

Analysis of Heroin Trafficking Offenses

STATISTICAL OVERVIEW: FISCAL YEAR 2011

In fiscal year 2011, federal courts sentenced 1,764 heroin trafficking offenders. Heroin was the primary drug type involved in the drug trafficking crime in only 7.2 percent of the drug trafficking offenses sentenced nationwide. Heroin trafficking offenders were distributed unevenly across the nation’s circuit and district courts and constituted varying proportions of the circuit and district drug trafficking caseloads. Judges in four circuits sentenced over 50 percent (53.3%, n=941) of these offenders. Those circuits were: the Second Circuit with 327 heroin trafficking offenders (18.5% of heroin trafficking offenders nationwide); the Ninth Circuit with 236 offenders (13.4% of heroin trafficking offenders nationwide); the Fifth Circuit with 194 offenders (11.0% of heroin trafficking offenders nationwide); and the Fourth Circuit with 184 offenders (10.4% of heroin trafficking offenders nationwide).⁶⁸ In addition, heroin trafficking offenders accounted for varying proportions of the circuits’ drug trafficking caseloads. The 327 heroin trafficking offenders sentenced in the Second Circuit accounted for 18.3 percent of its drug trafficking caseload, while the 236

heroin trafficking offenders in the Ninth Circuit only accounted for 4.6 percent of its drug trafficking caseload. The 184 heroin trafficking offenders in the Fourth Circuit accounted for 8.3 percent of its caseload and the 194 heroin trafficking offenders in the Fifth Circuit accounted for 3.9 percent of its drug trafficking caseload. The table below illustrates that the proportion of a circuit’s drug trafficking caseload comprised of heroin trafficking offenses ranged from a low of 1.6 percent in the Eighth Circuit to a high of 18.3 percent in the Second Circuit.

Proportion of Caseload by Circuit
Heroin Trafficking Offenses
Fiscal Year 2011

Circuit	Number of Heroin Offenses	Percent of Total Drug Caseload
TOTAL	1,764	7.2
Eighth Circuit	24	1.6
Fifth Circuit	194	3.9
Ninth Circuit	236	4.6
Eleventh Circuit	104	5.1
Tenth Circuit	97	6.5
Fourth Circuit	184	8.3
Sixth Circuit	161	8.3
D.C. Circuit	12	9.0
First Circuit	124	11.0
Seventh Circuit	151	12.8
Third Circuit	150	15.7
Second Circuit	327	18.3

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

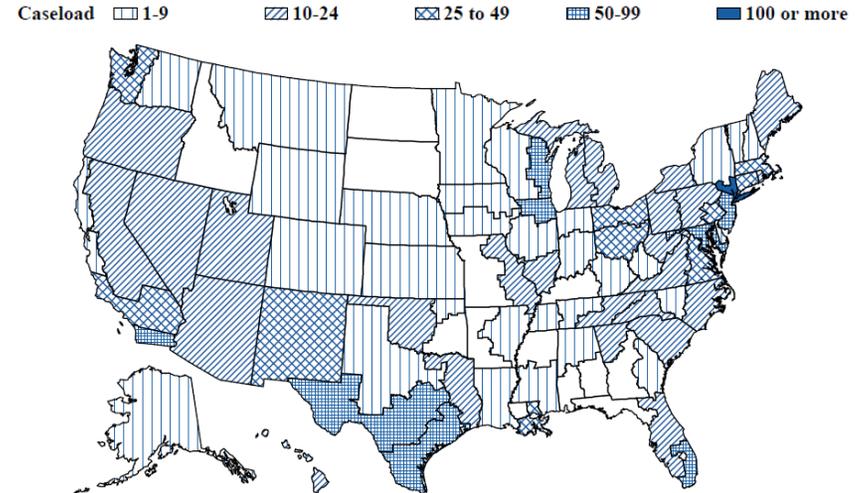
⁶⁸ See “National Distribution of Primary Drug Type by Circuit and District, Heroin, FY 2011” Appendix Table. Notably, 57.7 percent of all drug trafficking cases in fiscal year 2011 also came from district courts in those four circuits, although the Second Circuit only accounted for 7.3 percent of drug trafficking cases nationwide. See “National Distribution of Selected Offenses by Circuit and District, Drug Trafficking Offenses, FY 2011” Appendix Table.

At the district level, judges in two districts (Eastern New York and Southern New York) sentenced more than 100 heroin trafficking offenders in fiscal year 2011. Sixteen districts sentenced no heroin trafficking offenders in fiscal year 2011 (Virgin Islands, Middle Louisiana, Northern Mississippi, Western Kentucky, Western Arkansas, Western Missouri, North Dakota,

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South Dakota, Guam, Idaho, Northern Mariana Islands, Eastern Oklahoma, Middle Alabama, Southern Alabama, Northern Florida, and Middle Georgia). In addition to the Eastern District of New York, in which judges sentenced 135 heroin trafficking offenders (7.7% of heroin trafficking offenders nationwide), and the Southern District of New York, in which judges sentenced 134 heroin trafficking offenders (7.6% of heroin trafficking offenders nationwide), judges in eight other districts sentenced more than 50 heroin trafficking offenders. Those districts were: Western Texas with 80 offenders (4.5% of heroin trafficking offenders nationwide); Southern Texas with 65 offenders (3.7% of heroin trafficking offenders nationwide); Southern Florida with 64 offenders (3.6% of heroin trafficking offenders nationwide); Southern California with 62 offenders (3.5% of heroin trafficking offenders nationwide); Eastern Wisconsin with 61 offenders (3.5% of heroin trafficking offenders nationwide); New Jersey with 60 offenders (3.4% of heroin trafficking offenders nationwide); Northern Illinois with 59 offenders (3.3% of heroin trafficking offenders nationwide), and Maryland with 58 offenders (3.3% of heroin trafficking offenders nationwide). Judges in these ten districts sentenced over 44 percent (44.1%, n=778) of all heroin trafficking offenders sentenced nationwide in fiscal year 2011.⁶⁹ Over 80 percent of districts (n=76) sentenced fewer than 30 heroin trafficking offenders.

**Number of Heroin Trafficking 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.

In those districts that reported sentencing heroin offenders in fiscal year 2011, heroin trafficking offenses comprised varying percentages of the districts' drug trafficking caseloads, ranging from a low of 0.7 percent (Middle North Carolina, Southern Indiana, and Southern Iowa) to a high of 32.9 percent (Eastern New York). In ten districts, heroin trafficking offenders were more than 20 percent of the district's drug trafficking caseload. Those districts were: Eastern New York (32.9% of drug trafficking offenders in the district, n=135); Northern Ohio (27.2% of drug trafficking offenders in the district, n=47); New Jersey (26.9% of drug trafficking offenders in the district, n=60); Rhode Island (24.1% of drug trafficking offenders in the district, n=20); Eastern Wisconsin (23.3% of drug trafficking offenders in the district, n=61); Maryland (23.1% of drug trafficking offenders in the district, n=58); Southern New York (23.1% of drug trafficking offenders in the district, n=134); Maine (22.9% of drug trafficking offenders in the district, n=16); Eastern Louisiana (22.5% of drug trafficking offenders in the district, n=27); and Northern Illinois (20.7% of drug trafficking offenders in the district, n=59). In contrast, heroin trafficking

⁶⁹ See "National Distribution of Primary Drug Type by Circuit and District, Heroin, FY 2011" Appendix Table. By way of comparison, only 31.4 percent of all drug trafficking offenses in fiscal year 2011 were sentenced in those ten districts. See "National Distribution of Selected Offenses by Circuit and District, Drug Trafficking Offenses, FY 2011" Appendix Table.

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offenders were one percent or less of the drug trafficking offenders sentenced in six districts that reported sentencing heroin offenders in fiscal year 2011. Those districts were: Middle North Carolina (0.7% of drug trafficking offenders in the district, n=1); Southern Indiana (0.7% of drug trafficking offenders in the district, n=1); Southern Iowa (0.7% of drug trafficking offenders in the district, n=1); Eastern Arkansas (0.8% of drug trafficking offenders in the district, n=1); Nebraska (0.9% of drug trafficking offenders in the district, n=2); and Arizona (1.0% of drug trafficking offenders in the district, n=21).⁷⁰

⁷⁰ See “Proportion of the Drug Trafficking Caseload in Each Circuit and District by Primary Drug Type, Heroin, FY 2011” Appendix Table.

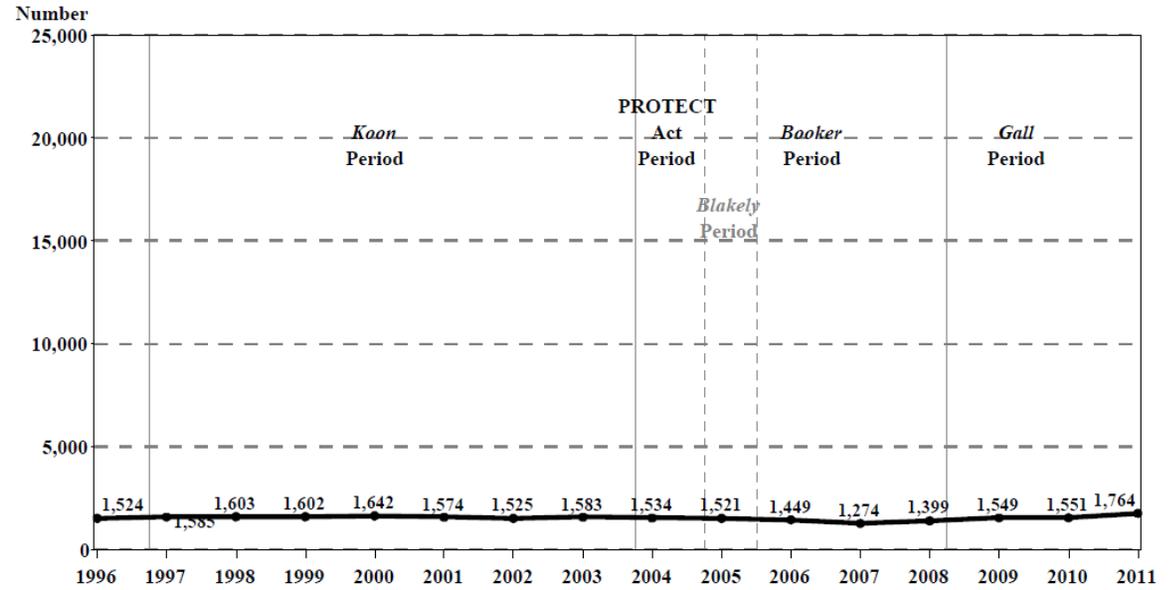
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NATIONAL TREND ANALYSIS

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

The number of heroin trafficking offenders sentenced in the federal system was highest in fiscal year 2011, at 1,764 offenders. Heroin trafficking offenses have been a small percentage of the total drug trafficking caseload in each period. Heroin trafficking offenses were 7.8 percent of the drug trafficking caseload during the *Koon* period, 6.9 percent in the PROTECT Act period, 6.0 percent in the *Booker* period, and 6.6 percent in the *Gall* period.

Number of Offenders by Fiscal Year
Heroin Trafficking Offenses
Fiscal Years 1996-2011



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

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NATIONAL TREND ANALYSIS

OFFENDER AND OFFENSE CHARACTERISTICS

The majority of heroin trafficking offenders in every period have been male. Hispanic offenders have been the largest group of heroin trafficking offenders in each of the four periods. The majority of heroin trafficking offenders have been non-U.S. citizens in the *Koon* and PROTECT Act periods, but the majority were United States citizens in the *Booker* and *Gall* periods.

The majority of heroin trafficking offenders have been in Criminal History Category I in each of the four periods, but the percentage of offenders in Criminal History Category I has decreased over time.

Selected Offender Characteristics
Heroin Trafficking Offenses
Koon Period through *Gall* Period

	<i>Koon</i> Period (6/13/96 - 4/30/03) Percent	PROTECT Act Period (5/1/03 - 6/24/04) Percent	<i>Booker</i> Period (1/12/05 - 12/10/07) Percent	<i>Gall</i> Period (12/11/07-9/30/11) Percent
RACE/ETHNICITY				
White	11.6	13.3	12.2	15.6
Black	22.7	20.7	26.4	29.0
Hispanic	63.0	64.6	60.4	54.5
Other	2.8	1.4	1.0	1.0
GENDER				
Male	83.1	84.6	84.8	85.4
Female	16.9	15.4	15.2	14.6
CITIZENSHIP				
U.S. Citizen	46.8	49.9	57.6	64.2
Non-U.S. Citizen	53.2	50.1	42.4	35.8
CRIMINAL HISTORY CATEGORY				
I	68.2	67.9	60.0	55.3
II	8.1	8.3	9.4	10.0
III	9.6	9.5	11.1	12.5
IV	4.3	4.4	5.1	5.9
V	2.1	2.5	3.1	3.4
VI	7.7	7.3	11.4	12.9

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

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NATIONAL TREND ANALYSIS
OFFENDER AND OFFENSE CHARACTERISTICS

More than 95 percent of heroin trafficking offenders have been sentenced to prison only in the four periods.

Types of Sentences Imposed
Heroin Trafficking Offenses
Koon Period through Gall Period

SENTENCE IMPOSED	<i>Koon</i> Period (6/13/96 - 4/30/03)		PROTECT Act Period (5/1/03 - 6/24/04)		<i>Booker</i> Period (1/12/05 - 12/10/07)		<i>Gall</i> Period (12/11/07-9/30/11)	
	N	%	N	%	N	%	N	%
Prison Only	10,359	95.2	1,718	96.6	3,994	95.2	5,679	95.4
Prison/Community Split	147	1.4	24	1.4	71	1.7	94	1.6
Probation and Confinement	189	1.7	17	1.0	55	1.3	68	1.1
Probation Only	186	1.7	20	1.1	74	1.8	115	1.9

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

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NATIONAL TREND ANALYSIS

OFFENDER AND OFFENSE CHARACTERISTICS

The average guideline minimum can be viewed as a proxy for the seriousness of the offense, as measured by the nature of the offenses, the criminal history of the offenders, and the applicable mandatory minimum penalties. For heroin trafficking offenses, the average guideline minimum has increased across the periods, suggesting increasing severity. The average sentence length has also increased over the four periods. Changes in sentence length are influenced by various factors including the guideline range, departures, and variances.

The table includes the percentage of heroin trafficking offenders who were granted safety valve relief from the mandatory minimum penalty, pursuant to 18 U.S.C. § 3553(f) and USSG §5C1.2.

The table also includes the percentage of heroin trafficking offenses that involved a weapon, because the offender was convicted under 18 U.S.C. § 924(c) or because the offender received the weapon enhancement at §2D1.1(b)(1). An offender who possessed a firearm or other dangerous weapon (or induced another participant to do so) in connection with the offense is ineligible for safety valve relief.

Less than half of heroin trafficking offenders were sentenced within the guideline range in the *Gall* period. Over time within range rates have decreased while rates of both government and non-government sponsored below range sentences have increased.

The extent of the reduction from the guideline minimum has varied depending on the type of below range sentence, but has been greatest for substantial assistance sentences.

Selected Sentencing Characteristics
Heroin Trafficking Offenses
Koon Period through Gall Period

	<i>Koon</i> Period (6/13/96 - 4/30/03)	PROTECT Act Period (5/1/03 - 6/24/04)	<i>Booker</i> Period (1/12/05 - 12/10/07)	<i>Gall</i> Period (12/11/07-9/30/11)
	Percent	Percent	Percent	Percent
GUILTY PLEA	96.5	97.8	96.4	96.9
SAFETY VALVE	48.4	53.4	45.5	39.0
WEAPON	6.4	8.6	9.4	12.4
GUIDELINE ADJUSTMENTS				
Aggravating Role (USSG §3B1.1)	7.2	7.7	6.7	8.0
Mitigating Role (USSG §3B1.2)	33.8	34.4	27.5	21.9
SENTENCE RELATIVE TO GUIDELINE RANGE				
Within Range	60.4	66.2	51.5	43.7
Above Range	0.3	0.4	0.7	1.3
All Gov't Sponsored Below Range	24.1	23.9	29.1	31.5
Substantial Assistance (USSG §5K1.1)	23.9	21.5	25.2	24.9
Early Disposition Program (USSG §5K3.1)	n/a	0.1	0.9	2.0
Other Gov't Sponsored Below Range	n/a	2.3	2.9	4.6
Non-Gov't Sponsored Below Range	15.2	9.5	18.8	23.5
	Months	Months	Months	Months
AVERAGE GUIDELINE MINIMUM	74	78	86	91
AVERAGE SENTENCE	60	65	67	70
Within Range	70	74	80	87
Above Range	118	98	95	97
All Gov't Sponsored Below Range	44	49	50	54
Substantial Assistance (USSG §5K1.1)	43	49	47	51
Early Disposition Program (USSG §5K3.1)	n/a	24	44	44
Other Gov't Sponsored Below Range	n/a	57	86	80
Non-Gov't Sponsored Below Range	44	44	58	59
	Percent (Months)	Percent (Months)	Percent (Months)	Percent (Months)
AVERAGE EXTENT OF REDUCTION				
All Gov't Sponsored Below Range	53.0 (50)	48.1 (47)	49.1 (50)	48.0 (51)
Substantial Assistance (USSG §5K1.1)	53.1 (50)	49.9 (50)	52.3 (53)	51.8 (55)
Early Disposition Program (USSG §5K3.1)	n/a (n/a)	20.0 (6)	23.6 (14)	27.1 (16)
Other Gov't Sponsored Below Range	n/a (n/a)	29.3 (22)	29.3 (38)	36.6 (42)
Non-Gov't Sponsored Below Range	36.6 (23)	44.9 (22)	35.7 (28)	35.8 (27)

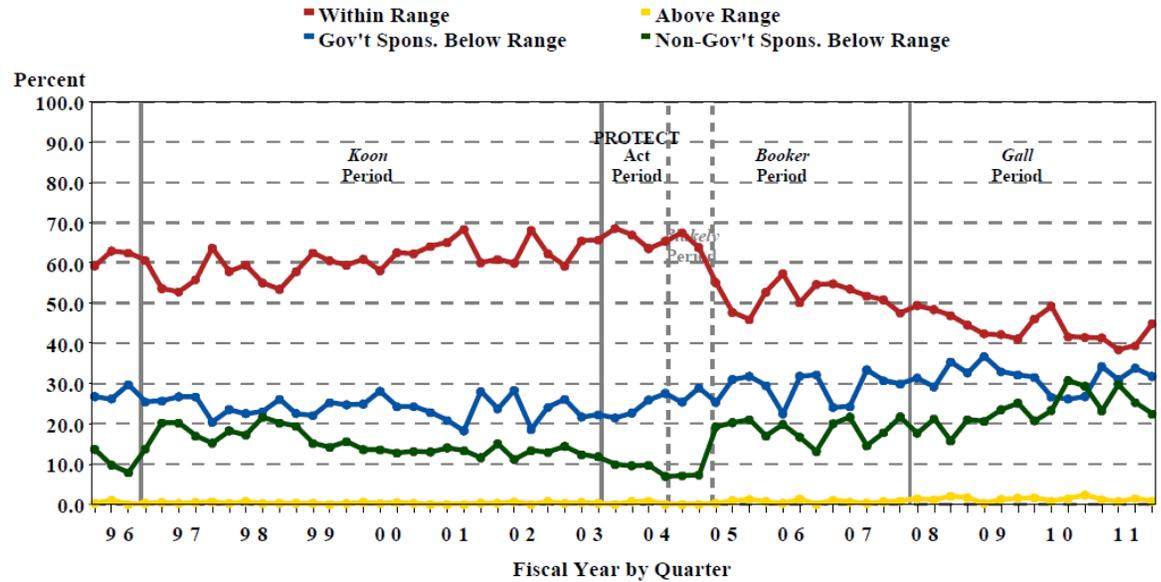
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NATIONAL TREND ANALYSIS
INFLUENCE OF THE GUIDELINES

Since fiscal year 2005, the rate of within range sentences for heroin trafficking offenses has generally decreased while the rate of both government and non-government sponsored below range sentences has increased.

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



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

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NATIONAL TREND ANALYSIS

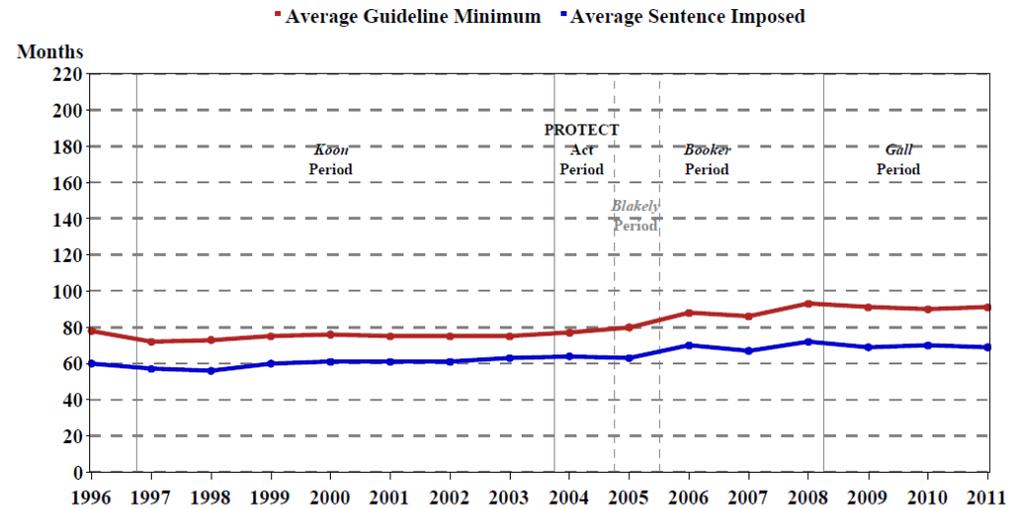
INFLUENCE OF THE GUIDELINES

The relationship between the red and blue lines indicates that average sentences for heroin trafficking offenders have generally paralleled the average guideline minimum across the four periods.

The percentage difference between the average guideline minimum and the average sentence has been relatively stable over time. The flatness of the line indicates that the influence of the guidelines has been stable in heroin trafficking offenses.

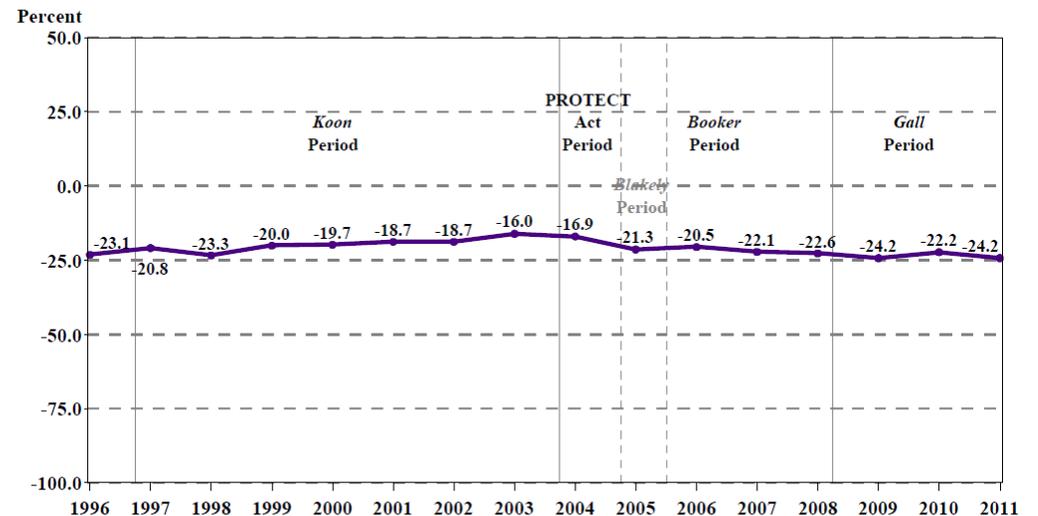
**Click on chart for corresponding table by period.*

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



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

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

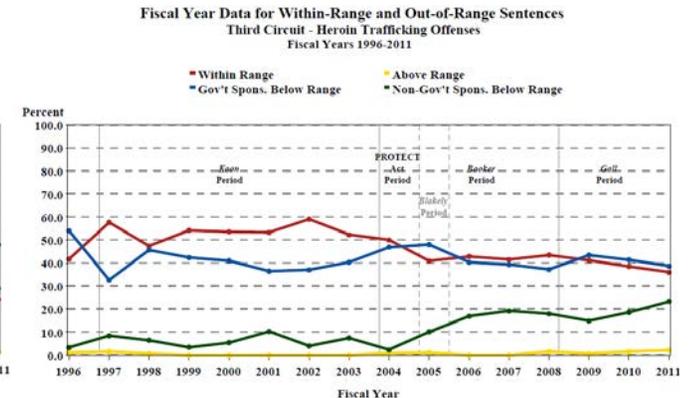
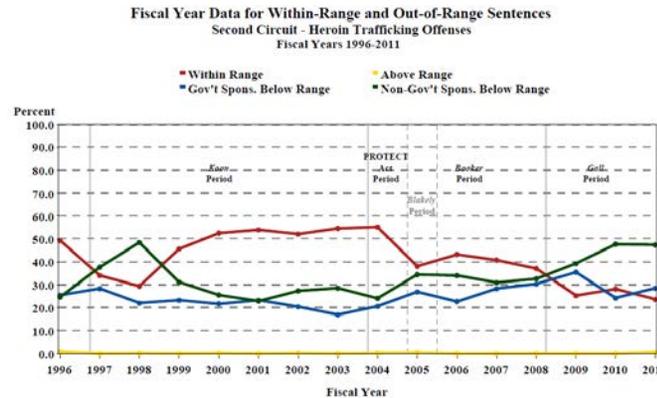
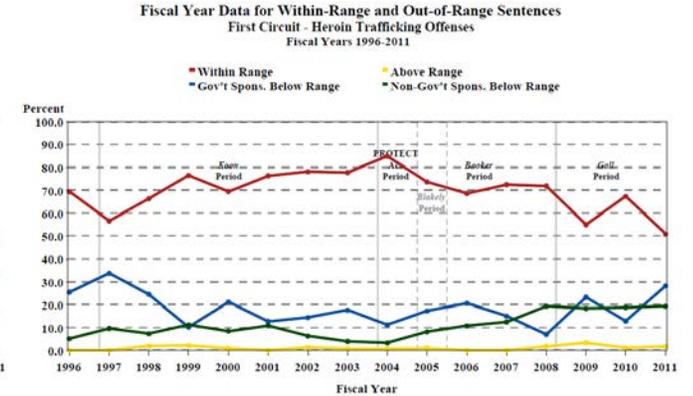
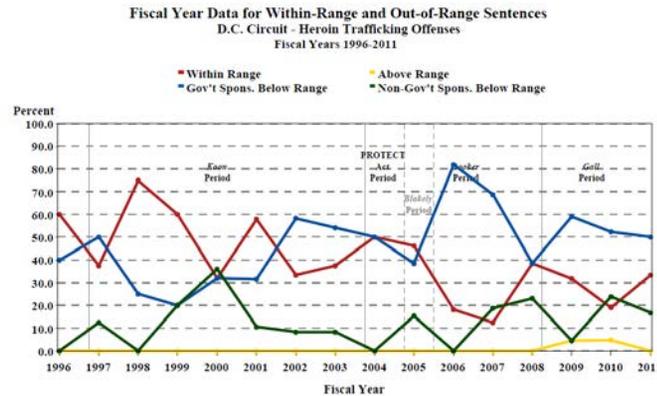


SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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CIRCUIT TREND ANALYSIS INFLUENCE OF THE GUIDELINES

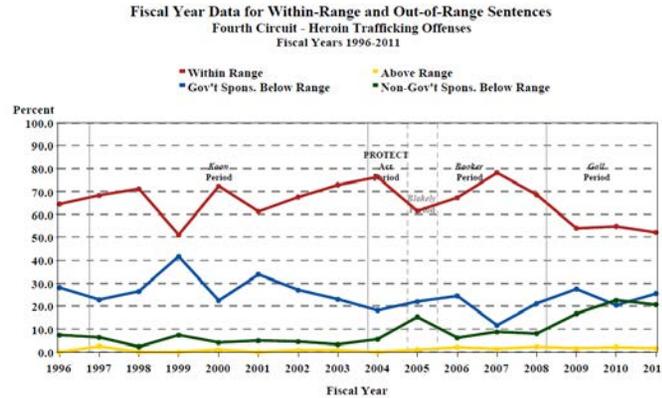
At the national level, since fiscal year 2005, the rate of within range sentences for heroin trafficking offenses has generally decreased. Within range sentence rates have also decreased in the circuits, however there has been more fluctuation in rates of government sponsored below range sentences at the circuit level than at the national level.



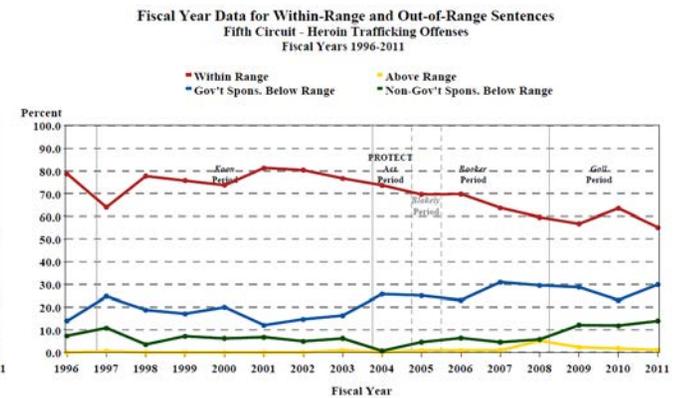
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CIRCUIT TREND ANALYSIS INFLUENCE OF THE GUIDELINES

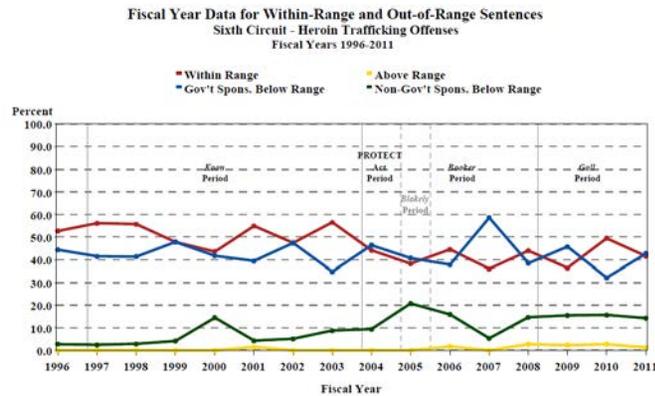
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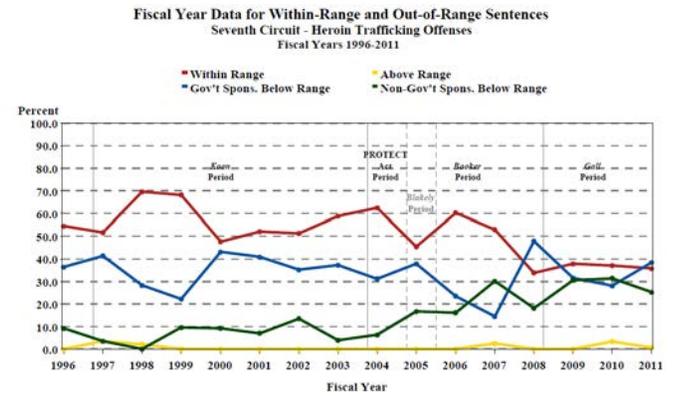
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.



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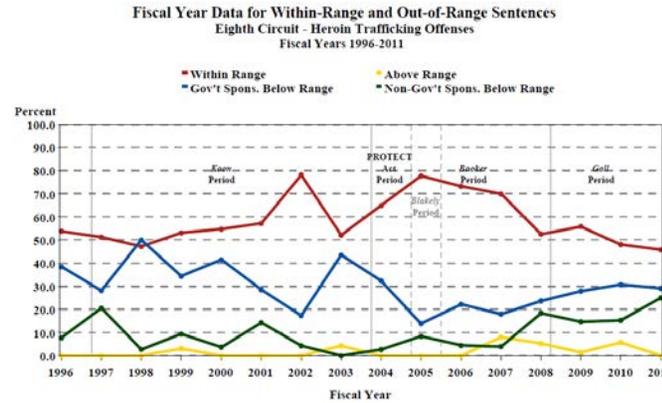


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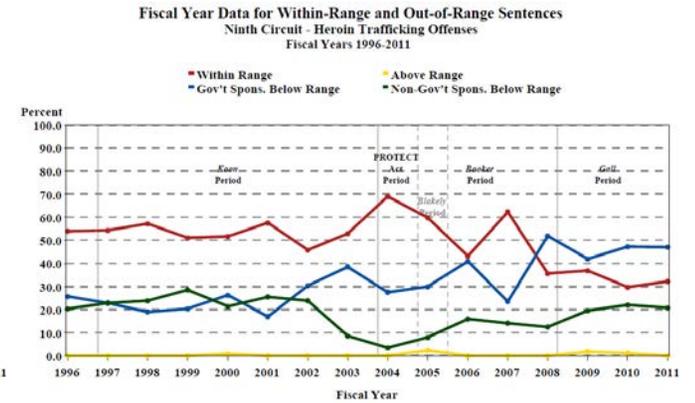
PART C: DRUG TRAFFICKING OFFENSES HEROIN

CIRCUIT TREND ANALYSIS INFLUENCE OF THE GUIDELINES

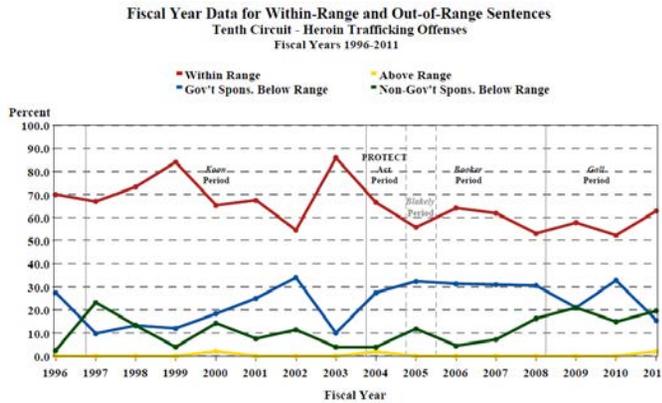
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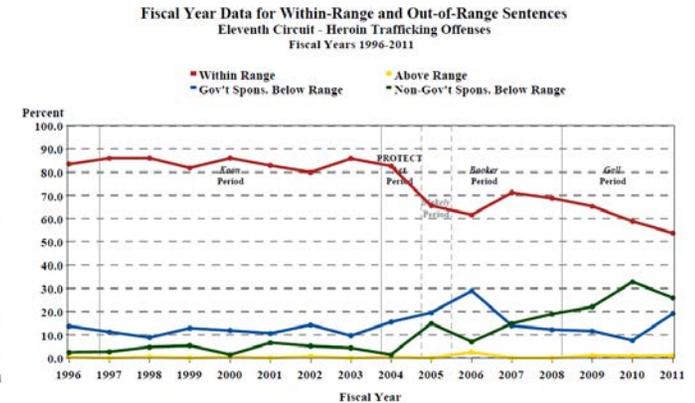
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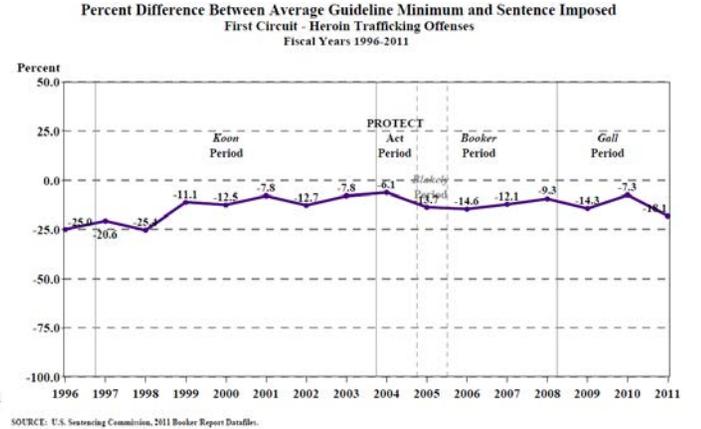
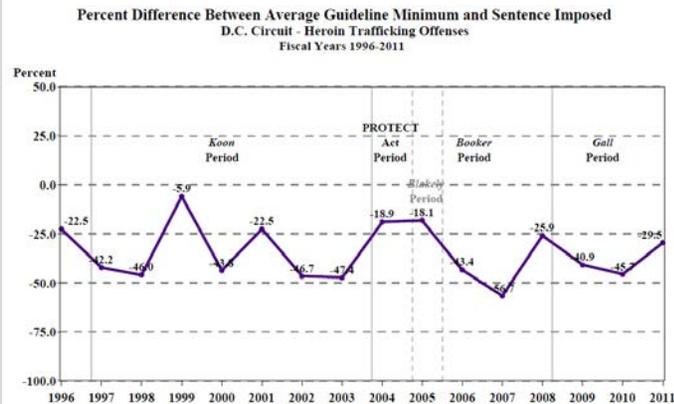
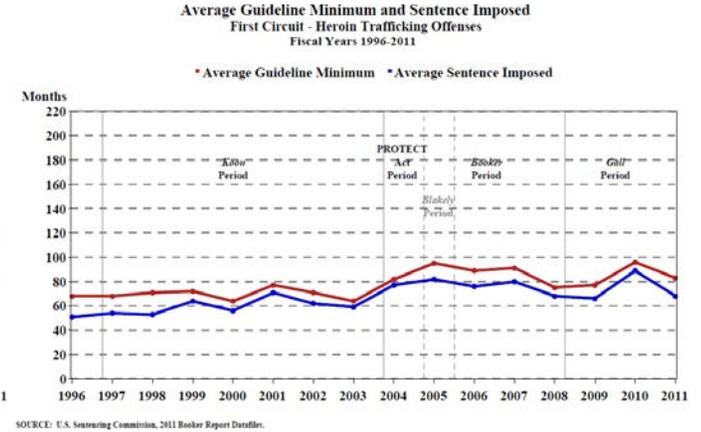
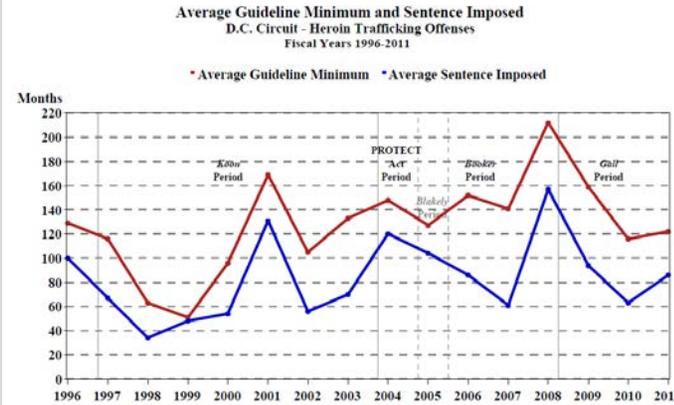


SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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CIRCUIT TREND ANALYSIS INFLUENCE OF THE GUIDELINES

At the circuit level, average sentences for heroin trafficking offenders have generally paralleled the average guideline minimum across the four periods. The same trend has occurred in most circuits.

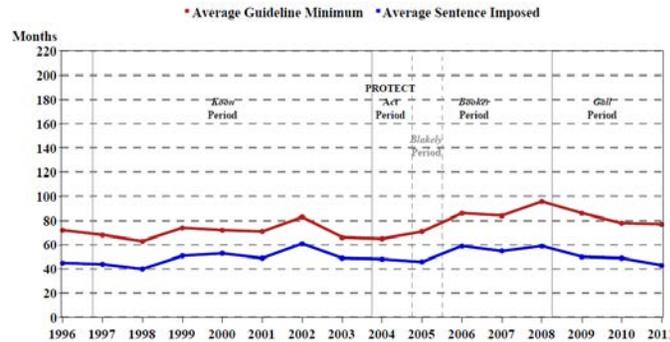


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CIRCUIT TREND ANALYSIS INFLUENCE OF THE GUIDELINES

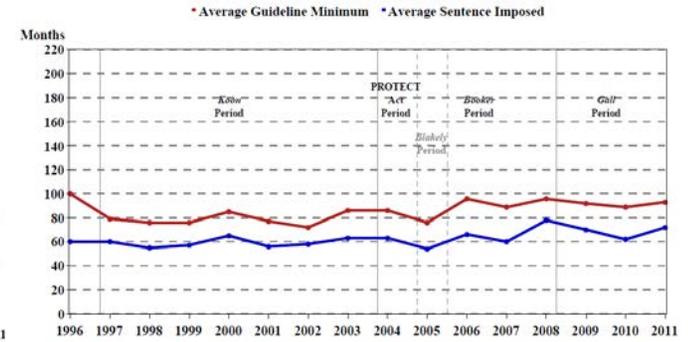
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Average Guideline Minimum and Sentence Imposed
Second Circuit - Heroin Trafficking Offenses
Fiscal Years 1996-2011



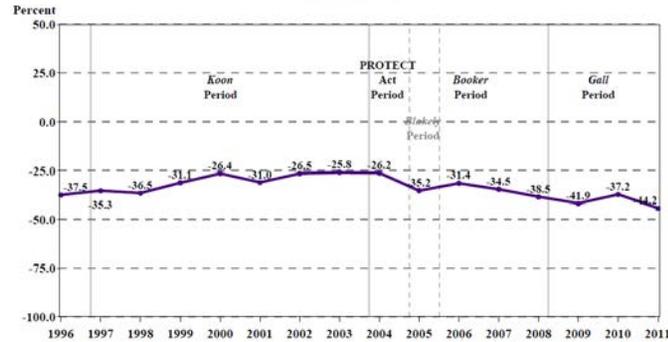
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

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



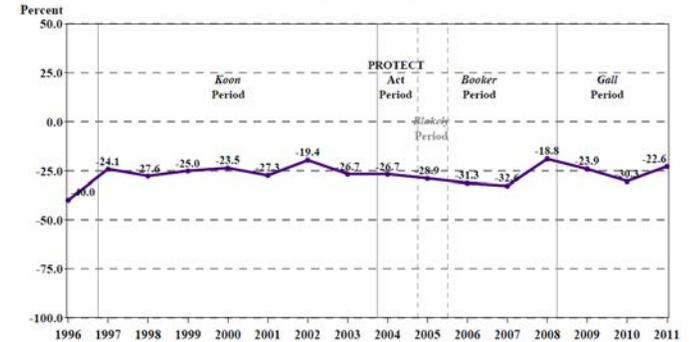
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

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



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

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



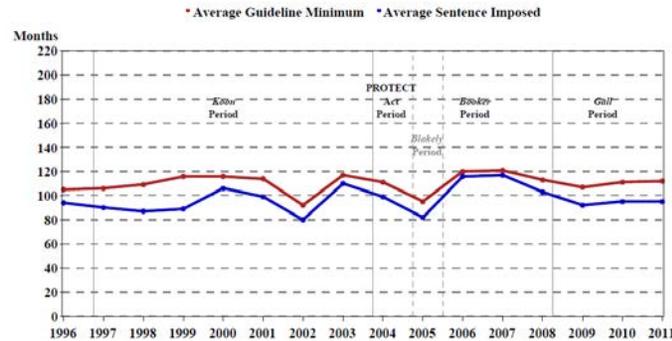
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CIRCUIT TREND ANALYSIS INFLUENCE OF THE GUIDELINES

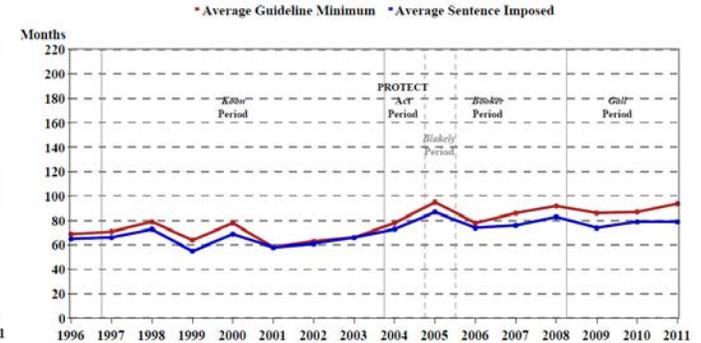
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Average Guideline Minimum and Sentence Imposed
Fourth Circuit - Heroin Trafficking Offenses
Fiscal Years 1996-2011



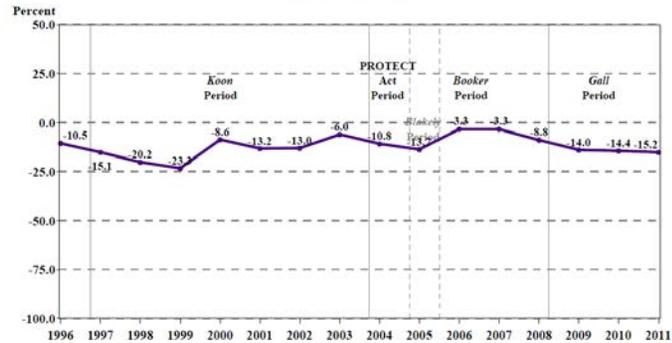
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

Average Guideline Minimum and Sentence Imposed
Fifth Circuit - Heroin Trafficking Offenses
Fiscal Years 1996-2011



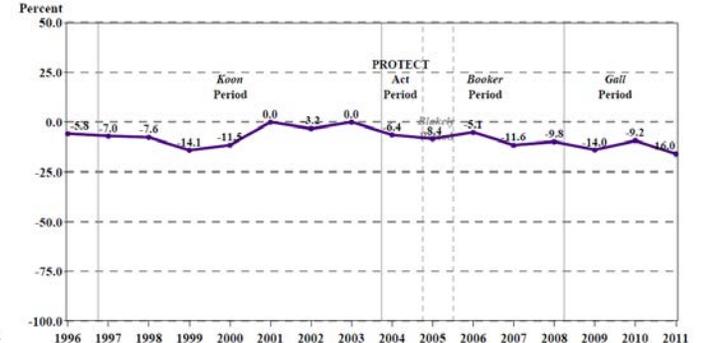
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

Percent Difference Between Average Guideline Minimum and Sentence Imposed
Fourth Circuit - Heroin Trafficking Offenses
Fiscal Years 1996-2011



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

Percent Difference Between Average Guideline Minimum and Sentence Imposed
Fifth Circuit - Heroin Trafficking Offenses
Fiscal Years 1996-2011

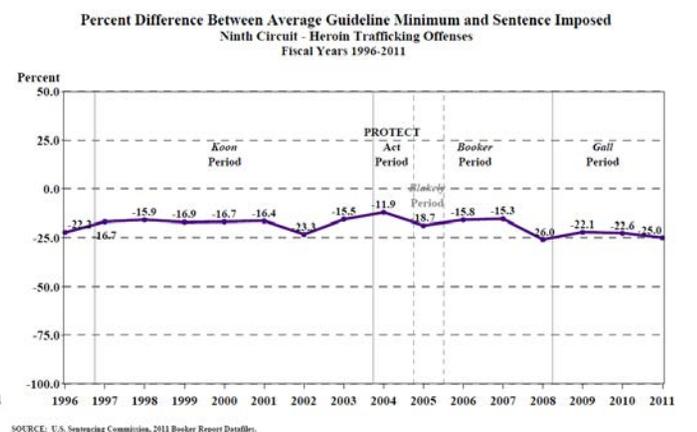
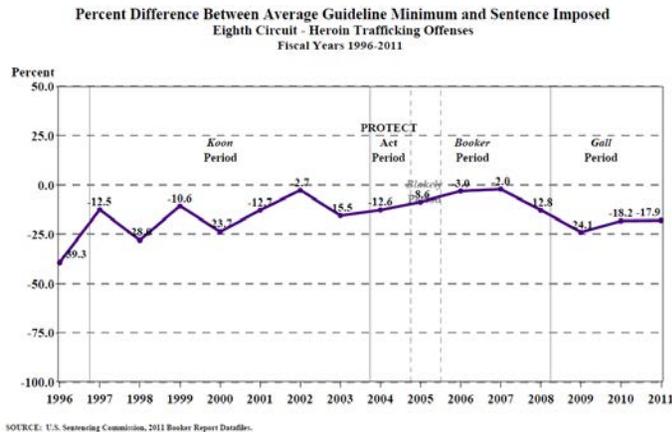
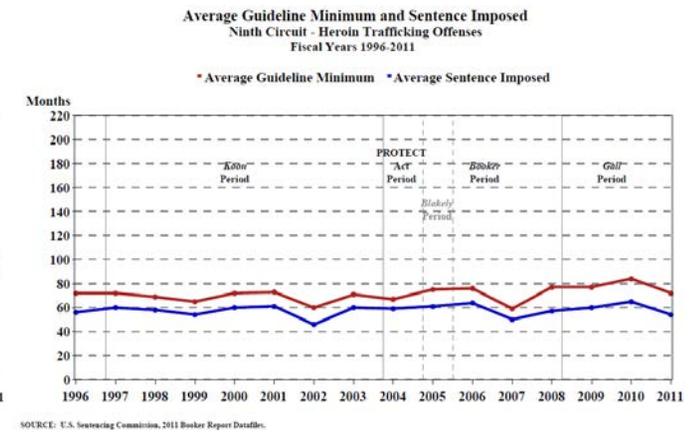
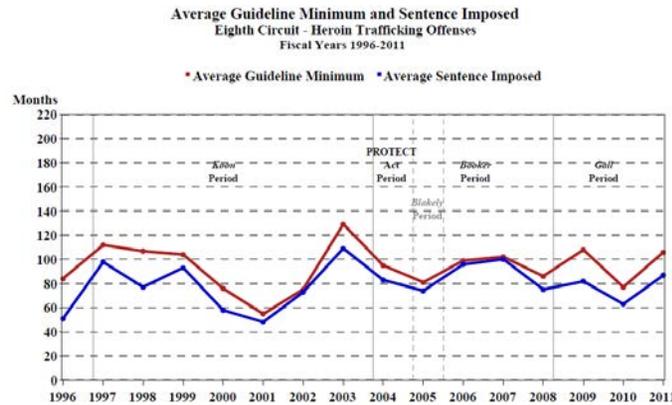


SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

PART C: DRUG TRAFFICKING OFFENSES HEROIN

CIRCUIT TREND ANALYSIS INFLUENCE OF THE GUIDELINES

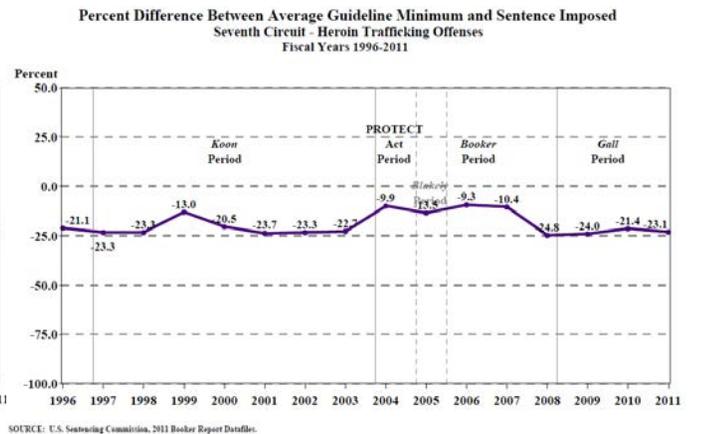
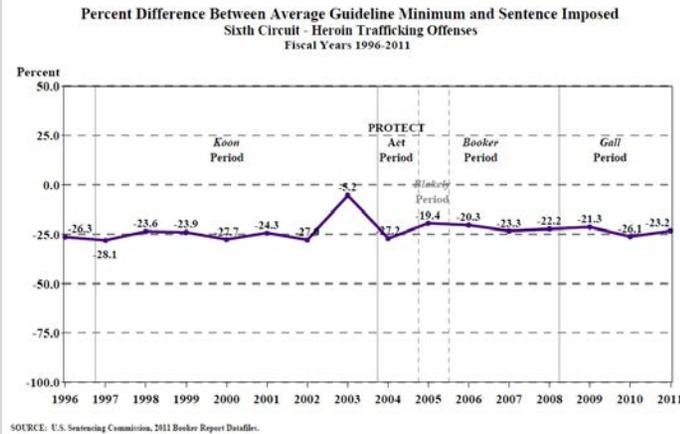
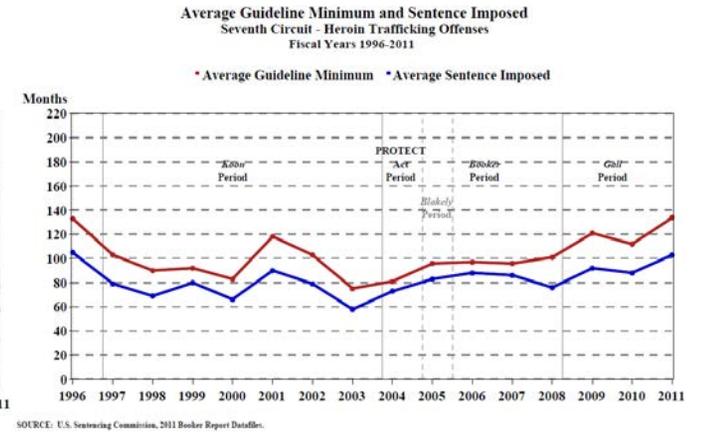
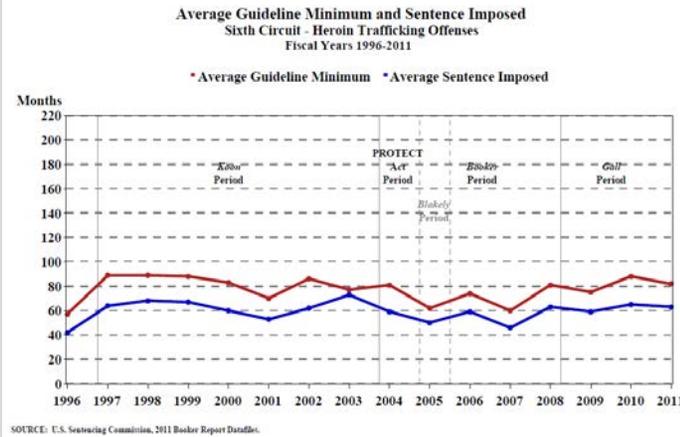
At the circuit level, average sentences for heroin trafficking offenders have generally paralleled the average guideline minimum across the four periods. The same trend has occurred in most circuits.



PART C: DRUG TRAFFICKING OFFENSES HEROIN

CIRCUIT TREND ANALYSIS INFLUENCE OF THE GUIDELINES

At the circuit level, average sentences for heroin trafficking offenders have generally paralleled the average guideline minimum across the four periods. The same trend has occurred in most circuits.

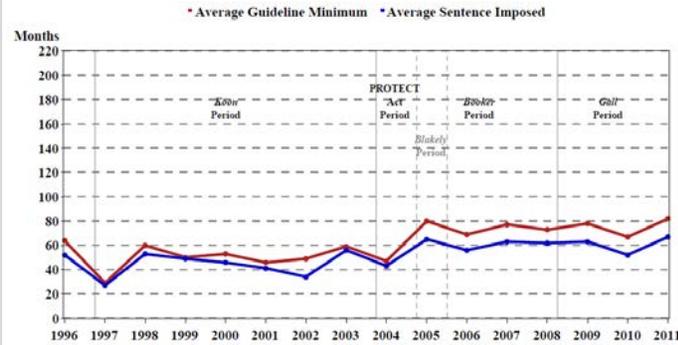


PART C: DRUG TRAFFICKING OFFENSES HEROIN

CIRCUIT TREND ANALYSIS INFLUENCE OF THE GUIDELINES

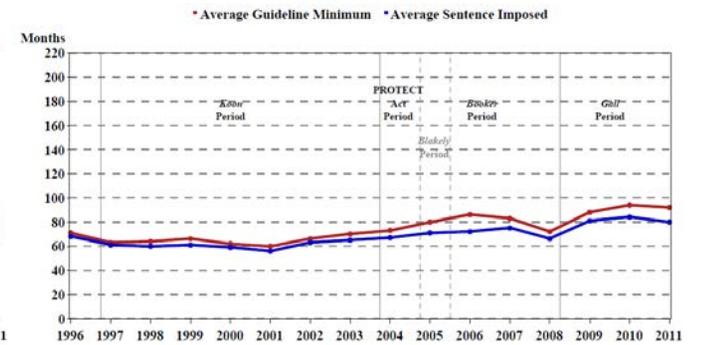
At the circuit level, average sentences for heroin trafficking offenders have generally paralleled the average guideline minimum across the four periods. The same trend has occurred in most circuits.

**Average Guideline Minimum and Sentence Imposed
Tenth Circuit - Heroin Trafficking Offenses
Fiscal Years 1996-2011**



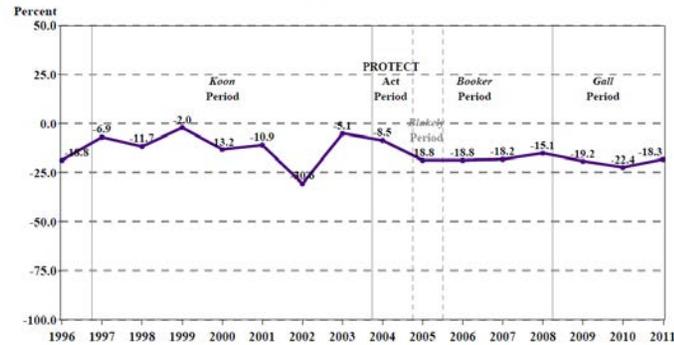
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

**Average Guideline Minimum and Sentence Imposed
Eleventh Circuit - Heroin Trafficking Offenses
Fiscal Years 1996-2011**



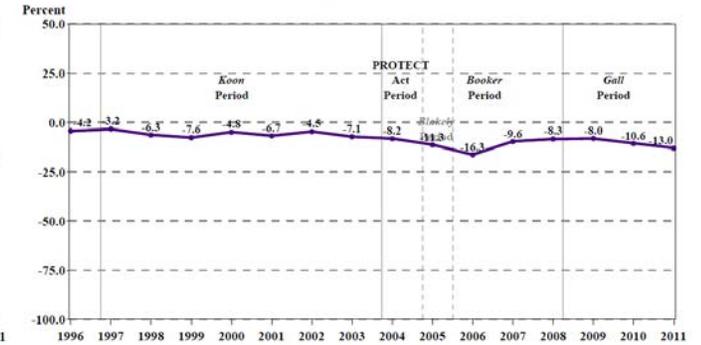
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

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



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

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



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

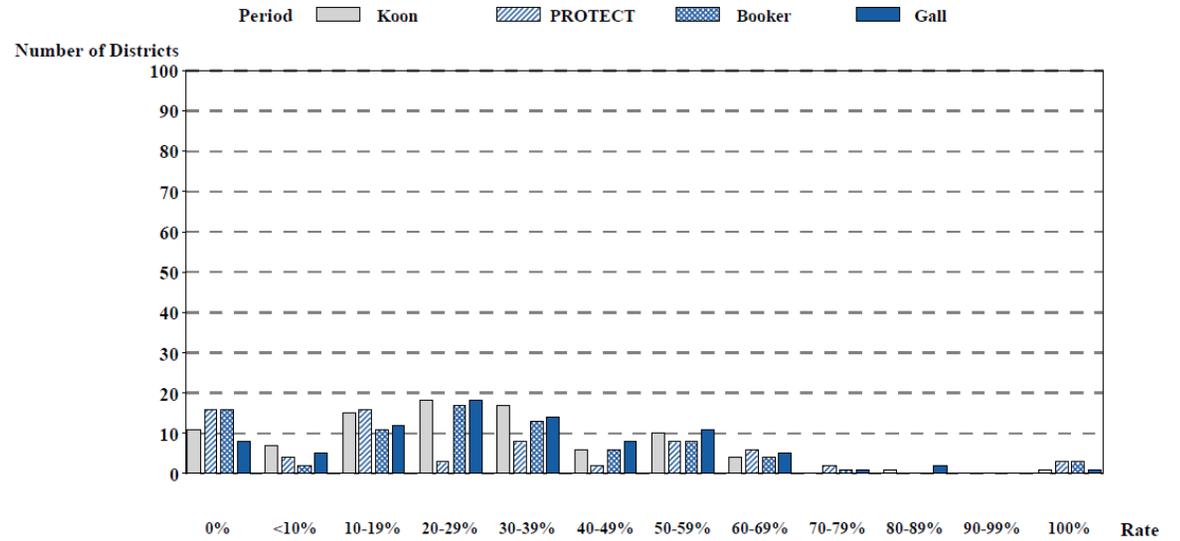
PART C: DRUG TRAFFICKING OFFENSES
HEROIN

DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

Most districts have clustered between government sponsored below range rates of ten to 39 percent during each period. In each period at least one district reported a government sponsored below range rate of 100 percent, which in this instance reflects that a government sponsored below range sentence was imposed in the one or two heroin trafficking offenses in those districts during the relevant period.

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



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

PART C: DRUG TRAFFICKING OFFENSES HEROIN

DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

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

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

Koon Period (6/13/96 - 4/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			Booker Period (1/12/05 - 12/10/07)			Gall Period (12/11/07-9/30/11)		
District	Number of Offenders	% 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											
Southern Mississippi	1	100.0	Northern Alabama	2	100.0	Southern Iowa	1	100.0	Middle Georgia	1	100.0
Northern Alabama	6	83.3	Alaska	1	100.0	Northern Alabama	1	100.0	Western Kentucky	6	83.3
Western Tennessee	27	66.7	Guam	1	100.0	Southern Alabama	1	100.0	Maine	20	80.0
Idaho	3	66.7	Northern Ohio	12	75.0	Eastern Tennessee	18	72.2	Western New York	66	75.8
Western Virginia	30	60.0	Middle Pennsylvania	35	71.4	Colorado	26	69.2	Southern California	159	68.6
Districts with the Lowest Rates in Each Time Period											
Southern West Virginia	25	8.0	Kansas	10	10.0	Northern Georgia	38	13.2	Southern Florida	272	9.9
Rhode Island	52	7.7	Eastern Virginia	53	9.4	Eastern California	38	10.5	Southern Illinois	25	8.0
Northern West Virginia	17	5.9	Oregon	15	6.7	Western Pennsylvania	78	10.3	Eastern Virginia	164	6.7
Kansas	18	5.6	Northern Georgia	15	6.7	Central California	14	7.1	Western Oklahoma	17	5.9
Southern Florida	1,327	4.8	Eastern Louisiana	42	4.8	Northern West Virginia	36	2.8	Southern West Virginia	45	4.4

Number of Offenders refers to the total number of heroin trafficking offenders sentenced during the time period. During the *Koon* period, four districts did not sentence any heroin trafficking offenses. During the PROTECT Act period, 26 districts did not sentence any heroin trafficking offenses. During the *Booker* period, 13 districts did not sentence any heroin trafficking offenses. During the *Gall* period, nine districts did not sentence any heroin trafficking offenses.

During the *Koon* period, one additional district imposed a government sponsored below range sentence in 60.0 percent of heroin trafficking offenses (Virgin Islands, N=10). Eleven districts imposed at least one sentence for a heroin trafficking offense but did not impose a government sponsored below range sentence. The total number of heroin trafficking offenders sentenced in each of those districts ranged from one to 12 offenders.

During the PROTECT Act period, 16 districts imposed at least one sentence for a heroin trafficking offense but did not impose a government sponsored below range sentence. The total number of heroin trafficking offenders sentenced in each of those districts ranged from one to ten offenders.

During the *Booker* period, 16 districts imposed at least one sentence for a heroin trafficking offense but did not impose a government sponsored below range sentence. The total number of heroin trafficking offenders sentenced in each of those districts ranged from one to 63 offenders.

During the *Gall* period, eight districts imposed at least one sentence for a heroin trafficking offense but did not impose a government sponsored below range sentence. The total number of heroin trafficking offenders sentenced in each of those districts ranged from one to 21 offenders.

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

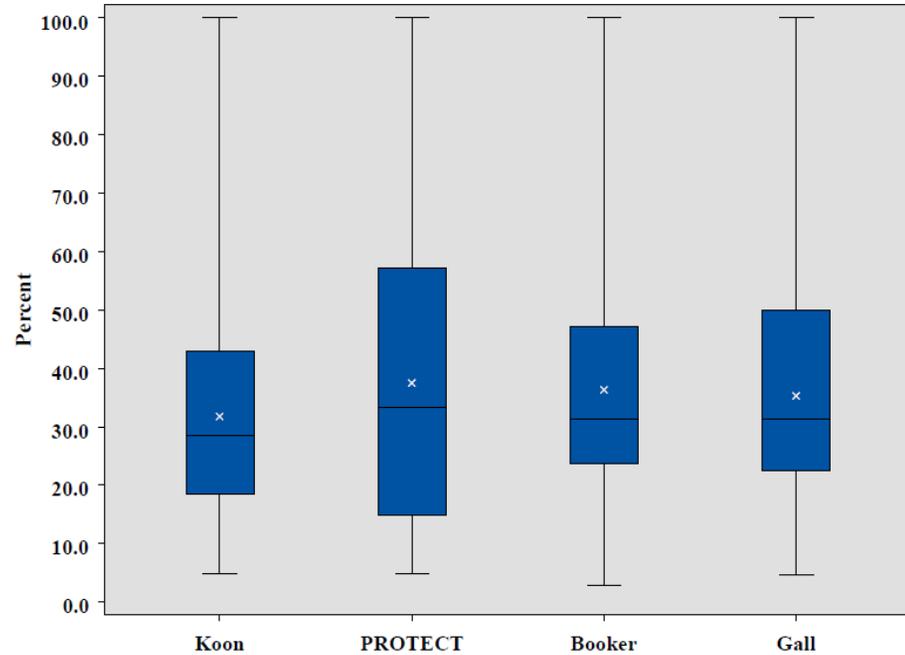
DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The number of districts reporting government sponsored below range sentences in heroin trafficking cases has increased from the PROTECT Act period through the *Gall* period. With fewer districts reporting such sentences in the PROTECT Act period, the spread among the middle 50 percent of districts was greatest. With more districts reporting government sponsored below range sentences in the *Gall* period than in the *Booker* period, the spread in the rates among the middle 50 percent of districts increased.

**Click on chart for corresponding table.*

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



	Koon	PROTECT	Booker	Gall
N	79.0	52.0	65.0	77.0
Min	4.8	4.8	2.8	4.4
Max	100.0	100.0	100.0	100.0
Q1	18.4	14.8	23.7	22.5
Q3	42.9	57.1	47.2	50.0
Q2	28.6	33.3	31.3	31.3
Mean	31.8	37.5	36.4	35.3

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

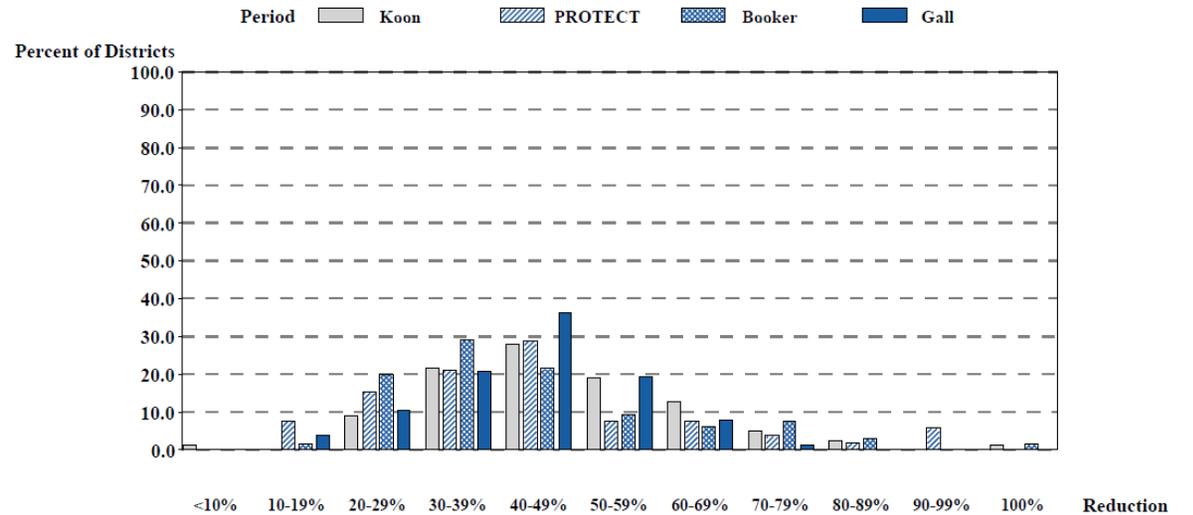
PART C: DRUG TRAFFICKING OFFENSES
HEROIN

DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The average extent of the reduction for government sponsored below range sentences has been between 20 and 59 percent below the guideline minimum in every period.

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



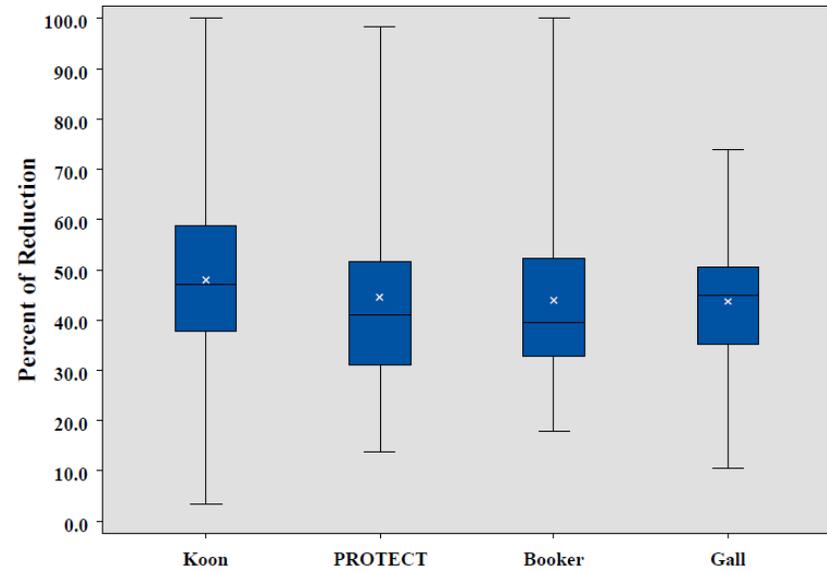
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The spread in the extent of the reduction among the middle 50 percent of districts has decreased over time. However, the middle 50 percent of districts averaged slightly higher reductions in the *Gall* period than in the PROTECT Act or *Booker* periods.

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



	Koon	PROTECT	Booker	Gall
N	79.0	52.0	65.0	77.0
Min	3.5	13.8	17.8	10.5
Max	100.0	98.3	100.0	73.7
Q1	37.7	31.2	33.0	35.2
Q3	58.8	51.8	52.3	50.6
Q2	47.1	41.0	39.4	45.1
Mean	48.0	44.6	44.0	43.8

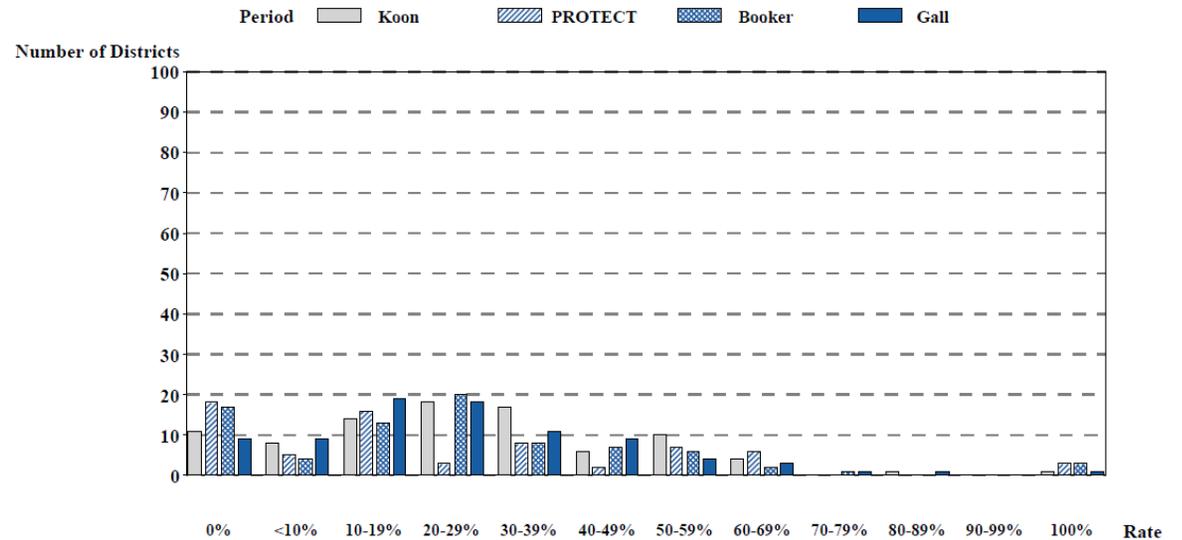
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

PART C: DRUG TRAFFICKING OFFENSES
HEROIN

DISTRICT TREND ANALYSIS
SUBSTANTIAL ASSISTANCE SENTENCES

The greatest number of districts have clustered around substantial assistance below range rates of between ten and 39 percent in every period.

**Rate of Substantial Assistance Sentences
Heroin Trafficking Offenses
Koon Period through Gall Period**



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

PART C: DRUG TRAFFICKING OFFENSES HEROIN

DISTRICT TREND ANALYSIS SUBSTANTIAL ASSISTANCE SENTENCES

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

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

<i>Koon</i> Period (6/13/96 - 4/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
District	Number of Offenders	% Subst. Assist.	District	Number of Offenders	% Subst. Assist.	District	Number of Offenders	% Subst. Assist.	District	Number of Offenders	% Subst. Assist.
Districts with the Highest Rates in Each Time Period											
Southern Mississippi	1	100.0	Northern Alabama	2	100.0	Southern Iowa	1	100.0	Middle Georgia	1	100.0
Northern Alabama	6	83.3	Alaska	1	100.0	Northern Alabama	1	100.0	Maine	20	80.0
Western Tennessee	27	66.7	Guam	1	100.0	Southern Alabama	1	100.0	Western New York	66	74.2
Idaho	3	66.7	Middle Pennsylvania	35	68.6	Eastern Tennessee	18	72.2	Western Kentucky	6	66.7
Western Virginia	30	60.0	Northern Ohio	12	66.7	Colorado	26	69.2	Northern Oklahoma	8	62.5
Districts with the Lowest Rates in Each Time Period											
Southern West Virginia	25	8.0	Eastern Virginia	53	9.4	Western Pennsylvania	78	10.3	Massachusetts	77	6.5
Rhode Island	52	7.7	Massachusetts	33	9.1	Eastern Wisconsin	42	9.5	Western Oklahoma	17	5.9
Northern West Virginia	17	5.9	Oregon	15	6.7	Arizona	58	8.6	Eastern Virginia	164	5.5
Kansas	18	5.6	Northern Georgia	15	6.7	Northern Georgia	38	7.9	Utah	76	5.3
Southern Florida	1,327	4.8	Eastern Louisiana	42	4.8	Central California	14	7.1	Southern West Virginia	45	4.4

Number of Offenders refers to the total number of heroin trafficking offenders sentenced during the time period. During the *Koon* period, four districts did not sentence any heroin trafficking offenses. During the PROTECT Act period, 26 districts did not sentence any heroin trafficking offenses. During the *Booker* period, 13 districts did not sentence any heroin trafficking offenses. During the *Gall* period, nine districts did not sentence any heroin trafficking offenses.

During the *Koon* period, one additional district imposed a substantial assistance sentence in 60.0 percent of heroin trafficking offenses (Virgin Islands, N=10). Eleven districts imposed at least one sentence for a heroin trafficking offense but did not impose a substantial assistance sentence. The total number of heroin trafficking offenders sentenced in each of those districts ranged from one to 12 offenders.

During the PROTECT Act period, 18 districts imposed at least one sentence for a heroin trafficking offense but did not impose a substantial assistance sentence. The total number of heroin trafficking offenders sentenced in each of those districts ranged from one to 13 offenders.

During the *Booker* period, 17 districts imposed at least one sentence for a heroin trafficking offense but did not impose a substantial assistance sentence. The total number of heroin trafficking offenders sentenced in each of those districts ranged from one to 63 offenders.

During the *Gall* period, nine districts imposed at least one sentence for a heroin trafficking offense but did not impose a substantial assistance sentence. The total number of heroin trafficking offenders sentenced in each of those districts ranged from one to 21 offenders.

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

DISTRICT TREND ANALYSIS

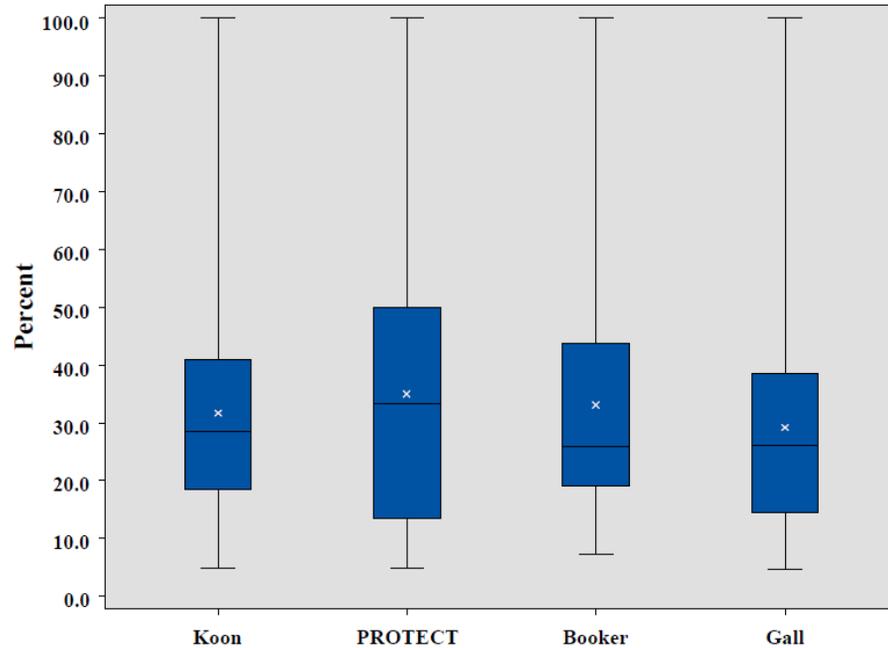
SUBSTANTIAL ASSISTANCE SENTENCES

The number of districts reporting substantial assistance departures was smallest in the PROTECT Act period, but the variation among the middle 50 percent of districts was greatest.

Since the PROTECT Act period, the spread has decreased. While the spreads in the *Booker* and *Gall* periods were similar, the middle 50 percent of districts in the *Gall* period had generally lower substantial assistance rates than in the *Booker* period, as illustrated by the lower placement of the box along the vertical axis.

**Click on chart for corresponding table.*

Spread of Rates of Substantial Assistance Sentences
Heroin Trafficking Offenses
Koon Period through Gall Period



	Koon	PROTECT	Booker	Gall
N	79.0	50.0	64.0	76.0
Min	4.8	4.8	7.1	4.4
Max	100.0	100.0	100.0	100.0
Q1	18.4	13.5	19.0	14.4
Q3	40.9	50.0	43.7	38.6
Q2	28.6	33.3	25.8	26.0
Mean	31.7	35.0	33.1	29.2

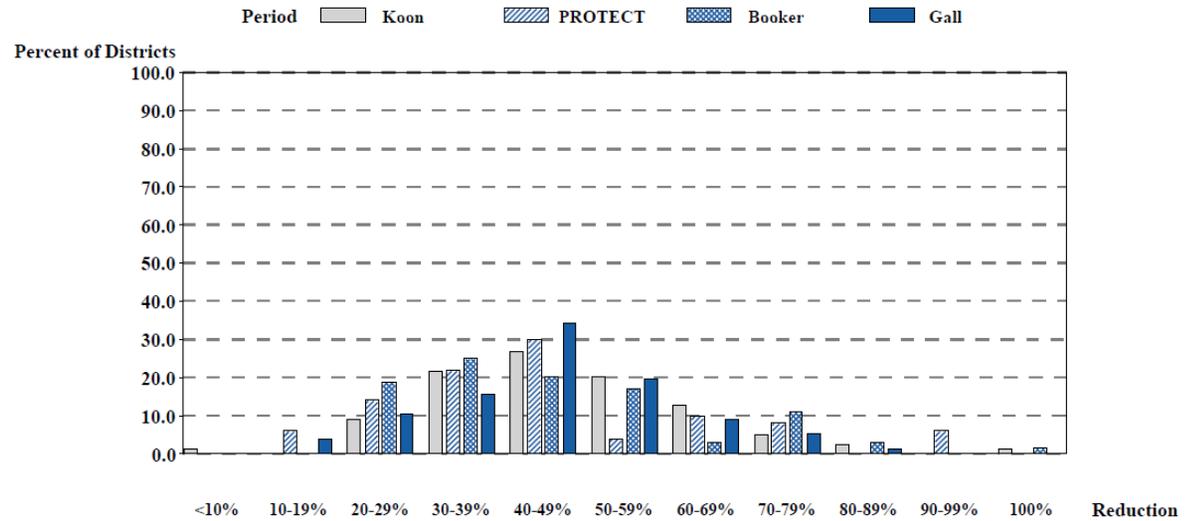
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

PART C: DRUG TRAFFICKING OFFENSES
HEROIN

DISTRICT TREND ANALYSIS
SUBSTANTIAL ASSISTANCE SENTENCES

Across the periods, most districts have averaged reductions of between 20 and 49 percent below the guideline minimum. In the *Koon*, *Booker*, and *Gall* periods, approximately 20 percent of districts averaged reductions of between 50 to 59 percent below the guideline minimum.

Extent of Reduction from Guideline Minimum
Substantial Assistance Sentences
Heroin Trafficking Offenses
Koon Period through Gall Period



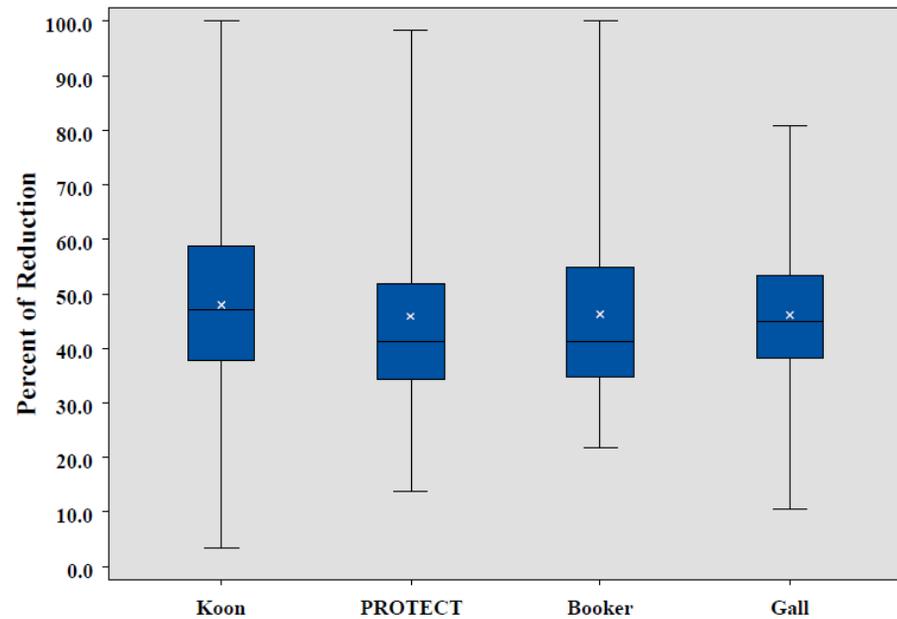
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

SUBSTANTIAL ASSISTANCE SENTENCES

The spread in the extent of the reduction among the middle 50 percent of districts was smallest in the *Gall* period.

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



	Koon	PROTECT	Booker	Gall
N	79.0	50.0	64.0	76.0
Min	3.5	13.8	21.7	10.5
Max	100.0	98.3	100.0	80.8
Q1	37.7	34.4	34.8	38.1
Q3	58.8	51.8	54.8	53.3
Q2	47.1	41.3	41.3	44.9
Mean	48.1	45.9	46.3	46.2

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

PART C: DRUG TRAFFICKING OFFENSES
HEROIN

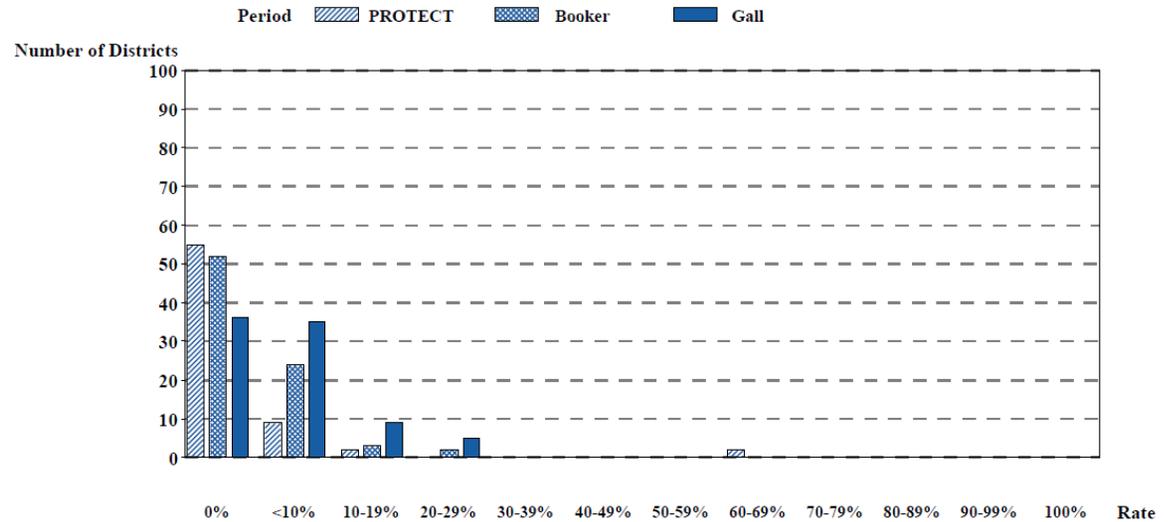
DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

During the PROTECT Act, the majority of districts did not report any other government sponsored below range sentences in heroin trafficking offenses. In the *Booker* and *Gall* periods, more districts reported other government sponsored below range sentences, but generally at rates of less than ten percent.

During the *Koon* period, except for substantial assistance motions by the government, the Commission did not differentiate between court-sponsored and other types of government-sponsored below range sentences. Accordingly, there are no reported other government sponsored below range sentences for the *Koon* period.

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



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

PART C: DRUG TRAFFICKING OFFENSES HEROIN

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 in heroin trafficking offenses for the three periods in which such data was collected.

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

<i>Koon</i> Period (6/13/96 - 4/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
District	Number of Offenders	% 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											
			Nevada	3	66.7	Eastern Texas	26	23.1	District of Columbia	66	28.8
			Southern California	13	61.5	Minnesota	5	20.0	Southern Indiana	12	25.0
			District of Columbia	14	14.3	District of Columbia	39	15.4	Northern California	43	23.3
			Connecticut	20	10.0	Southern Texas	112	14.3	Western Washington	66	21.2
			Northern Ohio	12	8.3	Western Washington	73	11.0	Southern Iowa	5	20.0
Districts with the Lowest Rates in Each Time Period											
			Southern Texas	57	3.5	Puerto Rico	131	1.5	Eastern New York	564	1.4
			Massachusetts	33	3.0	Southern Ohio	67	1.5	New Jersey	235	1.3
			Middle Pennsylvania	35	2.9	New Jersey	284	1.4	Eastern Virginia	164	1.2
			Northern Illinois	40	2.5	Eastern Pennsylvania	85	1.2	Northern Ohio	105	1.0
			New Jersey	98	2.0	Southern Florida	293	0.7	Eastern Pennsylvania	139	0.7

Number of Offenders refers to the total number of heroin trafficking 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, 26 districts did not sentence any heroin trafficking offenses. During the *Booker* period, 13 districts did not sentence any heroin trafficking offenses. During the *Gall* period, nine districts did not sentence any heroin trafficking offenses.

During the PROTECT Act period, 55 districts imposed at least one sentence for a heroin trafficking offense but did not impose an other government sponsored below range sentence. The total number of heroin trafficking offenders sentenced in each of those districts ranged from one to 207 offenders.

During the *Booker* period, 52 districts imposed at least one sentence for a heroin trafficking offense but did not impose an other government sponsored below range sentence. The total number of heroin trafficking offenders sentenced in each of those districts ranged from one to 82 offenders.

During the *Gall* period, 36 districts imposed at least one sentence for a heroin trafficking offense but did not impose an other government sponsored below range sentence. The total number of heroin trafficking offenders sentenced in each of those districts ranged from one to 83 offenders.

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

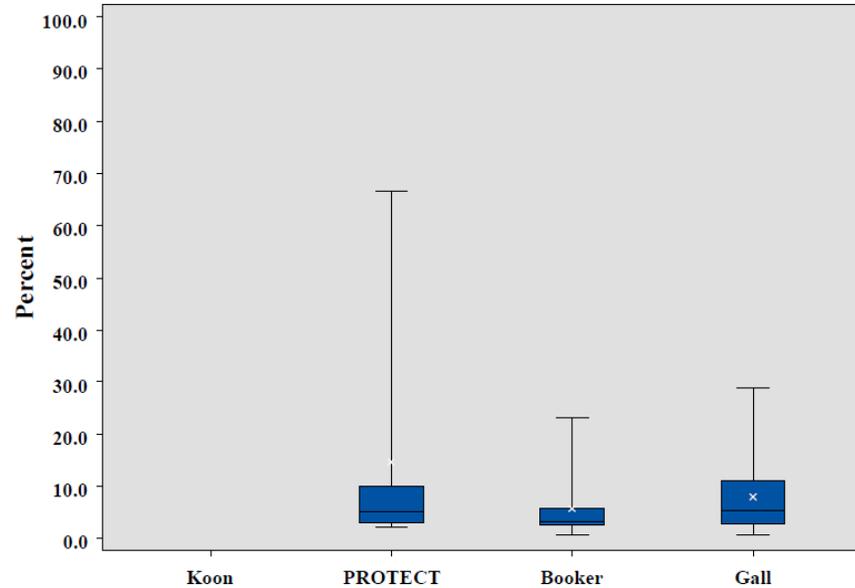
DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The number of districts reporting other government sponsored below range sentences increased from 13 districts in the PROTECT Act period to 29 districts in the *Booker* period, to 49 districts in the *Gall* period.

**Click on chart for corresponding table.*

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



	Koon	PROTECT	Booker	Gall
N		13.0	29.0	49.0
Min		2.0	0.7	0.7
Max		66.7	23.1	28.8
Q1		3.0	2.5	2.9
Q3		10.0	5.9	11.1
Q2		5.2	3.4	5.3
Mean		14.7	5.8	8.1

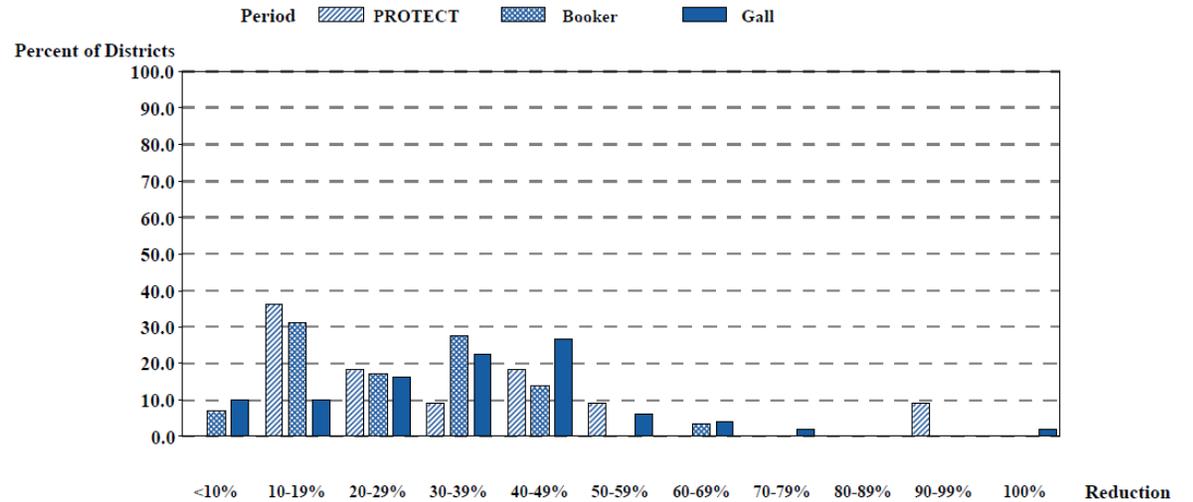
Data on other government sponsored below range sentences is unavailable for the Koon period.
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

While over 30 percent of districts averaged reductions of between 10 and 19 percent below the guideline minimum in the PROTECT Act and *Booker* periods, more districts in the *Gall* period averaged reductions of between 30 and 49 percent below the guideline minimum.

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



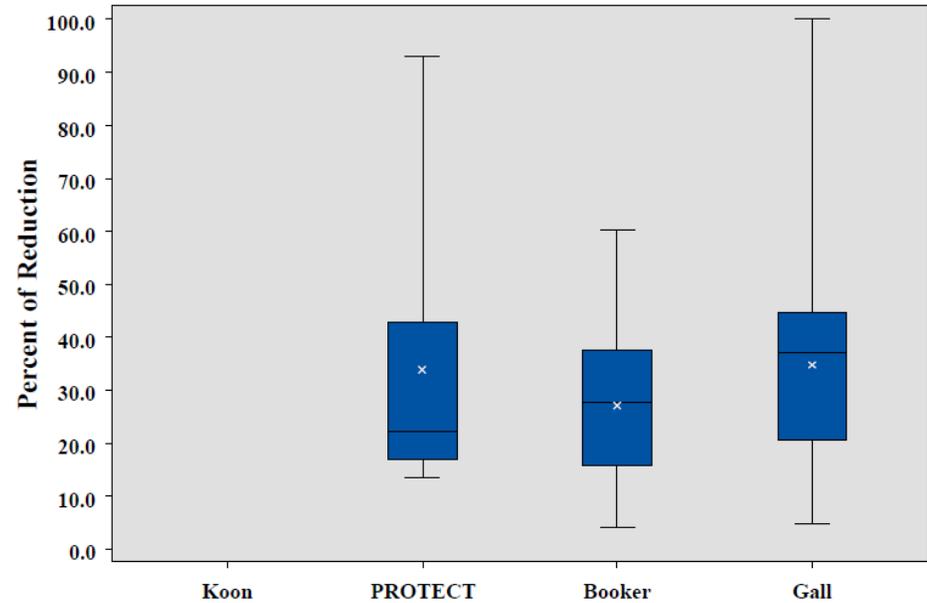
Data on other government sponsored below range sentences is unavailable for the Koon period.
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

As illustrated by the higher placement of the box along the vertical axis, the extent of the reduction was generally larger in the *Gall* period among the middle 50 percent of districts.

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



	Koon	PROTECT	Booker	Gall
N		11.0	29.0	49.0
Min		13.5	4.1	4.6
Max		93.0	60.3	100.0
Q1		16.8	15.8	20.6
Q3		42.7	37.7	44.7
Q2		22.1	27.8	36.9
Mean		33.8	27.1	34.8

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

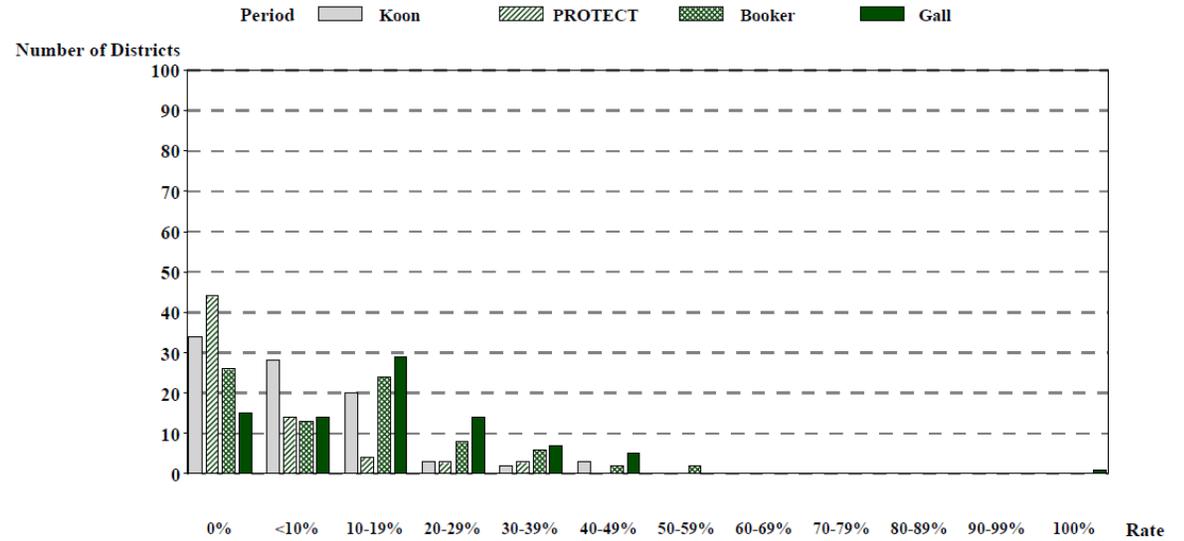
PART C: DRUG TRAFFICKING OFFENSES
HEROIN

DISTRICT TREND ANALYSIS

NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

Most districts clustered around rates of non-government sponsored below range sentences of less than ten percent to 19 percent in each period, with more districts in the *Gall* period than in the other periods also having non-government sponsored below range rates of 20 percent or higher.

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



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

PART C: DRUG TRAFFICKING OFFENSES HEROIN

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 in heroin trafficking offenses for each of the four periods.

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

Koon Period (6/13/96 - 4/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			Booker Period (1/12/05 - 12/10/07)			Gall Period (12/11/07-9/30/11)		
District	Number of Offenders	% Non-Gov. Spon.	District	Number of Offenders	% Non-Gov. Spon.	District	Number of Offenders	% Non-Gov. Spon.	District	Number of Offenders	% Non-Gov. Spon.
Districts with the Highest Rates in Each Time Period											
Arizona	139	48.9	Connecticut	20	35.0	Middle Tennessee	2	50.0	Middle Alabama	1	100.0
Eastern New York	1,706	44.4	Arizona	9	33.3	South Dakota	2	50.0	Minnesota	23	47.8
Southern California	230	40.4	Eastern New York	305	32.1	Eastern New York	497	43.5	Western Wisconsin	21	47.6
Connecticut	107	37.4	Southern Ohio	8	25.0	Eastern Wisconsin	42	40.5	Southern New York	461	47.5
Idaho	3	33.3	Maryland	18	22.2	Delaware	19	36.8	Western Oklahoma	17	47.1
Districts with the Lowest Rates in Each Time Period											
Southern Florida	1,327	3.6	Southern Texas	57	3.5	Eastern California	38	5.3	Eastern North Carolina	32	3.1
Eastern Pennsylvania	289	3.5	Southern Florida	207	2.9	Western Texas	168	4.8	Northern Texas	33	3.0
Eastern Louisiana	108	2.8	Northern West Virginia	37	2.7	Eastern Missouri	99	4.0	Eastern Kentucky	37	2.7
Middle Pennsylvania	82	2.4	Western Texas	50	2.0	Eastern Louisiana	53	3.8	Eastern Tennessee	43	2.3
Eastern Virginia	226	1.3	Puerto Rico	108	0.9	Northern West Virginia	36	2.8	Western New York	66	1.5

Number of Offenders refers to the total number of heroin trafficking offenders sentenced during the time period. During the *Koon* period, four districts did not sentence any heroin trafficking offenses. During the PROTECT Act period, 26 districts did not sentence any heroin trafficking offenses. During the *Booker* period, 13 districts did not sentence any heroin trafficking offenses. During the *Gall* period, nine districts did not sentence any heroin trafficking offenses.

During the *Koon* period, 34 districts imposed at least one sentence for a heroin trafficking offense but did not impose a non-government sponsored below range sentence. The total number of heroin trafficking offenders sentenced in each of those districts ranged from one to 30 offenders.

During the PROTECT Act period, 44 districts imposed at least one sentence for a heroin trafficking offense but did not impose a non-government sponsored below range sentence. The total number of heroin trafficking offenders sentenced in each of those districts ranged from one to 66 offenders.

During the *Booker* period, 26 districts imposed at least one sentence for a heroin trafficking offense but did not impose a non-government sponsored below range sentence. The total number of heroin trafficking offenders sentenced in each of those districts ranged from one to 29 offenders.

During the *Gall* period, 15 districts imposed at least one sentence for a heroin trafficking offense but did not impose a non-government sponsored below range sentence. The total number of heroin trafficking offenders sentenced in each of those districts ranged from one to 29 offenders.

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

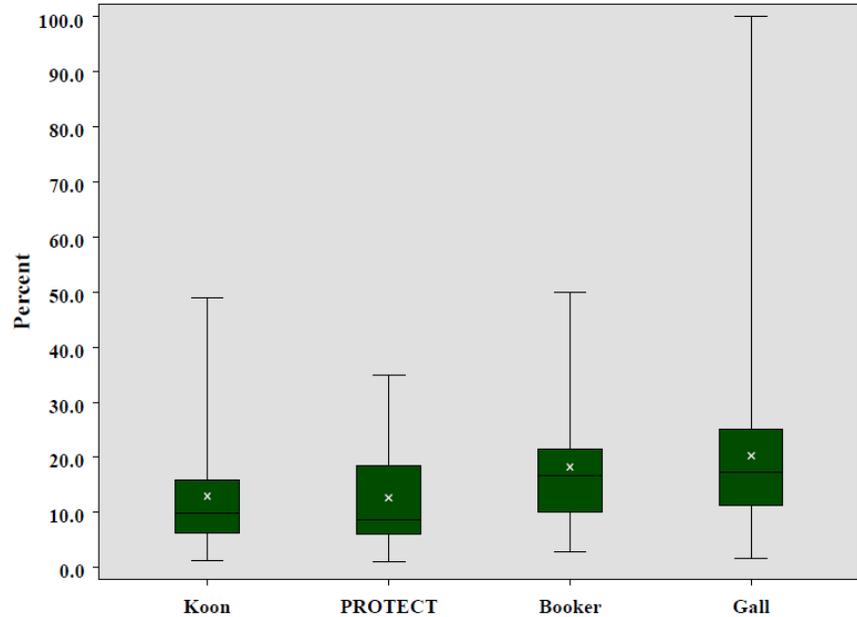
DISTRICT TREND ANALYSIS

NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

More districts reported non-government sponsored below range sentences in heroin trafficking offenses in the *Gall* period than the other periods. The rate and the spread in the rates among the middle 50 percent of districts has generally increased over time.

**Click on chart for corresponding table.*

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



	Koon	PROTECT	Booker	Gall
N	56.0	24.0	55.0	70.0
Min	1.3	0.9	2.8	1.5
Max	48.9	35.0	50.0	100.0
Q1	6.1	6.0	10.0	11.2
Q3	15.9	18.3	21.4	25.0
Q2	9.8	8.6	16.7	17.1
Mean	12.9	12.6	18.2	20.3

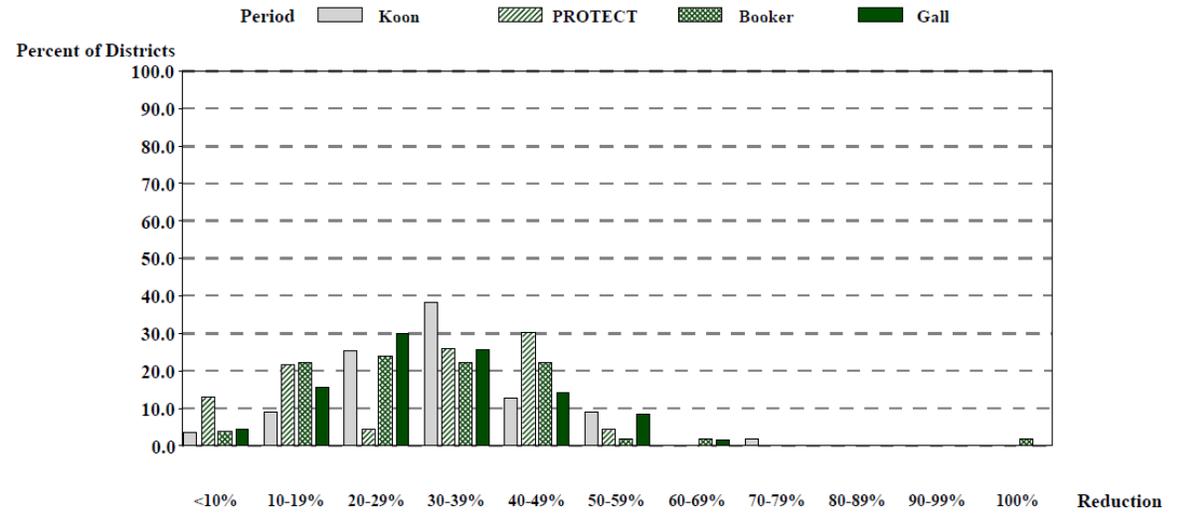
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The majority of districts have clustered at reductions of between 20 and 49 percent below the guideline minimum in every period.

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



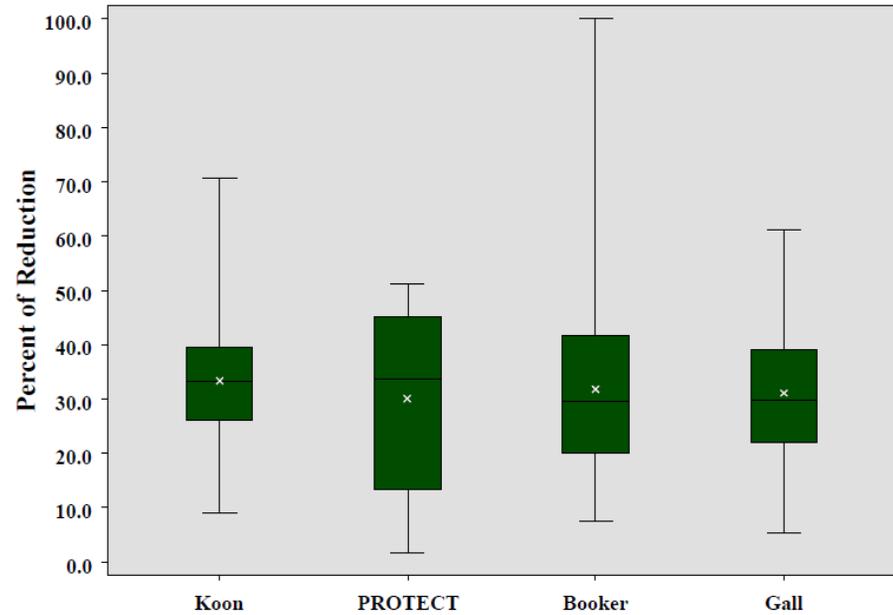
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

With fewer districts reporting non-government sponsored below range sentences in the PROTECT Act period than in the other periods, the spread in the extent of the reduction among the middle 50 percent of districts was greatest. The spread in the extent of the reduction decreased in the *Booker* period and again the *Gall* period.

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



	Koon	PROTECT	Booker	Gall
N	55.0	23.0	54.0	70.0
Min	9.1	1.9	7.6	5.3
Max	70.6	51.3	100.0	61.3
Q1	26.0	13.5	20.0	22.0
Q3	39.6	45.2	41.7	39.1
Q2	33.4	33.6	29.6	29.8
Mean	33.4	30.2	31.8	31.2

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

Appendix: Heroin Trafficking Offenses

I. OVERVIEW

- ❖ National Distribution of Selected Offenses by Circuit and District
- ❖ National Distribution of Primary Drug Type by Circuit and District
- ❖ Proportion of the Drug Trafficking Caseload in Each Circuit and District by Primary Drug Type

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 Selected Offenses by Circuit and District
Fiscal Year 2011**

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

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

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

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

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

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

**National Distribution of Primary Drug Type by Circuit and District
Drug Trafficking Offenses
Fiscal Year 2011**

CIRCUIT District	DRUG TOTAL	Powder Cocaine		Crack Cocaine		Methamphetamine		Marijuana		Heroin	
		N	%	N	%	N	%	N	%	N	%
TOTAL	24,501	5,882	24.0	4,219	17.2	4,408	18.0	6,752	27.6	1,764	7.2
D.C. CIRCUIT	133	57	1.0	42	1.0	3	0.1	4	0.1	12	0.7
District of Columbia	133	57	1.0	42	1.0	3	0.1	4	0.1	12	0.7
FIRST CIRCUIT	1,129	639	10.9	182	4.3	15	0.3	72	1.1	124	7.0
Maine	70	17	0.3	10	0.2	0	0.0	13	0.2	16	0.9
Massachusetts	192	42	0.7	57	1.4	9	0.2	26	0.4	34	1.9
New Hampshire	85	28	0.5	6	0.1	6	0.1	6	0.1	4	0.2
Puerto Rico	699	536	9.1	80	1.9	0	0.0	23	0.3	50	2.8
Rhode Island	83	16	0.3	29	0.7	0	0.0	4	0.1	20	1.1
SECOND CIRCUIT	1,787	582	9.9	456	10.8	50	1.1	239	3.5	327	18.5
Connecticut	164	45	0.8	82	1.9	0	0.0	10	0.1	25	1.4
New York											
Eastern	410	153	2.6	73	1.7	2	0.0	38	0.6	135	7.7
Northern	243	75	1.3	78	1.8	4	0.1	74	1.1	6	0.3
Southern	579	190	3.2	133	3.2	28	0.6	48	0.7	134	7.6
Western	309	88	1.5	81	1.9	14	0.3	55	0.8	22	1.2
Vermont	82	31	0.5	9	0.2	2	0.0	14	0.2	5	0.3
THIRD CIRCUIT	953	329	5.6	271	6.4	46	1.0	78	1.2	150	8.5
Delaware	27	12	0.2	5	0.1	0	0.0	2	0.0	4	0.2
New Jersey	223	108	1.8	24	0.6	4	0.1	7	0.1	60	3.4
Pennsylvania											
Eastern	328	101	1.7	94	2.2	25	0.6	28	0.4	41	2.3
Middle	177	40	0.7	68	1.6	16	0.4	29	0.4	21	1.2
Western	179	62	1.1	72	1.7	1	0.0	7	0.1	24	1.4
Virgin Islands	19	6	0.1	8	0.2	0	0.0	5	0.1	0	0.0
FOURTH CIRCUIT	2,229	601	10.2	903	21.4	185	4.2	155	2.3	184	10.4
Maryland	251	79	1.3	83	2.0	6	0.1	12	0.2	58	3.3
North Carolina											
Eastern	346	90	1.5	183	4.3	28	0.6	24	0.4	13	0.7
Middle	153	47	0.8	79	1.9	16	0.4	8	0.1	1	0.1
Western	182	58	1.0	64	1.5	13	0.3	27	0.4	18	1.0
South Carolina	401	126	2.1	200	4.7	24	0.5	21	0.3	10	0.6
Virginia											
Eastern	389	123	2.1	136	3.2	20	0.5	21	0.3	44	2.5
Western	197	28	0.5	54	1.3	62	1.4	7	0.1	15	0.9
West Virginia											
Northern	144	31	0.5	53	1.3	15	0.3	8	0.1	21	1.2
Southern	166	19	0.3	51	1.2	1	0.0	27	0.4	4	0.2

National Distribution of Primary Drug Type by Circuit and District (cont.)

CIRCUIT District	DRUG TOTAL	Powder Cocaine		Crack Cocaine		Methamphetamine		Marijuana		Heroin	
		N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	4,955	1,144	19.4	458	10.9	619	14.0	2,429	36.0	194	11.0
Louisiana											
Eastern	120	18	0.3	57	1.4	10	0.2	2	0.0	27	1.5
Middle	37	14	0.2	18	0.4	2	0.0	1	0.0	0	0.0
Western	60	20	0.3	19	0.5	14	0.3	5	0.1	1	0.1
Mississippi											
Northern	65	14	0.2	40	0.9	3	0.1	6	0.1	0	0.0
Southern	77	30	0.5	12	0.3	6	0.1	24	0.4	2	0.1
Texas											
Eastern	460	135	2.3	69	1.6	157	3.6	66	1.0	11	0.6
Northern	259	56	1.0	49	1.2	112	2.5	24	0.4	8	0.5
Southern	1,735	412	7.0	28	0.7	99	2.2	1,110	16.4	65	3.7
Western	2,142	445	7.6	166	3.9	216	4.9	1,191	17.6	80	4.5
SIXTH CIRCUIT	1,946	410	7.0	452	10.7	305	6.9	341	5.1	161	9.1
Kentucky											
Eastern	259	40	0.7	46	1.1	17	0.4	41	0.6	9	0.5
Western	158	24	0.4	68	1.6	19	0.4	18	0.3	0	0.0
Michigan											
Eastern	243	73	1.2	53	1.3	3	0.1	59	0.9	22	1.2
Western	104	26	0.4	19	0.5	2	0.0	42	0.6	10	0.6
Ohio											
Northern	173	60	1.0	23	0.5	0	0.0	37	0.5	47	2.7
Southern	269	64	1.1	73	1.7	1	0.0	76	1.1	49	2.8
Tennessee											
Eastern	474	57	1.0	123	2.9	189	4.3	21	0.3	16	0.9
Middle	82	35	0.6	12	0.3	11	0.2	15	0.2	2	0.1
Western	184	31	0.5	35	0.8	63	1.4	32	0.5	6	0.3
SEVENTH CIRCUIT	1,182	312	5.3	405	9.6	144	3.3	130	1.9	151	8.6
Illinois											
Central	138	20	0.3	77	1.8	19	0.4	14	0.2	7	0.4
Northern	285	99	1.7	85	2.0	7	0.2	15	0.2	59	3.3
Southern	139	23	0.4	59	1.4	26	0.6	14	0.2	11	0.6
Indiana											
Northern	147	43	0.7	42	1.0	22	0.5	33	0.5	4	0.2
Southern	143	34	0.6	38	0.9	54	1.2	14	0.2	1	0.1
Wisconsin											
Eastern	262	83	1.4	82	1.9	2	0.0	27	0.4	61	3.5
Western	68	10	0.2	22	0.5	14	0.3	13	0.2	8	0.5
EIGHTH CIRCUIT	1,506	175	3.0	269	6.4	768	17.4	220	3.3	24	1.4
Arkansas											
Eastern	126	25	0.4	21	0.5	54	1.2	23	0.3	1	0.1
Western	91	7	0.1	25	0.6	54	1.2	5	0.1	0	0.0
Iowa											
Northern	184	6	0.1	27	0.6	133	3.0	16	0.2	2	0.1
Southern	148	13	0.2	37	0.9	83	1.9	8	0.1	1	0.1
Minnesota	159	36	0.6	15	0.4	65	1.5	32	0.5	4	0.2
Missouri											
Eastern	225	41	0.7	46	1.1	66	1.5	51	0.8	14	0.8
Western	174	25	0.4	38	0.9	62	1.4	36	0.5	0	0.0
Nebraska	219	6	0.1	45	1.1	137	3.1	25	0.4	2	0.1
North Dakota	76	7	0.1	5	0.1	58	1.3	4	0.1	0	0.0
South Dakota	104	9	0.2	10	0.2	56	1.3	20	0.3	0	0.0

National Distribution of Primary Drug Type by Circuit and District (cont.)

CIRCUIT District	DRUG TOTAL	Powder Cocaine		Crack Cocaine		Methamphetamine		Marijuana		Heroin	
		N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	5,172	647	11.0	232	5.5	1,467	33.3	2,387	35.4	236	13.4
Alaska	66	11	0.2	18	0.4	21	0.5	2	0.0	7	0.4
Arizona	2,054	178	3.0	8	0.2	119	2.7	1,726	25.6	21	1.2
California											
Central	511	53	0.9	109	2.6	212	4.8	39	0.6	45	2.6
Eastern	295	30	0.5	19	0.5	110	2.5	106	1.6	14	0.8
Northern	159	20	0.3	20	0.5	70	1.6	24	0.4	8	0.5
Southern	1,151	246	4.2	14	0.3	442	10.0	366	5.4	62	3.5
Guam	12	0	0.0	0	0.0	11	0.2	1	0.0	0	0.0
Hawaii	103	2	0.0	2	0.0	76	1.7	4	0.1	15	0.9
Idaho	134	10	0.2	1	0.0	111	2.5	7	0.1	0	0.0
Montana	116	42	0.7	0	0.0	62	1.4	5	0.1	4	0.2
Nevada	131	12	0.2	12	0.3	75	1.7	9	0.1	15	0.9
Northern Mariana Islands	2	0	0.0	0	0.0	2	0.0	0	0.0	0	0.0
Oregon	155	6	0.1	13	0.3	64	1.5	45	0.7	14	0.8
Washington											
Eastern	91	10	0.2	3	0.1	31	0.7	35	0.5	3	0.2
Western	192	27	0.5	13	0.3	61	1.4	18	0.3	28	1.6
TENTH CIRCUIT	1,487	205	3.5	169	4.0	539	12.2	416	6.2	97	5.5
Colorado	159	61	1.0	27	0.6	48	1.1	8	0.1	3	0.2
Kansas	251	37	0.6	56	1.3	96	2.2	38	0.6	9	0.5
New Mexico	593	72	1.2	24	0.6	111	2.5	334	4.9	47	2.7
Oklahoma											
Eastern	21	1	0.0	7	0.2	11	0.2	1	0.0	0	0.0
Northern	48	8	0.1	4	0.1	27	0.6	5	0.1	2	0.1
Western	114	8	0.1	45	1.1	29	0.7	3	0.0	15	0.9
Utah	161	4	0.1	5	0.1	98	2.2	26	0.4	19	1.1
Wyoming	140	14	0.2	1	0.0	119	2.7	1	0.0	2	0.1
ELEVENTH CIRCUIT	2,022	781	13.3	380	9.0	267	6.1	281	4.2	104	5.9
Alabama											
Middle	66	9	0.2	17	0.4	28	0.6	11	0.2	0	0.0
Northern	84	18	0.3	35	0.8	19	0.4	4	0.1	3	0.2
Southern	166	24	0.4	51	1.2	53	1.2	11	0.2	0	0.0
Florida											
Middle	534	193	3.3	103	2.4	75	1.7	89	1.3	22	1.2
Northern	115	58	1.0	21	0.5	3	0.1	15	0.2	0	0.0
Southern	640	354	6.0	52	1.2	22	0.5	80	1.2	64	3.6
Georgia											
Middle	96	29	0.5	43	1.0	11	0.2	9	0.1	0	0.0
Northern	153	56	1.0	6	0.1	45	1.0	20	0.3	13	0.7
Southern	168	40	0.7	52	1.2	11	0.2	42	0.6	2	0.1

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

**Proportion of the Drug Trafficking Caseload in Each Circuit and District by Primary Drug Type
Fiscal Year 2011**

CIRCUIT District	DRUG TOTAL	Powder Cocaine		Crack Cocaine		Methamphetamine		Marijuana		Heroin	
		N	%	N	%	N	%	N	%	N	%
TOTAL	24,501	5,882	24.0	4,219	17.2	4,408	18.0	6,752	27.6	1,764	7.2
D.C. CIRCUIT	133	57	42.9	42	31.6	3	2.3	4	3.0	12	9.0
District of Columbia	133	57	42.9	42	31.6	3	2.3	4	3.0	12	9.0
FIRST CIRCUIT	1,129	639	56.6	182	16.1	15	1.3	72	6.4	124	11.0
Maine	70	17	24.3	10	14.3	0	0.0	13	18.6	16	22.9
Massachusetts	192	42	21.9	57	29.7	9	4.7	26	13.5	34	17.7
New Hampshire	85	28	32.9	6	7.1	6	7.1	6	7.1	4	4.7
Puerto Rico	699	536	76.7	80	11.4	0	0.0	23	3.3	50	7.2
Rhode Island	83	16	19.3	29	34.9	0	0.0	4	4.8	20	24.1
SECOND CIRCUIT	1,787	582	32.6	456	25.5	50	2.8	239	13.4	327	18.3
Connecticut	164	45	27.4	82	50.0	0	0.0	10	6.1	25	15.2
New York											
Eastern	410	153	37.3	73	17.8	2	0.5	38	9.3	135	32.9
Northern	243	75	30.9	78	32.1	4	1.6	74	30.5	6	2.5
Southern	579	190	32.8	133	23.0	28	4.8	48	8.3	134	23.1
Western	309	88	28.5	81	26.2	14	4.5	55	17.8	22	7.1
Vermont	82	31	37.8	9	11.0	2	2.4	14	17.1	5	6.1
THIRD CIRCUIT	953	329	34.5	271	28.4	46	4.8	78	8.2	150	15.7
Delaware	27	12	44.4	5	18.5	0	0.0	2	7.4	4	14.8
New Jersey	223	108	48.4	24	10.8	4	1.8	7	3.1	60	26.9
Pennsylvania											
Eastern	328	101	30.8	94	28.7	25	7.6	28	8.5	41	12.5
Middle	177	40	22.6	68	38.4	16	9.0	29	16.4	21	11.9
Western	179	62	34.6	72	40.2	1	0.6	7	3.9	24	13.4
Virgin Islands	19	6	31.6	8	42.1	0	0.0	5	26.3	0	0.0
FOURTH CIRCUIT	2,229	601	27.0	903	40.5	185	8.3	155	7.0	184	8.3
Maryland	251	79	31.5	83	33.1	6	2.4	12	4.8	58	23.1
North Carolina											
Eastern	346	90	26.0	183	52.9	28	8.1	24	6.9	13	3.8
Middle	153	47	30.7	79	51.6	16	10.5	8	5.2	1	0.7
Western	182	58	31.9	64	35.2	13	7.1	27	14.8	18	9.9
South Carolina	401	126	31.4	200	49.9	24	6.0	21	5.2	10	2.5
Virginia											
Eastern	389	123	31.6	136	35.0	20	5.1	21	5.4	44	11.3
Western	197	28	14.2	54	27.4	62	31.5	7	3.6	15	7.6
West Virginia											
Northern	144	31	21.5	53	36.8	15	10.4	8	5.6	21	14.6
Southern	166	19	11.4	51	30.7	1	0.6	27	16.3	4	2.4

Proportion of the Drug Trafficking Caseload in Each Circuit and District by Primary Drug Type (cont.)

CIRCUIT District	DRUG TOTAL	Powder Cocaine		Crack Cocaine		Methamphetamine		Marijuana		Heroin	
		N	%	N	%	N	%	N	%	N	%
FIFTH CIRCUIT	4,955	1,144	23.1	458	9.2	619	12.5	2,429	49.0	194	3.9
Louisiana											
Eastern	120	18	15.0	57	47.5	10	8.3	2	1.7	27	22.5
Middle	37	14	37.8	18	48.6	2	5.4	1	2.7	0	0.0
Western	60	20	33.3	19	31.7	14	23.3	5	8.3	1	1.7
Mississippi											
Northern	65	14	21.5	40	61.5	3	4.6	6	9.2	0	0.0
Southern	77	30	39.0	12	15.6	6	7.8	24	31.2	2	2.6
Texas											
Eastern	460	135	29.3	69	15.0	157	34.1	66	14.3	11	2.4
Northern	259	56	21.6	49	18.9	112	43.2	24	9.3	8	3.1
Southern	1,735	412	23.7	28	1.6	99	5.7	1,110	64.0	65	3.7
Western	2,142	445	20.8	166	7.7	216	10.1	1,191	55.6	80	3.7
SIXTH CIRCUIT	1,946	410	21.1	452	23.2	305	15.7	341	17.5	161	8.3
Kentucky											
Eastern	259	40	15.4	46	17.8	17	6.6	41	15.8	9	3.5
Western	158	24	15.2	68	43.0	19	12.0	18	11.4	0	0.0
Michigan											
Eastern	243	73	30.0	53	21.8	3	1.2	59	24.3	22	9.1
Western	104	26	25.0	19	18.3	2	1.9	42	40.4	10	9.6
Ohio											
Northern	173	60	34.7	23	13.3	0	0.0	37	21.4	47	27.2
Southern	269	64	23.8	73	27.1	1	0.4	76	28.3	49	18.2
Tennessee											
Eastern	474	57	12.0	123	25.9	189	39.9	21	4.4	16	3.4
Middle	82	35	42.7	12	14.6	11	13.4	15	18.3	2	2.4
Western	184	31	16.8	35	19.0	63	34.2	32	17.4	6	3.3
SEVENTH CIRCUIT	1,182	312	26.4	405	34.3	144	12.2	130	11.0	151	12.8
Illinois											
Central	138	20	14.5	77	55.8	19	13.8	14	10.1	7	5.1
Northern	285	99	34.7	85	29.8	7	2.5	15	5.3	59	20.7
Southern	139	23	16.5	59	42.4	26	18.7	14	10.1	11	7.9
Indiana											
Northern	147	43	29.3	42	28.6	22	15.0	33	22.4	4	2.7
Southern	143	34	23.8	38	26.6	54	37.8	14	9.8	1	0.7
Wisconsin											
Eastern	262	83	31.7	82	31.3	2	0.8	27	10.3	61	23.3
Western	68	10	14.7	22	32.4	14	20.6	13	19.1	8	11.8
EIGHTH CIRCUIT	1,506	175	11.6	269	17.9	768	51.0	220	14.6	24	1.6
Arkansas											
Eastern	126	25	19.8	21	16.7	54	42.9	23	18.3	1	0.8
Western	91	7	7.7	25	27.5	54	59.3	5	5.5	0	0.0
Iowa											
Northern	184	6	3.3	27	14.7	133	72.3	16	8.7	2	1.1
Southern	148	13	8.8	37	25.0	83	56.1	8	5.4	1	0.7
Minnesota	159	36	22.6	15	9.4	65	40.9	32	20.1	4	2.5
Missouri											
Eastern	225	41	18.2	46	20.4	66	29.3	51	22.7	14	6.2
Western	174	25	14.4	38	21.8	62	35.6	36	20.7	0	0.0
Nebraska	219	6	2.7	45	20.5	137	62.6	25	11.4	2	0.9
North Dakota	76	7	9.2	5	6.6	58	76.3	4	5.3	0	0.0
South Dakota	104	9	8.7	10	9.6	56	53.8	20	19.2	0	0.0

Proportion of the Drug Trafficking Caseload in Each Circuit and District by Primary Drug Type (cont.)

CIRCUIT District	DRUG TOTAL	Powder Cocaine		Crack Cocaine		Methamphetamine		Marijuana		Heroin	
		N	%	N	%	N	%	N	%	N	%
NINTH CIRCUIT	5,172	647	12.5	232	4.5	1,467	28.4	2,387	46.2	236	4.6
Alaska	66	11	16.7	18	27.3	21	31.8	2	3.0	7	10.6
Arizona	2,054	178	8.7	8	0.4	119	5.8	1,726	84.0	21	1.0
California											
Central	511	53	10.4	109	21.3	212	41.5	39	7.6	45	8.8
Eastern	295	30	10.2	19	6.4	110	37.3	106	35.9	14	4.7
Northern	159	20	12.6	20	12.6	70	44.0	24	15.1	8	5.0
Southern	1,151	246	21.4	14	1.2	442	38.4	366	31.8	62	5.4
Guam	12	0	0.0	0	0.0	11	91.7	1	8.3	0	0.0
Hawaii	103	2	1.9	2	1.9	76	73.8	4	3.9	15	14.6
Idaho	134	10	7.5	1	0.7	111	82.8	7	5.2	0	0.0
Montana	116	42	36.2	0	0.0	62	53.4	5	4.3	4	3.4
Nevada	131	12	9.2	12	9.2	75	57.3	9	6.9	15	11.5
Northern Mariana Islands	2	0	0.0	0	0.0	2	100.0	0	0.0	0	0.0
Oregon	155	6	3.9	13	8.4	64	41.3	45	29.0	14	9.0
Washington											
Eastern	91	10	11.0	3	3.3	31	34.1	35	38.5	3	3.3
Western	192	27	14.1	13	6.8	61	31.8	18	9.4	28	14.6
TENTH CIRCUIT	1,487	205	13.8	169	11.4	539	36.2	416	28.0	97	6.5
Colorado	159	61	38.4	27	17.0	48	30.2	8	5.0	3	1.9
Kansas	251	37	14.7	56	22.3	96	38.2	38	15.1	9	3.6
New Mexico	593	72	12.1	24	4.0	111	18.7	334	56.3	47	7.9
Oklahoma											
Eastern	21	1	4.8	7	33.3	11	52.4	1	4.8	0	0.0
Northern	48	8	16.7	4	8.3	27	56.3	5	10.4	2	4.2
Western	114	8	7.0	45	39.5	29	25.4	3	2.6	15	13.2
Utah	161	4	2.5	5	3.1	98	60.9	26	16.1	19	11.8
Wyoming	140	14	10.0	1	0.7	119	85.0	1	0.7	2	1.4
ELEVENTH CIRCUIT	2,022	781	38.6	380	18.8	267	13.2	281	13.9	104	5.1
Alabama											
Middle	66	9	13.6	17	25.8	28	42.4	11	16.7	0	0.0
Northern	84	18	21.4	35	41.7	19	22.6	4	4.8	3	3.6
Southern	166	24	14.5	51	30.7	53	31.9	11	6.6	0	0.0
Florida											
Middle	534	193	36.1	103	19.3	75	14.0	89	16.7	22	4.1
Northern	115	58	50.4	21	18.3	3	2.6	15	13.0	0	0.0
Southern	640	354	55.3	52	8.1	22	3.4	80	12.5	64	10.0
Georgia											
Middle	96	29	30.2	43	44.8	11	11.5	9	9.4	0	0.0
Northern	153	56	36.6	6	3.9	45	29.4	20	13.1	13	8.5
Southern	168	40	23.8	52	31.0	11	6.5	42	25.0	2	1.2

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

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

CIRCUIT District	<i>Koon</i> Period (6/13/96 - 04/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
TOTAL	10,876	6,571	60.4	1,779	1,178	66.2	4,191	2,158	51.5	5,956	2,603	43.7
D.C. CIRCUIT	107	47	43.9	14	6	42.9	39	9	23.1	66	19	28.8
District of Columbia	107	47	43.9	14	6	42.9	39	9	23.1	66	19	28.8
FIRST CIRCUIT	811	584	72.0	160	136	85.0	271	192	70.8	334	198	59.3
Maine	18	11	61.1	6	3	50.0	8	6	75.0	20	2	10.0
Massachusetts	295	160	54.2	33	26	78.8	102	66	64.7	77	35	45.5
New Hampshire	8	3	37.5	3	1	33.3	17	10	58.8	9	4	44.4
Puerto Rico	438	373	85.2	108	96	88.9	131	105	80.2	173	132	76.3
Rhode Island	52	37	71.2	10	10	100.0	13	5	38.5	55	25	45.5
SECOND CIRCUIT	2,973	1,321	44.4	525	304	57.9	1,157	463	40.0	1,268	358	28.2
Connecticut	107	39	36.4	20	8	40.0	67	22	32.8	147	60	40.8
New York												
Eastern	1,706	598	35.1	305	159	52.1	497	152	30.6	564	138	24.5
Northern	76	33	43.4	5	4	80.0	21	13	61.9	22	14	63.6
Southern	876	539	61.5	144	108	75.0	498	235	47.2	461	126	27.3
Western	121	64	52.9	14	6	42.9	44	26	59.1	66	15	22.7
Vermont	87	48	55.2	37	19	51.4	30	15	50.0	8	5	62.5
THIRD CIRCUIT	1,178	636	54.0	241	124	51.5	568	232	40.8	579	229	39.6
Delaware	7	3	42.9	3	2	66.7	19	8	42.1	7	4	57.1
New Jersey	750	453	60.4	98	54	55.1	284	104	36.6	235	103	43.8
Pennsylvania												
Eastern	289	113	39.1	66	26	39.4	85	18	21.2	139	51	36.7
Middle	82	33	40.2	35	10	28.6	97	36	37.1	122	33	27.0
Western	40	30	75.0	25	22	88.0	78	62	79.5	74	36	48.6
Virgin Islands	10	4	40.0	14	10	71.4	5	4	80.0	2	2	100.0
FOURTH CIRCUIT	699	459	65.7	135	100	74.1	255	170	66.7	665	374	56.2
Maryland	177	86	48.6	18	9	50.0	98	41	41.8	198	78	39.4
North Carolina												
Eastern	20	10	50.0	1	1	100.0	4	3	75.0	32	17	53.1
Middle	8	5	62.5	0	0	0.0	0	0	0.0	6	3	50.0
Western	55	24	43.6	3	3	100.0	10	6	60.0	51	27	52.9
South Carolina	141	82	58.2	4	4	100.0	29	25	86.2	58	39	67.2
Virginia												
Eastern	226	202	89.4	53	45	84.9	63	50	79.4	164	112	68.3
Western	30	12	40.0	19	7	36.8	15	11	73.3	47	22	46.8
West Virginia												
Northern	17	15	88.2	37	31	83.8	36	34	94.4	64	43	67.2
Southern	25	23	92.0	0	0	0.0	0	0	0.0	45	33	73.3

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

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
FIFTH CIRCUIT	1,030	769	74.7	162	124	76.5	380	253	66.6	612	358	58.5
Louisiana												
Eastern	108	95	88.0	42	40	95.2	53	42	79.2	68	50	73.5
Middle	0	0	0.0	1	1	100.0	0	0	0.0	0	0	0.0
Western	3	3	100.0	0	0	0.0	4	4	100.0	2	1	50.0
Mississippi												
Northern	0	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0
Southern	1	0	0.0	0	0	0.0	3	2	66.7	4	3	75.0
Texas												
Eastern	62	40	64.5	5	5	100.0	26	16	61.5	67	32	47.8
Northern	121	101	83.5	7	3	42.9	14	11	78.6	33	21	63.6
Southern	393	283	72.0	57	36	63.2	112	66	58.9	161	79	49.1
Western	342	247	72.2	50	39	78.0	168	112	66.7	277	172	62.1
SIXTH CIRCUIT	381	196	51.4	52	25	48.1	319	128	40.1	491	209	42.6
Kentucky												
Eastern	18	9	50.0	2	1	50.0	27	11	40.7	37	10	27.0
Western	6	4	66.7	1	1	100.0	4	3	75.0	6	1	16.7
Michigan												
Eastern	190	94	49.5	22	10	45.5	36	15	41.7	80	44	55.0
Western	6	3	50.0	6	4	66.7	36	18	50.0	31	20	64.5
Ohio												
Northern	49	35	71.4	12	3	25.0	119	55	46.2	105	56	53.3
Southern	56	22	39.3	8	5	62.5	67	18	26.9	152	41	27.0
Tennessee												
Eastern	15	10	66.7	1	1	100.0	18	3	16.7	43	17	39.5
Middle	14	10	71.4	0	0	0.0	2	1	50.0	21	11	52.4
Western	27	9	33.3	0	0	0.0	10	4	40.0	16	9	56.3
SEVENTH CIRCUIT	364	208	57.1	47	26	55.3	217	117	53.9	458	162	35.4
Illinois												
Central	22	13	59.1	0	0	0.0	8	5	62.5	18	7	38.9
Northern	235	121	51.5	40	19	47.5	119	64	53.8	211	80	37.9
Southern	9	7	77.8	1	1	100.0	6	3	50.0	25	20	80.0
Indiana												
Northern	19	14	73.7	0	0	0.0	12	9	75.0	36	8	22.2
Southern	25	11	44.0	0	0	0.0	18	7	38.9	12	4	33.3
Wisconsin												
Eastern	53	41	77.4	3	3	100.0	42	19	45.2	135	33	24.4
Western	1	1	100.0	3	3	100.0	12	10	83.3	21	10	47.6
EIGHTH CIRCUIT	239	129	54.0	33	23	69.7	134	96	71.6	175	91	52.0
Arkansas												
Eastern	2	2	100.0	0	0	0.0	0	0	0.0	4	3	75.0
Western	1	1	100.0	0	0	0.0	1	1	100.0	0	0	0.0
Iowa												
Northern	1	0	0.0	0	0	0.0	18	5	27.8	5	1	20.0
Southern	10	7	70.0	0	0	0.0	1	0	0.0	5	1	20.0
Minnesota	10	6	60.0	6	3	50.0	5	2	40.0	23	8	34.8
Missouri												
Eastern	170	85	50.0	25	18	72.0	99	79	79.8	115	66	57.4
Western	14	6	42.9	0	0	0.0	3	3	100.0	13	4	30.8
Nebraska	27	20	74.1	2	2	100.0	5	5	100.0	8	7	87.5
North Dakota	4	2	50.0	0	0	0.0	0	0	0.0	1	1	100.0
South Dakota	0	0	0.0	0	0	0.0	2	1	50.0	1	0	0.0

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

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
NINTH CIRCUIT	1,077	578	53.7	106	60	56.6	284	147	51.8	677	224	33.1
Alaska	7	5	71.4	1	0	0.0	0	0	0.0	23	8	34.8
Arizona	139	49	35.3	9	3	33.3	58	18	31.0	83	13	15.7
California												
Central	92	64	69.6	7	3	42.9	14	10	71.4	121	48	39.7
Eastern	73	55	75.3	5	2	40.0	38	32	84.2	35	18	51.4
Northern	109	65	59.6	13	10	76.9	25	14	56.0	43	17	39.5
Southern	230	66	28.7	13	4	30.8	38	10	26.3	159	28	17.6
Guam	2	2	100.0	1	0	0.0	0	0	0.0	0	0	0.0
Hawaii	127	78	61.4	15	5	33.3	9	3	33.3	16	4	25.0
Idaho	3	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0
Montana	11	6	54.5	2	1	50.0	0	0	0.0	8	7	87.5
Nevada	24	17	70.8	3	1	33.3	5	5	100.0	29	24	82.8
Northern Mariana Islands	1	1	100.0	0	0	0.0	0	0	0.0	0	0	0.0
Oregon	106	81	76.4	15	14	93.3	21	13	61.9	67	29	43.3
Washington												
Eastern	27	21	77.8	6	4	66.7	3	2	66.7	27	10	37.0
Western	126	68	54.0	16	13	81.3	73	40	54.8	66	18	27.3
TENTH CIRCUIT	301	208	69.1	57	41	71.9	150	88	58.7	258	151	58.5
Colorado	108	62	57.4	15	8	53.3	26	8	30.8	12	7	58.3
Kansas	18	17	94.4	10	9	90.0	7	3	42.9	24	12	50.0
New Mexico	138	100	72.5	25	17	68.0	80	56	70.0	112	64	57.1
Oklahoma												
Eastern	1	1	100.0	0	0	0.0	1	1	100.0	0	0	0.0
Northern	7	4	57.1	0	0	0.0	6	3	50.0	8	1	12.5
Western	15	12	80.0	2	2	100.0	2	1	50.0	17	8	47.1
Utah	12	11	91.7	5	5	100.0	25	14	56.0	76	53	69.7
Wyoming	2	1	50.0	0	0	0.0	3	2	66.7	9	6	66.7
ELEVENTH CIRCUIT	1,716	1,436	83.7	247	209	84.6	417	263	63.1	373	230	61.7
Alabama												
Middle	0	0	0.0	0	0	0.0	0	0	0.0	1	0	0.0
Northern	6	1	16.7	2	0	0.0	1	0	0.0	6	4	66.7
Southern	1	1	100.0	0	0	0.0	1	0	0.0	0	0	0.0
Florida												
Middle	268	148	55.2	22	17	77.3	82	37	45.1	52	32	61.5
Northern	9	6	66.7	0	0	0.0	1	1	100.0	0	0	0.0
Southern	1,327	1,214	91.5	207	177	85.5	293	203	69.3	272	171	62.9
Georgia												
Middle	5	5	100.0	0	0	0.0	0	0	0.0	1	0	0.0
Northern	85	50	58.8	15	14	93.3	38	22	57.9	34	16	47.1
Southern	15	11	73.3	1	1	100.0	1	0	0.0	7	7	100.0

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 Above Range Sentences by Circuit and District
Heroin Trafficking Offenses
Koon Period through *Gall* Period

CIRCUIT District	<i>Koon</i> Period (6/13/96 - 04/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
TOTAL	10,876	33	0.3	1,779	7	0.4	4,191	29	0.7	5,956	76	1.3
D.C. CIRCUIT	107	0	0.0	14	0	0.0	39	0	0.0	66	2	3.0
District of Columbia	107	0	0.0	14	0	0.0	39	0	0.0	66	2	3.0
FIRST CIRCUIT	811	8	1.0	160	1	0.6	271	1	0.4	334	6	1.8
Maine	18	0	0.0	6	0	0.0	8	0	0.0	20	0	0.0
Massachusetts	295	5	1.7	33	0	0.0	102	0	0.0	77	3	3.9
New Hampshire	8	1	12.5	3	1	33.3	17	0	0.0	9	1	11.1
Puerto Rico	438	1	0.2	108	0	0.0	131	1	0.8	173	2	1.2
Rhode Island	52	1	1.9	10	0	0.0	13	0	0.0	55	0	0.0
SECOND CIRCUIT	2,973	4	0.1	525	1	0.2	1,157	2	0.2	1,268	2	0.2
Connecticut	107	0	0.0	20	0	0.0	67	0	0.0	147	0	0.0
New York												
Eastern	1,706	1	0.1	305	1	0.3	497	2	0.4	564	0	0.0
Northern	76	2	2.6	5	0	0.0	21	0	0.0	22	0	0.0
Southern	876	1	0.1	144	0	0.0	498	0	0.0	461	2	0.4
Western	121	0	0.0	14	0	0.0	44	0	0.0	66	0	0.0
Vermont	87	0	0.0	37	0	0.0	30	0	0.0	8	0	0.0
THIRD CIRCUIT	1,178	4	0.3	241	2	0.8	568	2	0.4	579	8	1.4
Delaware	7	0	0.0	3	0	0.0	19	0	0.0	7	0	0.0
New Jersey	750	3	0.4	98	0	0.0	284	0	0.0	235	0	0.0
Pennsylvania												
Eastern	289	1	0.3	66	0	0.0	85	0	0.0	139	2	1.4
Middle	82	0	0.0	35	0	0.0	97	2	2.1	122	4	3.3
Western	40	0	0.0	25	0	0.0	78	0	0.0	74	2	2.7
Virgin Islands	10	0	0.0	14	2	14.3	5	0	0.0	2	0	0.0
FOURTH CIRCUIT	699	5	0.7	135	0	0.0	255	5	2.0	665	12	1.8
Maryland	177	1	0.6	18	0	0.0	98	2	2.0	198	2	1.0
North Carolina												
Eastern	20	0	0.0	1	0	0.0	4	0	0.0	32	3	9.4
Middle	8	0	0.0	0	0	0.0	0	0	0.0	6	0	0.0
Western	55	0	0.0	3	0	0.0	10	0	0.0	51	2	3.9
South Carolina	141	2	1.4	4	0	0.0	29	0	0.0	58	0	0.0
Virginia												
Eastern	226	1	0.4	53	0	0.0	63	3	4.8	164	2	1.2
Western	30	0	0.0	19	0	0.0	15	0	0.0	47	0	0.0
West Virginia												
Northern	17	1	5.9	37	0	0.0	36	0	0.0	64	0	0.0
Southern	25	0	0.0	0	0	0.0	0	0	0.0	45	3	6.7

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

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
FIFTH CIRCUIT	1,030	1	0.1	162	1	0.6	380	4	1.1	612	15	2.5
Louisiana												
Eastern	108	0	0.0	42	0	0.0	53	0	0.0	68	2	2.9
Middle	0	0	0.0	1	0	0.0	0	0	0.0	0	0	0.0
Western	3	0	0.0	0	0	0.0	4	0	0.0	2	0	0.0
Mississippi												
Northern	0	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0
Southern	1	0	0.0	0	0	0.0	3	0	0.0	4	0	0.0
Texas												
Eastern	62	0	0.0	5	0	0.0	26	1	3.8	67	8	11.9
Northern	121	0	0.0	7	0	0.0	14	1	7.1	33	2	6.1
Southern	393	1	0.3	57	0	0.0	112	0	0.0	161	0	0.0
Western	342	0	0.0	50	1	2.0	168	2	1.2	277	3	1.1
SIXTH CIRCUIT	381	1	0.3	52	0	0.0	319	2	0.6	491	11	2.2
Kentucky												
Eastern	18	0	0.0	2	0	0.0	27	0	0.0	37	3	8.1
Western	6	0	0.0	1	0	0.0	4	0	0.0	6	0	0.0
Michigan												
Eastern	190	0	0.0	22	0	0.0	36	0	0.0	80	2	2.5
Western	6	0	0.0	6	0	0.0	36	1	2.8	31	2	6.5
Ohio												
Northern	49	1	2.0	12	0	0.0	119	1	0.8	105	1	1.0
Southern	56	0	0.0	8	0	0.0	67	0	0.0	152	2	1.3
Tennessee												
Eastern	15	0	0.0	1	0	0.0	18	0	0.0	43	0	0.0
Middle	14	0	0.0	0	0	0.0	2	0	0.0	21	1	4.8
Western	27	0	0.0	0	0	0.0	10	0	0.0	16	0	0.0
SEVENTH CIRCUIT	364	2	0.5	47	0	0.0	217	2	0.9	458	4	0.9
Illinois												
Central	22	0	0.0	0	0	0.0	8	1	12.5	18	0	0.0
Northern	235	0	0.0	40	0	0.0	119	0	0.0	211	0	0.0
Southern	9	0	0.0	1	0	0.0	6	0	0.0	25	2	8.0
Indiana												
Northern	19	2	10.5	0	0	0.0	12	0	0.0	36	0	0.0
Southern	25	0	0.0	0	0	0.0	18	1	5.6	12	0	0.0
Wisconsin												
Eastern	53	0	0.0	3	0	0.0	42	0	0.0	135	1	0.7
Western	1	0	0.0	3	0	0.0	12	0	0.0	21	1	4.8
EIGHTH CIRCUIT	239	2	0.8	33	0	0.0	134	4	3.0	175	6	3.4
Arkansas												
Eastern	2	0	0.0	0	0	0.0	0	0	0.0	4	0	0.0
Western	1	0	0.0	0	0	0.0	1	0	0.0	0	0	0.0
Iowa												
Northern	1	1	100.0	0	0	0.0	18	4	22.2	5	3	60.0
Southern	10	0	0.0	0	0	0.0	1	0	0.0	5	1	20.0
Minnesota	10	0	0.0	6	0	0.0	5	0	0.0	23	0	0.0
Missouri												
Eastern	170	1	0.6	25	0	0.0	99	0	0.0	115	1	0.9
Western	14	0	0.0	0	0	0.0	3	0	0.0	13	0	0.0
Nebraska	27	0	0.0	2	0	0.0	5	0	0.0	8	0	0.0
North Dakota	4	0	0.0	0	0	0.0	0	0	0.0	1	0	0.0
South Dakota	0	0	0.0	0	0	0.0	2	0	0.0	1	1	100.0

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

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
NINTH CIRCUIT	1,077	1	0.1	106	0	0.0	284	3	1.1	677	5	0.7
Alaska	7	0	0.0	1	0	0.0	0	0	0.0	23	0	0.0
Arizona	139	0	0.0	9	0	0.0	58	1	1.7	83	0	0.0
California												
Central	92	0	0.0	7	0	0.0	14	0	0.0	121	0	0.0
Eastern	73	0	0.0	5	0	0.0	38	0	0.0	35	0	0.0
Northern	109	0	0.0	13	0	0.0	25	0	0.0	43	5	11.6
Southern	230	0	0.0	13	0	0.0	38	1	2.6	159	0	0.0
Guam	2	0	0.0	1	0	0.0	0	0	0.0	0	0	0.0
Hawaii	127	0	0.0	15	0	0.0	9	0	0.0	16	0	0.0
Idaho	3	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0
Montana	11	0	0.0	2	0	0.0	0	0	0.0	8	0	0.0
Nevada	24	0	0.0	3	0	0.0	5	0	0.0	29	0	0.0
Northern Mariana Islands	1	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0
Oregon	106	0	0.0	15	0	0.0	21	0	0.0	67	0	0.0
Washington												
Eastern	27	0	0.0	6	0	0.0	3	0	0.0	27	0	0.0
Western	126	1	0.8	16	0	0.0	73	1	1.4	66	0	0.0
TENTH CIRCUIT	301	1	0.3	57	1	1.8	150	0	0.0	258	2	0.8
Colorado	108	0	0.0	15	0	0.0	26	0	0.0	12	0	0.0
Kansas	18	0	0.0	10	0	0.0	7	0	0.0	24	2	8.3
New Mexico	138	1	0.7	25	1	4.0	80	0	0.0	112	0	0.0
Oklahoma												
Eastern	1	0	0.0	0	0	0.0	1	0	0.0	0	0	0.0
Northern	7	0	0.0	0	0	0.0	6	0	0.0	8	0	0.0
Western	15	0	0.0	2	0	0.0	2	0	0.0	17	0	0.0
Utah	12	0	0.0	5	0	0.0	25	0	0.0	76	0	0.0
Wyoming	2	0	0.0	0	0	0.0	3	0	0.0	9	0	0.0
ELEVENTH CIRCUIT	1,716	4	0.2	247	1	0.4	417	4	1.0	373	3	0.8
Alabama												
Middle	0	0	0.0	0	0	0.0	0	0	0.0	1	0	0.0
Northern	6	0	0.0	2	0	0.0	1	0	0.0	6	0	0.0
Southern	1	0	0.0	0	0	0.0	1	0	0.0	0	0	0.0
Florida												
Middle	268	1	0.4	22	1	4.5	82	1	1.2	52	1	1.9
Northern	9	0	0.0	0	0	0.0	1	0	0.0	0	0	0.0
Southern	1,327	1	0.1	207	0	0.0	293	1	0.3	272	1	0.4
Georgia												
Middle	5	0	0.0	0	0	0.0	0	0	0.0	1	0	0.0
Northern	85	2	2.4	15	0	0.0	38	1	2.6	34	1	2.9
Southern	15	0	0.0	1	0	0.0	1	1	100.0	7	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 Government Sponsored Sentences by Circuit and District
Heroin Trafficking Offenses
Koon Period through *Gall* Period

CIRCUIT District	<i>Koon</i> Period (6/13/96 - 04/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
TOTAL	10,876	2,618	24.1	1,779	425	23.9	4,191	1,218	29.1	5,956	1,875	31.5
D.C. CIRCUIT	107	44	41.1	14	7	50.0	39	25	64.1	66	34	51.5
District of Columbia	107	44	41.1	14	7	50.0	39	25	64.1	66	34	51.5
FIRST CIRCUIT	811	154	19.0	160	19	11.9	271	49	18.1	334	66	19.8
Maine	18	7	38.9	6	3	50.0	8	2	25.0	20	16	80.0
Massachusetts	295	95	32.2	33	4	12.1	102	19	18.6	77	18	23.4
New Hampshire	8	3	37.5	3	1	33.3	17	6	35.3	9	1	11.1
Puerto Rico	438	45	10.3	108	11	10.2	131	18	13.7	173	22	12.7
Rhode Island	52	4	7.7	10	0	0.0	13	4	30.8	55	9	16.4
SECOND CIRCUIT	2,973	682	22.9	525	97	18.5	1,157	295	25.5	1,268	379	29.9
Connecticut	107	28	26.2	20	5	25.0	67	21	31.3	147	38	25.9
New York												
Eastern	1,706	350	20.5	305	47	15.4	497	127	25.6	564	170	30.1
Northern	76	34	44.7	5	0	0.0	21	6	28.6	22	6	27.3
Southern	876	202	23.1	144	23	16.0	498	118	23.7	461	114	24.7
Western	121	48	39.7	14	8	57.1	44	12	27.3	66	50	75.8
Vermont	87	20	23.0	37	14	37.8	30	11	36.7	8	1	12.5
THIRD CIRCUIT	1,178	463	39.3	241	107	44.4	568	238	41.9	579	236	40.8
Delaware	7	4	57.1	3	1	33.3	19	4	21.1	7	2	28.6
New Jersey	750	234	31.2	98	36	36.7	284	126	44.4	235	83	35.3
Pennsylvania												
Eastern	289	165	57.1	66	40	60.6	85	49	57.6	139	58	41.7
Middle	82	47	57.3	35	25	71.4	97	50	51.5	122	70	57.4
Western	40	7	17.5	25	3	12.0	78	8	10.3	74	23	31.1
Virgin Islands	10	6	60.0	14	2	14.3	5	1	20.0	2	0	0.0
FOURTH CIRCUIT	699	201	28.8	135	27	20.0	255	50	19.6	665	161	24.2
Maryland	177	69	39.0	18	5	27.8	98	37	37.8	198	82	41.4
North Carolina												
Eastern	20	10	50.0	1	0	0.0	4	1	25.0	32	11	34.4
Middle	8	3	37.5	0	0	0.0	0	0	0.0	6	2	33.3
Western	55	29	52.7	3	0	0.0	10	3	30.0	51	15	29.4
South Carolina	141	49	34.8	4	0	0.0	29	4	13.8	58	12	20.7
Virginia												
Eastern	226	20	8.8	53	5	9.4	63	0	0.0	164	11	6.7
Western	30	18	60.0	19	12	63.2	15	4	26.7	47	19	40.4
West Virginia												
Northern	17	1	5.9	37	5	13.5	36	1	2.8	64	7	10.9
Southern	25	2	8.0	0	0	0.0	0	0	0.0	45	2	4.4

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

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
FIFTH CIRCUIT	1,030	190	18.4	162	34	21.0	380	104	27.4	612	167	27.3
Louisiana												
Eastern	108	10	9.3	42	2	4.8	53	9	17.0	68	12	17.6
Middle	0	0	0.0	1	0	0.0	0	0	0.0	0	0	0.0
Western	3	0	0.0	0	0	0.0	4	0	0.0	2	1	50.0
Mississippi												
Northern	0	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0
Southern	1	1	100.0	0	0	0.0	3	0	0.0	4	1	25.0
Texas												
Eastern	62	17	27.4	5	0	0.0	26	9	34.6	67	20	29.9
Northern	121	13	10.7	7	4	57.1	14	2	14.3	33	9	27.3
Southern	393	84	21.4	57	19	33.3	112	38	33.9	161	53	32.9
Western	342	65	19.0	50	9	18.0	168	46	27.4	277	71	25.6
SIXTH CIRCUIT	381	162	42.5	52	24	46.2	319	142	44.5	491	197	40.1
Kentucky												
Eastern	18	9	50.0	2	1	50.0	27	16	59.3	37	23	62.2
Western	6	2	33.3	1	0	0.0	4	1	25.0	6	5	83.3
Michigan												
Eastern	190	86	45.3	22	12	54.5	36	17	47.2	80	18	22.5
Western	6	2	33.3	6	1	16.7	36	10	27.8	31	4	12.9
Ohio												
Northern	49	9	18.4	12	9	75.0	119	39	32.8	105	34	32.4
Southern	56	28	50.0	8	1	12.5	67	41	61.2	152	76	50.0
Tennessee												
Eastern	15	5	33.3	1	0	0.0	18	13	72.2	43	25	58.1
Middle	14	3	21.4	0	0	0.0	2	0	0.0	21	7	33.3
Western	27	18	66.7	0	0	0.0	10	5	50.0	16	5	31.3
SEVENTH CIRCUIT	364	126	34.6	47	18	38.3	217	49	22.6	458	172	37.6
Illinois												
Central	22	9	40.9	0	0	0.0	8	0	0.0	18	8	44.4
Northern	235	89	37.9	40	18	45.0	119	31	26.1	211	65	30.8
Southern	9	2	22.2	1	0	0.0	6	2	33.3	25	2	8.0
Indiana												
Northern	19	3	15.8	0	0	0.0	12	3	25.0	36	21	58.3
Southern	25	13	52.0	0	0	0.0	18	7	38.9	12	7	58.3
Wisconsin												
Eastern	53	10	18.9	3	0	0.0	42	6	14.3	135	69	51.1
Western	1	0	0.0	3	0	0.0	12	0	0.0	21	0	0.0
EIGHTH CIRCUIT	239	88	36.8	33	9	27.3	134	27	20.1	175	47	26.9
Arkansas												
Eastern	2	0	0.0	0	0	0.0	0	0	0.0	4	1	25.0
Western	1	0	0.0	0	0	0.0	1	0	0.0	0	0	0.0
Iowa												
Northern	1	0	0.0	0	0	0.0	18	8	44.4	5	0	0.0
Southern	10	2	20.0	0	0	0.0	1	1	100.0	5	3	60.0
Minnesota	10	2	20.0	6	2	33.3	5	2	40.0	23	4	17.4
Missouri												
Eastern	170	73	42.9	25	7	28.0	99	16	16.2	115	32	27.8
Western	14	7	50.0	0	0	0.0	3	0	0.0	13	7	53.8
Nebraska	27	3	11.1	2	0	0.0	5	0	0.0	8	0	0.0
North Dakota	4	1	25.0	0	0	0.0	0	0	0.0	1	0	0.0
South Dakota	0	0	0.0	0	0	0.0	2	0	0.0	1	0	0.0

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

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
NINTH CIRCUIT	1,077	254	23.6	106	40	37.7	284	98	34.5	677	313	46.2
Alaska	7	2	28.6	1	1	100.0	0	0	0.0	23	12	52.2
Arizona	139	22	15.8	9	3	33.3	58	31	53.4	83	54	65.1
California												
Central	92	15	16.3	7	4	57.1	14	1	7.1	121	30	24.8
Eastern	73	11	15.1	5	3	60.0	38	4	10.5	35	14	40.0
Northern	109	25	22.9	13	2	15.4	25	11	44.0	43	18	41.9
Southern	230	71	30.9	13	9	69.2	38	20	52.6	159	109	68.6
Guam	2	0	0.0	1	1	100.0	0	0	0.0	0	0	0.0
Hawaii	127	42	33.1	15	9	60.0	9	6	66.7	16	9	56.3
Idaho	3	2	66.7	0	0	0.0	0	0	0.0	0	0	0.0
Montana	11	3	27.3	2	1	50.0	0	0	0.0	8	1	12.5
Nevada	24	4	16.7	3	2	66.7	5	0	0.0	29	5	17.2
Northern Mariana Islands	1	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0
Oregon	106	16	15.1	15	1	6.7	21	6	28.6	67	31	46.3
Washington												
Eastern	27	3	11.1	6	2	33.3	3	0	0.0	27	8	29.6
Western	126	38	30.2	16	2	12.5	73	19	26.0	66	22	33.3
TENTH CIRCUIT	301	54	17.9	57	12	21.1	150	50	33.3	258	58	22.5
Colorado	108	27	25.0	15	7	46.7	26	18	69.2	12	4	33.3
Kansas	18	1	5.6	10	1	10.0	7	3	42.9	24	10	41.7
New Mexico	138	19	13.8	25	4	16.0	80	17	21.3	112	27	24.1
Oklahoma												
Eastern	1	0	0.0	0	0	0.0	1	0	0.0	0	0	0.0
Northern	7	3	42.9	0	0	0.0	6	3	50.0	8	5	62.5
Western	15	3	20.0	2	0	0.0	2	1	50.0	17	1	5.9
Utah	12	0	0.0	5	0	0.0	25	8	32.0	76	8	10.5
Wyoming	2	1	50.0	0	0	0.0	3	0	0.0	9	3	33.3
ELEVENTH CIRCUIT	1,716	200	11.7	247	31	12.6	417	91	21.8	373	45	12.1
Alabama												
Middle	0	0	0.0	0	0	0.0	0	0	0.0	1	0	0.0
Northern	6	5	83.3	2	2	100.0	1	1	100.0	6	2	33.3
Southern	1	0	0.0	0	0	0.0	1	1	100.0	0	0	0.0
Florida												
Middle	268	105	39.2	22	4	18.2	82	28	34.1	52	8	15.4
Northern	9	3	33.3	0	0	0.0	1	0	0.0	0	0	0.0
Southern	1,327	64	4.8	207	24	11.6	293	56	19.1	272	27	9.9
Georgia												
Middle	5	0	0.0	0	0	0.0	0	0	0.0	1	1	100.0
Northern	85	19	22.4	15	1	6.7	38	5	13.2	34	7	20.6
Southern	15	4	26.7	1	0	0.0	1	0	0.0	7	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 §5K1.1 Substantial Assistance Sentences by Circuit and District
Heroin Trafficking Offenses
Koon Period through *Gall* Period

CIRCUIT District	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
TOTAL	10,876	2,600	23.9	1,779	383	21.5	4,191	1,058	25.2	5,956	1,485	24.9
D.C. CIRCUIT	107	43	40.2	14	5	35.7	39	19	48.7	66	15	22.7
District of Columbia	107	43	40.2	14	5	35.7	39	19	48.7	66	15	22.7
FIRST CIRCUIT	811	152	18.7	160	18	11.3	271	42	15.5	334	46	13.8
Maine	18	7	38.9	6	3	50.0	8	2	25.0	20	16	80.0
Massachusetts	295	95	32.2	33	3	9.1	102	16	15.7	77	5	6.5
New Hampshire	8	3	37.5	3	1	33.3	17	5	29.4	9	0	0.0
Puerto Rico	438	43	9.8	108	11	10.2	131	16	12.2	173	17	9.8
Rhode Island	52	4	7.7	10	0	0.0	13	3	23.1	55	8	14.5
SECOND CIRCUIT	2,973	679	22.8	525	78	14.9	1,157	265	22.9	1,268	356	28.1
Connecticut	107	28	26.2	20	3	15.0	67	21	31.3	147	35	23.8
New York												
Eastern	1,706	347	20.3	305	31	10.2	497	114	22.9	564	161	28.5
Northern	76	34	44.7	5	0	0.0	21	6	28.6	22	6	27.3
Southern	876	202	23.1	144	23	16.0	498	102	20.5	461	104	22.6
Western	121	48	39.7	14	7	50.0	44	11	25.0	66	49	74.2
Vermont	87	20	23.0	37	14	37.8	30	11	36.7	8	1	12.5
THIRD CIRCUIT	1,178	463	39.3	241	104	43.2	568	230	40.5	579	211	36.4
Delaware	7	4	57.1	3	1	33.3	19	4	21.1	7	1	14.3
New Jersey	750	234	31.2	98	34	34.7	284	122	43.0	235	80	34.0
Pennsylvania												
Eastern	289	165	57.1	66	40	60.6	85	48	56.5	139	57	41.0
Middle	82	47	57.3	35	24	68.6	97	47	48.5	122	53	43.4
Western	40	7	17.5	25	3	12.0	78	8	10.3	74	20	27.0
Virgin Islands	10	6	60.0	14	2	14.3	5	1	20.0	2	0	0.0
FOURTH CIRCUIT	699	201	28.8	135	27	20.0	255	44	17.3	665	139	20.9
Maryland	177	69	39.0	18	5	27.8	98	32	32.7	198	63	31.8
North Carolina												
Eastern	20	10	50.0	1	0	0.0	4	1	25.0	32	11	34.4
Middle	8	3	37.5	0	0	0.0	0	0	0.0	6	2	33.3
Western	55	29	52.7	3	0	0.0	10	3	30.0	51	15	29.4
South Carolina	141	49	34.8	4	0	0.0	29	4	13.8	58	11	19.0
Virginia												
Eastern	226	20	8.8	53	5	9.4	63	0	0.0	164	9	5.5
Western	30	18	60.0	19	12	63.2	15	4	26.7	47	19	40.4
West Virginia												
Northern	17	1	5.9	37	5	13.5	36	0	0.0	64	7	10.9
Southern	25	2	8.0	0	0	0.0	0	0	0.0	45	2	4.4

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

CIRCUIT District	<i>Koon</i> Period (6/13/96 - 04/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
FIFTH CIRCUIT	1,030	189	18.3	162	30	18.5	380	73	19.2	612	121	19.8
Louisiana												
Eastern	108	10	9.3	42	2	4.8	53	7	13.2	68	9	13.2
Middle	0	0	0.0	1	0	0.0	0	0	0.0	0	0	0.0
Western	3	0	0.0	0	0	0.0	4	0	0.0	2	1	50.0
Mississippi												
Northern	0	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0
Southern	1	1	100.0	0	0	0.0	3	0	0.0	4	1	25.0
Texas												
Eastern	62	17	27.4	5	0	0.0	26	3	11.5	67	11	16.4
Northern	121	13	10.7	7	4	57.1	14	2	14.3	33	9	27.3
Southern	393	83	21.1	57	17	29.8	112	22	19.6	161	37	23.0
Western	342	65	19.0	50	7	14.0	168	39	23.2	277	53	19.1
SIXTH CIRCUIT	381	162	42.5	52	23	44.2	319	136	42.6	491	185	37.7
Kentucky												
Eastern	18	9	50.0	2	1	50.0	27	16	59.3	37	23	62.2
Western	6	2	33.3	1	0	0.0	4	1	25.0	6	4	66.7
Michigan												
Eastern	190	86	45.3	22	12	54.5	36	17	47.2	80	18	22.5
Western	6	2	33.3	6	1	16.7	36	9	25.0	31	3	9.7
Ohio												
Northern	49	9	18.4	12	8	66.7	119	35	29.4	105	33	31.4
Southern	56	28	50.0	8	1	12.5	67	40	59.7	152	68	44.7
Tennessee												
Eastern	15	5	33.3	1	0	0.0	18	13	72.2	43	25	58.1
Middle	14	3	21.4	0	0	0.0	2	0	0.0	21	6	28.6
Western	27	18	66.7	0	0	0.0	10	5	50.0	16	5	31.3
SEVENTH CIRCUIT	364	126	34.6	47	17	36.2	217	44	20.3	458	152	33.2
Illinois												
Central	22	9	40.9	0	0	0.0	8	0	0.0	18	8	44.4
Northern	235	89	37.9	40	17	42.5	119	28	23.5	211	60	28.4
Southern	9	2	22.2	1	0	0.0	6	2	33.3	25	2	8.0
Indiana												
Northern	19	3	15.8	0	0	0.0	12	3	25.0	36	19	52.8
Southern	25	13	52.0	0	0	0.0	18	7	38.9	12	4	33.3
Wisconsin												
Eastern	53	10	18.9	3	0	0.0	42	4	9.5	135	59	43.7
Western	1	0	0.0	3	0	0.0	12	0	0.0	21	0	0.0
EIGHTH CIRCUIT	239	84	35.1	33	9	27.3	134	24	17.9	175	39	22.3
Arkansas												
Eastern	2	0	0.0	0	0	0.0	0	0	0.0	4	1	25.0
Western	1	0	0.0	0	0	0.0	1	0	0.0	0	0	0.0
Iowa												
Northern	1	0	0.0	0	0	0.0	18	8	44.4	5	0	0.0
Southern	10	2	20.0	0	0	0.0	1	1	100.0	5	2	40.0
Minnesota	10	2	20.0	6	2	33.3	5	1	20.0	23	3	13.0
Missouri												
Eastern	170	69	40.6	25	7	28.0	99	14	14.1	115	27	23.5
Western	14	7	50.0	0	0	0.0	3	0	0.0	13	6	46.2
Nebraska	27	3	11.1	2	0	0.0	5	0	0.0	8	0	0.0
North Dakota	4	1	25.0	0	0	0.0	0	0	0.0	1	0	0.0
South Dakota	0	0	0.0	0	0	0.0	2	0	0.0	1	0	0.0

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

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
NINTH CIRCUIT	1,077	247	22.9	106	29	27.4	284	51	18.0	677	145	21.4
Alaska	7	2	28.6	1	1	100.0	0	0	0.0	23	11	47.8
Arizona	139	18	12.9	9	3	33.3	58	5	8.6	83	10	12.0
California												
Central	92	15	16.3	7	4	57.1	14	1	7.1	121	21	17.4
Eastern	73	10	13.7	5	3	60.0	38	4	10.5	35	13	37.1
Northern	109	25	22.9	13	2	15.4	25	10	40.0	43	8	18.6
Southern	230	71	30.9	13	0	0.0	38	8	21.1	159	36	22.6
Guam	2	0	0.0	1	1	100.0	0	0	0.0	0	0	0.0
Hawaii	127	42	33.1	15	9	60.0	9	6	66.7	16	9	56.3
Idaho	3	2	66.7	0	0	0.0	0	0	0.0	0	0	0.0
Montana	11	3	27.3	2	1	50.0	0	0	0.0	8	1	12.5
Nevada	24	4	16.7	3	0	0.0	5	0	0.0	29	4	13.8
Northern Mariana Islands	1	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0
Oregon	106	14	13.2	15	1	6.7	21	6	28.6	67	20	29.9
Washington												
Eastern	27	3	11.1	6	2	33.3	3	0	0.0	27	4	14.8
Western	126	38	30.2	16	2	12.5	73	11	15.1	66	8	12.1
TENTH CIRCUIT	301	54	17.9	57	12	21.1	150	43	28.7	258	38	14.7
Colorado	108	27	25.0	15	7	46.7	26	18	69.2	12	4	33.3
Kansas	18	1	5.6	10	1	10.0	7	3	42.9	24	8	33.3
New Mexico	138	19	13.8	25	4	16.0	80	10	12.5	112	14	12.5
Oklahoma												
Eastern	1	0	0.0	0	0	0.0	1	0	0.0	0	0	0.0
Northern	7	3	42.9	0	0	0.0	6	3	50.0	8	5	62.5
Western	15	3	20.0	2	0	0.0	2	1	50.0	17	1	5.9
Utah	12	0	0.0	5	0	0.0	25	8	32.0	76	4	5.3
Wyoming	2	1	50.0	0	0	0.0	3	0	0.0	9	2	22.2
ELEVENTH CIRCUIT	1,716	200	11.7	247	31	12.6	417	87	20.9	373	38	10.2
Alabama												
Middle	0	0	0.0	0	0	0.0	0	0	0.0	1	0	0.0
Northern	6	5	83.3	2	2	100.0	1	1	100.0	6	2	33.3
Southern	1	0	0.0	0	0	0.0	1	1	100.0	0	0	0.0
Florida												
Middle	268	105	39.2	22	4	18.2	82	28	34.1	52	8	15.4
Northern	9	3	33.3	0	0	0.0	1	0	0.0	0	0	0.0
Southern	1,327	64	4.8	207	24	11.6	293	54	18.4	272	22	8.1
Georgia												
Middle	5	0	0.0	0	0	0.0	0	0	0.0	1	1	100.0
Northern	85	19	22.4	15	1	6.7	38	3	7.9	34	5	14.7
Southern	15	4	26.7	1	0	0.0	1	0	0.0	7	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 §5K3.1 Early Disposition Program Sentences by Circuit and District
Heroin Trafficking Offenses
Koon Period through *Gall* Period

CIRCUIT District	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
TOTAL	10,876	n/a	n/a	1,779	1	0.1	4,191	38	0.9	5,956	117	2.0
D.C. CIRCUIT	107	n/a	n/a	14	0	0.0	39	0	0.0	66	0	0.0
District of Columbia	107	n/a	n/a	14	0	0.0	39	0	0.0	66	0	0.0
FIRST CIRCUIT	811	n/a	n/a	160	0	0.0	271	0	0.0	334	0	0.0
Maine	18	n/a	n/a	6	0	0.0	8	0	0.0	20	0	0.0
Massachusetts	295	n/a	n/a	33	0	0.0	102	0	0.0	77	0	0.0
New Hampshire	8	n/a	n/a	3	0	0.0	17	0	0.0	9	0	0.0
Puerto Rico	438	n/a	n/a	108	0	0.0	131	0	0.0	173	0	0.0
Rhode Island	52	n/a	n/a	10	0	0.0	13	0	0.0	55	0	0.0
SECOND CIRCUIT	2,973	n/a	n/a	525	0	0.0	1,157	0	0.0	1,268	1	0.1
Connecticut	107	n/a	n/a	20	0	0.0	67	0	0.0	147	0	0.0
New York												
Eastern	1,706	n/a	n/a	305	0	0.0	497	0	0.0	564	1	0.2
Northern	76	n/a	n/a	5	0	0.0	21	0	0.0	22	0	0.0
Southern	876	n/a	n/a	144	0	0.0	498	0	0.0	461	0	0.0
Western	121	n/a	n/a	14	0	0.0	44	0	0.0	66	0	0.0
Vermont	87	n/a	n/a	37	0	0.0	30	0	0.0	8	0	0.0
THIRD CIRCUIT	1,178	n/a	n/a	241	0	0.0	568	0	0.0	579	0	0.0
Delaware	7	n/a	n/a	3	0	0.0	19	0	0.0	7	0	0.0
New Jersey	750	n/a	n/a	98	0	0.0	284	0	0.0	235	0	0.0
Pennsylvania												
Eastern	289	n/a	n/a	66	0	0.0	85	0	0.0	139	0	0.0
Middle	82	n/a	n/a	35	0	0.0	97	0	0.0	122	0	0.0
Western	40	n/a	n/a	25	0	0.0	78	0	0.0	74	0	0.0
Virgin Islands	10	n/a	n/a	14	0	0.0	5	0	0.0	2	0	0.0
FOURTH CIRCUIT	699	n/a	n/a	135	0	0.0	255	0	0.0	665	0	0.0
Maryland	177	n/a	n/a	18	0	0.0	98	0	0.0	198	0	0.0
North Carolina												
Eastern	20	n/a	n/a	1	0	0.0	4	0	0.0	32	0	0.0
Middle	8	n/a	n/a	0	0	0.0	0	0	0.0	6	0	0.0
Western	55	n/a	n/a	3	0	0.0	10	0	0.0	51	0	0.0
South Carolina	141	n/a	n/a	4	0	0.0	29	0	0.0	58	0	0.0
Virginia												
Eastern	226	n/a	n/a	53	0	0.0	63	0	0.0	164	0	0.0
Western	30	n/a	n/a	19	0	0.0	15	0	0.0	47	0	0.0
West Virginia												
Northern	17	n/a	n/a	37	0	0.0	36	0	0.0	64	0	0.0
Southern	25	n/a	n/a	0	0	0.0	0	0	0.0	45	0	0.0

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

CIRCUIT District	<i>Koon</i> Period (6/13/96 - 04/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
FIFTH CIRCUIT	1,030	n/a	n/a	162	0	0.0	380	0	0.0	612	1	0.2
Louisiana												
Eastern	108	n/a	n/a	42	0	0.0	53	0	0.0	68	0	0.0
Middle	0	n/a	n/a	1	0	0.0	0	0	0.0	0	0	0.0
Western	3	n/a	n/a	0	0	0.0	4	0	0.0	2	0	0.0
Mississippi												
Northern	0	n/a	n/a	0	0	0.0	0	0	0.0	0	0	0.0
Southern	1	n/a	n/a	0	0	0.0	3	0	0.0	4	0	0.0
Texas												
Eastern	62	n/a	n/a	5	0	0.0	26	0	0.0	67	0	0.0
Northern	121	n/a	n/a	7	0	0.0	14	0	0.0	33	0	0.0
Southern	393	n/a	n/a	57	0	0.0	112	0	0.0	161	0	0.0
Western	342	n/a	n/a	50	0	0.0	168	0	0.0	277	1	0.4
SIXTH CIRCUIT	381	n/a	n/a	52	0	0.0	319	0	0.0	491	0	0.0
Kentucky												
Eastern	18	n/a	n/a	2	0	0.0	27	0	0.0	37	0	0.0
Western	6	n/a	n/a	1	0	0.0	4	0	0.0	6	0	0.0
Michigan												
Eastern	190	n/a	n/a	22	0	0.0	36	0	0.0	80	0	0.0
Western	6	n/a	n/a	6	0	0.0	36	0	0.0	31	0	0.0
Ohio												
Northern	49	n/a	n/a	12	0	0.0	119	0	0.0	105	0	0.0
Southern	56	n/a	n/a	8	0	0.0	67	0	0.0	152	0	0.0
Tennessee												
Eastern	15	n/a	n/a	1	0	0.0	18	0	0.0	43	0	0.0
Middle	14	n/a	n/a	0	0	0.0	2	0	0.0	21	0	0.0
Western	27	n/a	n/a	0	0	0.0	10	0	0.0	16	0	0.0
SEVENTH CIRCUIT	364	n/a	n/a	47	0	0.0	217	0	0.0	458	0	0.0
Illinois												
Central	22	n/a	n/a	0	0	0.0	8	0	0.0	18	0	0.0
Northern	235	n/a	n/a	40	0	0.0	119	0	0.0	211	0	0.0
Southern	9	n/a	n/a	1	0	0.0	6	0	0.0	25	0	0.0
Indiana												
Northern	19	n/a	n/a	0	0	0.0	12	0	0.0	36	0	0.0
Southern	25	n/a	n/a	0	0	0.0	18	0	0.0	12	0	0.0
Wisconsin												
Eastern	53	n/a	n/a	3	0	0.0	42	0	0.0	135	0	0.0
Western	1	n/a	n/a	3	0	0.0	12	0	0.0	21	0	0.0
EIGHTH CIRCUIT	239	n/a	n/a	33	0	0.0	134	0	0.0	175	0	0.0
Arkansas												
Eastern	2	n/a	n/a	0	0	0.0	0	0	0.0	4	0	0.0
Western	1	n/a	n/a	0	0	0.0	1	0	0.0	0	0	0.0
Iowa												
Northern	1	n/a	n/a	0	0	0.0	18	0	0.0	5	0	0.0
Southern	10	n/a	n/a	0	0	0.0	1	0	0.0	5	0	0.0
Minnesota	10	n/a	n/a	6	0	0.0	5	0	0.0	23	0	0.0
Missouri												
Eastern	170	n/a	n/a	25	0	0.0	99	0	0.0	115	0	0.0
Western	14	n/a	n/a	0	0	0.0	3	0	0.0	13	0	0.0
Nebraska	27	n/a	n/a	2	0	0.0	5	0	0.0	8	0	0.0
North Dakota	4	n/a	n/a	0	0	0.0	0	0	0.0	1	0	0.0
South Dakota	0	n/a	n/a	0	0	0.0	2	0	0.0	1	0	0.0

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

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
NINTH CIRCUIT	1,077	n/a	n/a	106	1	0.9	284	38	13.4	677	112	16.5
Alaska	7	n/a	n/a	1	0	0.0	0	0	0.0	23	0	0.0
Arizona	139	n/a	n/a	9	0	0.0	58	26	44.8	83	44	53.0
California												
Central	92	n/a	n/a	7	0	0.0	14	0	0.0	121	0	0.0
Eastern	73	n/a	n/a	5	0	0.0	38	0	0.0	35	0	0.0
Northern	109	n/a	n/a	13	0	0.0	25	0	0.0	43	0	0.0
Southern	230	n/a	n/a	13	1	7.7	38	12	31.6	159	68	42.8
Guam	2	n/a	n/a	1	0	0.0	0	0	0.0	0	0	0.0
Hawaii	127	n/a	n/a	15	0	0.0	9	0	0.0	16	0	0.0
Idaho	3	n/a	n/a	0	0	0.0	0	0	0.0	0	0	0.0
Montana	11	n/a	n/a	2	0	0.0	0	0	0.0	8	0	0.0
Nevada	24	n/a	n/a	3	0	0.0	5	0	0.0	29	0	0.0
Northern Mariana Islands	1	n/a	n/a	0	0	0.0	0	0	0.0	0	0	0.0
Oregon	106	n/a	n/a	15	0	0.0	21	0	0.0	67	0	0.0
Washington												
Eastern	27	n/a	n/a	6	0	0.0	3	0	0.0	27	0	0.0
Western	126	n/a	n/a	16	0	0.0	73	0	0.0	66	0	0.0
TENTH CIRCUIT	301	n/a	n/a	57	0	0.0	150	0	0.0	258	3	1.2
Colorado	108	n/a	n/a	15	0	0.0	26	0	0.0	12	0	0.0
Kansas	18	n/a	n/a	10	0	0.0	7	0	0.0	24	0	0.0
New Mexico	138	n/a	n/a	25	0	0.0	80	0	0.0	112	3	2.7
Oklahoma												
Eastern	1	n/a	n/a	0	0	0.0	1	0	0.0	0	0	0.0
Northern	7	n/a	n/a	0	0	0.0	6	0	0.0	8	0	0.0
Western	15	n/a	n/a	2	0	0.0	2	0	0.0	17	0	0.0
Utah	12	n/a	n/a	5	0	0.0	25	0	0.0	76	0	0.0
Wyoming	2	n/a	n/a	0	0	0.0	3	0	0.0	9	0	0.0
ELEVENTH CIRCUIT	1,716	n/a	n/a	247	0	0.0	417	0	0.0	373	0	0.0
Alabama												
Middle	0	n/a	n/a	0	0	0.0	0	0	0.0	1	0	0.0
Northern	6	n/a	n/a	2	0	0.0	1	0	0.0	6	0	0.0
Southern	1	n/a	n/a	0	0	0.0	1	0	0.0	0	0	0.0
Florida												
Middle	268	n/a	n/a	22	0	0.0	82	0	0.0	52	0	0.0
Northern	9	n/a	n/a	0	0	0.0	1	0	0.0	0	0	0.0
Southern	1,327	n/a	n/a	207	0	0.0	293	0	0.0	272	0	0.0
Georgia												
Middle	5	n/a	n/a	0	0	0.0	0	0	0.0	1	0	0.0
Northern	85	n/a	n/a	15	0	0.0	38	0	0.0	34	0	0.0
Southern	15	n/a	n/a	1	0	0.0	1	0	0.0	7	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
Heroin Trafficking Offenses
Koon Period through *Gall* Period

CIRCUIT District	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
TOTAL	10,876	n/a	n/a	1,779	41	2.3	4,191	122	2.9	5,956	273	4.6
D.C. CIRCUIT	107	n/a	n/a	14	2	14.3	39	6	15.4	66	19	28.8
District of Columbia	107	n/a	n/a	14	2	14.3	39	6	15.4	66	19	28.8
FIRST CIRCUIT	811	n/a	n/a	160	1	0.6	271	7	2.6	334	20	6.0
Maine	18	n/a	n/a	6	0	0.0	8	0	0.0	20	0	0.0
Massachusetts	295	n/a	n/a	33	1	3.0	102	3	2.9	77	13	16.9
New Hampshire	8	n/a	n/a	3	0	0.0	17	1	5.9	9	1	11.1
Puerto Rico	438	n/a	n/a	108	0	0.0	131	2	1.5	173	5	2.9
Rhode Island	52	n/a	n/a	10	0	0.0	13	1	7.7	55	1	1.8
SECOND CIRCUIT	2,973	n/a	n/a	525	19	3.6	1,157	30	2.6	1,268	22	1.7
Connecticut	107	n/a	n/a	20	2	10.0	67	0	0.0	147	3	2.0
New York												
Eastern	1,706	n/a	n/a	305	16	5.2	497	13	2.6	564	8	1.4
Northern	76	n/a	n/a	5	0	0.0	21	0	0.0	22	0	0.0
Southern	876	n/a	n/a	144	0	0.0	498	16	3.2	461	10	2.2
Western	121	n/a	n/a	14	1	7.1	44	1	2.3	66	1	1.5
Vermont	87	n/a	n/a	37	0	0.0	30	0	0.0	8	0	0.0
THIRD CIRCUIT	1,178	n/a	n/a	241	3	1.2	568	8	1.4	579	25	4.3
Delaware	7	n/a	n/a	3	0	0.0	19	0	0.0	7	1	14.3
New Jersey	750	n/a	n/a	98	2	2.0	284	4	1.4	235	3	1.3
Pennsylvania												
Eastern	289	n/a	n/a	66	0	0.0	85	1	1.2	139	1	0.7
Middle	82	n/a	n/a	35	1	2.9	97	3	3.1	122	17	13.9
Western	40	n/a	n/a	25	0	0.0	78	0	0.0	74	3	4.1
Virgin Islands	10	n/a	n/a	14	0	0.0	5	0	0.0	2	0	0.0
FOURTH CIRCUIT	699	n/a	n/a	135	0	0.0	255	6	2.4	665	22	3.3
Maryland	177	n/a	n/a	18	0	0.0	98	5	5.1	198	19	9.6
North Carolina												
Eastern	20	n/a	n/a	1	0	0.0	4	0	0.0	32	0	0.0
Middle	8	n/a	n/a	0	0	0.0	0	0	0.0	6	0	0.0
Western	55	n/a	n/a	3	0	0.0	10	0	0.0	51	0	0.0
South Carolina	141	n/a	n/a	4	0	0.0	29	0	0.0	58	1	1.7
Virginia												
Eastern	226	n/a	n/a	53	0	0.0	63	0	0.0	164	2	1.2
Western	30	n/a	n/a	19	0	0.0	15	0	0.0	47	0	0.0
West Virginia												
Northern	17	n/a	n/a	37	0	0.0	36	1	2.8	64	0	0.0
Southern	25	n/a	n/a	0	0	0.0	0	0	0.0	45	0	0.0

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

CIRCUIT District	<i>Koon</i> Period (6/13/96 - 04/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
FIFTH CIRCUIT	1,030	n/a	n/a	162	4	2.5	380	31	8.2	612	45	7.4
Louisiana												
Eastern	108	n/a	n/a	42	0	0.0	53	2	3.8	68	3	4.4
Middle	0	n/a	n/a	1	0	0.0	0	0	0.0	0	0	0.0
Western	3	n/a	n/a	0	0	0.0	4	0	0.0	2	0	0.0
Mississippi												
Northern	0	n/a	n/a	0	0	0.0	0	0	0.0	0	0	0.0
Southern	1	n/a	n/a	0	0	0.0	3	0	0.0	4	0	0.0
Texas												
Eastern	62	n/a	n/a	5	0	0.0	26	6	23.1	67	9	13.4
Northern	121	n/a	n/a	7	0	0.0	14	0	0.0	33	0	0.0
Southern	393	n/a	n/a	57	2	3.5	112	16	14.3	161	16	9.9
Western	342	n/a	n/a	50	2	4.0	168	7	4.2	277	17	6.1
SIXTH CIRCUIT	381	n/a	n/a	52	1	1.9	319	6	1.9	491	12	2.4
Kentucky												
Eastern	18	n/a	n/a	2	0	0.0	27	0	0.0	37	0	0.0
Western	6	n/a	n/a	1	0	0.0	4	0	0.0	6	1	16.7
Michigan												
Eastern	190	n/a	n/a	22	0	0.0	36	0	0.0	80	0	0.0
Western	6	n/a	n/a	6	0	0.0	36	1	2.8	31	1	3.2
Ohio												
Northern	49	n/a	n/a	12	1	8.3	119	4	3.4	105	1	1.0
Southern	56	n/a	n/a	8	0	0.0	67	1	1.5	152	8	5.3
Tennessee												
Eastern	15	n/a	n/a	1	0	0.0	18	0	0.0	43	0	0.0
Middle	14	n/a	n/a	0	0	0.0	2	0	0.0	21	1	4.8
Western	27	n/a	n/a	0	0	0.0	10	0	0.0	16	0	0.0
SEVENTH CIRCUIT	364	n/a	n/a	47	1	2.1	217	5	2.3	458	20	4.4
Illinois												
Central	22	n/a	n/a	0	0	0.0	8	0	0.0	18	0	0.0
Northern	235	n/a	n/a	40	1	2.5	119	3	2.5	211	5	2.4
Southern	9	n/a	n/a	1	0	0.0	6	0	0.0	25	0	0.0
Indiana												
Northern	19	n/a	n/a	0	0	0.0	12	0	0.0	36	2	5.6
Southern	25	n/a	n/a	0	0	0.0	18	0	0.0	12	3	25.0
Wisconsin												
Eastern	53	n/a	n/a	3	0	0.0	42	2	4.8	135	10	7.4
Western	1	n/a	n/a	3	0	0.0	12	0	0.0	21	0	0.0
EIGHTH CIRCUIT	239	n/a	n/a	33	0	0.0	134	3	2.2	175	8	4.6
Arkansas												
Eastern	2	n/a	n/a	0	0	0.0	0	0	0.0	4	0	0.0
Western	1	n/a	n/a	0	0	0.0	1	0	0.0	0	0	0.0
Iowa												
Northern	1	n/a	n/a	0	0	0.0	18	0	0.0	5	0	0.0
Southern	10	n/a	n/a	0	0	0.0	1	0	0.0	5	1	20.0
Minnesota	10	n/a	n/a	6	0	0.0	5	1	20.0	23	1	4.3
Missouri												
Eastern	170	n/a	n/a	25	0	0.0	99	2	2.0	115	5	4.3
Western	14	n/a	n/a	0	0	0.0	3	0	0.0	13	1	7.7
Nebraska	27	n/a	n/a	2	0	0.0	5	0	0.0	8	0	0.0
North Dakota	4	n/a	n/a	0	0	0.0	0	0	0.0	1	0	0.0
South Dakota	0	n/a	n/a	0	0	0.0	2	0	0.0	1	0	0.0

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

CIRCUIT District	<i>Koon</i> Period (6/13/96 - 04/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
NINTH CIRCUIT	1,077	n/a	n/a	106	10	9.4	284	9	3.2	677	56	8.3
Alaska	7	n/a	n/a	1	0	0.0	0	0	0.0	23	1	4.3
Arizona	139	n/a	n/a	9	0	0.0	58	0	0.0	83	0	0.0
California												
Central	92	n/a	n/a	7	0	0.0	14	0	0.0	121	9	7.4
Eastern	73	n/a	n/a	5	0	0.0	38	0	0.0	35	1	2.9
Northern	109	n/a	n/a	13	0	0.0	25	1	4.0	43	10	23.3
Southern	230	n/a	n/a	13	8	61.5	38	0	0.0	159	5	3.1
Guam	2	n/a	n/a	1	0	0.0	0	0	0.0	0	0	0.0
Hawaii	127	n/a	n/a	15	0	0.0	9	0	0.0	16	0	0.0
Idaho	3	n/a	n/a	0	0	0.0	0	0	0.0	0	0	0.0
Montana	11	n/a	n/a	2	0	0.0	0	0	0.0	8	0	0.0
Nevada	24	n/a	n/a	3	2	66.7	5	0	0.0	29	1	3.4
Northern Mariana Islands	1	n/a	n/a	0	0	0.0	0	0	0.0	0	0	0.0
Oregon	106	n/a	n/a	15	0	0.0	21	0	0.0	67	11	16.4
Washington												
Eastern	27	n/a	n/a	6	0	0.0	3	0	0.0	27	4	14.8
Western	126	n/a	n/a	16	0	0.0	73	8	11.0	66	14	21.2
TENTH CIRCUIT	301	n/a	n/a	57	0	0.0	150	7	4.7	258	17	6.6
Colorado	108	n/a	n/a	15	0	0.0	26	0	0.0	12	0	0.0
Kansas	18	n/a	n/a	10	0	0.0	7	0	0.0	24	2	8.3
New Mexico	138	n/a	n/a	25	0	0.0	80	7	8.8	112	10	8.9
Oklahoma												
Eastern	1	n/a	n/a	0	0	0.0	1	0	0.0	0	0	0.0
Northern	7	n/a	n/a	0	0	0.0	6	0	0.0	8	0	0.0
Western	15	n/a	n/a	2	0	0.0	2	0	0.0	17	0	0.0
Utah	12	n/a	n/a	5	0	0.0	25	0	0.0	76	4	5.3
Wyoming	2	n/a	n/a	0	0	0.0	3	0	0.0	9	1	11.1
ELEVENTH CIRCUIT	1,716	n/a	n/a	247	0	0.0	417	4	1.0	373	7	1.9
Alabama												
Middle	0	n/a	n/a	0	0	0.0	0	0	0.0	1	0	0.0
Northern	6	n/a	n/a	2	0	0.0	1	0	0.0	6	0	0.0
Southern	1	n/a	n/a	0	0	0.0	1	0	0.0	0	0	0.0
Florida												
Middle	268	n/a	n/a	22	0	0.0	82	0	0.0	52	0	0.0
Northern	9	n/a	n/a	0	0	0.0	1	0	0.0	0	0	0.0
Southern	1,327	n/a	n/a	207	0	0.0	293	2	0.7	272	5	1.8
Georgia												
Middle	5	n/a	n/a	0	0	0.0	0	0	0.0	1	0	0.0
Northern	85	n/a	n/a	15	0	0.0	38	2	5.3	34	2	5.9
Southern	15	n/a	n/a	1	0	0.0	1	0	0.0	7	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 Non-Government Sponsored Below Range Sentences by Circuit and District
Heroin Trafficking Offenses
Koon Period through *Gall* Period

CIRCUIT District	<i>Koon</i> Period (6/13/96 - 04/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
TOTAL	10,876	1,654	15.2	1,779	169	9.5	4,191	786	18.8	5,956	1,402	23.5
D.C. CIRCUIT	107	16	15.0	14	1	7.1	39	5	12.8	66	11	16.7
District of Columbia	107	16	15.0	14	1	7.1	39	5	12.8	66	11	16.7
FIRST CIRCUIT	811	65	8.0	160	4	2.5	271	29	10.7	334	64	19.2
Maine	18	0	0.0	6	0	0.0	8	0	0.0	20	2	10.0
Massachusetts	295	35	11.9	33	3	9.1	102	17	16.7	77	21	27.3
New Hampshire	8	1	12.5	3	0	0.0	17	1	5.9	9	3	33.3
Puerto Rico	438	19	4.3	108	1	0.9	131	7	5.3	173	17	9.8
Rhode Island	52	10	19.2	10	0	0.0	13	4	30.8	55	21	38.2
SECOND CIRCUIT	2,973	966	32.5	525	123	23.4	1,157	397	34.3	1,268	529	41.7
Connecticut	107	40	37.4	20	7	35.0	67	24	35.8	147	49	33.3
New York												
Eastern	1,706	757	44.4	305	98	32.1	497	216	43.5	564	256	45.4
Northern	76	7	9.2	5	1	20.0	21	2	9.5	22	2	9.1
Southern	876	134	15.3	144	13	9.0	498	145	29.1	461	219	47.5
Western	121	9	7.4	14	0	0.0	44	6	13.6	66	1	1.5
Vermont	87	19	21.8	37	4	10.8	30	4	13.3	8	2	25.0
THIRD CIRCUIT	1,178	75	6.4	241	8	3.3	568	96	16.9	579	106	18.3
Delaware	7	0	0.0	3	0	0.0	19	7	36.8	7	1	14.3
New Jersey	750	60	8.0	98	8	8.2	284	54	19.0	235	49	20.9
Pennsylvania												
Eastern	289	10	3.5	66	0	0.0	85	18	21.2	139	28	20.1
Middle	82	2	2.4	35	0	0.0	97	9	9.3	122	15	12.3
Western	40	3	7.5	25	0	0.0	78	8	10.3	74	13	17.6
Virgin Islands	10	0	0.0	14	0	0.0	5	0	0.0	2	0	0.0
FOURTH CIRCUIT	699	34	4.9	135	8	5.9	255	30	11.8	665	118	17.7
Maryland	177	21	11.9	18	4	22.2	98	18	18.4	198	36	18.2
North Carolina												
Eastern	20	0	0.0	1	0	0.0	4	0	0.0	32	1	3.1
Middle	8	0	0.0	0	0	0.0	0	0	0.0	6	1	16.7
Western	55	2	3.6	3	0	0.0	10	1	10.0	51	7	13.7
South Carolina	141	8	5.7	4	0	0.0	29	0	0.0	58	7	12.1
Virginia												
Eastern	226	3	1.3	53	3	5.7	63	10	15.9	164	39	23.8
Western	30	0	0.0	19	0	0.0	15	0	0.0	47	6	12.8
West Virginia												
Northern	17	0	0.0	37	1	2.7	36	1	2.8	64	14	21.9
Southern	25	0	0.0	0	0	0.0	0	0	0.0	45	7	15.6

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

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
FIFTH CIRCUIT	1,030	70	6.8	162	3	1.9	380	19	5.0	612	72	11.8
Louisiana												
Eastern	108	3	2.8	42	0	0.0	53	2	3.8	68	4	5.9
Middle	0	0	0.0	1	0	0.0	0	0	0.0	0	0	0.0
Western	3	0	0.0	0	0	0.0	4	0	0.0	2	0	0.0
Mississippi												
Northern	0	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0
Southern	1	0	0.0	0	0	0.0	3	1	33.3	4	0	0.0
Texas												
Eastern	62	5	8.1	5	0	0.0	26	0	0.0	67	7	10.4
Northern	121	7	5.8	7	0	0.0	14	0	0.0	33	1	3.0
Southern	393	25	6.4	57	2	3.5	112	8	7.1	161	29	18.0
Western	342	30	8.8	50	1	2.0	168	8	4.8	277	31	11.2
SIXTH CIRCUIT	381	22	5.8	52	3	5.8	319	47	14.7	491	74	15.1
Kentucky												
Eastern	18	0	0.0	2	0	0.0	27	0	0.0	37	1	2.7
Western	6	0	0.0	1	0	0.0	4	0	0.0	6	0	0.0
Michigan												
Eastern	190	10	5.3	22	0	0.0	36	4	11.1	80	16	20.0
Western	6	1	16.7	6	1	16.7	36	7	19.4	31	5	16.1
Ohio												
Northern	49	4	8.2	12	0	0.0	119	24	20.2	105	14	13.3
Southern	56	6	10.7	8	2	25.0	67	8	11.9	152	33	21.7
Tennessee												
Eastern	15	0	0.0	1	0	0.0	18	2	11.1	43	1	2.3
Middle	14	1	7.1	0	0	0.0	2	1	50.0	21	2	9.5
Western	27	0	0.0	0	0	0.0	10	1	10.0	16	2	12.5
SEVENTH CIRCUIT	364	28	7.7	47	3	6.4	217	49	22.6	458	120	26.2
Illinois												
Central	22	0	0.0	0	0	0.0	8	2	25.0	18	3	16.7
Northern	235	25	10.6	40	3	7.5	119	24	20.2	211	66	31.3
Southern	9	0	0.0	1	0	0.0	6	1	16.7	25	1	4.0
Indiana												
Northern	19	0	0.0	0	0	0.0	12	0	0.0	36	7	19.4
Southern	25	1	4.0	0	0	0.0	18	3	16.7	12	1	8.3
Wisconsin												
Eastern	53	2	3.8	3	0	0.0	42	17	40.5	135	32	23.7
Western	1	0	0.0	3	0	0.0	12	2	16.7	21	10	47.6
EIGHTH CIRCUIT	239	20	8.4	33	1	3.0	134	7	5.2	175	31	17.7
Arkansas												
Eastern	2	0	0.0	0	0	0.0	0	0	0.0	4	0	0.0
Western	1	0	0.0	0	0	0.0	1	0	0.0	0	0	0.0
Iowa												
Northern	1	0	0.0	0	0	0.0	18	1	5.6	5	1	20.0
Southern	10	1	10.0	0	0	0.0	1	0	0.0	5	0	0.0
Minnesota	10	2	20.0	6	1	16.7	5	1	20.0	23	11	47.8
Missouri												
Eastern	170	11	6.5	25	0	0.0	99	4	4.0	115	16	13.9
Western	14	1	7.1	0	0	0.0	3	0	0.0	13	2	15.4
Nebraska	27	4	14.8	2	0	0.0	5	0	0.0	8	1	12.5
North Dakota	4	1	25.0	0	0	0.0	0	0	0.0	1	0	0.0
South Dakota	0	0	0.0	0	0	0.0	2	1	50.0	1	0	0.0

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

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
NINTH CIRCUIT	1,077	244	22.7	106	6	5.7	284	36	12.7	677	135	19.9
Alaska	7	0	0.0	1	0	0.0	0	0	0.0	23	3	13.0
Arizona	139	68	48.9	9	3	33.3	58	8	13.8	83	16	19.3
California												
Central	92	13	14.1	7	0	0.0	14	3	21.4	121	43	35.5
Eastern	73	7	9.6	5	0	0.0	38	2	5.3	35	3	8.6
Northern	109	19	17.4	13	1	7.7	25	0	0.0	43	3	7.0
Southern	230	93	40.4	13	0	0.0	38	7	18.4	159	22	13.8
Guam	2	0	0.0	1	0	0.0	0	0	0.0	0	0	0.0
Hawaii	127	7	5.5	15	1	6.7	9	0	0.0	16	3	18.8
Idaho	3	1	33.3	0	0	0.0	0	0	0.0	0	0	0.0
Montana	11	2	18.2	2	0	0.0	0	0	0.0	8	0	0.0
Nevada	24	3	12.5	3	0	0.0	5	0	0.0	29	0	0.0
Northern Mariana Islands	1	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0
Oregon	106	9	8.5	15	0	0.0	21	2	9.5	67	7	10.4
Washington												
Eastern	27	3	11.1	6	0	0.0	3	1	33.3	27	9	33.3
Western	126	19	15.1	16	1	6.3	73	13	17.8	66	26	39.4
TENTH CIRCUIT	301	38	12.6	57	3	5.3	150	12	8.0	258	47	18.2
Colorado	108	19	17.6	15	0	0.0	26	0	0.0	12	1	8.3
Kansas	18	0	0.0	10	0	0.0	7	1	14.3	24	0	0.0
New Mexico	138	18	13.0	25	3	12.0	80	7	8.8	112	21	18.8
Oklahoma												
Eastern	1	0	0.0	0	0	0.0	1	0	0.0	0	0	0.0
Northern	7	0	0.0	0	0	0.0	6	0	0.0	8	2	25.0
Western	15	0	0.0	2	0	0.0	2	0	0.0	17	8	47.1
Utah	12	1	8.3	5	0	0.0	25	3	12.0	76	15	19.7
Wyoming	2	0	0.0	0	0	0.0	3	1	33.3	9	0	0.0
ELEVENTH CIRCUIT	1,716	76	4.4	247	6	2.4	417	59	14.1	373	95	25.5
Alabama												
Middle	0	0	0.0	0	0	0.0	0	0	0.0	1	1	100.0
Northern	6	0	0.0	2	0	0.0	1	0	0.0	6	0	0.0
Southern	1	0	0.0	0	0	0.0	1	0	0.0	0	0	0.0
Florida												
Middle	268	14	5.2	22	0	0.0	82	16	19.5	52	11	21.2
Northern	9	0	0.0	0	0	0.0	1	0	0.0	0	0	0.0
Southern	1,327	48	3.6	207	6	2.9	293	33	11.3	272	73	26.8
Georgia												
Middle	5	0	0.0	0	0	0.0	0	0	0.0	1	0	0.0
Northern	85	14	16.5	15	0	0.0	38	10	26.3	34	10	29.4
Southern	15	0	0.0	1	0	0.0	1	0	0.0	7	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.

Average Guideline Minimum and Length of Imprisonment by Circuit and District
Heroin Trafficking Offenses
Koon Period through *Gall* Period

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	Mean Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months
TOTAL	10,906	74	60	1,784	78	65	4,197	86	67	5,956	91	70
D.C. CIRCUIT	108	108	66	14	174	121	39	145	85	66	146	91
District of Columbia	108	108	66	14	174	121	39	145	85	66	146	91
FIRST CIRCUIT	812	69	60	160	71	66	273	90	77	334	86	75
Maine	18	46	35	6	56	38	8	93	90	20	82	62
Massachusetts	296	85	65	33	77	62	103	87	69	77	85	63
New Hampshire	8	85	69	3	73	87	17	93	70	9	24	22
Puerto Rico	438	59	56	108	67	65	132	90	82	173	93	88
Rhode Island	52	71	66	10	105	101	13	106	90	55	74	61
SECOND CIRCUIT	2,985	71	49	528	68	52	1,159	82	54	1,268	84	50
Connecticut	107	121	87	20	87	59	67	102	62	147	88	57
New York												
Eastern	1,709	57	37	307	54	40	497	58	35	564	68	37
Northern	77	52	36	5	16	17	21	60	55	22	69	62
Southern	881	98	71	145	96	76	500	108	74	461	106	63
Western	122	56	44	14	58	44	44	68	57	66	64	42
Vermont	89	51	36	37	80	55	30	61	39	8	102	91
THIRD CIRCUIT	1,180	79	59	241	86	65	568	89	62	579	93	71
Delaware	7	66	44	3	35	29	19	60	46	7	71	55
New Jersey	752	71	57	98	72	53	284	78	53	235	84	63
Pennsylvania												
Eastern	289	89	57	66	106	70	85	147	78	139	98	70
Middle	82	113	79	35	84	64	97	68	54	122	83	68
Western	40	89	72	25	122	119	78	97	88	74	127	101
Virgin Islands	10	80	62	14	40	46	5	83	81	2	109	109
FOURTH CIRCUIT	699	109	93	135	118	110	255	113	104	665	110	96
Maryland	177	127	103	18	200	184	98	144	119	198	131	101
North Carolina												
Eastern	20	110	91	1	97	97	4	105	99	32	129	125
Middle	8	81	71	0	0	0	0	0	0	6	94	84
Western	55	118	77	3	48	42	10	106	96	51	94	85
South Carolina	141	79	65	4	105	105	29	90	89	58	106	94
Virginia												
Eastern	226	117	115	53	145	139	63	115	122	164	121	114
Western	30	152	85	19	115	85	15	92	87	47	120	102
West Virginia												
Northern	17	63	78	37	50	48	36	57	57	64	50	45
Southern	25	40	38	0	0	0	0	0	0	45	65	63

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

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
	Total	Mean Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months
FIFTH CIRCUIT	1,032	69	64	163	73	69	380	88	80	612	90	78
Louisiana												
Eastern	109	49	53	42	64	67	53	69	67	68	121	121
Middle	0	0	0	1	121	135	0	0	0	0	0	0
Western	3	40	43	0	0	0	4	124	127	2	139	134
Mississippi												
Northern	0	0	0	0	0	0	0	0	0	0	0	0
Southern	1	57	55	0	0	0	3	109	90	4	66	65
Texas												
Eastern	62	99	86	5	28	35	26	99	87	67	110	95
Northern	121	81	79	7	84	74	14	70	79	33	99	97
Southern	393	67	61	58	75	66	112	87	78	161	91	78
Western	343	68	62	50	80	76	168	93	83	277	75	62
SIXTH CIRCUIT	381	81	61	53	87	69	319	66	52	491	82	63
Kentucky												
Eastern	18	65	50	2	130	113	27	46	33	37	59	45
Western	6	50	41	1	37	43	4	44	41	6	95	50
Michigan												
Eastern	190	81	61	23	57	38	36	94	72	80	74	60
Western	6	67	66	6	104	97	36	96	90	31	113	106
Ohio												
Northern	49	65	58	12	109	73	119	47	37	105	86	66
Southern	56	78	55	8	119	117	67	83	59	152	85	60
Tennessee												
Eastern	15	121	105	1	120	120	18	67	53	43	74	60
Middle	14	73	66	0	0	0	2	95	99	21	78	63
Western	27	122	69	0	0	0	10	21	15	16	87	61
SEVENTH CIRCUIT	365	99	78	47	85	71	217	95	85	458	120	92
Illinois												
Central	22	112	86	0	0	0	8	145	191	18	156	134
Northern	236	106	79	40	80	61	119	91	75	211	130	99
Southern	9	65	60	1	30	30	6	159	131	25	160	162
Indiana												
Northern	19	29	36	0	0	0	12	50	45	36	72	55
Southern	25	128	107	0	0	0	18	123	117	12	119	90
Wisconsin												
Eastern	53	79	75	3	94	104	42	78	69	135	107	70
Western	1	110	120	3	163	187	12	130	135	21	110	101
EIGHTH CIRCUIT	239	93	76	33	97	84	135	97	93	175	93	75
Arkansas												
Eastern	2	95	95	0	0	0	0	0	0	4	65	40
Western	1	120	120	0	0	0	1	46	46	0	0	0
Iowa												
Northern	1	30	46	0	0	0	18	146	147	5	35	67
Southern	10	88	88	0	0	0	1	240	180	5	105	62
Minnesota	10	46	41	6	43	33	5	80	61	23	62	53
Missouri												
Eastern	170	103	83	25	113	98	100	87	83	115	98	80
Western	14	34	23	0	0	0	3	64	64	13	144	83
Nebraska	27	83	75	2	58	58	5	119	119	8	89	87
North Dakota	4	35	25	0	0	0	0	0	0	1	33	33
South Dakota	0	0	0	0	0	0	2	151	106	1	10	60

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	1,085	69	57	106	69	58	285	70	57	677	78	59
Alaska	7	88	80	1	18	10	0	0	0	23	86	67
Arizona	139	66	51	9	70	59	58	59	50	83	69	51
California												
Central	96	79	73	7	87	59	14	55	46	121	73	59
Eastern	74	89	81	5	74	56	38	66	61	35	78	65
Northern	110	71	59	13	72	66	25	101	79	43	107	86
Southern	230	67	48	13	62	45	39	64	48	159	67	49
Guam	3	11	12	1	120	97	0	0	0	0	0	0
Hawaii	128	51	43	15	72	50	9	94	80	16	64	46
Idaho	3	44	28	0	0	0	0	0	0	0	0	0
Montana	11	73	62	2	18	16	0	0	0	8	104	99
Nevada	24	65	60	3	66	57	5	61	63	29	48	46
Northern Mariana Islands	1	168	210	0	0	0	0	0	0	0	0	0
Oregon	106	67	63	15	58	57	21	65	48	67	105	75
Washington												
Eastern	27	66	62	6	74	67	3	67	63	27	66	50
Western	126	76	58	16	78	72	73	76	59	66	88	63
TENTH CIRCUIT	302	46	39	57	53	51	150	73	59	258	76	62
Colorado	108	30	23	15	38	30	26	66	45	12	52	40
Kansas	18	81	84	10	82	84	7	98	85	24	143	119
New Mexico	138	50	43	25	42	40	80	66	54	112	64	46
Oklahoma												
Eastern	1	24	28	0	0	0	1	57	70	0	0	0
Northern	7	86	63	0	0	0	6	98	90	8	67	45
Western	15	53	52	2	76	84	2	38	29	17	86	77
Utah	13	51	46	5	87	90	25	82	63	76	73	66
Wyoming	2	84	53	0	0	0	3	181	176	9	88	86
ELEVENTH CIRCUIT	1,718	64	60	247	74	67	417	84	72	373	87	78
Alabama												
Middle	0	0	0	0	0	0	0	0	0	1	188	80
Northern	6	113	72	2	117	64	1	168	90	6	110	92
Southern	1	57	71	0	0	0	1	120	22	0	0	0
Florida												
Middle	268	86	78	22	76	74	82	98	80	52	76	72
Northern	9	39	38	0	0	0	1	108	121	0	0	0
Southern	1,329	58	56	207	73	67	293	79	70	272	84	76
Georgia												
Middle	5	66	68	0	0	0	0	0	0	1	37	15
Northern	85	76	66	15	66	65	38	89	75	34	107	94
Southern	15	69	74	1	108	120	1	70	120	7	131	137

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
Heroin Trafficking Offenses**

<i>Koon</i>				
Period				
(6/13/96 - 4/30/03)				
District	Percent	Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed	
Mississippi, Southern	100.0	1	1	
Alabama, Northern	83.3	5	6	
Tennessee, Western	66.7	18	27	
Idaho	66.7	2	3	
Virginia, Western	60.0	18	30	
Virgin Islands	60.0	6	10	
Pennsylvania, Middle	57.3	47	82	
Delaware	57.1	4	7	
Pennsylvania, Eastern	57.1	165	289	
North Carolina, Western	52.7	29	55	
Indiana, Southern	52.0	13	25	
Ohio, Southern	50.0	28	56	
North Carolina, Eastern	50.0	10	20	
Kentucky, Eastern	50.0	9	18	
Missouri, Western	50.0	7	14	
Wyoming	50.0	1	2	
Michigan, Eastern	45.3	86	190	
New York, Northern	44.7	34	76	
Missouri, Eastern	42.9	73	170	
Oklahoma, Northern	42.9	3	7	
District of Columbia	41.1	44	107	
Illinois, Central	40.9	9	22	
New York, Western	39.7	48	121	
Florida, Middle	39.2	105	268	
Maryland	39.0	69	177	
Maine	38.9	7	18	
Illinois, Northern	37.9	89	235	
New Hampshire	37.5	3	8	
North Carolina, Middle	37.5	3	8	
South Carolina	34.8	49	141	
Tennessee, Eastern	33.3	5	15	
Florida, Northern	33.3	3	9	
Kentucky, Western	33.3	2	6	
Michigan, Western	33.3	2	6	
Hawaii	33.1	42	127	
Massachusetts	32.2	95	295	
New Jersey	31.2	234	750	
California, Southern	30.9	71	230	
Washington, Western	30.2	38	126	
Alaska	28.6	2	7	
Texas, Eastern	27.4	17	62	
Montana	27.3	3	11	

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

District	Percent	Koon Period	
		(6/13/96 - 4/30/03)	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Georgia, Southern	26.7	4	15
Connecticut	26.2	28	107
Colorado	25.0	27	108
North Dakota	25.0	1	4
New York, Southern	23.1	202	876
Vermont	23.0	20	87
California, Northern	22.9	25	109
Georgia, Northern	22.4	19	85
Illinois, Southern	22.2	2	9
Tennessee, Middle	21.4	3	14
Texas, Southern	21.4	84	393
New York, Eastern	20.5	350	1,706
Oklahoma, Western	20.0	3	15
Iowa, Southern	20.0	2	10
Minnesota	20.0	2	10
Texas, Western	19.0	65	342
Wisconsin, Eastern	18.9	10	53
Ohio, Northern	18.4	9	49
Pennsylvania, Western	17.5	7	40
Nevada	16.7	4	24
California, Central	16.3	15	92
Arizona	15.8	22	139
Indiana, Northern	15.8	3	19
Oregon	15.1	16	106
California, Eastern	15.1	11	73
New Mexico	13.8	19	138
Nebraska	11.1	3	27
Washington, Eastern	11.1	3	27
Texas, Northern	10.7	13	121
Puerto Rico	10.3	45	438
Louisiana, Eastern	9.3	10	108
Virginia, Eastern	8.8	20	226
West Virginia, Southern	8.0	2	25
Rhode Island	7.7	4	52
West Virginia, Northern	5.9	1	17
Kansas	5.6	1	18
Florida, Southern	4.8	64	1,327
Utah	0.0	0	12
Georgia, Middle	0.0	0	5
Louisiana, Western	0.0	0	3
Arkansas, Eastern	0.0	0	2
Guam	0.0	0	2
Wisconsin, Western	0.0	0	1
Arkansas, Western	0.0	0	1
Iowa, Northern	0.0	0	1
Northern Mariana Islands	0.0	0	1
Oklahoma, Eastern	0.0	0	1
Alabama, Southern	0.0	0	1

The following districts had no heroin trafficking offenses in the selected time period: Middle Louisiana, Northern Mississippi, South Dakota, and Middle Alabama.

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

**Spread of Rates of Government Sponsored Below Range Sentences
Heroin Trafficking Offenses**

District	Percent	PROTECT Act	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
		Period	
		(5/1/03 - 6/24/04)	
Alabama, Northern	100.0	2	2
Alaska	100.0	1	1
Guam	100.0	1	1
Ohio, Northern	75.0	9	12
Pennsylvania, Middle	71.4	25	35
California, Southern	69.2	9	13
Nevada	66.7	2	3
Virginia, Western	63.2	12	19
Pennsylvania, Eastern	60.6	40	66
Hawaii	60.0	9	15
California, Eastern	60.0	3	5
New York, Western	57.1	8	14
Texas, Northern	57.1	4	7
California, Central	57.1	4	7
Michigan, Eastern	54.5	12	22
District of Columbia	50.0	7	14
Maine	50.0	3	6
Kentucky, Eastern	50.0	1	2
Montana	50.0	1	2
Colorado	46.7	7	15
Illinois, Northern	45.0	18	40
Vermont	37.8	14	37
New Jersey	36.7	36	98
Texas, Southern	33.3	19	57
Arizona	33.3	3	9
Minnesota	33.3	2	6
Washington, Eastern	33.3	2	6
New Hampshire	33.3	1	3
Delaware	33.3	1	3
Missouri, Eastern	28.0	7	25
Maryland	27.8	5	18
Connecticut	25.0	5	20
Florida, Middle	18.2	4	22
Texas, Western	18.0	9	50
Michigan, Western	16.7	1	6
New Mexico	16.0	4	25
New York, Southern	16.0	23	144
New York, Eastern	15.4	47	305
California, Northern	15.4	2	13
Virgin Islands	14.3	2	14
West Virginia, Northern	13.5	5	37
Washington, Western	12.5	2	16

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

District	Percent	PROTECT Act	
		Period	
		(5/1/03 - 6/24/04)	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Ohio, Southern	12.5	1	8
Massachusetts	12.1	4	33
Pennsylvania, Western	12.0	3	25
Florida, Southern	11.6	24	207
Puerto Rico	10.2	11	108
Kansas	10.0	1	10
Virginia, Eastern	9.4	5	53
Oregon	6.7	1	15
Georgia, Northern	6.7	1	15
Louisiana, Eastern	4.8	2	42
Rhode Island	0.0	0	10
New York, Northern	0.0	0	5
Texas, Eastern	0.0	0	5
Utah	0.0	0	5
South Carolina	0.0	0	4
North Carolina, Western	0.0	0	3
Wisconsin, Eastern	0.0	0	3
Wisconsin, Western	0.0	0	3
Nebraska	0.0	0	2
Oklahoma, Western	0.0	0	2
North Carolina, Eastern	0.0	0	1
Louisiana, Middle	0.0	0	1
Kentucky, Western	0.0	0	1
Tennessee, Eastern	0.0	0	1
Illinois, Southern	0.0	0	1
Georgia, Southern	0.0	0	1

The following districts had no heroin trafficking offenses in the selected time period: Middle North Carolina, Southern West Virginia, Western Louisiana, Northern Mississippi, Southern Mississippi, Middle Tennessee, Western Tennessee, Central Illinois, Northern Indiana, Southern Indiana, Eastern Arkansas, Western Arkansas, Northern Iowa, Southern Iowa, Western Missouri, North Dakota, South Dakota, Idaho, Northern Mariana Islands, Eastern Oklahoma, Northern Oklahoma, Wyoming, Middle Alabama, Southern Alabama, Northern Florida, and Middle Georgia.

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

**Spread of Rates of Government Sponsored Below Range Sentences
Heroin Trafficking Offenses**

<i>Booker</i>			
Period			
(1/12/05 - 12/10/07)			
District	Percent	Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Iowa, Southern	100.0	1	1
Alabama, Northern	100.0	1	1
Alabama, Southern	100.0	1	1
Tennessee, Eastern	72.2	13	18
Colorado	69.2	18	26
Hawaii	66.7	6	9
District of Columbia	64.1	25	39
Ohio, Southern	61.2	41	67
Kentucky, Eastern	59.3	16	27
Pennsylvania, Eastern	57.6	49	85
Arizona	53.4	31	58
California, Southern	52.6	20	38
Pennsylvania, Middle	51.5	50	97
Tennessee, Western	50.0	5	10
Oklahoma, Northern	50.0	3	6
Oklahoma, Western	50.0	1	2
Michigan, Eastern	47.2	17	36
Iowa, Northern	44.4	8	18
New Jersey	44.4	126	284
California, Northern	44.0	11	25
Kansas	42.9	3	7
Minnesota	40.0	2	5
Indiana, Southern	38.9	7	18
Maryland	37.8	37	98
Vermont	36.7	11	30
New Hampshire	35.3	6	17
Texas, Eastern	34.6	9	26
Florida, Middle	34.1	28	82
Texas, Southern	33.9	38	112
Illinois, Southern	33.3	2	6
Ohio, Northern	32.8	39	119
Utah	32.0	8	25
Connecticut	31.3	21	67
Rhode Island	30.8	4	13
North Carolina, Western	30.0	3	10
New York, Northern	28.6	6	21
Oregon	28.6	6	21
Michigan, Western	27.8	10	36
Texas, Western	27.4	46	168
New York, Western	27.3	12	44
Virginia, Western	26.7	4	15
Illinois, Northern	26.1	31	119

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

<i>Booker</i>				
Period				
(1/12/05 - 12/10/07)				
District	Percent	Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed	
Washington, Western	26.0	19	73	
New York, Eastern	25.6	127	497	
Indiana, Northern	25.0	3	12	
Maine	25.0	2	8	
North Carolina, Eastern	25.0	1	4	
Kentucky, Western	25.0	1	4	
New York, Southern	23.7	118	498	
New Mexico	21.3	17	80	
Delaware	21.1	4	19	
Virgin Islands	20.0	1	5	
Florida, Southern	19.1	56	293	
Massachusetts	18.6	19	102	
Louisiana, Eastern	17.0	9	53	
Missouri, Eastern	16.2	16	99	
Wisconsin, Eastern	14.3	6	42	
Texas, Northern	14.3	2	14	
South Carolina	13.8	4	29	
Puerto Rico	13.7	18	131	
Georgia, Northern	13.2	5	38	
California, Eastern	10.5	4	38	
Pennsylvania, Western	10.3	8	78	
California, Central	7.1	1	14	
West Virginia, Northern	2.8	1	36	
Virginia, Eastern	0.0	0	63	
Wisconsin, Western	0.0	0	12	
Illinois, Central	0.0	0	8	
Nebraska	0.0	0	5	
Nevada	0.0	0	5	
Louisiana, Western	0.0	0	4	
Mississippi, Southern	0.0	0	3	
Missouri, Western	0.0	0	3	
Washington, Eastern	0.0	0	3	
Wyoming	0.0	0	3	
Tennessee, Middle	0.0	0	2	
South Dakota	0.0	0	2	
Arkansas, Western	0.0	0	1	
Oklahoma, Eastern	0.0	0	1	
Florida, Northern	0.0	0	1	
Georgia, Southern	0.0	0	1	

The following districts had no heroin trafficking offenses in the selected time period: Middle North Carolina, Southern West Virginia, Middle Louisiana, Northern Mississippi, Eastern Arkansas, North Dakota, Alaska, Guam, Idaho, Montana, Northern Mariana Islands, Middle Alabama, and Middle Georgia.

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

**Spread of Rates of Government Sponsored Below Range Sentences
Heroin Trafficking Offenses**

District	Percent	<i>Gall</i> Period	
		(12/11/07 - 9/30/11)	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Georgia, Middle	100.0	1	1
Kentucky, Western	83.3	5	6
Maine	80.0	16	20
New York, Western	75.8	50	66
California, Southern	68.6	109	159
Arizona	65.1	54	83
Oklahoma, Northern	62.5	5	8
Kentucky, Eastern	62.2	23	37
Iowa, Southern	60.0	3	5
Indiana, Northern	58.3	21	36
Indiana, Southern	58.3	7	12
Tennessee, Eastern	58.1	25	43
Pennsylvania, Middle	57.4	70	122
Hawaii	56.3	9	16
Missouri, Western	53.8	7	13
Alaska	52.2	12	23
District of Columbia	51.5	34	66
Wisconsin, Eastern	51.1	69	135
Ohio, Southern	50.0	76	152
Louisiana, Western	50.0	1	2
Oregon	46.3	31	67
Illinois, Central	44.4	8	18
California, Northern	41.9	18	43
Pennsylvania, Eastern	41.7	58	139
Kansas	41.7	10	24
Maryland	41.4	82	198
Virginia, Western	40.4	19	47
California, Eastern	40.0	14	35
New Jersey	35.3	83	235
North Carolina, Eastern	34.4	11	32
Washington, Western	33.3	22	66
Tennessee, Middle	33.3	7	21
Colorado	33.3	4	12
Wyoming	33.3	3	9
North Carolina, Middle	33.3	2	6
Alabama, Northern	33.3	2	6
Texas, Southern	32.9	53	161
Ohio, Northern	32.4	34	105
Tennessee, Western	31.3	5	16
Pennsylvania, Western	31.1	23	74
Illinois, Northern	30.8	65	211
New York, Eastern	30.1	170	564

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

Gall

Period

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

District	Percent	Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Texas, Eastern	29.9	20	67
Washington, Eastern	29.6	8	27
North Carolina, Western	29.4	15	51
Delaware	28.6	2	7
Missouri, Eastern	27.8	32	115
Texas, Northern	27.3	9	33
New York, Northern	27.3	6	22
Connecticut	25.9	38	147
Texas, Western	25.6	71	277
Mississippi, Southern	25.0	1	4
Arkansas, Eastern	25.0	1	4
California, Central	24.8	30	121
New York, Southern	24.7	114	461
New Mexico	24.1	27	112
Massachusetts	23.4	18	77
Michigan, Eastern	22.5	18	80
South Carolina	20.7	12	58
Georgia, Northern	20.6	7	34
Louisiana, Eastern	17.6	12	68
Minnesota	17.4	4	23
Nevada	17.2	5	29
Rhode Island	16.4	9	55
Florida, Middle	15.4	8	52
Michigan, Western	12.9	4	31
Puerto Rico	12.7	22	173
Vermont	12.5	1	8
Montana	12.5	1	8
New Hampshire	11.1	1	9
West Virginia, Northern	10.9	7	64
Utah	10.5	8	76
Florida, Southern	9.9	27	272
Illinois, Southern	8.0	2	25
Virginia, Eastern	6.7	11	164
Oklahoma, Western	5.9	1	17
West Virginia, Southern	4.4	2	45
Wisconsin, Western	0.0	0	21
Nebraska	0.0	0	8
Georgia, Southern	0.0	0	7
Iowa, Northern	0.0	0	5
Virgin Islands	0.0	0	2
North Dakota	0.0	0	1
South Dakota	0.0	0	1
Alabama, Middle	0.0	0	1

The following districts had no heroin trafficking offenses in the selected time period: Middle Louisiana, Northern Mississippi, Western Arkansas, Guam, Idaho, Northern Mariana Islands, Eastern Oklahoma, Southern Alabama, and Northern Florida.

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

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

District	Percent	Koon Period	
		(6/13/96 - 4/30/03)	
		Number of §5K1.1 Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Mississippi, Southern	100.0	1	1
Alabama, Northern	83.3	5	6
Tennessee, Western	66.7	18	27
Idaho	66.7	2	3
Virginia, Western	60.0	18	30
Virgin Islands	60.0	6	10
Pennsylvania, Middle	57.3	47	82
Delaware	57.1	4	7
Pennsylvania, Eastern	57.1	165	289
North Carolina, Western	52.7	29	55
Indiana, Southern	52.0	13	25
Ohio, Southern	50.0	28	56
North Carolina, Eastern	50.0	10	20
Kentucky, Eastern	50.0	9	18
Missouri, Western	50.0	7	14
Wyoming	50.0	1	2
Michigan, Eastern	45.3	86	190
New York, Northern	44.7	34	76
Oklahoma, Northern	42.9	3	7
Illinois, Central	40.9	9	22
Missouri, Eastern	40.6	69	170
District of Columbia	40.2	43	107
New York, Western	39.7	48	121
Florida, Middle	39.2	105	268
Maryland	39.0	69	177
Maine	38.9	7	18
Illinois, Northern	37.9	89	235
New Hampshire	37.5	3	8
North Carolina, Middle	37.5	3	8
South Carolina	34.8	49	141
Tennessee, Eastern	33.3	5	15
Florida, Northern	33.3	3	9
Kentucky, Western	33.3	2	6
Michigan, Western	33.3	2	6
Hawaii	33.1	42	127
Massachusetts	32.2	95	295
New Jersey	31.2	234	750
California, Southern	30.9	71	230
Washington, Western	30.2	38	126
Alaska	28.6	2	7
Texas, Eastern	27.4	17	62
Montana	27.3	3	11

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

Koon

Period

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

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Georgia, Southern	26.7	4	15
Connecticut	26.2	28	107
Colorado	25.0	27	108
North Dakota	25.0	1	4
New York, Southern	23.1	202	876
Vermont	23.0	20	87
California, Northern	22.9	25	109
Georgia, Northern	22.4	19	85
Illinois, Southern	22.2	2	9
Tennessee, Middle	21.4	3	14
Texas, Southern	21.1	83	393
New York, Eastern	20.3	347	1,706
Oklahoma, Western	20.0	3	15
Iowa, Southern	20.0	2	10
Minnesota	20.0	2	10
Texas, Western	19.0	65	342
Wisconsin, Eastern	18.9	10	53
Ohio, Northern	18.4	9	49
Pennsylvania, Western	17.5	7	40
Nevada	16.7	4	24
California, Central	16.3	15	92
Indiana, Northern	15.8	3	19
New Mexico	13.8	19	138
California, Eastern	13.7	10	73
Oregon	13.2	14	106
Arizona	12.9	18	139
Nebraska	11.1	3	27
Washington, Eastern	11.1	3	27
Texas, Northern	10.7	13	121
Puerto Rico	9.8	43	438
Louisiana, Eastern	9.3	10	108
Virginia, Eastern	8.8	20	226
West Virginia, Southern	8.0	2	25
Rhode Island	7.7	4	52
West Virginia, Northern	5.9	1	17
Kansas	5.6	1	18
Florida, Southern	4.8	64	1,327
Utah	0.0	0	12
Georgia, Middle	0.0	0	5
Louisiana, Western	0.0	0	3
Arkansas, Eastern	0.0	0	2
Guam	0.0	0	2
Wisconsin, Western	0.0	0	1
Arkansas, Western	0.0	0	1
Iowa, Northern	0.0	0	1
Northern Mariana Islands	0.0	0	1
Oklahoma, Eastern	0.0	0	1
Alabama, Southern	0.0	0	1

The following districts had no heroin trafficking offenses in the selected time period: Middle Louisiana, Northern Mississippi, South Dakota, and Middle Alabama.

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

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

District	PROTECT Act		
	Period		
	(5/1/03 - 6/24/04)		
	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Alabama, Northern	100.0	2	2
Alaska	100.0	1	1
Guam	100.0	1	1
Pennsylvania, Middle	68.6	24	35
Ohio, Northern	66.7	8	12
Virginia, Western	63.2	12	19
Pennsylvania, Eastern	60.6	40	66
Hawaii	60.0	9	15
California, Eastern	60.0	3	5
Texas, Northern	57.1	4	7
California, Central	57.1	4	7
Michigan, Eastern	54.5	12	22
New York, Western	50.0	7	14
Maine	50.0	3	6
Kentucky, Eastern	50.0	1	2
Montana	50.0	1	2
Colorado	46.7	7	15
Illinois, Northern	42.5	17	40
Vermont	37.8	14	37
District of Columbia	35.7	5	14
New Jersey	34.7	34	98
Arizona	33.3	3	9
Minnesota	33.3	2	6
Washington, Eastern	33.3	2	6
New Hampshire	33.3	1	3
Delaware	33.3	1	3
Texas, Southern	29.8	17	57
Missouri, Eastern	28.0	7	25
Maryland	27.8	5	18
Florida, Middle	18.2	4	22
Michigan, Western	16.7	1	6
New Mexico	16.0	4	25
New York, Southern	16.0	23	144
California, Northern	15.4	2	13
Connecticut	15.0	3	20
Virgin Islands	14.3	2	14
Texas, Western	14.0	7	50
West Virginia, Northern	13.5	5	37
Washington, Western	12.5	2	16
Ohio, Southern	12.5	1	8
Pennsylvania, Western	12.0	3	25
Florida, Southern	11.6	24	207

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

**PROTECT Act
Period**

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

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Puerto Rico	10.2	11	108
New York, Eastern	10.2	31	305
Kansas	10.0	1	10
Virginia, Eastern	9.4	5	53
Massachusetts	9.1	3	33
Oregon	6.7	1	15
Georgia, Northern	6.7	1	15
Louisiana, Eastern	4.8	2	42
California, Southern	0.0	0	13
Rhode Island	0.0	0	10
New York, Northern	0.0	0	5
Texas, Eastern	0.0	0	5
Utah	0.0	0	5
South Carolina	0.0	0	4
North Carolina, Western	0.0	0	3
Wisconsin, Eastern	0.0	0	3
Wisconsin, Western	0.0	0	3
Nevada	0.0	0	3
Nebraska	0.0	0	2
Oklahoma, Western	0.0	0	2
North Carolina, Eastern	0.0	0	1
Louisiana, Middle	0.0	0	1
Kentucky, Western	0.0	0	1
Tennessee, Eastern	0.0	0	1
Illinois, Southern	0.0	0	1
Georgia, Southern	0.0	0	1

The following districts had no heroin trafficking offenses in the selected time period: Middle North Carolina, Southern West Virginia, Western Louisiana, Northern Mississippi, Southern Mississippi, Middle Tennessee, Western Tennessee, Central Illinois, Northern Indiana, Southern Indiana, Eastern Arkansas, Western Arkansas, Northern Iowa, Southern Iowa, Western Missouri, North Dakota, South Dakota, Idaho, Northern Mariana Islands, Eastern Oklahoma, Northern Oklahoma, Wyoming, Middle Alabama, Southern Alabama, Northern Florida, and Middle Georgia.

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

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

<i>Booker</i>			
Period			
(1/12/05 - 12/10/07)			
District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Iowa, Southern	100.0	1	1
Alabama, Northern	100.0	1	1
Alabama, Southern	100.0	1	1
Tennessee, Eastern	72.2	13	18
Colorado	69.2	18	26
Hawaii	66.7	6	9
Ohio, Southern	59.7	40	67
Kentucky, Eastern	59.3	16	27
Pennsylvania, Eastern	56.5	48	85
Tennessee, Western	50.0	5	10
Oklahoma, Northern	50.0	3	6
Oklahoma, Western	50.0	1	2
District of Columbia	48.7	19	39
Pennsylvania, Middle	48.5	47	97
Michigan, Eastern	47.2	17	36
Iowa, Northern	44.4	8	18
New Jersey	43.0	122	284
Kansas	42.9	3	7
California, Northern	40.0	10	25
Indiana, Southern	38.9	7	18
Vermont	36.7	11	30
Florida, Middle	34.1	28	82
Illinois, Southern	33.3	2	6
Maryland	32.7	32	98
Utah	32.0	8	25
Connecticut	31.3	21	67
North Carolina, Western	30.0	3	10
Ohio, Northern	29.4	35	119
New Hampshire	29.4	5	17
New York, Northern	28.6	6	21
Oregon	28.6	6	21
Virginia, Western	26.7	4	15
New York, Western	25.0	11	44
Michigan, Western	25.0	9	36
Indiana, Northern	25.0	3	12
Maine	25.0	2	8
North Carolina, Eastern	25.0	1	4
Kentucky, Western	25.0	1	4
Illinois, Northern	23.5	28	119
Texas, Western	23.2	39	168
Rhode Island	23.1	3	13
New York, Eastern	22.9	114	497

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

Booker

Period

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

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
California, Southern	21.1	8	38
Delaware	21.1	4	19
New York, Southern	20.5	102	498
Virgin Islands	20.0	1	5
Minnesota	20.0	1	5
Texas, Southern	19.6	22	112
Florida, Southern	18.4	54	293
Massachusetts	15.7	16	102
Washington, Western	15.1	11	73
Texas, Northern	14.3	2	14
Missouri, Eastern	14.1	14	99
South Carolina	13.8	4	29
Louisiana, Eastern	13.2	7	53
New Mexico	12.5	10	80
Puerto Rico	12.2	16	131
Texas, Eastern	11.5	3	26
California, Eastern	10.5	4	38
Pennsylvania, Western	10.3	8	78
Wisconsin, Eastern	9.5	4	42
Arizona	8.6	5	58
Georgia, Northern	7.9	3	38
California, Central	7.1	1	14
Virginia, Eastern	0.0	0	63
West Virginia, Northern	0.0	0	36
Wisconsin, Western	0.0	0	12
Illinois, Central	0.0	0	8
Nebraska	0.0	0	5
Nevada	0.0	0	5
Louisiana, Western	0.0	0	4
Mississippi, Southern	0.0	0	3
Missouri, Western	0.0	0	3
Washington, Eastern	0.0	0	3
Wyoming	0.0	0	3
Tennessee, Middle	0.0	0	2
South Dakota	0.0	0	2
Arkansas, Western	0.0	0	1
Oklahoma, Eastern	0.0	0	1
Florida, Northern	0.0	0	1
Georgia, Southern	0.0	0	1

The following districts had no heroin trafficking offenses in the selected time period: Middle North Carolina, Southern West Virginia, Middle Louisiana, Northern Mississippi, Eastern Arkansas, North Dakota, Alaska, Guam, Idaho, Montana, Northern Mariana Islands, Middle Alabama, and Middle Georgia.

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

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

<i>Gall</i>			
Period			
(12/11/07 - 9/30/11)			
District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Georgia, Middle	100.0	1	1
Maine	80.0	16	20
New York, Western	74.2	49	66
Kentucky, Western	66.7	4	6
Oklahoma, Northern	62.5	5	8
Kentucky, Eastern	62.2	23	37
Tennessee, Eastern	58.1	25	43
Hawaii	56.3	9	16
Indiana, Northern	52.8	19	36
Louisiana, Western	50.0	1	2
Alaska	47.8	11	23
Missouri, Western	46.2	6	13
Ohio, Southern	44.7	68	152
Illinois, Central	44.4	8	18
Wisconsin, Eastern	43.7	59	135
Pennsylvania, Middle	43.4	53	122
Pennsylvania, Eastern	41.0	57	139
Virginia, Western	40.4	19	47
Iowa, Southern	40.0	2	5
California, Eastern	37.1	13	35
North Carolina, Eastern	34.4	11	32
New Jersey	34.0	80	235
Kansas	33.3	8	24
Indiana, Southern	33.3	4	12
Colorado	33.3	4	12
North Carolina, Middle	33.3	2	6
Alabama, Northern	33.3	2	6
Maryland	31.8	63	198
Ohio, Northern	31.4	33	105
Tennessee, Western	31.3	5	16
Oregon	29.9	20	67
North Carolina, Western	29.4	15	51
Tennessee, Middle	28.6	6	21
New York, Eastern	28.5	161	564
Illinois, Northern	28.4	60	211
Texas, Northern	27.3	9	33
New York, Northern	27.3	6	22
Pennsylvania, Western	27.0	20	74
Mississippi, Southern	25.0	1	4
Arkansas, Eastern	25.0	1	4
Connecticut	23.8	35	147
Missouri, Eastern	23.5	27	115

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

Gall

Period

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

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Texas, Southern	23.0	37	161
District of Columbia	22.7	15	66
California, Southern	22.6	36	159
New York, Southern	22.6	104	461
Michigan, Eastern	22.5	18	80
Wyoming	22.2	2	9
Texas, Western	19.1	53	277
South Carolina	19.0	11	58
California, Northern	18.6	8	43
California, Central	17.4	21	121
Texas, Eastern	16.4	11	67
Florida, Middle	15.4	8	52
Washington, Eastern	14.8	4	27
Georgia, Northern	14.7	5	34
Rhode Island	14.5	8	55
Delaware	14.3	1	7
Nevada	13.8	4	29
Louisiana, Eastern	13.2	9	68
Minnesota	13.0	3	23
New Mexico	12.5	14	112
Vermont	12.5	1	8
Montana	12.5	1	8
Washington, Western	12.1	8	66
Arizona	12.0	10	83
West Virginia, Northern	10.9	7	64
Puerto Rico	9.8	17	173
Michigan, Western	9.7	3	31
Florida, Southern	8.1	22	272
Illinois, Southern	8.0	2	25
Massachusetts	6.5	5	77
Oklahoma, Western	5.9	1	17
Virginia, Eastern	5.5	9	164
Utah	5.3	4	76
West Virginia, Southern	4.4	2	45
Wisconsin, Western	0.0	0	21
New Hampshire	0.0	0	9
Nebraska	0.0	0	8
Georgia, Southern	0.0	0	7
Iowa, Northern	0.0	0	5
Virgin Islands	0.0	0	2
North Dakota	0.0	0	1
South Dakota	0.0	0	1
Alabama, Middle	0.0	0	1

The following districts had no heroin trafficking offenses in the selected time period: Middle Louisiana, Northern Mississippi, Western Arkansas, Guam, Idaho, Northern Mariana Islands, Eastern Oklahoma, Southern Alabama, and Northern Florida.

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

**Spread of Rates of Other Government Sponsored Below Range Sentences
Heroin Trafficking Offenses**

District	PROTECT Act		
	Percent	Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
		Period	
		(5/1/03 - 6/24/04)	
Nevada	66.7	2	3
California, Southern	61.5	8	13
District of Columbia	14.3	2	14
Connecticut	10.0	2	20
Ohio, Northern	8.3	1	12
New York, Western	7.1	1	14
New York, Eastern	5.2	16	305
Texas, Western	4.0	2	50
Texas, Southern	3.5	2	57
Massachusetts	3.0	1	33
Pennsylvania, Middle	2.9	1	35
Illinois, Northern	2.5	1	40
New Jersey	2.0	2	98
Florida, Southern	0.0	0	207
New York, Southern	0.0	0	144
Puerto Rico	0.0	0	108
Pennsylvania, Eastern	0.0	0	66
Virginia, Eastern	0.0	0	53
Louisiana, Eastern	0.0	0	42
Vermont	0.0	0	37
West Virginia, Northern	0.0	0	37
Pennsylvania, Western	0.0	0	25
Missouri, Eastern	0.0	0	25
New Mexico	0.0	0	25
Michigan, Eastern	0.0	0	22
Florida, Middle	0.0	0	22
Virginia, Western	0.0	0	19
Maryland	0.0	0	18
Washington, Western	0.0	0	16
Hawaii	0.0	0	15
Oregon	0.0	0	15
Colorado	0.0	0	15
Georgia, Northern	0.0	0	15
Virgin Islands	0.0	0	14
California, Northern	0.0	0	13
Rhode Island	0.0	0	10
Kansas	0.0	0	10
Arizona	0.0	0	9
Ohio, Southern	0.0	0	8
Texas, Northern	0.0	0	7
California, Central	0.0	0	7
Maine	0.0	0	6

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

PROTECT Act				
Period				
(5/1/03 - 6/24/04)				
District	Percent	Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed	
Michigan, Western	0.0	0	0	6
Minnesota	0.0	0	0	6
Washington, Eastern	0.0	0	0	6
New York, Northern	0.0	0	0	5
Texas, Eastern	0.0	0	0	5
California, Eastern	0.0	0	0	5
Utah	0.0	0	0	5
South Carolina	0.0	0	0	4
New Hampshire	0.0	0	0	3
Delaware	0.0	0	0	3
North Carolina, Western	0.0	0	0	3
Wisconsin, Eastern	0.0	0	0	3
Wisconsin, Western	0.0	0	0	3
Kentucky, Eastern	0.0	0	0	2
Nebraska	0.0	0	0	2
Montana	0.0	0	0	2
Oklahoma, Western	0.0	0	0	2
Alabama, Northern	0.0	0	0	2
North Carolina, Eastern	0.0	0	0	1
Louisiana, Middle	0.0	0	0	1
Kentucky, Western	0.0	0	0	1
Tennessee, Eastern	0.0	0	0	1
Illinois, Southern	0.0	0	0	1
Alaska	0.0	0	0	1
Guam	0.0	0	0	1
Georgia, Southern	0.0	0	0	1

The following districts had no heroin trafficking offenses in the selected time period: Middle North Carolina, Southern West Virginia, Western Louisiana, Northern Mississippi, Southern Mississippi, Middle Tennessee, Western Tennessee, Central Illinois, Northern Indiana, Southern Indiana, Eastern Arkansas, Western Arkansas, Northern Iowa, Southern Iowa, Western Missouri, North Dakota, South Dakota, Idaho, Northern Mariana Islands, Eastern Oklahoma, Northern Oklahoma, Wyoming, Middle Alabama, Southern Alabama, Northern Florida, and Middle Georgia.

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

**Spread of Rates of Other Government Sponsored Below Range Sentences
Heroin Trafficking Offenses**

District	Percent	Booker Period	
		(1/12/05 - 12/10/07)	
		Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Texas, Eastern	23.1	6	26
Minnesota	20.0	1	5
District of Columbia	15.4	6	39
Texas, Southern	14.3	16	112
Washington, Western	11.0	8	73
New Mexico	8.8	7	80
Rhode Island	7.7	1	13
New Hampshire	5.9	1	17
Georgia, Northern	5.3	2	38
Maryland	5.1	5	98
Wisconsin, Eastern	4.8	2	42
Texas, Western	4.2	7	168
California, Northern	4.0	1	25
Louisiana, Eastern	3.8	2	53
Ohio, Northern	3.4	4	119
New York, Southern	3.2	16	498
Pennsylvania, Middle	3.1	3	97
Massachusetts	2.9	3	102
West Virginia, Northern	2.8	1	36
Michigan, Western	2.8	1	36
New York, Eastern	2.6	13	497
Illinois, Northern	2.5	3	119
New York, Western	2.3	1	44
Missouri, Eastern	2.0	2	99
Puerto Rico	1.5	2	131
Ohio, Southern	1.5	1	67
New Jersey	1.4	4	284
Pennsylvania, Eastern	1.2	1	85
Florida, Southern	0.7	2	293
Florida, Middle	0.0	0	82
Pennsylvania, Western	0.0	0	78
Connecticut	0.0	0	67
Virginia, Eastern	0.0	0	63
Arizona	0.0	0	58
California, Eastern	0.0	0	38
California, Southern	0.0	0	38
Michigan, Eastern	0.0	0	36
Vermont	0.0	0	30
South Carolina	0.0	0	29
Kentucky, Eastern	0.0	0	27
Colorado	0.0	0	26
Utah	0.0	0	25

**Spread of Rates of Other Government Sponsored Below Range Sentences
Heroin Trafficking Offenses (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 Heroin Trafficking Sentences Imposed	
New York, Northern	0.0	0	21	
Oregon	0.0	0	21	
Delaware	0.0	0	19	
Tennessee, Eastern	0.0	0	18	
Indiana, Southern	0.0	0	18	
Iowa, Northern	0.0	0	18	
Virginia, Western	0.0	0	15	
Texas, Northern	0.0	0	14	
California, Central	0.0	0	14	
Indiana, Northern	0.0	0	12	
Wisconsin, Western	0.0	0	12	
North Carolina, Western	0.0	0	10	
Tennessee, Western	0.0	0	10	
Hawaii	0.0	0	9	
Maine	0.0	0	8	
Illinois, Central	0.0	0	8	
Kansas	0.0	0	7	
Illinois, Southern	0.0	0	6	
Oklahoma, Northern	0.0	0	6	
Virgin Islands	0.0	0	5	
Nebraska	0.0	0	5	
Nevada	0.0	0	5	
North Carolina, Eastern	0.0	0	4	
Louisiana, Western	0.0	0	4	
Kentucky, Western	0.0	0	4	
Mississippi, Southern	0.0	0	3	
Missouri, Western	0.0	0	3	
Washington, Eastern	0.0	0	3	
Wyoming	0.0	0	3	
Tennessee, Middle	0.0	0	2	
South Dakota	0.0	0	2	
Oklahoma, Western	0.0	0	2	
Arkansas, Western	0.0	0	1	
Iowa, Southern	0.0	0	1	
Oklahoma, Eastern	0.0	0	1	
Alabama, Northern	0.0	0	1	
Alabama, Southern	0.0	0	1	
Florida, Northern	0.0	0	1	
Georgia, Southern	0.0	0	1	

The following districts had no heroin trafficking offenses in the selected time period: Middle North Carolina, Southern West Virginia, Middle Louisiana, Northern Mississippi, Eastern Arkansas, North Dakota, Alaska, Guam, Idaho, Montana, Northern Mariana Islands, Middle Alabama, and Middle Georgia.

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

**Spread of Rates of Other Government Sponsored Below Range Sentences
Heroin Trafficking Offenses**

District	<i>Gall</i> Period		
	(12/11/07 - 9/30/11)		
	Percent	Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
District of Columbia	28.8	19	66
Indiana, Southern	25.0	3	12
California, Northern	23.3	10	43
Washington, Western	21.2	14	66
Iowa, Southern	20.0	1	5
Massachusetts	16.9	13	77
Kentucky, Western	16.7	1	6
Oregon	16.4	11	67
Washington, Eastern	14.8	4	27
Delaware	14.3	1	7
Pennsylvania, Middle	13.9	17	122
Texas, Eastern	13.4	9	67
New Hampshire	11.1	1	9
Wyoming	11.1	1	9
Texas, Southern	9.9	16	161
Maryland	9.6	19	198
New Mexico	8.9	10	112
Kansas	8.3	2	24
Missouri, Western	7.7	1	13
California, Central	7.4	9	121
Wisconsin, Eastern	7.4	10	135
Texas, Western	6.1	17	277
Georgia, Northern	5.9	2	34
Indiana, Northern	5.6	2	36
Ohio, Southern	5.3	8	152
Utah	5.3	4	76
Tennessee, Middle	4.8	1	21
Louisiana, Eastern	4.4	3	68
Missouri, Eastern	4.3	5	115
Minnesota	4.3	1	23
Alaska	4.3	1	23
Pennsylvania, Western	4.1	3	74
Nevada	3.4	1	29
Michigan, Western	3.2	1	31
California, Southern	3.1	5	159
Puerto Rico	2.9	5	173
California, Eastern	2.9	1	35
Illinois, Northern	2.4	5	211
New York, Southern	2.2	10	461
Connecticut	2.0	3	147
Florida, Southern	1.8	5	272
Rhode Island	1.8	1	55

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

Gall

Period

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

District	Percent	Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
South Carolina	1.7	1	58
New York, Western	1.5	1	66
New York, Eastern	1.4	8	564
New Jersey	1.3	3	235
Virginia, Eastern	1.2	2	164
Ohio, Northern	1.0	1	105
Pennsylvania, Eastern	0.7	1	139
Arizona	0.0	0	83
Michigan, Eastern	0.0	0	80
West Virginia, Northern	0.0	0	64
Florida, Middle	0.0	0	52
North Carolina, Western	0.0	0	51
Virginia, Western	0.0	0	47
West Virginia, Southern	0.0	0	45
Tennessee, Eastern	0.0	0	43
Kentucky, Eastern	0.0	0	37
Texas, Northern	0.0	0	33
North Carolina, Eastern	0.0	0	32
Illinois, Southern	0.0	0	25
New York, Northern	0.0	0	22
Wisconsin, Western	0.0	0	21
Maine	0.0	0	20
Illinois, Central	0.0	0	18
Oklahoma, Western	0.0	0	17
Tennessee, Western	0.0	0	16
Hawaii	0.0	0	16
Colorado	0.0	0	12
Vermont	0.0	0	8
Nebraska	0.0	0	8
Montana	0.0	0	8
Oklahoma, Northern	0.0	0	8
Georgia, Southern	0.0	0	7
North Carolina, Middle	0.0	0	6
Alabama, Northern	0.0	0	6
Iowa, Northern	0.0	0	5
Mississippi, Southern	0.0	0	4
Arkansas, Eastern	0.0	0	4
Virgin Islands	0.0	0	2
Louisiana, Western	0.0	0	2
North Dakota	0.0	0	1
South Dakota	0.0	0	1
Alabama, Middle	0.0	0	1
Georgia, Middle	0.0	0	1

The following districts had no heroin trafficking offenses in the selected time period: Middle Louisiana, Northern Mississippi, Western Arkansas, Guam, Idaho, Northern Mariana Islands, Eastern Oklahoma, Southern Alabama, and Northern Florida.

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

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

District	Percent	<i>Koon</i> Period	
		(6/13/96 - 4/30/03)	
		Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Arizona	48.9	68	139
New York, Eastern	44.4	757	1,706
California, Southern	40.4	93	230
Connecticut	37.4	40	107
Idaho	33.3	1	3
North Dakota	25.0	1	4
Vermont	21.8	19	87
Minnesota	20.0	2	10
Rhode Island	19.2	10	52
Montana	18.2	2	11
Colorado	17.6	19	108
California, Northern	17.4	19	109
Michigan, Western	16.7	1	6
Georgia, Northern	16.5	14	85
New York, Southern	15.3	134	876
Washington, Western	15.1	19	126
District of Columbia	15.0	16	107
Nebraska	14.8	4	27
California, Central	14.1	13	92
New Mexico	13.0	18	138
Nevada	12.5	3	24
New Hampshire	12.5	1	8
Massachusetts	11.9	35	295
Maryland	11.9	21	177
Washington, Eastern	11.1	3	27
Ohio, Southern	10.7	6	56
Illinois, Northern	10.6	25	235
Iowa, Southern	10.0	1	10
California, Eastern	9.6	7	73
New York, Northern	9.2	7	76
Texas, Western	8.8	30	342
Oregon	8.5	9	106
Utah	8.3	1	12
Ohio, Northern	8.2	4	49
Texas, Eastern	8.1	5	62
New Jersey	8.0	60	750
Pennsylvania, Western	7.5	3	40
New York, Western	7.4	9	121
Tennessee, Middle	7.1	1	14
Missouri, Western	7.1	1	14
Missouri, Eastern	6.5	11	170
Texas, Southern	6.4	25	393

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

District	Percent	<i>Koon</i> Period (6/13/96 - 4/30/03)	
		Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Texas, Northern	5.8	7	121
South Carolina	5.7	8	141
Hawaii	5.5	7	127
Michigan, Eastern	5.3	10	190
Florida, Middle	5.2	14	268
Puerto Rico	4.3	19	438
Indiana, Southern	4.0	1	25
Wisconsin, Eastern	3.8	2	53
North Carolina, Western	3.6	2	55
Florida, Southern	3.6	48	1,327
Pennsylvania, Eastern	3.5	10	289
Louisiana, Eastern	2.8	3	108
Pennsylvania, Middle	2.4	2	82
Virginia, Eastern	1.3	3	226
Virginia, Western	0.0	0	30
Tennessee, Western	0.0	0	27
West Virginia, Southern	0.0	0	25
Illinois, Central	0.0	0	22
North Carolina, Eastern	0.0	0	20
Indiana, Northern	0.0	0	19
Maine	0.0	0	18
Kentucky, Eastern	0.0	0	18
Kansas	0.0	0	18
West Virginia, Northern	0.0	0	17
Tennessee, Eastern	0.0	0	15
Oklahoma, Western	0.0	0	15
Georgia, Southern	0.0	0	15
Virgin Islands	0.0	0	10
Illinois, Southern	0.0	0	9
Florida, Northern	0.0	0	9
North Carolina, Middle	0.0	0	8
Delaware	0.0	0	7
Alaska	0.0	0	7
Oklahoma, Northern	0.0	0	7
Kentucky, Western	0.0	0	6
Alabama, Northern	0.0	0	6
Georgia, Middle	0.0	0	5
Louisiana, Western	0.0	0	3
Arkansas, Eastern	0.0	0	2
Guam	0.0	0	2
Wyoming	0.0	0	2
Mississippi, Southern	0.0	0	1
Wisconsin, Western	0.0	0	1
Arkansas, Western	0.0	0	1
Iowa, Northern	0.0	0	1
Northern Mariana Islands	0.0	0	1
Oklahoma, Eastern	0.0	0	1
Alabama, Southern	0.0	0	1

The following districts had no heroin trafficking offenses in the selected time period: Middle Louisiana, Northern Mississippi, South Dakota, and Middle Alabama.

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

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

District	Percent	PROTECT Act	
		Period	
(5/1/03 - 6/24/04)			
		Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Connecticut	35.0	7	20
Arizona	33.3	3	9
New York, Eastern	32.1	98	305
Ohio, Southern	25.0	2	8
Maryland	22.2	4	18
New York, Northern	20.0	1	5
Michigan, Western	16.7	1	6
Minnesota	16.7	1	6
New Mexico	12.0	3	25
Vermont	10.8	4	37
Massachusetts	9.1	3	33
New York, Southern	9.0	13	144
New Jersey	8.2	8	98
California, Northern	7.7	1	13
Illinois, Northern	7.5	3	40
District of Columbia	7.1	1	14
Hawaii	6.7	1	15
Washington, Western	6.3	1	16
Virginia, Eastern	5.7	3	53
Texas, Southern	3.5	2	57
Florida, Southern	2.9	6	207
West Virginia, Northern	2.7	1	37
Texas, Western	2.0	1	50
Puerto Rico	0.9	1	108
Pennsylvania, Eastern	0.0	0	66
Louisiana, Eastern	0.0	0	42
Pennsylvania, Middle	0.0	0	35
Pennsylvania, Western	0.0	0	25
Missouri, Eastern	0.0	0	25
Michigan, Eastern	0.0	0	22
Florida, Middle	0.0	0	22
Virginia, Western	0.0	0	19
Oregon	0.0	0	15
Colorado	0.0	0	15
Georgia, Northern	0.0	0	15
New York, Western	0.0	0	14
Virgin Islands	0.0	0	14
California, Southern	0.0	0	13
Ohio, Northern	0.0	0	12
Rhode Island	0.0	0	10
Kansas	0.0	0	10
Texas, Northern	0.0	0	7

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

		PROTECT Act		
		Period		
		(5/1/03 - 6/24/04)		
District	Percent	Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed	
California, Central	0.0	0	0	7
Maine	0.0	0	0	6
Washington, Eastern	0.0	0	0	6
Texas, Eastern	0.0	0	0	5
California, Eastern	0.0	0	0	5
Utah	0.0	0	0	5
South Carolina	0.0	0	0	4
New Hampshire	0.0	0	0	3
Delaware	0.0	0	0	3
North Carolina, Western	0.0	0	0	3
Wisconsin, Eastern	0.0	0	0	3
Wisconsin, Western	0.0	0	0	3
Nevada	0.0	0	0	3
Kentucky, Eastern	0.0	0	0	2
Nebraska	0.0	0	0	2
Montana	0.0	0	0	2
Oklahoma, Western	0.0	0	0	2
Alabama, Northern	0.0	0	0	2
North Carolina, Eastern	0.0	0	0	1
Louisiana, Middle	0.0	0	0	1
Kentucky, Western	0.0	0	0	1
Tennessee, Eastern	0.0	0	0	1
Illinois, Southern	0.0	0	0	1
Alaska	0.0	0	0	1
Guam	0.0	0	0	1
Georgia, Southern	0.0	0	0	1

The following districts had no heroin trafficking offenses in the selected time period: Middle North Carolina, Southern West Virginia, Western Louisiana, Northern Mississippi, Southern Mississippi, Middle Tennessee, Western Tennessee, Central Illinois, Northern Indiana, Southern Indiana, Eastern Arkansas, Western Arkansas, Northern Iowa, Southern Iowa, Western Missouri, North Dakota, South Dakota, Idaho, Northern Mariana Islands, Eastern Oklahoma, Northern Oklahoma, Wyoming, Middle Alabama, Southern Alabama, Northern Florida, and Middle Georgia.

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

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

District	Percent	Booker Period (1/12/05 - 12/10/07)	
		Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Tennessee, Middle	50.0	1	2
South Dakota	50.0	1	2
New York, Eastern	43.5	216	497
Wisconsin, Eastern	40.5	17	42
Delaware	36.8	7	19
Connecticut	35.8	24	67
Mississippi, Southern	33.3	1	3
Washington, Eastern	33.3	1	3
Wyoming	33.3	1	3
Rhode Island	30.8	4	13
New York, Southern	29.1	145	498
Georgia, Northern	26.3	10	38
Illinois, Central	25.0	2	8
California, Central	21.4	3	14
Pennsylvania, Eastern	21.2	18	85
Ohio, Northern	20.2	24	119
Illinois, Northern	20.2	24	119
Minnesota	20.0	1	5
Florida, Middle	19.5	16	82
Michigan, Western	19.4	7	36
New Jersey	19.0	54	284
California, Southern	18.4	7	38
Maryland	18.4	18	98
Washington, Western	17.8	13	73
Massachusetts	16.7	17	102
Indiana, Southern	16.7	3	18
Wisconsin, Western	16.7	2	12
Illinois, Southern	16.7	1	6
Virginia, Eastern	15.9	10	63
Kansas	14.3	1	7
Arizona	13.8	8	58
New York, Western	13.6	6	44
Vermont	13.3	4	30
District of Columbia	12.8	5	39
Utah	12.0	3	25
Ohio, Southern	11.9	8	67
Florida, Southern	11.3	33	293
Michigan, Eastern	11.1	4	36
Tennessee, Eastern	11.1	2	18
Pennsylvania, Western	10.3	8	78
North Carolina, Western	10.0	1	10
Tennessee, Western	10.0	1	10

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

*Booker
Period*

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

District	Percent	Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
New York, Northern	9.5	2	21
Oregon	9.5	2	21
Pennsylvania, Middle	9.3	9	97
New Mexico	8.8	7	80
Texas, Southern	7.1	8	112
New Hampshire	5.9	1	17
Iowa, Northern	5.6	1	18
Puerto Rico	5.3	7	131
California, Eastern	5.3	2	38
Texas, Western	4.8	8	168
Missouri, Eastern	4.0	4	99
Louisiana, Eastern	3.8	2	53
West Virginia, Northern	2.8	1	36
South Carolina	0.0	0	29
Kentucky, Eastern	0.0	0	27
Texas, Eastern	0.0	0	26
Colorado	0.0	0	26
California, Northern	0.0	0	25
Virginia, Western	0.0	0	15
Texas, Northern	0.0	0	14
Indiana, Northern	0.0	0	12
Hawaii	0.0	0	9
Maine	0.0	0	8
Oklahoma, Northern	0.0	0	6
Virgin Islands	0.0	0	5
Nebraska	0.0	0	5
Nevada	0.0	0	5
North Carolina, Eastern	0.0	0	4
Louisiana, Western	0.0	0	4
Kentucky, Western	0.0	0	4
Missouri, Western	0.0	0	3
Oklahoma, Western	0.0	0	2
Arkansas, Western	0.0	0	1
Iowa, Southern	0.0	0	1
Oklahoma, Eastern	0.0	0	1
Alabama, Northern	0.0	0	1
Alabama, Southern	0.0	0	1
Florida, Northern	0.0	0	1
Georgia, Southern	0.0	0	1

The following districts had no heroin trafficking offenses in the selected time period: Middle North Carolina, Southern West Virginia, Middle Louisiana, Northern Mississippi, Eastern Arkansas, North Dakota, Alaska., Guam, Idaho, Montana, Northern Mariana Islands, Middle Alabama, and Middle Georgia.

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

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

District	Percent	<i>Gall</i> Period	
		(12/11/07 - 9/30/11)	
		Number of Non- Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Alabama, Middle	100.0	1	1
Minnesota	47.8	11	23
Wisconsin, Western	47.6	10	21
New York, Southern	47.5	219	461
Oklahoma, Western	47.1	8	17
New York, Eastern	45.4	256	564
Washington, Western	39.4	26	66
Rhode Island	38.2	21	55
California, Central	35.5	43	121
Connecticut	33.3	49	147
Washington, Eastern	33.3	9	27
New Hampshire	33.3	3	9
Illinois, Northern	31.3	66	211
Georgia, Northern	29.4	10	34
Massachusetts	27.3	21	77
Florida, Southern	26.8	73	272
Vermont	25.0	2	8
Oklahoma, Northern	25.0	2	8
Virginia, Eastern	23.8	39	164
Wisconsin, Eastern	23.7	32	135
West Virginia, Northern	21.9	14	64
Ohio, Southern	21.7	33	152
Florida, Middle	21.2	11	52
New Jersey	20.9	49	235
Pennsylvania, Eastern	20.1	28	139
Michigan, Eastern	20.0	16	80
Iowa, Northern	20.0	1	5
Utah	19.7	15	76
Indiana, Northern	19.4	7	36
Arizona	19.3	16	83
New Mexico	18.8	21	112
Hawaii	18.8	3	16
Maryland	18.2	36	198
Texas, Southern	18.0	29	161
Pennsylvania, Western	17.6	13	74
District of Columbia	16.7	11	66
Illinois, Central	16.7	3	18
North Carolina, Middle	16.7	1	6
Michigan, Western	16.1	5	31
West Virginia, Southern	15.6	7	45
Missouri, Western	15.4	2	13
Delaware	14.3	1	7

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

Gall

Period

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

District	Percent	Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Heroin Trafficking Sentences Imposed
Missouri, Eastern	13.9	16	115
California, Southern	13.8	22	159
North Carolina, Western	13.7	7	51
Ohio, Northern	13.3	14	105
Alaska	13.0	3	23
Virginia, Western	12.8	6	47
Tennessee, Western	12.5	2	16
Nebraska	12.5	1	8
Pennsylvania, Middle	12.3	15	122
South Carolina	12.1	7	58
Texas, Western	11.2	31	277
Texas, Eastern	10.4	7	67
Oregon	10.4	7	67
Maine	10.0	2	20
Puerto Rico	9.8	17	173
Tennessee, Middle	9.5	2	21
New York, Northern	9.1	2	22
California, Eastern	8.6	3	35
Indiana, Southern	8.3	1	12
Colorado	8.3	1	12
California, Northern	7.0	3	43
Louisiana, Eastern	5.9	4	68
Illinois, Southern	4.0	1	25
North Carolina, Eastern	3.1	1	32
Texas, Northern	3.0	1	33
Kentucky, Eastern	2.7	1	37
Tennessee, Eastern	2.3	1	43
New York, Western	1.5	1	66
Nevada	0.0	0	29
Kansas	0.0	0	24
Wyoming	0.0	0	9
Montana	0.0	0	8
Georgia, Southern	0.0	0	7
Kentucky, Western	0.0	0	6
Alabama, Northern	0.0	0	6
Iowa, Southern	0.0	0	5
Mississippi, Southern	0.0	0	4
Arkansas, Eastern	0.0	0	4
Virgin Islands	0.0	0	2
Louisiana, Western	0.0	0	2
North Dakota	0.0	0	1
South Dakota	0.0	0	1
Georgia, Middle	0.0	0	1

The following districts had no heroin trafficking offenses in the selected time period: Middle Louisiana, Northern Mississippi, Western Arkansas, Guam, Idaho, Northern Mariana Islands, Eastern Oklahoma, Southern Alabama, and Northern Florida.

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