

Analysis of Career Offenders

INTRODUCTION

This section analyzes sentencing data for offenders for whom the career offender guideline set forth in Chapter Four of the *Guidelines Manual* had an impact on the final sentence.¹ 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 *Koon*, PROTECT Act, *Booker*, and *Gall* periods.

As used in this section, the term “career offender offenses” refers to offenses sentenced pursuant to USSG §4B1.1 (Career Offender) and USSG §4B1.2 (Definitions of Terms Used in Section 4B1.1). The term “career offender” refers to those offenders who (1) were at least eighteen years old at the time the instant offense of conviction was committed, (2) were convicted of an instant offense that is a felony that is either a crime of violence or a controlled substance offense, and (3) have at least two prior felony convictions of either a crime of violence or a controlled substance offense.² The career offender provision is never the primary sentencing guideline,³ and

¹ For purposes of this analysis, USSG §4B1.1 was considered to have had an impact on the final sentence if the defendant’s offense level increased due to application of the table in USSG §4B1.1 or if the defendant had a criminal history category of less than category VI prior to application of the guideline.

² See USSG §4B1.1(a) (2011).

³ The primary sentencing guideline is the last Chapter Two guideline used in the computation to calculate the offense level. It is the Chapter Two guideline that

instead is applied in offenses involving a variety of primary sentencing guidelines, including USSG §2D1.1 (Unlawful Manufacturing, Importing, Exporting, Trafficking, or Possession; Continuing Criminal Enterprise), USSG §2B3.1 (Robbery), §2K2.1 (Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition; Prohibited Transactions Involving Firearms or Ammunition), USSG §2A2.2 (Aggravated Assault), §2A2.4 (Obstructing or Impeding Officers), USSG §2A1.1 (First Degree Murder), USSG §2A2.1 (Assault with Intent to Commit Murder; Attempted Murder), USSG §2A4.1 (Kidnapping, Abduction, Unlawful Restraint), USSG §2B3.2 (Extortion by Force or Threat of Injury or Serious Damage), and various others.

The average guideline minimum for career offenders increased between the *Koon* and *Booker* periods, from 218 months to 226 months, but then decreased to 225 months in the *Gall* period. Analysis showed that the average guideline minimum has also trended downward during recent fiscal years, decreasing since fiscal year 2009. As discussed in more detail below, the guideline minimum sentence in any career offender offense is partly determined by the statutory maximum of the offense of conviction that qualifies as a controlled substance offense or crime of violence.⁴ Thus, the average guideline minimum for career offenders is influenced by statutory changes that increase or decrease the statutory maximums applicable to the underlying controlled substance offense or crime of violence. For that reason, recent reductions in penalties for drug trafficking offenses may have contributed to the recent downward trend in the average guideline minimum for career offenders.⁵

The average sentence has also trended downward in the *Gall* period, increasing approximately four percent between the *Koon* and PROTECT Act

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.

⁴ See USSG §4B1.1(b) (2011).

⁵ More detailed information regarding the statutory changes affecting drug trafficking offenses is contained in the Drug Trafficking section of Part C.

periods, from 180 months to 187 months, before decreasing to 184 months in the *Booker* period and 172 months in the *Gall* period. While both are trending downward, it appears that the gap between the average guideline minimum and the average sentence imposed has widened in recent fiscal years, indicating that the rates of non-guideline sentences (*i.e.*, government sponsored and non-government sponsored below range sentences) have increased.

The rate of within range sentences for career offenders has decreased from a high of 59.0 percent during the PROTECT Act period to a low of 36.1 percent during the *Gall* period, while the rate of non-government sponsored below range sentences has more than tripled during the same period. District courts have imposed non-government sponsored below range sentences at higher rates, and have generally been doing so with greater variation in the *Booker* and *Gall* periods than during any other period. Despite this trend, the extent of the reduction below the guideline minimum for non-government sponsored below range sentences has been consistently lower than the extent of reduction for government sponsored below range sentences in every period. Additionally, the extent of the reduction in non-government sponsored below range offenses decreased steadily from the *Koon* period to the *Booker* period, but increased in the *Gall* period.

Although the decrease in within range sentences was largely attributable to the increase in the non-government sponsored below range sentences, the rate of government sponsored below range sentences has also increased since the PROTECT Act period. This increase has not been as substantial as the increase in the rate of non-government sponsored below range sentences. Despite the overall increase in government sponsored below range sentences, the rate of government sponsored below range sentences for substantial assistance (USSG §5K1.1) has slowly decreased since the PROTECT Act, while the rate of other government sponsored below range sentences (those based on neither substantial assistance nor early disposition programs) has increased more than six-fold. The average extent of the reduction in government sponsored below range sentences generally decreased or remained steady after the *Koon* period before increasing in the *Gall* period.

CAREER OFFENDER ADJUSTMENT

Applicable Statutes

Title 28 U.S.C. § 994(h) provides:

The Commission shall assure that the guidelines specify a sentence to a term of imprisonment at or near the maximum term authorized for categories of defendants in which the defendant is eighteen years old or older and—

- (1) has been convicted of a felony that is—
 - (A) a crime of violence; or
 - (B) an offense described in section 401 of the Controlled Substances Act (21 U.S.C. 841), sections 1002(a), 1005, and 1009 of the Controlled Substances Import and Export Act (21 U.S.C. 952(a), 955, and 959), and chapter 705 of title 46; and
- (2) has previously been convicted of two or more prior felonies, each of which is—
 - (A) a crime of violence; or
 - (B) an offense described in section 401 of the Controlled Substances Act (21 U.S.C. 841), sections 1002(a), 1005, and 1009 of the Controlled Substances Import and Export Act (21 U.S.C. 952(a), 955, and 959), and chapter 705 of title 46.

*USSG §§4B1.1 and 4B1.2 Career Offender Guidelines*Current Provisions

The career offender guideline provides an increased sentence for an adult defendant convicted of a “crime of violence” or a “controlled substance offense” if the defendant has previously been convicted of at least two other such felony offenses.⁶ The guideline provides that such defendants will have a criminal history category of VI and an offense level that depends upon the statutory maximum for their offense of conviction.⁷ The offense levels currently set forth in the career offender guideline range from 12 to 37. The career offender guideline also provides that the career offender provisions should only be applied where they produce a higher offense level than the offense level otherwise applicable as a result of the offense of conviction.

The terms “crime of violence” and “controlled substance offense” are defined in §4B1.2. That section defines “crime of violence” as “any offense under federal or state law, punishable by imprisonment for a term exceeding one year, that – (1) has as an element the use, attempted use, or threatened use of physical force against the person of another, or (2) is burglary of a dwelling, arson, or extortion, involves use of explosives, or otherwise involves conduct that presents a serious potential risk of physical injury to another.”⁸ The section defines “controlled substance offense” as “an offense under federal or state law, punishable by imprisonment for a term exceeding one year, that prohibits the manufacture, import, export, distribution, or dispensing of a controlled substance (or a counterfeit substance) or the possession of a controlled substance (or a counterfeit substance) with intent to manufacture, import, export, distribute, or dispense.”⁹

⁶ USSG §4B1.1(a) (2011).

⁷ USSG §4B1.1(b) (2011).

⁸ USSG §4B1.2(a) (2011).

⁹ USSG §4B1.2(b) (2011).

Section 4B1.2 further explains what is required for the adjustment to apply. In this regard, that section explains that the term “two prior felony convictions” means: “(1) the defendant committed the instant offense of conviction subsequent to sustaining at least two felony convictions of either a crime of violence or a controlled substance offense (*i.e.*, two felony convictions of a crime of violence, two felony convictions of a controlled substance offense, or one felony conviction of a crime of violence and one felony conviction of a controlled substance offense), and (2) the sentences for at least two of the aforementioned felony convictions are counted separately under the provisions of §4A1.1(a), (b), or (c).”¹⁰ The section further notes that “[t]he date that a defendant sustained a conviction shall be the date that the guilt of the defendant has been established, whether by guilty plea, trial, or plea of *nolo contendere*.”¹¹

History of Career Offender Guidelines

Sections 4B1.1 and 4B1.2 were promulgated in the first *Guidelines Manual* effective November 1, 1987. The career offender guidelines were formulated to respond to a congressional mandate that the Commission assure that certain “career” offenders receive a sentence of imprisonment “at or near the maximum term authorized.”¹² As initially promulgated, the career offender guidelines were similar to the current guidelines in that they applied where an offender was convicted of a “crime of violence” or a “controlled substance offense, and also had previously been convicted of at least two other such felony offenses. The definitions of both “crime of violence” and “controlled substance offense,” however, were different from the current career offender guidelines. “Crime of violence” was defined under 18 U.S.C. § 16 as “an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or any other offense that is a felony and that, by its nature, involves

¹⁰ USSG §4B1.2(c) (2011).

¹¹ *Id.*

¹² USSG §4B1.1, comment. (backg’d.) (2011).

a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.”¹³ Similarly, the term “controlled substance offense” was defined to include certain enumerated offenses, including parts of the Controlled Substances Act,¹⁴ as amended by the Anti-Drug Abuse Act of 1986.¹⁵

Since their initial promulgation, the career offender provisions have undergone numerous amendments. Some of the key changes are discussed below.

1989 Guideline Amendments. Two years after the initial promulgation of the career offender guidelines, the Commission considered how to respond to Congress’s enactment of the Armed Career Criminal Act (the “ACCA”). The Commission amended the definition of the term “crime of violence” based on the definition of the term “violent felony” in the ACCA.¹⁶ The ACCA defines the term “violent felony” as:

any crime punishable by imprisonment for a term exceeding one year, or any act of juvenile delinquency involving the use or carrying of a firearm, knife, or destructive device that would be punishable by imprisonment for such term if committed by an adult, that--

(i) has as an element the use, attempted use, or threatened use of physical force against the person of another; or

(ii) is burglary, arson, or extortion, involves use of explosives, or otherwise involves conduct that presents a serious potential risk of physical injury to another.¹⁷

Similarly, the Commission amended the career offender guidelines to redefine the term “controlled substance offense” based on the definition of the term “serious drug offense” in the ACCA.¹⁸ “Serious drug offense” is defined in the ACCA as:

(i) an offense under the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), or chapter 705 of title 46 for which a maximum term of imprisonment of ten years or more is prescribed by law; or

(ii) an offense under State law, involving manufacturing, distributing, or possessing with intent to manufacture or distribute, a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)), for which a maximum term of imprisonment of ten years or more is prescribed by law.¹⁹

1991 Guideline Amendments. In 1991, the Commission amended the commentary to §4B1.2 to resolve a circuit conflict regarding whether unlawful possession of a firearm was a “crime of violence” under the guideline. The Commission provided that felon-in-possession offenses generally were *not* crimes of violence under §4B1.2.²⁰

¹³ USSG §4B1.2(1) (1987).

¹⁴ 21 U.S.C. §§ 841, 952(a), 955a, 959, and §§ 405B and 416.

¹⁵ USSG §4B1.2(2) (1987).

¹⁶ USSG App. C, amend. 268 (effective Nov. 1, 1989).

¹⁷ 18 U.S.C. § 924(e)(2)(B).

¹⁸ USSG App. C, amend. 268 (effective Nov. 1, 1989).

¹⁹ 18 U.S.C. § 924(e)(2)(A).

²⁰ USSG App. C, amend. 433 (effective Nov. 1, 1991).

2000 and 2002 Guideline Amendments. In 2000 and 2002, the Commission amended the career offender guidelines to permit 18 U.S.C. § 924(c) or § 929(a) offenses, whether as the instant or prior offense of conviction, to qualify for career offender purposes.²¹ The amendment also ensured that “in a case in which [an 18 U.S.C. § 924(c) or § 929(a) count] establishes the defendant as a career offender, the resulting guideline sentence is determined under §4B1.1 using a count of conviction that has a statutory maximum of life imprisonment.”²²

2004 Guideline Amendments. In 2004, the Commission amended the career offender guidelines to provide that possession of certain particularly dangerous weapons, as described in 26 U.S.C. § 5845(a), qualifies as a “crime of violence.”²³ The reason for amendment explained that “Congress has determined that those firearms ... are inherently dangerous and when possessed unlawfully, serve only violent purposes.”²⁴ The Commission also noted that some courts applying the guidelines had already reached this conclusion.²⁵

STATISTICAL OVERVIEW: FISCAL YEAR 2011

In fiscal year 2011, federal courts sentenced 2,157 career offenders. The number of career offenders varied across circuits and districts. Judges in the Fourth Circuit sentenced the highest number of career offenders with 383 offenders in fiscal year 2011 (17.8% of all career offenders nationwide), followed by the Sixth Circuit with 289 offenders (13.4% of career offenders nationwide) and the Eleventh Circuit with 233 offenders (10.8% of career

²¹ USSG App. C, amend. 600 (effective Nov. 1, 2000); USSG App. C, amend. 642 (effective Nov. 1, 2002).

²² USSG App. C, amend. 642 (effective Nov. 1, 2002).

²³ USSG App. C, amend. 674 (effective Nov. 1, 2004).

²⁴ *Id.*

²⁵ *Id.*

offenders nationwide).²⁶ In each of the nine circuits remaining, career offenders comprised less than ten percent of the career offenders sentenced nationwide in fiscal year 2011.²⁷ As depicted in the table below, the proportion of a circuit’s caseload comprised of career offenders ranged from a low of 1.0 percent in the Fifth Circuit to a high of 7.3 percent in the Third Circuit. In the two circuits with the highest number of career offenders, the proportion of the overall caseload comprised of career offenders were similar. Career offenders comprised 6.7 percent of the Fourth Circuit’s caseload, and 5.4 percent of the Sixth Circuit’s overall caseload in fiscal year 2011.

When viewed at the district level, the number of career offenders in each district ranged from zero (3 districts)²⁸ to 89 (Maryland). Judges in the District of Maryland sentenced 89 career offenders, which constituted 4.1 percent of career offenders nationwide. Judges in the Eastern District of Pennsylvania sentenced 80 career offenders (3.7% of career offenders nationwide), followed by the District of South Carolina (3.2% of career offenders nationwide; n=69), and the Southern District of Florida (3.1% of career offenders nationwide; n=67).²⁹ The remaining districts each sentenced less than three percent of the career offenders nationwide.

²⁶ See “National Distribution of Offenses by Circuit and District, Career Offenders, FY 2011” Appendix Table. By comparison, 23.0 percent of all federal criminal offenses in fiscal year 2011 came from those three circuits. See “National Distribution of Offenses by Circuit and District, All Offenses, FY 2011” Appendix Table.

²⁷ See “National Distribution of Offenses by Circuit and District, Career Offenders, FY 2011” Appendix Table. Those circuits were the Third Circuit (n=209; 9.7%), Ninth Circuit (n=188; 8.7%), Eighth Circuit (n=178; 8.3%), Fifth Circuit (n=178; 8.3%), Seventh Circuit (n=177; 8.2%), First Circuit (n=106; 4.9%), Second Circuit (n=100; 4.6%), Tenth Circuit (n=99; 4.6%), D.C. Circuit (n=17; 0.8%).

²⁸ Those districts were the Districts of the Virgin Islands, Guam, and the Northern Mariana Islands.

²⁹ See “National Distribution of Offenses by Circuit and District, Career Offenders, FY 2011” Appendix Table. By comparison, 6.3 percent of all federal criminal offenses in fiscal year 2011 came from those four districts. See “National

PART C: CAREER OFFENDERS

Proportion of Caseload by Circuit Career Offenders Fiscal Year 2011

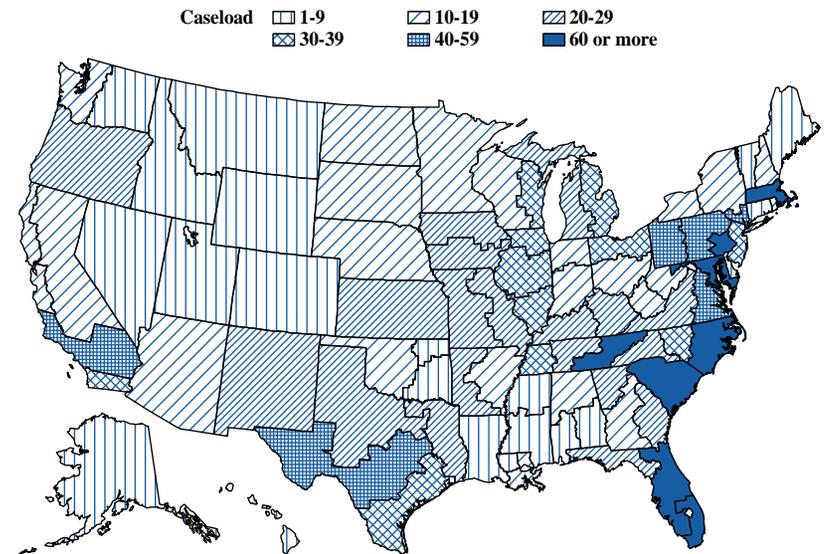
Circuit	Number of Career Offenders	Percent of Total Caseload
TOTAL	2,157	2.8
Fifth Circuit	178	1.0
Ninth Circuit	188	1.1
Tenth Circuit	99	1.6
Second Circuit	100	2.3
Eleventh Circuit	233	3.6
Eighth Circuit	178	3.8
D.C. Circuit	17	4.9
First Circuit	106	5.0
Sixth Circuit	289	5.4
Seventh Circuit	177	6.0
Fourth Circuit	383	6.7
Third Circuit	209	7.3

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

Consistent with the circuit level data, of those districts that sentenced career offenders, career offenders comprised varying percentages of the districts' criminal case dockets, ranging from a low of 0.2 percent (Arizona) to a high of 11.6 percent (Western Pennsylvania). In only three districts did career offender cases constitute more than ten percent of the offenders sentenced by the district in fiscal year 2011. Those districts were: Western Pennsylvania (11.6% of offenders in the district; n=53), Maryland (11.4% of

offenders in the district; n=89), and Massachusetts (11.2% of offenders in the district; n=60). In contrast, in those districts with at least one career offender, career offenders constituted less than one percent of all offenders sentenced in ten districts. Those districts were: New Mexico (0.9% of offenders in the district; n=27), Southern California (0.9% of offenders in the district; n=30), Western Texas (0.9% of offenders in the district; n=59), Utah (0.8% of offenders in the district; n=8), Middle Louisiana (0.7% of offenders in the district; n=1), Idaho (0.6% of offenders in the district; n=2), Southern Texas (0.5% of offenders in the district; n=38), Middle Alabama (0.4% of offenders in the district; n=1), Southern Mississippi (0.3% of offenders in the district; n=1), and Arizona (0.2% of offenders in the district; n=14).³⁰

Number of Career 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.

Distribution of Offenses by Circuit and District, All Offenses, FY 2011” Appendix Table.

³⁰ See “Proportion of Caseload in Each Circuit and District, Career Offenders, FY 2011” Appendix Table.

Primary Sentencing Guidelines for Career Offenders

The career offender enhancement is applied in offenses involving a variety of primary offense types, including drug trafficking, firearms, robbery, assault and others. This section addresses the primary sentencing guidelines that would have applied to the fiscal year 2011 career offenders absent the career offender adjustment.³¹

As depicted in the pie chart, the majority of career offenders in fiscal year 2011 were sentenced for drug trafficking offenses for which the primary sentencing guideline was §2D1.1 (Unlawful Manufacturing, Importing, Exporting, Trafficking, or Possession; Continuing Criminal Enterprise) or §2D1.2 (Drug Offenses Occurring Near Protected Locations or Involving Underage or Pregnant Individuals; Attempt or Conspiracy) (74.9%; n=1,600). The second largest group of career offenders were sentenced for robbery offenses for which the primary sentencing guideline was §2B3.1 (Robbery) (13.8%; n=294), followed by firearms offenses for which the primary sentencing guideline was §2K2.1 (Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition; Prohibited Transactions Involving Firearms or Ammunition) (6.0%; n=129). The “Other” category includes 26 other primary sentencing guidelines, including, for example, §2A2.2 (Aggravated Assault) (1.5%; n=31), §2A2.4 (Obstructing or Impeding Officers) (0.5%; n=11), §2A1.1 (First Degree Murder) (0.4%; n=9), §2A2.1 (Assault with Intent to Commit Murder; Attempted Murder) (0.4%; n=8), §2A4.1 (Kidnapping, Abduction, Unlawful Restraint) (0.1%; n=3), and §2B3.2 (Extortion by Force or Threat of Injury or Serious Damage) (0.1%; n=3).

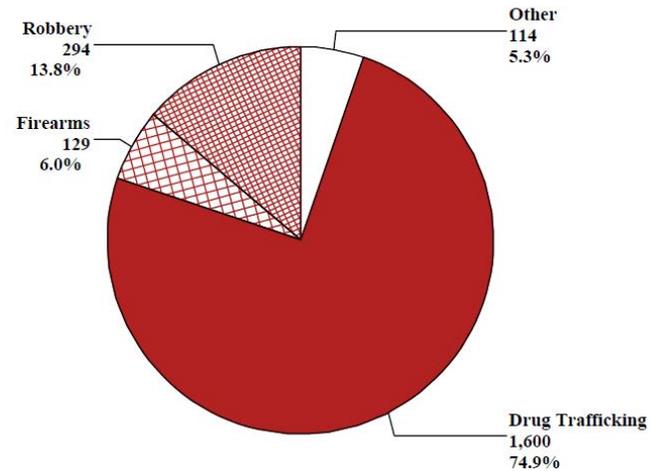
In multiple count offenses, the primary guideline is the guideline that produces the highest offense level.³² Therefore, some of the primary guidelines identified above may not have triggered application of the career offender adjustment. For example, a firearms offense sentenced under §2K2.1 generally would not constitute a crime of violence for purposes of

³¹ See USSG §4B1.1(b) (2011) (instructing that the career offender table is applicable only if the resulting offense level is greater than the offense level otherwise applicable).

³² See USSG §3D1.3 (2011).

§4B1.1.³³ In these offenses, it is likely that the defendant was also sentenced for another offense with a lower offense level that constituted a crime of violence or controlled substance offense and that triggered application of the career offender guideline.

**Offense Characteristics of Career Offenders
Primary Sentencing Guideline
Fiscal Year 2011**



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

³³ The commentary to the career offender guideline contains a specific exception for felon-in-possession offenses, the most typical offense sentenced under §2K2.1 (Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition; Prohibited Transactions Involving Firearms or Ammunition). See, e.g., USSG §4B1.2, comment. (n.1) (“‘Crime of violence’ does not include the offense of unlawful possession of a firearm by a felon, unless the possession was of a firearm described in 26 U.S.C. § 5845(a).”). The Commentary further notes, however, that where the offense of conviction is the unlawful possession of a firearm by a felon, §2K2.1 provides an increase in offense level if the defendant had one or more prior felony convictions for a crime of violence or controlled substance offense; and, if the defendant is sentenced under the provisions of 18 U.S.C. § 924(e), §4B1.4 (Armed Career Criminal) will apply.” See *id.*

Impact on Applicable Guideline Range for Career Offenders

Of the 2,257 offenders to which the career offender guideline was applied in fiscal year 2011, the career offender guideline resulted in an increase in the otherwise applicable offense level, criminal history category, or both for 2,157 offenders.³⁴ Of these 2,157 offenders, 194 (9.0%) received a higher Criminal History Category only. The median Criminal History Category for these offenders before application of the career offender provision was Category IV, but increased to Category VI based upon application of the career offender guideline.³⁵ For 815 offenders (37.8%), the application of the career offender guideline resulted in an increased offense level only. In these cases, the median offense level increased from 26 before the application of the guideline to 34 after application. Both the offense level and the Criminal History Category increased for the remaining 1,148 offenders (53.2%) based upon application of the career offender guideline. The original median offense level for these offenders was 26 before increasing to 34, while the original median Criminal History Category was IV before increasing to Category VI.

³⁴ USSG §4B1.1(b) provides that the offense level for a career offender shall be the greater of the offense level otherwise applicable for the underlying crime of conviction(s) or the offense level provided in the table in §4B1.1, which is based upon the statutory maximum of the underlying crime. *See* USSG §4B1.1(b).

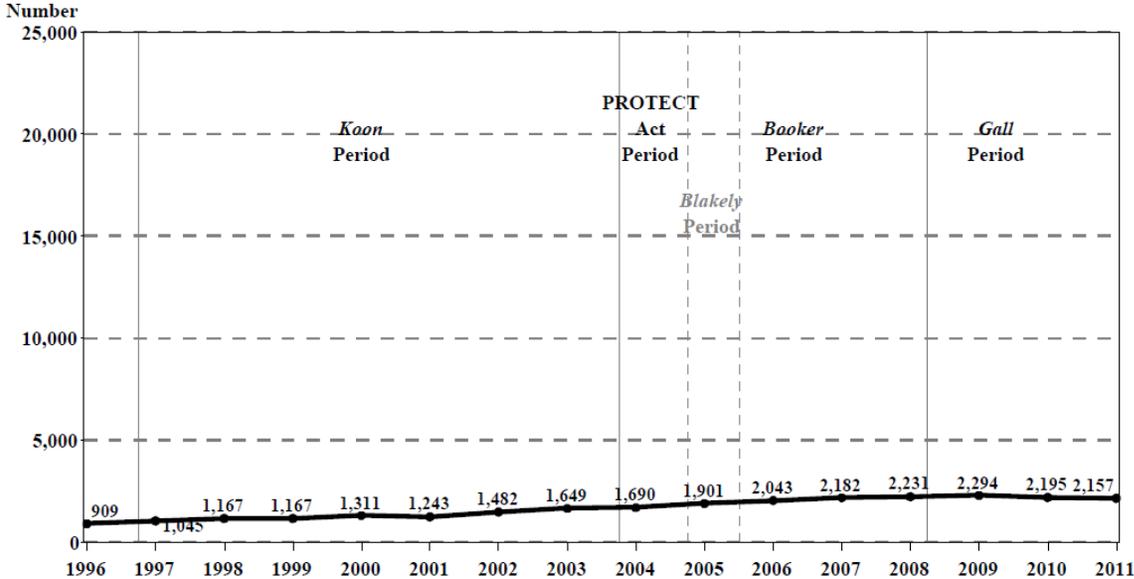
³⁵ Section 4B1.1(b) also provides that “a career offender’s criminal history category in every case under this subsection shall be Category VI.” *See* USSG §4B1.1(b).

NATIONAL TREND ANALYSIS

This section addresses federal sentencing trends for career offender 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.

Over the past 16 years, the number of career offenders has generally increased, but has been stable over the past five years. The percentage of career offenders relative to the overall federal caseload also has remained relatively stable over each of the four periods, at 2.6 percent during the *Koon* period, 2.9 percent in the PROTECT Act period, 3.3 percent in the *Booker* period, and 3.1 percent in the *Gall* period.

Number of Offenders by Fiscal Year
Career Offenders
Fiscal Years 1996-2011



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

NATIONAL TREND ANALYSIS

OFFENDER AND OFFENSE CHARACTERISTICS

The overwhelming majority of career offenders were male, and were United States citizens in every period. Black offenders were the largest group of career offenders in each period, with White offenders the second largest group.

During all four periods, the majority of career offenders were in Criminal History Category VI, because USSG §4B1.1 states that “[a] career offender’s criminal history category in every case under this subsection shall be Category VI.” Career offenders classified in a criminal history category less than Category VI may have benefited from a downward departure pursuant to USSG §4A1.3(b), which allows a downward departure “if reliable information indicates that the defendant’s criminal history category substantially over-represents the seriousness of the defendant’s criminal history or the likelihood that the defendant will commit other crimes.”

**Selected Offender Characteristics
Career Offenders
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
RACE/ETHNICITY				
White	24.7	23.1	21.1	19.4
Black	58.8	61.4	63.3	64.9
Hispanic	15.1	13.5	13.8	13.9
Other	1.5	2.1	1.9	1.8
GENDER				
Male	97.6	98.1	98.0	97.6
Female	2.4	1.9	2.0	2.4
CITIZENSHIP				
U.S. Citizen	93.3	94.5	95.8	96.7
Non-U.S. Citizen	6.7	5.5	4.2	3.3
CRIMINAL HISTORY CATEGORY				
I	0.0	0.0	0.0	0.0
II	0.0	0.1	0.0	0.0
III	0.3	0.2	0.0	0.0
IV	0.6	0.3	0.1	0.0
V	0.7	0.3	0.2	0.0
VI	98.5	99.3	99.7	100.0

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 of the four periods, the overwhelming majority of career offenders were sentenced to prison, and very few career offenders were sentenced to any type of community confinement or probation.

Types of Sentences Imposed
Career Offenders
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	8,508	98.5	1,955	99.3	6,078	99.3	8,349	98.9
Prison/Community Split	92	1.1	11	0.6	36	0.6	69	0.8
Probation and Confinement	13	0.2	1	0.1	4	0.1	7	0.1
Probation Only	22	0.3	2	0.1	3	0.1	18	0.2

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 USSC §5C1.1.
 SOURCE: U.S. Sentencing Commission, 2011 *Booker* Report Datafiles.

NATIONAL TREND ANALYSIS

OFFENDER AND OFFENSE CHARACTERISTICS

The average guideline minimum represents, in part, the seriousness of the offense as measured, in the case of career offenders, by the nature of the offense and the maximum statutory penalty for the offense. The average guideline minimum for career offenders increased from the *Koon* period through the *Booker* period, but then decreased in the *Gall* period.

Average sentences increased from the *Koon* period to the PROTECT Act period, but decreased in both the *Booker* and *Gall* periods. Various factors, including the guideline range, departures, and variances, influence sentence length.

Rates of substantial assistance below range sentences have decreased over time, but rates of other government sponsored below range sentences have increased over time. Non-government sponsored below range rates have also increased.

The extent of the reduction below the guideline minimum has varied depending on the type of below range sentence. In every period, the extent of the reduction below the guideline minimum has been greater for all government sponsored below range sentences than for non-government sponsored below range sentences.

**Selected Sentencing Characteristics
Career Offenders
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	89.0	90.1	89.4	91.8
WEAPON	24.8	26.6	27.4	28.2
GUIDELINE ADJUSTMENTS				
Aggravating Role (USSG §3B1.1)	7.4	5.5	5.1	5.8
Mitigating Role (USSG §3B1.2)	4.7	2.6	2.9	2.3
SENTENCE RELATIVE TO GUIDELINE RANGE				
Within Range	53.4	59.0	45.7	36.1
Above Range	0.7	0.6	0.8	0.9
All Gov't Sponsored Below Range	31.4	32.9	33.6	36.7
Substantial Assistance (USSG §5K1.1)	31.1	31.2	27.9	27.0
Early Disposition Program (USSG §5K3.1)	n/a	0.2	0.6	0.4
Other Gov't Sponsored Below Range	n/a	1.5	5.1	9.3
Non-Gov't Sponsored Below Range	14.5	7.5	20.0	26.4
	Months	Months	Months	Months
AVERAGE GUIDELINE MINIMUM	218	220	226	225
AVERAGE SENTENCE	180	187	184	172
Within Range	228	222	233	226
Above Range	233	299	254	226
All Gov't Sponsored Below Range	122	133	133	132
Substantial Assistance (USSG §5K1.1)	122	134	135	134
Early Disposition Program (USSG §5K3.1)	n/a	81	59	78
Other Gov't Sponsored Below Range	n/a	107	129	128
Non-Gov't Sponsored Below Range	124	144	156	151
AVERAGE EXTENT OF REDUCTION	Percent (Months)	Percent (Months)	Percent (Months)	Percent (Months)
All Gov't Sponsored Below Range	45.4 (101)	41.1 (92)	41.6 (94)	43.1 (96)
Substantial Assistance (USSG §5K1.1)	45.5 (101)	41.3 (93)	42.9 (99)	44.1 (102)
Early Disposition Program (USSG §5K3.1)	n/a (n/a)	15.1 (13)	29.3 (31)	35.9 (57)
Other Gov't Sponsored Below Range	n/a (n/a)	41.8 (88)	36.6 (74)	40.6 (82)
Non-Gov't Sponsored Below Range	37.3 (72)	32.0 (63)	30.7 (67)	32.4 (69)

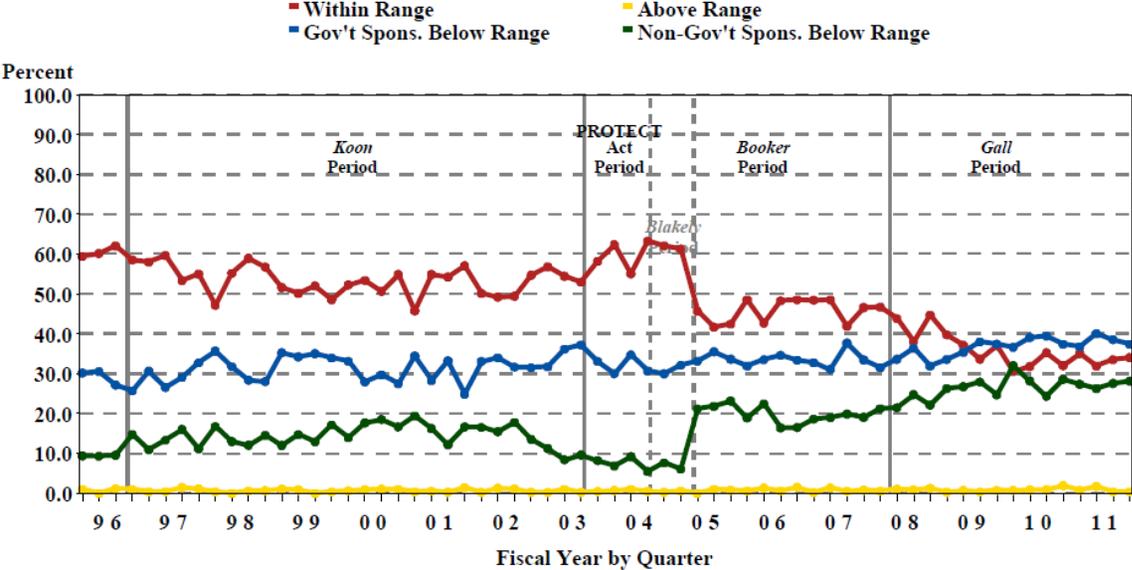
Categories may not sum to exactly 100.0 percent due to rounding.
SOURCE: U.S. Sentencing Commission, 2011 *Booker* Report Datafiles.



NATIONAL TREND ANALYSIS
INFLUENCE OF THE GUIDELINES

The rate of within range sentences for career offenders has generally decreased over time, while the rates of both government sponsored and non-government sponsored below range sentences have generally increased.

Quarterly Data for Within-Range and Out-of-Range Sentences
Career Offenders
Fiscal Years 1996-2011



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

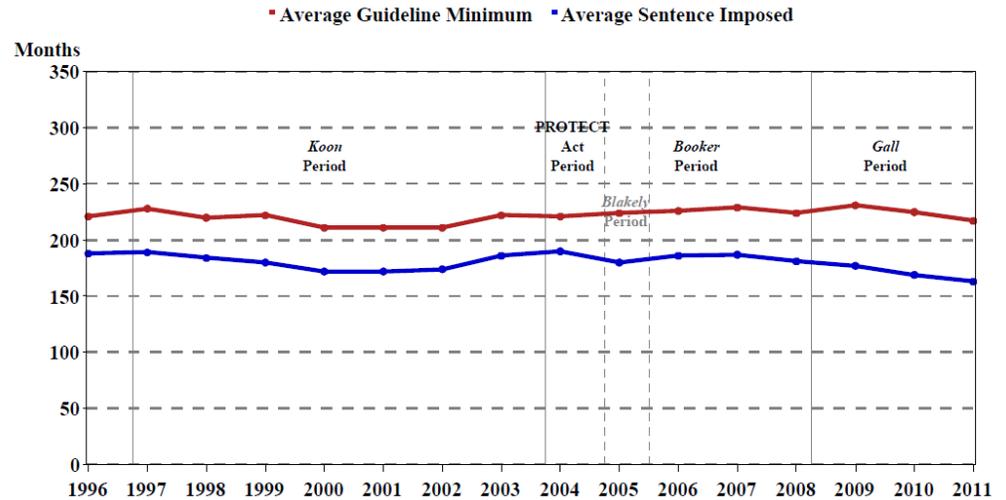
NATIONAL TREND ANALYSIS
INFLUENCE OF THE GUIDELINES

The relationship between the red and blue lines indicates that, prior to fiscal year 2005, average sentences generally paralleled average guideline minimums. Beginning in fiscal year 2005, however, the graph demonstrates a widening divergence between average sentences and average guideline minimums.

The percentage difference between the average guideline minimum and the average sentence for career offenders remained relatively constant between fiscal years 1997 and 2005. At that point, the average sentence diverged further from the average guideline minimum, and the percentage difference was highest in fiscal years 2010 and 2011.

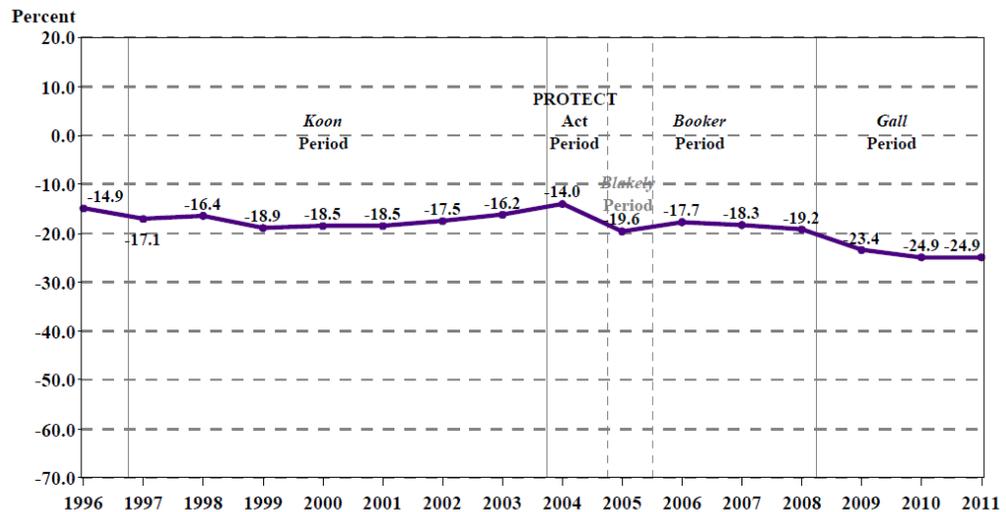
**Click on chart for corresponding table by period.*

Average Guideline Minimum and Sentence Imposed
Career Offenders
 Fiscal Years 1996-2011



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

Percent Difference Between Average Guideline Minimum and Sentence Imposed
Career Offenders
 Fiscal Years 1996-2011



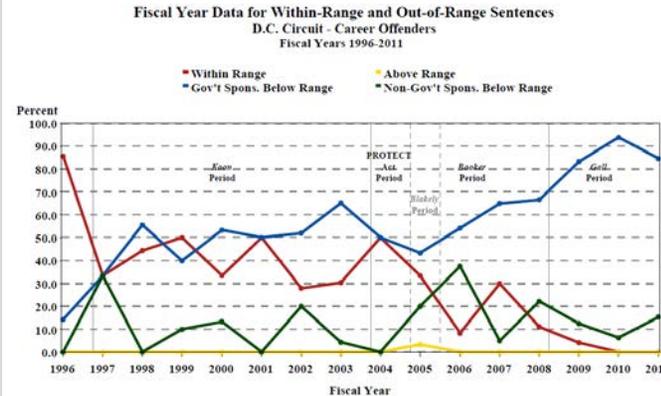
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

CIRCUIT TREND ANALYSIS

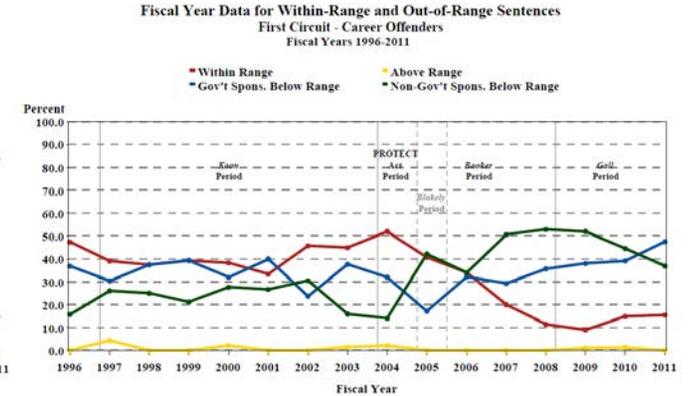
INFLUENCE OF THE GUIDELINES

At the national level, the rate of within range sentences for career offenders has generally decreased over time, while the rates of both government sponsored and non-government sponsored below range sentences have generally increased.

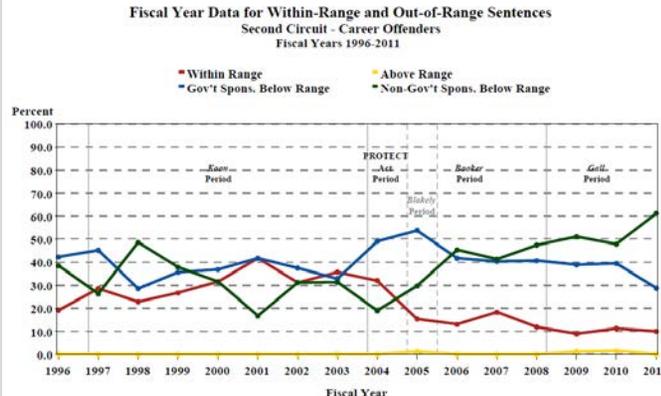
Likewise at the circuit level, the rate of within range sentences has generally decreased as a result of increases in the rates of either government sponsored below range sentences, or non-government sponsored below range sentences, or both.



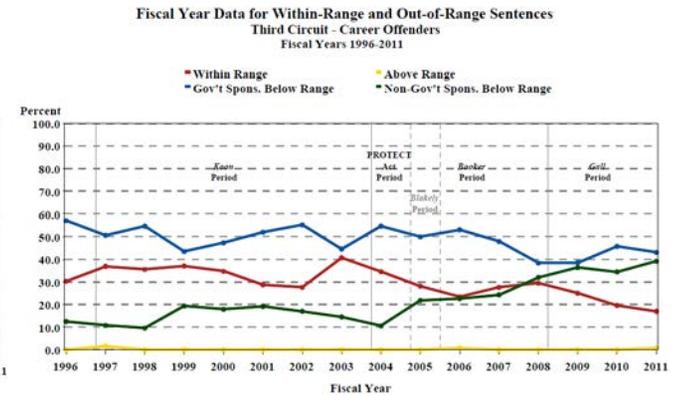
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.



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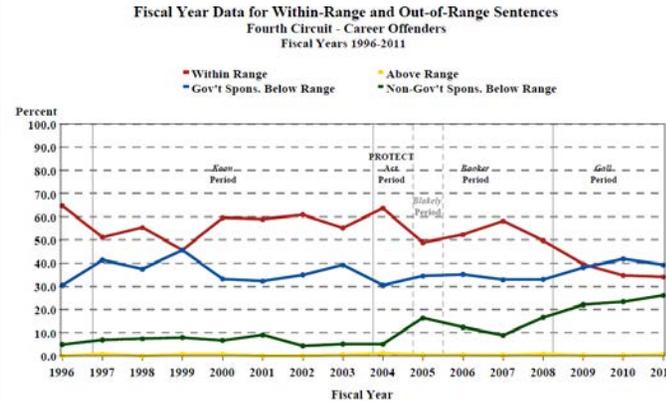


SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

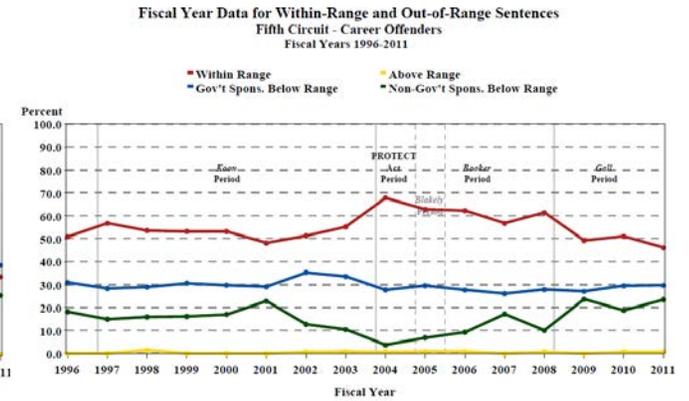
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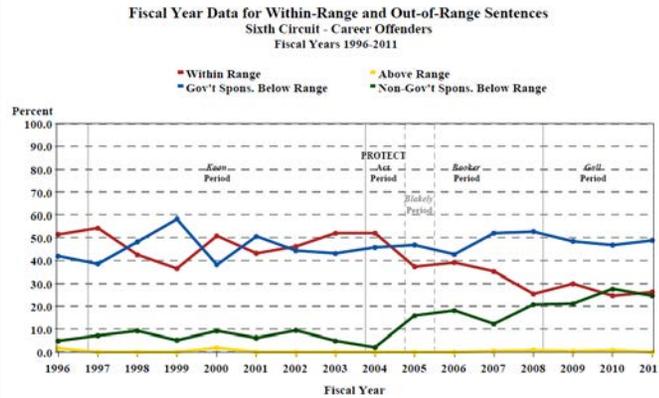
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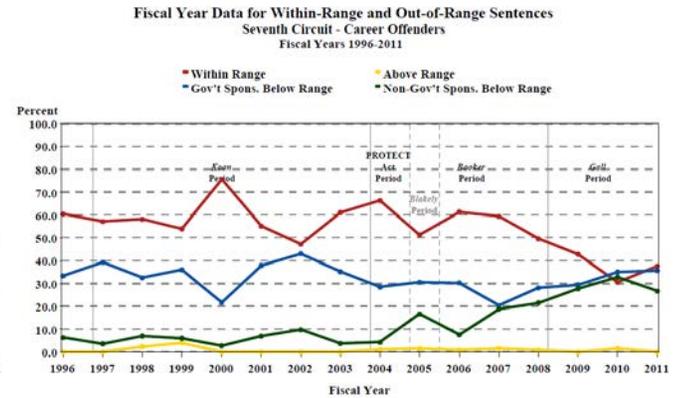
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.



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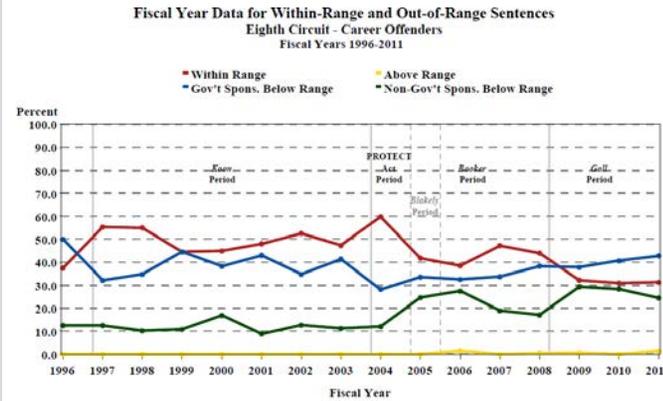
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

CIRCUIT TREND ANALYSIS

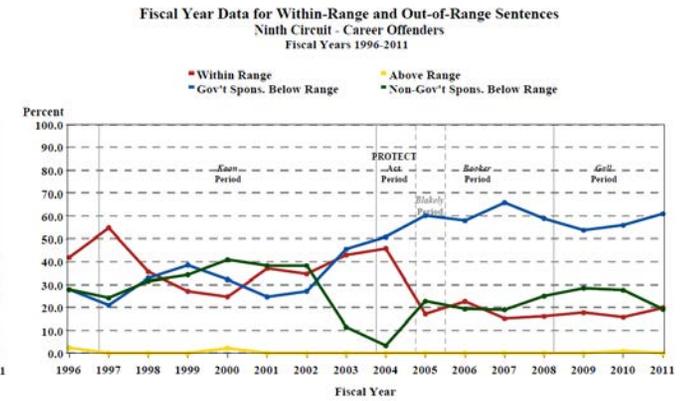
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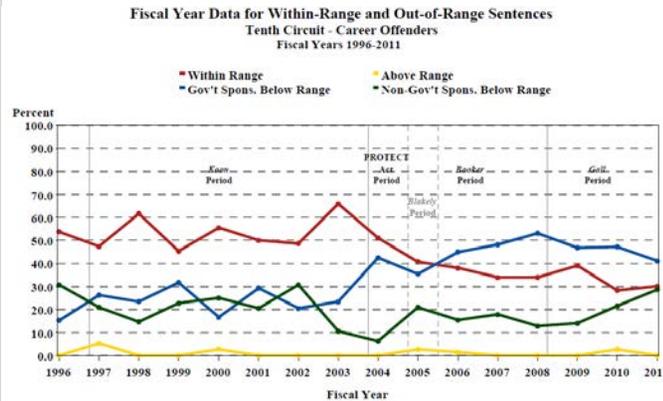
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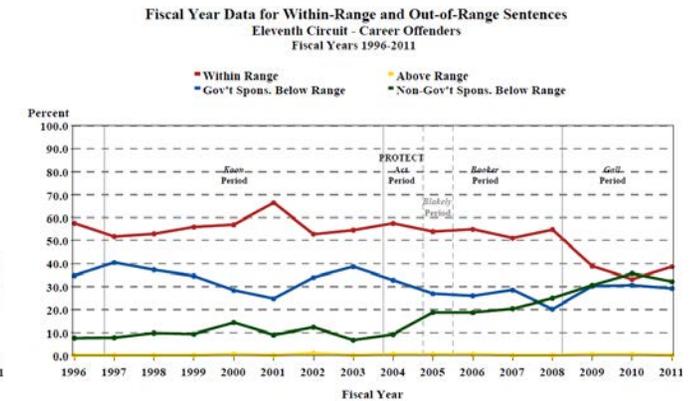
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.



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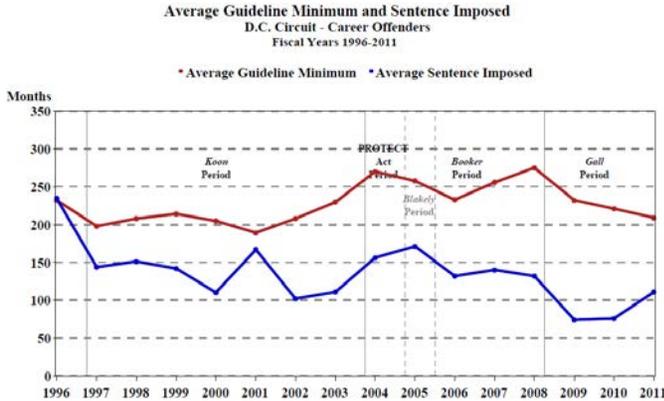


SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

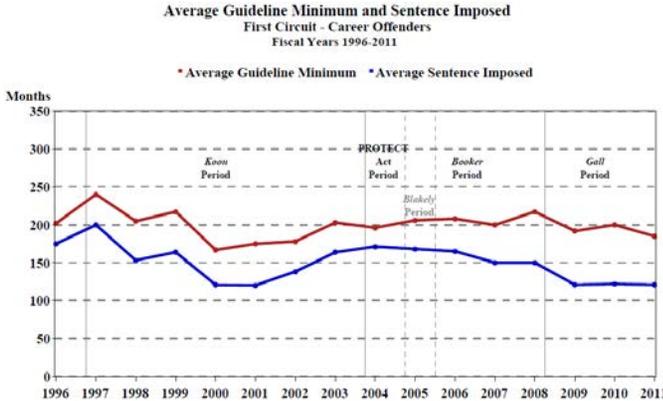
CIRCUIT TREND ANALYSIS
 INFLUENCE OF THE GUIDELINES

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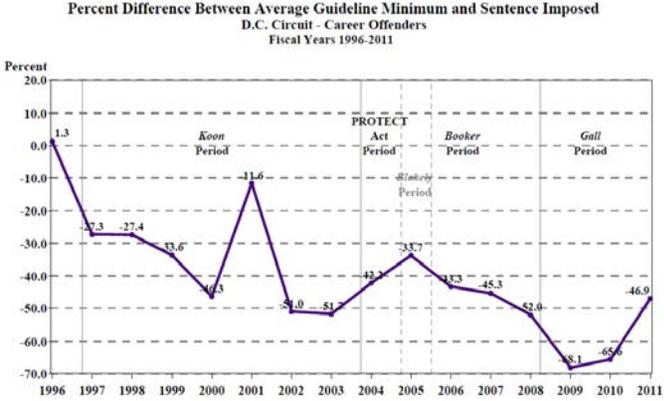
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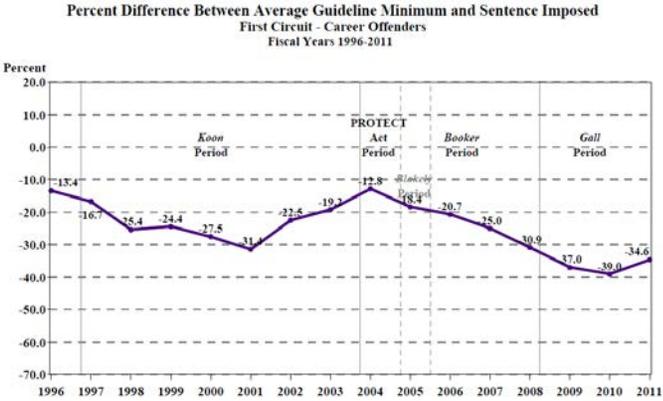
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.



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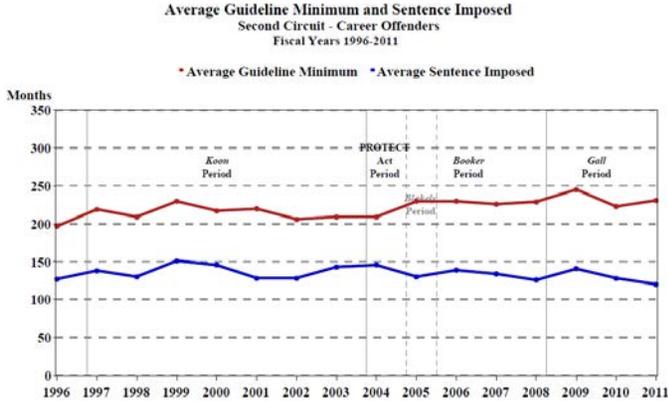


SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

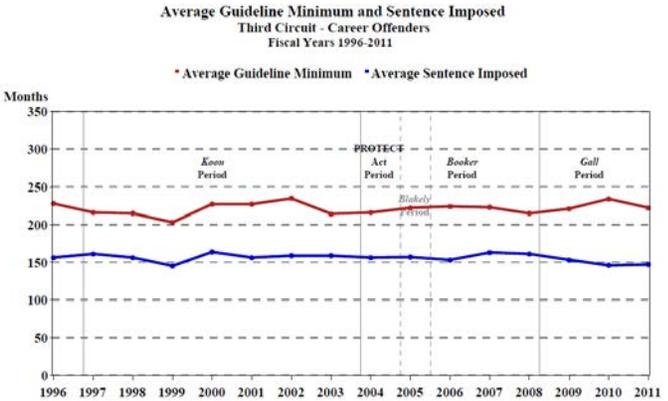
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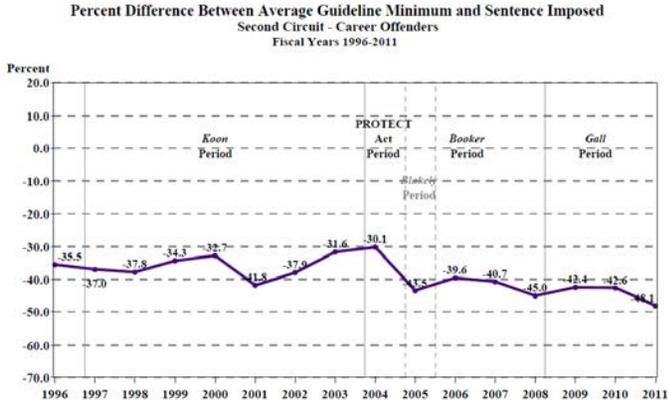
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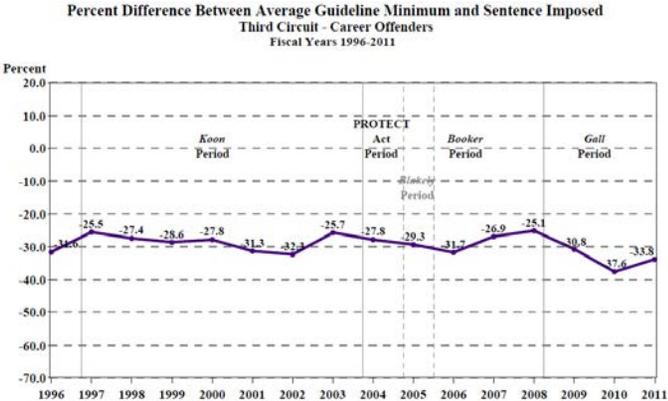
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.



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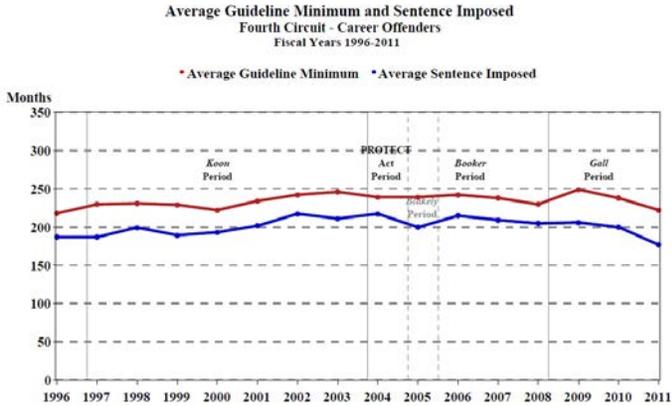


SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

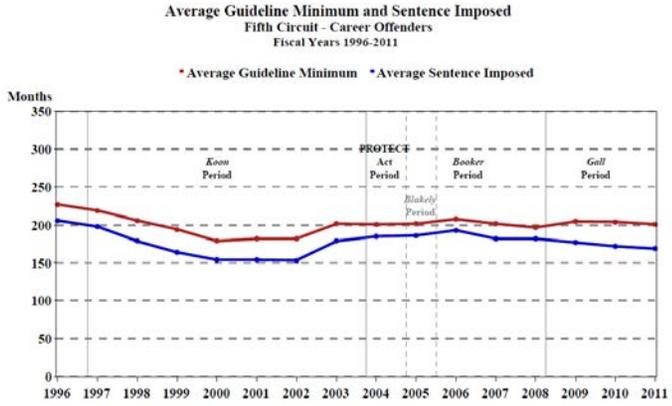
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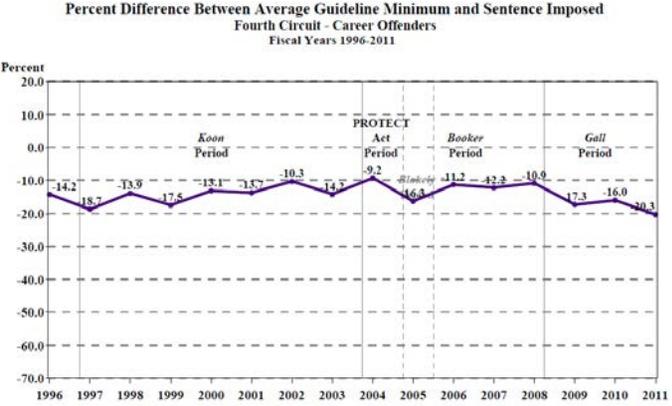
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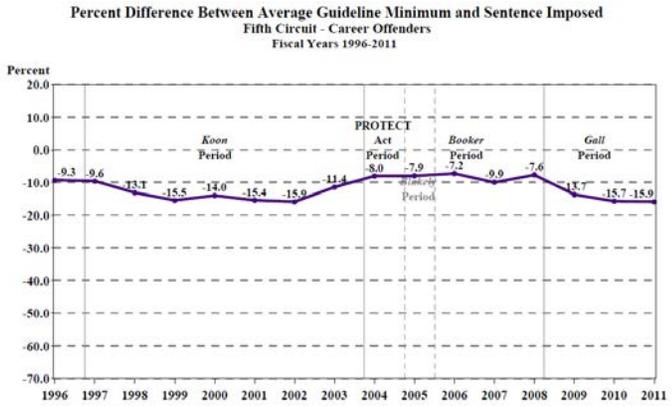
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.



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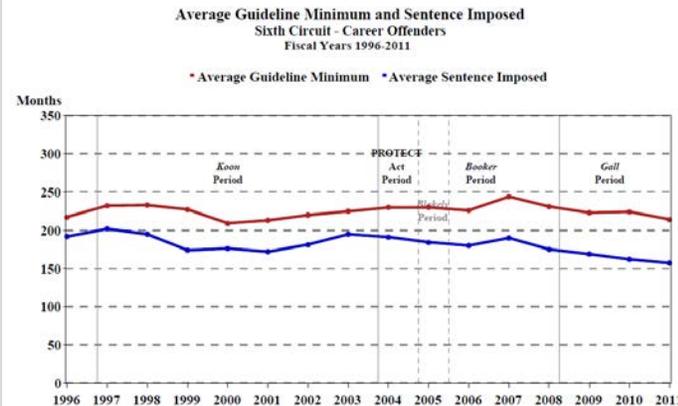


SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

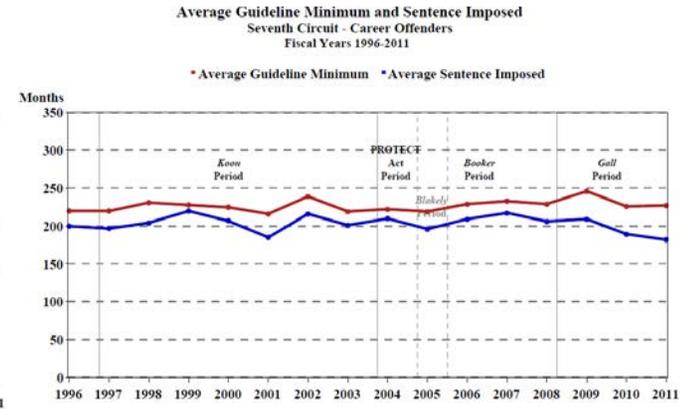
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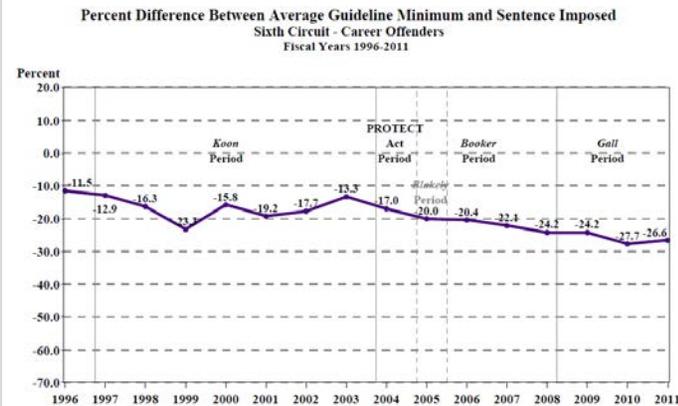
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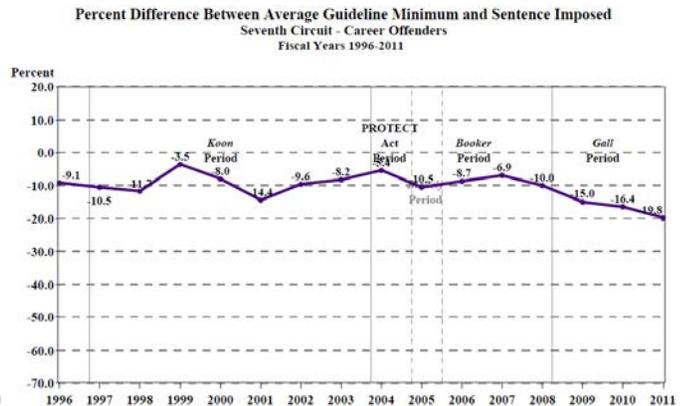
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.



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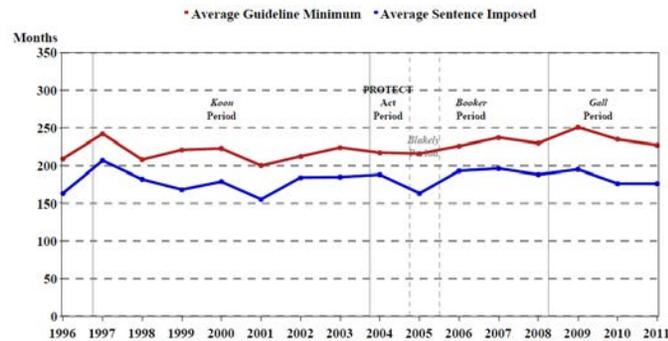
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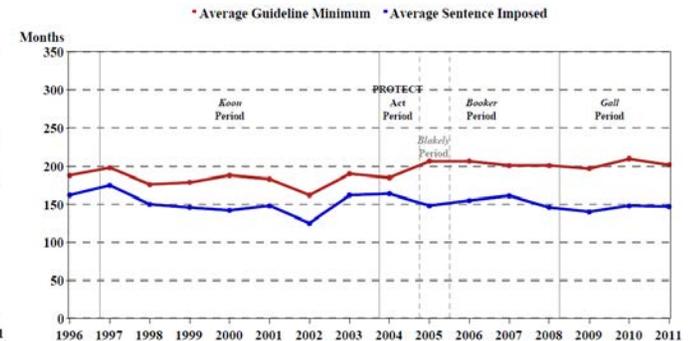
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Average Guideline Minimum and Sentence Imposed
 Eighth Circuit - Career Offenders
 Fiscal Years 1996-2011



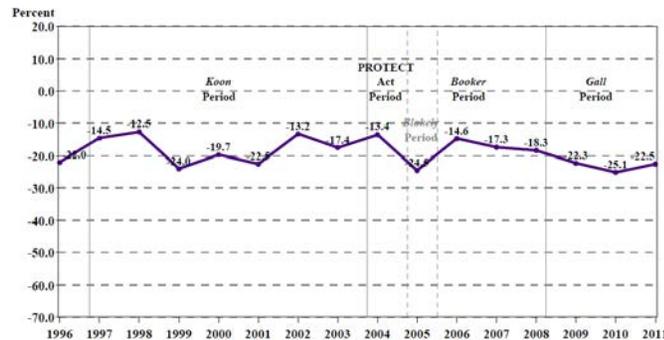
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

Average Guideline Minimum and Sentence Imposed
 Ninth Circuit - Career Offenders
 Fiscal Years 1996-2011



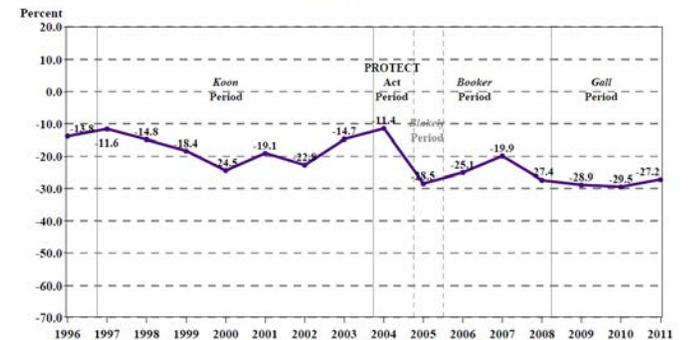
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

Percent Difference Between Average Guideline Minimum and Sentence Imposed
 Eighth Circuit - Career Offenders
 Fiscal Years 1996-2011



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

Percent Difference Between Average Guideline Minimum and Sentence Imposed
 Ninth Circuit - Career Offenders
 Fiscal Years 1996-2011

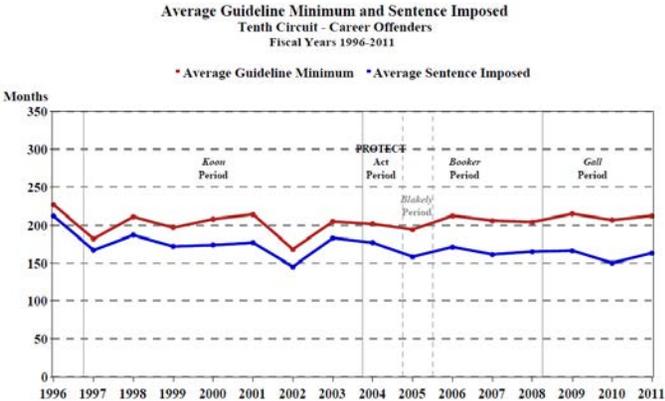


SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

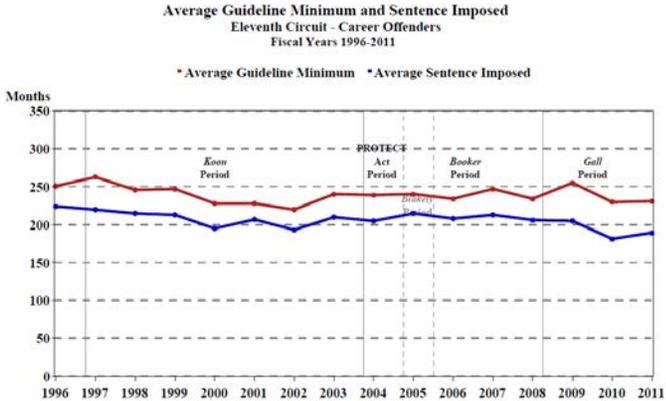
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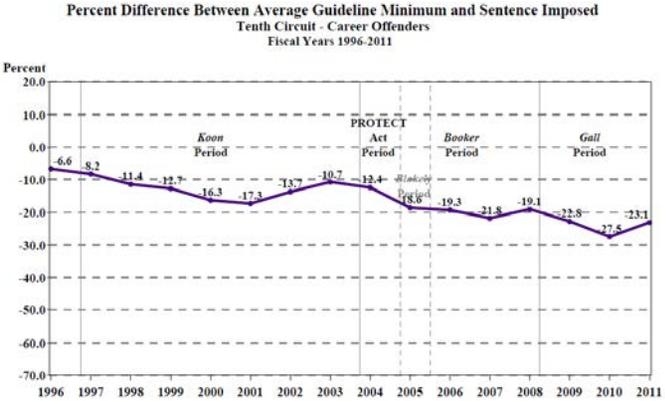
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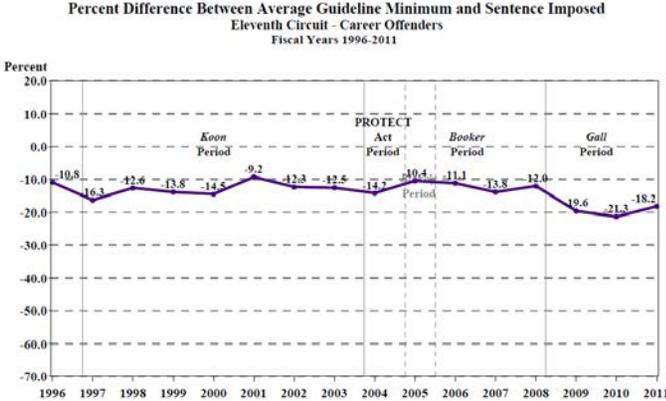
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.



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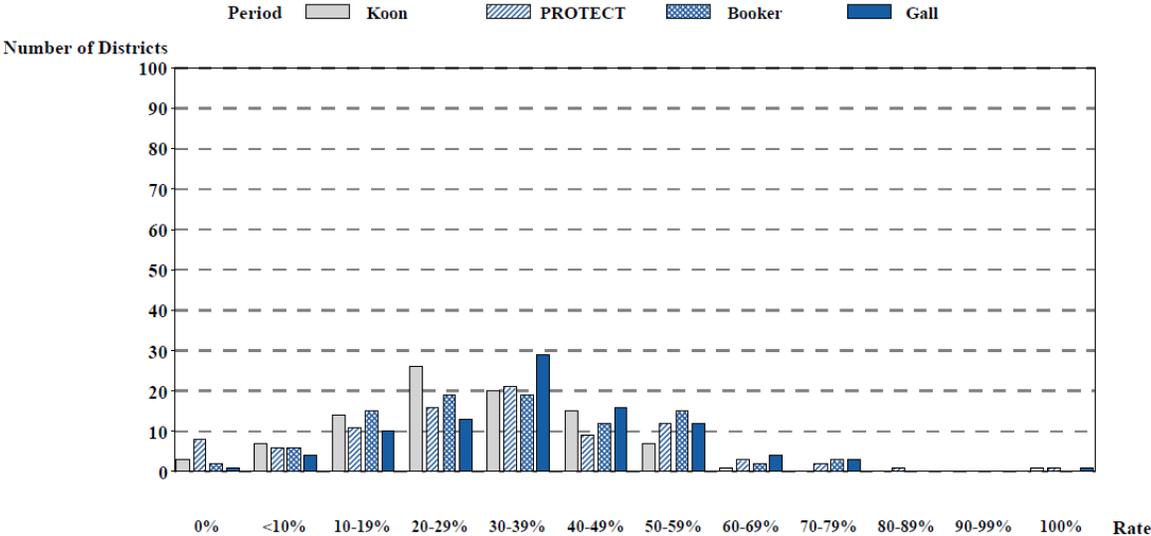


DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

Most districts clustered around government sponsored below range rates of between 20 and 39 percent during each of the periods. More districts in the *Gall* period had government sponsored below range rates of 30 to 39 percent than in the other periods.

**Rate of Government Sponsored Below Range Sentences
Career Offenders
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 government sponsored below range rates for each of the four periods.

Districts with the Highest and Lowest Rates of Government Sponsored Below Range Sentences Career Offenders
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											
Northern Mariana Islands	1	100.0	Middle Alabama	1	100.0	Idaho	4	75.0	Northern Mariana Islands	1	100.0
Northern New York	45	62.2	Eastern Kentucky	10	80.0	Southern California	46	73.9	Western Washington	70	78.6
Western North Carolina	179	57.0	Vermont	13	76.9	Western Washington	48	70.8	District of Columbia	82	78.0
Central Illinois	109	56.9	Western New York	8	75.0	Arizona	57	68.4	Idaho	7	71.4
Northern Alabama	55	54.5	Western Arkansas	9	66.7	Western New York	45	64.4	North Dakota	35	65.7
Districts with the Lowest Rates in Each Time Period											
Utah	14	7.1	Northern West Virginia	14	7.1	Western Pennsylvania	98	7.1	Southern Mississippi	8	12.5
Eastern Virginia	113	6.2	Western Wisconsin	16	6.3	Western Oklahoma	28	7.1	Nevada	31	9.7
Northern West Virginia	33	6.1	Southern New York	23	4.3	Southern Illinois	75	6.7	Southern West Virginia	62	6.5
Nevada	51	5.9	Western Virginia	23	4.3	Rhode Island	35	5.7	Eastern Virginia	206	4.4
South Dakota	23	4.3	Nebraska	24	4.2	Eastern Virginia	144	1.4	Southern Illinois	104	1.0

Number of Offenders refers to the total number of career offenders sentenced during the time period. During the PROTECT Act Period, four districts did not sentence any career offenders. During the *Booker* and *Gall* periods, one district did not sentence any career offenders in each of the periods.

During the *Koon* period, one additional district imposed a government sponsored below range sentence in 7.1 percent of career offender offenses (Eastern Oklahoma, N=14). Three districts imposed at least one sentence for a career offender but did not impose a government sponsored below range sentence. The total number of career offenders sentenced in each of those districts ranged from one to 16 offenders.

During the PROTECT Act period, eight districts imposed at least one sentence for a career offender but did not impose a government sponsored below range sentence. The total number of career offenders sentenced in each of those districts ranged from one to 19 offenders.

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

During the *Gall* period, one additional district imposed a government sponsored below range sentence in 12.5 percent of career offender offenses (South Dakota, N=24). One district did not impose a government sponsored below range sentence in the one career offender offense sentenced during the period.

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



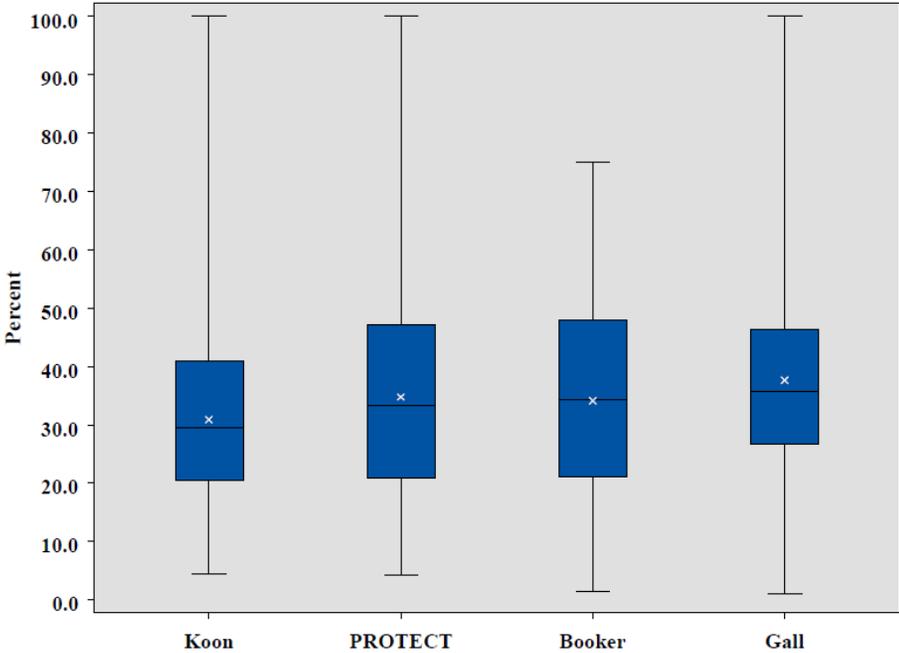
DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The box plot indicates some fluctuation in government sponsored below range rates over time. The spread among the middle 50 percent of districts increased from the *Koon* period through the *Booker* period, but decreased in the *Gall* period. Although the spread was smallest in the *Gall* period, rates of government sponsored below range sentences were generally higher in the *Gall* period, as illustrated by the higher placement of the box along the vertical axis.

**Click on chart for corresponding table.*

**Spread of Rates of Government Sponsored Below Range Sentences
Career Offenders
Koon Period through Gall Period**



	Koon	PROTECT	Booker	Gall
N	91.0	82.0	91.0	92.0
Min	4.3	4.2	1.4	1.0
Max	100.0	100.0	75.0	100.0
Q1	20.5	20.8	21.1	26.5
Q3	41.0	47.1	48.0	46.3
Q2	29.5	33.3	34.4	35.7
Mean	30.8	34.8	34.1	37.7

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

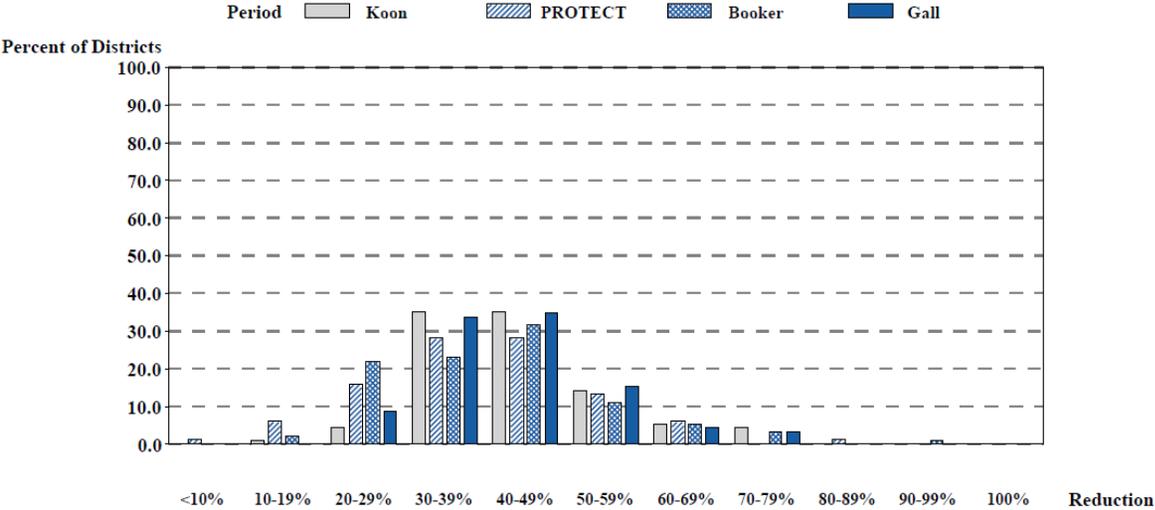


DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

In the majority of districts the average extent of the reduction was between 30 and 49 percent below the guideline minimum in every period. During every period, a smaller percentage of districts averaged reductions of between ten and 29 percent and between 50 and 59 percent below the guideline minimum.

Extent of Reduction from Guideline Minimum Government Sponsored Below Range Sentences Career Offenders
Koon Period through Gall Period



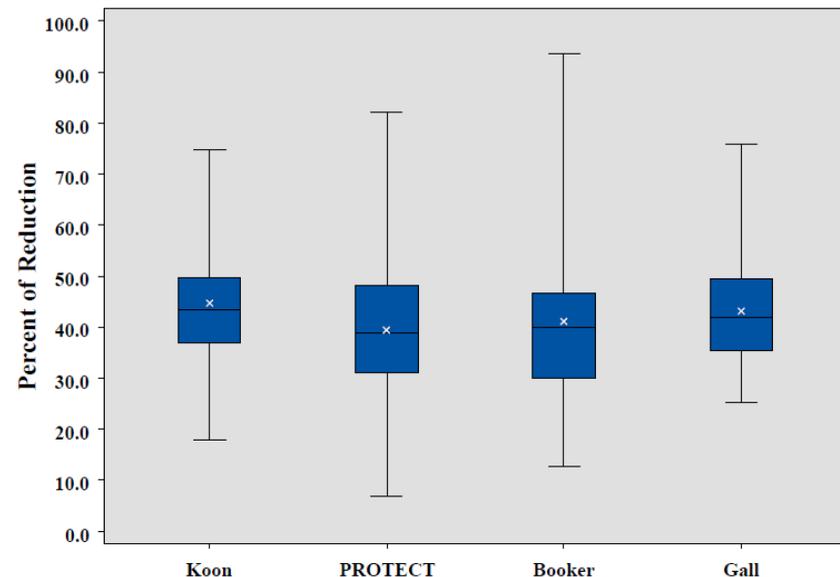
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The box plot indicates that the spread in the extent of the reduction from the guideline minimum has decreased since the PROTECT Act period. Although the spread was smaller in the *Gall* period than in either the PROTECT Act period or *Booker* period, the middle 50 percent of districts generally averaged larger reductions, as seen in the higher placement of the box along the vertical axis.

**Spread of Average Extent of Departure
Government Sponsored Below Range Sentences
Career Offenders
Koon Period through Gall Period**



	Koon	PROTECT	Booker	Gall
N	91.0	82.0	91.0	92.0
Min	17.8	6.9	12.7	25.3
Max	74.8	82.2	93.6	75.9
Q1	37.0	31.0	30.1	35.5
Q3	49.7	48.2	46.6	49.4
Q2	43.6	38.9	40.0	42.0
Mean	44.8	39.5	41.2	43.3

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

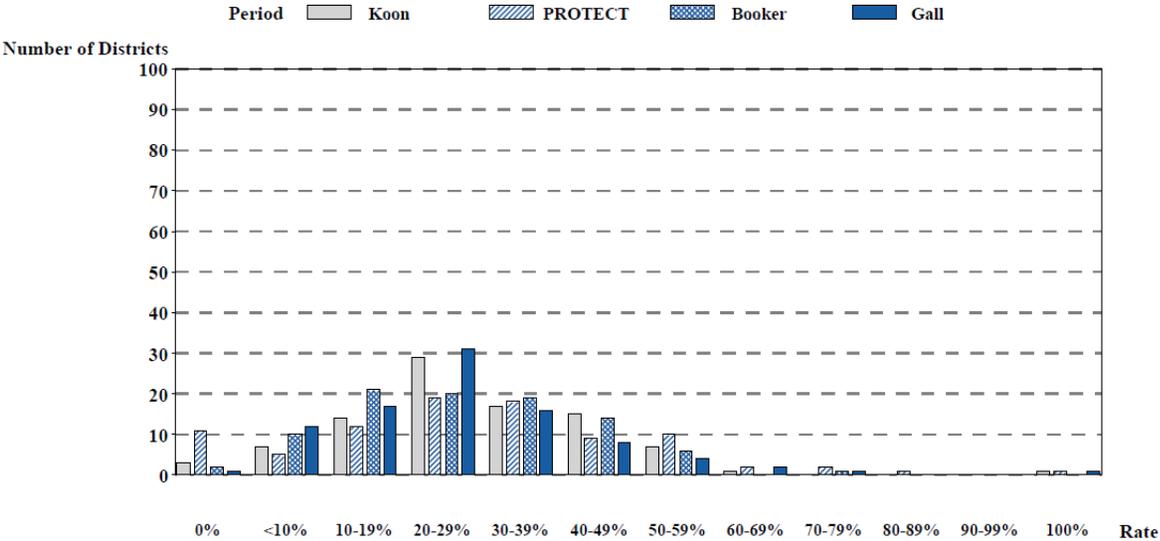


DISTRICT TREND ANALYSIS

SUBSTANTIAL ASSISTANCE SENTENCES

Most districts clustered around substantial assistance rates of between ten and 39 percent. The number of districts with substantial assistance rates between 40 to 59 percent has decreased in the *Gall* period.

**Rate of Substantial Assistance Sentences
Career Offenders
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 substantial assistance rates for each of the four periods.

Districts with the Highest and Lowest Rates of Substantial Assistance Sentences
Career Offenders
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	% 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											
Northern Mariana Islands	1	100.0	Middle Alabama	1	100.0	Idaho	4	75.0	Northern Mariana Islands	1	100.0
Northern New York	45	62.2	Eastern Kentucky	10	80.0	Western New York	45	57.8	Idaho	7	71.4
Central Illinois	109	56.9	Vermont	13	76.9	New Jersey	130	56.2	North Dakota	35	62.9
Western North Carolina	179	56.4	Western New York	8	75.0	Eastern North Carolina	143	55.9	Maine	21	61.9
Northern Alabama	55	54.5	Western Arkansas	9	66.7	Middle Louisiana	11	54.5	Western New York	41	58.5
Districts with the Lowest Rates in Each Time Period											
Utah	14	7.1	Eastern Virginia	40	7.5	Southern Illinois	75	5.3	South Dakota	24	4.2
Eastern Virginia	113	6.2	Northern West Virginia	14	7.1	Puerto Rico	19	5.3	Southern Indiana	54	3.7
Northern West Virginia	33	6.1	Western Wisconsin	16	6.3	Rhode Island	35	2.9	Nevada	31	3.2
Nevada	51	5.9	Southern New York	23	4.3	Nebraska	51	2.0	Eastern Virginia	206	2.9
South Dakota	23	4.3	Western Virginia	23	4.3	Eastern Virginia	144	1.4	Southern Illinois	104	1.0

Number of Offenders refers to the total number of career offenders sentenced during the time period. During the PROTECT Act Period, four districts did not sentence any career offenders. During the Booker and Gall periods, one district did not sentence any career offenders in each of the periods.

During the Koon period, one additional district imposed a substantial assistance sentence in 7.1 percent of career offender offenses (Eastern Oklahoma, N=14). Three districts imposed at least one sentence for a career offender but did not impose a substantial assistance sentence. The total number of career offenders sentenced in each of those districts ranged from one to 16 offenders.

During the PROTECT Act period, eleven districts imposed at least one sentence for a career offender but did not impose a substantial assistance sentence. The total number of career offenders sentenced in each of those districts ranged from one to 24 offenders.

During the Booker period, two districts imposed at least one sentence for a career offender but did not impose a substantial assistance sentence. The total number of career offenders sentenced in each of those districts ranged from one to three offenders.

During the Gall period, one district did not impose a substantial assistance sentence in the one career offender offense sentenced during the period.

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



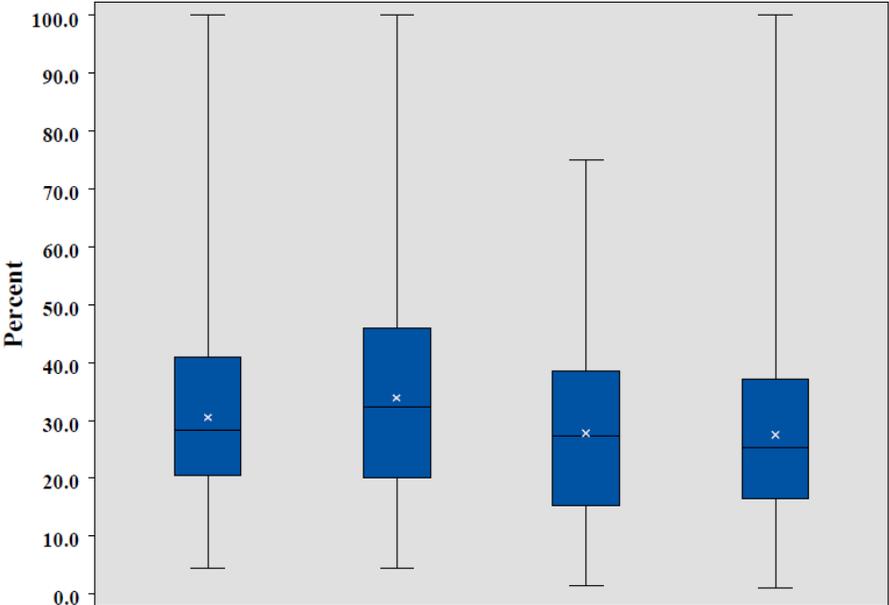
DISTRICT TREND ANALYSIS

SUBSTANTIAL ASSISTANCE SENTENCES

The box plot indicates that both the average rate and the spread in the rates of substantial assistance sentences among the middle 50 percent of districts decreased after the PROTECT Act period. In addition, the mean rate decreased from the PROTECT Act period to the *Gall* period, as illustrated by the lower position of the white “x”.

**Click on chart for corresponding table.*

**Spread of Rates of Substantial Assistance Sentences
Career Offenders
Koon Period through Gall Period**



	Koon	PROTECT	Booker	Gall
N	91.0	79.0	91.0	92.0
Min	4.3	4.3	1.4	1.0
Max	100.0	100.0	75.0	100.0
Q1	20.5	20.0	15.2	16.4
Q3	41.0	45.9	38.5	37.1
Q2	28.3	32.4	27.3	25.2
Mean	30.5	33.9	27.9	27.6

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

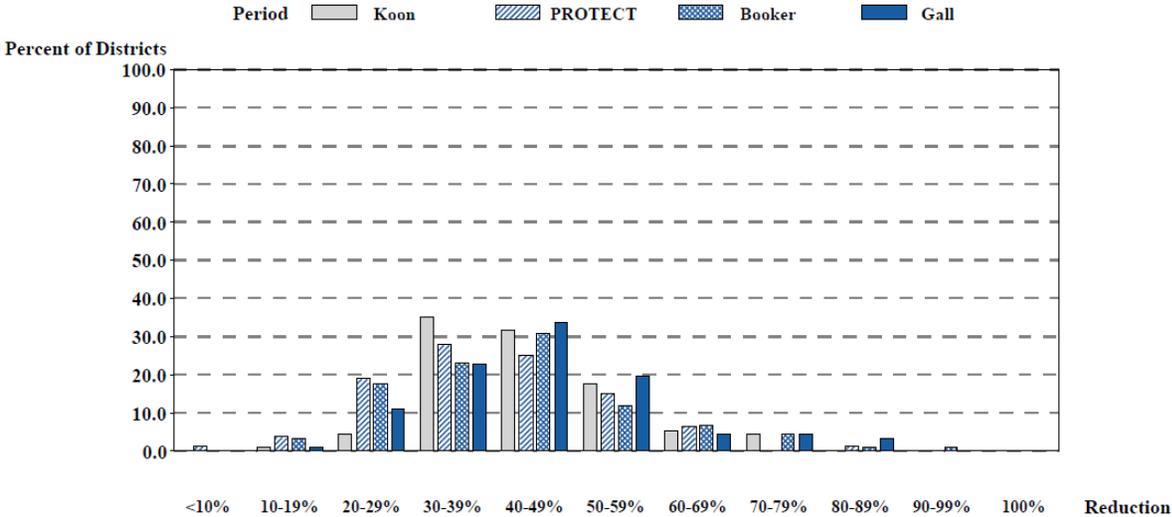


DISTRICT TREND ANALYSIS

SUBSTANTIAL ASSISTANCE SENTENCES

The extent of the reduction in the majority of districts was between 30 and 49 percent below the guideline minimum, although a number of districts also averaged reductions between 20 and 29 percent or between 50 and 59 percent below the guideline minimum in each period.

**Extent of Reduction from Guideline Minimum
Substantial Assistance Sentences
Career Offenders
Koon Period through Gall Period**



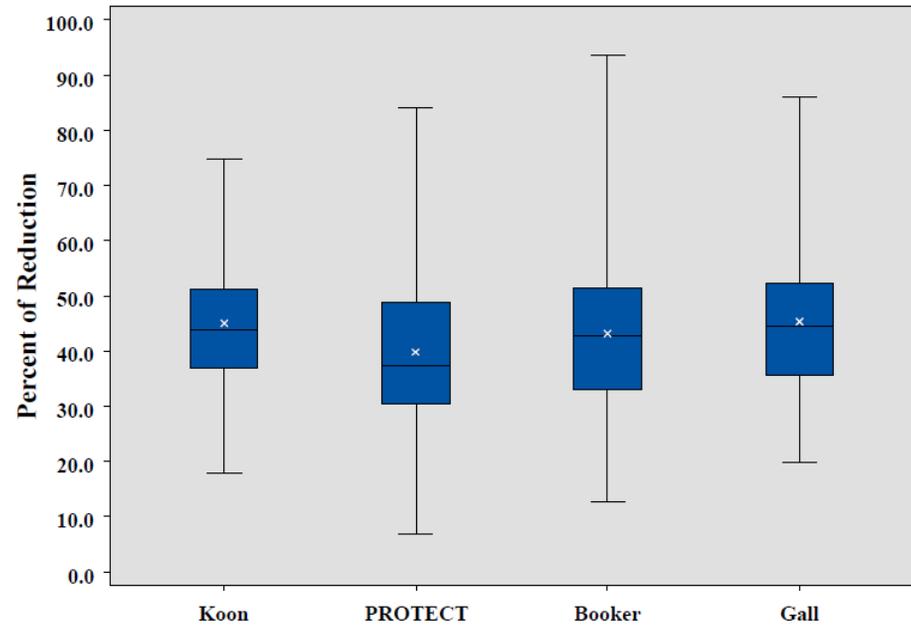
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

SUBSTANTIAL ASSISTANCE SENTENCES

The average extent of reduction below the guideline minimum has increased among the middle 50 percent of districts since the PROTECT Act period, as illustrated by the higher placement of the boxes since the PROTECT Act period, but the spread in the extent of the reduction among those districts decreased, as seen in the smaller size of the box in the *Gall* period.

**Spread of Average Extent of Departure
Substantial Assistance Below Range Sentences
Career Offenders
Koon Period through Gall Period**



	Koon	PROTECT	Booker	Gall
N	91.0	79.0	91.0	92.0
Min	17.8	6.9	12.7	19.8
Max	74.8	84.0	93.6	86.1
Q1	37.0	30.4	33.0	35.5
Q3	51.1	48.9	51.4	52.2
Q2	44.0	37.4	42.7	44.6
Mean	45.1	39.9	43.2	45.4

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



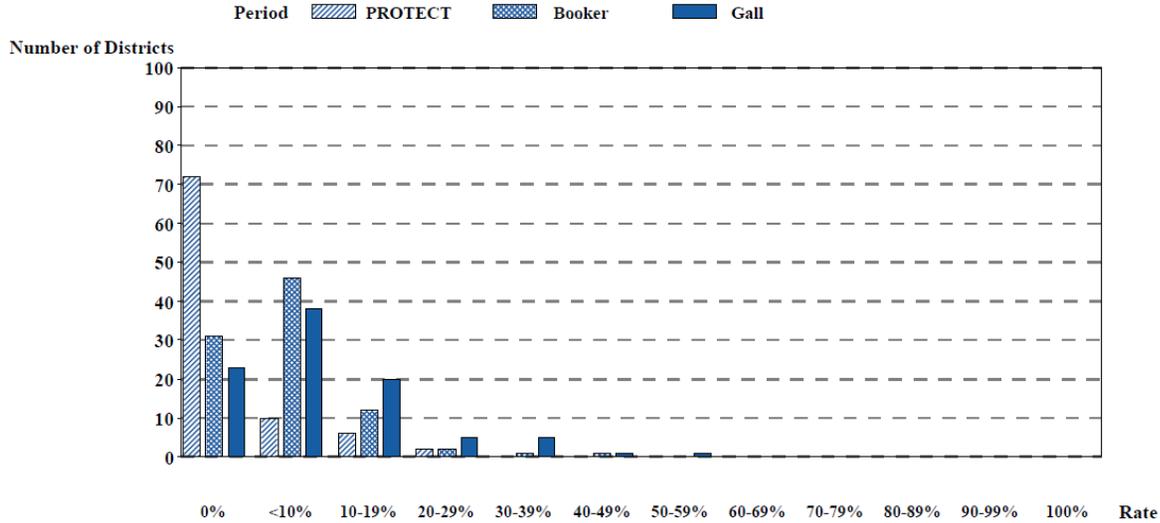
DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

Of those districts that reported other government sponsored below range sentences, most clustered at rates of less than ten percent in all periods. However, an increasing number of districts in the *Booker* and *Gall* periods clustered at other government sponsored below range rates of between ten and 19 percent in career offender offenses.

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. During the *Koon* period, courts imposed below range sentences at the request of the government for reasons other than substantial assistance, however 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
Career Offenders
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 the three periods during which data on other government sponsored below range sentences was collected.

**Districts with the Highest and Lowest Rates of Other Government Sponsored Below Range Sentences
Career Offenders
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											
			Arizona	16	25.0	New Mexico	77	41.6	Western Washington	70	58.6
			Southern California	16	25.0	Western Washington	48	37.5	Northern California	83	43.4
			Southern Indiana	14	14.3	Utah	36	22.2	New Mexico	68	38.2
			Puerto Rico	7	14.3	Eastern Washington	20	20.0	Eastern Washington	27	37.0
			New Mexico	27	11.1	Nebraska	51	19.6	District of Columbia	82	34.1
Districts with the Lowest Rates in Each Time Period											
			Eastern Pennsylvania	68	2.9	Southern Florida	296	1.0	Middle Florida	278	0.7
			Middle Pennsylvania	42	2.4	Connecticut	103	1.0	Middle North Carolina	149	0.7
			Northern Illinois	49	2.0	Western North Carolina	114	0.9	Northern Illinois	155	0.6
			Western Texas	62	1.6	Middle North Carolina	136	0.7	Eastern Tennessee	205	0.5
			Southern Florida	94	1.1	Middle Florida	287	0.3	Eastern North Carolina	251	0.4

Number of Offenders refers to the total number of career 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, four districts did not sentence any career offenders. During the Booker and Gall periods, one district did not sentence any career offenders in each of the periods.

During the PROTECT Act period, one additional district imposed an other government sponsored below range sentence in 11.1 percent of career offender offenses (Eastern New York, N=9). Seventy-two districts imposed at least one sentence for a career offender but did not impose an other government sponsored below range sentence. The total number of career offenders sentenced in each of those districts ranged from one to 123 offenders.

During the Booker period, 31 districts imposed at least one sentence for a career offender but did not impose an other government sponsored below range sentence. The total number of career offenders sentenced in each of those districts ranged from one to 144 offenders.

During the Gall period, 23 districts imposed at least one sentence for a career offender but did not impose an other government sponsored below range sentence. The total number of career offenders sentenced in each of those districts ranged from one to 104 offenders.

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



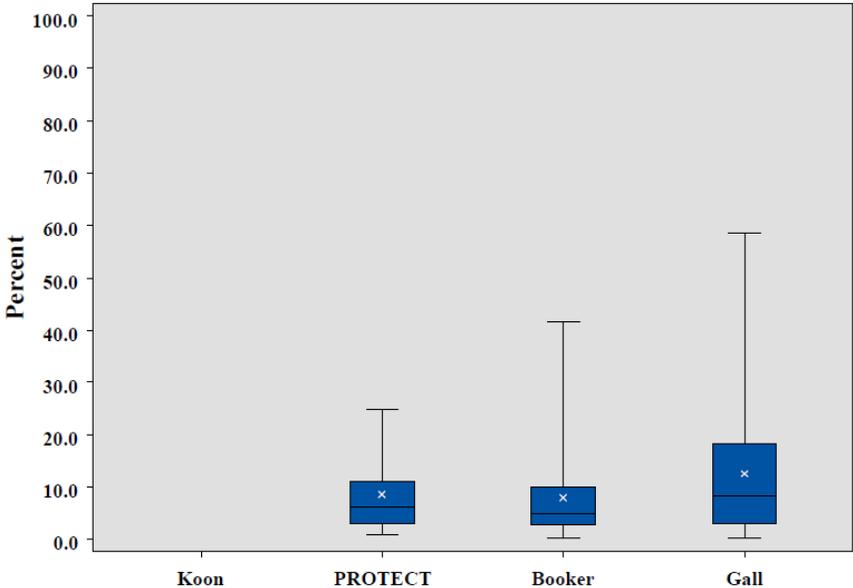
DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The number of districts reporting other government sponsored below range sentences increased from 18 in the PROTECT Act to 70 in the *Gall* period. The spread in the rates of other government sponsored below range sentences has also increased over time.

**Click on chart for corresponding table.*

**Spread of Rates of Other Government Sponsored Below Range Sentences
Career Offenders
Koon Period through Gall Period**



N	18.0	62.0	70.0
Min	1.1	0.3	0.4
Max	25.0	41.6	58.6
Q1	2.9	2.9	3.0
Q3	11.1	10.0	18.2
Q2	6.1	5.0	8.3
Mean	8.6	8.0	12.6

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

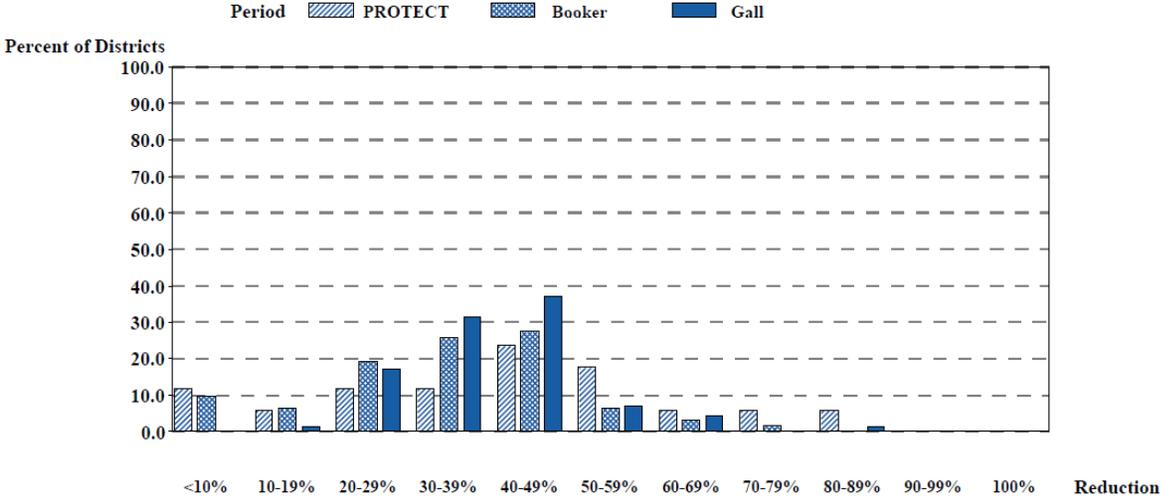


DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

During each of the three periods, the extent of the reduction averaged between 20 and 49 percent below the guideline minimum in most districts. More districts in the *Booker* and *Gall* periods clustered around reductions of between 30 and 49 percent below the guideline minimum.

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



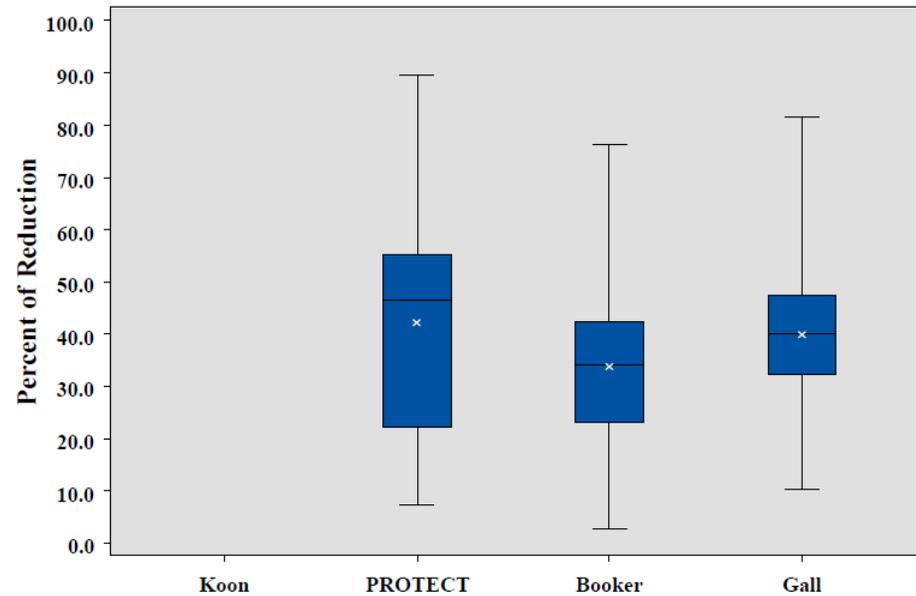
Data on other government sponsored below range sentences is unavailable for the Koon period.
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The box plot illustrates that the spread in the extent of the reduction below the guideline minimum among the middle 50 percent of districts was greatest in the PROTECT Act period. As illustrated by the higher placement of the box along the vertical axis, the middle 50 percent of districts generally reported greater reductions in the *Gall* period than in the *Booker* period.

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



	Koon	PROTECT	Booker	Gall
N		17.0	62.0	70.0
Min		7.3	2.7	10.3
Max		89.6	76.2	81.4
Q1		22.1	23.1	32.2
Q3		55.3	42.4	47.3
Q2		46.6	34.1	40.0
Mean		42.2	33.8	39.9

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



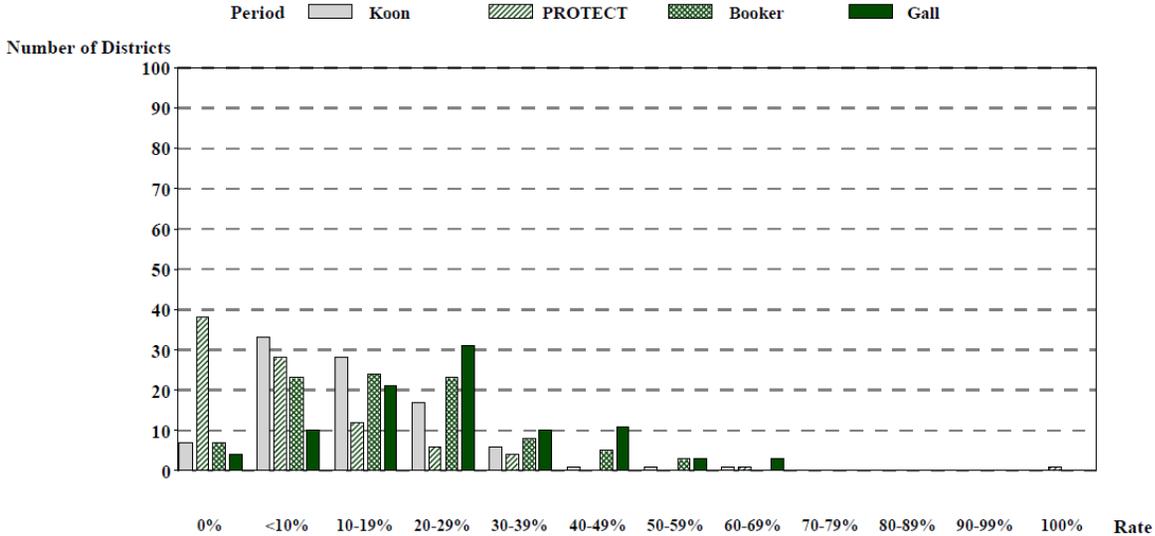
DISTRICT TREND ANALYSIS

NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The bar graph indicates that many districts in the PROTECT Act period did not impose any non-government sponsored below range sentences in career offender offenses. In every period, those districts that did report non-government sponsored below sentences had rates of between less than ten percent and 29 percent.

While most districts in the PROTECT Act period had rates at the low end of this cluster (in the less than ten percent and the ten to 19 percent ranges), most districts in the *Gall* period had non-government sponsored below range rates at the upper end of this cluster (in the 20 to 29 percent range).

**Rate of Non-Government Sponsored Below Range Sentences
Career Offenders
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 Career Offenders 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											
Virgin Islands	6	66.7	Virgin Islands	1	100.0	Southern New York	114	54.4	Rhode Island	51	66.7
Southern California	202	51.5	Northern New York	5	60.0	Rhode Island	35	54.3	Vermont	17	64.7
Connecticut	80	46.3	Nebraska	24	33.3	Massachusetts	129	54.3	Southern New York	137	60.6
Northern California	83	39.8	Eastern New York	9	33.3	Delaware	7	42.9	Western Pennsylvania	147	56.5
Vermont	21	38.1	Massachusetts	38	31.6	Western Pennsylvania	98	41.8	Connecticut	68	55.9
Districts with the Lowest Rates in Each Time Period											
Western Louisiana	40	2.5	Eastern North Carolina	41	2.4	Southern Illinois	75	5.3	Kansas	92	6.5
Western New York	42	2.4	Middle Pennsylvania	42	2.4	Northern Oklahoma	21	4.8	North Dakota	35	5.7
Eastern Kentucky	61	1.6	Northern Florida	42	2.4	Middle Georgia	68	4.4	Eastern Kentucky	123	5.7
Eastern Arkansas	68	1.5	Eastern Tennessee	44	2.3	Maine	23	4.3	Eastern North Carolina	251	4.8
Eastern Tennessee	137	0.7	Western Texas	62	1.6	North Dakota	24	4.2	Montana	27	3.7

Number of Offenders refers to the total number of career offenders sentenced during the time period. During the PROTECT Act Period, four districts did not sentence any career offenders. During the Booker and Gall periods, one district did not sentence any career offenders in each of the periods.

During the Koon period, seven districts imposed at least one sentence for a career offender but did not impose a non-government sponsored below range sentence. The total number of career offenders sentenced in each of those districts ranged from one to 55 offenders.

During the PROTECT Act period, 38 districts imposed at least one sentence for a career offender but did not impose a non-government sponsored below range sentence. The total number of career offenders sentenced in each of those districts ranged from one to 35 offenders.

During the Booker period, seven districts imposed at least one sentence for a career offender but did not impose a non-government sponsored below range sentence. The total number of career offenders sentenced in each of those districts ranged from one to 21 offenders.

During the Gall period, four districts imposed at least one sentence for a career offender but did not impose a non-government sponsored below range sentence. The total number of career offenders sentenced in each of those districts ranged from one to 12 offenders.

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

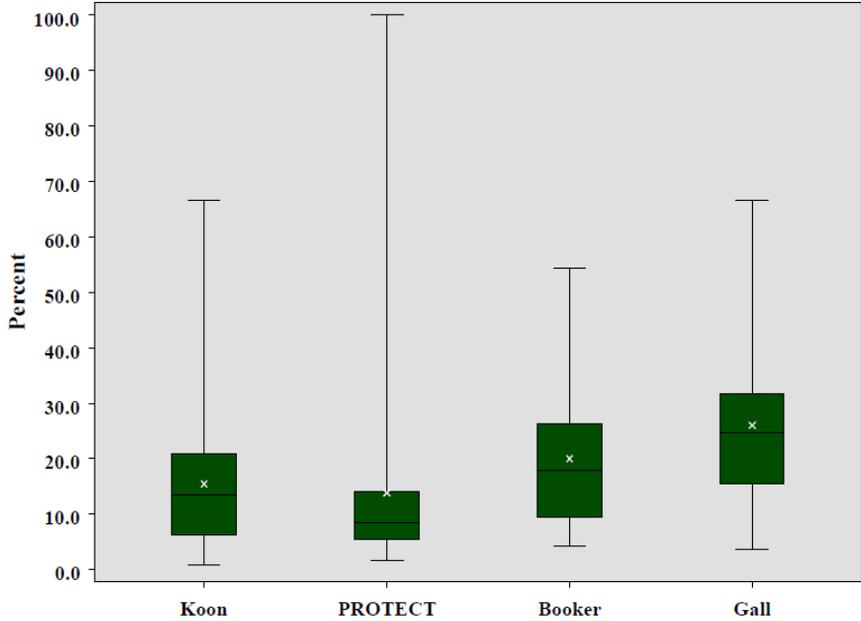
DISTRICT TREND ANALYSIS

NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The box plot indicates that more districts imposed non-government sponsored below range sentences in the *Koon*, *Booker*, and *Gall* periods than in the PROTECT Act period. As demonstrated by the increasing size and higher placement of the boxes along the vertical axis since the PROTECT Act period, districts had higher non-government sponsored below range rates among the middle 50 percent of districts in the *Gall* period than in previous periods.

**Click on chart for corresponding table.*

Spread of Rates of Non-Government Sponsored Below Range Sentences Career Offenders
Koon Period through Gall Period



	Koon	PROTECT	Booker	Gall
N	87.0	52.0	86.0	89.0
Min	0.7	1.6	4.2	3.7
Max	66.7	100.0	54.4	66.7
Q1	6.3	5.3	9.4	15.4
Q3	20.9	14.0	26.2	31.7
Q2	13.6	8.5	17.8	24.7
Mean	15.5	13.8	20.0	26.0

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

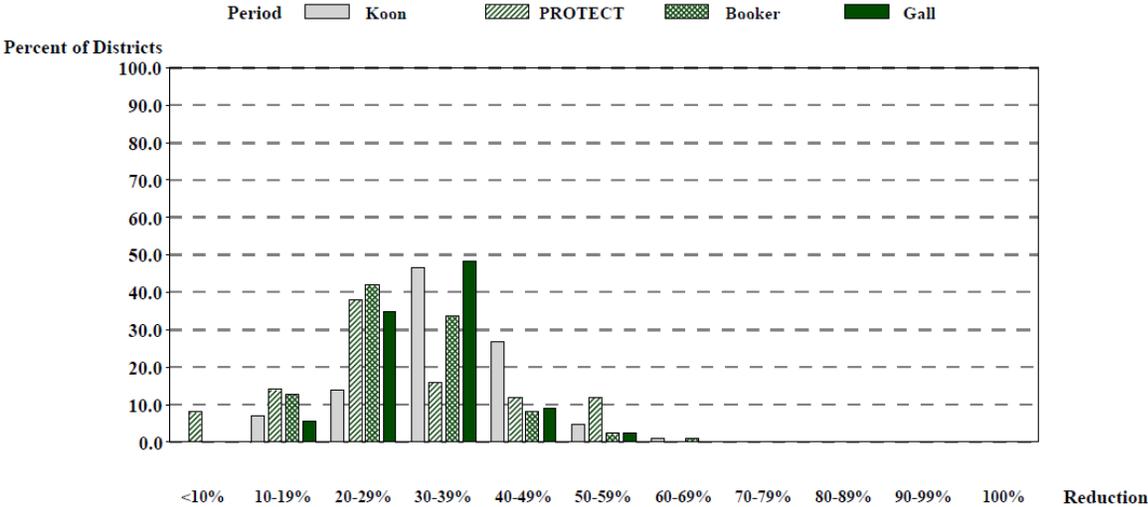


DISTRICT TREND ANALYSIS

NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The extent of the reduction in non-government sponsored below range sentences for career offenders was between 20 and 39 percent below the guideline minimum in most districts in all four periods.

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



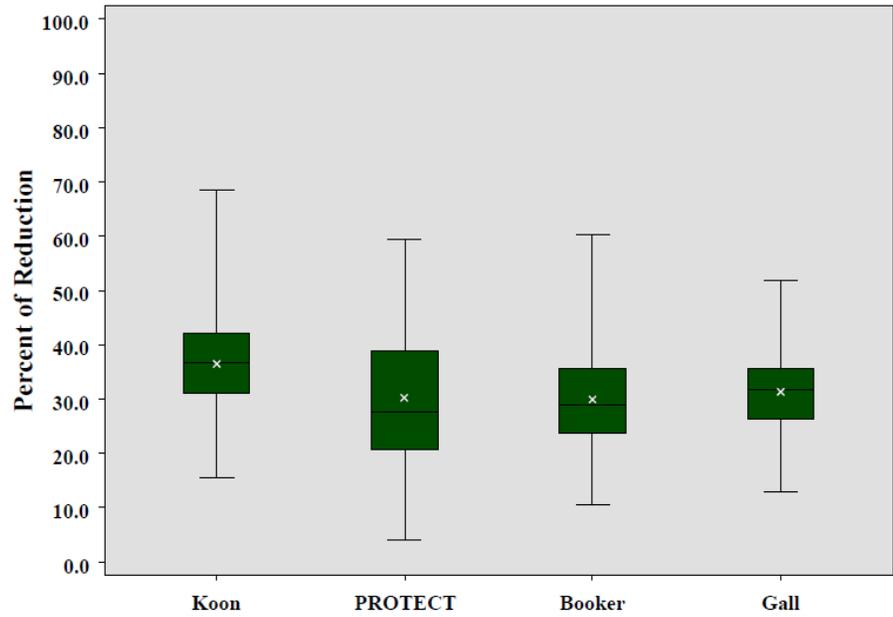
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The spread in the average extent of the reduction below the guideline minimum was greatest during the PROTECT Act period. In the *Booker* and *Gall* periods, the spread in the extent of the reduction was smaller, but the reductions were generally larger, as illustrated by the higher placement of the boxes in those periods.

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



	Koon	PROTECT	Booker	Gall
N	86.0	50.0	86.0	89.0
Min	15.6	4.0	10.6	12.8
Max	68.6	59.5	60.3	51.8
Q1	31.1	20.8	23.7	26.3
Q3	42.0	39.0	35.5	35.5
Q2	36.9	27.6	28.9	31.7
Mean	36.5	30.3	30.0	31.4

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

Appendix: Career Offender

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 Offenses by Circuit and District
Career Offenders
Fiscal Year 2011**

CIRCUIT District	Career Offenders	
	N	%
TOTAL	2,157	100.0
D.C. CIRCUIT	17	0.8
District of Columbia	17	0.8
FIRST CIRCUIT	106	4.9
Maine	7	0.3
Massachusetts	60	2.8
New Hampshire	10	0.5
Puerto Rico	17	0.8
Rhode Island	12	0.6
SECOND CIRCUIT	100	4.6
Connecticut	6	0.3
New York		
Eastern	22	1.0
Northern	14	0.6
Southern	42	1.9
Western	11	0.5
Vermont	5	0.2
THIRD CIRCUIT	209	9.7
Delaware	3	0.1
New Jersey	32	1.5
Pennsylvania		
Eastern	80	3.7
Middle	41	1.9
Western	53	2.5
Virgin Islands	0	0.0
FOURTH CIRCUIT	383	17.8
Maryland	89	4.1
North Carolina		
Eastern	62	2.9
Middle	37	1.7
Western	23	1.1
South Carolina	69	3.2
Virginia		
Eastern	45	2.1
Western	21	1.0
West Virginia		
Northern	18	0.8
Southern	19	0.9

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

CIRCUIT District	Career Offenders	
	N	%
FIFTH CIRCUIT	178	8.3
Louisiana		
Eastern	16	0.7
Middle	1	0.0
Western	8	0.4
Mississippi		
Northern	5	0.2
Southern	1	0.0
Texas		
Eastern	25	1.2
Northern	25	1.2
Southern	38	1.8
Western	59	2.7
SIXTH CIRCUIT	289	13.4
Kentucky		
Eastern	25	1.2
Western	27	1.3
Michigan		
Eastern	35	1.6
Western	27	1.3
Ohio		
Northern	31	1.4
Southern	17	0.8
Tennessee		
Eastern	64	3.0
Middle	24	1.1
Western	39	1.8
SEVENTH CIRCUIT	177	8.2
Illinois		
Central	35	1.6
Northern	39	1.8
Southern	30	1.4
Indiana		
Northern	11	0.5
Southern	15	0.7
Wisconsin		
Eastern	35	1.6
Western	12	0.6
EIGHTH CIRCUIT	178	8.3
Arkansas		
Eastern	18	0.8
Western	20	0.9
Iowa		
Northern	20	0.9
Southern	25	1.2
Minnesota	13	0.6
Missouri		
Eastern	25	1.2
Western	23	1.1
Nebraska	12	0.6
North Dakota	11	0.5
South Dakota	11	0.5

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

CIRCUIT District	Career Offenders	
	N	%
NINTH CIRCUIT	188	8.7
Alaska	6	0.3
Arizona	14	0.6
California		
Central	40	1.9
Eastern	10	0.5
Northern	19	0.9
Southern	30	1.4
Guam	0	0.0
Hawaii	2	0.1
Idaho	2	0.1
Montana	9	0.4
Nevada	9	0.4
Northern Mariana Islands	0	0.0
Oregon	24	1.1
Washington		
Eastern	4	0.2
Western	19	0.9
TENTH CIRCUIT	99	4.6
Colorado	7	0.3
Kansas	25	1.2
New Mexico	27	1.3
Oklahoma		
Eastern	6	0.3
Northern	2	0.1
Western	16	0.7
Utah	8	0.4
Wyoming	8	0.4
ELEVENTH CIRCUIT	233	10.8
Alabama		
Middle	1	0.0
Northern	10	0.5
Southern	7	0.3
Florida		
Middle	62	2.9
Northern	22	1.0
Southern	67	3.1
Georgia		
Middle	19	0.9
Northern	23	1.1
Southern	22	1.0

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

**Proportion of Caseload in Each Circuit and District
Career Offenders
Fiscal Year 2011**

CIRCUIT District	TOTAL	Career Offenders	
		N	%
TOTAL	76,191	2,157	2.8
D.C. CIRCUIT	345	17	4.9
District of Columbia	345	17	4.9
FIRST CIRCUIT	2,134	106	5.0
Maine	193	7	3.6
Massachusetts	538	60	11.2
New Hampshire	201	10	5.0
Puerto Rico	993	17	1.7
Rhode Island	209	12	5.7
SECOND CIRCUIT	4,307	100	2.3
Connecticut	335	6	1.8
New York			
Eastern	1,094	22	2.0
Northern	515	14	2.7
Southern	1,493	42	2.8
Western	713	11	1.5
Vermont	157	5	3.2
THIRD CIRCUIT	2,861	209	7.3
Delaware	112	3	2.7
New Jersey	787	32	4.1
Pennsylvania			
Eastern	957	80	8.4
Middle	488	41	8.4
Western	457	53	11.6
Virgin Islands	60	0	0.0
FOURTH CIRCUIT	5,730	383	6.7
Maryland	780	89	11.4
North Carolina			
Eastern	779	62	8.0
Middle	523	37	7.1
Western	542	23	4.2
South Carolina	1,009	69	6.8
Virginia			
Eastern	1,145	45	3.9
Western	362	21	5.8
West Virginia			
Northern	283	18	6.4
Southern	307	19	6.2

**Proportion of Caseload in Each Circuit and District
Career Offenders (cont.)**

CIRCUIT District	TOTAL	Career Offenders	
		N	%
FIFTH CIRCUIT	17,799	178	1.0
Louisiana			
Eastern	340	16	4.7
Middle	134	1	0.7
Western	270	8	3.0
Mississippi			
Northern	181	5	2.8
Southern	299	1	0.3
Texas			
Eastern	987	25	2.5
Northern	897	25	2.8
Southern	8,158	38	0.5
Western	6,533	59	0.9
SIXTH CIRCUIT	5,324	289	5.4
Kentucky			
Eastern	585	25	4.3
Western	358	27	7.5
Michigan			
Eastern	810	35	4.3
Western	450	27	6.0
Ohio			
Northern	610	31	5.1
Southern	704	17	2.4
Tennessee			
Eastern	894	64	7.2
Middle	319	24	7.5
Western	594	39	6.6
SEVENTH CIRCUIT	2,931	177	6.0
Illinois			
Central	353	35	9.9
Northern	868	39	4.5
Southern	324	30	9.3
Indiana			
Northern	436	11	2.5
Southern	279	15	5.4
Wisconsin			
Eastern	487	35	7.2
Western	184	12	6.5
EIGHTH CIRCUIT	4,661	178	3.8
Arkansas			
Eastern	316	18	5.7
Western	313	20	6.4
Iowa			
Northern	516	20	3.9
Southern	386	25	6.5
Minnesota	438	13	3.0
Missouri			
Eastern	810	25	3.1
Western	639	23	3.6
Nebraska	544	12	2.2
North Dakota	271	11	4.1
South Dakota	428	11	2.6

**Proportion of Caseload in Each Circuit and District
Career Offenders (cont.)**

CIRCUIT District	TOTAL	Career Offenders	
		N	%
NINTH CIRCUIT	17,287	188	1.1
Alaska	138	6	4.3
Arizona	7,558	14	0.2
California			
Central	1,712	40	2.3
Eastern	1,009	10	1.0
Northern	676	19	2.8
Southern	3,199	30	0.9
Guam	49	0	0.0
Hawaii	196	2	1.0
Idaho	338	2	0.6
Montana	305	9	3.0
Nevada	625	9	1.4
Northern Mariana Islands	7	0	0.0
Oregon	512	24	4.7
Washington			
Eastern	353	4	1.1
Western	610	19	3.1
TENTH CIRCUIT	6,371	99	1.6
Colorado	622	7	1.1
Kansas	653	25	3.8
New Mexico	3,104	27	0.9
Oklahoma			
Eastern	102	6	5.9
Northern	192	2	1.0
Western	375	16	4.3
Utah	992	8	0.8
Wyoming	331	8	2.4
ELEVENTH CIRCUIT	6,441	233	3.6
Alabama			
Middle	227	1	0.4
Northern	428	10	2.3
Southern	421	7	1.7
Florida			
Middle	1,515	62	4.1
Northern	363	22	6.1
Southern	2,027	67	3.3
Georgia			
Middle	368	19	5.2
Northern	649	23	3.5
Southern	443	22	5.0

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

Rate of Within Range Sentences by Circuit and District
Career Offenders
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	8,627	4,604	53.4	1,971	1,163	59.0	6,116	2,792	45.7	8,443	3,050	36.1
D.C. CIRCUIT	115	45	39.1	30	13	43.3	84	22	26.2	82	4	4.9
District of Columbia	115	45	39.1	30	13	43.3	84	22	26.2	82	4	4.9
FIRST CIRCUIT	371	170	45.8	95	49	51.6	256	91	35.5	402	72	17.9
Maine	43	20	46.5	14	6	42.9	23	17	73.9	21	6	28.6
Massachusetts	197	85	43.1	38	22	57.9	129	35	27.1	222	24	10.8
New Hampshire	55	14	25.5	22	5	22.7	50	12	24.0	60	13	21.7
Puerto Rico	31	21	67.7	7	6	85.7	19	13	68.4	48	19	39.6
Rhode Island	45	30	66.7	14	10	71.4	35	14	40.0	51	10	19.6
SECOND CIRCUIT	459	184	40.1	90	35	38.9	357	72	20.2	418	65	15.6
Connecticut	80	26	32.5	32	11	34.4	103	12	11.7	68	7	10.3
New York												
Eastern	95	26	27.4	9	3	33.3	48	11	22.9	100	19	19.0
Northern	45	7	15.6	5	1	20.0	33	6	18.2	55	9	16.4
Southern	176	99	56.3	23	15	65.2	114	28	24.6	137	26	19.0
Western	42	20	47.6	8	2	25.0	45	13	28.9	41	4	9.8
Vermont	21	6	28.6	13	3	23.1	14	2	14.3	17	0	0.0
THIRD CIRCUIT	704	287	40.8	168	75	44.6	563	173	30.7	785	218	27.8
Delaware	23	15	65.2	0	0	0.0	7	3	42.9	14	1	7.1
New Jersey	205	89	43.4	25	10	40.0	130	20	15.4	167	62	37.1
Pennsylvania												
Eastern	276	85	30.8	68	25	36.8	189	60	31.7	267	51	19.1
Middle	105	49	46.7	42	19	45.2	139	40	28.8	190	67	35.3
Western	89	47	52.8	32	21	65.6	98	50	51.0	147	37	25.2
Virgin Islands	6	2	33.3	1	0	0.0	0	0	0.0	0	0	0.0
FOURTH CIRCUIT	1,362	813	59.7	306	197	64.4	1,052	585	55.6	1,584	682	43.1
Maryland	228	108	47.4	35	19	54.3	162	66	40.7	291	91	31.3
North Carolina												
Eastern	238	135	56.7	41	20	48.8	143	51	35.7	251	97	38.6
Middle	188	131	69.7	41	29	70.7	136	86	63.2	149	62	41.6
Western	179	65	36.3	31	14	45.2	114	54	47.4	132	66	50.0
South Carolina	257	164	63.8	73	39	53.4	207	126	60.9	320	134	41.9
Virginia												
Eastern	113	96	85.0	40	34	85.0	144	119	82.6	206	126	61.2
Western	81	46	56.8	23	21	91.3	82	43	52.4	92	33	35.9
West Virginia												
Northern	33	30	90.9	14	13	92.9	29	19	65.5	81	40	49.4
Southern	45	38	84.4	8	8	100.0	35	21	60.0	62	33	53.2

**Rate of Within Range Sentences by Circuit and District
Career Offenders (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	%
FIFTH CIRCUIT	805	465	57.8	196	141	71.9	473	291	61.5	660	351	53.2
Louisiana												
Eastern	45	30	66.7	8	5	62.5	30	14	46.7	52	29	55.8
Middle	7	3	42.9	0	0	0.0	11	5	45.5	12	8	66.7
Western	40	25	62.5	21	16	76.2	24	18	75.0	39	27	69.2
Mississippi												
Northern	29	14	48.3	7	4	57.1	7	6	85.7	11	6	54.5
Southern	34	21	61.8	7	6	85.7	19	13	68.4	8	6	75.0
Texas												
Eastern	135	91	67.4	26	20	76.9	94	61	64.9	117	66	56.4
Northern	109	64	58.7	31	26	83.9	69	44	63.8	88	50	56.8
Southern	185	91	49.2	34	20	58.8	80	47	58.8	125	62	49.6
Western	221	126	57.0	62	44	71.0	139	83	59.7	208	97	46.6
SIXTH CIRCUIT	836	425	50.8	197	114	57.9	720	296	41.1	1,085	345	31.8
Kentucky												
Eastern	61	29	47.5	10	2	20.0	75	29	38.7	123	42	34.1
Western	50	36	72.0	6	4	66.7	51	17	33.3	86	17	19.8
Michigan												
Eastern	118	58	49.2	24	18	75.0	74	32	43.2	134	44	32.8
Western	57	26	45.6	19	13	68.4	67	34	50.7	94	26	27.7
Ohio												
Northern	140	55	39.3	37	18	48.6	137	47	34.3	119	21	17.6
Southern	66	24	36.4	17	8	47.1	54	16	29.6	74	8	10.8
Tennessee												
Eastern	137	87	63.5	44	27	61.4	134	63	47.0	205	102	49.8
Middle	57	32	56.1	15	9	60.0	55	27	49.1	77	25	32.5
Western	150	78	52.0	25	15	60.0	73	31	42.5	173	60	34.7
SEVENTH CIRCUIT	488	318	65.2	167	107	64.1	425	258	60.7	630	264	41.9
Illinois												
Central	109	38	34.9	40	23	57.5	75	38	50.7	109	36	33.0
Northern	103	67	65.0	49	27	55.1	113	67	59.3	155	50	32.3
Southern	99	85	85.9	20	16	80.0	75	63	84.0	104	88	84.6
Indiana												
Northern	24	17	70.8	15	8	53.3	21	13	61.9	50	26	52.0
Southern	54	34	63.0	14	9	64.3	32	15	46.9	54	27	50.0
Wisconsin												
Eastern	72	53	73.6	13	9	69.2	61	24	39.3	98	14	14.3
Western	27	24	88.9	16	15	93.8	48	38	79.2	60	23	38.3
EIGHTH CIRCUIT	710	369	52.0	178	110	61.8	545	253	46.4	763	290	38.0
Arkansas												
Eastern	68	55	80.9	19	18	94.7	37	18	48.6	71	30	42.3
Western	32	21	65.6	9	3	33.3	13	7	53.8	43	17	39.5
Iowa												
Northern	77	33	42.9	35	21	60.0	60	35	58.3	77	41	53.2
Southern	91	35	38.5	16	11	68.8	60	21	35.0	126	47	37.3
Minnesota	95	39	41.1	18	5	27.8	86	34	39.5	89	13	14.6
Missouri												
Eastern	115	60	52.2	23	13	56.5	122	50	41.0	147	58	39.5
Western	125	61	48.8	23	15	65.2	69	42	60.9	88	32	36.4
Nebraska	59	37	62.7	24	15	62.5	51	23	45.1	63	29	46.0
North Dakota	25	14	56.0	3	3	100.0	24	11	45.8	35	9	25.7
South Dakota	23	14	60.9	8	6	75.0	23	12	52.2	24	14	58.3

**Rate of Within Range Sentences by Circuit and District
Career Offenders (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	853	385	45.1	130	79	60.8	469	141	30.1	688	179	26.0
Alaska	14	9	64.3	7	6	85.7	11	5	45.5	15	3	20.0
Arizona	89	37	41.6	16	8	50.0	57	12	21.1	55	20	36.4
California												
Central	58	38	65.5	10	5	50.0	54	25	46.3	140	31	22.1
Eastern	94	52	55.3	12	5	41.7	52	20	38.5	56	18	32.1
Northern	83	32	38.6	10	5	50.0	46	8	17.4	83	13	15.7
Southern	202	48	23.8	16	8	50.0	46	5	10.9	72	15	20.8
Guam	1	1	100.0	0	0	0.0	3	3	100.0	1	1	100.0
Hawaii	44	19	43.2	4	2	50.0	23	5	21.7	15	4	26.7
Idaho	6	3	50.0	2	2	100.0	4	1	25.0	7	2	28.6
Montana	14	7	50.0	9	9	100.0	21	13	61.9	27	18	66.7
Nevada	51	41	80.4	13	9	69.2	26	13	50.0	31	19	61.3
Northern Mariana Islands	1	0	0.0	0	0	0.0	1	1	100.0	1	0	0.0
Oregon	114	60	52.6	20	14	70.0	57	21	36.8	88	28	31.8
Washington												
Eastern	22	15	68.2	6	5	83.3	20	3	15.0	27	2	7.4
Western	60	23	38.3	5	1	20.0	48	6	12.5	70	5	7.1
TENTH CIRCUIT	332	197	59.3	86	53	61.6	288	125	43.4	350	135	38.6
Colorado	50	22	44.0	13	6	46.2	45	13	28.9	36	18	50.0
Kansas	69	51	73.9	14	9	64.3	53	31	58.5	92	37	40.2
New Mexico	116	56	48.3	27	14	51.9	77	19	24.7	68	14	20.6
Oklahoma												
Eastern	14	10	71.4	2	2	100.0	9	5	55.6	15	8	53.3
Northern	25	15	60.0	6	5	83.3	21	17	81.0	24	16	66.7
Western	28	20	71.4	3	2	66.7	28	19	67.9	42	22	52.4
Utah	14	9	64.3	15	10	66.7	36	10	27.8	42	10	23.8
Wyoming	16	14	87.5	6	5	83.3	19	11	57.9	31	10	32.3
ELEVENTH CIRCUIT	1,592	946	59.4	328	190	57.9	884	485	54.9	996	445	44.7
Alabama												
Middle	16	9	56.3	1	0	0.0	10	5	50.0	13	4	30.8
Northern	55	25	45.5	7	4	57.1	30	15	50.0	48	21	43.8
Southern	34	18	52.9	4	1	25.0	15	8	53.3	33	13	39.4
Florida												
Middle	519	270	52.0	123	65	52.8	287	127	44.3	278	89	32.0
Northern	170	105	61.8	42	17	40.5	86	50	58.1	97	50	51.5
Southern	479	332	69.3	94	69	73.4	296	184	62.2	284	133	46.8
Georgia												
Middle	91	51	56.0	23	13	56.5	68	41	60.3	72	45	62.5
Northern	146	83	56.8	23	15	65.2	44	19	43.2	76	32	42.1
Southern	82	53	64.6	11	6	54.5	48	36	75.0	95	58	61.1

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
Career Offenders
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	8,627	62	0.7	1,971	12	0.6	6,116	47	0.8	8,443	72	0.9
D.C. CIRCUIT	115	2	1.7	30	0	0.0	84	2	2.4	82	0	0.0
District of Columbia	115	2	1.7	30	0	0.0	84	2	2.4	82	0	0.0
FIRST CIRCUIT	371	3	0.8	95	0	0.0	256	0	0.0	402	3	0.7
Maine	43	0	0.0	14	0	0.0	23	0	0.0	21	0	0.0
Massachusetts	197	0	0.0	38	0	0.0	129	0	0.0	222	3	1.4
New Hampshire	55	3	5.5	22	0	0.0	50	0	0.0	60	0	0.0
Puerto Rico	31	0	0.0	7	0	0.0	19	0	0.0	48	0	0.0
Rhode Island	45	0	0.0	14	0	0.0	35	0	0.0	51	0	0.0
SECOND CIRCUIT	459	3	0.7	90	1	1.1	357	1	0.3	418	3	0.7
Connecticut	80	0	0.0	32	0	0.0	103	0	0.0	68	0	0.0
New York												
Eastern	95	1	1.1	9	0	0.0	48	0	0.0	100	0	0.0
Northern	45	0	0.0	5	0	0.0	33	0	0.0	55	0	0.0
Southern	176	1	0.6	23	1	4.3	114	1	0.9	137	0	0.0
Western	42	1	2.4	8	0	0.0	45	0	0.0	41	3	7.3
Vermont	21	0	0.0	13	0	0.0	14	0	0.0	17	0	0.0
THIRD CIRCUIT	704	3	0.4	168	1	0.6	563	3	0.5	785	3	0.4
Delaware	23	0	0.0	0	0	0.0	7	0	0.0	14	0	0.0
New Jersey	205	2	1.0	25	0	0.0	130	0	0.0	167	0	0.0
Pennsylvania												
Eastern	276	0	0.0	68	0	0.0	189	3	1.6	267	2	0.7
Middle	105	1	1.0	42	1	2.4	139	0	0.0	190	1	0.5
Western	89	0	0.0	32	0	0.0	98	0	0.0	147	0	0.0
Virgin Islands	6	0	0.0	1	0	0.0	0	0	0.0	0	0	0.0
FOURTH CIRCUIT	1,362	6	0.4	306	4	1.3	1,052	6	0.6	1,584	14	0.9
Maryland	228	0	0.0	35	0	0.0	162	0	0.0	291	2	0.7
North Carolina												
Eastern	238	2	0.8	41	0	0.0	143	2	1.4	251	4	1.6
Middle	188	2	1.1	41	0	0.0	136	0	0.0	149	0	0.0
Western	179	0	0.0	31	0	0.0	114	0	0.0	132	0	0.0
South Carolina	257	2	0.8	73	3	4.1	207	2	1.0	320	2	0.6
Virginia												
Eastern	113	0	0.0	40	0	0.0	144	1	0.7	206	2	1.0
Western	81	0	0.0	23	1	4.3	82	1	1.2	92	1	1.1
West Virginia												
Northern	33	0	0.0	14	0	0.0	29	0	0.0	81	3	3.7
Southern	45	0	0.0	8	0	0.0	35	0	0.0	62	0	0.0

**Rate of Above Range Sentences by Circuit and District
Career Offenders (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	%
FIFTH CIRCUIT	805	9	1.1	196	1	0.5	473	10	2.1	660	8	1.2
Louisiana												
Eastern	45	0	0.0	8	0	0.0	30	0	0.0	52	0	0.0
Middle	7	0	0.0	0	0	0.0	11	0	0.0	12	0	0.0
Western	40	1	2.5	21	0	0.0	24	1	4.2	39	2	5.1
Mississippi												
Northern	29	1	3.4	7	0	0.0	7	0	0.0	11	0	0.0
Southern	34	0	0.0	7	0	0.0	19	0	0.0	8	0	0.0
Texas												
Eastern	135	3	2.2	26	0	0.0	94	3	3.2	117	1	0.9
Northern	109	3	2.8	31	0	0.0	69	2	2.9	88	4	4.5
Southern	185	1	0.5	34	1	2.9	80	0	0.0	125	0	0.0
Western	221	0	0.0	62	0	0.0	139	4	2.9	208	1	0.5
SIXTH CIRCUIT	836	3	0.4	197	0	0.0	720	4	0.6	1,085	8	0.7
Kentucky												
Eastern	61	0	0.0	10	0	0.0	75	2	2.7	123	1	0.8
Western	50	0	0.0	6	0	0.0	51	0	0.0	86	0	0.0
Michigan												
Eastern	118	0	0.0	24	0	0.0	74	0	0.0	134	1	0.7
Western	57	1	1.8	19	0	0.0	67	0	0.0	94	1	1.1
Ohio												
Northern	140	0	0.0	37	0	0.0	137	0	0.0	119	0	0.0
Southern	66	0	0.0	17	0	0.0	54	2	3.7	74	0	0.0
Tennessee												
Eastern	137	0	0.0	44	0	0.0	134	0	0.0	205	2	1.0
Middle	57	0	0.0	15	0	0.0	55	0	0.0	77	1	1.3
Western	150	2	1.3	25	0	0.0	73	0	0.0	173	2	1.2
SEVENTH CIRCUIT	488	6	1.2	167	1	0.6	425	4	0.9	630	8	1.3
Illinois												
Central	109	3	2.8	40	0	0.0	75	1	1.3	109	1	0.9
Northern	103	1	1.0	49	0	0.0	113	0	0.0	155	2	1.3
Southern	99	1	1.0	20	0	0.0	75	3	4.0	104	4	3.8
Indiana												
Northern	24	0	0.0	15	0	0.0	21	0	0.0	50	0	0.0
Southern	54	0	0.0	14	0	0.0	32	0	0.0	54	1	1.9
Wisconsin												
Eastern	72	1	1.4	13	1	7.7	61	0	0.0	98	0	0.0
Western	27	0	0.0	16	0	0.0	48	0	0.0	60	0	0.0
EIGHTH CIRCUIT	710	5	0.7	178	1	0.6	545	7	1.3	763	9	1.2
Arkansas												
Eastern	68	1	1.5	19	0	0.0	37	0	0.0	71	1	1.4
Western	32	0	0.0	9	0	0.0	13	0	0.0	43	0	0.0
Iowa												
Northern	77	1	1.3	35	1	2.9	60	3	5.0	77	1	1.3
Southern	91	0	0.0	16	0	0.0	60	0	0.0	126	1	0.8
Minnesota	95	0	0.0	18	0	0.0	86	0	0.0	89	0	0.0
Missouri												
Eastern	115	0	0.0	23	0	0.0	122	0	0.0	147	4	2.7
Western	125	0	0.0	23	0	0.0	69	0	0.0	88	0	0.0
Nebraska	59	0	0.0	24	0	0.0	51	1	2.0	63	0	0.0
North Dakota	25	1	4.0	3	0	0.0	24	0	0.0	35	1	2.9
South Dakota	23	2	8.7	8	0	0.0	23	3	13.0	24	1	4.2

**Rate of Above Range Sentences by Circuit and District
Career Offenders (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	853	9	1.1	130	0	0.0	469	4	0.9	688	7	1.0
Alaska	14	0	0.0	7	0	0.0	11	0	0.0	15	0	0.0
Arizona	89	1	1.1	16	0	0.0	57	1	1.8	55	2	3.6
California												
Central	58	1	1.7	10	0	0.0	54	0	0.0	140	2	1.4
Eastern	94	0	0.0	12	0	0.0	52	1	1.9	56	1	1.8
Northern	83	2	2.4	10	0	0.0	46	1	2.2	83	0	0.0
Southern	202	1	0.5	16	0	0.0	46	0	0.0	72	0	0.0
Guam	1	0	0.0	0	0	0.0	3	0	0.0	1	0	0.0
Hawaii	44	1	2.3	4	0	0.0	23	0	0.0	15	0	0.0
Idaho	6	0	0.0	2	0	0.0	4	0	0.0	7	0	0.0
Montana	14	0	0.0	9	0	0.0	21	0	0.0	27	1	3.7
Nevada	51	0	0.0	13	0	0.0	26	1	3.8	31	0	0.0
Northern Mariana Islands	1	0	0.0	0	0	0.0	1	0	0.0	1	0	0.0
Oregon	114	3	2.6	20	0	0.0	57	0	0.0	88	1	1.1
Washington												
Eastern	22	0	0.0	6	0	0.0	20	0	0.0	27	0	0.0
Western	60	0	0.0	5	0	0.0	48	0	0.0	70	0	0.0
TENTH CIRCUIT	332	4	1.2	86	0	0.0	288	4	1.4	350	4	1.1
Colorado	50	0	0.0	13	0	0.0	45	1	2.2	36	0	0.0
Kansas	69	0	0.0	14	0	0.0	53	1	1.9	92	2	2.2
New Mexico	116	3	2.6	27	0	0.0	77	0	0.0	68	1	1.5
Oklahoma												
Eastern	14	0	0.0	2	0	0.0	9	0	0.0	15	0	0.0
Northern	25	0	0.0	6	0	0.0	21	0	0.0	24	0	0.0
Western	28	1	3.6	3	0	0.0	28	0	0.0	42	0	0.0
Utah	14	0	0.0	15	0	0.0	36	0	0.0	42	1	2.4
Wyoming	16	0	0.0	6	0	0.0	19	2	10.5	31	0	0.0
ELEVENTH CIRCUIT	1,592	9	0.6	328	3	0.9	884	2	0.2	996	5	0.5
Alabama												
Middle	16	0	0.0	1	0	0.0	10	0	0.0	13	0	0.0
Northern	55	0	0.0	7	1	14.3	30	0	0.0	48	0	0.0
Southern	34	0	0.0	4	1	25.0	15	0	0.0	33	0	0.0
Florida												
Middle	519	2	0.4	123	0	0.0	287	0	0.0	278	1	0.4
Northern	170	1	0.6	42	0	0.0	86	0	0.0	97	0	0.0
Southern	479	2	0.4	94	1	1.1	296	2	0.7	284	1	0.4
Georgia												
Middle	91	2	2.2	23	0	0.0	68	0	0.0	72	1	1.4
Northern	146	1	0.7	23	0	0.0	44	0	0.0	76	0	0.0
Southern	82	1	1.2	11	0	0.0	48	0	0.0	95	2	2.1

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
Career Offenders
Koon Period through Gall Period**

CIRCUIT District	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	<i>(6/13/96 - 04/30/03)</i>			<i>(5/1/03 - 6/24/04)</i>			<i>(1/12/05 - 12/10/07)</i>			<i>(12/11/07-9/30/11)</i>		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
TOTAL	8,627	2,712	31.4	1,971	649	32.9	6,116	2,054	33.6	8,443	3,095	36.7
D.C. CIRCUIT	115	50	43.5	30	17	56.7	84	43	51.2	82	64	78.0
District of Columbia	115	50	43.5	30	17	56.7	84	43	51.2	82	64	78.0
FIRST CIRCUIT	371	109	29.4	95	30	31.6	256	62	24.2	402	143	35.6
Maine	43	19	44.2	14	8	57.1	23	5	21.7	21	13	61.9
Massachusetts	197	52	26.4	38	4	10.5	129	24	18.6	222	78	35.1
New Hampshire	55	27	49.1	22	14	63.6	50	29	58.0	60	28	46.7
Puerto Rico	31	4	12.9	7	1	14.3	19	2	10.5	48	17	35.4
Rhode Island	45	7	15.6	14	3	21.4	35	2	5.7	51	7	13.7
SECOND CIRCUIT	459	148	32.2	90	32	35.6	357	145	40.6	418	149	35.6
Connecticut	80	17	21.3	32	11	34.4	103	48	46.6	68	23	33.8
New York												
Eastern	95	40	42.1	9	3	33.3	48	20	41.7	100	39	39.0
Northern	45	28	62.2	5	1	20.0	33	18	54.5	55	29	52.7
Southern	176	36	20.5	23	1	4.3	114	23	20.2	137	28	20.4
Western	42	20	47.6	8	6	75.0	45	29	64.4	41	24	58.5
Vermont	21	7	33.3	13	10	76.9	14	7	50.0	17	6	35.3
THIRD CIRCUIT	704	305	43.3	168	80	47.6	563	239	42.5	785	308	39.2
Delaware	23	6	26.1	0	0	0.0	7	1	14.3	14	7	50.0
New Jersey	205	84	41.0	25	13	52.0	130	73	56.2	167	58	34.7
Pennsylvania												
Eastern	276	147	53.3	68	39	57.4	189	78	41.3	267	137	51.3
Middle	105	45	42.9	42	21	50.0	139	80	57.6	190	79	41.6
Western	89	23	25.8	32	7	21.9	98	7	7.1	147	27	18.4
Virgin Islands	6	0	0.0	1	0	0.0	0	0	0.0	0	0	0.0
FOURTH CIRCUIT	1,362	439	32.2	306	93	30.4	1,052	318	30.2	1,584	572	36.1
Maryland	228	63	27.6	35	12	34.3	162	57	35.2	291	126	43.3
North Carolina												
Eastern	238	94	39.5	41	20	48.8	143	80	55.9	251	138	55.0
Middle	188	49	26.1	41	10	24.4	136	26	19.1	149	46	30.9
Western	179	102	57.0	31	17	54.8	114	49	43.0	132	52	39.4
South Carolina	257	83	32.3	73	29	39.7	207	62	30.0	320	142	44.4
Virginia												
Eastern	113	7	6.2	40	3	7.5	144	2	1.4	206	9	4.4
Western	81	32	39.5	23	1	4.3	82	31	37.8	92	32	34.8
West Virginia												
Northern	33	2	6.1	14	1	7.1	29	7	24.1	81	23	28.4
Southern	45	7	15.6	8	0	0.0	35	4	11.4	62	4	6.5

**Rate of Government Sponsored Sentences by Circuit and District
Career Offenders (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	%
FIFTH CIRCUIT	805	216	26.8	196	47	24.0	473	119	25.2	660	184	27.9
Louisiana												
Eastern	45	8	17.8	8	2	25.0	30	14	46.7	52	9	17.3
Middle	7	3	42.9	0	0	0.0	11	6	54.5	12	4	33.3
Western	40	13	32.5	21	5	23.8	24	3	12.5	39	7	17.9
Mississippi												
Northern	29	13	44.8	7	2	28.6	7	1	14.3	11	3	27.3
Southern	34	11	32.4	7	1	14.3	19	3	15.8	8	1	12.5
Texas												
Eastern	135	18	13.3	26	5	19.2	94	24	25.5	117	37	31.6
Northern	109	28	25.7	31	4	12.9	69	13	18.8	88	21	23.9
Southern	185	61	33.0	34	11	32.4	80	19	23.8	125	24	19.2
Western	221	61	27.6	62	17	27.4	139	36	25.9	208	78	37.5
SIXTH CIRCUIT	836	332	39.7	197	77	39.1	720	310	43.1	1,085	488	45.0
Kentucky												
Eastern	61	31	50.8	10	8	80.0	75	36	48.0	123	73	59.3
Western	50	11	22.0	6	2	33.3	51	21	41.2	86	49	57.0
Michigan												
Eastern	118	43	36.4	24	5	20.8	74	29	39.2	134	47	35.1
Western	57	26	45.6	19	6	31.6	67	18	26.9	94	29	30.9
Ohio												
Northern	140	67	47.9	37	17	45.9	137	67	48.9	119	73	61.3
Southern	66	33	50.0	17	8	47.1	54	27	50.0	74	44	59.5
Tennessee												
Eastern	137	49	35.8	44	16	36.4	134	59	44.0	205	63	30.7
Middle	57	17	29.8	15	5	33.3	55	15	27.3	77	33	42.9
Western	150	55	36.7	25	10	40.0	73	38	52.1	173	77	44.5
SEVENTH CIRCUIT	488	137	28.1	167	52	31.1	425	100	23.5	630	187	29.7
Illinois												
Central	109	62	56.9	40	14	35.0	75	22	29.3	109	46	42.2
Northern	103	26	25.2	49	20	40.8	113	28	24.8	155	34	21.9
Southern	99	8	8.1	20	4	20.0	75	5	6.7	104	1	1.0
Indiana												
Northern	24	5	20.8	15	5	33.3	21	8	38.1	50	18	36.0
Southern	54	17	31.5	14	5	35.7	32	12	37.5	54	20	37.0
Wisconsin												
Eastern	72	16	22.2	13	3	23.1	61	21	34.4	98	57	58.2
Western	27	3	11.1	16	1	6.3	48	4	8.3	60	11	18.3
EIGHTH CIRCUIT	710	236	33.2	178	48	27.0	545	155	28.4	763	283	37.1
Arkansas												
Eastern	68	11	16.2	19	0	0.0	37	10	27.0	71	25	35.2
Western	32	9	28.1	9	6	66.7	13	5	38.5	43	14	32.6
Iowa												
Northern	77	33	42.9	35	13	37.1	60	18	30.0	77	25	32.5
Southern	91	37	40.7	16	4	25.0	60	22	36.7	126	58	46.0
Minnesota	95	22	23.2	18	9	50.0	86	32	37.2	89	40	44.9
Missouri												
Eastern	115	43	37.4	23	9	39.1	122	23	18.9	147	46	31.3
Western	125	59	47.2	23	6	26.1	69	19	27.5	88	37	42.0
Nebraska	59	14	23.7	24	1	4.2	51	11	21.6	63	12	19.0
North Dakota	25	7	28.0	3	0	0.0	24	12	50.0	35	23	65.7
South Dakota	23	1	4.3	8	0	0.0	23	3	13.0	24	3	12.5

**Rate of Government Sponsored Sentences by Circuit and District
Career Offenders (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	853	207	24.3	130	40	30.8	469	231	49.3	688	329	47.8
Alaska	14	2	14.3	7	1	14.3	11	3	27.3	15	7	46.7
Arizona	89	28	31.5	16	7	43.8	57	39	68.4	55	24	43.6
California												
Central	58	9	15.5	10	3	30.0	54	16	29.6	140	54	38.6
Eastern	94	30	31.9	12	6	50.0	52	27	51.9	56	24	42.9
Northern	83	16	19.3	10	4	40.0	46	23	50.0	83	50	60.2
Southern	202	49	24.3	16	7	43.8	46	34	73.9	72	42	58.3
Guam	1	0	0.0	0	0	0.0	3	0	0.0	1	0	0.0
Hawaii	44	13	29.5	4	2	50.0	23	9	39.1	15	4	26.7
Idaho	6	3	50.0	2	0	0.0	4	3	75.0	7	5	71.4
Montana	14	4	28.6	9	0	0.0	21	8	38.1	27	7	25.9
Nevada	51	3	5.9	13	4	30.8	26	7	26.9	31	3	9.7
Northern Mariana Islands	1	1	100.0	0	0	0.0	1	0	0.0	1	1	100.0
Oregon	114	28	24.6	20	2	10.0	57	17	29.8	88	38	43.2
Washington												
Eastern	22	3	13.6	6	1	16.7	20	11	55.0	27	15	55.6
Western	60	18	30.0	5	3	60.0	48	34	70.8	70	55	78.6
TENTH CIRCUIT	332	60	18.1	86	28	32.6	288	106	36.8	350	135	38.6
Colorado	50	18	36.0	13	7	53.8	45	22	48.9	36	12	33.3
Kansas	69	13	18.8	14	5	35.7	53	16	30.2	92	47	51.1
New Mexico	116	15	12.9	27	10	37.0	77	43	55.8	68	33	48.5
Oklahoma												
Eastern	14	1	7.1	2	0	0.0	9	2	22.2	15	3	20.0
Northern	25	5	20.0	6	1	16.7	21	3	14.3	24	6	25.0
Western	28	7	25.0	3	1	33.3	28	2	7.1	42	9	21.4
Utah	14	1	7.1	15	3	20.0	36	14	38.9	42	13	31.0
Wyoming	16	0	0.0	6	1	16.7	19	4	21.1	31	12	38.7
ELEVENTH CIRCUIT	1,592	473	29.7	328	105	32.0	884	226	25.6	996	253	25.4
Alabama												
Middle	16	6	37.5	1	1	100.0	10	3	30.0	13	5	38.5
Northern	55	30	54.5	7	2	28.6	30	12	40.0	48	21	43.8
Southern	34	14	41.2	4	2	50.0	15	6	40.0	33	13	39.4
Florida												
Middle	519	187	36.0	123	43	35.0	287	89	31.0	278	72	25.9
Northern	170	59	34.7	42	24	57.1	86	30	34.9	97	36	37.1
Southern	479	84	17.5	94	14	14.9	296	47	15.9	284	36	12.7
Georgia												
Middle	91	34	37.4	23	10	43.5	68	24	35.3	72	19	26.4
Northern	146	38	26.0	23	5	21.7	44	7	15.9	76	24	31.6
Southern	82	21	25.6	11	4	36.4	48	8	16.7	95	27	28.4

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

Career Offenders Koon Period through Gall Period

CIRCUIT District	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	<i>(6/13/96 - 04/30/03)</i>			<i>(5/1/03 - 6/24/04)</i>			<i>(1/12/05 - 12/10/07)</i>			<i>(12/11/07-9/30/11)</i>		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
TOTAL	8,627	2,684	31.1	1,971	615	31.2	6,116	1,708	27.9	8,443	2,281	27.0
D.C. CIRCUIT	115	48	41.7	30	14	46.7	84	29	34.5	82	36	43.9
District of Columbia	115	48	41.7	30	14	46.7	84	29	34.5	82	36	43.9
FIRST CIRCUIT	371	109	29.4	95	28	29.5	256	46	18.0	402	60	14.9
Maine	43	19	44.2	14	8	57.1	23	5	21.7	21	13	61.9
Massachusetts	197	52	26.4	38	4	10.5	129	18	14.0	222	28	12.6
New Hampshire	55	27	49.1	22	13	59.1	50	21	42.0	60	12	20.0
Puerto Rico	31	4	12.9	7	0	0.0	19	1	5.3	48	3	6.3
Rhode Island	45	7	15.6	14	3	21.4	35	1	2.9	51	4	7.8
SECOND CIRCUIT	459	148	32.2	90	30	33.3	357	133	37.3	418	129	30.9
Connecticut	80	17	21.3	32	10	31.3	103	47	45.6	68	18	26.5
New York												
Eastern	95	40	42.1	9	2	22.2	48	18	37.5	100	37	37.0
Northern	45	28	62.2	5	1	20.0	33	17	51.5	55	25	45.5
Southern	176	36	20.5	23	1	4.3	114	18	15.8	137	22	16.1
Western	42	20	47.6	8	6	75.0	45	26	57.8	41	24	58.5
Vermont	21	7	33.3	13	10	76.9	14	7	50.0	17	3	17.6
THIRD CIRCUIT	704	305	43.3	168	76	45.2	563	212	37.7	785	244	31.1
Delaware	23	6	26.1	0	0	0.0	7	1	14.3	14	7	50.0
New Jersey	205	84	41.0	25	13	52.0	130	73	56.2	167	53	31.7
Pennsylvania												
Eastern	276	147	53.3	68	37	54.4	189	67	35.4	267	118	44.2
Middle	105	45	42.9	42	19	45.2	139	64	46.0	190	45	23.7
Western	89	23	25.8	32	7	21.9	98	7	7.1	147	21	14.3
Virgin Islands	6	0	0.0	1	0	0.0	0	0	0.0	0	0	0.0
FOURTH CIRCUIT	1,362	437	32.1	306	93	30.4	1,052	298	28.3	1,584	470	29.7
Maryland	228	63	27.6	35	12	34.3	162	49	30.2	291	74	25.4
North Carolina												
Eastern	238	94	39.5	41	20	48.8	143	80	55.9	251	137	54.6
Middle	188	49	26.1	41	10	24.4	136	25	18.4	149	45	30.2
Western	179	101	56.4	31	17	54.8	114	48	42.1	132	51	38.6
South Carolina	257	83	32.3	73	29	39.7	207	55	26.6	320	125	39.1
Virginia												
Eastern	113	7	6.2	40	3	7.5	144	2	1.4	206	6	2.9
Western	81	31	38.3	23	1	4.3	82	30	36.6	92	21	22.8
West Virginia												
Northern	33	2	6.1	14	1	7.1	29	6	20.7	81	7	8.6
Southern	45	7	15.6	8	0	0.0	35	3	8.6	62	4	6.5

**Rate of §5K1.1 Substantial Assistance Sentences by Circuit and District
Career Offenders (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	%
FIFTH CIRCUIT	805	214	26.6	196	46	23.5	473	93	19.7	660	136	20.6
Louisiana												
Eastern	45	8	17.8	8	2	25.0	30	11	36.7	52	7	13.5
Middle	7	3	42.9	0	0	0.0	11	6	54.5	12	4	33.3
Western	40	13	32.5	21	5	23.8	24	3	12.5	39	7	17.9
Mississippi												
Northern	29	13	44.8	7	2	28.6	7	1	14.3	11	3	27.3
Southern	34	11	32.4	7	1	14.3	19	3	15.8	8	1	12.5
Texas												
Eastern	135	18	13.3	26	5	19.2	94	16	17.0	117	15	12.8
Northern	109	27	24.8	31	4	12.9	69	12	17.4	88	21	23.9
Southern	185	61	33.0	34	11	32.4	80	12	15.0	125	21	16.8
Western	221	60	27.1	62	16	25.8	139	29	20.9	208	57	27.4
SIXTH CIRCUIT	836	332	39.7	197	77	39.1	720	279	38.8	1,085	404	37.2
Kentucky												
Eastern	61	31	50.8	10	8	80.0	75	36	48.0	123	70	56.9
Western	50	11	22.0	6	2	33.3	51	12	23.5	86	25	29.1
Michigan												
Eastern	118	43	36.4	24	5	20.8	74	25	33.8	134	38	28.4
Western	57	26	45.6	19	6	31.6	67	18	26.9	94	28	29.8
Ohio												
Northern	140	67	47.9	37	17	45.9	137	59	43.1	119	58	48.7
Southern	66	33	50.0	17	8	47.1	54	24	44.4	74	35	47.3
Tennessee												
Eastern	137	49	35.8	44	16	36.4	134	59	44.0	205	62	30.2
Middle	57	17	29.8	15	5	33.3	55	14	25.5	77	23	29.9
Western	150	55	36.7	25	10	40.0	73	32	43.8	173	65	37.6
SEVENTH CIRCUIT	488	136	27.9	167	49	29.3	425	85	20.0	630	145	23.0
Illinois												
Central	109	62	56.9	40	14	35.0	75	21	28.0	109	45	41.3
Northern	103	26	25.2	49	19	38.8	113	24	21.2	155	33	21.3
Southern	99	8	8.1	20	4	20.0	75	4	5.3	104	1	1.0
Indiana												
Northern	24	5	20.8	15	5	33.3	21	7	33.3	50	15	30.0
Southern	54	16	29.6	14	3	21.4	32	8	25.0	54	2	3.7
Wisconsin												
Eastern	72	16	22.2	13	3	23.1	61	17	27.9	98	38	38.8
Western	27	3	11.1	16	1	6.3	48	4	8.3	60	11	18.3
EIGHTH CIRCUIT	710	235	33.1	178	46	25.8	545	129	23.7	763	225	29.5
Arkansas												
Eastern	68	11	16.2	19	0	0.0	37	9	24.3	71	20	28.2
Western	32	9	28.1	9	6	66.7	13	5	38.5	43	14	32.6
Iowa												
Northern	77	33	42.9	35	13	37.1	60	17	28.3	77	23	29.9
Southern	91	37	40.7	16	4	25.0	60	20	33.3	126	46	36.5
Minnesota	95	22	23.2	18	8	44.4	86	28	32.6	89	39	43.8
Missouri												
Eastern	115	43	37.4	23	9	39.1	122	18	14.8	147	33	22.4
Western	125	59	47.2	23	6	26.1	69	17	24.6	88	23	26.1
Nebraska	59	14	23.7	24	0	0.0	51	1	2.0	63	4	6.3
North Dakota	25	6	24.0	3	0	0.0	24	11	45.8	35	22	62.9
South Dakota	23	1	4.3	8	0	0.0	23	3	13.0	24	1	4.2

**Rate of §5K1.1 Substantial Assistance Sentences by Circuit and District
Career Offenders (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	853	190	22.3	130	28	21.5	469	130	27.7	688	134	19.5
Alaska	14	2	14.3	7	1	14.3	11	3	27.3	15	2	13.3
Arizona	89	24	27.0	16	3	18.8	57	17	29.8	55	7	12.7
California												
Central	58	9	15.5	10	2	20.0	54	11	20.4	140	20	14.3
Eastern	94	29	30.9	12	6	50.0	52	24	46.2	56	16	28.6
Northern	83	12	14.5	10	4	40.0	46	13	28.3	83	14	16.9
Southern	202	43	21.3	16	0	0.0	46	7	15.2	72	17	23.6
Guam	1	0	0.0	0	0	0.0	3	0	0.0	1	0	0.0
Hawaii	44	13	29.5	4	2	50.0	23	9	39.1	15	4	26.7
Idaho	6	3	50.0	2	0	0.0	4	3	75.0	7	5	71.4
Montana	14	4	28.6	9	0	0.0	21	8	38.1	27	6	22.2
Nevada	51	3	5.9	13	4	30.8	26	2	7.7	31	1	3.2
Northern Mariana Islands	1	1	100.0	0	0	0.0	1	0	0.0	1	1	100.0
Oregon	114	27	23.7	20	2	10.0	57	10	17.5	88	22	25.0
Washington												
Eastern	22	3	13.6	6	1	16.7	20	7	35.0	27	5	18.5
Western	60	17	28.3	5	3	60.0	48	16	33.3	70	14	20.0
TENTH CIRCUIT	332	57	17.2	86	24	27.9	288	56	19.4	350	73	20.9
Colorado	50	18	36.0	13	7	53.8	45	20	44.4	36	9	25.0
Kansas	69	13	18.8	14	5	35.7	53	11	20.8	92	29	31.5
New Mexico	116	12	10.3	27	7	25.9	77	10	13.0	68	5	7.4
Oklahoma												
Eastern	14	1	7.1	2	0	0.0	9	2	22.2	15	3	20.0
Northern	25	5	20.0	6	1	16.7	21	3	14.3	24	6	25.0
Western	28	7	25.0	3	1	33.3	28	2	7.1	42	9	21.4
Utah	14	1	7.1	15	2	13.3	36	6	16.7	42	5	11.9
Wyoming	16	0	0.0	6	1	16.7	19	2	10.5	31	7	22.6
ELEVENTH CIRCUIT	1,592	473	29.7	328	104	31.7	884	218	24.7	996	225	22.6
Alabama												
Middle	16	6	37.5	1	1	100.0	10	3	30.0	13	5	38.5
Northern	55	30	54.5	7	2	28.6	30	12	40.0	48	21	43.8
Southern	34	14	41.2	4	2	50.0	15	6	40.0	33	13	39.4
Florida												
Middle	519	187	36.0	123	43	35.0	287	88	30.7	278	70	25.2
Northern	170	59	34.7	42	24	57.1	86	30	34.9	97	36	37.1
Southern	479	84	17.5	94	13	13.8	296	44	14.9	284	28	9.9
Georgia												
Middle	91	34	37.4	23	10	43.5	68	21	30.9	72	17	23.6
Northern	146	38	26.0	23	5	21.7	44	6	13.6	76	11	14.5
Southern	82	21	25.6	11	4	36.4	48	8	16.7	95	24	25.3

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
Career Offenders
***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	8,627	n/a	n/a	1,971	4	0.2	6,116	37	0.6	8,443	31	0.4
D.C. CIRCUIT	115	n/a	n/a	30	0	0.0	84	0	0.0	82	0	0.0
District of Columbia	115	n/a	n/a	30	0	0.0	84	0	0.0	82	0	0.0
FIRST CIRCUIT	371	n/a	n/a	95	0	0.0	256	0	0.0	402	0	0.0
Maine	43	n/a	n/a	14	0	0.0	23	0	0.0	21	0	0.0
Massachusetts	197	n/a	n/a	38	0	0.0	129	0	0.0	222	0	0.0
New Hampshire	55	n/a	n/a	22	0	0.0	50	0	0.0	60	0	0.0
Puerto Rico	31	n/a	n/a	7	0	0.0	19	0	0.0	48	0	0.0
Rhode Island	45	n/a	n/a	14	0	0.0	35	0	0.0	51	0	0.0
SECOND CIRCUIT	459	n/a	n/a	90	0	0.0	357	0	0.0	418	0	0.0
Connecticut	80	n/a	n/a	32	0	0.0	103	0	0.0	68	0	0.0
New York												
Eastern	95	n/a	n/a	9	0	0.0	48	0	0.0	100	0	0.0
Northern	45	n/a	n/a	5	0	0.0	33	0	0.0	55	0	0.0
Southern	176	n/a	n/a	23	0	0.0	114	0	0.0	137	0	0.0
Western	42	n/a	n/a	8	0	0.0	45	0	0.0	41	0	0.0
Vermont	21	n/a	n/a	13	0	0.0	14	0	0.0	17	0	0.0
THIRD CIRCUIT	704	n/a	n/a	168	1	0.6	563	0	0.0	785	0	0.0
Delaware	23	n/a	n/a	0	0	0.0	7	0	0.0	14	0	0.0
New Jersey	205	n/a	n/a	25	0	0.0	130	0	0.0	167	0	0.0
Pennsylvania												
Eastern	276	n/a	n/a	68	0	0.0	189	0	0.0	267	0	0.0
Middle	105	n/a	n/a	42	1	2.4	139	0	0.0	190	0	0.0
Western	89	n/a	n/a	32	0	0.0	98	0	0.0	147	0	0.0
Virgin Islands	6	n/a	n/a	1	0	0.0	0	0	0.0	0	0	0.0
FOURTH CIRCUIT	1,362	n/a	n/a	306	0	0.0	1,052	0	0.0	1,584	0	0.0
Maryland	228	n/a	n/a	35	0	0.0	162	0	0.0	291	0	0.0
North Carolina												
Eastern	238	n/a	n/a	41	0	0.0	143	0	0.0	251	0	0.0
Middle	188	n/a	n/a	41	0	0.0	136	0	0.0	149	0	0.0
Western	179	n/a	n/a	31	0	0.0	114	0	0.0	132	0	0.0
South Carolina	257	n/a	n/a	73	0	0.0	207	0	0.0	320	0	0.0
Virginia												
Eastern	113	n/a	n/a	40	0	0.0	144	0	0.0	206	0	0.0
Western	81	n/a	n/a	23	0	0.0	82	0	0.0	92	0	0.0
West Virginia												
Northern	33	n/a	n/a	14	0	0.0	29	0	0.0	81	0	0.0
Southern	45	n/a	n/a	8	0	0.0	35	0	0.0	62	0	0.0

**Rate of §5K3.1 Early Disposition Program Sentences by Circuit and District
Career Offenders (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	805	n/a	n/a	196	0	0.0	473	0	0.0	660	0	0.0
Louisiana												
Eastern	45	n/a	n/a	8	0	0.0	30	0	0.0	52	0	0.0
Middle	7	n/a	n/a	0	0	0.0	11	0	0.0	12	0	0.0
Western	40	n/a	n/a	21	0	0.0	24	0	0.0	39	0	0.0
Mississippi												
Northern	29	n/a	n/a	7	0	0.0	7	0	0.0	11	0	0.0
Southern	34	n/a	n/a	7	0	0.0	19	0	0.0	8	0	0.0
Texas												
Eastern	135	n/a	n/a	26	0	0.0	94	0	0.0	117	0	0.0
Northern	109	n/a	n/a	31	0	0.0	69	0	0.0	88	0	0.0
Southern	185	n/a	n/a	34	0	0.0	80	0	0.0	125	0	0.0
Western	221	n/a	n/a	62	0	0.0	139	0	0.0	208	0	0.0
SIXTH CIRCUIT	836	n/a	n/a	197	0	0.0	720	0	0.0	1,085	0	0.0
Kentucky												
Eastern	61	n/a	n/a	10	0	0.0	75	0	0.0	123	0	0.0
Western	50	n/a	n/a	6	0	0.0	51	0	0.0	86	0	0.0
Michigan												
Eastern	118	n/a	n/a	24	0	0.0	74	0	0.0	134	0	0.0
Western	57	n/a	n/a	19	0	0.0	67	0	0.0	94	0	0.0
Ohio												
Northern	140	n/a	n/a	37	0	0.0	137	0	0.0	119	0	0.0
Southern	66	n/a	n/a	17	0	0.0	54	0	0.0	74	0	0.0
Tennessee												
Eastern	137	n/a	n/a	44	0	0.0	134	0	0.0	205	0	0.0
Middle	57	n/a	n/a	15	0	0.0	55	0	0.0	77	0	0.0
Western	150	n/a	n/a	25	0	0.0	73	0	0.0	173	0	0.0
SEVENTH CIRCUIT	488	n/a	n/a	167	0	0.0	425	0	0.0	630	0	0.0
Illinois												
Central	109	n/a	n/a	40	0	0.0	75	0	0.0	109	0	0.0
Northern	103	n/a	n/a	49	0	0.0	113	0	0.0	155	0	0.0
Southern	99	n/a	n/a	20	0	0.0	75	0	0.0	104	0	0.0
Indiana												
Northern	24	n/a	n/a	15	0	0.0	21	0	0.0	50	0	0.0
Southern	54	n/a	n/a	14	0	0.0	32	0	0.0	54	0	0.0
Wisconsin												
Eastern	72	n/a	n/a	13	0	0.0	61	0	0.0	98	0	0.0
Western	27	n/a	n/a	16	0	0.0	48	0	0.0	60	0	0.0
EIGHTH CIRCUIT	710	n/a	n/a	178	0	0.0	545	0	0.0	763	0	0.0
Arkansas												
Eastern	68	n/a	n/a	19	0	0.0	37	0	0.0	71	0	0.0
Western	32	n/a	n/a	9	0	0.0	13	0	0.0	43	0	0.0
Iowa												
Northern	77	n/a	n/a	35	0	0.0	60	0	0.0	77	0	0.0
Southern	91	n/a	n/a	16	0	0.0	60	0	0.0	126	0	0.0
Minnesota	95	n/a	n/a	18	0	0.0	86	0	0.0	89	0	0.0
Missouri												
Eastern	115	n/a	n/a	23	0	0.0	122	0	0.0	147	0	0.0
Western	125	n/a	n/a	23	0	0.0	69	0	0.0	88	0	0.0
Nebraska	59	n/a	n/a	24	0	0.0	51	0	0.0	63	0	0.0
North Dakota	25	n/a	n/a	3	0	0.0	24	0	0.0	35	0	0.0
South Dakota	23	n/a	n/a	8	0	0.0	23	0	0.0	24	0	0.0

**Rate of §5K3.1 Early Disposition Program Sentences by Circuit and District
Career Offenders (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	853	n/a	n/a	130	3	2.3	469	36	7.7	688	29	4.2
Alaska	14	n/a	n/a	7	0	0.0	11	0	0.0	15	0	0.0
Arizona	89	n/a	n/a	16	0	0.0	57	11	19.3	55	8	14.5
California												
Central	58	n/a	n/a	10	0	0.0	54	0	0.0	140	0	0.0
Eastern	94	n/a	n/a	12	0	0.0	52	0	0.0	56	1	1.8
Northern	83	n/a	n/a	10	0	0.0	46	1	2.2	83	0	0.0
Southern	202	n/a	n/a	16	3	18.8	46	24	52.2	72	20	27.8
Guam	1	n/a	n/a	0	0	0.0	3	0	0.0	1	0	0.0
Hawaii	44	n/a	n/a	4	0	0.0	23	0	0.0	15	0	0.0
Idaho	6	n/a	n/a	2	0	0.0	4	0	0.0	7	0	0.0
Montana	14	n/a	n/a	9	0	0.0	21	0	0.0	27	0	0.0
Nevada	51	n/a	n/a	13	0	0.0	26	0	0.0	31	0	0.0
Northern Mariana Islands	1	n/a	n/a	0	0	0.0	1	0	0.0	1	0	0.0
Oregon	114	n/a	n/a	20	0	0.0	57	0	0.0	88	0	0.0
Washington												
Eastern	22	n/a	n/a	6	0	0.0	20	0	0.0	27	0	0.0
Western	60	n/a	n/a	5	0	0.0	48	0	0.0	70	0	0.0
TENTH CIRCUIT	332	n/a	n/a	86	0	0.0	288	1	0.3	350	2	0.6
Colorado	50	n/a	n/a	13	0	0.0	45	0	0.0	36	0	0.0
Kansas	69	n/a	n/a	14	0	0.0	53	0	0.0	92	0	0.0
New Mexico	116	n/a	n/a	27	0	0.0	77	1	1.3	68	2	2.9
Oklahoma												
Eastern	14	n/a	n/a	2	0	0.0	9	0	0.0	15	0	0.0
Northern	25	n/a	n/a	6	0	0.0	21	0	0.0	24	0	0.0
Western	28	n/a	n/a	3	0	0.0	28	0	0.0	42	0	0.0
Utah	14	n/a	n/a	15	0	0.0	36	0	0.0	42	0	0.0
Wyoming	16	n/a	n/a	6	0	0.0	19	0	0.0	31	0	0.0
ELEVENTH CIRCUIT	1,592	n/a	n/a	328	0	0.0	884	0	0.0	996	0	0.0
Alabama												
Middle	16	n/a	n/a	1	0	0.0	10	0	0.0	13	0	0.0
Northern	55	n/a	n/a	7	0	0.0	30	0	0.0	48	0	0.0
Southern	34	n/a	n/a	4	0	0.0	15	0	0.0	33	0	0.0
Florida												
Middle	519	n/a	n/a	123	0	0.0	287	0	0.0	278	0	0.0
Northern	170	n/a	n/a	42	0	0.0	86	0	0.0	97	0	0.0
Southern	479	n/a	n/a	94	0	0.0	296	0	0.0	284	0	0.0
Georgia												
Middle	91	n/a	n/a	23	0	0.0	68	0	0.0	72	0	0.0
Northern	146	n/a	n/a	23	0	0.0	44	0	0.0	76	0	0.0
Southern	82	n/a	n/a	11	0	0.0	48	0	0.0	95	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
Career Offenders
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	8,627	n/a	n/a	1,971	30	1.5	6,116	309	5.1	8,443	783	9.3
D.C. CIRCUIT	115	n/a	n/a	30	3	10.0	84	14	16.7	82	28	34.1
District of Columbia	115	n/a	n/a	30	3	10.0	84	14	16.7	82	28	34.1
FIRST CIRCUIT	371	n/a	n/a	95	2	2.1	256	16	6.3	402	83	20.6
Maine	43	n/a	n/a	14	0	0.0	23	0	0.0	21	0	0.0
Massachusetts	197	n/a	n/a	38	0	0.0	129	6	4.7	222	50	22.5
New Hampshire	55	n/a	n/a	22	1	4.5	50	8	16.0	60	16	26.7
Puerto Rico	31	n/a	n/a	7	1	14.3	19	1	5.3	48	14	29.2
Rhode Island	45	n/a	n/a	14	0	0.0	35	1	2.9	51	3	5.9
SECOND CIRCUIT	459	n/a	n/a	90	2	2.2	357	12	3.4	418	20	4.8
Connecticut	80	n/a	n/a	32	1	3.1	103	1	1.0	68	5	7.4
New York												
Eastern	95	n/a	n/a	9	1	11.1	48	2	4.2	100	2	2.0
Northern	45	n/a	n/a	5	0	0.0	33	1	3.0	55	4	7.3
Southern	176	n/a	n/a	23	0	0.0	114	5	4.4	137	6	4.4
Western	42	n/a	n/a	8	0	0.0	45	3	6.7	41	0	0.0
Vermont	21	n/a	n/a	13	0	0.0	14	0	0.0	17	3	17.6
THIRD CIRCUIT	704	n/a	n/a	168	3	1.8	563	27	4.8	785	64	8.2
Delaware	23	n/a	n/a	0	0	0.0	7	0	0.0	14	0	0.0
New Jersey	205	n/a	n/a	25	0	0.0	130	0	0.0	167	5	3.0
Pennsylvania												
Eastern	276	n/a	n/a	68	2	2.9	189	11	5.8	267	19	7.1
Middle	105	n/a	n/a	42	1	2.4	139	16	11.5	190	34	17.9
Western	89	n/a	n/a	32	0	0.0	98	0	0.0	147	6	4.1
Virgin Islands	6	n/a	n/a	1	0	0.0	0	0	0.0	0	0	0.0
FOURTH CIRCUIT	1,362	n/a	n/a	306	0	0.0	1,052	20	1.9	1,584	102	6.4
Maryland	228	n/a	n/a	35	0	0.0	162	8	4.9	291	52	17.9
North Carolina												
Eastern	238	n/a	n/a	41	0	0.0	143	0	0.0	251	1	0.4
Middle	188	n/a	n/a	41	0	0.0	136	1	0.7	149	1	0.7
Western	179	n/a	n/a	31	0	0.0	114	1	0.9	132	1	0.8
South Carolina	257	n/a	n/a	73	0	0.0	207	7	3.4	320	17	5.3
Virginia												
Eastern	113	n/a	n/a	40	0	0.0	144	0	0.0	206	3	1.5
Western	81	n/a	n/a	23	0	0.0	82	1	1.2	92	11	12.0
West Virginia												
Northern	33	n/a	n/a	14	0	0.0	29	1	3.4	81	16	19.8
Southern	45	n/a	n/a	8	0	0.0	35	1	2.9	62	0	0.0

**Rate of Other Government Sponsored Below Range Sentences by Circuit and District
Career Offenders (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	805	n/a	n/a	196	1	0.5	473	26	5.5	660	48	7.3
Louisiana												
Eastern	45	n/a	n/a	8	0	0.0	30	3	10.0	52	2	3.8
Middle	7	n/a	n/a	0	0	0.0	11	0	0.0	12	0	0.0
Western	40	n/a	n/a	21	0	0.0	24	0	0.0	39	0	0.0
Mississippi												
Northern	29	n/a	n/a	7	0	0.0	7	0	0.0	11	0	0.0
Southern	34	n/a	n/a	7	0	0.0	19	0	0.0	8	0	0.0
Texas												
Eastern	135	n/a	n/a	26	0	0.0	94	8	8.5	117	22	18.8
Northern	109	n/a	n/a	31	0	0.0	69	1	1.4	88	0	0.0
Southern	185	n/a	n/a	34	0	0.0	80	7	8.8	125	3	2.4
Western	221	n/a	n/a	62	1	1.6	139	7	5.0	208	21	10.1
SIXTH CIRCUIT	836	n/a	n/a	197	0	0.0	720	31	4.3	1,085	84	7.7
Kentucky												
Eastern	61	n/a	n/a	10	0	0.0	75	0	0.0	123	3	2.4
Western	50	n/a	n/a	6	0	0.0	51	9	17.6	86	24	27.9
Michigan												
Eastern	118	n/a	n/a	24	0	0.0	74	4	5.4	134	9	6.7
Western	57	n/a	n/a	19	0	0.0	67	0	0.0	94	1	1.1
Ohio												
Northern	140	n/a	n/a	37	0	0.0	137	8	5.8	119	15	12.6
Southern	66	n/a	n/a	17	0	0.0	54	3	5.6	74	9	12.2
Tennessee												
Eastern	137	n/a	n/a	44	0	0.0	134	0	0.0	205	1	0.5
Middle	57	n/a	n/a	15	0	0.0	55	1	1.8	77	10	13.0
Western	150	n/a	n/a	25	0	0.0	73	6	8.2	173	12	6.9
SEVENTH CIRCUIT	488	n/a	n/a	167	3	1.8	425	15	3.5	630	42	6.7
Illinois												
Central	109	n/a	n/a	40	0	0.0	75	1	1.3	109	1	0.9
Northern	103	n/a	n/a	49	1	2.0	113	4	3.5	155	1	0.6
Southern	99	n/a	n/a	20	0	0.0	75	1	1.3	104	0	0.0
Indiana												
Northern	24	n/a	n/a	15	0	0.0	21	1	4.8	50	3	6.0
Southern	54	n/a	n/a	14	2	14.3	32	4	12.5	54	18	33.3
Wisconsin												
Eastern	72	n/a	n/a	13	0	0.0	61	4	6.6	98	19	19.4
Western	27	n/a	n/a	16	0	0.0	48	0	0.0	60	0	0.0
EIGHTH CIRCUIT	710	n/a	n/a	178	2	1.1	545	26	4.8	763	58	7.6
Arkansas												
Eastern	68	n/a	n/a	19	0	0.0	37	1	2.7	71	5	7.0
Western	32	n/a	n/a	9	0	0.0	13	0	0.0	43	0	0.0
Iowa												
Northern	77	n/a	n/a	35	0	0.0	60	1	1.7	77	2	2.6
Southern	91	n/a	n/a	16	0	0.0	60	2	3.3	126	12	9.5
Minnesota	95	n/a	n/a	18	1	5.6	86	4	4.7	89	1	1.1
Missouri												
Eastern	115	n/a	n/a	23	0	0.0	122	5	4.1	147	13	8.8
Western	125	n/a	n/a	23	0	0.0	69	2	2.9	88	14	15.9
Nebraska	59	n/a	n/a	24	1	4.2	51	10	19.6	63	8	12.7
North Dakota	25	n/a	n/a	3	0	0.0	24	1	4.2	35	1	2.9
South Dakota	23	n/a	n/a	8	0	0.0	23	0	0.0	24	2	8.3

**Rate of Other Government Sponsored Below Range Sentences by Circuit and District
Career Offenders (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	853	n/a	n/a	130	9	6.9	469	65	13.9	688	166	24.1
Alaska	14	n/a	n/a	7	0	0.0	11	0	0.0	15	5	33.3
Arizona	89	n/a	n/a	16	4	25.0	57	11	19.3	55	9	16.4
California												
Central	58	n/a	n/a	10	1	10.0	54	5	9.3	140	34	24.3
Eastern	94	n/a	n/a	12	0	0.0	52	3	5.8	56	7	12.5
Northern	83	n/a	n/a	10	0	0.0	46	9	19.6	83	36	43.4
Southern	202	n/a	n/a	16	4	25.0	46	3	6.5	72	5	6.9
Guam	1	n/a	n/a	0	0	0.0	3	0	0.0	1	0	0.0
Hawaii	44	n/a	n/a	4	0	0.0	23	0	0.0	15	0	0.0
Idaho	6	n/a	n/a	2	0	0.0	4	0	0.0	7	0	0.0
Montana	14	n/a	n/a	9	0	0.0	21	0	0.0	27	1	3.7
Nevada	51	n/a	n/a	13	0	0.0	26	5	19.2	31	2	6.5
Northern Mariana Islands	1	n/a	n/a	0	0	0.0	1	0	0.0	1	0	0.0
Oregon	114	n/a	n/a	20	0	0.0	57	7	12.3	88	16	18.2
Washington												
Eastern	22	n/a	n/a	6	0	0.0	20	4	20.0	27	10	37.0
Western	60	n/a	n/a	5	0	0.0	48	18	37.5	70	41	58.6
TENTH CIRCUIT	332	n/a	n/a	86	4	4.7	288	49	17.0	350	60	17.1
Colorado	50	n/a	n/a	13	0	0.0	45	2	4.4	36	3	8.3
Kansas	69	n/a	n/a	14	0	0.0	53	5	9.4	92	18	19.6
New Mexico	116	n/a	n/a	27	3	11.1	77	32	41.6	68	26	38.2
Oklahoma												
Eastern	14	n/a	n/a	2	0	0.0	9	0	0.0	15	0	0.0
Northern	25	n/a	n/a	6	0	0.0	21	0	0.0	24	0	0.0
Western	28	n/a	n/a	3	0	0.0	28	0	0.0	42	0	0.0
Utah	14	n/a	n/a	15	1	6.7	36	8	22.2	42	8	19.0
Wyoming	16	n/a	n/a	6	0	0.0	19	2	10.5	31	5	16.1
ELEVENTH CIRCUIT	1,592	n/a	n/a	328	1	0.3	884	8	0.9	996	28	2.8
Alabama												
Middle	16	n/a	n/a	1	0	0.0	10	0	0.0	13	0	0.0
Northern	55	n/a	n/a	7	0	0.0	30	0	0.0	48	0	0.0
Southern	34	n/a	n/a	4	0	0.0	15	0	0.0	33	0	0.0
Florida												
Middle	519	n/a	n/a	123	0	0.0	287	1	0.3	278	2	0.7
Northern	170	n/a	n/a	42	0	0.0	86	0	0.0	97	0	0.0
Southern	479	n/a	n/a	94	1	1.1	296	3	1.0	284	8	2.8
Georgia												
Middle	91	n/a	n/a	23	0	0.0	68	3	4.4	72	2	2.8
Northern	146	n/a	n/a	23	0	0.0	44	1	2.3	76	13	17.1
Southern	82	n/a	n/a	11	0	0.0	48	0	0.0	95	3	3.2

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 Non-Government Sponsored Below Range Sentences by Circuit and District
Career Offenders
Koon Period through Gall Period**

CIRCUIT District	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	<i>(6/13/96 - 04/30/03)</i>			<i>(5/1/03 - 6/24/04)</i>			<i>(1/12/05 - 12/10/07)</i>			<i>(12/11/07-9/30/11)</i>		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
TOTAL	8,627	1,249	14.5	1,971	147	7.5	6,116	1,223	20.0	8,443	2,226	26.4
D.C. CIRCUIT	115	18	15.7	30	0	0.0	84	17	20.2	82	14	17.1
District of Columbia	115	18	15.7	30	0	0.0	84	17	20.2	82	14	17.1
FIRST CIRCUIT	371	89	24.0	95	16	16.8	256	103	40.2	402	184	45.8
Maine	43	4	9.3	14	0	0.0	23	1	4.3	21	2	9.5
Massachusetts	197	60	30.5	38	12	31.6	129	70	54.3	222	117	52.7
New Hampshire	55	11	20.0	22	3	13.6	50	9	18.0	60	19	31.7
Puerto Rico	31	6	19.4	7	0	0.0	19	4	21.1	48	12	25.0
Rhode Island	45	8	17.8	14	1	7.1	35	19	54.3	51	34	66.7
SECOND CIRCUIT	459	124	27.0	90	22	24.4	357	139	38.9	418	201	48.1
Connecticut	80	37	46.3	32	10	31.3	103	43	41.7	68	38	55.9
New York												
Eastern	95	28	29.5	9	3	33.3	48	17	35.4	100	42	42.0
Northern	45	10	22.2	5	3	60.0	33	9	27.3	55	17	30.9
Southern	176	40	22.7	23	6	26.1	114	62	54.4	137	83	60.6
Western	42	1	2.4	8	0	0.0	45	3	6.7	41	10	24.4
Vermont	21	8	38.1	13	0	0.0	14	5	35.7	17	11	64.7
THIRD CIRCUIT	704	109	15.5	168	12	7.1	563	148	26.3	785	256	32.6
Delaware	23	2	8.7	0	0	0.0	7	3	42.9	14	6	42.9
New Jersey	205	30	14.6	25	2	8.0	130	37	28.5	167	47	28.1
Pennsylvania												
Eastern	276	44	15.9	68	4	5.9	189	48	25.4	267	77	28.8
Middle	105	10	9.5	42	1	2.4	139	19	13.7	190	43	22.6
Western	89	19	21.3	32	4	12.5	98	41	41.8	147	83	56.5
Virgin Islands	6	4	66.7	1	1	100.0	0	0	0.0	0	0	0.0
FOURTH CIRCUIT	1,362	104	7.6	306	12	3.9	1,052	143	13.6	1,584	316	19.9
Maryland	228	57	25.0	35	4	11.4	162	39	24.1	291	72	24.7
North Carolina												
Eastern	238	7	2.9	41	1	2.4	143	10	7.0	251	12	4.8
Middle	188	6	3.2	41	2	4.9	136	24	17.6	149	41	27.5
Western	179	12	6.7	31	0	0.0	114	11	9.6	132	14	10.6
South Carolina	257	8	3.1	73	2	2.7	207	17	8.2	320	42	13.1
Virginia												
Eastern	113	10	8.8	40	3	7.5	144	22	15.3	206	69	33.5
Western	81	3	3.7	23	0	0.0	82	7	8.5	92	26	28.3
West Virginia												
Northern	33	1	3.0	14	0	0.0	29	3	10.3	81	15	18.5
Southern	45	0	0.0	8	0	0.0	35	10	28.6	62	25	40.3

**Rate of Non-Government Sponsored Below Range Sentences by Circuit and District
Career Offenders (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	%
FIFTH CIRCUIT	805	115	14.3	196	7	3.6	473	53	11.2	660	117	17.7
Louisiana												
Eastern	45	7	15.6	8	1	12.5	30	2	6.7	52	14	26.9
Middle	7	1	14.3	0	0	0.0	11	0	0.0	12	0	0.0
Western	40	1	2.5	21	0	0.0	24	2	8.3	39	3	7.7
Mississippi												
Northern	29	1	3.4	7	1	14.3	7	0	0.0	11	2	18.2
Southern	34	2	5.9	7	0	0.0	19	3	15.8	8	1	12.5
Texas												
Eastern	135	23	17.0	26	1	3.8	94	6	6.4	117	13	11.1
Northern	109	14	12.8	31	1	3.2	69	10	14.5	88	13	14.8
Southern	185	32	17.3	34	2	5.9	80	14	17.5	125	39	31.2
Western	221	34	15.4	62	1	1.6	139	16	11.5	208	32	15.4
SIXTH CIRCUIT	836	76	9.1	197	6	3.0	720	110	15.3	1,085	244	22.5
Kentucky												
Eastern	61	1	1.6	10	0	0.0	75	8	10.7	123	7	5.7
Western	50	3	6.0	6	0	0.0	51	13	25.5	86	20	23.3
Michigan												
Eastern	118	17	14.4	24	1	4.2	74	13	17.6	134	42	31.3
Western	57	4	7.0	19	0	0.0	67	15	22.4	94	38	40.4
Ohio												
Northern	140	18	12.9	37	2	5.4	137	23	16.8	119	25	21.0
Southern	66	9	13.6	17	1	5.9	54	9	16.7	74	22	29.7
Tennessee												
Eastern	137	1	0.7	44	1	2.3	134	12	9.0	205	38	18.5
Middle	57	8	14.0	15	1	6.7	55	13	23.6	77	18	23.4
Western	150	15	10.0	25	0	0.0	73	4	5.5	173	34	19.7
SEVENTH CIRCUIT	488	27	5.5	167	7	4.2	425	63	14.8	630	171	27.1
Illinois												
Central	109	6	5.5	40	3	7.5	75	14	18.7	109	26	23.9
Northern	103	9	8.7	49	2	4.1	113	18	15.9	155	69	44.5
Southern	99	5	5.1	20	0	0.0	75	4	5.3	104	11	10.6
Indiana												
Northern	24	2	8.3	15	2	13.3	21	0	0.0	50	6	12.0
Southern	54	3	5.6	14	0	0.0	32	5	15.6	54	6	11.1
Wisconsin												
Eastern	72	2	2.8	13	0	0.0	61	16	26.2	98	27	27.6
Western	27	0	0.0	16	0	0.0	48	6	12.5	60	26	43.3
EIGHTH CIRCUIT	710	100	14.1	178	19	10.7	545	130	23.9	763	181	23.7
Arkansas												
Eastern	68	1	1.5	19	1	5.3	37	9	24.3	71	15	21.1
Western	32	2	6.3	9	0	0.0	13	1	7.7	43	12	27.9
Iowa												
Northern	77	10	13.0	35	0	0.0	60	4	6.7	77	10	13.0
Southern	91	19	20.9	16	1	6.3	60	17	28.3	126	20	15.9
Minnesota	95	34	35.8	18	4	22.2	86	20	23.3	89	36	40.4
Missouri												
Eastern	115	12	10.4	23	1	4.3	122	49	40.2	147	39	26.5
Western	125	5	4.0	23	2	8.7	69	8	11.6	88	19	21.6
Nebraska	59	8	13.6	24	8	33.3	51	16	31.4	63	22	34.9
North Dakota	25	3	12.0	3	0	0.0	24	1	4.2	35	2	5.7
South Dakota	23	6	26.1	8	2	25.0	23	5	21.7	24	6	25.0

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

CIRCUIT	<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	853	252	29.5	130	11	8.5	469	93	19.8	688	173	25.1
Alaska	14	3	21.4	7	0	0.0	11	3	27.3	15	5	33.3
Arizona	89	23	25.8	16	1	6.3	57	5	8.8	55	9	16.4
California												
Central	58	10	17.2	10	2	20.0	54	13	24.1	140	53	37.9
Eastern	94	12	12.8	12	1	8.3	52	4	7.7	56	13	23.2
Northern	83	33	39.8	10	1	10.0	46	14	30.4	83	20	24.1
Southern	202	104	51.5	16	1	6.3	46	7	15.2	72	15	20.8
Guam	1	0	0.0	0	0	0.0	3	0	0.0	1	0	0.0
Hawaii	44	11	25.0	4	0	0.0	23	9	39.1	15	7	46.7
Idaho	6	0	0.0	2	0	0.0	4	0	0.0	7	0	0.0
Montana	14	3	21.4	9	0	0.0	21	0	0.0	27	1	3.7
Nevada	51	7	13.7	13	0	0.0	26	5	19.2	31	9	29.0
Northern Mariana Islands	1	0	0.0	0	0	0.0	1	0	0.0	1	0	0.0
Oregon	114	23	20.2	20	4	20.0	57	19	33.3	88	21	23.9
Washington												
Eastern	22	4	18.2	6	0	0.0	20	6	30.0	27	10	37.0
Western	60	19	31.7	5	1	20.0	48	8	16.7	70	10	14.3
TENTH CIRCUIT	332	71	21.4	86	5	5.8	288	53	18.4	350	76	21.7
Colorado	50	10	20.0	13	0	0.0	45	9	20.0	36	6	16.7
Kansas	69	5	7.2	14	0	0.0	53	5	9.4	92	6	6.5
New Mexico	116	42	36.2	27	3	11.1	77	15	19.5	68	20	29.4
Oklahoma												
Eastern	14	3	21.4	2	0	0.0	9	2	22.2	15	4	26.7
Northern	25	5	20.0	6	0	0.0	21	1	4.8	24	2	8.3
Western	28	0	0.0	3	0	0.0	28	7	25.0	42	11	26.2
Utah	14	4	28.6	15	2	13.3	36	12	33.3	42	18	42.9
Wyoming	16	2	12.5	6	0	0.0	19	2	10.5	31	9	29.0
ELEVENTH CIRCUIT	1,592	164	10.3	328	30	9.1	884	171	19.3	996	293	29.4
Alabama												
Middle	16	1	6.3	1	0	0.0	10	2	20.0	13	4	30.8
Northern	55	0	0.0	7	0	0.0	30	3	10.0	48	6	12.5
Southern	34	2	5.9	4	0	0.0	15	1	6.7	33	7	21.2
Florida												
Middle	519	60	11.6	123	15	12.2	287	71	24.7	278	116	41.7
Northern	170	5	2.9	42	1	2.4	86	6	7.0	97	11	11.3
Southern	479	61	12.7	94	10	10.6	296	63	21.3	284	114	40.1
Georgia												
Middle	91	4	4.4	23	0	0.0	68	3	4.4	72	7	9.7
Northern	146	24	16.4	23	3	13.0	44	18	40.9	76	20	26.3
Southern	82	7	8.5	11	1	9.1	48	4	8.3	95	8	8.4

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
Career Offenders
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	8,647	218	180	1,974	220	187	6,125	226	184	8,444	225	172
D.C. CIRCUIT	117	208	132	30	258	137	84	252	149	82	236	98
District of Columbia	117	208	132	30	258	137	84	252	149	82	236	98
FIRST CIRCUIT	372	194	149	95	197	164	256	205	160	402	197	126
Maine	43	200	165	14	249	220	23	219	217	21	226	170
Massachusetts	197	192	138	38	186	151	129	213	153	222	199	119
New Hampshire	55	193	147	22	159	115	50	177	131	60	181	121
Puerto Rico	31	219	185	7	192	192	19	203	191	48	199	140
Rhode Island	46	184	162	14	238	205	35	203	168	51	190	129
SECOND CIRCUIT	461	215	138	91	212	149	360	228	135	418	234	129
Connecticut	82	228	157	33	211	133	104	233	129	68	231	123
New York												
Eastern	95	216	124	9	204	145	48	219	122	100	241	123
Northern	45	217	104	5	271	186	34	255	134	55	276	162
Southern	176	219	147	23	205	179	115	227	146	137	223	125
Western	42	189	140	8	234	166	45	212	148	41	216	144
Vermont	21	190	117	13	199	115	14	205	94	17	195	88
THIRD CIRCUIT	705	219	157	168	217	159	563	222	157	785	225	153
Delaware	23	207	196	0	0	0	7	267	221	14	255	115
New Jersey	205	191	145	25	191	130	130	210	129	167	208	147
Pennsylvania												
Eastern	276	259	167	68	259	169	189	269	184	267	285	175
Middle	105	184	146	42	178	159	139	168	124	190	161	130
Western	90	205	154	32	201	166	98	219	183	147	214	151
Virgin Islands	6	229	185	1	188	87	0	0	0	0	0	0
FOURTH CIRCUIT	1,363	234	201	307	234	209	1,053	239	207	1,584	235	197
Maryland	228	224	189	36	221	193	162	227	186	291	229	179
North Carolina												
Eastern	238	239	201	41	220	171	143	243	193	251	247	207
Middle	188	241	221	41	239	223	136	241	223	149	241	209
Western	179	264	186	31	284	223	114	281	222	132	254	215
South Carolina	258	224	198	73	249	220	207	245	219	320	256	206
Virginia												
Eastern	113	220	216	40	212	207	144	225	228	206	234	221
Western	81	241	192	23	222	221	82	243	200	92	232	185
West Virginia												
Northern	33	197	204	14	220	225	29	177	165	81	162	139
Southern	45	224	213	8	189	197	36	191	155	62	161	141

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 Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months
FIFTH CIRCUIT	806	193	167	196	200	186	474	205	187	660	201	173
Louisiana												
Eastern	46	225	205	8	242	220	30	226	179	52	235	206
Middle	7	136	145	0	0	0	11	261	233	12	234	217
Western	40	265	245	21	249	253	24	254	244	39	196	185
Mississippi												
Northern	29	244	203	7	272	282	7	228	239	11	206	181
Southern	34	228	203	7	211	227	19	240	235	8	180	160
Texas												
Eastern	135	174	155	26	168	159	95	188	168	117	199	173
Northern	109	195	179	31	191	197	69	226	225	88	225	220
Southern	185	188	150	34	193	162	80	187	166	125	179	149
Western	221	178	153	62	189	162	139	192	173	208	197	155
SIXTH CIRCUIT	836	222	184	197	233	195	722	234	185	1,085	223	166
Kentucky												
Eastern	61	229	180	10	245	142	75	245	185	123	218	147
Western	50	235	229	6	222	214	51	251	194	86	228	155
Michigan												
Eastern	118	205	154	24	214	205	74	228	179	134	220	168
Western	57	199	169	19	199	190	67	214	199	94	217	174
Ohio												
Northern	140	215	167	37	257	191	137	228	171	119	216	141
Southern	66	222	169	17	193	138	55	225	168	74	254	159
Tennessee												
Eastern	137	246	224	44	272	242	134	272	223	205	261	216
Middle	57	230	198	15	192	158	56	215	173	77	182	132
Western	150	216	182	25	224	190	73	202	154	173	194	153
SEVENTH CIRCUIT	490	227	208	167	217	198	425	230	210	631	231	194
Illinois												
Central	109	248	208	40	255	233	75	272	250	109	274	225
Northern	103	243	212	49	211	179	113	219	190	156	231	181
Southern	101	199	200	20	208	196	75	215	215	104	232	237
Indiana												
Northern	24	212	196	15	192	168	21	213	191	50	211	185
Southern	54	245	229	14	232	216	32	262	237	54	268	250
Wisconsin												
Eastern	72	221	206	13	187	174	61	219	182	98	184	116
Western	27	186	199	16	188	204	48	210	215	60	213	181
EIGHTH CIRCUIT	713	218	178	179	217	191	545	229	188	763	236	182
Arkansas												
Eastern	68	196	185	19	181	191	37	216	175	71	199	152
Western	32	217	198	9	180	141	13	177	146	43	231	198
Iowa												
Northern	78	232	196	35	267	249	60	276	257	77	259	235
Southern	91	255	199	16	244	213	60	297	234	126	298	229
Minnesota	97	208	156	18	188	119	86	208	161	89	226	149
Missouri												
Eastern	115	198	160	24	195	163	122	195	154	147	198	154
Western	125	219	169	23	221	188	69	234	204	88	236	171
Nebraska	59	223	185	24	239	217	51	214	179	63	216	178
North Dakota	25	215	185	3	102	118	24	288	205	35	314	209
South Dakota	23	207	195	8	177	163	23	201	179	24	161	127

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	858	182	149	130	187	167	470	205	155	688	203	145
Alaska	14	195	184	7	161	150	11	200	170	15	221	162
Arizona	89	196	145	16	150	109	57	201	138	55	160	126
California												
Central	58	207	192	10	183	161	55	232	189	140	219	158
Eastern	94	237	206	12	259	196	52	207	162	56	214	161
Northern	86	194	152	10	166	125	46	240	161	83	199	125
Southern	202	118	82	16	131	131	46	110	73	72	164	109
Guam	1	60	470	0	0	0	3	146	157	1	151	151
Hawaii	44	194	157	4	179	132	23	255	195	15	253	191
Idaho	6	262	207	2	340	340	4	233	187	7	279	215
Montana	14	205	171	9	236	276	21	295	291	27	233	217
Nevada	51	212	216	13	209	204	26	194	179	31	222	201
Northern Mariana Islands	1	188	120	0	0	0	1	271	289	1	188	90
Oregon	114	178	156	20	182	171	57	175	140	88	193	140
Washington												
Eastern	22	184	152	6	173	160	20	246	173	27	227	137
Western	62	207	143	5	232	173	48	192	108	70	206	116
TENTH CIRCUIT	334	200	174	86	197	169	288	203	162	350	211	160
Colorado	50	172	136	13	173	142	45	176	123	36	186	148
Kansas	69	192	179	14	181	161	53	190	165	92	203	145
New Mexico	116	192	157	27	179	139	77	194	132	68	194	131
Oklahoma												
Eastern	14	242	230	2	215	228	9	245	220	15	225	160
Northern	25	191	168	6	226	229	21	288	285	24	262	233
Western	28	261	238	3	215	173	28	208	192	42	196	165
Utah	16	235	205	15	202	177	36	208	143	42	221	171
Wyoming	16	222	209	6	311	289	19	207	195	31	254	205
ELEVENTH CIRCUIT	1,592	239	208	328	237	205	885	238	209	996	238	196
Alabama												
Middle	16	270	240	1	210	188	10	222	195	13	253	187
Northern	55	224	177	7	268	230	30	275	201	48	329	249
Southern	34	219	175	4	231	229	15	182	129	33	247	175
Florida												
Middle	519	232	196	123	221	191	287	228	191	278	236	188
Northern	170	299	261	42	320	223	86	307	264	97	309	222
Southern	479	241	217	94	227	212	297	246	224	284	226	195
Georgia												
Middle	91	211	189	23	207	189	68	191	181	72	191	179
Northern	146	223	191	23	236	224	44	233	201	76	251	215
Southern	82	217	201	11	223	188	48	194	194	95	178	168

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
Career Offenders**

District	Percent	Koon Period	
		(6/13/96 - 4/30/03)	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed
Northern Mariana Islands	100.0	1	1
New York, Northern	62.2	28	45
North Carolina, Western	57.0	102	179
Illinois, Central	56.9	62	109
Alabama, Northern	54.5	30	55
Pennsylvania, Eastern	53.3	147	276
Kentucky, Eastern	50.8	31	61
Ohio, Southern	50.0	33	66
Idaho	50.0	3	6
New Hampshire	49.1	27	55
Ohio, Northern	47.9	67	140
New York, Western	47.6	20	42
Missouri, Western	47.2	59	125
Michigan, Western	45.6	26	57
Mississippi, Northern	44.8	13	29
Maine	44.2	19	43
District of Columbia	43.5	50	115
Pennsylvania, Middle	42.9	45	105
Iowa, Northern	42.9	33	77
Louisiana, Middle	42.9	3	7
New York, Eastern	42.1	40	95
Alabama, Southern	41.2	14	34
New Jersey	41.0	84	205
Iowa, Southern	40.7	37	91
Virginia, Western	39.5	32	81
North Carolina, Eastern	39.5	94	238
Alabama, Middle	37.5	6	16
Missouri, Eastern	37.4	43	115
Georgia, Middle	37.4	34	91
Tennessee, Western	36.7	55	150
Michigan, Eastern	36.4	43	118
Florida, Middle	36.0	187	519
Colorado	36.0	18	50
Tennessee, Eastern	35.8	49	137
Florida, Northern	34.7	59	170
Vermont	33.3	7	21
Texas, Southern	33.0	61	185
Louisiana, Western	32.5	13	40
Mississippi, Southern	32.4	11	34
South Carolina	32.3	83	257
California, Eastern	31.9	30	94
Indiana, Southern	31.5	17	54

**Spread of Rates of Government Sponsored Below Range Sentences
Career Offenders (cont.)**

District	Percent	<i>Koon</i>	
		Period	
(6/13/96 - 4/30/03)			
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed
Arizona	31.5	28	89
Washington, Western	30.0	18	60
Tennessee, Middle	29.8	17	57
Hawaii	29.5	13	44
Montana	28.6	4	14
Arkansas, Western	28.1	9	32
North Dakota	28.0	7	25
Maryland	27.6	63	228
Texas, Western	27.6	61	221
Massachusetts	26.4	52	197
Delaware	26.1	6	23
North Carolina, Middle	26.1	49	188
Georgia, Northern	26.0	38	146
Pennsylvania, Western	25.8	23	89
Texas, Northern	25.7	28	109
Georgia, Southern	25.6	21	82
Illinois, Northern	25.2	26	103
Oklahoma, Western	25.0	7	28
Oregon	24.6	28	114
California, Southern	24.3	49	202
Nebraska	23.7	14	59
Minnesota	23.2	22	95
Wisconsin, Eastern	22.2	16	72
Kentucky, Western	22.0	11	50
Connecticut	21.3	17	80
Indiana, Northern	20.8	5	24
New York, Southern	20.5	36	176
Oklahoma, Northern	20.0	5	25
California, Northern	19.3	16	83
Kansas	18.8	13	69
Louisiana, Eastern	17.8	8	45
Florida, Southern	17.5	84	479
Arkansas, Eastern	16.2	11	68
Rhode Island	15.6	7	45
West Virginia, Southern	15.6	7	45
California, Central	15.5	9	58
Alaska	14.3	2	14
Washington, Eastern	13.6	3	22
Texas, Eastern	13.3	18	135
New Mexico	12.9	15	116
Puerto Rico	12.9	4	31
Wisconsin, Western	11.1	3	27
Illinois, Southern	8.1	8	99
Oklahoma, Eastern	7.1	1	14
Utah	7.1	1	14
Virginia, Eastern	6.2	7	113
West Virginia, Northern	6.1	2	33
Nevada	5.9	3	51
South Dakota	4.3	1	23
Wyoming	0.0	0	16
Virgin Islands	0.0	0	6
Guam	0.0	0	1

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

**Spread of Rates of Government Sponsored Below Range Sentences
Career Offenders**

District	Percent	PROTECT Act	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed
		Period	
		(5/1/03 - 6/24/04)	
Alabama, Middle	100.0	1	1
Kentucky, Eastern	80.0	8	10
Vermont	76.9	10	13
New York, Western	75.0	6	8
Arkansas, Western	66.7	6	9
New Hampshire	63.6	14	22
Washington, Western	60.0	3	5
Pennsylvania, Eastern	57.4	39	68
Florida, Northern	57.1	24	42
Maine	57.1	8	14
District of Columbia	56.7	17	30
North Carolina, Western	54.8	17	31
Colorado	53.8	7	13
New Jersey	52.0	13	25
Pennsylvania, Middle	50.0	21	42
Minnesota	50.0	9	18
California, Eastern	50.0	6	12
Hawaii	50.0	2	4
Alabama, Southern	50.0	2	4
North Carolina, Eastern	48.8	20	41
Ohio, Southern	47.1	8	17
Ohio, Northern	45.9	17	37
Arizona	43.8	7	16
California, Southern	43.8	7	16
Georgia, Middle	43.5	10	23
Illinois, Northern	40.8	20	49
Tennessee, Western	40.0	10	25
California, Northern	40.0	4	10
South Carolina	39.7	29	73
Missouri, Eastern	39.1	9	23
Iowa, Northern	37.1	13	35
New Mexico	37.0	10	27
Tennessee, Eastern	36.4	16	44
Georgia, Southern	36.4	4	11
Indiana, Southern	35.7	5	14
Kansas	35.7	5	14
Illinois, Central	35.0	14	40
Florida, Middle	35.0	43	123
Connecticut	34.4	11	32
Maryland	34.3	12	35
Tennessee, Middle	33.3	5	15
Indiana, Northern	33.3	5	15

**Spread of Rates of Government Sponsored Below Range Sentences
Career Offenders (cont.)**

District	PROTECT Act		
	Period		
	(5/1/03 - 6/24/04)		
Percent	Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed	
New York, Eastern	33.3	3	9
Kentucky, Western	33.3	2	6
Oklahoma, Western	33.3	1	3
Texas, Southern	32.4	11	34
Michigan, Western	31.6	6	19
Nevada	30.8	4	13
California, Central	30.0	3	10
Mississippi, Northern	28.6	2	7
Alabama, Northern	28.6	2	7
Texas, Western	27.4	17	62
Missouri, Western	26.1	6	23
Iowa, Southern	25.0	4	16
Louisiana, Eastern	25.0	2	8
North Carolina, Middle	24.4	10	41
Louisiana, Western	23.8	5	21
Wisconsin, Eastern	23.1	3	13
Pennsylvania, Western	21.9	7	32
Georgia, Northern	21.7	5	23
Rhode Island	21.4	3	14
Michigan, Eastern	20.8	5	24
Illinois, Southern	20.0	4	20
Utah	20.0	3	15
New York, Northern	20.0	1	5
Texas, Eastern	19.2	5	26
Washington, Eastern	16.7	1	6
Oklahoma, Northern	16.7	1	6
Wyoming	16.7	1	6
Florida, Southern	14.9	14	94
Puerto Rico	14.3	1	7
Mississippi, Southern	14.3	1	7
Alaska	14.3	1	7
Texas, Northern	12.9	4	31
Massachusetts	10.5	4	38
Oregon	10.0	2	20
Virginia, Eastern	7.5	3	40
West Virginia, Northern	7.1	1	14
Wisconsin, Western	6.3	1	16
New York, Southern	4.3	1	23
Virginia, Western	4.3	1	23
Nebraska	4.2	1	24
Arkansas, Eastern	0.0	0	19
Montana	0.0	0	9
West Virginia, Southern	0.0	0	8
South Dakota	0.0	0	8
North Dakota	0.0	0	3
Idaho	0.0	0	2
Oklahoma, Eastern	0.0	0	2
Virgin Islands	0.0	0	1

The following districts had no career offenders in the selected time period: Delaware, Middle Louisiana, Guam, and Northern Mariana Islands.

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

**Spread of Rates of Government Sponsored Below Range Sentences
Career Offenders**

District	Percent	Booker Period	
		(1/12/05 - 12/10/07)	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed
Idaho	75.0	3	4
California, Southern	73.9	34	46
Washington, Western	70.8	34	48
Arizona	68.4	39	57
New York, Western	64.4	29	45
New Hampshire	58.0	29	50
Pennsylvania, Middle	57.6	80	139
New Jersey	56.2	73	130
North Carolina, Eastern	55.9	80	143
New Mexico	55.8	43	77
Washington, Eastern	55.0	11	20
New York, Northern	54.5	18	33
Louisiana, Middle	54.5	6	11
Tennessee, Western	52.1	38	73
California, Eastern	51.9	27	52
District of Columbia	51.2	43	84
Ohio, Southern	50.0	27	54
California, Northern	50.0	23	46
North Dakota	50.0	12	24
Vermont	50.0	7	14
Ohio, Northern	48.9	67	137
Colorado	48.9	22	45
Kentucky, Eastern	48.0	36	75
Louisiana, Eastern	46.7	14	30
Connecticut	46.6	48	103
Tennessee, Eastern	44.0	59	134
North Carolina, Western	43.0	49	114
New York, Eastern	41.7	20	48
Pennsylvania, Eastern	41.3	78	189
Kentucky, Western	41.2	21	51
Alabama, Northern	40.0	12	30
Alabama, Southern	40.0	6	15
Michigan, Eastern	39.2	29	74
Hawaii	39.1	9	23
Utah	38.9	14	36
Arkansas, Western	38.5	5	13
Indiana, Northern	38.1	8	21
Montana	38.1	8	21
Virginia, Western	37.8	31	82
Indiana, Southern	37.5	12	32
Minnesota	37.2	32	86
Iowa, Southern	36.7	22	60

**Spread of Rates of Government Sponsored Below Range Sentences
Career Offenders (cont.)**

District	Percent	Booker Period (1/12/05 - 12/10/07)	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed
Georgia, Middle	35.3	24	68
Maryland	35.2	57	162
Florida, Northern	34.9	30	86
Wisconsin, Eastern	34.4	21	61
Florida, Middle	31.0	89	287
Kansas	30.2	16	53
Iowa, Northern	30.0	18	60
Alabama, Middle	30.0	3	10
South Carolina	30.0	62	207
Oregon	29.8	17	57
California, Central	29.6	16	54
Illinois, Central	29.3	22	75
Missouri, Western	27.5	19	69
Tennessee, Middle	27.3	15	55
Alaska	27.3	3	11
Arkansas, Eastern	27.0	10	37
Nevada	26.9	7	26
Michigan, Western	26.9	18	67
Texas, Western	25.9	36	139
Texas, Eastern	25.5	24	94
Illinois, Northern	24.8	28	113
West Virginia, Northern	24.1	7	29
Texas, Southern	23.8	19	80
Oklahoma, Eastern	22.2	2	9
Maine	21.7	5	23
Nebraska	21.6	11	51
Wyoming	21.1	4	19
New York, Southern	20.2	23	114
North Carolina, Middle	19.1	26	136
Missouri, Eastern	18.9	23	122
Texas, Northern	18.8	13	69
Massachusetts	18.6	24	129
Georgia, Southern	16.7	8	48
Georgia, Northern	15.9	7	44
Florida, Southern	15.9	47	296
Mississippi, Southern	15.8	3	19
Oklahoma, Northern	14.3	3	21
Delaware	14.3	1	7
Mississippi, Northern	14.3	1	7
South Dakota	13.0	3	23
Louisiana, Western	12.5	3	24
West Virginia, Southern	11.4	4	35
Puerto Rico	10.5	2	19
Wisconsin, Western	8.3	4	48
Pennsylvania, Western	7.1	7	98
Oklahoma, Western	7.1	2	28
Illinois, Southern	6.7	5	75
Rhode Island	5.7	2	35
Virginia, Eastern	1.4	2	144
Guam	0.0	0	3
Northern Mariana Islands	0.0	0	1

The following districts had no career offenders in the selected time period: Virgin Islands.

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

**Spread of Rates of Government Sponsored Below Range Sentences
Career Offenders**

District	Percent	<i>Gall</i> Period	
		(12/11/07 - 9/30/11)	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed
Northern Mariana Islands	100.0	1	1
Washington, Western	78.6	55	70
District of Columbia	78.0	64	82
Idaho	71.4	5	7
North Dakota	65.7	23	35
Maine	61.9	13	21
Ohio, Northern	61.3	73	119
California, Northern	60.2	50	83
Ohio, Southern	59.5	44	74
Kentucky, Eastern	59.3	73	123
New York, Western	58.5	24	41
California, Southern	58.3	42	72
Wisconsin, Eastern	58.2	57	98
Kentucky, Western	57.0	49	86
Washington, Eastern	55.6	15	27
North Carolina, Eastern	55.0	138	251
New York, Northern	52.7	29	55
Pennsylvania, Eastern	51.3	137	267
Kansas	51.1	47	92
Delaware	50.0	7	14
New Mexico	48.5	33	68
New Hampshire	46.7	28	60
Alaska	46.7	7	15
Iowa, Southern	46.0	58	126
Minnesota	44.9	40	89
Tennessee, Western	44.5	77	173
South Carolina	44.4	142	320
Alabama, Northern	43.8	21	48
Arizona	43.6	24	55
Maryland	43.3	126	291
Oregon	43.2	38	88
Tennessee, Middle	42.9	33	77
California, Eastern	42.9	24	56
Illinois, Central	42.2	46	109
Missouri, Western	42.0	37	88
Pennsylvania, Middle	41.6	79	190
North Carolina, Western	39.4	52	132
Alabama, Southern	39.4	13	33
New York, Eastern	39.0	39	100
Wyoming	38.7	12	31
California, Central	38.6	54	140
Alabama, Middle	38.5	5	13

**Spread of Rates of Government Sponsored Below Range Sentences
Career Offenders (cont.)**

District	Gall Period		
	(12/11/07 - 9/30/11)		
	Percent	Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed
Texas, Western	37.5	78	208
Florida, Northern	37.1	36	97
Indiana, Southern	37.0	20	54
Indiana, Northern	36.0	18	50
Puerto Rico	35.4	17	48
Vermont	35.3	6	17
Arkansas, Eastern	35.2	25	71
Massachusetts	35.1	78	222
Michigan, Eastern	35.1	47	134
Virginia, Western	34.8	32	92
New Jersey	34.7	58	167
Connecticut	33.8	23	68
Colorado	33.3	12	36
Louisiana, Middle	33.3	4	12
Arkansas, Western	32.6	14	43
Iowa, Northern	32.5	25	77
Texas, Eastern	31.6	37	117
Georgia, Northern	31.6	24	76
Missouri, Eastern	31.3	46	147
Utah	31.0	13	42
North Carolina, Middle	30.9	46	149
Michigan, Western	30.9	29	94
Tennessee, Eastern	30.7	63	205
Georgia, Southern	28.4	27	95
West Virginia, Northern	28.4	23	81
Mississippi, Northern	27.3	3	11
Hawaii	26.7	4	15
Georgia, Middle	26.4	19	72
Montana	25.9	7	27
Florida, Middle	25.9	72	278
Oklahoma, Northern	25.0	6	24
Texas, Northern	23.9	21	88
Illinois, Northern	21.9	34	155
Oklahoma, Western	21.4	9	42
New York, Southern	20.4	28	137
Oklahoma, Eastern	20.0	3	15
Texas, Southern	19.2	24	125
Nebraska	19.0	12	63
Pennsylvania, Western	18.4	27	147
Wisconsin, Western	18.3	11	60
Louisiana, Western	17.9	7	39
Louisiana, Eastern	17.3	9	52
Rhode Island	13.7	7	51
Florida, Southern	12.7	36	284
South Dakota	12.5	3	24
Mississippi, Southern	12.5	1	8
Nevada	9.7	3	31
West Virginia, Southern	6.5	4	62
Virginia, Eastern	4.4	9	206
Illinois, Southern	1.0	1	104
Guam	0.0	0	1

The following districts had no career offenders in the selected time period: Virgin Islands.

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

**Spread of Rates of §5K1.1 Substantial Assistance Sentences
Career Offenders**

Koon

Period

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

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Career Offender Sentences Imposed
Northern Mariana Islands	100.0	1	1
New York, Northern	62.2	28	45
Illinois, Central	56.9	62	109
North Carolina, Western	56.4	101	179
Alabama, Northern	54.5	30	55
Pennsylvania, Eastern	53.3	147	276
Kentucky, Eastern	50.8	31	61
Ohio, Southern	50.0	33	66
Idaho	50.0	3	6
New Hampshire	49.1	27	55
Ohio, Northern	47.9	67	140
New York, Western	47.6	20	42
Missouri, Western	47.2	59	125
Michigan, Western	45.6	26	57
Mississippi, Northern	44.8	13	29
Maine	44.2	19	43
Pennsylvania, Middle	42.9	45	105
Iowa, Northern	42.9	33	77
Louisiana, Middle	42.9	3	7
New York, Eastern	42.1	40	95
District of Columbia	41.7	48	115
Alabama, Southern	41.2	14	34
New Jersey	41.0	84	205
Iowa, Southern	40.7	37	91
North Carolina, Eastern	39.5	94	238
Virginia, Western	38.3	31	81
Alabama, Middle	37.5	6	16
Missouri, Eastern	37.4	43	115
Georgia, Middle	37.4	34	91
Tennessee, Western	36.7	55	150
Michigan, Eastern	36.4	43	118
Florida, Middle	36.0	187	519
Colorado	36.0	18	50
Tennessee, Eastern	35.8	49	137
Florida, Northern	34.7	59	170
Vermont	33.3	7	21
Texas, Southern	33.0	61	185
Louisiana, Western	32.5	13	40
Mississippi, Southern	32.4	11	34
South Carolina	32.3	83	257
California, Eastern	30.9	29	94
Tennessee, Middle	29.8	17	57

**Spread of Rates of §5K1.1 Substantial Assistance Sentences
Career Offenders (cont.)**

Koon

Period

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

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Career Offender Sentences Imposed
Indiana, Southern	29.6	16	54
Hawaii	29.5	13	44
Montana	28.6	4	14
Washington, Western	28.3	17	60
Arkansas, Western	28.1	9	32
Maryland	27.6	63	228
Texas, Western	27.1	60	221
Arizona	27.0	24	89
Massachusetts	26.4	52	197
Delaware	26.1	6	23
North Carolina, Middle	26.1	49	188
Georgia, Northern	26.0	38	146
Pennsylvania, Western	25.8	23	89
Georgia, Southern	25.6	21	82
Illinois, Northern	25.2	26	103
Oklahoma, Western	25.0	7	28
Texas, Northern	24.8	27	109
North Dakota	24.0	6	25
Nebraska	23.7	14	59
Oregon	23.7	27	114
Minnesota	23.2	22	95
Wisconsin, Eastern	22.2	16	72
Kentucky, Western	22.0	11	50
California, Southern	21.3	43	202
Connecticut	21.3	17	80
Indiana, Northern	20.8	5	24
New York, Southern	20.5	36	176
Oklahoma, Northern	20.0	5	25
Kansas	18.8	13	69
Louisiana, Eastern	17.8	8	45
Florida, Southern	17.5	84	479
Arkansas, Eastern	16.2	11	68
Rhode Island	15.6	7	45
West Virginia, Southern	15.6	7	45
California, Central	15.5	9	58
California, Northern	14.5	12	83
Alaska	14.3	2	14
Washington, Eastern	13.6	3	22
Texas, Eastern	13.3	18	135
Puerto Rico	12.9	4	31
Wisconsin, Western	11.1	3	27
New Mexico	10.3	12	116
Illinois, Southern	8.1	8	99
Oklahoma, Eastern	7.1	1	14
Utah	7.1	1	14
Virginia, Eastern	6.2	7	113
West Virginia, Northern	6.1	2	33
Nevada	5.9	3	51
South Dakota	4.3	1	23
Wyoming	0.0	0	16
Virgin Islands	0.0	0	6
Guam	0.0	0	1

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

**Spread of Rates of §5K1.1 Substantial Assistance Sentences
Career Offenders**

PROTECT Act

Period

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

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Career Offender Sentences Imposed
Alabama, Middle	100.0	1	1
Kentucky, Eastern	80.0	8	10
Vermont	76.9	10	13
New York, Western	75.0	6	8
Arkansas, Western	66.7	6	9
Washington, Western	60.0	3	5
New Hampshire	59.1	13	22
Florida, Northern	57.1	24	42
Maine	57.1	8	14
North Carolina, Western	54.8	17	31
Pennsylvania, Eastern	54.4	37	68
Colorado	53.8	7	13
New Jersey	52.0	13	25
California, Eastern	50.0	6	12
Hawaii	50.0	2	4
Alabama, Southern	50.0	2	4
North Carolina, Eastern	48.8	20	41
Ohio, Southern	47.1	8	17
District of Columbia	46.7	14	30
Ohio, Northern	45.9	17	37
Pennsylvania, Middle	45.2	19	42
Minnesota	44.4	8	18
Georgia, Middle	43.5	10	23
Tennessee, Western	40.0	10	25
California, Northern	40.0	4	10
South Carolina	39.7	29	73
Missouri, Eastern	39.1	9	23
Illinois, Northern	38.8	19	49
Iowa, Northern	37.1	13	35
Tennessee, Eastern	36.4	16	44
Georgia, Southern	36.4	4	11
Kansas	35.7	5	14
Illinois, Central	35.0	14	40
Florida, Middle	35.0	43	123
Maryland	34.3	12	35
Tennessee, Middle	33.3	5	15
Indiana, Northern	33.3	5	15
Kentucky, Western	33.3	2	6
Oklahoma, Western	33.3	1	3
Texas, Southern	32.4	11	34
Michigan, Western	31.6	6	19
Connecticut	31.3	10	32

**Spread of Rates of §5K1.1 Substantial Assistance Sentences
Career Offenders (cont.)**

PROTECT Act

Period

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

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Career Offender Sentences Imposed
Nevada	30.8	4	13
Mississippi, Northern	28.6	2	7
Alabama, Northern	28.6	2	7
Missouri, Western	26.1	6	23
New Mexico	25.9	7	27
Texas, Western	25.8	16	62
Iowa, Southern	25.0	4	16
Louisiana, Eastern	25.0	2	8
North Carolina, Middle	24.4	10	41
Louisiana, Western	23.8	5	21
Wisconsin, Eastern	23.1	3	13
New York, Eastern	22.2	2	9
Pennsylvania, Western	21.9	7	32
Georgia, Northern	21.7	5	23
Rhode Island	21.4	3	14
Indiana, Southern	21.4	3	14
Michigan, Eastern	20.8	5	24
Illinois, Southern	20.0	4	20
California, Central	20.0	2	10
New York, Northern	20.0	1	5
Texas, Eastern	19.2	5	26
Arizona	18.8	3	16
Washington, Eastern	16.7	1	6
Oklahoma, Northern	16.7	1	6
Wyoming	16.7	1	6
Mississippi, Southern	14.3	1	7
Alaska	14.3	1	7
Florida, Southern	13.8	13	94
Utah	13.3	2	15
Texas, Northern	12.9	4	31
Massachusetts	10.5	4	38
Oregon	10.0	2	20
Virginia, Eastern	7.5	3	40
West Virginia, Northern	7.1	1	14
Wisconsin, Western	6.3	1	16
New York, Southern	4.3	1	23
Virginia, Western	4.3	1	23
Nebraska	0.0	0	24
Arkansas, Eastern	0.0	0	19
California, Southern	0.0	0	16
Montana	0.0	0	9
West Virginia, Southern	0.0	0	8
South Dakota	0.0	0	8
Puerto Rico	0.0	0	7
North Dakota	0.0	0	3
Idaho	0.0	0	2
Oklahoma, Eastern	0.0	0	2
Virgin Islands	0.0	0	1

The following districts had no career offenders in the selected time period: Delaware, Middle Louisiana, Guam, and Northern Mariana Islands.

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

**Spread of Rates of §5K1.1 Substantial Assistance Sentences
Career Offenders**

<i>Booker</i>			
Period			
(1/12/05 - 12/10/07)			
District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Career Offender Sentences Imposed
Idaho	75.0	3	4
New York, Western	57.8	26	45
New Jersey	56.2	73	130
North Carolina, Eastern	55.9	80	143
Louisiana, Middle	54.5	6	11
New York, Northern	51.5	17	33
Vermont	50.0	7	14
Kentucky, Eastern	48.0	36	75
California, Eastern	46.2	24	52
Pennsylvania, Middle	46.0	64	139
North Dakota	45.8	11	24
Connecticut	45.6	47	103
Ohio, Southern	44.4	24	54
Colorado	44.4	20	45
Tennessee, Eastern	44.0	59	134
Tennessee, Western	43.8	32	73
Ohio, Northern	43.1	59	137
North Carolina, Western	42.1	48	114
New Hampshire	42.0	21	50
Alabama, Northern	40.0	12	30
Alabama, Southern	40.0	6	15
Hawaii	39.1	9	23
Arkansas, Western	38.5	5	13
Montana	38.1	8	21
New York, Eastern	37.5	18	48
Louisiana, Eastern	36.7	11	30
Virginia, Western	36.6	30	82
Pennsylvania, Eastern	35.4	67	189
Washington, Eastern	35.0	7	20
Florida, Northern	34.9	30	86
District of Columbia	34.5	29	84
Michigan, Eastern	33.8	25	74
Iowa, Southern	33.3	20	60
Washington, Western	33.3	16	48
Indiana, Northern	33.3	7	21
Minnesota	32.6	28	86
Georgia, Middle	30.9	21	68
Florida, Middle	30.7	88	287
Maryland	30.2	49	162
Alabama, Middle	30.0	3	10
Arizona	29.8	17	57
Iowa, Northern	28.3	17	60

**Spread of Rates of §5K1.1 Substantial Assistance Sentences
Career Offenders (cont.)**

Booker

Period

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

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Career Offender Sentences Imposed
California, Northern	28.3	13	46
Illinois, Central	28.0	21	75
Wisconsin, Eastern	27.9	17	61
Alaska	27.3	3	11
Michigan, Western	26.9	18	67
South Carolina	26.6	55	207
Tennessee, Middle	25.5	14	55
Indiana, Southern	25.0	8	32
Missouri, Western	24.6	17	69
Arkansas, Eastern	24.3	9	37
Kentucky, Western	23.5	12	51
Oklahoma, Eastern	22.2	2	9
Maine	21.7	5	23
Illinois, Northern	21.2	24	113
Texas, Western	20.9	29	139
Kansas	20.8	11	53
West Virginia, Northern	20.7	6	29
California, Central	20.4	11	54
North Carolina, Middle	18.4	25	136
Oregon	17.5	10	57
Texas, Northern	17.4	12	69
Texas, Eastern	17.0	16	94
Georgia, Southern	16.7	8	48
Utah	16.7	6	36
New York, Southern	15.8	18	114
Mississippi, Southern	15.8	3	19
California, Southern	15.2	7	46
Texas, Southern	15.0	12	80
Florida, Southern	14.9	44	296
Missouri, Eastern	14.8	18	122
Oklahoma, Northern	14.3	3	21
Delaware	14.3	1	7
Mississippi, Northern	14.3	1	7
Massachusetts	14.0	18	129
Georgia, Northern	13.6	6	44
South Dakota	13.0	3	23
New Mexico	13.0	10	77
Louisiana, Western	12.5	3	24
Wyoming	10.5	2	19
West Virginia, Southern	8.6	3	35
Wisconsin, Western	8.3	4	48
Nevada	7.7	2	26
Pennsylvania, Western	7.1	7	98
Oklahoma, Western	7.1	2	28
Illinois, Southern	5.3	4	75
Puerto Rico	5.3	1	19
Rhode Island	2.9	1	35
Nebraska	2.0	1	51
Virginia, Eastern	1.4	2	144
Guam	0.0	0	3
Northern Mariana Islands	0.0	0	1

The following districts had no career offenders in the selected time period: Virgin Islands.

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

**Spread of Rates of §5K1.1 Substantial Assistance Sentences
Career Offenders**

Gall
Period

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

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Career Offender Sentences Imposed
Northern Mariana Islands	100.0	1	1
Idaho	71.4	5	7
North Dakota	62.9	22	35
Maine	61.9	13	21
New York, Western	58.5	24	41
Kentucky, Eastern	56.9	70	123
North Carolina, Eastern	54.6	137	251
Delaware	50.0	7	14
Ohio, Northern	48.7	58	119
Ohio, Southern	47.3	35	74
New York, Northern	45.5	25	55
Pennsylvania, Eastern	44.2	118	267
District of Columbia	43.9	36	82
Minnesota	43.8	39	89
Alabama, Northern	43.8	21	48
Illinois, Central	41.3	45	109
Alabama, Southern	39.4	13	33
South Carolina	39.1	125	320
Wisconsin, Eastern	38.8	38	98
North Carolina, Western	38.6	51	132
Alabama, Middle	38.5	5	13
Tennessee, Western	37.6	65	173
Florida, Northern	37.1	36	97
New York, Eastern	37.0	37	100
Iowa, Southern	36.5	46	126
Louisiana, Middle	33.3	4	12
Arkansas, Western	32.6	14	43
New Jersey	31.7	53	167
Kansas	31.5	29	92
Tennessee, Eastern	30.2	62	205
North Carolina, Middle	30.2	45	149
Indiana, Northern	30.0	15	50
Tennessee, Middle	29.9	23	77
Iowa, Northern	29.9	23	77
Michigan, Western	29.8	28	94
Kentucky, Western	29.1	25	86
California, Eastern	28.6	16	56
Michigan, Eastern	28.4	38	134
Arkansas, Eastern	28.2	20	71
Texas, Western	27.4	57	208
Mississippi, Northern	27.3	3	11
Hawaii	26.7	4	15

**Spread of Rates of §5K1.1 Substantial Assistance Sentences
Career Offenders (cont.)**

Gall

Period

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

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Career Offender Sentences Imposed
Connecticut	26.5	18	68
Missouri, Western	26.1	23	88
Maryland	25.4	74	291
Georgia, Southern	25.3	24	95
Florida, Middle	25.2	70	278
Oregon	25.0	22	88
Colorado	25.0	9	36
Oklahoma, Northern	25.0	6	24
Texas, Northern	23.9	21	88
Pennsylvania, Middle	23.7	45	190
California, Southern	23.6	17	72
Georgia, Middle	23.6	17	72
Virginia, Western	22.8	21	92
Wyoming	22.6	7	31
Missouri, Eastern	22.4	33	147
Montana	22.2	6	27
Oklahoma, Western	21.4	9	42
Illinois, Northern	21.3	33	155
Washington, Western	20.0	14	70
New Hampshire	20.0	12	60
Oklahoma, Eastern	20.0	3	15
Washington, Eastern	18.5	5	27
Wisconsin, Western	18.3	11	60
Louisiana, Western	17.9	7	39
Vermont	17.6	3	17
California, Northern	16.9	14	83
Texas, Southern	16.8	21	125
New York, Southern	16.1	22	137
Georgia, Northern	14.5	11	76
Pennsylvania, Western	14.3	21	147
California, Central	14.3	20	140
Louisiana, Eastern	13.5	7	52
Alaska	13.3	2	15
Texas, Eastern	12.8	15	117
Arizona	12.7	7	55
Massachusetts	12.6	28	222
Mississippi, Southern	12.5	1	8
Utah	11.9	5	42
Florida, Southern	9.9	28	284
West Virginia, Northern	8.6	7	81
Rhode Island	7.8	4	51
New Mexico	7.4	5	68
West Virginia, Southern	6.5	4	62
Nebraska	6.3	4	63
Puerto Rico	6.3	3	48
South Dakota	4.2	1	24
Indiana, Southern	3.7	2	54
Nevada	3.2	1	31
Virginia, Eastern	2.9	6	206
Illinois, Southern	1.0	1	104
Guam	0.0	0	1

The following districts had no career offenders in the selected time period: Virgin Islands.

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

**Spread of Rates of Other Government Sponsored Below Range Sentences
Career Offenders**

District	Percent	PROTECT Act	
		Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed
		Period	
		(5/1/03 - 6/24/04)	
Arizona	25.0	4	16
California, Southern	25.0	4	16
Indiana, Southern	14.3	2	14
Puerto Rico	14.3	1	7
New Mexico	11.1	3	27
New York, Eastern	11.1	1	9
District of Columbia	10.0	3	30
California, Central	10.0	1	10
Utah	6.7	1	15
Minnesota	5.6	1	18
New Hampshire	4.5	1	22
Nebraska	4.2	1	24
Connecticut	3.1	1	32
Pennsylvania, Eastern	2.9	2	68
Pennsylvania, Middle	2.4	1	42
Illinois, Northern	2.0	1	49
Texas, Western	1.6	1	62
Florida, Southern	1.1	1	94
Florida, Middle	0.0	0	123
South Carolina	0.0	0	73
Tennessee, Eastern	0.0	0	44
Florida, Northern	0.0	0	42
North Carolina, Eastern	0.0	0	41
North Carolina, Middle	0.0	0	41
Virginia, Eastern	0.0	0	40
Illinois, Central	0.0	0	40
Massachusetts	0.0	0	38
Ohio, Northern	0.0	0	37
Maryland	0.0	0	35
Iowa, Northern	0.0	0	35
Texas, Southern	0.0	0	34
Pennsylvania, Western	0.0	0	32
North Carolina, Western	0.0	0	31
Texas, Northern	0.0	0	31
Texas, Eastern	0.0	0	26
New Jersey	0.0	0	25
Tennessee, Western	0.0	0	25
Michigan, Eastern	0.0	0	24
New York, Southern	0.0	0	23
Virginia, Western	0.0	0	23
Missouri, Eastern	0.0	0	23
Missouri, Western	0.0	0	23

**Spread of Rates of Other Government Sponsored Below Range Sentences
Career Offenders (cont.)**

PROTECT Act				
Period				
(5/1/03 - 6/24/04)				
District	Percent	Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed	
Georgia, Middle	0.0	0		23
Georgia, Northern	0.0	0		23
Louisiana, Western	0.0	0		21
Illinois, Southern	0.0	0		20
Oregon	0.0	0		20
Michigan, Western	0.0	0		19
Arkansas, Eastern	0.0	0		19
Ohio, Southern	0.0	0		17
Wisconsin, Western	0.0	0		16
Iowa, Southern	0.0	0		16
Tennessee, Middle	0.0	0		15
Indiana, Northern	0.0	0		15
Maine	0.0	0		14
Rhode Island	0.0	0		14
West Virginia, Northern	0.0	0		14
Kansas	0.0	0		14
Vermont	0.0	0		13
Wisconsin, Eastern	0.0	0		13
Nevada	0.0	0		13
Colorado	0.0	0		13
California, Eastern	0.0	0		12
Georgia, Southern	0.0	0		11
Kentucky, Eastern	0.0	0		10
California, Northern	0.0	0		10
Arkansas, Western	0.0	0		9
Montana	0.0	0		9
New York, Western	0.0	0		8
West Virginia, Southern	0.0	0		8
Louisiana, Eastern	0.0	0		8
South Dakota	0.0	0		8
Mississippi, Northern	0.0	0		7
Mississippi, Southern	0.0	0		7
Alaska	0.0	0		7
Alabama, Northern	0.0	0		7
Kentucky, Western	0.0	0		6
Washington, Eastern	0.0	0		6
Oklahoma, Northern	0.0	0		6
Wyoming	0.0	0		6
New York, Northern	0.0	0		5
Washington, Western	0.0	0		5
Hawaii	0.0	0		4
Alabama, Southern	0.0	0		4
North Dakota	0.0	0		3
Oklahoma, Western	0.0	0		3
Idaho	0.0	0		2
Oklahoma, Eastern	0.0	0		2
Virgin Islands	0.0	0		1
Alabama, Middle	0.0	0		1

The following districts had no career offenders in the selected time period: Delaware, Middle Louisiana, Guam, and Northern Mariana Islands.

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

**Spread of Rates of Other Government Sponsored Below Range Sentences
Career Offenders**

District	Percent	Booker Period	
		(1/12/05 - 12/10/07)	
		Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed
New Mexico	41.6	32	77
Washington, Western	37.5	18	48
Utah	22.2	8	36
Washington, Eastern	20.0	4	20
Nebraska	19.6	10	51
California, Northern	19.6	9	46
Arizona	19.3	11	57
Nevada	19.2	5	26
Kentucky, Western	17.6	9	51
District of Columbia	16.7	14	84
New Hampshire	16.0	8	50
Indiana, Southern	12.5	4	32
Oregon	12.3	7	57
Pennsylvania, Middle	11.5	16	139
Wyoming	10.5	2	19
Louisiana, Eastern	10.0	3	30
Kansas	9.4	5	53
California, Central	9.3	5	54
Texas, Southern	8.8	7	80
Texas, Eastern	8.5	8	94
Tennessee, Western	8.2	6	73
New York, Western	6.7	3	45
Wisconsin, Eastern	6.6	4	61
California, Southern	6.5	3	46
Ohio, Northern	5.8	8	137
Pennsylvania, Eastern	5.8	11	189
California, Eastern	5.8	3	52
Ohio, Southern	5.6	3	54
Michigan, Eastern	5.4	4	74
Puerto Rico	5.3	1	19
Texas, Western	5.0	7	139
Maryland	4.9	8	162
Indiana, Northern	4.8	1	21
Massachusetts	4.7	6	129
Minnesota	4.7	4	86
Colorado	4.4	2	45
Georgia, Middle	4.4	3	68
New York, Southern	4.4	5	114
New York, Eastern	4.2	2	48
North Dakota	4.2	1	24
Missouri, Eastern	4.1	5	122
Illinois, Northern	3.5	4	113

**Spread of Rates of Other Government Sponsored Below Range Sentences
Career Offenders (cont.)**

<i>Booker</i>				
Period				
(1/12/05 - 12/10/07)				
District	Percent	Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed	
West Virginia, Northern	3.4	1	29	
South Carolina	3.4	7	207	
Iowa, Southern	3.3	2	60	
New York, Northern	3.0	1	33	
Missouri, Western	2.9	2	69	
Rhode Island	2.9	1	35	
West Virginia, Southern	2.9	1	35	
Arkansas, Eastern	2.7	1	37	
Georgia, Northern	2.3	1	44	
Tennessee, Middle	1.8	1	55	
Iowa, Northern	1.7	1	60	
Texas, Northern	1.4	1	69	
Illinois, Central	1.3	1	75	
Illinois, Southern	1.3	1	75	
Virginia, Western	1.2	1	82	
Florida, Southern	1.0	3	296	
Connecticut	1.0	1	103	
North Carolina, Western	0.9	1	114	
North Carolina, Middle	0.7	1	136	
Florida, Middle	0.3	1	287	
Virginia, Eastern	0.0	0	144	
North Carolina, Eastern	0.0	0	143	
Tennessee, Eastern	0.0	0	134	
New Jersey	0.0	0	130	
Pennsylvania, Western	0.0	0	98	
Florida, Northern	0.0	0	86	
Kentucky, Eastern	0.0	0	75	
Michigan, Western	0.0	0	67	
Wisconsin, Western	0.0	0	48	
Georgia, Southern	0.0	0	48	
Alabama, Northern	0.0	0	30	
Oklahoma, Western	0.0	0	28	
Louisiana, Western	0.0	0	24	
Maine	0.0	0	23	
South Dakota	0.0	0	23	
Hawaii	0.0	0	23	
Montana	0.0	0	21	
Oklahoma, Northern	0.0	0	21	
Mississippi, Southern	0.0	0	19	
Alabama, Southern	0.0	0	15	
Vermont	0.0	0	14	
Arkansas, Western	0.0	0	13	
Louisiana, Middle	0.0	0	11	
Alaska	0.0	0	11	
Alabama, Middle	0.0	0	10	
Oklahoma, Eastern	0.0	0	9	
Delaware	0.0	0	7	
Mississippi, Northern	0.0	0	7	
Idaho	0.0	0	4	
Guam	0.0	0	3	
Northern Mariana Islands	0.0	0	1	

The following districts had no career offenders in the selected time period: Virgin Islands.

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

**Spread of Rates of Other Government Sponsored Below Range Sentences
Career Offenders**

District	Percent	<i>Gall</i> Period	
		(12/11/07 - 9/30/11)	
		Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed
Washington, Western	58.6	41	70
California, Northern	43.4	36	83
New Mexico	38.2	26	68
Washington, Eastern	37.0	10	27
District of Columbia	34.1	28	82
Indiana, Southern	33.3	18	54
Alaska	33.3	5	15
Puerto Rico	29.2	14	48
Kentucky, Western	27.9	24	86
New Hampshire	26.7	16	60
California, Central	24.3	34	140
Massachusetts	22.5	50	222
West Virginia, Northern	19.8	16	81
Kansas	19.6	18	92
Wisconsin, Eastern	19.4	19	98
Utah	19.0	8	42
Texas, Eastern	18.8	22	117
Oregon	18.2	16	88
Pennsylvania, Middle	17.9	34	190
Maryland	17.9	52	291
Vermont	17.6	3	17
Georgia, Northern	17.1	13	76
Arizona	16.4	9	55
Wyoming	16.1	5	31
Missouri, Western	15.9	14	88
Tennessee, Middle	13.0	10	77
Nebraska	12.7	8	63
Ohio, Northern	12.6	15	119
California, Eastern	12.5	7	56
Ohio, Southern	12.2	9	74
Virginia, Western	12.0	11	92
Texas, Western	10.1	21	208
Iowa, Southern	9.5	12	126
Missouri, Eastern	8.8	13	147
Colorado	8.3	3	36
South Dakota	8.3	2	24
Connecticut	7.4	5	68
New York, Northern	7.3	4	55
Pennsylvania, Eastern	7.1	19	267
Arkansas, Eastern	7.0	5	71
California, Southern	6.9	5	72
Tennessee, Western	6.9	12	173

**Spread of Rates of Other Government Sponsored Below Range Sentences
Career Offenders (cont.)**

District	Gall Period		
	(12/11/07 - 9/30/11)		
	Percent	Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed
Michigan, Eastern	6.7	9	134
Nevada	6.5	2	31
Indiana, Northern	6.0	3	50
Rhode Island	5.9	3	51
South Carolina	5.3	17	320
New York, Southern	4.4	6	137
Pennsylvania, Western	4.1	6	147
Louisiana, Eastern	3.8	2	52
Montana	3.7	1	27
Georgia, Southern	3.2	3	95
New Jersey	3.0	5	167
North Dakota	2.9	1	35
Florida, Southern	2.8	8	284
Georgia, Middle	2.8	2	72
Iowa, Northern	2.6	2	77
Kentucky, Eastern	2.4	3	123
Texas, Southern	2.4	3	125
New York, Eastern	2.0	2	100
Virginia, Eastern	1.5	3	206
Minnesota	1.1	1	89
Michigan, Western	1.1	1	94
Illinois, Central	0.9	1	109
North Carolina, Western	0.8	1	132
Florida, Middle	0.7	2	278
North Carolina, Middle	0.7	1	149
Illinois, Northern	0.6	1	155
Tennessee, Eastern	0.5	1	205
North Carolina, Eastern	0.4	1	251
Illinois, Southern	0.0	0	104
Florida, Northern	0.0	0	97
Texas, Northern	0.0	0	88
West Virginia, Southern	0.0	0	62
Wisconsin, Western	0.0	0	60
Alabama, Northern	0.0	0	48
Arkansas, Western	0.0	0	43
Oklahoma, Western	0.0	0	42
New York, Western	0.0	0	41
Louisiana, Western	0.0	0	39
Alabama, Southern	0.0	0	33
Oklahoma, Northern	0.0	0	24
Maine	0.0	0	21
Hawaii	0.0	0	15
Oklahoma, Eastern	0.0	0	15
Delaware	0.0	0	14
Alabama, Middle	0.0	0	13
Louisiana, Middle	0.0	0	12
Mississippi, Northern	0.0	0	11
Mississippi, Southern	0.0	0	8
Idaho	0.0	0	7
Guam	0.0	0	1
Northern Mariana Islands	0.0	0	1

The following districts had no career offenders in the selected time period: Virgin Islands.

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

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Career Offenders**

District	Percent	<i>Koon</i>	
		Period	
(6/13/96 - 4/30/03)			
		Number of Non- Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed
Virgin Islands	66.7	4	6
California, Southern	51.5	104	202
Connecticut	46.3	37	80
California, Northern	39.8	33	83
Vermont	38.1	8	21
New Mexico	36.2	42	116
Minnesota	35.8	34	95
Washington, Western	31.7	19	60
Massachusetts	30.5	60	197
New York, Eastern	29.5	28	95
Utah	28.6	4	14
South Dakota	26.1	6	23
Arizona	25.8	23	89
Maryland	25.0	57	228
Hawaii	25.0	11	44
New York, Southern	22.7	40	176
New York, Northern	22.2	10	45
Alaska	21.4	3	14
Montana	21.4	3	14
Oklahoma, Eastern	21.4	3	14
Pennsylvania, Western	21.3	19	89
Iowa, Southern	20.9	19	91
Oregon	20.2	23	114
New Hampshire	20.0	11	55
Colorado	20.0	10	50
Oklahoma, Northern	20.0	5	25
Puerto Rico	19.4	6	31
Washington, Eastern	18.2	4	22
Rhode Island	17.8	8	45
Texas, Southern	17.3	32	185
California, Central	17.2	10	58
Texas, Eastern	17.0	23	135
Georgia, Northern	16.4	24	146
Pennsylvania, Eastern	15.9	44	276
District of Columbia	15.7	18	115
Louisiana, Eastern	15.6	7	45
Texas, Western	15.4	34	221
New Jersey	14.6	30	205
Michigan, Eastern	14.4	17	118
Louisiana, Middle	14.3	1	7
Tennessee, Middle	14.0	8	57
Nevada	13.7	7	51

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Career Offenders (cont.)**

District	<i>Koon</i>			
	Period			
	(6/13/96 - 4/30/03)			
Percent	Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed		
Ohio, Southern	13.6	9	66	
Nebraska	13.6	8	59	
Iowa, Northern	13.0	10	77	
Ohio, Northern	12.9	18	140	
Texas, Northern	12.8	14	109	
California, Eastern	12.8	12	94	
Florida, Southern	12.7	61	479	
Wyoming	12.5	2	16	
North Dakota	12.0	3	25	
Florida, Middle	11.6	60	519	
Missouri, Eastern	10.4	12	115	
Tennessee, Western	10.0	15	150	
Pennsylvania, Middle	9.5	10	105	
Maine	9.3	4	43	
Virginia, Eastern	8.8	10	113	
Illinois, Northern	8.7	9	103	
Delaware	8.7	2	23	
Georgia, Southern	8.5	7	82	
Indiana, Northern	8.3	2	24	
Kansas	7.2	5	69	
Michigan, Western	7.0	4	57	
North Carolina, Western	6.7	12	179	
Arkansas, Western	6.3	2	32	
Alabama, Middle	6.3	1	16	
Kentucky, Western	6.0	3	50	
Mississippi, Southern	5.9	2	34	
Alabama, Southern	5.9	2	34	
Indiana, Southern	5.6	3	54	
Illinois, Central	5.5	6	109	
Illinois, Southern	5.1	5	99	
Georgia, Middle	4.4	4	91	
Missouri, Western	4.0	5	125	
Virginia, Western	3.7	3	81	
Mississippi, Northern	3.4	1	29	
North Carolina, Middle	3.2	6	188	
South Carolina	3.1	8	257	
West Virginia, Northern	3.0	1	33	
North Carolina, Eastern	2.9	7	238	
Florida, Northern	2.9	5	170	
Wisconsin, Eastern	2.8	2	72	
Louisiana, Western	2.5	1	40	
New York, Western	2.4	1	42	
Kentucky, Eastern	1.6	1	61	
Arkansas, Eastern	1.5	1	68	
Tennessee, Eastern	0.7	1	137	
Alabama, Northern	0.0	0	55	
West Virginia, Southern	0.0	0	45	
Oklahoma, Western	0.0	0	28	
Wisconsin, Western	0.0	0	27	
Idaho	0.0	0	6	
Guam	0.0	0	1	
Northern Mariana Islands	0.0	0	1	

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

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Career Offenders**

District	Percent	PROTECT Act	
		Period	
(5/1/03 - 6/24/04)			
		Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed
Virgin Islands	100.0	1	1
New York, Northern	60.0	3	5
Nebraska	33.3	8	24
New York, Eastern	33.3	3	9
Massachusetts	31.6	12	38
Connecticut	31.3	10	32
New York, Southern	26.1	6	23
South Dakota	25.0	2	8
Minnesota	22.2	4	18
Oregon	20.0	4	20
California, Central	20.0	2	10
Washington, Western	20.0	1	5
Mississippi, Northern	14.3	1	7
New Hampshire	13.6	3	22
Indiana, Northern	13.3	2	15
Utah	13.3	2	15
Georgia, Northern	13.0	3	23
Pennsylvania, Western	12.5	4	32
Louisiana, Eastern	12.5	1	8
Florida, Middle	12.2	15	123
Maryland	11.4	4	35
New Mexico	11.1	3	27
Florida, Southern	10.6	10	94
California, Northern	10.0	1	10
Georgia, Southern	9.1	1	11
Missouri, Western	8.7	2	23
California, Eastern	8.3	1	12
New Jersey	8.0	2	25
Virginia, Eastern	7.5	3	40
Illinois, Central	7.5	3	40
Rhode Island	7.1	1	14
Tennessee, Middle	6.7	1	15
Iowa, Southern	6.3	1	16
Arizona	6.3	1	16
California, Southern	6.3	1	16
Pennsylvania, Eastern	5.9	4	68
Texas, Southern	5.9	2	34
Ohio, Southern	5.9	1	17
Ohio, Northern	5.4	2	37
Arkansas, Eastern	5.3	1	19
North Carolina, Middle	4.9	2	41
Missouri, Eastern	4.3	1	23

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Career Offenders (cont.)**

PROTECT Act					
Period					
(5/1/03 - 6/24/04)					
District	Percent	Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed		
Michigan, Eastern	4.2	1	24		
Illinois, Northern	4.1	2	49		
Texas, Eastern	3.8	1	26		
Texas, Northern	3.2	1	31		
South Carolina	2.7	2	73		
North Carolina, Eastern	2.4	1	41		
Pennsylvania, Middle	2.4	1	42		
Florida, Northern	2.4	1	42		
Tennessee, Eastern	2.3	1	44		
Texas, Western	1.6	1	62		
Iowa, Northern	0.0	0	35		
North Carolina, Western	0.0	0	31		
District of Columbia	0.0	0	30		
Tennessee, Western	0.0	0	25		
Virginia, Western	0.0	0	23		
Georgia, Middle	0.0	0	23		
Louisiana, Western	0.0	0	21		
Illinois, Southern	0.0	0	20		
Michigan, Western	0.0	0	19		
Wisconsin, Western	0.0	0	16		
Maine	0.0	0	14		
West Virginia, Northern	0.0	0	14		
Indiana, Southern	0.0	0	14		
Kansas	0.0	0	14		
Vermont	0.0	0	13		
Wisconsin, Eastern	0.0	0	13		
Nevada	0.0	0	13		
Colorado	0.0	0	13		
Kentucky, Eastern	0.0	0	10		
Arkansas, Western	0.0	0	9		
Montana	0.0	0	9		
New York, Western	0.0	0	8		
West Virginia, Southern	0.0	0	8		
Puerto Rico	0.0	0	7		
Mississippi, Southern	0.0	0	7		
Alaska	0.0	0	7		
Alabama, Northern	0.0	0	7		
Kentucky, Western	0.0	0	6		
Washington, Eastern	0.0	0	6		
Oklahoma, Northern	0.0	0	6		
Wyoming	0.0	0	6		
Hawaii	0.0	0	4		
Alabama, Southern	0.0	0	4		
North Dakota	0.0	0	3		
Oklahoma, Western	0.0	0	3		
Idaho	0.0	0	2		
Oklahoma, Eastern	0.0	0	2		
Alabama, Middle	0.0	0	1		

The following districts had no career offenders in the selected time period: Delaware, Middle Louisiana, Guam, and Northern Mariana Islands.

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

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Career Offenders**

District	Percent	Booker Period	
		(1/12/05 - 12/10/07)	
		Number of Non- Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed
New York, Southern	54.4	62	114
Rhode Island	54.3	19	35
Massachusetts	54.3	70	129
Delaware	42.9	3	7
Pennsylvania, Western	41.8	41	98
Connecticut	41.7	43	103
Georgia, Northern	40.9	18	44
Missouri, Eastern	40.2	49	122
Hawaii	39.1	9	23
Vermont	35.7	5	14
New York, Eastern	35.4	17	48
Oregon	33.3	19	57
Utah	33.3	12	36
Nebraska	31.4	16	51
California, Northern	30.4	14	46
Washington, Eastern	30.0	6	20
West Virginia, Southern	28.6	10	35
New Jersey	28.5	37	130
Iowa, Southern	28.3	17	60
New York, Northern	27.3	9	33
Alaska	27.3	3	11
Wisconsin, Eastern	26.2	16	61
Kentucky, Western	25.5	13	51
Pennsylvania, Eastern	25.4	48	189
Oklahoma, Western	25.0	7	28
Florida, Middle	24.7	71	287
Arkansas, Eastern	24.3	9	37
Maryland	24.1	39	162
California, Central	24.1	13	54
Tennessee, Middle	23.6	13	55
Minnesota	23.3	20	86
Michigan, Western	22.4	15	67
Oklahoma, Eastern	22.2	2	9
South Dakota	21.7	5	23
Florida, Southern	21.3	63	296
Puerto Rico	21.1	4	19
District of Columbia	20.2	17	84
Colorado	20.0	9	45
Alabama, Middle	20.0	2	10
New Mexico	19.5	15	77
Nevada	19.2	5	26
Illinois, Central	18.7	14	75

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Career Offenders (cont.)**

<i>Booker</i>				
Period				
(1/12/05 - 12/10/07)				
District	Percent	Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed	
New Hampshire	18.0	9	50	
North Carolina, Middle	17.6	24	136	
Michigan, Eastern	17.6	13	74	
Texas, Southern	17.5	14	80	
Ohio, Northern	16.8	23	137	
Ohio, Southern	16.7	9	54	
Washington, Western	16.7	8	48	
Illinois, Northern	15.9	18	113	
Mississippi, Southern	15.8	3	19	
Indiana, Southern	15.6	5	32	
Virginia, Eastern	15.3	22	144	
California, Southern	15.2	7	46	
Texas, Northern	14.5	10	69	
Pennsylvania, Middle	13.7	19	139	
Wisconsin, Western	12.5	6	48	
Missouri, Western	11.6	8	69	
Texas, Western	11.5	16	139	
Kentucky, Eastern	10.7	8	75	
Wyoming	10.5	2	19	
West Virginia, Northern	10.3	3	29	
Alabama, Northern	10.0	3	30	
North Carolina, Western	9.6	11	114	
Kansas	9.4	5	53	
Tennessee, Eastern	9.0	12	134	
Arizona	8.8	5	57	
Virginia, Western	8.5	7	82	
Georgia, Southern	8.3	4	48	
Louisiana, Western	8.3	2	24	
South Carolina	8.2	17	207	
California, Eastern	7.7	4	52	
Arkansas, Western	7.7	1	13	
North Carolina, Eastern	7.0	10	143	
Florida, Northern	7.0	6	86	
Iowa, Northern	6.7	4	60	
New York, Western	6.7	3	45	
Louisiana, Eastern	6.7	2	30	
Alabama, Southern	6.7	1	15	
Texas, Eastern	6.4	6	94	
Tennessee, Western	5.5	4	73	
Illinois, Southern	5.3	4	75	
Oklahoma, Northern	4.8	1	21	
Georgia, Middle	4.4	3	68	
Maine	4.3	1	23	
North Dakota	4.2	1	24	
Indiana, Northern	0.0	0	21	
Montana	0.0	0	21	
Louisiana, Middle	0.0	0	11	
Mississippi, Northern	0.0	0	7	
Idaho	0.0	0	4	
Guam	0.0	0	3	
Northern Mariana Islands	0.0	0	1	

The following districts had no career offenders in the selected time period: Virgin Islands.

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

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Career Offenders**

District	<i>Gall</i> Period		
	(12/11/07 - 9/30/11)		
	Percent	Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed
Rhode Island	66.7	34	51
Vermont	64.7	11	17
New York, Southern	60.6	83	137
Pennsylvania, Western	56.5	83	147
Connecticut	55.9	38	68
Massachusetts	52.7	117	222
Hawaii	46.7	7	15
Illinois, Northern	44.5	69	155
Wisconsin, Western	43.3	26	60
Utah	42.9	18	42
Delaware	42.9	6	14
New York, Eastern	42.0	42	100
Florida, Middle	41.7	116	278
Minnesota	40.4	36	89
Michigan, Western	40.4	38	94
West Virginia, Southern	40.3	25	62
Florida, Southern	40.1	114	284
California, Central	37.9	53	140
Washington, Eastern	37.0	10	27
Nebraska	34.9	22	63
Virginia, Eastern	33.5	69	206
Alaska	33.3	5	15
New Hampshire	31.7	19	60
Michigan, Eastern	31.3	42	134
Texas, Southern	31.2	39	125
New York, Northern	30.9	17	55
Alabama, Middle	30.8	4	13
Ohio, Southern	29.7	22	74
New Mexico	29.4	20	68
Nevada	29.0	9	31
Wyoming	29.0	9	31
Pennsylvania, Eastern	28.8	77	267
Virginia, Western	28.3	26	92
New Jersey	28.1	47	167
Arkansas, Western	27.9	12	43
Wisconsin, Eastern	27.6	27	98
North Carolina, Middle	27.5	41	149
Louisiana, Eastern	26.9	14	52
Oklahoma, Eastern	26.7	4	15
Missouri, Eastern	26.5	39	147
Georgia, Northern	26.3	20	76
Oklahoma, Western	26.2	11	42

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Career Offenders (cont.)**

District	Gall			
	Period			
	(12/11/07 - 9/30/11)			
Percent	Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Career Offender Sentences Imposed		
Puerto Rico	25.0	12	48	
South Dakota	25.0	6	24	
Maryland	24.7	72	291	
New York, Western	24.4	10	41	
California, Northern	24.1	20	83	
Oregon	23.9	21	88	
Illinois, Central	23.9	26	109	
Tennessee, Middle	23.4	18	77	
Kentucky, Western	23.3	20	86	
California, Eastern	23.2	13	56	
Pennsylvania, Middle	22.6	43	190	
Missouri, Western	21.6	19	88	
Alabama, Southern	21.2	7	33	
Arkansas, Eastern	21.1	15	71	
Ohio, Northern	21.0	25	119	
California, Southern	20.8	15	72	
Tennessee, Western	19.7	34	173	
Tennessee, Eastern	18.5	38	205	
West Virginia, Northern	18.5	15	81	
Mississippi, Northern	18.2	2	11	
District of Columbia	17.1	14	82	
Colorado	16.7	6	36	
Arizona	16.4	9	55	
Iowa, Southern	15.9	20	126	
Texas, Western	15.4	32	208	
Texas, Northern	14.8	13	88	
Washington, Western	14.3	10	70	
South Carolina	13.1	42	320	
Iowa, Northern	13.0	10	77	
Alabama, Northern	12.5	6	48	
Mississippi, Southern	12.5	1	8	
Indiana, Northern	12.0	6	50	
Florida, Northern	11.3	11	97	
Texas, Eastern	11.1	13	117	
Indiana, Southern	11.1	6	54	
North Carolina, Western	10.6	14	132	
Illinois, Southern	10.6	11	104	
Georgia, Middle	9.7	7	72	
Maine	9.5	2	21	
Georgia, Southern	8.4	8	95	
Oklahoma, Northern	8.3	2	24	
Louisiana, Western	7.7	3	39	
Kansas	6.5	6	92	
North Dakota	5.7	2	35	
Kentucky, Eastern	5.7	7	123	
North Carolina, Eastern	4.8	12	251	
Montana	3.7	1	27	
Louisiana, Middle	0.0	0	12	
Idaho	0.0	0	7	
Guam	0.0	0	1	
Northern Mariana Islands	0.0	0	1	

The following districts had no career offenders in the selected time period: Virgin Islands.

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