Alabama, Middle	15.7	16	102
Hawaii	15.7	26	166
Pennsylvania, Western	15.5	54	348
North Carolina, Eastern	14.7	44	299

**Spread of Rates of §5K1.1 Substantial Assistance Sentences
Fraud Offenses (cont.)**

Koon

Period

(6/13/96 - 4/30/03)

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Fraud Sentences Imposed
California, Northern	14.4	75	520
Tennessee, Eastern	13.6	30	221
Delaware	13.5	19	141
Georgia, Middle	12.9	25	194
Louisiana, Western	12.9	34	264
Minnesota	12.7	43	338
Kentucky, Eastern	12.7	37	291
North Dakota	12.6	15	119
South Carolina	12.5	127	1,012
Florida, Northern	12.2	23	189
Ohio, Northern	12.0	140	1,165
Arkansas, Eastern	12.0	40	334
District of Columbia	11.9	65	544
Indiana, Southern	11.5	26	227
Nebraska	11.2	22	196
Iowa, Southern	11.0	13	118
Virginia, Eastern	10.6	80	752
Rhode Island	10.4	10	96
Guam	10.0	5	50
Wisconsin, Eastern	9.9	30	303
Maine	9.9	15	152
Puerto Rico	9.8	17	173
Louisiana, Middle	9.8	20	204
Alabama, Northern	9.6	46	481
Utah	9.2	20	218
Virginia, Western	9.1	24	263
Kentucky, Western	8.9	22	246
Louisiana, Eastern	8.9	30	337
Washington, Eastern	8.4	7	83
Kansas	8.4	26	309
North Carolina, Middle	8.3	19	228
Idaho	8.1	8	99
Texas, Eastern	7.8	28	361
Vermont	7.5	9	120
Mississippi, Southern	7.2	21	290
Oklahoma, Northern	7.1	19	267
Connecticut	7.1	22	311
Alabama, Southern	6.7	16	239
Oklahoma, Western	6.5	15	232
Georgia, Southern	6.4	11	173
West Virginia, Northern	6.3	4	64
Mississippi, Northern	6.2	7	113
South Dakota	6.2	12	195
Indiana, Northern	5.7	13	227
Virgin Islands	5.5	4	73
West Virginia, Southern	5.5	9	165
Montana	5.0	9	181
Wisconsin, Western	4.7	8	172
Iowa, Northern	3.8	4	104
Alaska	2.6	3	117
Oklahoma, Eastern	2.5	2	81
New Mexico	0.0	0	102

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**Spread of Rates of §5K1.1 Substantial Assistance Sentences
Fraud Offenses**

District	PROTECT Act		
	Period		
	(5/1/03 - 6/24/04)		
	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Fraud Sentences Imposed
North Carolina, Western	37.8	14	37
New York, Eastern	34.1	84	246
Arizona	32.9	26	79
Guam	31.3	5	16
Delaware	30.8	8	26
California, Eastern	30.6	41	134
New Jersey	28.9	52	180
Pennsylvania, Eastern	28.7	58	202
Louisiana, Middle	27.0	10	37
Illinois, Northern	26.8	78	291
Florida, Southern	25.0	65	260
Ohio, Southern	25.0	20	80
Maryland	24.7	21	85
District of Columbia	24.2	16	66
Georgia, Northern	24.0	29	121
Florida, Middle	23.7	52	219
North Carolina, Eastern	23.7	9	38
Alaska	23.3	7	30
Pennsylvania, Middle	22.6	14	62
California, Central	22.0	29	132
Florida, Northern	21.7	5	23
Idaho	21.1	4	19
Puerto Rico	20.0	5	25
Michigan, Eastern	19.3	22	114
Nevada	19.2	15	78
Missouri, Eastern	19.1	22	115
Alabama, Northern	19.1	17	89
New Hampshire	19.0	4	21
Mississippi, Northern	18.8	3	16
Indiana, Northern	18.4	7	38
Louisiana, Eastern	17.1	6	35
Hawaii	17.1	6	35
New York, Western	16.9	13	77
New York, Southern	16.9	53	314
California, Southern	16.7	10	60
Nebraska	16.7	8	48
Arkansas, Eastern	16.7	7	42
Alabama, Middle	16.7	3	18
Iowa, Northern	15.8	3	19
Pennsylvania, Western	15.6	10	64
Oregon	15.4	8	52
Tennessee, Middle	15.4	4	26

**Spread of Rates of §5K1.1 Substantial Assistance Sentences
Fraud Offenses (cont.)**

**PROTECT Act
Period**

(5/1/03 - 6/24/04)

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Fraud Sentences Imposed
Ohio, Northern	14.4	24	167
Indiana, Southern	14.3	4	28
North Dakota	14.3	1	7
Washington, Western	14.1	12	85
Georgia, Middle	13.3	4	30
Rhode Island	13.3	2	15
Washington, Eastern	13.3	2	15
Georgia, Southern	12.8	5	39
California, Northern	12.3	9	73
South Carolina	12.1	34	280
Illinois, Southern	12.1	4	33
Louisiana, Western	12.0	6	50
Utah	12.0	6	50
Connecticut	11.9	7	59
Kentucky, Eastern	11.6	5	43
New York, Northern	11.5	6	52
Tennessee, Western	11.4	8	70
Colorado	11.1	5	45
Virginia, Eastern	11.0	18	163
Illinois, Central	10.5	4	38
Alabama, Southern	10.5	2	19
Minnesota	9.8	6	61
Montana	9.5	2	21
Texas, Southern	9.5	9	95
Texas, Eastern	9.4	8	85
Texas, Western	9.3	7	75
Virginia, Western	8.2	4	49
Mississippi, Southern	8.2	4	49
Tennessee, Eastern	8.1	3	37
Texas, Northern	8.0	15	187
Michigan, Western	7.9	3	38
North Carolina, Middle	7.7	1	13
Arkansas, Western	7.7	1	13
South Dakota	7.4	2	27
Massachusetts	7.0	4	57
West Virginia, Southern	6.5	2	31
Oklahoma, Northern	6.5	2	31
Missouri, Western	5.9	3	51
Oklahoma, Western	5.4	2	37
Kansas	3.7	2	54
Iowa, Southern	3.7	1	27
Wisconsin, Eastern	0.0	0	47
New Mexico	0.0	0	28
Wisconsin, Western	0.0	0	25
Kentucky, Western	0.0	0	21
Maine	0.0	0	17
Vermont	0.0	0	12
Oklahoma, Eastern	0.0	0	11
West Virginia, Northern	0.0	0	9
Virgin Islands	0.0	0	6
Wyoming	0.0	0	6
Northern Mariana Islands	0.0	0	5

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**Spread of Rates of §5K1.1 Substantial Assistance Sentences
Fraud Offenses**

District	Booker Period		
	(1/12/05 - 12/10/07)		
	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Fraud Sentences Imposed
New Jersey	40.0	165	413
New York, Eastern	33.2	124	373
Maryland	32.6	59	181
Ohio, Southern	30.4	63	207
Pennsylvania, Eastern	29.2	124	424
North Carolina, Western	28.9	39	135
Arizona	26.6	46	173
Colorado	25.3	47	186
California, Southern	24.7	22	89
California, Central	24.5	93	380
Kentucky, Western	23.8	19	80
Indiana, Northern	23.6	37	157
Pennsylvania, Middle	22.0	41	186
New York, Northern	21.8	22	101
Oregon	21.8	22	101
North Carolina, Eastern	21.7	25	115
New York, Western	21.1	41	194
Kentucky, Eastern	20.8	25	120
Washington, Eastern	20.4	11	54
Michigan, Eastern	20.2	71	352
District of Columbia	20.1	27	134
Nevada	19.6	30	153
Arkansas, Eastern	19.0	19	100
Illinois, Northern	18.7	105	563
Arkansas, Western	18.2	6	33
New Hampshire	17.9	15	84
Missouri, Western	17.8	31	174
New York, Southern	17.7	128	722
Texas, Southern	17.0	38	224
Florida, Middle	16.9	66	390
Texas, Northern	16.7	59	354
Alabama, Middle	16.7	7	42
California, Eastern	16.4	65	396
Pennsylvania, Western	16.4	29	177
Georgia, Northern	15.8	48	304
Florida, Northern	14.7	10	68
Connecticut	14.3	21	147
Michigan, Western	13.8	13	94
Florida, Southern	13.8	110	797
California, Northern	13.5	26	192
Indiana, Southern	13.4	11	82
Puerto Rico	13.2	9	68

**Spread of Rates of §5K1.1 Substantial Assistance Sentences
Fraud Offenses (cont.)**

*Booker
Period*

(1/12/05 - 12/10/07)

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Fraud Sentences Imposed
Missouri, Eastern	13.1	46	351
Alabama, Northern	12.6	22	175
Guam	12.5	2	16
Mississippi, Northern	11.9	7	59
Illinois, Central	11.8	13	110
Washington, Western	11.6	27	232
South Carolina	11.6	47	406
Ohio, Northern	11.3	37	326
Kansas	11.0	14	127
Tennessee, Eastern	10.7	9	84
Utah	10.5	21	200
Idaho	10.0	3	30
Tennessee, Middle	9.8	8	82
Tennessee, Western	9.7	22	227
Massachusetts	9.6	13	136
Mississippi, Southern	9.5	17	179
Vermont	9.4	3	32
Texas, Western	9.3	30	321
Georgia, Southern	9.1	8	88
Louisiana, Middle	9.0	13	144
Illinois, Southern	9.0	8	89
Oklahoma, Western	8.6	10	116
Alabama, Southern	8.5	9	106
Texas, Eastern	8.4	13	155
Minnesota	8.2	13	158
Virginia, Western	8.1	10	124
North Carolina, Middle	8.0	7	87
Georgia, Middle	7.7	6	78
Maine	7.7	4	52
Virginia, Eastern	7.5	34	453
Louisiana, Western	7.4	17	229
New Mexico	6.5	3	46
Louisiana, Eastern	5.7	5	87
Wisconsin, Eastern	5.6	8	142
Montana	5.6	6	108
Delaware	5.1	2	39
West Virginia, Northern	4.9	2	41
Alaska	4.8	2	42
Oklahoma, Northern	4.5	4	89
West Virginia, Southern	4.0	2	50
Hawaii	3.9	3	76
Iowa, Northern	3.8	2	52
Wyoming	3.8	1	26
Nebraska	3.2	3	95
Iowa, Southern	3.0	2	67
North Dakota	2.7	1	37
Rhode Island	2.6	1	38
South Dakota	2.1	2	97
Wisconsin, Western	0.0	0	66
Virgin Islands	0.0	0	20
Oklahoma, Eastern	0.0	0	19
Northern Mariana Islands	0.0	0	10

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**Spread of Rates of §5K1.1 Substantial Assistance Sentences
Fraud Offenses**

Gall

Period

(12/11/07 - 9/30/11)

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Fraud Sentences Imposed
New Jersey	38.2	195	511
North Carolina, Western	34.4	75	218
New York, Eastern	33.0	177	537
Pennsylvania, Eastern	31.0	139	448
Nevada	28.6	56	196
Colorado	28.4	40	141
Maryland	27.3	81	297
Georgia, Northern	27.2	106	389
North Carolina, Eastern	26.3	51	194
Michigan, Eastern	25.6	101	395
Alabama, Northern	25.1	52	207
Minnesota	24.6	50	203
Ohio, Southern	24.0	63	262
Pennsylvania, Western	23.9	49	205
Kentucky, Eastern	22.4	38	170
Florida, Middle	21.6	119	550
Texas, Southern	21.5	96	446
Texas, Northern	21.4	85	398
Florida, Northern	21.3	26	122
Alabama, Middle	20.8	16	77
Missouri, Western	20.7	50	241
California, Central	20.7	189	911
Ohio, Northern	20.0	68	340
Northern Mariana Islands	20.0	1	5
Oklahoma, Northern	19.4	13	67
Illinois, Central	19.2	14	73
Arizona	18.8	52	277
Oregon	18.6	27	145
Illinois, Northern	18.6	103	554
Rhode Island	18.5	12	65
Kentucky, Western	18.5	31	168
Tennessee, Middle	17.8	18	101
California, Southern	17.5	36	206
District of Columbia	16.3	34	208
New York, Western	15.4	41	266
California, Northern	15.3	46	301
Hawaii	14.9	13	87
Georgia, Southern	14.9	24	161
New York, Southern	14.7	128	868
Georgia, Middle	14.7	14	95
Louisiana, Middle	14.5	24	165
Kansas	14.3	23	161

**Spread of Rates of §5K1.1 Substantial Assistance Sentences
Fraud Offenses (cont.)**

Gall

Period

(12/11/07 - 9/30/11)

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Fraud Sentences Imposed
Illinois, Southern	14.3	13	91
Missouri, Eastern	14.2	63	443
Florida, Southern	14.2	230	1,623
Connecticut	14.0	25	179
Tennessee, Western	13.9	41	296
New York, Northern	13.8	17	123
Indiana, Northern	12.9	22	171
Massachusetts	12.8	28	218
Virginia, Western	12.4	15	121
Texas, Western	12.4	59	476
Pennsylvania, Middle	12.1	32	264
New Hampshire	12.0	13	108
Washington, Western	11.8	39	330
California, Eastern	11.6	27	233
Delaware	11.1	6	54
Wisconsin, Eastern	10.9	18	165
Iowa, Southern	10.9	12	110
Utah	10.7	26	242
Idaho	10.7	8	75
Tennessee, Eastern	10.6	15	141
Michigan, Western	10.6	15	142
Arkansas, Eastern	10.4	15	144
Mississippi, Northern	10.1	7	69
Virginia, Eastern	10.0	63	629
Iowa, Northern	9.9	9	91
West Virginia, Southern	9.5	6	63
Oklahoma, Eastern	8.9	4	45
South Dakota	8.5	6	71
Oklahoma, Western	8.3	12	145
Guam	8.0	2	25
Louisiana, Western	7.9	10	127
Vermont	7.5	3	40
Wyoming	7.4	2	27
Texas, Eastern	7.4	22	299
South Carolina	7.2	40	556
Alabama, Southern	7.1	12	168
Washington, Eastern	6.3	4	64
Puerto Rico	5.9	12	203
Alaska	5.7	2	35
North Carolina, Middle	4.9	4	82
Indiana, Southern	4.8	4	84
Mississippi, Southern	4.7	13	279
Wisconsin, Western	4.1	3	73
New Mexico	3.7	2	54
Louisiana, Eastern	3.3	8	245
Montana	3.3	4	123
North Dakota	2.9	1	34
Arkansas, Western	2.3	1	43
West Virginia, Northern	2.2	1	45
Maine	1.9	1	52
Nebraska	0.8	1	125
Virgin Islands	0.0	0	9

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**Spread of Rates of Other Government Sponsored Below Range Sentences
Fraud Offenses**

District	PROTECT Act		
	Period		
	(5/1/03 - 6/24/04)		
	Percent	Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed
Connecticut	8.5	5	59
New York, Eastern	6.1	15	246
Alabama, Southern	5.3	1	19
California, Southern	5.0	3	60
New Hampshire	4.8	1	21
District of Columbia	4.5	3	66
Nebraska	4.2	2	48
South Dakota	3.7	1	27
Georgia, Middle	3.3	1	30
Oklahoma, Western	2.7	1	37
Arizona	2.5	2	79
Wisconsin, Eastern	2.1	1	47
Virginia, Western	2.0	1	49
Louisiana, Western	2.0	1	50
Missouri, Western	2.0	1	51
New York, Northern	1.9	1	52
Michigan, Eastern	1.8	2	114
Massachusetts	1.8	1	57
Minnesota	1.6	1	61
Pennsylvania, Middle	1.6	1	62
Tennessee, Western	1.4	1	70
Texas, Western	1.3	1	75
New York, Western	1.3	1	77
Nevada	1.3	1	78
Texas, Southern	1.1	1	95
Georgia, Northern	0.8	1	121
California, Central	0.8	1	132
New Jersey	0.6	1	180
Texas, Northern	0.5	1	187
Illinois, Northern	0.3	1	291
New York, Southern	0.3	1	314
South Carolina	0.0	0	280
Florida, Southern	0.0	0	260
Florida, Middle	0.0	0	219
Pennsylvania, Eastern	0.0	0	202
Ohio, Northern	0.0	0	167
Virginia, Eastern	0.0	0	163
California, Eastern	0.0	0	134
Missouri, Eastern	0.0	0	115
Alabama, Northern	0.0	0	89
Maryland	0.0	0	85
Texas, Eastern	0.0	0	85

**Spread of Rates of Other Government Sponsored Below Range Sentences
Fraud Offenses (cont.)**

PROTECT Act				
Period				
(5/1/03 - 6/24/04)				
District	Percent	Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed	
Washington, Western	0.0	0		85
Ohio, Southern	0.0	0		80
California, Northern	0.0	0		73
Pennsylvania, Western	0.0	0		64
Kansas	0.0	0		54
Oregon	0.0	0		52
Utah	0.0	0		50
Mississippi, Southern	0.0	0		49
Colorado	0.0	0		45
Kentucky, Eastern	0.0	0		43
Arkansas, Eastern	0.0	0		42
Georgia, Southern	0.0	0		39
North Carolina, Eastern	0.0	0		38
Michigan, Western	0.0	0		38
Illinois, Central	0.0	0		38
Indiana, Northern	0.0	0		38
North Carolina, Western	0.0	0		37
Louisiana, Middle	0.0	0		37
Tennessee, Eastern	0.0	0		37
Louisiana, Eastern	0.0	0		35
Hawaii	0.0	0		35
Illinois, Southern	0.0	0		33
West Virginia, Southern	0.0	0		31
Oklahoma, Northern	0.0	0		31
Alaska	0.0	0		30
Indiana, Southern	0.0	0		28
New Mexico	0.0	0		28
Iowa, Southern	0.0	0		27
Delaware	0.0	0		26
Tennessee, Middle	0.0	0		26
Puerto Rico	0.0	0		25
Wisconsin, Western	0.0	0		25
Florida, Northern	0.0	0		23
Kentucky, Western	0.0	0		21
Montana	0.0	0		21
Iowa, Northern	0.0	0		19
Idaho	0.0	0		19
Alabama, Middle	0.0	0		18
Maine	0.0	0		17
Mississippi, Northern	0.0	0		16
Guam	0.0	0		16
Rhode Island	0.0	0		15
Washington, Eastern	0.0	0		15
North Carolina, Middle	0.0	0		13
Arkansas, Western	0.0	0		13
Vermont	0.0	0		12
Oklahoma, Eastern	0.0	0		11
West Virginia, Northern	0.0	0		9
North Dakota	0.0	0		7
Virgin Islands	0.0	0		6
Wyoming	0.0	0		6
Northern Mariana Islands	0.0	0		5

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**Spread of Rates of Other Government Sponsored Below Range Sentences
Fraud Offenses**

District	Percent	Booker Period	
		(1/12/05 - 12/10/07)	
		Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed
Nebraska	11.6	11	95
Wyoming	11.5	3	26
California, Northern	10.4	20	192
Alaska	9.5	4	42
Kentucky, Western	8.8	7	80
Arizona	7.5	13	173
Washington, Western	7.3	17	232
Idaho	6.7	2	30
Kansas	6.3	8	127
North Dakota	5.4	2	37
Oklahoma, Eastern	5.3	1	19
Mississippi, Northern	5.1	3	59
California, Central	5.0	19	380
Virgin Islands	5.0	1	20
Wisconsin, Eastern	4.9	7	142
Alabama, Middle	4.8	2	42
Louisiana, Eastern	4.6	4	87
Nevada	4.6	7	153
Texas, Eastern	4.5	7	155
California, Southern	4.5	4	89
Oregon	4.0	4	101
District of Columbia	3.7	5	134
Texas, Northern	3.7	13	354
New Hampshire	3.6	3	84
Virginia, Western	3.2	4	124
Michigan, Western	3.2	3	94
Vermont	3.1	1	32
Tennessee, Western	3.1	7	227
Arkansas, Western	3.0	1	33
Utah	3.0	6	200
Illinois, Central	2.7	3	110
Colorado	2.7	5	186
New York, Eastern	2.7	10	373
Delaware	2.6	1	39
Minnesota	2.5	4	158
Tennessee, Eastern	2.4	2	84
Illinois, Northern	2.3	13	563
Florida, Middle	2.3	9	390
Georgia, Northern	2.3	7	304
Illinois, Southern	2.2	2	89
Oklahoma, Northern	2.2	2	89
New Mexico	2.2	1	46

**Spread of Rates of Other Government Sponsored Below Range Sentences
Fraud Offenses (cont.)**

District	<i>Booker</i>			
	Period			
	(1/12/05 - 12/10/07)			
Percent	Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed		
California, Eastern	2.0	8	396	
Texas, Western	1.9	6	321	
Washington, Eastern	1.9	1	54	
Missouri, Western	1.7	3	174	
Pennsylvania, Western	1.7	3	177	
Maryland	1.7	3	181	
Ohio, Northern	1.5	5	326	
Wisconsin, Western	1.5	1	66	
Iowa, Southern	1.5	1	67	
North Carolina, Western	1.5	2	135	
Massachusetts	1.5	2	136	
Missouri, Eastern	1.4	5	351	
New York, Southern	1.4	10	722	
Michigan, Eastern	1.1	4	352	
Georgia, Southern	1.1	1	88	
Florida, Southern	1.1	9	797	
New York, Northern	1.0	1	101	
Ohio, Southern	1.0	2	207	
Pennsylvania, Eastern	0.9	4	424	
Alabama, Southern	0.9	1	106	
Virginia, Eastern	0.9	4	453	
South Carolina	0.7	3	406	
Connecticut	0.7	1	147	
Indiana, Northern	0.6	1	157	
Pennsylvania, Middle	0.5	1	186	
New York, Western	0.5	1	194	
New Jersey	0.5	2	413	
Texas, Southern	0.4	1	224	
Louisiana, Western	0.0	0	229	
Mississippi, Southern	0.0	0	179	
Alabama, Northern	0.0	0	175	
Louisiana, Middle	0.0	0	144	
Kentucky, Eastern	0.0	0	120	
Oklahoma, Western	0.0	0	116	
North Carolina, Eastern	0.0	0	115	
Montana	0.0	0	108	
Arkansas, Eastern	0.0	0	100	
South Dakota	0.0	0	97	
North Carolina, Middle	0.0	0	87	
Tennessee, Middle	0.0	0	82	
Indiana, Southern	0.0	0	82	
Georgia, Middle	0.0	0	78	
Hawaii	0.0	0	76	
Puerto Rico	0.0	0	68	
Florida, Northern	0.0	0	68	
Maine	0.0	0	52	
Iowa, Northern	0.0	0	52	
West Virginia, Southern	0.0	0	50	
West Virginia, Northern	0.0	0	41	
Rhode Island	0.0	0	38	
Guam	0.0	0	16	
Northern Mariana Islands	0.0	0	10	

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**Spread of Rates of Other Government Sponsored Below Range Sentences
Fraud Offenses**

District	<i>Gall</i> Period		
	(12/11/07 - 9/30/11)		
	Percent	Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed
Alaska	20.0	7	35
Washington, Western	18.8	62	330
New Mexico	16.7	9	54
Oregon	15.9	23	145
Texas, Eastern	15.4	46	299
Kentucky, Western	13.7	23	168
Nevada	12.8	25	196
Arizona	11.9	33	277
Virgin Islands	11.1	1	9
California, Central	9.9	90	911
Washington, Eastern	9.4	6	64
California, Northern	9.3	28	301
New Hampshire	9.3	10	108
Massachusetts	9.2	20	218
North Dakota	8.8	3	34
Nebraska	8.8	11	125
Kansas	8.1	13	161
District of Columbia	6.7	14	208
Ohio, Southern	6.5	17	262
Iowa, Southern	6.4	7	110
Utah	6.2	15	242
California, Southern	5.8	12	206
Wisconsin, Eastern	5.5	9	165
Vermont	5.0	2	40
California, Eastern	4.7	11	233
West Virginia, Northern	4.4	2	45
South Dakota	4.2	3	71
Virginia, Western	4.1	5	121
North Carolina, Western	4.1	9	218
Illinois, Central	4.1	3	73
Guam	4.0	1	25
Texas, Western	4.0	19	476
Texas, Southern	3.8	17	446
Missouri, Western	3.7	9	241
Maryland	3.7	11	297
Delaware	3.7	2	54
Wyoming	3.7	1	27
Colorado	3.5	5	141
New York, Northern	3.3	4	123
New York, Eastern	3.2	17	537
Georgia, Northern	3.1	12	389
Tennessee, Middle	3.0	3	101

**Spread of Rates of Other Government Sponsored Below Range Sentences
Fraud Offenses (cont.)**

District	<i>Gall</i>			
	Period			
	(12/11/07 - 9/30/11)			
Percent	Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed		
Ohio, Northern	2.9	10	340	
Mississippi, Northern	2.9	2	69	
Texas, Northern	2.8	11	398	
South Carolina	2.7	15	556	
Idaho	2.7	2	75	
Missouri, Eastern	2.5	11	443	
Minnesota	2.5	5	203	
Indiana, Southern	2.4	2	84	
Tennessee, Western	2.4	7	296	
New Jersey	2.3	12	511	
Indiana, Northern	2.3	4	171	
Arkansas, Western	2.3	1	43	
Connecticut	2.2	4	179	
Oklahoma, Eastern	2.2	1	45	
Illinois, Southern	2.2	2	91	
Georgia, Middle	2.1	2	95	
Arkansas, Eastern	2.1	3	144	
Virginia, Eastern	2.1	13	629	
North Carolina, Eastern	2.1	4	194	
Puerto Rico	2.0	4	203	
Pennsylvania, Middle	1.9	5	264	
Michigan, Eastern	1.5	6	395	
New York, Western	1.5	4	266	
Illinois, Northern	1.4	8	554	
Tennessee, Eastern	1.4	2	141	
New York, Southern	1.4	12	868	
Alabama, Middle	1.3	1	77	
Louisiana, Eastern	1.2	3	245	
North Carolina, Middle	1.2	1	82	
Alabama, Southern	1.2	2	168	
Florida, Middle	1.1	6	550	
Florida, Southern	1.0	16	1,623	
Pennsylvania, Eastern	0.9	4	448	
Montana	0.8	1	123	
Louisiana, Western	0.8	1	127	
Michigan, Western	0.7	1	142	
Georgia, Southern	0.6	1	161	
Kentucky, Eastern	0.6	1	170	
Pennsylvania, Western	0.5	1	205	
Alabama, Northern	0.5	1	207	
Mississippi, Southern	0.0	0	279	
Louisiana, Middle	0.0	0	165	
Oklahoma, Western	0.0	0	145	
Florida, Northern	0.0	0	122	
Iowa, Northern	0.0	0	91	
Hawaii	0.0	0	87	
Wisconsin, Western	0.0	0	73	
Oklahoma, Northern	0.0	0	67	
Rhode Island	0.0	0	65	
West Virginia, Southern	0.0	0	63	
Maine	0.0	0	52	
Northern Mariana Islands	0.0	0	5	

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Fraud Offenses**

District	Percent	Koon Period (6/13/96 - 4/30/03)	
		Number of Non- Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed
Connecticut	37.9	118	311
Vermont	30.0	36	120
Montana	25.4	46	181
California, Southern	24.7	143	579
Idaho	24.2	24	99
Arizona	24.2	102	421
New York, Eastern	23.3	261	1,122
Oklahoma, Eastern	19.8	16	81
California, Northern	18.8	98	520
Massachusetts	18.2	91	501
Minnesota	18.0	61	338
Alaska	17.1	20	117
Washington, Western	16.8	105	624
Nebraska	15.8	31	196
New Mexico	15.7	16	102
New York, Northern	15.4	30	195
Washington, Eastern	14.5	12	83
Oregon	13.8	40	290
Iowa, Southern	13.6	16	118
California, Central	13.4	118	879
New York, Southern	13.2	244	1,852
Wyoming	12.9	12	93
South Dakota	12.3	24	195
Texas, Western	12.2	90	735
Colorado	11.1	46	415
Wisconsin, Eastern	10.9	33	303
Kansas	10.7	33	309
Pennsylvania, Western	10.1	35	348
Illinois, Northern	10.0	114	1,144
Pennsylvania, Middle	9.9	40	403
Indiana, Southern	9.7	22	227
New York, Western	9.7	40	413
Michigan, Eastern	9.4	75	800
Rhode Island	9.4	9	96
Pennsylvania, Eastern	9.1	94	1,035
Illinois, Central	8.9	19	213
Maryland	8.9	46	517
Nevada	8.8	59	674
Florida, Middle	8.6	101	1,178
Texas, Southern	8.4	86	1,022
Utah	8.3	18	218
Tennessee, Eastern	8.1	18	221

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Fraud Offenses (cont.)**

District	Percent	<i>Koon</i> Period	
		(6/13/96 - 4/30/03)	
		Number of Non- Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed
Georgia, Northern	8.0	59	734
North Carolina, Eastern	7.7	23	299
North Dakota	7.6	9	119
Ohio, Northern	7.6	88	1,165
Puerto Rico	7.5	13	173
Ohio, Southern	7.4	36	485
California, Eastern	7.2	47	652
Tennessee, Middle	6.9	12	174
Oklahoma, Northern	6.7	18	267
Alabama, Southern	6.7	16	239
Texas, Northern	6.6	101	1,537
Kentucky, Western	6.5	16	246
Delaware	6.4	9	141
New Jersey	6.3	58	915
Florida, Southern	6.2	84	1,352
Michigan, Western	6.2	20	323
Indiana, Northern	6.2	14	227
Missouri, Eastern	6.1	40	653
Arkansas, Western	6.1	8	131
Missouri, Western	6.1	24	396
New Hampshire	6.0	10	166
Georgia, Southern	5.8	10	173
Iowa, Northern	5.8	6	104
Texas, Eastern	5.5	20	361
Mississippi, Southern	5.5	16	290
Louisiana, Eastern	5.3	18	337
Mississippi, Northern	5.3	6	113
Florida, Northern	5.3	10	189
Georgia, Middle	5.2	10	194
Virginia, Western	4.9	13	263
Arkansas, Eastern	4.8	16	334
Illinois, Southern	4.6	7	152
Tennessee, Western	4.5	21	465
Alabama, Northern	4.4	21	481
North Carolina, Western	4.2	18	425
Hawaii	4.2	7	166
Oklahoma, Western	3.9	9	232
Louisiana, Middle	3.4	7	204
Louisiana, Western	3.4	9	264
Maine	3.3	5	152
District of Columbia	3.1	17	544
Kentucky, Eastern	3.1	9	291
West Virginia, Southern	3.0	5	165
Alabama, Middle	2.9	3	102
Virginia, Eastern	2.4	18	752
Wisconsin, Western	2.3	4	172
South Carolina	2.3	23	1,012
Guam	2.0	1	50
West Virginia, Northern	1.6	1	64
Virgin Islands	1.4	1	73
North Carolina, Middle	1.3	3	228
Northern Mariana Islands	0.0	0	8

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Fraud Offenses**

District	Percent	PROTECT Act	
		Period	
(5/1/03 - 6/24/04)			
		Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed
Connecticut	25.4	15	59
Washington, Western	22.4	19	85
New York, Northern	21.2	11	52
Guam	18.8	3	16
Iowa, Southern	18.5	5	27
Massachusetts	17.5	10	57
New York, Eastern	16.7	41	246
Nebraska	16.7	8	48
Vermont	16.7	2	12
Idaho	15.8	3	19
South Dakota	14.8	4	27
Oregon	13.5	7	52
Washington, Eastern	13.3	2	15
Ohio, Southern	12.5	10	80
California, Northern	12.3	9	73
New York, Western	10.4	8	77
New York, Southern	9.9	31	314
Texas, Southern	9.5	9	95
Maryland	9.4	8	85
Colorado	8.9	4	45
Wisconsin, Eastern	8.5	4	47
California, Central	8.3	11	132
Georgia, Northern	8.3	10	121
Minnesota	8.2	5	61
Delaware	7.7	2	26
Michigan, Eastern	7.0	8	114
Pennsylvania, Eastern	6.9	14	202
California, Southern	6.7	4	60
Rhode Island	6.7	1	15
Pennsylvania, Western	6.3	4	64
Missouri, Western	5.9	3	51
Illinois, Northern	5.8	17	291
Louisiana, Eastern	5.7	2	35
Kansas	5.6	3	54
Alabama, Middle	5.6	1	18
North Carolina, Western	5.4	2	37
Ohio, Northern	5.4	9	167
North Carolina, Eastern	5.3	2	38
Michigan, Western	5.3	2	38
Indiana, Northern	5.3	2	38
Alabama, Southern	5.3	1	19
Arizona	5.1	4	79

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Fraud Offenses (cont.)**

District	PROTECT Act Period		
	(5/1/03 - 6/24/04)		
Percent	Number of Non- Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed	
New Hampshire	4.8	1	21
Florida, Middle	4.6	10	219
District of Columbia	4.5	3	66
New Jersey	4.4	8	180
Florida, Northern	4.3	1	23
Virginia, Eastern	4.3	7	163
Utah	4.0	2	50
Puerto Rico	4.0	1	25
New Mexico	3.6	1	28
Missouri, Eastern	3.5	4	115
West Virginia, Southern	3.2	1	31
Texas, Northern	3.2	6	187
Illinois, Southern	3.0	1	33
Oklahoma, Western	2.7	1	37
Texas, Western	2.7	2	75
Georgia, Southern	2.6	1	39
Texas, Eastern	2.4	2	85
Kentucky, Eastern	2.3	1	43
Florida, Southern	2.3	6	260
Virginia, Western	2.0	1	49
Mississippi, Southern	2.0	1	49
Louisiana, Western	2.0	1	50
Pennsylvania, Middle	1.6	1	62
Tennessee, Western	1.4	1	70
Nevada	1.3	1	78
California, Eastern	0.7	1	134
South Carolina	0.4	1	280
Alabama, Northern	0.0	0	89
Arkansas, Eastern	0.0	0	42
Illinois, Central	0.0	0	38
Louisiana, Middle	0.0	0	37
Tennessee, Eastern	0.0	0	37
Hawaii	0.0	0	35
Oklahoma, Northern	0.0	0	31
Alaska	0.0	0	30
Georgia, Middle	0.0	0	30
Indiana, Southern	0.0	0	28
Tennessee, Middle	0.0	0	26
Wisconsin, Western	0.0	0	25
Kentucky, Western	0.0	0	21
Montana	0.0	0	21
Iowa, Northern	0.0	0	19
Maine	0.0	0	17
Mississippi, Northern	0.0	0	16
North Carolina, Middle	0.0	0	13
Arkansas, Western	0.0	0	13
Oklahoma, Eastern	0.0	0	11
West Virginia, Northern	0.0	0	9
North Dakota	0.0	0	7
Virgin Islands	0.0	0	6
Wyoming	0.0	0	6
Northern Mariana Islands	0.0	0	5

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Fraud Offenses**

District	Percent	Booker Period	
		(1/12/05 - 12/10/07)	
		Number of Non- Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed
Vermont	37.5	12	32
Delaware	33.3	13	39
Wisconsin, Eastern	31.0	44	142
Massachusetts	30.1	41	136
Rhode Island	28.9	11	38
Connecticut	27.9	41	147
Pennsylvania, Eastern	25.5	108	424
Illinois, Northern	25.2	142	563
Michigan, Western	24.5	23	94
Maryland	24.3	44	181
New York, Southern	24.1	174	722
Minnesota	24.1	38	158
California, Central	23.9	91	380
Iowa, Southern	23.9	16	67
Alaska	23.8	10	42
Tennessee, Western	23.3	53	227
New York, Eastern	23.1	86	373
Oregon	22.8	23	101
Illinois, Southern	22.5	20	89
Hawaii	22.4	17	76
California, Northern	21.9	42	192
Ohio, Northern	21.2	69	326
Tennessee, Middle	20.7	17	82
Indiana, Southern	20.7	17	82
Washington, Western	20.7	48	232
Michigan, Eastern	20.2	71	352
West Virginia, Northern	19.5	8	41
Utah	18.5	37	200
Ohio, Southern	18.4	38	207
Tennessee, Eastern	17.9	15	84
Illinois, Central	17.3	19	110
Georgia, Northern	17.1	52	304
New York, Western	17.0	33	194
Pennsylvania, Western	16.9	30	177
Kentucky, Eastern	16.7	20	120
New Hampshire	16.7	14	84
North Dakota	16.2	6	37
Puerto Rico	16.2	11	68
Florida, Northern	16.2	11	68
Kansas	15.7	20	127
Colorado	15.6	29	186
Wyoming	15.4	4	26

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Fraud Offenses (cont.)**

District	Percent	Booker Period (1/12/05 - 12/10/07)	
		Number of Non- Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed
Arkansas, Western	15.2	5	33
Florida, Middle	15.1	59	390
Missouri, Eastern	15.1	53	351
Missouri, Western	14.9	26	174
District of Columbia	14.9	20	134
New York, Northern	14.9	15	101
Washington, Eastern	14.8	8	54
Nebraska	14.7	14	95
Oklahoma, Western	14.7	17	116
Alabama, Northern	14.3	25	175
Virginia, Eastern	13.9	63	453
South Carolina	13.8	56	406
Kentucky, Western	13.8	11	80
Texas, Western	13.4	43	321
Idaho	13.3	4	30
New Mexico	13.0	6	46
Florida, Southern	12.7	101	797
Guam	12.5	2	16
South Dakota	12.4	12	97
Texas, Eastern	12.3	19	155
California, Eastern	11.9	47	396
Arizona	11.6	20	173
Virginia, Western	11.3	14	124
California, Southern	11.2	10	89
New Jersey	10.9	45	413
Texas, Southern	10.7	24	224
Louisiana, Western	10.5	24	229
Nevada	10.5	16	153
Pennsylvania, Middle	9.7	18	186
Maine	9.6	5	52
North Carolina, Eastern	9.6	11	115
Arkansas, Eastern	9.0	9	100
Texas, Northern	8.2	29	354
Louisiana, Eastern	8.0	7	87
West Virginia, Southern	8.0	4	50
Oklahoma, Northern	7.9	7	89
Mississippi, Southern	7.8	14	179
Iowa, Northern	7.7	4	52
Indiana, Northern	7.6	12	157
North Carolina, Middle	6.9	6	87
North Carolina, Western	6.7	9	135
Alabama, Southern	6.6	7	106
Montana	6.5	7	108
Louisiana, Middle	6.3	9	144
Wisconsin, Western	6.1	4	66
Oklahoma, Eastern	5.3	1	19
Alabama, Middle	4.8	2	42
Georgia, Southern	4.5	4	88
Georgia, Middle	3.8	3	78
Mississippi, Northern	3.4	2	59
Virgin Islands	0.0	0	20
Northern Mariana Islands	0.0	0	10

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Fraud Offenses**

District	<i>Gall</i> Period		
	(12/11/07 - 9/30/11)		
	Percent	Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed
Delaware	46.3	25	54
Vermont	45.0	18	40
Guam	44.0	11	25
New York, Southern	43.2	375	868
Illinois, Northern	42.1	233	554
Connecticut	38.0	68	179
Minnesota	37.4	76	203
Alaska	37.1	13	35
Rhode Island	35.4	23	65
Maine	34.6	18	52
New York, Eastern	34.3	184	537
Massachusetts	33.5	73	218
Nebraska	32.8	41	125
West Virginia, Southern	31.7	20	63
Indiana, Southern	31.0	26	84
Wisconsin, Eastern	30.9	51	165
Tennessee, Middle	29.7	30	101
Wyoming	29.6	8	27
Ohio, Southern	29.4	77	262
Florida, Middle	29.3	161	550
Michigan, Eastern	28.9	114	395
Washington, Western	28.8	95	330
Missouri, Western	27.8	67	241
Tennessee, Western	27.7	82	296
Utah	27.7	67	242
Georgia, Northern	27.5	107	389
Iowa, Southern	27.3	30	110
Virginia, Eastern	27.0	170	629
New York, Northern	26.8	33	123
Ohio, Northern	25.9	88	340
Missouri, Eastern	24.8	110	443
Pennsylvania, Eastern	24.8	111	448
California, Central	24.1	220	911
Maryland	23.9	71	297
Wisconsin, Western	23.3	17	73
Kentucky, Eastern	22.9	39	170
Idaho	22.7	17	75
Alabama, Southern	22.6	38	168
Pennsylvania, Western	22.4	46	205
Arkansas, Eastern	22.2	32	144
New Mexico	22.2	12	54
New York, Western	22.2	59	266

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Fraud Offenses (cont.)**

District	Gall Period		
	(12/11/07 - 9/30/11)		
	Percent	Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Fraud Sentences Imposed
District of Columbia	22.1	46	208
Oklahoma, Western	22.1	32	145
Florida, Southern	21.8	354	1,623
California, Northern	21.3	64	301
Hawaii	20.7	18	87
Pennsylvania, Middle	20.1	53	264
Oregon	20.0	29	145
Michigan, Western	19.7	28	142
South Dakota	19.7	14	71
Kentucky, Western	19.6	33	168
California, Eastern	19.3	45	233
Louisiana, Western	18.9	24	127
Kansas	18.6	30	161
Colorado	18.4	26	141
Alabama, Northern	18.4	38	207
South Carolina	18.2	101	556
Illinois, Central	17.8	13	73
West Virginia, Northern	17.8	8	45
Virginia, Western	17.4	21	121
Tennessee, Eastern	17.0	24	141
New Jersey	16.4	84	511
Florida, Northern	16.4	20	122
North Carolina, Middle	15.9	13	82
Washington, Eastern	15.6	10	64
North Carolina, Western	15.6	34	218
Montana	15.4	19	123
Nevada	15.3	30	196
Texas, Western	15.1	72	476
Louisiana, Eastern	15.1	37	245
Oklahoma, Northern	14.9	10	67
Louisiana, Middle	14.5	24	165
Illinois, Southern	14.3	13	91
Texas, Northern	13.8	55	398
California, Southern	13.6	28	206
New Hampshire	13.0	14	108
North Carolina, Eastern	12.9	25	194
Texas, Southern	12.3	55	446
Puerto Rico	12.3	25	203
Indiana, Northern	12.3	21	171
Alabama, Middle	11.7	9	77
Arkansas, Western	11.6	5	43
Arizona	11.2	31	277
Oklahoma, Eastern	11.1	5	45
Virgin Islands	11.1	1	9
Georgia, Middle	9.5	9	95
Mississippi, Southern	9.0	25	279
North Dakota	8.8	3	34
Texas, Eastern	7.7	23	299
Georgia, Southern	6.8	11	161
Mississippi, Northern	5.8	4	69
Iowa, Northern	3.3	3	91
Northern Mariana Islands	0.0	0	5

SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.