

Analysis of Marijuana Trafficking Offenses

STATISTICAL OVERVIEW: FISCAL YEAR 2011

In fiscal year 2011, federal courts sentenced 6,752 marijuana trafficking offenders. Marijuana was the primary drug type involved in the drug trafficking crime in 27.6 percent of drug trafficking offenses. Over 70 percent (71.4%, n=4,816) of marijuana trafficking offenders were sentenced in just two circuits: judges in the Fifth Circuit sentenced 2,429 marijuana trafficking offenders (36.0% of marijuana trafficking offenders nationwide) and judges in the Ninth Circuit sentenced 2,387 marijuana trafficking offenders (35.4% of marijuana trafficking offenders nationwide).⁷¹ The 2,429 marijuana trafficking offenders sentenced in the Fifth Circuit accounted for 49.0 percent of that circuit's total drug trafficking caseload, while the 2,387 marijuana trafficking offenders sentenced in the Ninth Circuit accounted for 46.2 percent of its drug trafficking caseload. The Tenth Circuit, which had the most marijuana trafficking offenders following the Fifth and Ninth Circuits, had only 416 such offenders (6.2% of marijuana trafficking offenders nationwide and 28.0% of its drug trafficking caseload). Next, the Sixth Circuit had 341 marijuana trafficking offenders (5.1% of marijuana trafficking offenders nationwide and 17.5% of its drug trafficking

⁷¹ See "National Distribution of Primary Drug Type by Circuit and District, Marijuana, FY 2011" Appendix Table. By way of comparison, only 41.3 percent of all drug trafficking offenses in fiscal year 2011 were sentenced by judges in those two circuits. See "National Distribution of Selected Offenses by Circuit and District, Drug Trafficking Offenses, FY 2011" Appendix Table.

caseload). The table below illustrates that the proportion of the circuits' drug trafficking caseload comprised of marijuana trafficking offenses ranged from a low of 3.0 percent in the District of Columbia Circuit to a high of 49.0 percent in the Fifth Circuit.

Proportion of Caseload by Circuit
Marijuana Trafficking Offenses
Fiscal Year 2011

Circuit	Number of Marijuana Offenses	Percent of Total Drug Caseload
TOTAL	6,752	27.6
D.C. Circuit	4	3.0
First Circuit	72	6.4
Fourth Circuit	155	7.0
Third Circuit	78	8.2
Seventh Circuit	130	11.0
Second Circuit	239	13.4
Eleventh Circuit	281	13.9
Eighth Circuit	220	14.6
Sixth Circuit	341	17.5
Tenth Circuit	416	28.0
Ninth Circuit	2,387	46.2
Fifth Circuit	2,429	49.0

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

At the district level, the number of marijuana trafficking offenders sentenced in fiscal year 2011 ranged from zero (Northern Mariana Islands) to 1,726 offenders (Arizona). Judges in only three districts sentenced more than 1,000 marijuana trafficking offenders. Judges in the District of Arizona sentenced 1,726 marijuana trafficking offenders, which was 25.6 percent of all marijuana trafficking offenders nationwide. Judges in the Western District of Texas sentenced 1,191 marijuana trafficking offenders (17.6% of marijuana trafficking offenders nationwide) and judges in the Southern

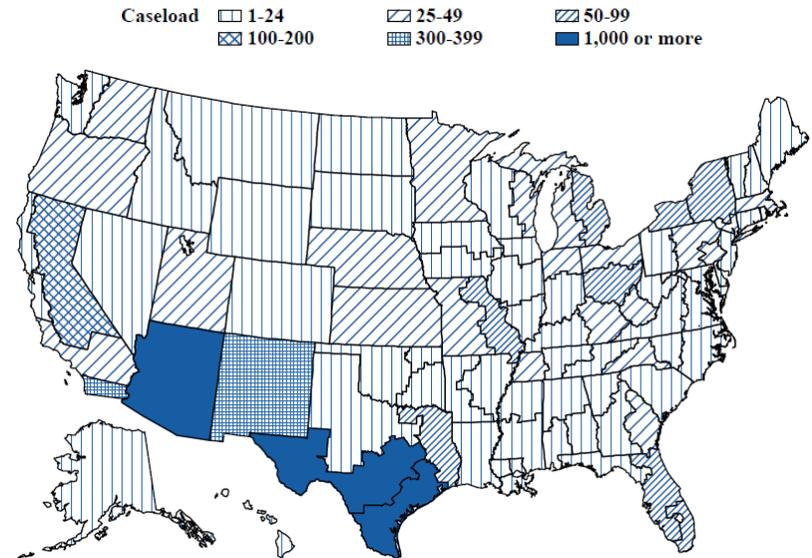
PART C: DRUG TRAFFICKING OFFENSES
MARIJUANA

District of Texas sentenced 1,110 marijuana trafficking offenders (16.4% of marijuana trafficking offenders nationwide). These three districts accounted for more than half (59.6%, n=4,027) of all marijuana trafficking offenders sentenced nationwide.⁷² Only three other districts sentenced more than 100 marijuana trafficking offenders: Southern California with 366 offenders (5.4% of marijuana trafficking offenders nationwide); New Mexico with 334 offenders (4.9% of marijuana trafficking offenders nationwide); and Eastern California with 106 offenders (1.6% of marijuana trafficking offenders nationwide). Over 70 percent (70.2%, n=66) of the 94 districts sentenced fewer than 30 marijuana trafficking offenders.

Notably, the proportion of a district’s drug trafficking caseload comprised of marijuana trafficking offenses varied considerably between districts. In those districts that reported sentencing marijuana trafficking offenders in fiscal year 2011, the District of Wyoming sentenced the lowest proportion of marijuana trafficking offenders, at 0.7 percent of its drug trafficking offenders. In contrast, marijuana trafficking offenders were 84.0 percent of the District of Arizona’s drug trafficking caseload. In four districts, marijuana trafficking offenders were more than 50 percent of the drug trafficking offenders sentenced in those districts: Arizona (84.0% of the drug trafficking offenders in the district, n=1,726); Southern Texas (64.0% of the drug trafficking offenders in the district, n=1,110); New Mexico (56.3% of the drug trafficking offenders in the district, n=334); and Western Texas (55.6% of the drug trafficking offenders in the district, n=1,191). In contrast, marijuana trafficking offenders were less than three percent of drug trafficking offenders in four districts that sentenced marijuana trafficking offenders in fiscal year 2011. Those districts were: Wyoming (0.7% of drug trafficking offenders in the district, n=1); Eastern Louisiana (1.7% of drug trafficking offenders in the district, n=2); Western Oklahoma (2.6% of drug

trafficking offenders in the district, n=3); and Middle Louisiana (2.7% of drug trafficking offenders in the district, n=1).⁷³

Number of Marijuana Trafficking Offenders by District
Fiscal Year 2011



There were zero districts with caseloads falling between 200 and 300 offenders.
 There were zero districts with caseloads falling between 400 and 1,000 offenders.
 Note: Districts displayed in white had no offenders convicted of the specified offense.
 SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

⁷² See “National Distribution of Primary Drug Type by Circuit and District, Marijuana, FY 2011” Appendix Table. By way of comparison, only 24.2 percent of all drug trafficking cases in fiscal year 2011 were sentenced in those three districts. See “National Distribution of Selected Offenses by Circuit and District, Drug Trafficking Offenses, FY 2011” Appendix Table.

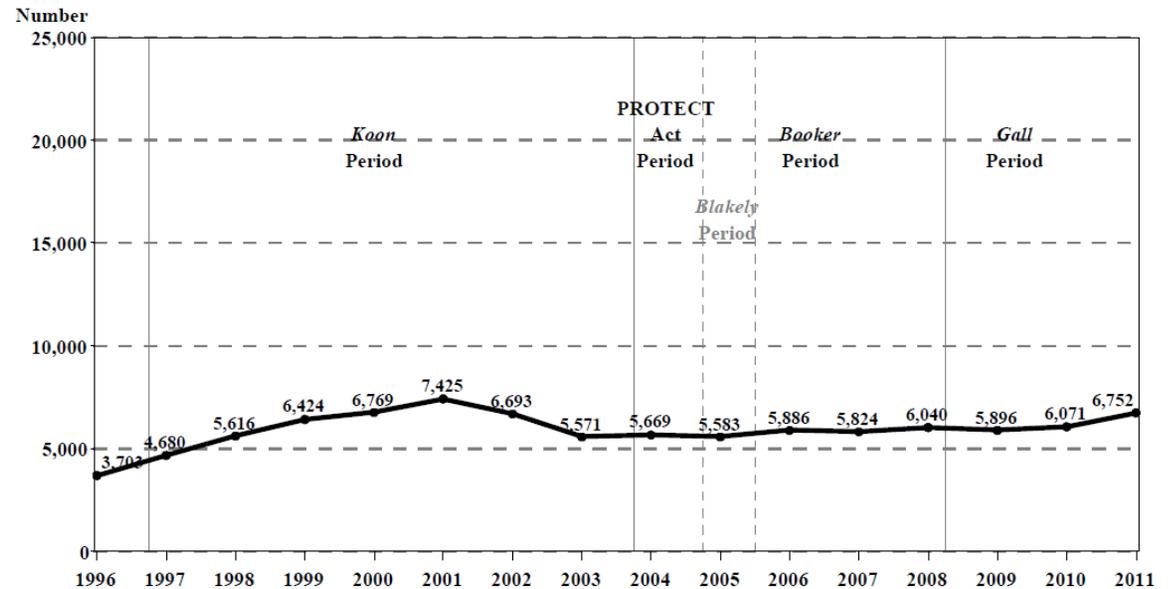
⁷³ See “Proportion of the Drug Trafficking Caseload in Each Circuit and District by Primary Drug Type, Marijuana, FY 2011” Appendix Table.

NATIONAL TREND ANALYSIS

This section addresses federal sentencing trends for marijuana 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 marijuana trafficking offenders has remained relatively stable since fiscal year 2004, with a slightly higher number of such offenders sentenced in fiscal year 2011. The percentage of marijuana trafficking offenses relative to the overall drug trafficking caseload has varied across the four periods: marijuana was the primary drug type in 29.8 percent of drug trafficking offenses nationwide in the *Koon* period, 25.6 percent during the PROTECT Act period, 24.4 percent in the *Booker* period, and 25.9 percent in the *Gall* period.

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



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

**PART C: DRUG TRAFFICKING OFFENSES
MARIJUANA**

NATIONAL TREND ANALYSIS

OFFENDER AND OFFENSE CHARACTERISTICS

The majority of marijuana trafficking offenders have been United States citizens across the four periods, but the proportion of United States citizen marijuana trafficking offenders has decreased from the PROTECT Act period to the *Gall* period. Male offenders have been the majority of marijuana trafficking offenders in each period. Hispanic offenders consistently have been the largest group of marijuana trafficking offenders, with White offenders the second largest group in each period.

The majority of marijuana trafficking offenders have been in Criminal History Category I in each of the four periods. The second largest group of marijuana trafficking offenders has been in Criminal History Category III during every period.

**Selected Offender Characteristics
Marijuana 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	27.6	25.6	24.3	25.1
Black	7.4	8.4	10.2	7.9
Hispanic	63.5	63.2	61.8	63.4
Other	1.5	2.8	3.7	3.5
GENDER				
Male	87.0	86.4	87.0	87.9
Female	13.0	13.6	13.0	12.2
CITIZENSHIP				
U.S. Citizen	58.6	62.0	59.0	54.3
Non-U.S. Citizen	41.4	38.0	41.0	45.7
CRIMINAL HISTORY CATEGORY				
I	68.0	68.5	66.2	68.9
II	11.1	10.6	10.9	10.7
III	11.5	11.4	11.9	10.9
IV	4.2	4.1	4.7	4.1
V	1.7	1.8	2.0	2.1
VI	3.5	3.7	4.4	3.4

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

**PART C: DRUG TRAFFICKING OFFENSES
MARIJUANA**

NATIONAL TREND ANALYSIS
OFFENDER AND OFFENSE CHARACTERISTICS

The majority of marijuana trafficking offenders have been sentenced to prison only in each of the four periods. The percentage sentenced to a split sentence of prison and community confinement has been small but has increased steadily over the four periods.

**Types of Sentences Imposed
Marijuana Trafficking Offenses
Koon Period through Gall Period**

SENTENCE IMPOSED	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)	
	N	%	N	%	N	%	N	%
Prison Only	37,739	90.3	6,018	91.3	15,498	91.0	21,039	89.7
Prison/Community Split	1,380	3.3	241	3.7	721	4.2	1,043	4.5
Probation and Confinement	1,153	2.8	149	2.3	353	2.1	589	2.5
Probation Only	1,512	3.6	185	2.8	462	2.7	778	3.3

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

PART C: DRUG TRAFFICKING OFFENSES
MARIJUANA

NATIONAL TREND ANALYSIS

OFFENDER AND OFFENSE CHARACTERISTICS

The average guideline minimum for drug trafficking offenses can generally be viewed as a proxy for the seriousness of the offense. For marijuana trafficking offenses, the average guideline minimum increased from the *Koon* to *Booker* periods, but decreased in the *Gall* period, suggesting that the offenses have become less serious. Average sentence length also decreased in the *Gall* period. Changes in sentence length are influenced by various factors including the guideline range, departures, and variances.

The table includes the percentage of marijuana 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 marijuana 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.

Rates of within range sentences have decreased over time due to increases in both government and non-government sponsored below range rates. The extent of the reduction from the guideline minimum has varied depending on the type of below range sentence, but the largest reductions have occurred in substantial assistance below range sentences.

Selected Sentencing Characteristics
Marijuana 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	96.9	97.0	96.8	97.6
SAFETY VALVE	26.9	53.1	53.5	57.0
WEAPON	6.0	7.5	8.8	7.4
GUIDELINE ADJUSTMENTS				
Aggravating Role (USSG §3B1.1)	5.6	5.8	4.7	4.3
Mitigating Role (USSG §3B1.2)	41.1	34.8	36.1	34.3
SENTENCE RELATIVE TO GUIDELINE RANGE				
Within Range	52.9	65.4	55.5	55.5
Above Range	0.2	0.2	0.6	0.8
All Gov't Sponsored Below Range	21.6	30.3	36.0	31.8
Substantial Assistance (USSG §5K1.1)	20.5	17.4	16.5	14.2
Early Disposition Program (USSG §5K3.1)	n/a	3.3	16.3	14.6
Other Gov't Sponsored Below Range	n/a	9.7	3.2	3.0
Non-Gov't Sponsored Below Range	25.3	4.2	7.9	11.8
	Months	Months	Months	Months
AVERAGE GUIDELINE MINIMUM	43	46	49	42
AVERAGE SENTENCE	34	39	40	35
Within Range	43	45	48	40
Above Range	141	83	66	71
All Gov't Sponsored Below Range	30	30	28	26
Substantial Assistance (USSG §5K1.1)	31	38	37	34
Early Disposition Program (USSG §5K3.1)	n/a	14	16	16
Other Gov't Sponsored Below Range	n/a	20	36	34
Non-Gov't Sponsored Below Range	17	25	38	30
AVERAGE EXTENT OF REDUCTION	Percent (Months)	Percent (Months)	Percent (Months)	Percent (Months)
All Gov't Sponsored Below Range	52.1 (31)	44.1 (22)	45.4 (22)	45.7 (21)
Substantial Assistance (USSG §5K1.1)	52.4 (32)	47.8 (31)	50.4 (35)	51.7 (33)
Early Disposition Program (USSG §5K3.1)	n/a (n/a)	40.7 (8)	42.6 (11)	41.9 (9)
Other Gov't Sponsored Below Range	n/a (n/a)	38.3 (11)	33.7 (17)	35.9 (17)
Non-Gov't Sponsored Below Range	44.3 (12)	41.0 (14)	38.9 (17)	40.9 (15)

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

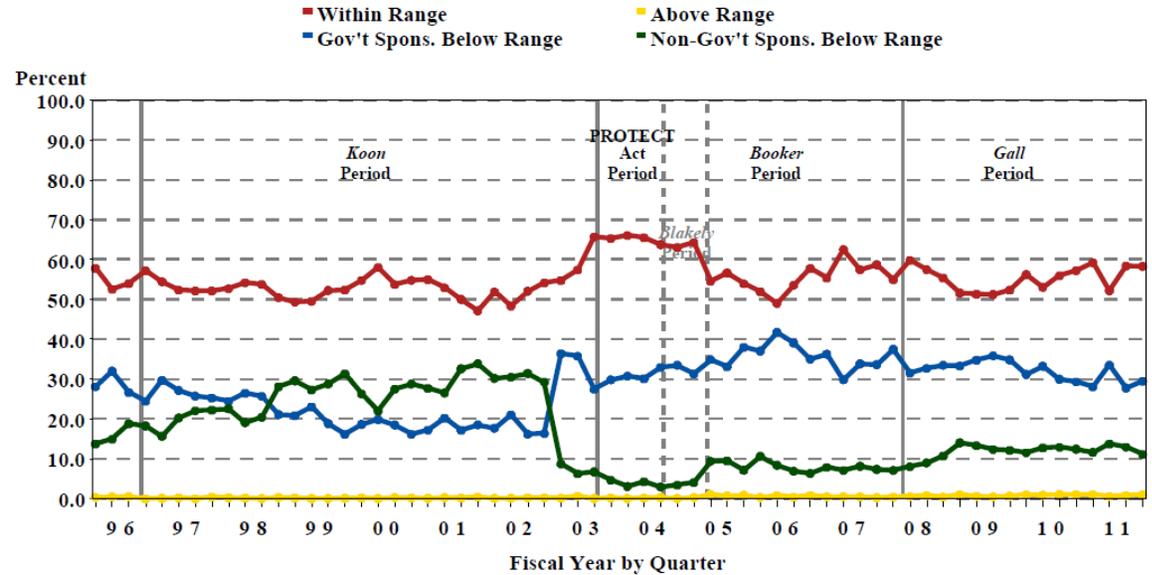
PART C: DRUG TRAFFICKING OFFENSES MARIJUANA

NATIONAL TREND ANALYSIS INFLUENCE OF THE GUIDELINES

The rate of within range sentences for marijuana trafficking offenses increased in fiscal years 2003 and 2004 and then in fiscal year 2005 returned to previous levels. Despite some fluctuation, they have remained relatively stable since then.

The high rate of non-government sponsored below range sentences and the correspondingly low rate of government sponsored below range sentences through fiscal year 2002, as well the reversal in trends thereafter, are attributable to the change in the way the Commission reported its departure data.

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



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

PART C: DRUG TRAFFICKING OFFENSES MARIJUANA

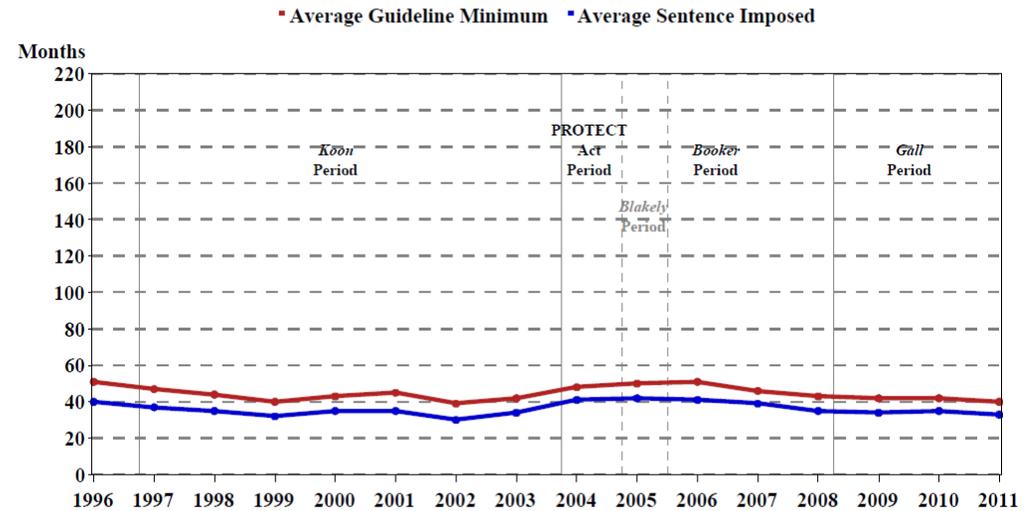
NATIONAL TREND ANALYSIS INFLUENCE OF THE GUIDELINES

The relationship between the red and blue lines illustrates that average sentences have closely paralleled average guideline minimums in marijuana trafficking offenses. When the average guideline minimum increased for marijuana trafficking offenses, the average sentence also increased. Conversely, when the average guideline minimum decreased, the average sentence also decreased.

The percentage difference between the average guideline minimum and the average sentence in marijuana trafficking offenses has shown little variation over time. This figure and others demonstrate that the influence of the guidelines has been substantial and stable for marijuana trafficking sentences.

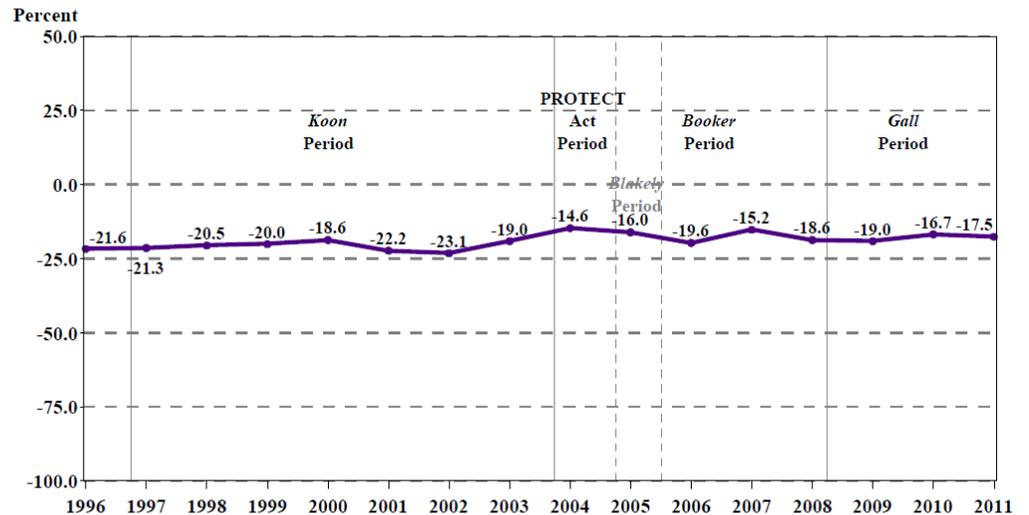
**Click on chart for corresponding table by period.*

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



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

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

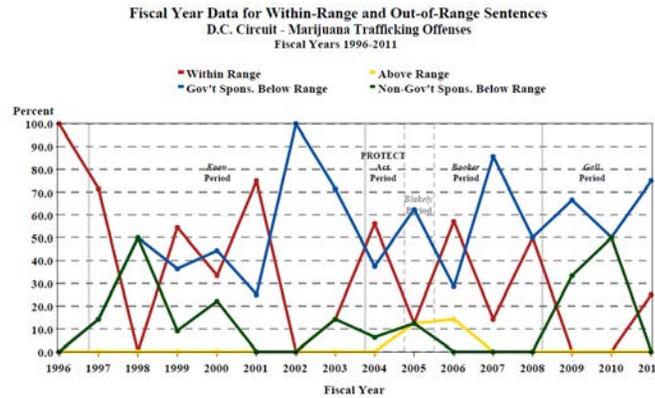


SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

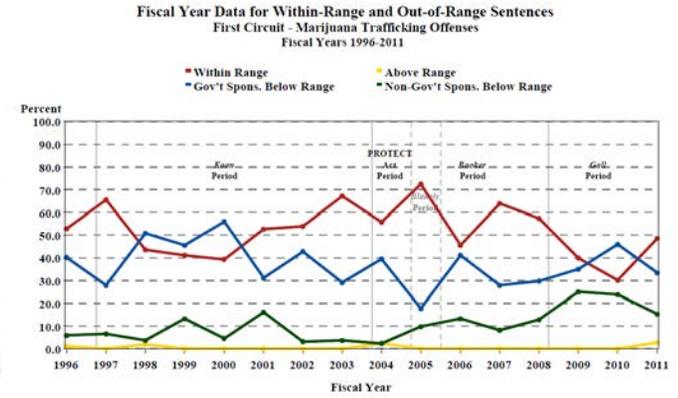
PART C: DRUG TRAFFICKING OFFENSES MARIJUANA

CIRCUIT TREND ANALYSIS INFLUENCE OF THE GUIDELINES

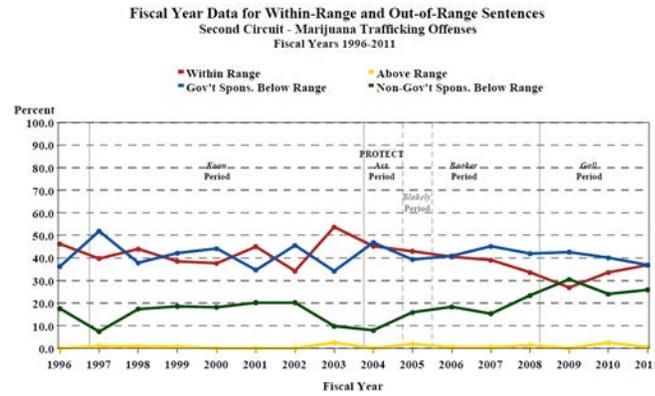
At the national level, the rate of within range sentences for marijuana trafficking offenses increased in fiscal years 2003 and 2004 and then in fiscal year 2005 returned to previous levels. Despite some fluctuation, they have remained relatively stable since. The circuits have shown a great deal of variation in these offenses, with some circuits paralleling the national trend and others showing a decline in within range rates.



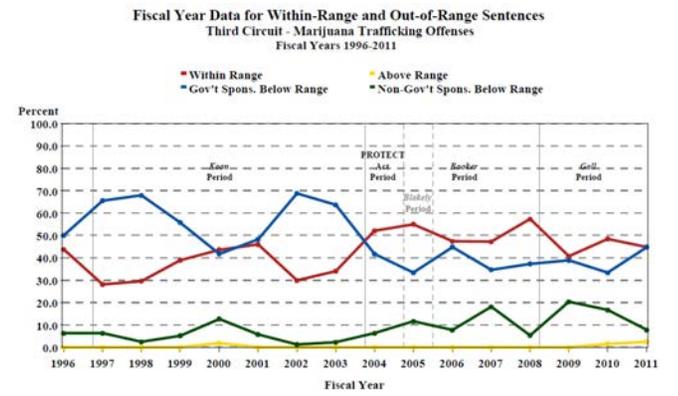
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.



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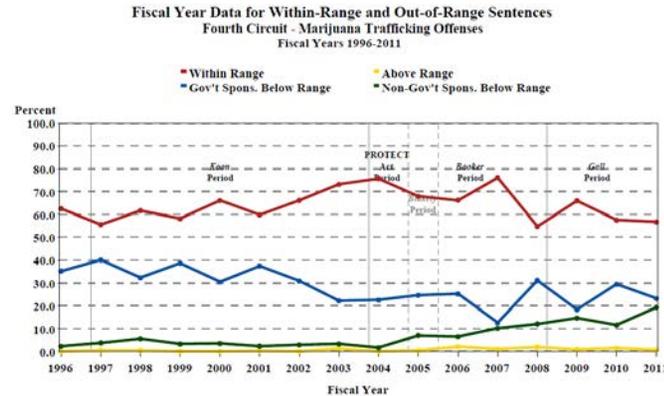


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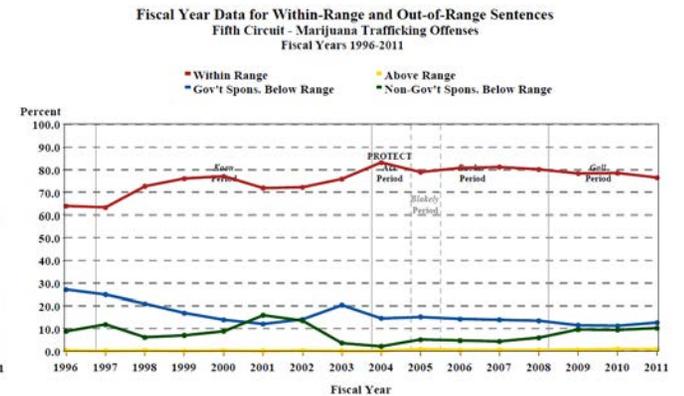
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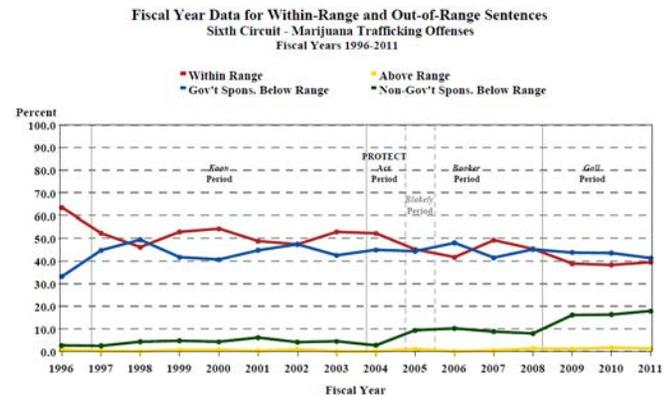
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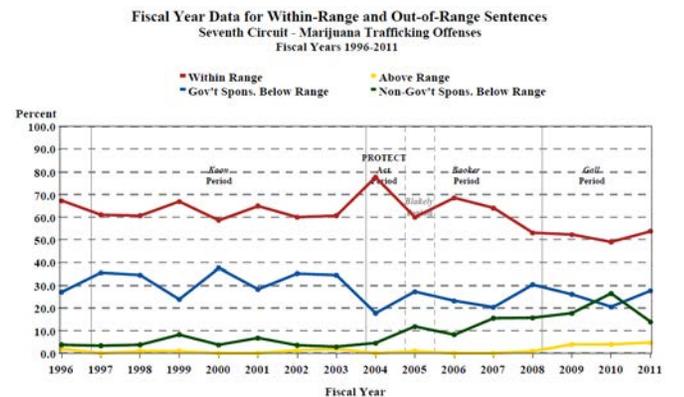
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.



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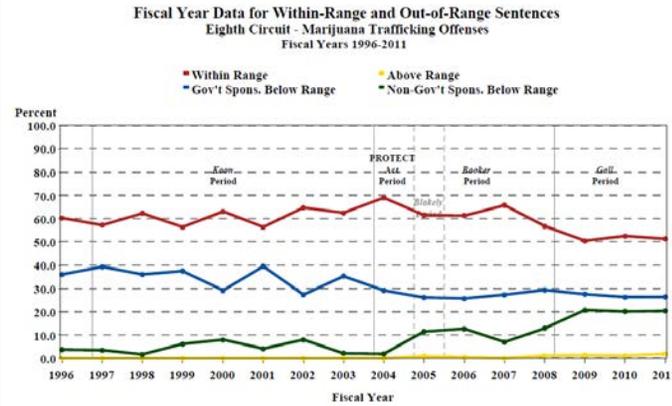


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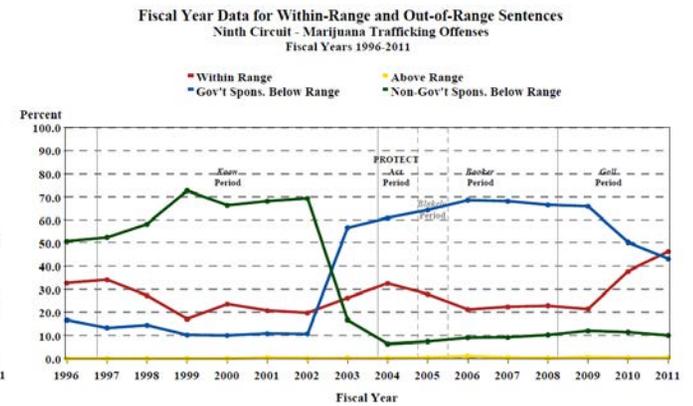
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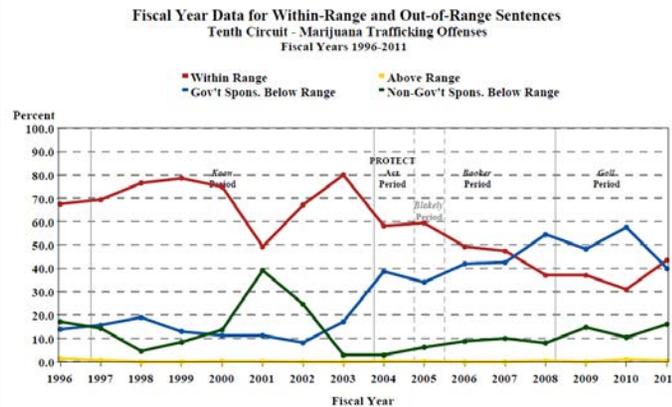
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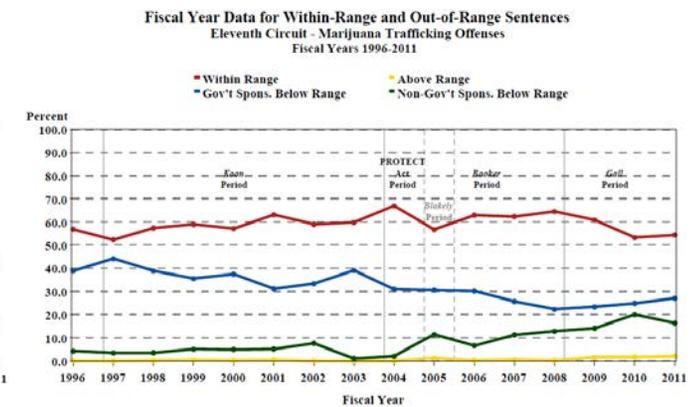
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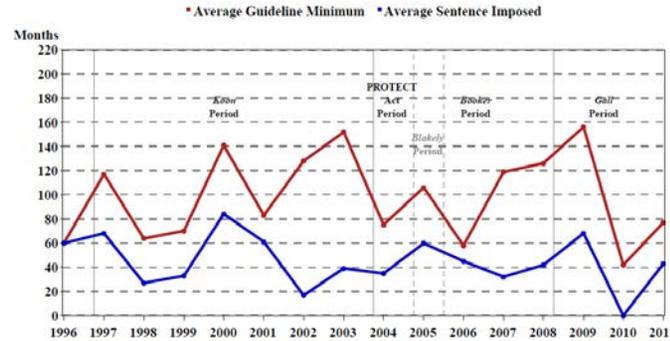
PART C: DRUG TRAFFICKING OFFENSES MARIJUANA

CIRCUIT TREND ANALYSIS INFLUENCE OF THE GUIDELINES

At the national level, average sentences have closely paralleled the average guideline minimum. This trend has occurred for most circuits.

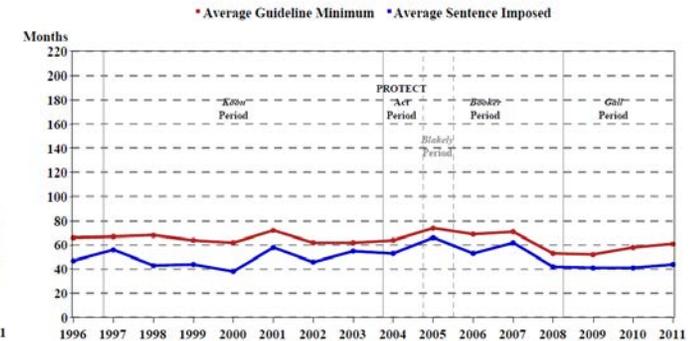
On the national level, the percentage difference between the average guideline minimum and the average sentence in marijuana trafficking offenses has shown little variation over time. While there has been greater variation across the circuits, most circuits have reflected the national trend.

Average Guideline Minimum and Sentence Imposed
D.C. Circuit - Marijuana Trafficking Offenses
Fiscal Years 1996-2011



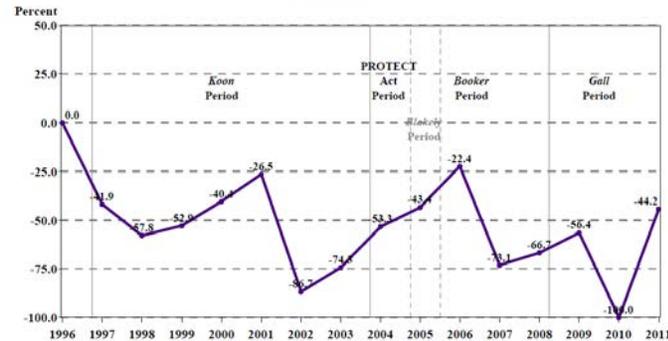
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datasets.

Average Guideline Minimum and Sentence Imposed
First Circuit - Marijuana Trafficking Offenses
Fiscal Years 1996-2011



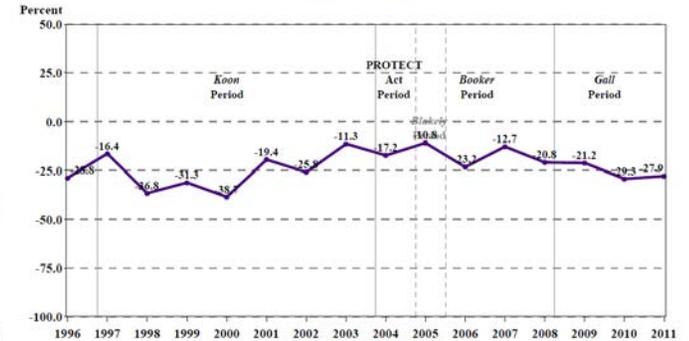
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datasets.

Percent Difference Between Average Guideline Minimum and Sentence Imposed
D.C. Circuit - Marijuana Trafficking Offenses
Fiscal Years 1996-2011



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

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



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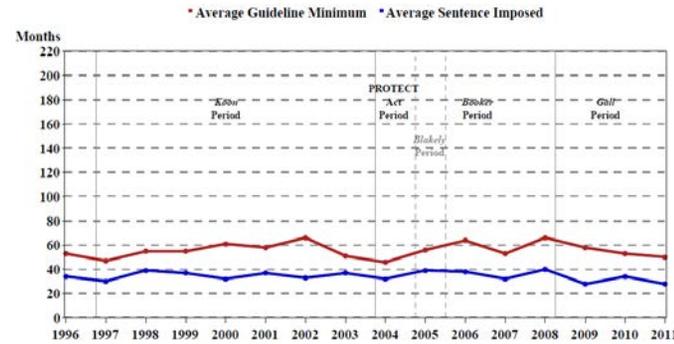
PART C: DRUG TRAFFICKING OFFENSES MARIJUANA

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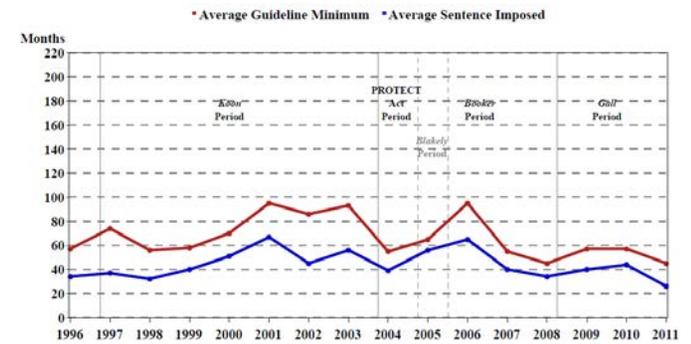
On the national level, the percentage difference between the average guideline minimum and the average sentence in marijuana trafficking offenses has shown little variation over time. While there has been greater variation across the circuits, most circuits have reflected the national trend.

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



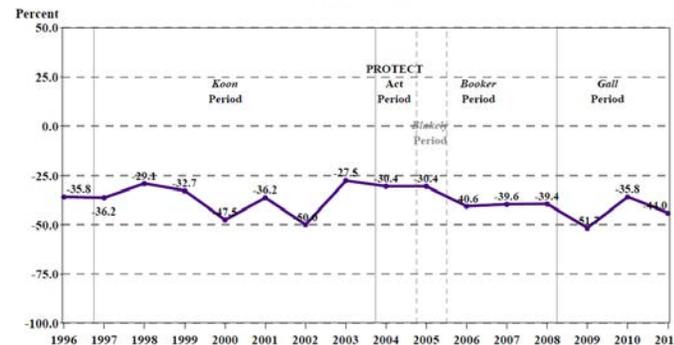
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

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



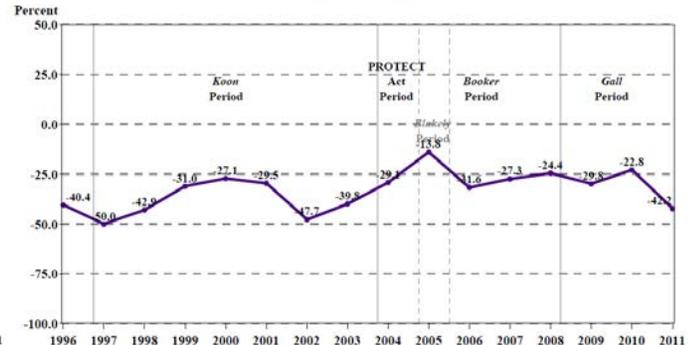
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

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



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

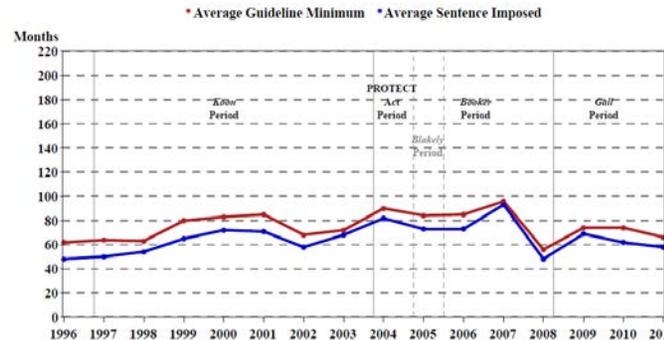
PART C: DRUG TRAFFICKING OFFENSES MARIJUANA

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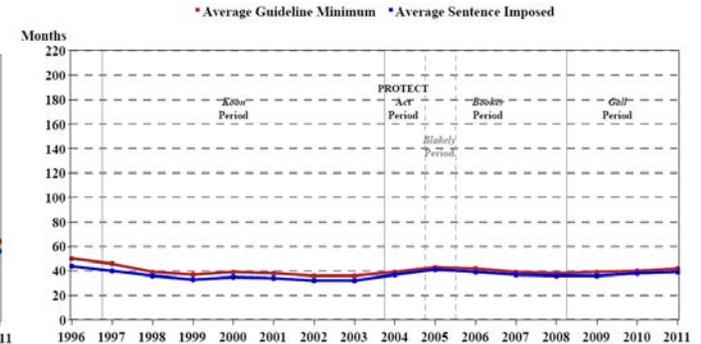
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Average Guideline Minimum and Sentence Imposed
Fourth Circuit - Marijuana Trafficking Offenses
Fiscal Years 1996-2011



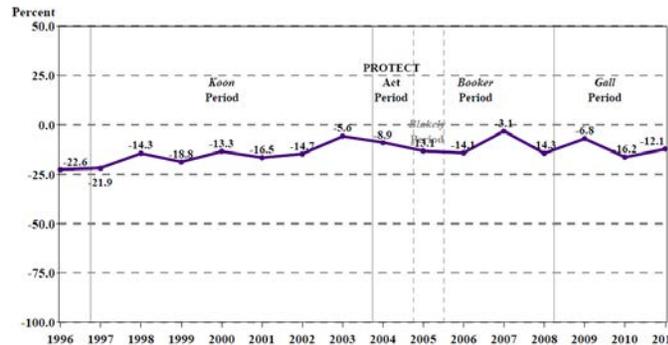
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

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



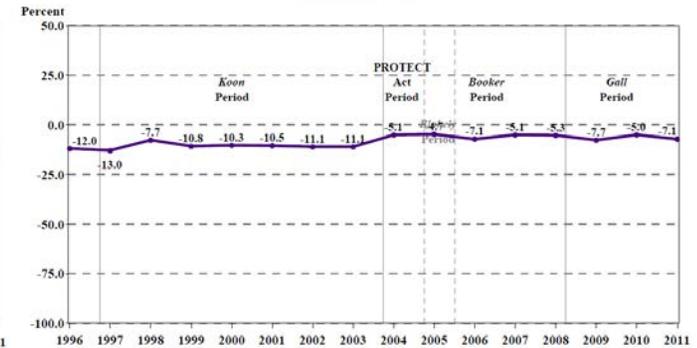
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafile.

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



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

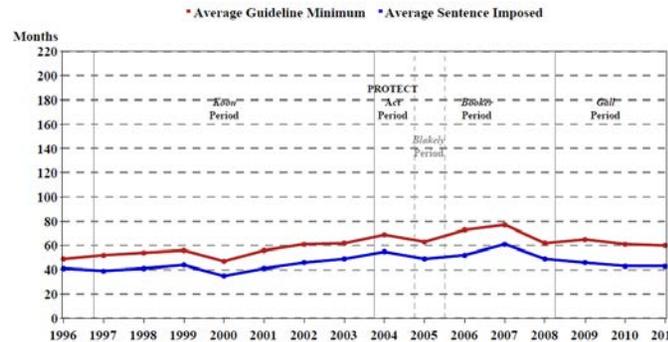
PART C: DRUG TRAFFICKING OFFENSES MARIJUANA

CIRCUIT TREND ANALYSIS INFLUENCE OF THE GUIDELINES

At the national level, average sentences have closely paralleled the average guideline minimum. This trend has occurred for most circuits.

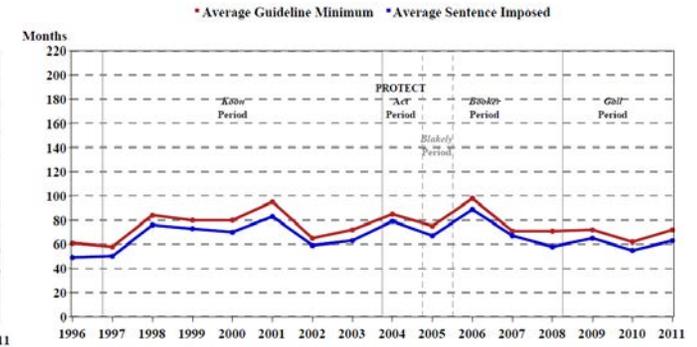
On the national level, the percentage difference between the average guideline minimum and the average sentence in marijuana trafficking offenses has shown little variation over time. While there has been greater variation across the circuits, most circuits have reflected the national trend.

Average Guideline Minimum and Sentence Imposed
Sixth Circuit - Marijuana Trafficking Offenses
Fiscal Years 1996-2011



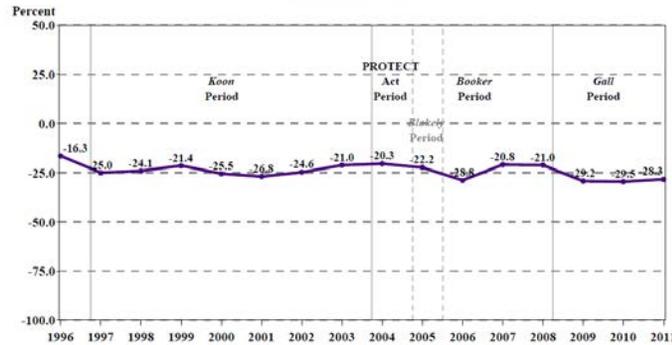
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

Average Guideline Minimum and Sentence Imposed
Seventh Circuit - Marijuana Trafficking Offenses
Fiscal Years 1996-2011



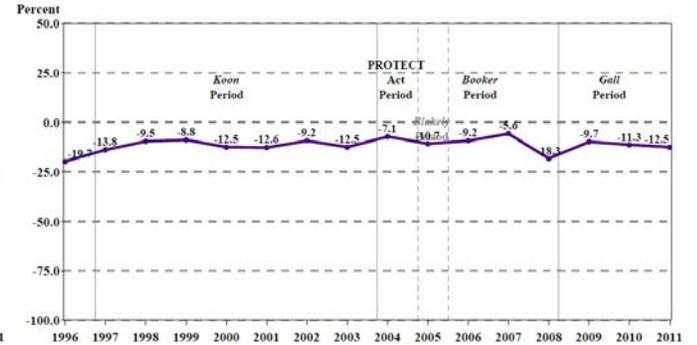
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



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

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



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

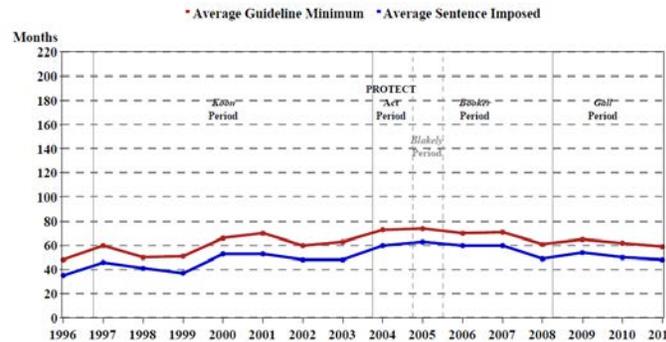
PART C: DRUG TRAFFICKING OFFENSES MARIJUANA

CIRCUIT TREND ANALYSIS INFLUENCE OF THE GUIDELINES

At the national level, average sentences have closely paralleled the average guideline minimum. This trend has occurred for most circuits.

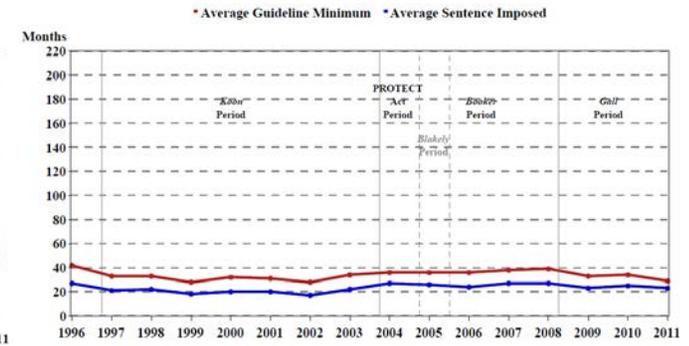
On the national level, the percentage difference between the average guideline minimum and the average sentence in marijuana trafficking offenses has shown little variation over time. While there has been greater variation across the circuits, most circuits have reflected the national trend.

**Average Guideline Minimum and Sentence Imposed
Eighth Circuit - Marijuana Trafficking Offenses
Fiscal Years 1996-2011**



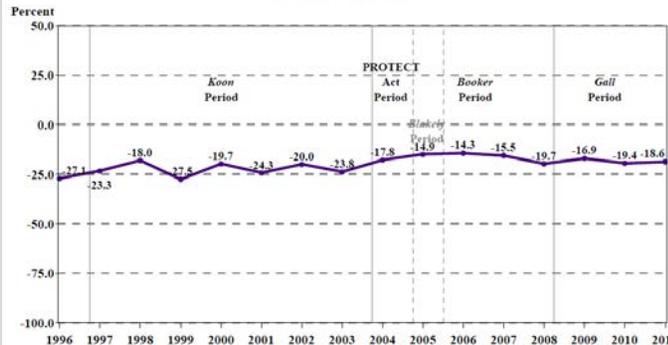
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**Average Guideline Minimum and Sentence Imposed
Ninth Circuit - Marijuana Trafficking Offenses
Fiscal Years 1996-2011**



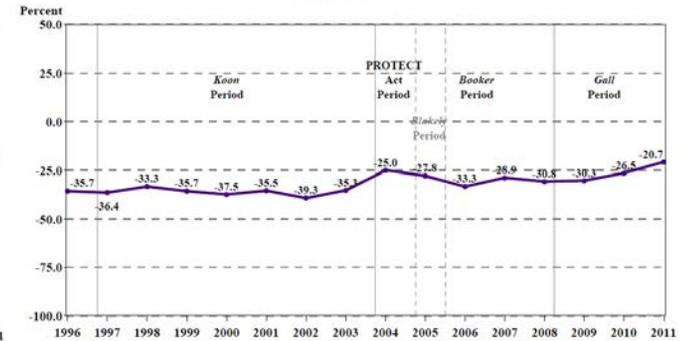
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



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

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



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

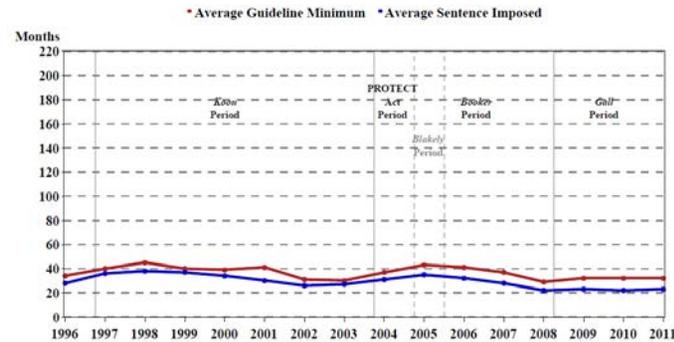
PART C: DRUG TRAFFICKING OFFENSES MARIJUANA

CIRCUIT TREND ANALYSIS INFLUENCE OF THE GUIDELINES

At the national level, average sentences have closely paralleled the average guideline minimum. This trend has occurred for most circuits.

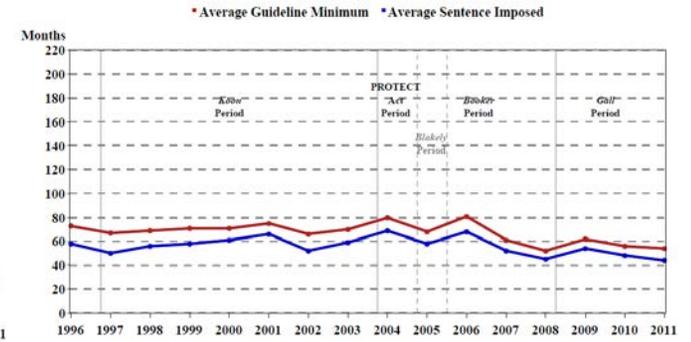
On the national level, the percentage difference between the average guideline minimum and the average sentence in marijuana trafficking offenses has shown little variation over time. While there has been greater variation across the circuits, most circuits have reflected the national trend.

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



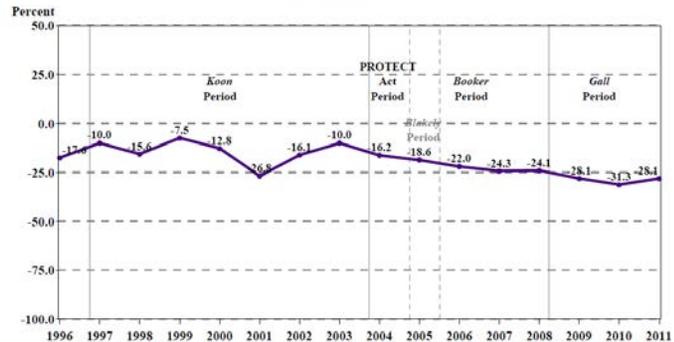
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



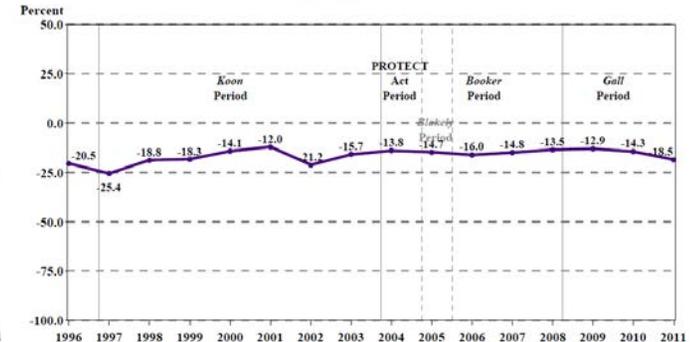
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



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

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



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

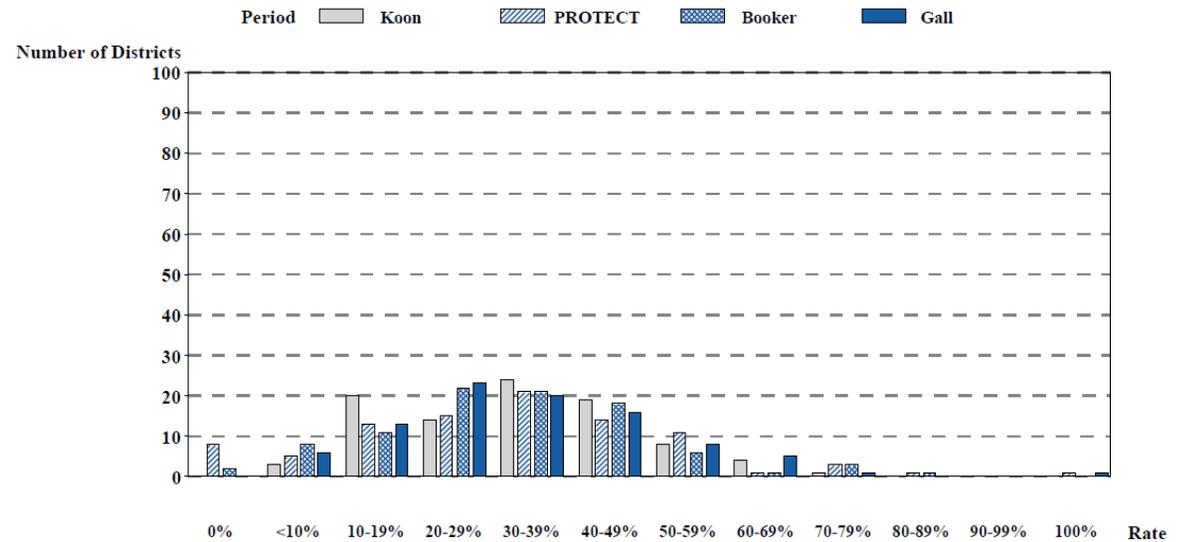
PART C: DRUG TRAFFICKING OFFENSES MARIJUANA

DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

Most districts have clustered between rates of ten to 49 percent government sponsored below range sentences in each period.

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



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

PART C: DRUG TRAFFICKING OFFENSES MARIJUANA

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 marijuana trafficking offenses for each of the four periods.

**Districts with the Highest and Lowest Rates of Government Sponsored Below Range Sentences
Marijuana 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											
Eastern Pennsylvania	231	71.4	Guam	1	100.0	Idaho	21	81.0	Guam	2	100.0
New Hampshire	71	66.2	Connecticut	5	80.0	Western Arkansas	20	75.0	Southern California	1,991	76.4
Northern New York	212	63.7	Southern California	525	77.9	Southern California	1,766	74.2	Idaho	34	67.6
Northern Alabama	159	62.9	Massachusetts	8	75.0	Arizona	2,038	73.0	Western Arkansas	21	66.7
Western North Carolina	260	60.0	Eastern Pennsylvania	15	73.3	Middle Alabama	33	66.7	District of Columbia	12	66.7
Districts with the Lowest Rates in Each Time Period											
New Mexico	1,889	10.4	Northern Texas	51	9.8	Virgin Islands	18	5.6	Eastern Texas	201	9.5
Wyoming	39	10.3	South Dakota	31	9.7	Western Wisconsin	18	5.6	Western Texas	5,504	9.3
Eastern Oklahoma	35	8.6	Eastern Virginia	75	9.3	Eastern Virginia	190	5.3	Eastern Louisiana	15	6.7
Southern Illinois	159	7.5	Eastern Louisiana	12	8.3	South Dakota	79	5.1	South Dakota	66	4.5
Puerto Rico	66	6.1	Northern California	13	7.7	Southern West Virginia	67	4.5	Puerto Rico	47	2.1

Number of Offenders refers to the total number of marijuana trafficking offenders sentenced during the time period. During the *Koon*, *PROTECT Act*, *Booker*, and *Gall* periods, one district did not sentence any marijuana trafficking offenses in each of the periods.

During the *PROTECT Act* period, eight districts imposed at least one sentence for a marijuana trafficking offense but did not impose a government sponsored sentence. The total number of marijuana trafficking offenders sentenced in each of those districts ranged from two to 28 offenders.

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

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

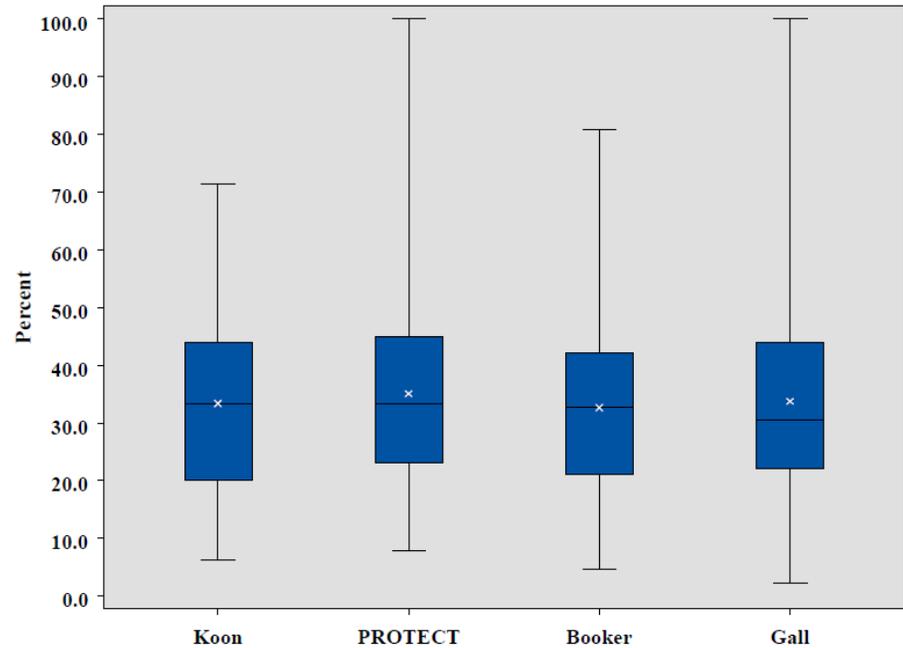
DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The spread among the middle 50 percent of districts was greatest in the *Koon* period, but similar in the other periods. As seen in the lower placement of the box along the vertical axis in the *Booker* period compared to the PROTECT Act period, the middle 50 percent of districts had slightly lower rates of government sponsored below range sentences in the *Booker* period, while in the *Gall* period, the higher placement of the box indicates slightly higher rates of such sentences among the middle 50 percent of districts.

**Click on chart for corresponding table.*

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



	Koon	PROTECT	Booker	Gall
N	93.0	85.0	91.0	93.0
Min	6.1	7.7	4.5	2.1
Max	71.4	100.0	81.0	100.0
Q1	20.0	23.1	21.2	22.1
Q3	44.0	44.8	42.0	44.0
Q2	33.3	33.3	32.8	30.4
Mean	33.4	35.1	32.7	33.8

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

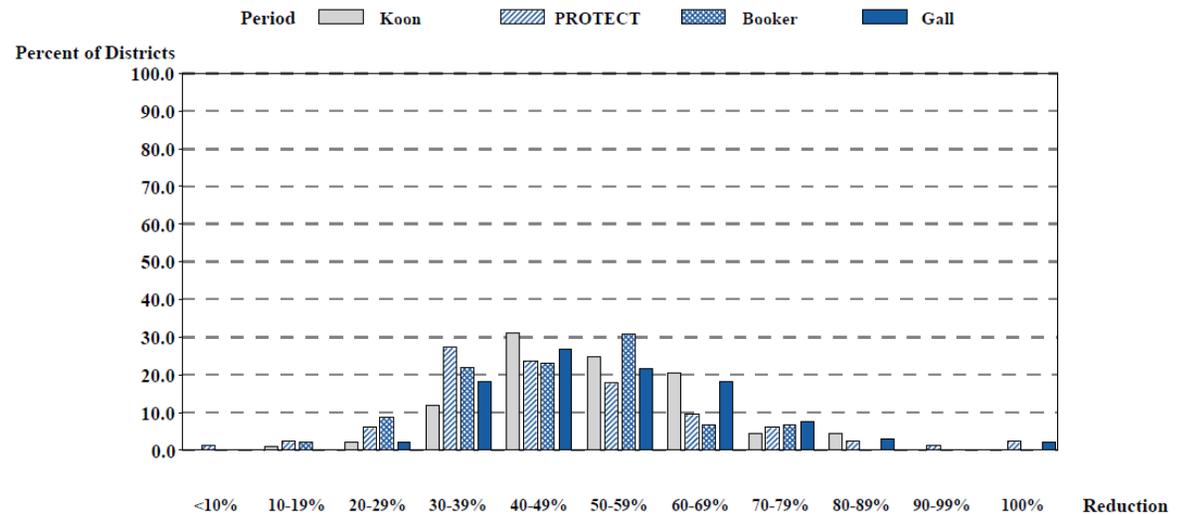
PART C: DRUG TRAFFICKING OFFENSES
MARIJUANA

DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

In most districts, reductions for government sponsored below range sentences have been between 30 and 59 percent below the guideline minimum. A few districts in the PROTECT Act and *Gall* periods averaged reductions of 100 percent. A 100 percent reduction likely reflects a reduction from a guideline range calling for a term of imprisonment to a sentence of probation.

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



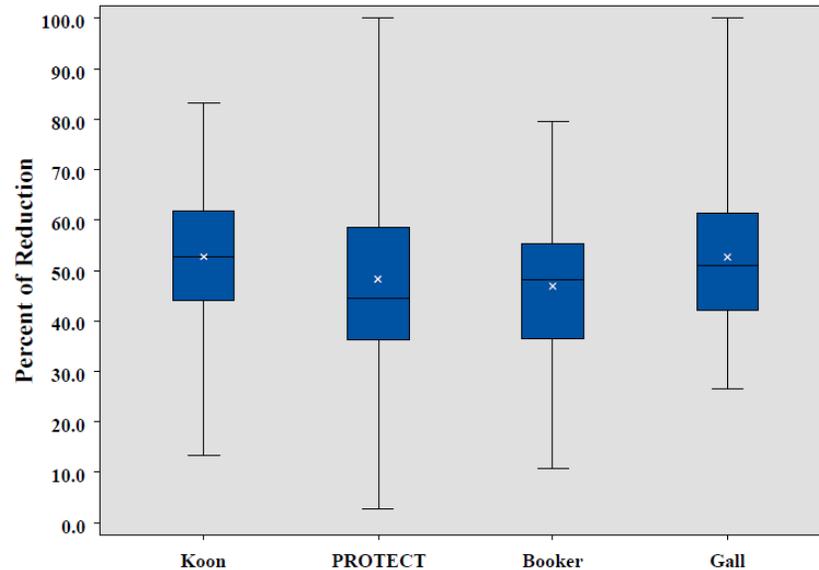
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The spread in the average extent of reduction among the middle 50 percent of districts was greatest in the PROTECT Act period. In the *Gall* period, the higher placement of the box along the vertical axis indicates that *Gall* period reductions among the middle 50 percent of districts were larger than during previous periods.

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



	Koon	PROTECT	Booker	Gall
N	93.0	84.0	91.0	93.0
Min	13.4	2.7	10.8	26.5
Max	83.3	100.0	79.5	100.0
Q1	44.2	36.4	36.4	42.2
Q3	61.9	58.6	55.3	61.4
Q2	52.7	44.6	48.2	50.9
Mean	52.8	48.3	47.0	52.7

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

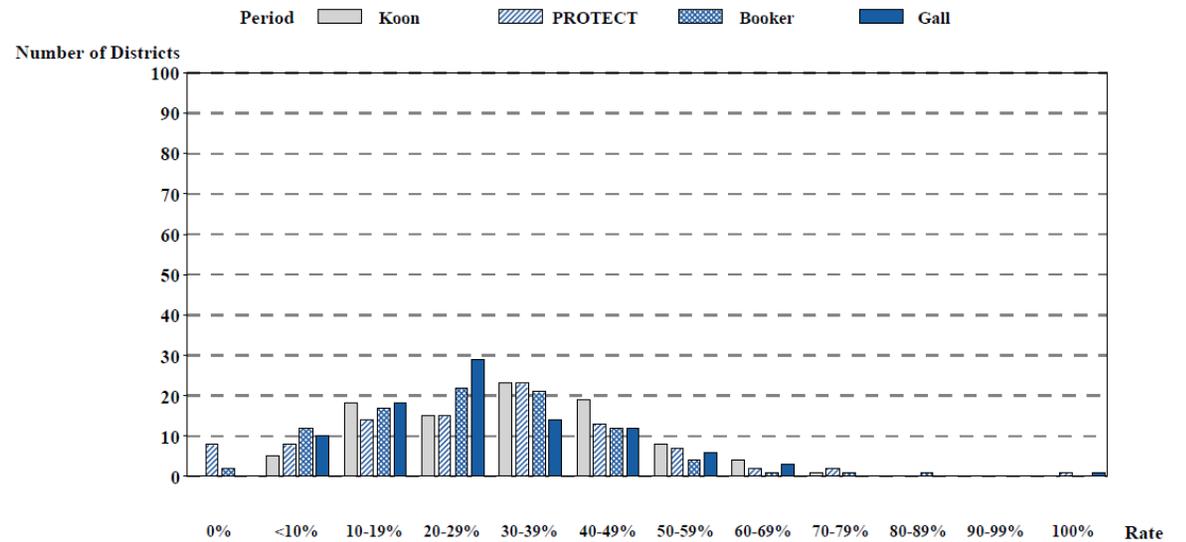
PART C: DRUG TRAFFICKING OFFENSES
MARIJUANA

DISTRICT TREND ANALYSIS

SUBSTANTIAL ASSISTANCE SENTENCES

The majority of districts in the *Koon* period clustered around substantial assistance below range sentence rates of between ten and 19 percent, and between 30 and 49 percent. In the *Gall* period, one-third of districts had substantial assistance below range rates of between 20 and 29 percent.

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



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

PART C: DRUG TRAFFICKING OFFENSES MARIJUANA

DISTRICT TREND ANALYSIS SUBSTANTIAL ASSISTANCE SENTENCES

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

**Districts with the Highest and Lowest Rates of Substantial Assistance Sentences
Marijuana 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	% Subst. Assist.	District	Number of Offenders	% Subst. Assist.	District	Number of Offenders	% Subst. Assist.	District	Number of Offenders	% Subst. Assist.
Districts with the Highest Rates in Each Time Period											
Eastern Pennsylvania	231	71.4	Guam	1	100.0	Idaho	21	81.0	Guam	2	100.0
New Hampshire	71	66.2	Massachusetts	8	75.0	Western Arkansas	20	75.0	Idaho	34	67.6
Northern New York	212	63.2	Eastern Pennsylvania	15	73.3	Middle Alabama	33	66.7	Western Arkansas	21	66.7
Northern Alabama	159	62.9	Virgin Islands	3	66.7	Southern Ohio	111	55.9	Delaware	10	60.0
Western North Carolina	260	60.0	Connecticut	5	60.0	Maryland	38	52.6	District of Columbia	12	58.3
Districts with the Lowest Rates in Each Time Period											
New Mexico	1,889	9.4	Eastern Virginia	75	9.3	Western Wisconsin	18	5.6	New Mexico	1,472	6.2
Southern California	7,461	8.7	Eastern Louisiana	12	8.3	Southern California	1,766	5.3	Arizona	3,707	5.9
Eastern Oklahoma	35	8.6	Northern California	13	7.7	Southern West Virginia	67	4.5	Southern California	1,991	4.3
Southern Illinois	159	7.5	Southern California	525	6.3	Eastern Virginia	190	4.2	South Dakota	66	3.0
Puerto Rico	66	6.1	New Mexico	262	4.6	South Dakota	79	3.8	Puerto Rico	47	2.1

Number of Offenders refers to the total number of marijuana trafficking offenders sentenced during the time period. During the *Koon*, *PROTECT Act*, *Booker*, and *Gall* periods, one district did not sentence any marijuana trafficking offenses in each of the periods.

During the *PROTECT Act* period, eight districts imposed at least one sentence for a marijuana trafficking offense but did not impose a government sponsored sentence. The total number of marijuana trafficking offenders sentenced in each of those districts ranged from two to 28 offenders.

During the *Booker* period, one additional district imposed substantial assistance sentence in 5.6 percent of marijuana trafficking offenses (Virgin Islands, N=18). Two districts imposed at least one sentence for a marijuana trafficking offense but did not impose a government sponsored sentence. The total number of marijuana trafficking offenders sentenced in each of those districts ranged from one to two offenders.

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

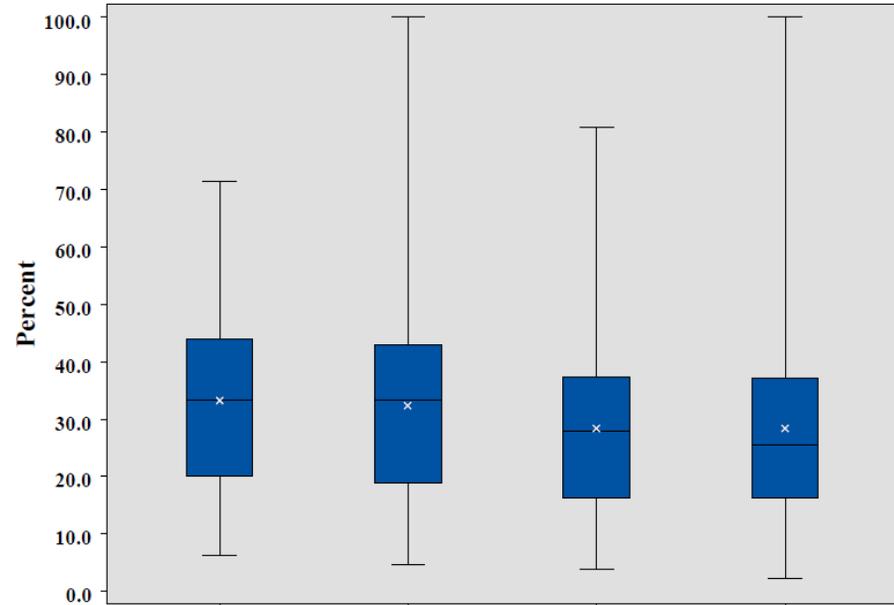
DISTRICT TREND ANALYSIS

SUBSTANTIAL ASSISTANCE SENTENCES

The spread in the rates of substantial assistance sentences among the middle 50 percent of districts has decreased from the PROTECT Act period through the *Gall* period. As illustrated by the lower placement of the box along the vertical axis in the *Booker* and *Gall* periods, the middle 50 percent of districts had generally lower substantial assistance below range rates in the *Booker* and *Gall* periods, compared to the PROTECT Act period.

**Click on chart for corresponding table.*

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



	Koon	PROTECT	Booker	Gall
N	93.0	85.0	91.0	93.0
Min	6.1	4.6	3.8	2.1
Max	71.4	100.0	81.0	100.0
Q1	20.0	18.8	16.1	16.3
Q3	44.0	42.9	37.4	37.0
Q2	33.3	33.3	28.0	25.5
Mean	33.2	32.3	28.4	28.3

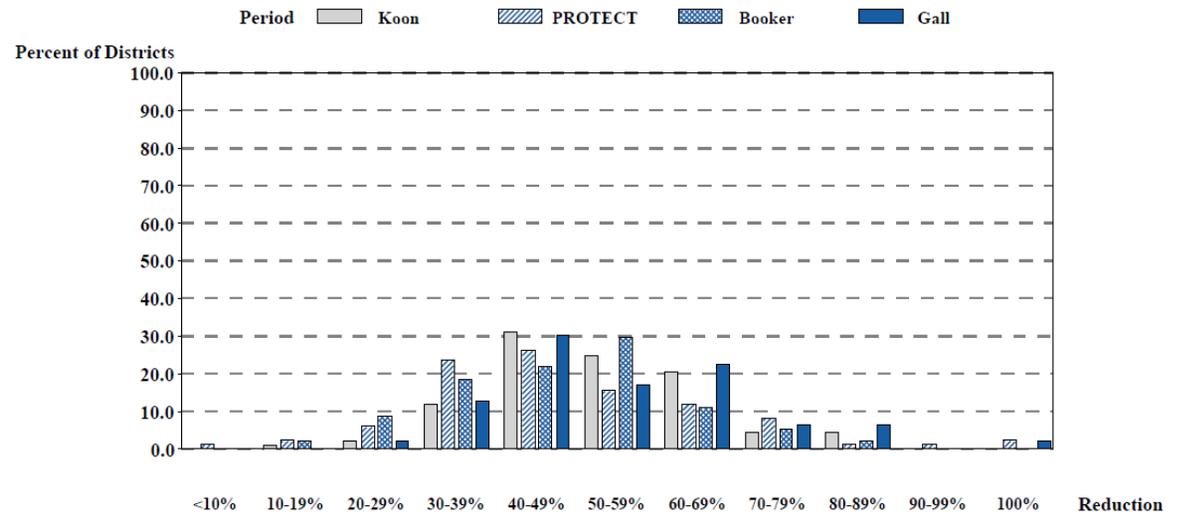
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

PART C: DRUG TRAFFICKING OFFENSES
MARIJUANA

DISTRICT TREND ANALYSIS
SUBSTANTIAL ASSISTANCE SENTENCES

Across all the periods, most districts have averaged reductions of between 40 to 59 percent below the guideline minimum.

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



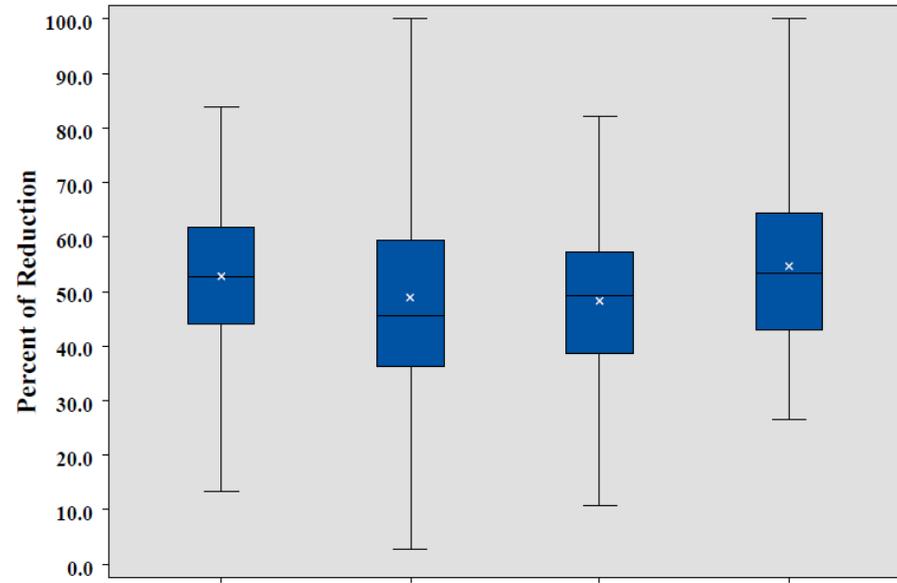
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

SUBSTANTIAL ASSISTANCE SENTENCES

As illustrated by the varying sizes and placement of the boxes along the vertical axis, both the average extent of the reduction and the spread in the extent of the reduction have fluctuated over time. In the middle 50 percent of districts in the *Gall* period, however, the average extent of the reduction was greater than in the other periods, as illustrated by the higher placement of the box along the vertical axis.

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



	Koon	PROTECT	Booker	Gall
N	93.0	84.0	91.0	93.0
Min	13.4	2.7	10.8	26.5
Max	83.8	100.0	82.1	100.0
Q1	44.2	36.3	38.7	43.1
Q3	61.9	59.4	57.3	64.3
Q2	52.7	45.5	49.2	53.4
Mean	52.9	49.0	48.4	54.7

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

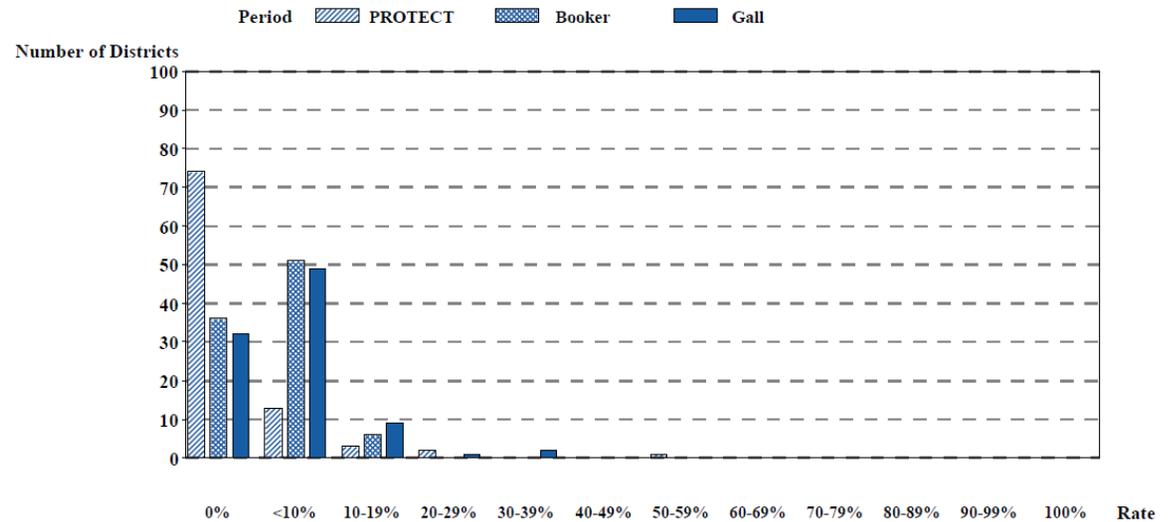
DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

During the PROTECT Act period, the majority of districts did not impose other government sponsored below range sentences in marijuana trafficking offenses. In the *Booker* and *Gall* periods, the majority of districts reported such 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
Marijuana 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 MARIJUANA

DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

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

**Districts with the Highest and Lowest Rates of Other Government Sponsored Below Range Sentences
Marijuana 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	% 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											
			Southern California	525	53.3	Northern Mississippi	33	18.2	Northern California	66	30.3
			Arizona	616	28.2	Western Washington	195	12.3	Nevada	20	30.0
			Connecticut	5	20.0	Central California	43	11.6	Western Washington	188	25.5
			District of Columbia	14	14.3	Southern Texas	2,169	11.1	Massachusetts	66	19.7
			Southern Texas	1,065	12.1	Northern California	38	10.5	Connecticut	20	15.0
Districts with the Lowest Rates in Each Time Period											
			Western North Carolina	39	2.6	Western Michigan	99	1.0	Southern Florida	274	0.7
			Western Washington	80	2.5	Eastern Tennessee	107	0.9	Western Texas	5,504	0.7
			Eastern California	43	2.3	Southern Ohio	111	0.9	Northern New York	194	0.5
			Western Michigan	62	1.6	Middle Florida	314	0.6	Eastern Texas	201	0.5
			Western Texas	1,876	0.7	Western Texas	3,861	0.6	Middle Florida	412	0.5

Number of Offenders refers to the total number of marijuana 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, *Booker*, and *Gall* periods, one district did not sentence any marijuana trafficking offenses in each of the periods.

During the PROTECT Act period, 74 districts imposed at least one sentence for a marijuana trafficking offense but did not impose an other government sponsored below range sentence. The total number of marijuana trafficking offenders sentenced in each of those districts ranged from one to 106 offenders.

During the *Booker* period, 36 districts imposed at least one sentence for a marijuana trafficking offense but did not impose an other government sponsored below range sentence. The total number of marijuana trafficking offenders sentenced in each of those districts ranged from one to 179 offenders.

During the *Gall* period, 32 districts imposed at least one sentence for a marijuana trafficking offense but did not impose an other government sponsored below range sentence. The total number of marijuana trafficking offenders sentenced in each of those districts ranged from two to 107 offenders.

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

PART C: DRUG TRAFFICKING OFFENSES
MARIJUANA

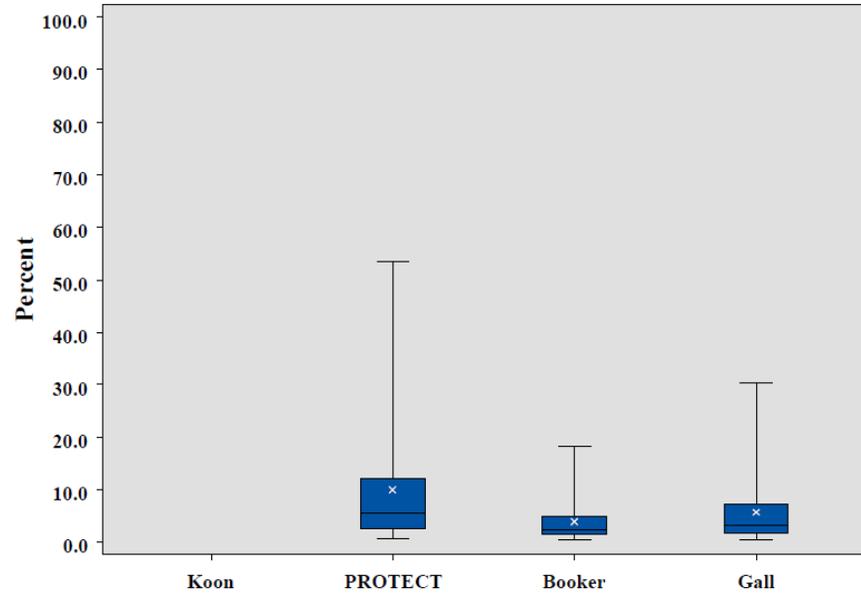
DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The number of districts reporting other government sponsored below range sentences has increased from the PROTECT Act period to the *Booker* and *Gall* periods.

**Click on chart for corresponding table.*

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



	Koon	PROTECT	Booker	Gall
N		19.0	57.0	61.0
Min		0.7	0.6	0.5
Max		53.3	18.2	30.3
Q1		2.6	1.6	1.7
Q3		12.1	4.9	7.3
Q2		5.6	2.4	3.1
Mean		10.1	4.0	5.8

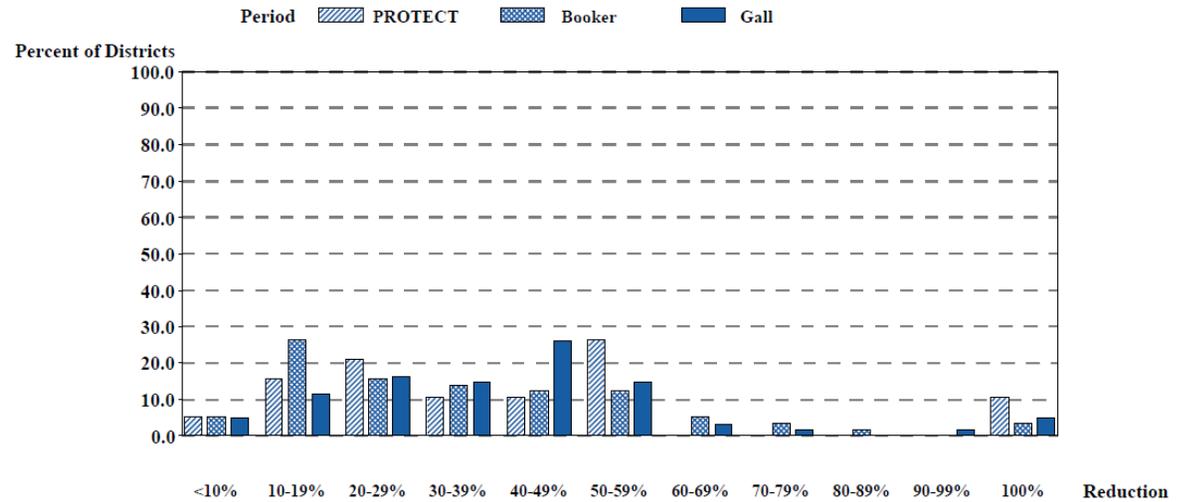
Data on other government sponsored below range sentences is unavailable for the Koon period.
 SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The extent of reduction in other government sponsored below range sentences has varied over time. In over 20 percent of districts in the PROTECT Act period, the average extent of the reduction was between 50 and 59 percent below the guideline minimum. In the *Booker* period, the average extent of the reduction was between ten and 19 percent below the guideline minimum in over 20 percent of districts. In the *Gall* period, over 20 percent of districts averaged reductions of between 40 and 49 percent below the guideline minimum.

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



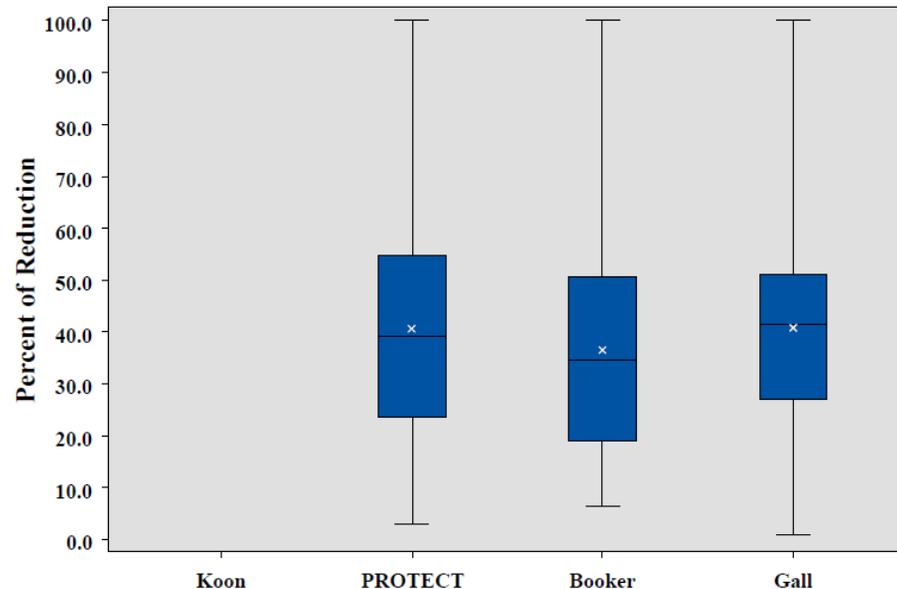
Data on other government sponsored below range sentences is unavailable for the Koon period.
 SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

DISTRICT TREND ANALYSIS

OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES

Although more district courts reported other government sponsored below range sentences in the *Gall* period, the spread in the extent of the reduction among the middle 50 percent of districts was smaller in this period than in the other periods. However, as illustrated by the higher placement of the box along the vertical axis in the *Gall* period compared to the *Booker* period, the middle 50 percent of districts generally granted larger average reductions in the *Gall* period.

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



	Koon	PROTECT	Booker	Gall
N		19.0	57.0	61.0
Min		2.9	6.4	0.8
Max		100.0	100.0	100.0
Q1		23.4	19.0	26.9
Q3		54.8	50.4	51.1
Q2		39.1	34.6	41.4
Mean		40.6	36.5	40.8

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

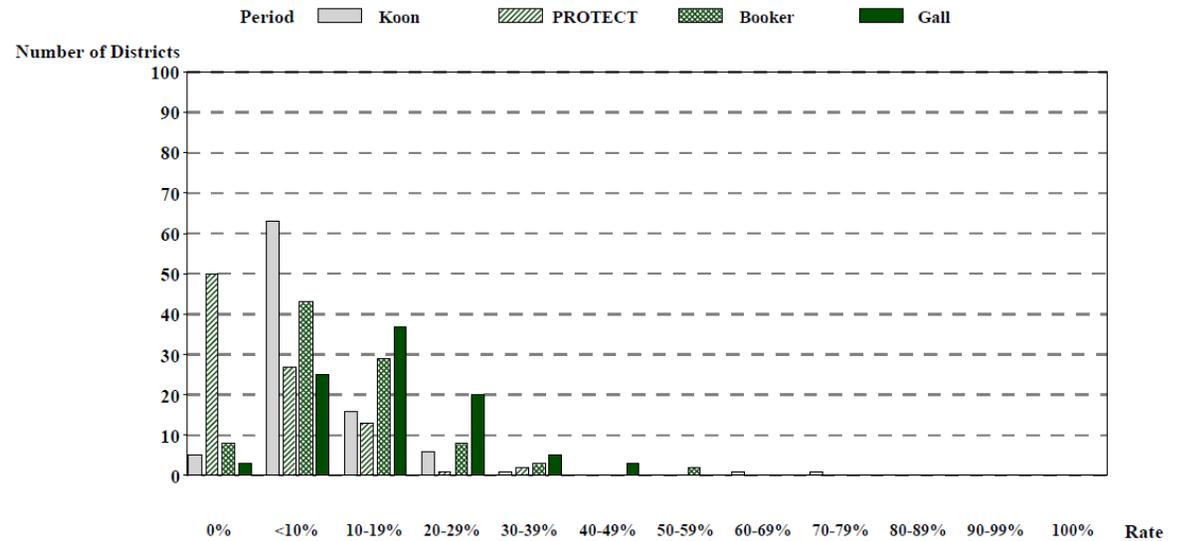
PART C: DRUG TRAFFICKING OFFENSES
MARIJUANA

DISTRICT TREND ANALYSIS

NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The majority of districts in the PROTECT Act period did not report any non-government sponsored below range sentences, and those that did had rates of less than ten percent. During the *Booker* and *Gall* periods, more districts reported such sentences, and generally at rates of between less than ten percent and 19 percent. In the *Gall* period, more districts had non-government sponsored below range rates of 20 to 29 percent.

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



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

PART C: DRUG TRAFFICKING OFFENSES MARIJUANA

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 marijuana trafficking offenses for each of the four periods.

**Districts with the Highest and Lowest Rates of Non-Government Sponsored Below Range Sentences
Marijuana 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	% 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											
Southern California	7,461	70.5	Northern California	13	38.5	Connecticut	16	50.0	Vermont	70	45.7
Arizona	3,964	61.9	Delaware	3	33.3	Delaware	2	50.0	Southern New York	162	40.7
Connecticut	55	30.9	Connecticut	5	20.0	Central California	43	39.5	Delaware	10	40.0
Eastern New York	295	27.8	Northern Ohio	22	18.2	Nevada	13	30.8	Massachusetts	66	33.3
Eastern Oklahoma	35	25.7	Maryland	11	18.2	Eastern New York	118	30.5	Hawaii	16	31.3
Districts with the Lowest Rates in Each Time Period											
Middle North Carolina	115	1.7	Western Texas	1,876	1.7	Northern Ohio	75	4.0	Western Arkansas	21	4.8
Northern Mississippi	64	1.6	Western Michigan	62	1.6	Western Louisiana	37	2.7	Southern Illinois	65	4.6
New Hampshire	71	1.4	Eastern Michigan	73	1.4	Maine	40	2.5	Kansas	137	4.4
Northern West Virginia	76	1.3	Eastern Virginia	75	1.3	Southern Mississippi	58	1.7	Eastern North Carolina	75	4.0
Eastern Arkansas	123	0.8	Southern Florida	84	1.2	Eastern Kentucky	179	1.1	Middle Alabama	27	3.7

Number of Offenders refers to the total number of marijuana trafficking offenders sentenced during the time period. During the *Koon*, PROTECT Act, *Booker*, and *Gall* periods, one district did not sentence any marijuana trafficking offenses in each of the periods.

During the *Koon* period, five districts imposed at least one sentence for a marijuana trafficking offense but did not impose a non-government sponsored below range sentence. The total number of marijuana trafficking offenders sentenced in each of those districts ranged from six to 114 offenders.

During the PROTECT Act period, 50 districts imposed at least one sentence for a marijuana trafficking offense but did not impose a non-government sponsored below range sentence. The total number of marijuana trafficking offenders sentenced in each of those districts ranged from one to 74 offenders.

During the *Booker* period, eight districts imposed at least one sentence for a marijuana trafficking offense but did not impose a non-government sponsored below range sentence. The total number of marijuana trafficking offenders sentenced in each of those districts ranged from one to 37 offenders.

During the *Gall* period, one additional district imposed a non-government sponsored below range sentence in 4.8 percent of marijuana trafficking offenses (Middle Georgia, N=42). Three districts imposed at least one sentence for a marijuana trafficking offense but did not impose a non-government sponsored below range sentence. The total number of marijuana trafficking offenders sentenced in each of those districts ranged from two to 17 offenders.

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

PART C: DRUG TRAFFICKING OFFENSES
MARIJUANA

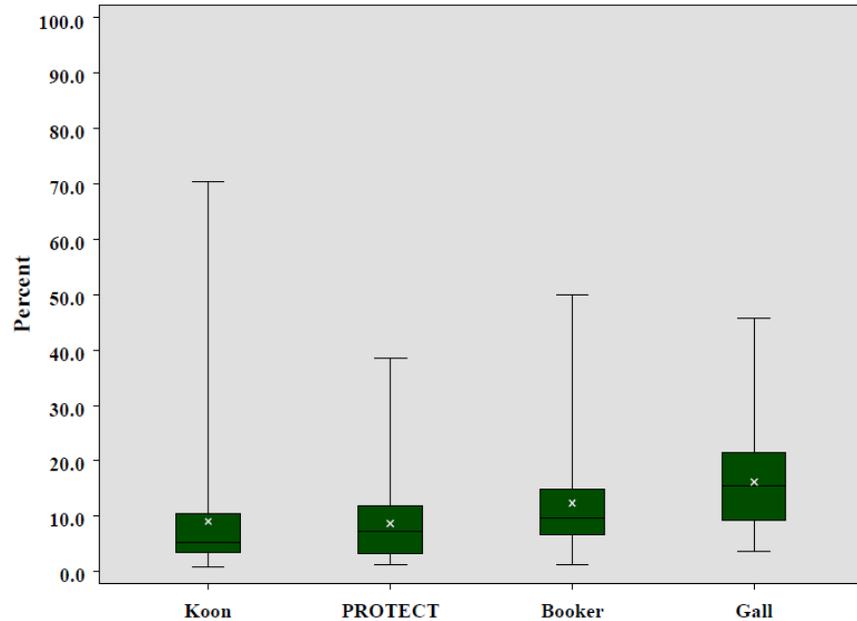
DISTRICT TREND ANALYSIS

NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The number of districts reporting non-government sponsored below range sentences increased from the PROTECT Act period through the Gall period. As illustrated by the higher placement and increasing size of the boxes over time, with more districts imposing such sentences, both the average rates and the variation in the rates among the middle 50 percent of districts have increased.

**Click on chart for corresponding table.*

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



	Koon	PROTECT	Booker	Gall
N	88.0	43.0	85.0	90.0
Min	0.8	1.2	1.1	3.7
Max	70.5	38.5	50.0	45.7
Q1	3.3	3.1	6.6	9.3
Q3	10.4	11.8	14.8	21.4
Q2	5.3	7.1	9.5	15.5
Mean	9.0	8.7	12.3	16.2

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

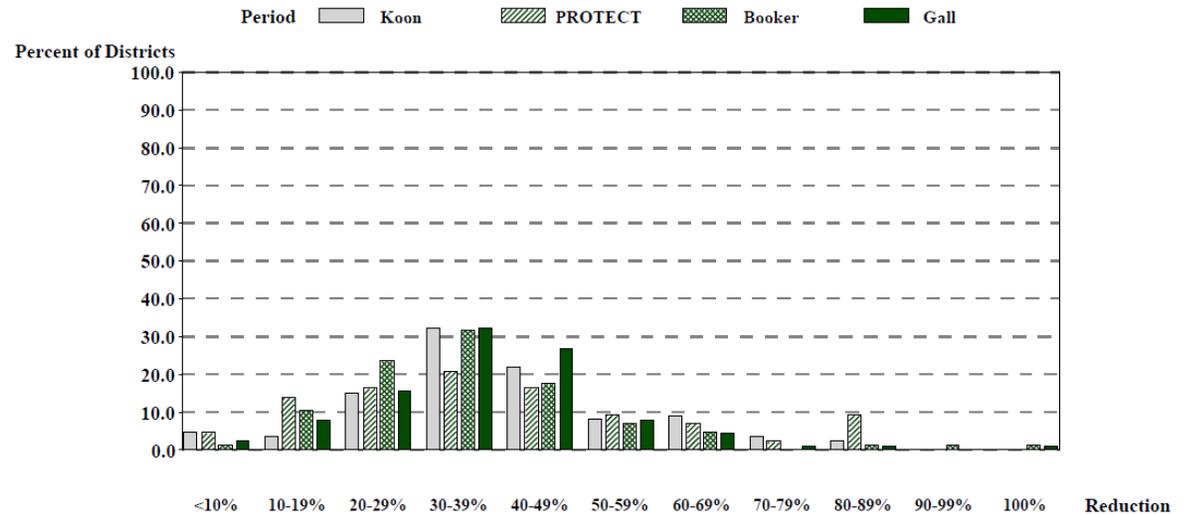
PART C: DRUG TRAFFICKING OFFENSES
MARIJUANA

DISTRICT TREND ANALYSIS

NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The largest percentage of districts have averaged reductions between 20 and 49 percent below the guideline minimum in every period.

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



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

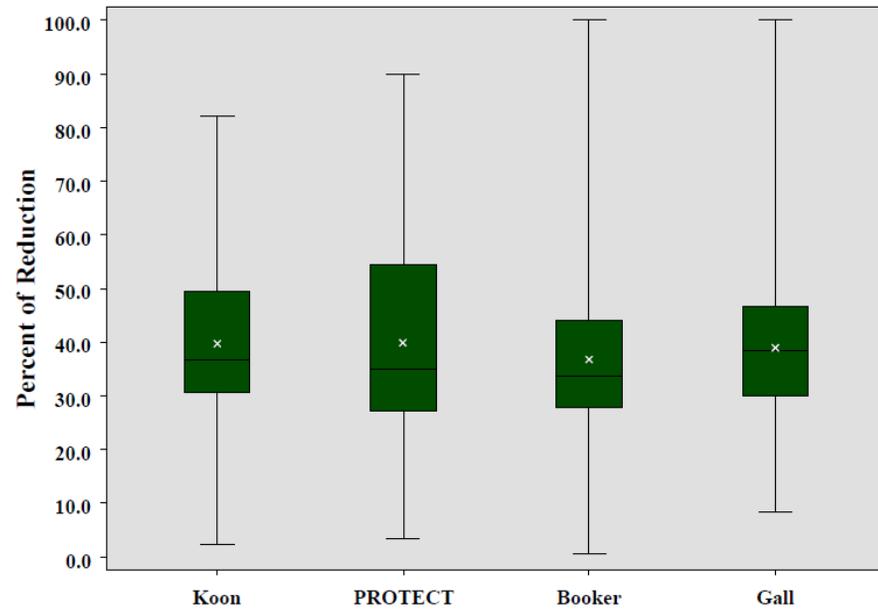
PART C: DRUG TRAFFICKING OFFENSES
MARIJUANA

DISTRICT TREND ANALYSIS

NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

The spread in the extent of the reduction among the middle 50 percent of districts was greatest during the PROTECT Act period. While the spreads in the *Booker* and *Gall* periods were similar, reductions were generally larger in the *Gall* period, as illustrated by the higher placement of the box along the vertical axis.

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



	Koon	PROTECT	Booker	Gall
N	87.0	43.0	85.0	90.0
Min	2.4	3.4	0.8	8.3
Max	82.0	89.9	100.0	100.0
Q1	30.6	27.2	27.9	29.9
Q3	49.5	54.4	44.1	46.7
Q2	36.8	35.1	33.7	38.4
Mean	39.8	39.9	36.8	39.0

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

Appendix: Marijuana 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
Marijuana 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	41,829	22,123	52.9	6,601	4,314	65.4	17,036	9,447	55.5	23,458	13,028	55.5
D.C. CIRCUIT	48	21	43.8	14	6	42.9	28	7	25.0	12	2	16.7
District of Columbia	48	21	43.8	14	6	42.9	28	7	25.0	12	2	16.7
FIRST CIRCUIT	466	240	51.5	54	32	59.3	180	105	58.3	215	93	43.3
Maine	105	55	52.4	10	9	90.0	40	20	50.0	52	20	38.5
Massachusetts	197	84	42.6	8	2	25.0	61	28	45.9	66	18	27.3
New Hampshire	71	23	32.4	17	6	35.3	22	13	59.1	40	10	25.0
Puerto Rico	66	58	87.9	17	13	76.5	47	38	80.9	47	40	85.1
Rhode Island	27	20	74.1	2	2	100.0	10	6	60.0	10	5	50.0
SECOND CIRCUIT	986	404	41.0	184	88	47.8	646	256	39.6	735	245	33.3
Connecticut	55	22	40.0	5	0	0.0	16	6	37.5	20	10	50.0
New York												
Eastern	295	124	42.0	49	23	46.9	118	33	28.0	127	41	32.3
Northern	212	57	26.9	46	22	47.8	127	48	37.8	194	65	33.5
Southern	107	62	57.9	19	16	84.2	126	65	51.6	162	53	32.7
Western	212	96	45.3	48	21	43.8	176	72	40.9	162	63	38.9
Vermont	105	43	41.0	17	6	35.3	83	32	38.6	70	13	18.6
THIRD CIRCUIT	456	168	36.8	42	22	52.4	215	108	50.2	253	120	47.4
Delaware	23	13	56.5	3	1	33.3	2	1	50.0	10	0	0.0
New Jersey	24	11	45.8	3	2	66.7	32	15	46.9	17	13	76.5
Pennsylvania												
Eastern	231	57	24.7	15	4	26.7	84	41	48.8	85	32	37.6
Middle	86	36	41.9	9	6	66.7	42	21	50.0	85	43	50.6
Western	74	37	50.0	9	8	88.9	37	17	45.9	23	11	47.8
Virgin Islands	18	14	77.8	3	1	33.3	18	13	72.2	33	21	63.6
FOURTH CIRCUIT	1,493	920	61.6	248	194	78.2	683	472	69.1	542	314	57.9
Maryland	75	32	42.7	11	5	45.5	38	12	31.6	38	16	42.1
North Carolina												
Eastern	128	60	46.9	23	13	56.5	43	22	51.2	75	40	53.3
Middle	115	70	60.9	12	12	100.0	27	15	55.6	33	20	60.6
Western	260	94	36.2	39	25	64.1	87	47	54.0	91	43	47.3
South Carolina	239	135	56.5	27	22	81.5	82	60	73.2	68	44	64.7
Virginia												
Eastern	291	230	79.0	75	67	89.3	190	151	79.5	115	75	65.2
Western	129	90	69.8	22	14	63.6	91	57	62.6	31	23	74.2
West Virginia												
Northern	76	67	88.2	18	15	83.3	58	48	82.8	42	27	64.3
Southern	180	142	78.9	21	21	100.0	67	60	89.6	49	26	53.1

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	16,316	11,793	72.3	3,110	2,565	82.5	6,408	5,118	79.9	9,411	7,367	78.3
Louisiana												
Eastern	102	73	71.6	12	11	91.7	26	18	69.2	15	11	73.3
Middle	20	8	40.0	3	2	66.7	15	10	66.7	7	2	28.6
Western	53	33	62.3	10	7	70.0	37	26	70.3	26	20	76.9
Mississippi												
Northern	64	31	48.4	15	7	46.7	33	18	54.5	15	8	53.3
Southern	114	77	67.5	42	32	76.2	58	51	87.9	45	27	60.0
Texas												
Eastern	269	224	83.3	36	29	80.6	94	73	77.7	201	164	81.6
Northern	378	251	66.4	51	45	88.2	115	81	70.4	110	67	60.9
Southern	5,896	3,928	66.6	1,065	798	74.9	2,169	1,493	68.8	3,488	2,572	73.7
Western	9,420	7,168	76.1	1,876	1,634	87.1	3,861	3,348	86.7	5,504	4,496	81.7
SIXTH CIRCUIT	2,481	1,277	51.5	370	192	51.9	1,010	445	44.1	1,227	504	41.1
Kentucky												
Eastern	555	353	63.6	74	42	56.8	179	79	44.1	172	80	46.5
Western	124	96	77.4	16	13	81.3	62	35	56.5	69	30	43.5
Michigan												
Eastern	504	257	51.0	73	31	42.5	275	103	37.5	207	98	47.3
Western	291	148	50.9	62	32	51.6	99	45	45.5	151	77	51.0
Ohio												
Northern	201	70	34.8	22	10	45.5	75	34	45.3	118	47	39.8
Southern	226	76	33.6	41	17	41.5	111	34	30.6	247	47	19.0
Tennessee												
Eastern	328	149	45.4	47	27	57.4	107	62	57.9	90	45	50.0
Middle	95	51	53.7	21	13	61.9	46	26	56.5	38	23	60.5
Western	157	77	49.0	14	7	50.0	56	27	48.2	135	57	42.2
SEVENTH CIRCUIT	688	437	63.5	170	120	70.6	329	207	62.9	504	261	51.8
Illinois												
Central	88	45	51.1	16	10	62.5	33	20	60.6	61	38	62.3
Northern	122	61	50.0	32	16	50.0	45	27	60.0	45	25	55.6
Southern	159	136	85.5	31	27	87.1	57	48	84.2	65	53	81.5
Indiana												
Northern	99	63	63.6	27	17	63.0	55	29	52.7	114	60	52.6
Southern	114	55	48.2	27	15	55.6	69	37	53.6	67	35	52.2
Wisconsin												
Eastern	69	48	69.6	28	27	96.4	52	29	55.8	119	36	30.3
Western	37	29	78.4	9	8	88.9	18	17	94.4	33	14	42.4
EIGHTH CIRCUIT	1,317	777	59.0	246	169	68.7	667	412	61.8	807	425	52.7
Arkansas												
Eastern	123	98	79.7	15	13	86.7	71	43	60.6	78	45	57.7
Western	53	34	64.2	9	5	55.6	20	5	25.0	21	6	28.6
Iowa												
Northern	84	51	60.7	28	15	53.6	45	24	53.3	58	26	44.8
Southern	70	32	45.7	13	9	69.2	48	29	60.4	94	41	43.6
Minnesota	128	70	54.7	29	16	55.2	103	51	49.5	121	55	45.5
Missouri												
Eastern	236	140	59.3	44	32	72.7	120	85	70.8	167	88	52.7
Western	320	131	40.9	44	22	50.0	84	47	56.0	109	58	53.2
Nebraska	123	78	63.4	25	24	96.0	89	60	67.4	84	50	59.5
North Dakota	32	26	81.3	8	6	75.0	8	5	62.5	9	3	33.3
South Dakota	148	117	79.1	31	27	87.1	79	63	79.7	66	53	80.3

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	%
NINTH CIRCUIT	12,622	2,950	23.4	1,424	424	29.8	4,456	1,000	22.4	6,819	2,364	34.7
Alaska	45	25	55.6	8	7	87.5	11	7	63.6	19	4	21.1
Arizona	3,964	868	21.9	616	184	29.9	2,038	407	20.0	3,707	1,641	44.3
California												
Central	62	41	66.1	19	11	57.9	43	15	34.9	133	51	38.3
Eastern	171	95	55.6	43	23	53.5	105	64	61.0	340	197	57.9
Northern	86	47	54.7	13	7	53.8	38	12	31.6	66	29	43.9
Southern	7,461	1,410	18.9	525	77	14.7	1,766	301	17.0	1,991	244	12.3
Guam	6	4	66.7	1	0	0.0	1	1	100.0	2	0	0.0
Hawaii	64	35	54.7	5	3	60.0	29	14	48.3	16	3	18.8
Idaho	41	22	53.7	8	5	62.5	21	4	19.0	34	7	20.6
Montana	162	108	66.7	23	14	60.9	50	35	70.0	38	23	60.5
Nevada	50	26	52.0	11	7	63.6	13	7	53.8	20	10	50.0
Northern Mariana Islands	0	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0
Oregon	89	51	57.3	33	14	42.4	81	35	43.2	142	48	33.8
Washington												
Eastern	126	75	59.5	39	28	71.8	65	32	49.2	123	57	46.3
Western	295	143	48.5	80	44	55.0	195	66	33.8	188	50	26.6
TENTH CIRCUIT	2,468	1,694	68.6	353	253	71.7	1,377	684	49.7	1,780	666	37.4
Colorado	128	72	56.3	14	8	57.1	50	23	46.0	45	14	31.1
Kansas	193	131	67.9	39	30	76.9	118	68	57.6	137	76	55.5
New Mexico	1,889	1,291	68.3	262	185	70.6	1,065	500	46.9	1,472	506	34.4
Oklahoma												
Eastern	35	23	65.7	5	4	80.0	6	4	66.7	5	4	80.0
Northern	50	40	80.0	3	3	100.0	16	9	56.3	30	22	73.3
Western	89	69	77.5	10	6	60.0	33	22	66.7	23	10	43.5
Utah	45	37	82.2	11	10	90.9	40	25	62.5	55	26	47.3
Wyoming	39	31	79.5	9	7	77.8	49	33	67.3	13	8	61.5
ELEVENTH CIRCUIT	2,488	1,442	58.0	386	249	64.5	1,037	633	61.0	1,153	667	57.8
Alabama												
Middle	76	44	57.9	3	2	66.7	33	9	27.3	27	16	59.3
Northern	159	56	35.2	18	13	72.2	37	23	62.2	34	16	47.1
Southern	175	92	52.6	24	11	45.8	42	22	52.4	49	29	59.2
Florida												
Middle	728	358	49.2	106	65	61.3	314	186	59.2	412	189	45.9
Northern	318	212	66.7	70	38	54.3	115	66	57.4	107	63	58.9
Southern	535	404	75.5	84	63	75.0	366	244	66.7	274	188	68.6
Georgia												
Middle	142	76	53.5	18	12	66.7	33	19	57.6	42	33	78.6
Northern	259	144	55.6	45	33	73.3	57	40	70.2	111	65	58.6
Southern	96	56	58.3	18	12	66.7	40	24	60.0	97	68	70.1

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

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

Rate of Above Range Sentences by Circuit and District
Marijuana 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	41,829	76	0.2	6,601	10	0.2	17,036	104	0.6	23,458	183	0.8
D.C. CIRCUIT	48	0	0.0	14	0	0.0	28	3	10.7	12	0	0.0
District of Columbia	48	0	0.0	14	0	0.0	28	3	10.7	12	0	0.0
FIRST CIRCUIT	466	1	0.2	54	1	1.9	180	0	0.0	215	2	0.9
Maine	105	0	0.0	10	0	0.0	40	0	0.0	52	1	1.9
Massachusetts	197	0	0.0	8	0	0.0	61	0	0.0	66	0	0.0
New Hampshire	71	0	0.0	17	1	5.9	22	0	0.0	40	0	0.0
Puerto Rico	66	0	0.0	17	0	0.0	47	0	0.0	47	1	2.1
Rhode Island	27	1	3.7	2	0	0.0	10	0	0.0	10	0	0.0
SECOND CIRCUIT	986	6	0.6	184	0	0.0	646	6	0.9	735	6	0.8
Connecticut	55	0	0.0	5	0	0.0	16	0	0.0	20	0	0.0
New York												
Eastern	295	0	0.0	49	0	0.0	118	2	1.7	127	1	0.8
Northern	212	3	1.4	46	0	0.0	127	1	0.8	194	0	0.0
Southern	107	1	0.9	19	0	0.0	126	0	0.0	162	0	0.0
Western	212	1	0.5	48	0	0.0	176	3	1.7	162	4	2.5
Vermont	105	1	1.0	17	0	0.0	83	0	0.0	70	1	1.4
THIRD CIRCUIT	456	1	0.2	42	0	0.0	215	0	0.0	253	3	1.2
Delaware	23	0	0.0	3	0	0.0	2	0	0.0	10	0	0.0
New Jersey	24	0	0.0	3	0	0.0	32	0	0.0	17	0	0.0
Pennsylvania												
Eastern	231	1	0.4	15	0	0.0	84	0	0.0	85	1	1.2
Middle	86	0	0.0	9	0	0.0	42	0	0.0	85	1	1.2
Western	74	0	0.0	9	0	0.0	37	0	0.0	23	0	0.0
Virgin Islands	18	0	0.0	3	0	0.0	18	0	0.0	33	1	3.0
FOURTH CIRCUIT	1,493	4	0.3	248	1	0.4	683	9	1.3	542	6	1.1
Maryland	75	0	0.0	11	0	0.0	38	1	2.6	38	0	0.0
North Carolina												
Eastern	128	1	0.8	23	0	0.0	43	0	0.0	75	1	1.3
Middle	115	0	0.0	12	0	0.0	27	0	0.0	33	1	3.0
Western	260	1	0.4	39	0	0.0	87	0	0.0	91	1	1.1
South Carolina	239	0	0.0	27	1	3.7	82	1	1.2	68	1	1.5
Virginia												
Eastern	291	1	0.3	75	0	0.0	190	5	2.6	115	2	1.7
Western	129	1	0.8	22	0	0.0	91	2	2.2	31	0	0.0
West Virginia												
Northern	76	0	0.0	18	0	0.0	58	0	0.0	42	0	0.0
Southern	180	0	0.0	21	0	0.0	67	0	0.0	49	0	0.0

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

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
FIFTH CIRCUIT	16,316	22	0.1	3,110	2	0.1	6,408	38	0.6	9,411	65	0.7
Louisiana												
Eastern	102	0	0.0	12	0	0.0	26	1	3.8	15	0	0.0
Middle	20	0	0.0	3	0	0.0	15	3	20.0	7	1	14.3
Western	53	0	0.0	10	0	0.0	37	1	2.7	26	0	0.0
Mississippi												
Northern	64	0	0.0	15	0	0.0	33	0	0.0	15	0	0.0
Southern	114	0	0.0	42	0	0.0	58	0	0.0	45	0	0.0
Texas												
Eastern	269	1	0.4	36	0	0.0	94	0	0.0	201	3	1.5
Northern	378	0	0.0	51	0	0.0	115	1	0.9	110	2	1.8
Southern	5,896	7	0.1	1,065	2	0.2	2,169	14	0.6	3,488	25	0.7
Western	9,420	14	0.1	1,876	0	0.0	3,861	18	0.5	5,504	34	0.6
SIXTH CIRCUIT	2,481	10	0.4	370	0	0.0	1,010	5	0.5	1,227	17	1.4
Kentucky												
Eastern	555	3	0.5	74	0	0.0	179	4	2.2	172	0	0.0
Western	124	0	0.0	16	0	0.0	62	0	0.0	69	0	0.0
Michigan												
Eastern	504	2	0.4	73	0	0.0	275	0	0.0	207	0	0.0
Western	291	3	1.0	62	0	0.0	99	1	1.0	151	8	5.3
Ohio												
Northern	201	0	0.0	22	0	0.0	75	0	0.0	118	3	2.5
Southern	226	0	0.0	41	0	0.0	111	0	0.0	247	3	1.2
Tennessee												
Eastern	328	1	0.3	47	0	0.0	107	0	0.0	90	0	0.0
Middle	95	0	0.0	21	0	0.0	46	0	0.0	38	1	2.6
Western	157	1	0.6	14	0	0.0	56	0	0.0	135	2	1.5
SEVENTH CIRCUIT	688	5	0.7	170	0	0.0	329	0	0.0	504	18	3.6
Illinois												
Central	88	0	0.0	16	0	0.0	33	0	0.0	61	0	0.0
Northern	122	1	0.8	32	0	0.0	45	0	0.0	45	0	0.0
Southern	159	1	0.6	31	0	0.0	57	0	0.0	65	2	3.1
Indiana												
Northern	99	2	2.0	27	0	0.0	55	0	0.0	114	9	7.9
Southern	114	0	0.0	27	0	0.0	69	0	0.0	67	4	6.0
Wisconsin												
Eastern	69	0	0.0	28	0	0.0	52	0	0.0	119	2	1.7
Western	37	1	2.7	9	0	0.0	18	0	0.0	33	1	3.0
EIGHTH CIRCUIT	1,317	0	0.0	246	0	0.0	667	4	0.6	807	10	1.2
Arkansas												
Eastern	123	0	0.0	15	0	0.0	71	0	0.0	78	0	0.0
Western	53	0	0.0	9	0	0.0	20	0	0.0	21	0	0.0
Iowa												
Northern	84	0	0.0	28	0	0.0	45	0	0.0	58	6	10.3
Southern	70	0	0.0	13	0	0.0	48	0	0.0	94	1	1.1
Minnesota	128	0	0.0	29	0	0.0	103	0	0.0	121	0	0.0
Missouri												
Eastern	236	0	0.0	44	0	0.0	120	1	0.8	167	2	1.2
Western	320	0	0.0	44	0	0.0	84	0	0.0	109	0	0.0
Nebraska	123	0	0.0	25	0	0.0	89	0	0.0	84	0	0.0
North Dakota	32	0	0.0	8	0	0.0	8	0	0.0	9	0	0.0
South Dakota	148	0	0.0	31	0	0.0	79	3	3.8	66	1	1.5

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	12,622	18	0.1	1,424	5	0.4	4,456	29	0.7	6,819	32	0.5
Alaska	45	1	2.2	8	0	0.0	11	0	0.0	19	1	5.3
Arizona	3,964	12	0.3	616	1	0.2	2,038	13	0.6	3,707	15	0.4
California												
Central	62	0	0.0	19	0	0.0	43	0	0.0	133	2	1.5
Eastern	171	1	0.6	43	0	0.0	105	0	0.0	340	3	0.9
Northern	86	2	2.3	13	0	0.0	38	1	2.6	66	1	1.5
Southern	7,461	1	0.0	525	1	0.2	1,766	7	0.4	1,991	3	0.2
Guam	6	0	0.0	1	0	0.0	1	0	0.0	2	0	0.0
Hawaii	64	0	0.0	5	1	20.0	29	0	0.0	16	1	6.3
Idaho	41	0	0.0	8	0	0.0	21	0	0.0	34	1	2.9
Montana	162	1	0.6	23	0	0.0	50	1	2.0	38	1	2.6
Nevada	50	0	0.0	11	0	0.0	13	0	0.0	20	0	0.0
Northern Mariana Islands	0	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0
Oregon	89	0	0.0	33	0	0.0	81	3	3.7	142	1	0.7
Washington												
Eastern	126	0	0.0	39	0	0.0	65	0	0.0	123	3	2.4
Western	295	0	0.0	80	2	2.5	195	4	2.1	188	0	0.0
TENTH CIRCUIT	2,468	4	0.2	353	1	0.3	1,377	2	0.1	1,780	8	0.4
Colorado	128	0	0.0	14	0	0.0	50	0	0.0	45	0	0.0
Kansas	193	0	0.0	39	0	0.0	118	0	0.0	137	4	2.9
New Mexico	1,889	2	0.1	262	1	0.4	1,065	1	0.1	1,472	4	0.3
Oklahoma												
Eastern	35	0	0.0	5	0	0.0	6	0	0.0	5	0	0.0
Northern	50	0	0.0	3	0	0.0	16	0	0.0	30	0	0.0
Western	89	2	2.2	10	0	0.0	33	0	0.0	23	0	0.0
Utah	45	0	0.0	11	0	0.0	40	0	0.0	55	0	0.0
Wyoming	39	0	0.0	9	0	0.0	49	1	2.0	13	0	0.0
ELEVENTH CIRCUIT	2,488	5	0.2	386	0	0.0	1,037	8	0.8	1,153	16	1.4
Alabama												
Middle	76	1	1.3	3	0	0.0	33	0	0.0	27	0	0.0
Northern	159	0	0.0	18	0	0.0	37	1	2.7	34	0	0.0
Southern	175	0	0.0	24	0	0.0	42	0	0.0	49	1	2.0
Florida												
Middle	728	1	0.1	106	0	0.0	314	2	0.6	412	1	0.2
Northern	318	3	0.9	70	0	0.0	115	0	0.0	107	3	2.8
Southern	535	0	0.0	84	0	0.0	366	4	1.1	274	1	0.4
Georgia												
Middle	142	0	0.0	18	0	0.0	33	0	0.0	42	1	2.4
Northern	259	0	0.0	45	0	0.0	57	0	0.0	111	2	1.8
Southern	96	0	0.0	18	0	0.0	40	1	2.5	97	7	7.2

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

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

Rate of Government Sponsored Sentences by Circuit and District
Marijuana 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	41,829	9,030	21.6	6,601	2,001	30.3	17,036	6,133	36.0	23,458	7,469	31.8
D.C. CIRCUIT	48	21	43.8	14	7	50.0	28	16	57.1	12	8	66.7
District of Columbia	48	21	43.8	14	7	50.0	28	16	57.1	12	8	66.7
FIRST CIRCUIT	466	183	39.3	54	21	38.9	180	55	30.6	215	79	36.7
Maine	105	41	39.0	10	1	10.0	40	19	47.5	52	27	51.9
Massachusetts	197	86	43.7	8	6	75.0	61	20	32.8	66	26	39.4
New Hampshire	71	47	66.2	17	10	58.8	22	9	40.9	40	22	55.0
Puerto Rico	66	4	6.1	17	4	23.5	47	4	8.5	47	1	2.1
Rhode Island	27	5	18.5	2	0	0.0	10	3	30.0	10	3	30.0
SECOND CIRCUIT	986	404	41.0	184	82	44.6	646	275	42.6	735	289	39.3
Connecticut	55	16	29.1	5	4	80.0	16	2	12.5	20	6	30.0
New York												
Eastern	295	89	30.2	49	21	42.9	118	47	39.8	127	52	40.9
Northern	212	135	63.7	46	19	41.3	127	63	49.6	194	84	43.3
Southern	107	32	29.9	19	2	10.5	126	31	24.6	162	43	26.5
Western	212	97	45.8	48	27	56.3	176	92	52.3	162	80	49.4
Vermont	105	35	33.3	17	9	52.9	83	40	48.2	70	24	34.3
THIRD CIRCUIT	456	263	57.7	42	19	45.2	215	83	38.6	253	98	38.7
Delaware	23	8	34.8	3	1	33.3	2	0	0.0	10	6	60.0
New Jersey	24	12	50.0	3	1	33.3	32	14	43.8	17	4	23.5
Pennsylvania												
Eastern	231	165	71.4	15	11	73.3	84	32	38.1	85	43	50.6
Middle	86	43	50.0	9	3	33.3	42	18	42.9	85	32	37.6
Western	74	33	44.6	9	1	11.1	37	18	48.6	23	8	34.8
Virgin Islands	18	2	11.1	3	2	66.7	18	1	5.6	33	5	15.2
FOURTH CIRCUIT	1,493	516	34.6	248	50	20.2	683	143	20.9	542	144	26.6
Maryland	75	36	48.0	11	4	36.4	38	22	57.9	38	14	36.8
North Carolina												
Eastern	128	63	49.2	23	10	43.5	43	18	41.9	75	31	41.3
Middle	115	43	37.4	12	0	0.0	27	6	22.2	33	9	27.3
Western	260	156	60.0	39	14	35.9	87	35	40.2	91	40	44.0
South Carolina	239	98	41.0	27	4	14.8	82	17	20.7	68	15	22.1
Virginia												
Eastern	291	52	17.9	75	7	9.3	190	10	5.3	115	16	13.9
Western	129	33	25.6	22	8	36.4	91	26	28.6	31	5	16.1
West Virginia												
Northern	76	8	10.5	18	3	16.7	58	6	10.3	42	6	14.3
Southern	180	27	15.0	21	0	0.0	67	3	4.5	49	8	16.3

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	16,316	2,821	17.3	3,110	476	15.3	6,408	941	14.7	9,411	1,140	12.1
Louisiana												
Eastern	102	21	20.6	12	1	8.3	26	5	19.2	15	1	6.7
Middle	20	10	50.0	3	1	33.3	15	1	6.7	7	3	42.9
Western	53	20	37.7	10	3	30.0	37	9	24.3	26	3	11.5
Mississippi												
Northern	64	32	50.0	15	8	53.3	33	15	45.5	15	5	33.3
Southern	114	37	32.5	42	10	23.8	58	6	10.3	45	12	26.7
Texas												
Eastern	269	33	12.3	36	4	11.1	94	13	13.8	201	19	9.5
Northern	378	115	30.4	51	5	9.8	115	28	24.3	110	30	27.3
Southern	5,896	1,458	24.7	1,065	234	22.0	2,169	533	24.6	3,488	554	15.9
Western	9,420	1,095	11.6	1,876	210	11.2	3,861	331	8.6	5,504	513	9.3
SIXTH CIRCUIT	2,481	1,084	43.7	370	167	45.1	1,010	463	45.8	1,227	526	42.9
Kentucky												
Eastern	555	184	33.2	74	32	43.2	179	94	52.5	172	83	48.3
Western	124	25	20.2	16	3	18.8	62	23	37.1	69	33	47.8
Michigan												
Eastern	504	224	44.4	73	41	56.2	275	136	49.5	207	63	30.4
Western	291	128	44.0	62	29	46.8	99	36	36.4	151	38	25.2
Ohio												
Northern	201	110	54.7	22	8	36.4	75	38	50.7	118	59	50.0
Southern	226	134	59.3	41	22	53.7	111	63	56.8	247	148	59.9
Tennessee												
Eastern	328	168	51.2	47	17	36.2	107	37	34.6	90	38	42.2
Middle	95	40	42.1	21	8	38.1	46	12	26.1	38	11	28.9
Western	157	71	45.2	14	7	50.0	56	24	42.9	135	53	39.3
SEVENTH CIRCUIT	688	212	30.8	170	43	25.3	329	83	25.2	504	128	25.4
Illinois												
Central	88	43	48.9	16	4	25.0	33	7	21.2	61	12	19.7
Northern	122	48	39.3	32	15	46.9	45	12	26.7	45	9	20.0
Southern	159	12	7.5	31	4	12.9	57	6	10.5	65	7	10.8
Indiana												
Northern	99	29	29.3	27	8	29.6	55	21	38.2	114	32	28.1
Southern	114	56	49.1	27	11	40.7	69	24	34.8	67	13	19.4
Wisconsin												
Eastern	69	18	26.1	28	0	0.0	52	12	23.1	119	45	37.8
Western	37	6	16.2	9	1	11.1	18	1	5.6	33	10	30.3
EIGHTH CIRCUIT	1,317	476	36.1	246	74	30.1	667	183	27.4	807	216	26.8
Arkansas												
Eastern	123	24	19.5	15	2	13.3	71	22	31.0	78	20	25.6
Western	53	18	34.0	9	4	44.4	20	15	75.0	21	14	66.7
Iowa												
Northern	84	27	32.1	28	13	46.4	45	17	37.8	58	17	29.3
Southern	70	32	45.7	13	4	30.8	48	14	29.2	94	35	37.2
Minnesota	128	44	34.4	29	13	44.8	103	37	35.9	121	29	24.0
Missouri												
Eastern	236	88	37.3	44	11	25.0	120	28	23.3	167	48	28.7
Western	320	180	56.3	44	22	50.0	84	28	33.3	109	34	31.2
Nebraska	123	31	25.2	25	0	0.0	89	15	16.9	84	11	13.1
North Dakota	32	5	15.6	8	2	25.0	8	3	37.5	9	5	55.6
South Dakota	148	27	18.2	31	3	9.7	79	4	5.1	66	3	4.5

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

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
NINTH CIRCUIT	12,622	1,790	14.2	1,424	845	59.3	4,456	3,029	68.0	6,819	3,676	53.9
Alaska	45	9	20.0	8	0	0.0	11	3	27.3	19	12	63.2
Arizona	3,964	630	15.9	616	350	56.8	2,038	1,488	73.0	3,707	1,735	46.8
California												
Central	62	15	24.2	19	6	31.6	43	11	25.6	133	44	33.1
Eastern	171	57	33.3	43	18	41.9	105	23	21.9	340	85	25.0
Northern	86	20	23.3	13	1	7.7	38	16	42.1	66	30	45.5
Southern	7,461	791	10.6	525	409	77.9	1,766	1,310	74.2	1,991	1,521	76.4
Guam	6	2	33.3	1	1	100.0	1	0	0.0	2	2	100.0
Hawaii	64	24	37.5	5	1	20.0	29	12	41.4	16	7	43.8
Idaho	41	17	41.5	8	3	37.5	21	17	81.0	34	23	67.6
Montana	162	47	29.0	23	8	34.8	50	10	20.0	38	9	23.7
Nevada	50	16	32.0	11	4	36.4	13	2	15.4	20	8	40.0
Northern Mariana Islands	0	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0
Oregon	89	29	32.6	33	15	45.5	81	33	40.7	142	70	49.3
Washington												
Eastern	126	24	19.0	39	7	17.9	65	23	35.4	123	34	27.6
Western	295	109	36.9	80	22	27.5	195	81	41.5	188	96	51.1
TENTH CIRCUIT	2,468	331	13.4	353	88	24.9	1,377	573	41.6	1,780	881	49.5
Colorado	128	50	39.1	14	5	35.7	50	21	42.0	45	20	44.4
Kansas	193	48	24.9	39	9	23.1	118	38	32.2	137	51	37.2
New Mexico	1,889	196	10.4	262	68	26.0	1,065	482	45.3	1,472	776	52.7
Oklahoma												
Eastern	35	3	8.6	5	1	20.0	6	1	16.7	5	1	20.0
Northern	50	9	18.0	3	0	0.0	16	4	25.0	30	6	20.0
Western	89	15	16.9	10	4	40.0	33	4	12.1	23	7	30.4
Utah	45	6	13.3	11	0	0.0	40	11	27.5	55	17	30.9
Wyoming	39	4	10.3	9	1	11.1	49	12	24.5	13	3	23.1
ELEVENTH CIRCUIT	2,488	929	37.3	386	129	33.4	1,037	289	27.9	1,153	284	24.6
Alabama												
Middle	76	31	40.8	3	1	33.3	33	22	66.7	27	10	37.0
Northern	159	100	62.9	18	5	27.8	37	13	35.1	34	15	44.1
Southern	175	77	44.0	24	13	54.2	42	16	38.1	49	10	20.4
Florida												
Middle	728	338	46.4	106	36	34.0	314	97	30.9	412	144	35.0
Northern	318	97	30.5	70	30	42.9	115	43	37.4	107	29	27.1
Southern	535	104	19.4	84	20	23.8	366	64	17.5	274	26	9.5
Georgia												
Middle	142	59	41.5	18	6	33.3	33	12	36.4	42	6	14.3
Northern	259	86	33.2	45	12	26.7	57	12	21.1	111	27	24.3
Southern	96	37	38.5	18	6	33.3	40	10	25.0	97	17	17.5

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

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

Rate of §5K1.1 Substantial Assistance Sentences by Circuit and District
Marijuana 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	41,829	8,593	20.5	6,601	1,147	17.4	17,036	2,810	16.5	23,458	3,323	14.2
D.C. CIRCUIT	48	21	43.8	14	5	35.7	28	14	50.0	12	7	58.3
District of Columbia	48	21	43.8	14	5	35.7	28	14	50.0	12	7	58.3
FIRST CIRCUIT	466	183	39.3	54	21	38.9	180	52	28.9	215	62	28.8
Maine	105	41	39.0	10	1	10.0	40	19	47.5	52	27	51.9
Massachusetts	197	86	43.7	8	6	75.0	61	19	31.1	66	13	19.7
New Hampshire	71	47	66.2	17	10	58.8	22	8	36.4	40	19	47.5
Puerto Rico	66	4	6.1	17	4	23.5	47	4	8.5	47	1	2.1
Rhode Island	27	5	18.5	2	0	0.0	10	2	20.0	10	2	20.0
SECOND CIRCUIT	986	402	40.8	184	76	41.3	646	261	40.4	735	258	35.1
Connecticut	55	16	29.1	5	3	60.0	16	2	12.5	20	3	15.0
New York												
Eastern	295	88	29.8	49	16	32.7	118	43	36.4	127	39	30.7
Northern	212	134	63.2	46	19	41.3	127	63	49.6	194	83	42.8
Southern	107	32	29.9	19	2	10.5	126	29	23.0	162	36	22.2
Western	212	97	45.8	48	27	56.3	176	86	48.9	162	77	47.5
Vermont	105	35	33.3	17	9	52.9	83	38	45.8	70	20	28.6
THIRD CIRCUIT	456	263	57.7	42	19	45.2	215	81	37.7	253	96	37.9
Delaware	23	8	34.8	3	1	33.3	2	0	0.0	10	6	60.0
New Jersey	24	12	50.0	3	1	33.3	32	14	43.8	17	4	23.5
Pennsylvania												
Eastern	231	165	71.4	15	11	73.3	84	31	36.9	85	43	50.6
Middle	86	43	50.0	9	3	33.3	42	17	40.5	85	30	35.3
Western	74	33	44.6	9	1	11.1	37	18	48.6	23	8	34.8
Virgin Islands	18	2	11.1	3	2	66.7	18	1	5.6	33	5	15.2
FOURTH CIRCUIT	1,493	516	34.6	248	49	19.8	683	134	19.6	542	135	24.9
Maryland	75	36	48.0	11	4	36.4	38	20	52.6	38	13	34.2
North Carolina												
Eastern	128	63	49.2	23	10	43.5	43	18	41.9	75	31	41.3
Middle	115	43	37.4	12	0	0.0	27	6	22.2	33	9	27.3
Western	260	156	60.0	39	13	33.3	87	31	35.6	91	37	40.7
South Carolina	239	98	41.0	27	4	14.8	82	17	20.7	68	12	17.6
Virginia												
Eastern	291	52	17.9	75	7	9.3	190	8	4.2	115	15	13.0
Western	129	33	25.6	22	8	36.4	91	26	28.6	31	4	12.9
West Virginia												
Northern	76	8	10.5	18	3	16.7	58	5	8.6	42	6	14.3
Southern	180	27	15.0	21	0	0.0	67	3	4.5	49	8	16.3

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	16,316	2,736	16.8	3,110	332	10.7	6,408	656	10.2	9,411	905	9.6
Louisiana												
Eastern	102	21	20.6	12	1	8.3	26	5	19.2	15	1	6.7
Middle	20	10	50.0	3	1	33.3	15	1	6.7	7	3	42.9
Western	53	20	37.7	10	3	30.0	37	9	24.3	26	3	11.5
Mississippi												
Northern	64	32	50.0	15	7	46.7	33	9	27.3	15	4	26.7
Southern	114	37	32.5	42	10	23.8	58	6	10.3	45	12	26.7
Texas												
Eastern	269	33	12.3	36	4	11.1	94	13	13.8	201	18	9.0
Northern	378	115	30.4	51	5	9.8	115	26	22.6	110	28	25.5
Southern	5,896	1,405	23.8	1,065	105	9.9	2,169	282	13.0	3,488	362	10.4
Western	9,420	1,063	11.3	1,876	196	10.4	3,861	305	7.9	5,504	474	8.6
SIXTH CIRCUIT	2,481	1,084	43.7	370	166	44.9	1,010	452	44.8	1,227	500	40.7
Kentucky												
Eastern	555	184	33.2	74	32	43.2	179	94	52.5	172	80	46.5
Western	124	25	20.2	16	3	18.8	62	21	33.9	69	30	43.5
Michigan												
Eastern	504	224	44.4	73	41	56.2	275	133	48.4	207	57	27.5
Western	291	128	44.0	62	28	45.2	99	35	35.4	151	36	23.8
Ohio												
Northern	201	110	54.7	22	8	36.4	75	37	49.3	118	57	48.3
Southern	226	134	59.3	41	22	53.7	111	62	55.9	247	143	57.9
Tennessee												
Eastern	328	168	51.2	47	17	36.2	107	36	33.6	90	36	40.0
Middle	95	40	42.1	21	8	38.1	46	11	23.9	38	9	23.7
Western	157	71	45.2	14	7	50.0	56	23	41.1	135	52	38.5
SEVENTH CIRCUIT	688	212	30.8	170	40	23.5	329	73	22.2	504	108	21.4
Illinois												
Central	88	43	48.9	16	4	25.0	33	5	15.2	61	11	18.0
Northern	122	48	39.3	32	15	46.9	45	11	24.4	45	9	20.0
Southern	159	12	7.5	31	4	12.9	57	4	7.0	65	7	10.8
Indiana												
Northern	99	29	29.3	27	6	22.2	55	20	36.4	114	30	26.3
Southern	114	56	49.1	27	10	37.0	69	20	29.0	67	11	16.4
Wisconsin												
Eastern	69	18	26.1	28	0	0.0	52	12	23.1	119	30	25.2
Western	37	6	16.2	9	1	11.1	18	1	5.6	33	10	30.3
EIGHTH CIRCUIT	1,317	474	36.0	246	72	29.3	667	173	25.9	807	199	24.7
Arkansas												
Eastern	123	24	19.5	15	2	13.3	71	21	29.6	78	19	24.4
Western	53	18	34.0	9	4	44.4	20	15	75.0	21	14	66.7
Iowa												
Northern	84	27	32.1	28	13	46.4	45	15	33.3	58	16	27.6
Southern	70	32	45.7	13	4	30.8	48	13	27.1	94	33	35.1
Minnesota	128	44	34.4	29	13	44.8	103	35	34.0	121	28	23.1
Missouri												
Eastern	236	87	36.9	44	11	25.0	120	28	23.3	167	43	25.7
Western	320	179	55.9	44	20	45.5	84	27	32.1	109	33	30.3
Nebraska	123	31	25.2	25	0	0.0	89	13	14.6	84	6	7.1
North Dakota	32	5	15.6	8	2	25.0	8	3	37.5	9	5	55.6
South Dakota	148	27	18.2	31	3	9.7	79	3	3.8	66	2	3.0

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	12,622	1,461	11.6	1,424	207	14.5	4,456	485	10.9	6,819	596	8.7
Alaska	45	9	20.0	8	0	0.0	11	2	18.2	19	10	52.6
Arizona	3,964	445	11.2	616	93	15.1	2,038	212	10.4	3,707	219	5.9
California												
Central	62	15	24.2	19	5	26.3	43	5	11.6	133	29	21.8
Eastern	171	57	33.3	43	17	39.5	105	17	16.2	340	80	23.5
Northern	86	20	23.3	13	1	7.7	38	11	28.9	66	10	15.2
Southern	7,461	651	8.7	525	33	6.3	1,766	93	5.3	1,991	85	4.3
Guam	6	2	33.3	1	1	100.0	1	0	0.0	2	2	100.0
Hawaii	64	24	37.5	5	1	20.0	29	11	37.9	16	5	31.3
Idaho	41	17	41.5	8	3	37.5	21	17	81.0	34	23	67.6
Montana	162	47	29.0	23	8	34.8	50	9	18.0	38	9	23.7
Nevada	50	16	32.0	11	4	36.4	13	2	15.4	20	2	10.0
Northern Mariana Islands	0	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0
Oregon	89	29	32.6	33	14	42.4	81	29	35.8	142	49	34.5
Washington												
Eastern	126	23	18.3	39	7	17.9	65	20	30.8	123	25	20.3
Western	295	106	35.9	80	20	25.0	195	57	29.2	188	48	25.5
TENTH CIRCUIT	2,468	312	12.6	353	32	9.1	1,377	148	10.7	1,780	182	10.2
Colorado	128	50	39.1	14	5	35.7	50	20	40.0	45	18	40.0
Kansas	193	48	24.9	39	9	23.1	118	33	28.0	137	42	30.7
New Mexico	1,889	177	9.4	262	12	4.6	1,065	70	6.6	1,472	91	6.2
Oklahoma												
Eastern	35	3	8.6	5	1	20.0	6	1	16.7	5	1	20.0
Northern	50	9	18.0	3	0	0.0	16	4	25.0	30	6	20.0
Western	89	15	16.9	10	4	40.0	33	4	12.1	23	7	30.4
Utah	45	6	13.3	11	0	0.0	40	8	20.0	55	15	27.3
Wyoming	39	4	10.3	9	1	11.1	49	8	16.3	13	2	15.4
ELEVENTH CIRCUIT	2,488	929	37.3	386	128	33.2	1,037	281	27.1	1,153	275	23.9
Alabama												
Middle	76	31	40.8	3	1	33.3	33	22	66.7	27	10	37.0
Northern	159	100	62.9	18	5	27.8	37	13	35.1	34	15	44.1
Southern	175	77	44.0	24	13	54.2	42	16	38.1	49	10	20.4
Florida												
Middle	728	338	46.4	106	36	34.0	314	95	30.3	412	142	34.5
Northern	318	97	30.5	70	30	42.9	115	43	37.4	107	29	27.1
Southern	535	104	19.4	84	20	23.8	366	59	16.1	274	24	8.8
Georgia												
Middle	142	59	41.5	18	5	27.8	33	12	36.4	42	6	14.3
Northern	259	86	33.2	45	12	26.7	57	12	21.1	111	25	22.5
Southern	96	37	38.5	18	6	33.3	40	9	22.5	97	14	14.4

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

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

Rate of §5K3.1 Early Disposition Program Sentences by Circuit and District
Marijuana 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	41,829	n/a	n/a	6,601	215	3.3	17,036	2,783	16.3	23,458	3,431	14.6
D.C. CIRCUIT	48	n/a	n/a	14	0	0.0	28	0	0.0	12	0	0.0
District of Columbia	48	n/a	n/a	14	0	0.0	28	0	0.0	12	0	0.0
FIRST CIRCUIT	466	n/a	n/a	54	0	0.0	180	0	0.0	215	0	0.0
Maine	105	n/a	n/a	10	0	0.0	40	0	0.0	52	0	0.0
Massachusetts	197	n/a	n/a	8	0	0.0	61	0	0.0	66	0	0.0
New Hampshire	71	n/a	n/a	17	0	0.0	22	0	0.0	40	0	0.0
Puerto Rico	66	n/a	n/a	17	0	0.0	47	0	0.0	47	0	0.0
Rhode Island	27	n/a	n/a	2	0	0.0	10	0	0.0	10	0	0.0
SECOND CIRCUIT	986	n/a	n/a	184	0	0.0	646	1	0.2	735	0	0.0
Connecticut	55	n/a	n/a	5	0	0.0	16	0	0.0	20	0	0.0
New York												
Eastern	295	n/a	n/a	49	0	0.0	118	1	0.8	127	0	0.0
Northern	212	n/a	n/a	46	0	0.0	127	0	0.0	194	0	0.0
Southern	107	n/a	n/a	19	0	0.0	126	0	0.0	162	0	0.0
Western	212	n/a	n/a	48	0	0.0	176	0	0.0	162	0	0.0
Vermont	105	n/a	n/a	17	0	0.0	83	0	0.0	70	0	0.0
THIRD CIRCUIT	456	n/a	n/a	42	0	0.0	215	0	0.0	253	0	0.0
Delaware	23	n/a	n/a	3	0	0.0	2	0	0.0	10	0	0.0
New Jersey	24	n/a	n/a	3	0	0.0	32	0	0.0	17	0	0.0
Pennsylvania												
Eastern	231	n/a	n/a	15	0	0.0	84	0	0.0	85	0	0.0
Middle	86	n/a	n/a	9	0	0.0	42	0	0.0	85	0	0.0
Western	74	n/a	n/a	9	0	0.0	37	0	0.0	23	0	0.0
Virgin Islands	18	n/a	n/a	3	0	0.0	18	0	0.0	33	0	0.0
FOURTH CIRCUIT	1,493	n/a	n/a	248	0	0.0	683	0	0.0	542	0	0.0
Maryland	75	n/a	n/a	11	0	0.0	38	0	0.0	38	0	0.0
North Carolina												
Eastern	128	n/a	n/a	23	0	0.0	43	0	0.0	75	0	0.0
Middle	115	n/a	n/a	12	0	0.0	27	0	0.0	33	0	0.0
Western	260	n/a	n/a	39	0	0.0	87	0	0.0	91	0	0.0
South Carolina	239	n/a	n/a	27	0	0.0	82	0	0.0	68	0	0.0
Virginia												
Eastern	291	n/a	n/a	75	0	0.0	190	0	0.0	115	0	0.0
Western	129	n/a	n/a	22	0	0.0	91	0	0.0	31	0	0.0
West Virginia												
Northern	76	n/a	n/a	18	0	0.0	58	0	0.0	42	0	0.0
Southern	180	n/a	n/a	21	0	0.0	67	0	0.0	49	0	0.0

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

CIRCUIT District	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
FIFTH CIRCUIT	16,316	n/a	n/a	3,110	0	0.0	6,408	14	0.2	9,411	4	0.0
Louisiana												
Eastern	102	n/a	n/a	12	0	0.0	26	0	0.0	15	0	0.0
Middle	20	n/a	n/a	3	0	0.0	15	0	0.0	7	0	0.0
Western	53	n/a	n/a	10	0	0.0	37	0	0.0	26	0	0.0
Mississippi												
Northern	64	n/a	n/a	15	0	0.0	33	0	0.0	15	0	0.0
Southern	114	n/a	n/a	42	0	0.0	58	0	0.0	45	0	0.0
Texas												
Eastern	269	n/a	n/a	36	0	0.0	94	0	0.0	201	0	0.0
Northern	378	n/a	n/a	51	0	0.0	115	0	0.0	110	0	0.0
Southern	5,896	n/a	n/a	1,065	0	0.0	2,169	10	0.5	3,488	4	0.1
Western	9,420	n/a	n/a	1,876	0	0.0	3,861	4	0.1	5,504	0	0.0
SIXTH CIRCUIT	2,481	n/a	n/a	370	0	0.0	1,010	0	0.0	1,227	0	0.0
Kentucky												
Eastern	555	n/a	n/a	74	0	0.0	179	0	0.0	172	0	0.0
Western	124	n/a	n/a	16	0	0.0	62	0	0.0	69	0	0.0
Michigan												
Eastern	504	n/a	n/a	73	0	0.0	275	0	0.0	207	0	0.0
Western	291	n/a	n/a	62	0	0.0	99	0	0.0	151	0	0.0
Ohio												
Northern	201	n/a	n/a	22	0	0.0	75	0	0.0	118	0	0.0
Southern	226	n/a	n/a	41	0	0.0	111	0	0.0	247	0	0.0
Tennessee												
Eastern	328	n/a	n/a	47	0	0.0	107	0	0.0	90	0	0.0
Middle	95	n/a	n/a	21	0	0.0	46	0	0.0	38	0	0.0
Western	157	n/a	n/a	14	0	0.0	56	0	0.0	135	0	0.0
SEVENTH CIRCUIT	688	n/a	n/a	170	0	0.0	329	0	0.0	504	1	0.2
Illinois												
Central	88	n/a	n/a	16	0	0.0	33	0	0.0	61	1	1.6
Northern	122	n/a	n/a	32	0	0.0	45	0	0.0	45	0	0.0
Southern	159	n/a	n/a	31	0	0.0	57	0	0.0	65	0	0.0
Indiana												
Northern	99	n/a	n/a	27	0	0.0	55	0	0.0	114	0	0.0
Southern	114	n/a	n/a	27	0	0.0	69	0	0.0	67	0	0.0
Wisconsin												
Eastern	69	n/a	n/a	28	0	0.0	52	0	0.0	119	0	0.0
Western	37	n/a	n/a	9	0	0.0	18	0	0.0	33	0	0.0
EIGHTH CIRCUIT	1,317	n/a	n/a	246	0	0.0	667	0	0.0	807	0	0.0
Arkansas												
Eastern	123	n/a	n/a	15	0	0.0	71	0	0.0	78	0	0.0
Western	53	n/a	n/a	9	0	0.0	20	0	0.0	21	0	0.0
Iowa												
Northern	84	n/a	n/a	28	0	0.0	45	0	0.0	58	0	0.0
Southern	70	n/a	n/a	13	0	0.0	48	0	0.0	94	0	0.0
Minnesota	128	n/a	n/a	29	0	0.0	103	0	0.0	121	0	0.0
Missouri												
Eastern	236	n/a	n/a	44	0	0.0	120	0	0.0	167	0	0.0
Western	320	n/a	n/a	44	0	0.0	84	0	0.0	109	0	0.0
Nebraska	123	n/a	n/a	25	0	0.0	89	0	0.0	84	0	0.0
North Dakota	32	n/a	n/a	8	0	0.0	8	0	0.0	9	0	0.0
South Dakota	148	n/a	n/a	31	0	0.0	79	0	0.0	66	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	%
NINTH CIRCUIT	12,622	n/a	n/a	1,424	179	12.6	4,456	2,396	53.8	6,819	2,784	40.8
Alaska	45	n/a	n/a	8	0	0.0	11	0	0.0	19	0	0.0
Arizona	3,964	n/a	n/a	616	83	13.5	2,038	1,209	59.3	3,707	1,398	37.7
California												
Central	62	n/a	n/a	19	0	0.0	43	1	2.3	133	0	0.0
Eastern	171	n/a	n/a	43	0	0.0	105	0	0.0	340	0	0.0
Northern	86	n/a	n/a	13	0	0.0	38	1	2.6	66	0	0.0
Southern	7,461	n/a	n/a	525	96	18.3	1,766	1,185	67.1	1,991	1,386	69.6
Guam	6	n/a	n/a	1	0	0.0	1	0	0.0	2	0	0.0
Hawaii	64	n/a	n/a	5	0	0.0	29	0	0.0	16	0	0.0
Idaho	41	n/a	n/a	8	0	0.0	21	0	0.0	34	0	0.0
Montana	162	n/a	n/a	23	0	0.0	50	0	0.0	38	0	0.0
Nevada	50	n/a	n/a	11	0	0.0	13	0	0.0	20	0	0.0
Northern Mariana Islands	0	n/a	n/a	0	0	0.0	0	0	0.0	0	0	0.0
Oregon	89	n/a	n/a	33	0	0.0	81	0	0.0	142	0	0.0
Washington												
Eastern	126	n/a	n/a	39	0	0.0	65	0	0.0	123	0	0.0
Western	295	n/a	n/a	80	0	0.0	195	0	0.0	188	0	0.0
TENTH CIRCUIT	2,468	n/a	n/a	353	36	10.2	1,377	372	27.0	1,780	642	36.1
Colorado	128	n/a	n/a	14	0	0.0	50	0	0.0	45	0	0.0
Kansas	193	n/a	n/a	39	0	0.0	118	0	0.0	137	0	0.0
New Mexico	1,889	n/a	n/a	262	36	13.7	1,065	372	34.9	1,472	642	43.6
Oklahoma												
Eastern	35	n/a	n/a	5	0	0.0	6	0	0.0	5	0	0.0
Northern	50	n/a	n/a	3	0	0.0	16	0	0.0	30	0	0.0
Western	89	n/a	n/a	10	0	0.0	33	0	0.0	23	0	0.0
Utah	45	n/a	n/a	11	0	0.0	40	0	0.0	55	0	0.0
Wyoming	39	n/a	n/a	9	0	0.0	49	0	0.0	13	0	0.0
ELEVENTH CIRCUIT	2,488	n/a	n/a	386	0	0.0	1,037	0	0.0	1,153	0	0.0
Alabama												
Middle	76	n/a	n/a	3	0	0.0	33	0	0.0	27	0	0.0
Northern	159	n/a	n/a	18	0	0.0	37	0	0.0	34	0	0.0
Southern	175	n/a	n/a	24	0	0.0	42	0	0.0	49	0	0.0
Florida												
Middle	728	n/a	n/a	106	0	0.0	314	0	0.0	412	0	0.0
Northern	318	n/a	n/a	70	0	0.0	115	0	0.0	107	0	0.0
Southern	535	n/a	n/a	84	0	0.0	366	0	0.0	274	0	0.0
Georgia												
Middle	142	n/a	n/a	18	0	0.0	33	0	0.0	42	0	0.0
Northern	259	n/a	n/a	45	0	0.0	57	0	0.0	111	0	0.0
Southern	96	n/a	n/a	18	0	0.0	40	0	0.0	97	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
Marijuana 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	41,829	n/a	n/a	6,601	639	9.7	17,036	540	3.2	23,458	715	3.0
D.C. CIRCUIT	48	n/a	n/a	14	2	14.3	28	2	7.1	12	1	8.3
District of Columbia	48	n/a	n/a	14	2	14.3	28	2	7.1	12	1	8.3
FIRST CIRCUIT	466	n/a	n/a	54	0	0.0	180	3	1.7	215	17	7.9
Maine	105	n/a	n/a	10	0	0.0	40	0	0.0	52	0	0.0
Massachusetts	197	n/a	n/a	8	0	0.0	61	1	1.6	66	13	19.7
New Hampshire	71	n/a	n/a	17	0	0.0	22	1	4.5	40	3	7.5
Puerto Rico	66	n/a	n/a	17	0	0.0	47	0	0.0	47	0	0.0
Rhode Island	27	n/a	n/a	2	0	0.0	10	1	10.0	10	1	10.0
SECOND CIRCUIT	986	n/a	n/a	184	6	3.3	646	13	2.0	735	31	4.2
Connecticut	55	n/a	n/a	5	1	20.0	16	0	0.0	20	3	15.0
New York												
Eastern	295	n/a	n/a	49	5	10.2	118	3	2.5	127	13	10.2
Northern	212	n/a	n/a	46	0	0.0	127	0	0.0	194	1	0.5
Southern	107	n/a	n/a	19	0	0.0	126	2	1.6	162	7	4.3
Western	212	n/a	n/a	48	0	0.0	176	6	3.4	162	3	1.9
Vermont	105	n/a	n/a	17	0	0.0	83	2	2.4	70	4	5.7
THIRD CIRCUIT	456	n/a	n/a	42	0	0.0	215	2	0.9	253	2	0.8
Delaware	23	n/a	n/a	3	0	0.0	2	0	0.0	10	0	0.0
New Jersey	24	n/a	n/a	3	0	0.0	32	0	0.0	17	0	0.0
Pennsylvania												
Eastern	231	n/a	n/a	15	0	0.0	84	1	1.2	85	0	0.0
Middle	86	n/a	n/a	9	0	0.0	42	1	2.4	85	2	2.4
Western	74	n/a	n/a	9	0	0.0	37	0	0.0	23	0	0.0
Virgin Islands	18	n/a	n/a	3	0	0.0	18	0	0.0	33	0	0.0
FOURTH CIRCUIT	1,493	n/a	n/a	248	1	0.4	683	9	1.3	542	9	1.7
Maryland	75	n/a	n/a	11	0	0.0	38	2	5.3	38	1	2.6
North Carolina												
Eastern	128	n/a	n/a	23	0	0.0	43	0	0.0	75	0	0.0
Middle	115	n/a	n/a	12	0	0.0	27	0	0.0	33	0	0.0
Western	260	n/a	n/a	39	1	2.6	87	4	4.6	91	3	3.3
South Carolina	239	n/a	n/a	27	0	0.0	82	0	0.0	68	3	4.4
Virginia												
Eastern	291	n/a	n/a	75	0	0.0	190	2	1.1	115	1	0.9
Western	129	n/a	n/a	22	0	0.0	91	0	0.0	31	1	3.2
West Virginia												
Northern	76	n/a	n/a	18	0	0.0	58	1	1.7	42	0	0.0
Southern	180	n/a	n/a	21	0	0.0	67	0	0.0	49	0	0.0

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

CIRCUIT District	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
FIFTH CIRCUIT	16,316	n/a	n/a	3,110	144	4.6	6,408	271	4.2	9,411	231	2.5
Louisiana												
Eastern	102	n/a	n/a	12	0	0.0	26	0	0.0	15	0	0.0
Middle	20	n/a	n/a	3	0	0.0	15	0	0.0	7	0	0.0
Western	53	n/a	n/a	10	0	0.0	37	0	0.0	26	0	0.0
Mississippi												
Northern	64	n/a	n/a	15	1	6.7	33	6	18.2	15	1	6.7
Southern	114	n/a	n/a	42	0	0.0	58	0	0.0	45	0	0.0
Texas												
Eastern	269	n/a	n/a	36	0	0.0	94	0	0.0	201	1	0.5
Northern	378	n/a	n/a	51	0	0.0	115	2	1.7	110	2	1.8
Southern	5,896	n/a	n/a	1,065	129	12.1	2,169	241	11.1	3,488	188	5.4
Western	9,420	n/a	n/a	1,876	14	0.7	3,861	22	0.6	5,504	39	0.7
SIXTH CIRCUIT	2,481	n/a	n/a	370	1	0.3	1,010	11	1.1	1,227	26	2.1
Kentucky												
Eastern	555	n/a	n/a	74	0	0.0	179	0	0.0	172	3	1.7
Western	124	n/a	n/a	16	0	0.0	62	2	3.2	69	3	4.3
Michigan												
Eastern	504	n/a	n/a	73	0	0.0	275	3	1.1	207	6	2.9
Western	291	n/a	n/a	62	1	1.6	99	1	1.0	151	2	1.3
Ohio												
Northern	201	n/a	n/a	22	0	0.0	75	1	1.3	118	2	1.7
Southern	226	n/a	n/a	41	0	0.0	111	1	0.9	247	5	2.0
Tennessee												
Eastern	328	n/a	n/a	47	0	0.0	107	1	0.9	90	2	2.2
Middle	95	n/a	n/a	21	0	0.0	46	1	2.2	38	2	5.3
Western	157	n/a	n/a	14	0	0.0	56	1	1.8	135	1	0.7
SEVENTH CIRCUIT	688	n/a	n/a	170	3	1.8	329	10	3.0	504	19	3.8
Illinois												
Central	88	n/a	n/a	16	0	0.0	33	2	6.1	61	0	0.0
Northern	122	n/a	n/a	32	0	0.0	45	1	2.2	45	0	0.0
Southern	159	n/a	n/a	31	0	0.0	57	2	3.5	65	0	0.0
Indiana												
Northern	99	n/a	n/a	27	2	7.4	55	1	1.8	114	2	1.8
Southern	114	n/a	n/a	27	1	3.7	69	4	5.8	67	2	3.0
Wisconsin												
Eastern	69	n/a	n/a	28	0	0.0	52	0	0.0	119	15	12.6
Western	37	n/a	n/a	9	0	0.0	18	0	0.0	33	0	0.0
EIGHTH CIRCUIT	1,317	n/a	n/a	246	2	0.8	667	10	1.5	807	17	2.1
Arkansas												
Eastern	123	n/a	n/a	15	0	0.0	71	1	1.4	78	1	1.3
Western	53	n/a	n/a	9	0	0.0	20	0	0.0	21	0	0.0
Iowa												
Northern	84	n/a	n/a	28	0	0.0	45	2	4.4	58	1	1.7
Southern	70	n/a	n/a	13	0	0.0	48	1	2.1	94	2	2.1
Minnesota	128	n/a	n/a	29	0	0.0	103	2	1.9	121	1	0.8
Missouri												
Eastern	236	n/a	n/a	44	0	0.0	120	0	0.0	167	5	3.0
Western	320	n/a	n/a	44	2	4.5	84	1	1.2	109	1	0.9
Nebraska	123	n/a	n/a	25	0	0.0	89	2	2.2	84	5	6.0
North Dakota	32	n/a	n/a	8	0	0.0	8	0	0.0	9	0	0.0
South Dakota	148	n/a	n/a	31	0	0.0	79	1	1.3	66	1	1.5

Rate of Other 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	12,622	n/a	n/a	1,424	459	32.2	4,456	148	3.3	6,819	296	4.3
Alaska	45	n/a	n/a	8	0	0.0	11	1	9.1	19	2	10.5
Arizona	3,964	n/a	n/a	616	174	28.2	2,038	67	3.3	3,707	118	3.2
California												
Central	62	n/a	n/a	19	1	5.3	43	5	11.6	133	15	11.3
Eastern	171	n/a	n/a	43	1	2.3	105	6	5.7	340	5	1.5
Northern	86	n/a	n/a	13	0	0.0	38	4	10.5	66	20	30.3
Southern	7,461	n/a	n/a	525	280	53.3	1,766	32	1.8	1,991	50	2.5
Guam	6	n/a	n/a	1	0	0.0	1	0	0.0	2	0	0.0
Hawaii	64	n/a	n/a	5	0	0.0	29	1	3.4	16	2	12.5
Idaho	41	n/a	n/a	8	0	0.0	21	0	0.0	34	0	0.0
Montana	162	n/a	n/a	23	0	0.0	50	1	2.0	38	0	0.0
Nevada	50	n/a	n/a	11	0	0.0	13	0	0.0	20	6	30.0
Northern Mariana Islands	0	n/a	n/a	0	0	0.0	0	0	0.0	0	0	0.0
Oregon	89	n/a	n/a	33	1	3.0	81	4	4.9	142	21	14.8
Washington												
Eastern	126	n/a	n/a	39	0	0.0	65	3	4.6	123	9	7.3
Western	295	n/a	n/a	80	2	2.5	195	24	12.3	188	48	25.5
TENTH CIRCUIT	2,468	n/a	n/a	353	20	5.7	1,377	53	3.8	1,780	57	3.2
Colorado	128	n/a	n/a	14	0	0.0	50	1	2.0	45	2	4.4
Kansas	193	n/a	n/a	39	0	0.0	118	5	4.2	137	9	6.6
New Mexico	1,889	n/a	n/a	262	20	7.6	1,065	40	3.8	1,472	43	2.9
Oklahoma												
Eastern	35	n/a	n/a	5	0	0.0	6	0	0.0	5	0	0.0
Northern	50	n/a	n/a	3	0	0.0	16	0	0.0	30	0	0.0
Western	89	n/a	n/a	10	0	0.0	33	0	0.0	23	0	0.0
Utah	45	n/a	n/a	11	0	0.0	40	3	7.5	55	2	3.6
Wyoming	39	n/a	n/a	9	0	0.0	49	4	8.2	13	1	7.7
ELEVENTH CIRCUIT	2,488	n/a	n/a	386	1	0.3	1,037	8	0.8	1,153	9	0.8
Alabama												
Middle	76	n/a	n/a	3	0	0.0	33	0	0.0	27	0	0.0
Northern	159	n/a	n/a	18	0	0.0	37	0	0.0	34	0	0.0
Southern	175	n/a	n/a	24	0	0.0	42	0	0.0	49	0	0.0
Florida												
Middle	728	n/a	n/a	106	0	0.0	314	2	0.6	412	2	0.5
Northern	318	n/a	n/a	70	0	0.0	115	0	0.0	107	0	0.0
Southern	535	n/a	n/a	84	0	0.0	366	5	1.4	274	2	0.7
Georgia												
Middle	142	n/a	n/a	18	1	5.6	33	0	0.0	42	0	0.0
Northern	259	n/a	n/a	45	0	0.0	57	0	0.0	111	2	1.8
Southern	96	n/a	n/a	18	0	0.0	40	1	2.5	97	3	3.1

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

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

Rate of Non-Government Sponsored Below Range Sentences by Circuit and District
Marijuana 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	41,829	10,600	25.3	6,601	276	4.2	17,036	1,352	7.9	23,458	2,778	11.8
D.C. CIRCUIT	48	6	12.5	14	1	7.1	28	2	7.1	12	2	16.7
District of Columbia	48	6	12.5	14	1	7.1	28	2	7.1	12	2	16.7
FIRST CIRCUIT	466	42	9.0	54	0	0.0	180	20	11.1	215	41	19.1
Maine	105	9	8.6	10	0	0.0	40	1	2.5	52	4	7.7
Massachusetts	197	27	13.7	8	0	0.0	61	13	21.3	66	22	33.3
New Hampshire	71	1	1.4	17	0	0.0	22	0	0.0	40	8	20.0
Puerto Rico	66	4	6.1	17	0	0.0	47	5	10.6	47	5	10.6
Rhode Island	27	1	3.7	2	0	0.0	10	1	10.0	10	2	20.0
SECOND CIRCUIT	986	172	17.4	184	14	7.6	646	109	16.9	735	195	26.5
Connecticut	55	17	30.9	5	1	20.0	16	8	50.0	20	4	20.0
New York												
Eastern	295	82	27.8	49	5	10.2	118	36	30.5	127	33	26.0
Northern	212	17	8.0	46	5	10.9	127	15	11.8	194	45	23.2
Southern	107	12	11.2	19	1	5.3	126	30	23.8	162	66	40.7
Western	212	18	8.5	48	0	0.0	176	9	5.1	162	15	9.3
Vermont	105	26	24.8	17	2	11.8	83	11	13.3	70	32	45.7
THIRD CIRCUIT	456	24	5.3	42	1	2.4	215	24	11.2	253	32	12.6
Delaware	23	2	8.7	3	1	33.3	2	1	50.0	10	4	40.0
New Jersey	24	1	4.2	3	0	0.0	32	3	9.4	17	0	0.0
Pennsylvania												
Eastern	231	8	3.5	15	0	0.0	84	11	13.1	85	9	10.6
Middle	86	7	8.1	9	0	0.0	42	3	7.1	85	9	10.6
Western	74	4	5.4	9	0	0.0	37	2	5.4	23	4	17.4
Virgin Islands	18	2	11.1	3	0	0.0	18	4	22.2	33	6	18.2
FOURTH CIRCUIT	1,493	53	3.5	248	3	1.2	683	59	8.6	542	78	14.4
Maryland	75	7	9.3	11	2	18.2	38	3	7.9	38	8	21.1
North Carolina												
Eastern	128	4	3.1	23	0	0.0	43	3	7.0	75	3	4.0
Middle	115	2	1.7	12	0	0.0	27	6	22.2	33	3	9.1
Western	260	9	3.5	39	0	0.0	87	5	5.7	91	7	7.7
South Carolina	239	6	2.5	27	0	0.0	82	4	4.9	68	8	11.8
Virginia												
Eastern	291	8	2.7	75	1	1.3	190	24	12.6	115	22	19.1
Western	129	5	3.9	22	0	0.0	91	6	6.6	31	3	9.7
West Virginia												
Northern	76	1	1.3	18	0	0.0	58	4	6.9	42	9	21.4
Southern	180	11	6.1	21	0	0.0	67	4	6.0	49	15	30.6

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	16,316	1,680	10.3	3,110	67	2.2	6,408	311	4.9	9,411	839	8.9
Louisiana												
Eastern	102	8	7.8	12	0	0.0	26	2	7.7	15	3	20.0
Middle	20	2	10.0	3	0	0.0	15	1	6.7	7	1	14.3
Western	53	0	0.0	10	0	0.0	37	1	2.7	26	3	11.5
Mississippi												
Northern	64	1	1.6	15	0	0.0	33	0	0.0	15	2	13.3
Southern	114	0	0.0	42	0	0.0	58	1	1.7	45	6	13.3
Texas												
Eastern	269	11	4.1	36	3	8.3	94	8	8.5	201	15	7.5
Northern	378	12	3.2	51	1	2.0	115	5	4.3	110	11	10.0
Southern	5,896	503	8.5	1,065	31	2.9	2,169	129	5.9	3,488	337	9.7
Western	9,420	1,143	12.1	1,876	32	1.7	3,861	164	4.2	5,504	461	8.4
SIXTH CIRCUIT	2,481	110	4.4	370	11	3.0	1,010	97	9.6	1,227	180	14.7
Kentucky												
Eastern	555	15	2.7	74	0	0.0	179	2	1.1	172	9	5.2
Western	124	3	2.4	16	0	0.0	62	4	6.5	69	6	8.7
Michigan												
Eastern	504	21	4.2	73	1	1.4	275	36	13.1	207	46	22.2
Western	291	12	4.1	62	1	1.6	99	17	17.2	151	28	18.5
Ohio												
Northern	201	21	10.4	22	4	18.2	75	3	4.0	118	9	7.6
Southern	226	16	7.1	41	2	4.9	111	14	12.6	247	49	19.8
Tennessee												
Eastern	328	10	3.0	47	3	6.4	107	8	7.5	90	7	7.8
Middle	95	4	4.2	21	0	0.0	46	8	17.4	38	3	7.9
Western	157	8	5.1	14	0	0.0	56	5	8.9	135	23	17.0
SEVENTH CIRCUIT	688	34	4.9	170	7	4.1	329	39	11.9	504	97	19.2
Illinois												
Central	88	0	0.0	16	2	12.5	33	6	18.2	61	11	18.0
Northern	122	12	9.8	32	1	3.1	45	6	13.3	45	11	24.4
Southern	159	10	6.3	31	0	0.0	57	3	5.3	65	3	4.6
Indiana												
Northern	99	5	5.1	27	2	7.4	55	5	9.1	114	13	11.4
Southern	114	3	2.6	27	1	3.7	69	8	11.6	67	15	22.4
Wisconsin												
Eastern	69	3	4.3	28	1	3.6	52	11	21.2	119	36	30.3
Western	37	1	2.7	9	0	0.0	18	0	0.0	33	8	24.2
EIGHTH CIRCUIT	1,317	64	4.9	246	3	1.2	667	68	10.2	807	156	19.3
Arkansas												
Eastern	123	1	0.8	15	0	0.0	71	6	8.5	78	13	16.7
Western	53	1	1.9	9	0	0.0	20	0	0.0	21	1	4.8
Iowa												
Northern	84	6	7.1	28	0	0.0	45	4	8.9	58	9	15.5
Southern	70	6	8.6	13	0	0.0	48	5	10.4	94	17	18.1
Minnesota	128	14	10.9	29	0	0.0	103	15	14.6	121	37	30.6
Missouri												
Eastern	236	8	3.4	44	1	2.3	120	6	5.0	167	29	17.4
Western	320	9	2.8	44	0	0.0	84	9	10.7	109	17	15.6
Nebraska	123	14	11.4	25	1	4.0	89	14	15.7	84	23	27.4
North Dakota	32	1	3.1	8	0	0.0	8	0	0.0	9	1	11.1
South Dakota	148	4	2.7	31	1	3.2	79	9	11.4	66	9	13.6

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	%
NINTH CIRCUIT	12,622	7,864	62.3	1,424	150	10.5	4,456	398	8.9	6,819	747	11.0
Alaska	45	10	22.2	8	1	12.5	11	1	9.1	19	2	10.5
Arizona	3,964	2,454	61.9	616	81	13.1	2,038	130	6.4	3,707	316	8.5
California												
Central	62	6	9.7	19	2	10.5	43	17	39.5	133	36	27.1
Eastern	171	18	10.5	43	2	4.7	105	18	17.1	340	55	16.2
Northern	86	17	19.8	13	5	38.5	38	9	23.7	66	6	9.1
Southern	7,461	5,259	70.5	525	38	7.2	1,766	148	8.4	1,991	223	11.2
Guam	6	0	0.0	1	0	0.0	1	0	0.0	2	0	0.0
Hawaii	64	5	7.8	5	0	0.0	29	3	10.3	16	5	31.3
Idaho	41	2	4.9	8	0	0.0	21	0	0.0	34	3	8.8
Montana	162	6	3.7	23	1	4.3	50	4	8.0	38	5	13.2
Nevada	50	8	16.0	11	0	0.0	13	4	30.8	20	2	10.0
Northern Mariana Islands	0	0	0.0	0	0	0.0	0	0	0.0	0	0	0.0
Oregon	89	9	10.1	33	4	12.1	81	10	12.3	142	23	16.2
Washington												
Eastern	126	27	21.4	39	4	10.3	65	10	15.4	123	29	23.6
Western	295	43	14.6	80	12	15.0	195	44	22.6	188	42	22.3
TENTH CIRCUIT	2,468	439	17.8	353	11	3.1	1,377	118	8.6	1,780	225	12.6
Colorado	128	6	4.7	14	1	7.1	50	6	12.0	45	11	24.4
Kansas	193	14	7.3	39	0	0.0	118	12	10.2	137	6	4.4
New Mexico	1,889	400	21.2	262	8	3.1	1,065	82	7.7	1,472	186	12.6
Oklahoma												
Eastern	35	9	25.7	5	0	0.0	6	1	16.7	5	0	0.0
Northern	50	1	2.0	3	0	0.0	16	3	18.8	30	2	6.7
Western	89	3	3.4	10	0	0.0	33	7	21.2	23	6	26.1
Utah	45	2	4.4	11	1	9.1	40	4	10.0	55	12	21.8
Wyoming	39	4	10.3	9	1	11.1	49	3	6.1	13	2	15.4
ELEVENTH CIRCUIT	2,488	112	4.5	386	8	2.1	1,037	107	10.3	1,153	186	16.1
Alabama												
Middle	76	0	0.0	3	0	0.0	33	2	6.1	27	1	3.7
Northern	159	3	1.9	18	0	0.0	37	0	0.0	34	3	8.8
Southern	175	6	3.4	24	0	0.0	42	4	9.5	49	9	18.4
Florida												
Middle	728	31	4.3	106	5	4.7	314	29	9.2	412	78	18.9
Northern	318	6	1.9	70	2	2.9	115	6	5.2	107	12	11.2
Southern	535	27	5.0	84	1	1.2	366	54	14.8	274	59	21.5
Georgia												
Middle	142	7	4.9	18	0	0.0	33	2	6.1	42	2	4.8
Northern	259	29	11.2	45	0	0.0	57	5	8.8	111	17	15.3
Southern	96	3	3.1	18	0	0.0	40	5	12.5	97	5	5.2

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

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

Average Guideline Minimum and Length of Imprisonment by Circuit and District
Marijuana 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	41,914	43	34	6,610	46	39	17,048	49	40	23,458	42	35
D.C. CIRCUIT	48	109	52	14	104	42	28	92	44	12	108	40
District of Columbia	48	109	52	14	104	42	28	92	44	12	108	40
FIRST CIRCUIT	466	66	49	54	58	49	180	70	58	215	57	43
Maine	105	68	56	10	63	62	40	55	47	52	59	45
Massachusetts	197	66	40	8	92	67	61	86	61	66	62	37
New Hampshire	71	53	37	17	48	37	22	54	45	40	49	30
Puerto Rico	66	69	68	17	49	45	47	74	72	47	60	61
Rhode Island	27	90	77	2	49	49	10	54	51	10	39	29
SECOND CIRCUIT	988	57	35	184	47	33	646	59	37	735	56	32
Connecticut	55	74	41	5	87	18	16	83	54	20	65	47
New York												
Eastern	295	70	40	49	92	72	118	86	47	127	68	31
Northern	212	40	24	46	30	19	127	47	31	194	46	31
Southern	108	79	48	19	49	35	126	86	54	162	88	48
Western	212	42	32	48	18	12	176	35	27	162	33	23
Vermont	106	52	33	17	36	23	83	45	24	70	35	14
THIRD CIRCUIT	456	74	46	42	72	54	215	72	54	253	52	36
Delaware	23	58	47	3	47	21	2	12	3	10	53	22
New Jersey	24	81	58	3	50	50	32	118	91	17	25	15
Pennsylvania												
Eastern	231	94	50	15	107	68	84	81	58	85	82	52
Middle	86	46	37	9	53	46	42	57	49	85	39	33
Western	74	56	46	9	56	56	37	60	45	23	55	39
Virgin Islands	18	29	24	3	45	36	18	9	9	33	18	14
FOURTH CIRCUIT	1,494	74	62	249	87	83	683	87	78	542	68	59
Maryland	75	92	71	11	73	67	38	70	57	38	68	52
North Carolina												
Eastern	128	99	81	23	104	87	43	118	87	75	95	82
Middle	115	68	58	12	102	109	27	98	89	33	84	72
Western	260	76	49	40	82	70	87	82	64	91	74	63
South Carolina	239	64	55	27	79	77	82	91	85	68	65	58
Virginia												
Eastern	292	83	79	75	103	106	190	106	107	115	64	58
Western	129	80	68	22	123	104	91	76	59	31	74	69
West Virginia												
Northern	76	48	47	18	38	38	58	49	47	42	32	30
Southern	180	57	53	21	39	43	67	71	65	49	40	33

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	16,345	39	35	3,112	37	35	6,408	41	39	9,411	40	37
Louisiana												
Eastern	102	40	36	12	46	41	26	45	40	15	52	52
Middle	20	43	42	3	110	127	15	56	67	7	61	62
Western	53	67	61	10	41	48	37	58	56	26	47	46
Mississippi												
Northern	64	81	61	15	108	75	33	83	76	15	58	52
Southern	114	49	42	42	47	43	58	57	59	45	69	61
Texas												
Eastern	270	47	44	36	61	51	94	76	74	201	75	73
Northern	379	80	68	51	81	79	115	124	118	110	96	86
Southern	5,904	46	40	1,066	40	38	2,169	49	45	3,488	49	45
Western	9,439	32	29	1,877	32	31	3,861	33	31	5,504	31	29
SIXTH CIRCUIT	2,486	54	41	372	68	54	1,012	70	53	1,227	62	45
Kentucky												
Eastern	556	40	30	74	62	49	179	67	51	172	54	40
Western	125	47	41	16	58	55	63	92	76	69	59	41
Michigan												
Eastern	504	62	46	74	62	39	275	65	43	207	62	45
Western	292	60	50	62	69	62	99	76	67	151	71	63
Ohio												
Northern	201	62	43	23	100	88	75	59	46	118	53	37
Southern	226	49	32	41	47	31	112	61	42	247	73	44
Tennessee												
Eastern	329	59	45	47	73	62	107	83	69	90	72	60
Middle	95	59	47	21	111	89	46	76	60	38	38	31
Western	158	57	42	14	67	56	56	70	54	135	50	38
SEVENTH CIRCUIT	690	78	70	170	77	70	329	82	74	504	69	60
Illinois												
Central	88	78	63	16	116	111	33	103	94	61	124	112
Northern	122	78	64	32	83	64	45	79	67	45	63	53
Southern	161	88	89	31	66	65	57	78	71	65	89	87
Indiana												
Northern	99	59	53	27	60	55	55	77	71	114	52	49
Southern	114	76	63	27	90	78	69	99	89	67	66	61
Wisconsin												
Eastern	69	72	62	28	51	51	52	63	56	119	50	32
Western	37	98	103	9	113	117	18	67	70	33	66	56
EIGHTH CIRCUIT	1,321	60	46	247	71	60	668	72	61	807	61	50
Arkansas												
Eastern	124	58	54	15	71	69	71	69	59	78	62	54
Western	54	45	37	9	56	55	20	58	36	21	52	40
Iowa												
Northern	84	90	78	28	110	82	45	116	98	58	93	85
Southern	70	69	51	13	106	83	48	80	71	94	86	69
Minnesota	129	62	48	30	70	54	103	65	49	121	45	32
Missouri												
Eastern	236	53	39	44	52	46	121	58	49	167	61	48
Western	320	71	44	44	76	52	84	93	76	109	58	45
Nebraska	124	71	61	25	76	77	89	76	69	84	64	56
North Dakota	32	13	12	8	22	23	8	84	63	9	65	34
South Dakota	148	30	27	31	59	57	79	55	54	66	35	35

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	12,658	31	20	1,427	35	26	4,464	37	25	6,819	33	24
Alaska	45	52	43	8	48	45	11	71	58	19	56	37
Arizona	3,977	38	20	617	39	28	2,039	44	29	3,707	32	24
California												
Central	62	83	65	19	66	53	48	64	42	133	64	42
Eastern	171	70	53	43	80	66	105	49	43	340	52	43
Northern	87	63	43	13	24	19	39	55	29	66	42	29
Southern	7,481	23	16	526	22	15	1,767	23	17	1,991	22	15
Guam	6	90	28	1	18	6	1	0	0	2	44	7
Hawaii	64	64	45	5	65	58	29	101	75	16	63	28
Idaho	41	84	74	8	32	23	21	54	34	34	60	42
Montana	162	39	35	23	73	72	50	63	64	38	39	38
Nevada	50	62	44	11	72	69	13	41	36	20	41	30
Northern Mariana Islands	0	0	0	0	0	0	0	0	0	0	0	0
Oregon	89	62	48	33	35	28	81	54	41	142	63	45
Washington												
Eastern	126	35	25	40	26	19	65	48	31	123	52	39
Western	297	53	34	80	35	28	195	37	26	188	47	28
TENTH CIRCUIT	2,473	38	32	353	36	31	1,377	40	31	1,780	31	22
Colorado	128	41	30	14	44	22	50	44	32	45	37	23
Kansas	193	59	52	39	60	60	118	73	62	137	70	55
New Mexico	1,889	32	26	262	26	22	1,065	30	22	1,472	25	17
Oklahoma												
Eastern	35	64	56	5	38	40	6	105	97	5	52	47
Northern	50	69	68	3	102	111	16	70	60	30	67	59
Western	89	96	79	10	103	73	33	97	79	23	65	48
Utah	50	31	27	11	78	74	40	79	58	55	65	51
Wyoming	39	46	45	9	47	47	49	83	78	13	32	30
ELEVENTH CIRCUIT	2,489	70	57	386	80	67	1,038	70	59	1,153	56	48
Alabama												
Middle	76	53	45	3	29	26	33	120	79	27	55	48
Northern	159	59	44	18	66	57	37	85	62	34	90	58
Southern	175	57	40	24	78	56	43	51	42	49	45	40
Florida												
Middle	728	70	54	106	66	56	314	61	52	412	63	51
Northern	318	98	87	70	107	85	115	120	104	107	66	60
Southern	536	66	57	84	65	58	366	53	47	274	45	39
Georgia												
Middle	142	52	44	18	46	44	33	71	60	42	31	31
Northern	259	76	63	45	122	107	57	99	87	111	67	61
Southern	96	57	49	18	70	64	40	80	69	97	41	40

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
Marijuana Trafficking Offenses**

District	Percent	<i>Koon</i> Period	
		(6/13/96 - 4/30/03)	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
Pennsylvania, Eastern	71.4	165	231
New Hampshire	66.2	47	71
New York, Northern	63.7	135	212
Alabama, Northern	62.9	100	159
North Carolina, Western	60.0	156	260
Ohio, Southern	59.3	134	226
Missouri, Western	56.3	180	320
Ohio, Northern	54.7	110	201
Tennessee, Eastern	51.2	168	328
Pennsylvania, Middle	50.0	43	86
Mississippi, Northern	50.0	32	64
New Jersey	50.0	12	24
Louisiana, Middle	50.0	10	20
North Carolina, Eastern	49.2	63	128
Indiana, Southern	49.1	56	114
Illinois, Central	48.9	43	88
Maryland	48.0	36	75
Florida, Middle	46.4	338	728
New York, Western	45.8	97	212
Iowa, Southern	45.7	32	70
Tennessee, Western	45.2	71	157
Pennsylvania, Western	44.6	33	74
Michigan, Eastern	44.4	224	504
Alabama, Southern	44.0	77	175
Michigan, Western	44.0	128	291
District of Columbia	43.8	21	48
Massachusetts	43.7	86	197
Tennessee, Middle	42.1	40	95
Georgia, Middle	41.5	59	142
Idaho	41.5	17	41
South Carolina	41.0	98	239
Alabama, Middle	40.8	31	76
Illinois, Northern	39.3	48	122
Colorado	39.1	50	128
Maine	39.0	41	105
Georgia, Southern	38.5	37	96
Louisiana, Western	37.7	20	53
Hawaii	37.5	24	64
North Carolina, Middle	37.4	43	115
Missouri, Eastern	37.3	88	236
Washington, Western	36.9	109	295
Delaware	34.8	8	23

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

District	Percent	Koon Period (6/13/96 - 4/30/03)	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
Minnesota	34.4	44	128
Arkansas, Western	34.0	18	53
California, Eastern	33.3	57	171
Vermont	33.3	35	105
Guam	33.3	2	6
Georgia, Northern	33.2	86	259
Kentucky, Eastern	33.2	184	555
Oregon	32.6	29	89
Mississippi, Southern	32.5	37	114
Iowa, Northern	32.1	27	84
Nevada	32.0	16	50
Florida, Northern	30.5	97	318
Texas, Northern	30.4	115	378
New York, Eastern	30.2	89	295
New York, Southern	29.9	32	107
Indiana, Northern	29.3	29	99
Connecticut	29.1	16	55
Montana	29.0	47	162
Wisconsin, Eastern	26.1	18	69
Virginia, Western	25.6	33	129
Nebraska	25.2	31	123
Kansas	24.9	48	193
Texas, Southern	24.7	1,458	5,896
California, Central	24.2	15	62
California, Northern	23.3	20	86
Louisiana, Eastern	20.6	21	102
Kentucky, Western	20.2	25	124
Alaska	20.0	9	45
Arkansas, Eastern	19.5	24	123
Florida, Southern	19.4	104	535
Washington, Eastern	19.0	24	126
Rhode Island	18.5	5	27
South Dakota	18.2	27	148
Oklahoma, Northern	18.0	9	50
Virginia, Eastern	17.9	52	291
Oklahoma, Western	16.9	15	89
Wisconsin, Western	16.2	6	37
Arizona	15.9	630	3,964
North Dakota	15.6	5	32
West Virginia, Southern	15.0	27	180
Utah	13.3	6	45
Texas, Eastern	12.3	33	269
Texas, Western	11.6	1,095	9,420
Virgin Islands	11.1	2	18
California, Southern	10.6	791	7,461
West Virginia, Northern	10.5	8	76
New Mexico	10.4	196	1,889
Wyoming	10.3	4	39
Oklahoma, Eastern	8.6	3	35
Illinois, Southern	7.5	12	159
Puerto Rico	6.1	4	66

The following districts had no marijuana trafficking offenses in the selected time period: Northern Mariana Islands.

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

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

District	Percent	PROTECT Act	
		Period	
(5/1/03 - 6/24/04)			
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
Guam	100.0	1	1
Connecticut	80.0	4	5
California, Southern	77.9	409	525
Massachusetts	75.0	6	8
Pennsylvania, Eastern	73.3	11	15
Virgin Islands	66.7	2	3
New Hampshire	58.8	10	17
Arizona	56.8	350	616
New York, Western	56.3	27	48
Michigan, Eastern	56.2	41	73
Alabama, Southern	54.2	13	24
Ohio, Southern	53.7	22	41
Mississippi, Northern	53.3	8	15
Vermont	52.9	9	17
Missouri, Western	50.0	22	44
District of Columbia	50.0	7	14
Tennessee, Western	50.0	7	14
Illinois, Northern	46.9	15	32
Michigan, Western	46.8	29	62
Iowa, Northern	46.4	13	28
Oregon	45.5	15	33
Minnesota	44.8	13	29
Arkansas, Western	44.4	4	9
North Carolina, Eastern	43.5	10	23
Kentucky, Eastern	43.2	32	74
Florida, Northern	42.9	30	70
New York, Eastern	42.9	21	49
California, Eastern	41.9	18	43
New York, Northern	41.3	19	46
Indiana, Southern	40.7	11	27
Oklahoma, Western	40.0	4	10
Tennessee, Middle	38.1	8	21
Idaho	37.5	3	8
Virginia, Western	36.4	8	22
Ohio, Northern	36.4	8	22
Maryland	36.4	4	11
Nevada	36.4	4	11
Tennessee, Eastern	36.2	17	47
North Carolina, Western	35.9	14	39
Colorado	35.7	5	14
Montana	34.8	8	23
Florida, Middle	34.0	36	106

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

District	PROTECT Act		
	Period		
	(5/1/03 - 6/24/04)		
Percent	Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed	
Georgia, Middle	33.3	6	18
Georgia, Southern	33.3	6	18
Pennsylvania, Middle	33.3	3	9
Delaware	33.3	1	3
New Jersey	33.3	1	3
Louisiana, Middle	33.3	1	3
Alabama, Middle	33.3	1	3
California, Central	31.6	6	19
Iowa, Southern	30.8	4	13
Louisiana, Western	30.0	3	10
Indiana, Northern	29.6	8	27
Alabama, Northern	27.8	5	18
Washington, Western	27.5	22	80
Georgia, Northern	26.7	12	45
New Mexico	26.0	68	262
Missouri, Eastern	25.0	11	44
Illinois, Central	25.0	4	16
North Dakota	25.0	2	8
Florida, Southern	23.8	20	84
Mississippi, Southern	23.8	10	42
Puerto Rico	23.5	4	17
Kansas	23.1	9	39
Texas, Southern	22.0	234	1,065
Hawaii	20.0	1	5
Oklahoma, Eastern	20.0	1	5
Kentucky, Western	18.8	3	16
Washington, Eastern	17.9	7	39
West Virginia, Northern	16.7	3	18
South Carolina	14.8	4	27
Arkansas, Eastern	13.3	2	15
Illinois, Southern	12.9	4	31
Texas, Western	11.2	210	1,876
Texas, Eastern	11.1	4	36
Pennsylvania, Western	11.1	1	9
Wisconsin, Western	11.1	1	9
Wyoming	11.1	1	9
New York, Southern	10.5	2	19
Maine	10.0	1	10
Texas, Northern	9.8	5	51
South Dakota	9.7	3	31
Virginia, Eastern	9.3	7	75
Louisiana, Eastern	8.3	1	12
California, Northern	7.7	1	13
Wisconsin, Eastern	0.0	0	28
Nebraska	0.0	0	25
West Virginia, Southern	0.0	0	21
North Carolina, Middle	0.0	0	12
Utah	0.0	0	11
Alaska	0.0	0	8
Oklahoma, Northern	0.0	0	3
Rhode Island	0.0	0	2

The following districts had no marijuana trafficking offenses in the selected time period: Northern Mariana Islands.

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

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

District	Percent	Booker Period	
		(1/12/05 - 12/10/07)	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
Idaho	81.0	17	21
Arkansas, Western	75.0	15	20
California, Southern	74.2	1,310	1,766
Arizona	73.0	1,488	2,038
Alabama, Middle	66.7	22	33
Maryland	57.9	22	38
District of Columbia	57.1	16	28
Ohio, Southern	56.8	63	111
Kentucky, Eastern	52.5	94	179
New York, Western	52.3	92	176
Ohio, Northern	50.7	38	75
New York, Northern	49.6	63	127
Michigan, Eastern	49.5	136	275
Pennsylvania, Western	48.6	18	37
Vermont	48.2	40	83
Maine	47.5	19	40
Mississippi, Northern	45.5	15	33
New Mexico	45.3	482	1,065
New Jersey	43.8	14	32
Tennessee, Western	42.9	24	56
Pennsylvania, Middle	42.9	18	42
California, Northern	42.1	16	38
Colorado	42.0	21	50
North Carolina, Eastern	41.9	18	43
Washington, Western	41.5	81	195
Hawaii	41.4	12	29
New Hampshire	40.9	9	22
Oregon	40.7	33	81
North Carolina, Western	40.2	35	87
New York, Eastern	39.8	47	118
Indiana, Northern	38.2	21	55
Pennsylvania, Eastern	38.1	32	84
Alabama, Southern	38.1	16	42
Iowa, Northern	37.8	17	45
North Dakota	37.5	3	8
Florida, Northern	37.4	43	115
Kentucky, Western	37.1	23	62
Michigan, Western	36.4	36	99
Georgia, Middle	36.4	12	33
Minnesota	35.9	37	103
Washington, Eastern	35.4	23	65
Alabama, Northern	35.1	13	37

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

District	Booker Period (1/12/05 - 12/10/07)		
	Percent	Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
Indiana, Southern	34.8	24	69
Tennessee, Eastern	34.6	37	107
Missouri, Western	33.3	28	84
Massachusetts	32.8	20	61
Kansas	32.2	38	118
Arkansas, Eastern	31.0	22	71
Florida, Middle	30.9	97	314
Rhode Island	30.0	3	10
Iowa, Southern	29.2	14	48
Virginia, Western	28.6	26	91
Utah	27.5	11	40
Alaska	27.3	3	11
Illinois, Northern	26.7	12	45
Tennessee, Middle	26.1	12	46
California, Central	25.6	11	43
Georgia, Southern	25.0	10	40
Oklahoma, Northern	25.0	4	16
New York, Southern	24.6	31	126
Texas, Southern	24.6	533	2,169
Wyoming	24.5	12	49
Texas, Northern	24.3	28	115
Louisiana, Western	24.3	9	37
Missouri, Eastern	23.3	28	120
Wisconsin, Eastern	23.1	12	52
North Carolina, Middle	22.2	6	27
California, Eastern	21.9	23	105
Illinois, Central	21.2	7	33
Georgia, Northern	21.1	12	57
South Carolina	20.7	17	82
Montana	20.0	10	50
Louisiana, Eastern	19.2	5	26
Florida, Southern	17.5	64	366
Nebraska	16.9	15	89
Oklahoma, Eastern	16.7	1	6
Nevada	15.4	2	13
Texas, Eastern	13.8	13	94
Connecticut	12.5	2	16
Oklahoma, Western	12.1	4	33
Illinois, Southern	10.5	6	57
West Virginia, Northern	10.3	6	58
Mississippi, Southern	10.3	6	58
Texas, Western	8.6	331	3,861
Puerto Rico	8.5	4	47
Louisiana, Middle	6.7	1	15
Virgin Islands	5.6	1	18
Wisconsin, Western	5.6	1	18
Virginia, Eastern	5.3	10	190
South Dakota	5.1	4	79
West Virginia, Southern	4.5	3	67
Delaware	0.0	0	2
Guam	0.0	0	1

The following districts had no marijuana trafficking offenses in the selected time period: Northern Mariana Islands.

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

**Spread of Rates of Government Sponsored Below Range Sentences
Marijuana 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 Marijuana Trafficking Sentences Imposed
Guam	100.0	2	2
California, Southern	76.4	1,521	1,991
Idaho	67.6	23	34
Arkansas, Western	66.7	14	21
District of Columbia	66.7	8	12
Alaska	63.2	12	19
Delaware	60.0	6	10
Ohio, Southern	59.9	148	247
North Dakota	55.6	5	9
New Hampshire	55.0	22	40
New Mexico	52.7	776	1,472
Maine	51.9	27	52
Washington, Western	51.1	96	188
Pennsylvania, Eastern	50.6	43	85
Ohio, Northern	50.0	59	118
New York, Western	49.4	80	162
Oregon	49.3	70	142
Kentucky, Eastern	48.3	83	172
Kentucky, Western	47.8	33	69
Arizona	46.8	1,735	3,707
California, Northern	45.5	30	66
Colorado	44.4	20	45
Alabama, Northern	44.1	15	34
North Carolina, Western	44.0	40	91
Hawaii	43.8	7	16
New York, Northern	43.3	84	194
Louisiana, Middle	42.9	3	7
Tennessee, Eastern	42.2	38	90
North Carolina, Eastern	41.3	31	75
New York, Eastern	40.9	52	127
Nevada	40.0	8	20
Massachusetts	39.4	26	66
Tennessee, Western	39.3	53	135
Wisconsin, Eastern	37.8	45	119
Pennsylvania, Middle	37.6	32	85
Iowa, Southern	37.2	35	94
Kansas	37.2	51	137
Alabama, Middle	37.0	10	27
Maryland	36.8	14	38
Florida, Middle	35.0	144	412
Pennsylvania, Western	34.8	8	23
Vermont	34.3	24	70

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

Gall

Period

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

District	Percent	Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
Mississippi, Northern	33.3	5	15
California, Central	33.1	44	133
Missouri, Western	31.2	34	109
Utah	30.9	17	55
Michigan, Eastern	30.4	63	207
Oklahoma, Western	30.4	7	23
Wisconsin, Western	30.3	10	33
Connecticut	30.0	6	20
Rhode Island	30.0	3	10
Iowa, Northern	29.3	17	58
Tennessee, Middle	28.9	11	38
Missouri, Eastern	28.7	48	167
Indiana, Northern	28.1	32	114
Washington, Eastern	27.6	34	123
Texas, Northern	27.3	30	110
North Carolina, Middle	27.3	9	33
Florida, Northern	27.1	29	107
Mississippi, Southern	26.7	12	45
New York, Southern	26.5	43	162
Arkansas, Eastern	25.6	20	78
Michigan, Western	25.2	38	151
California, Eastern	25.0	85	340
Georgia, Northern	24.3	27	111
Minnesota	24.0	29	121
Montana	23.7	9	38
New Jersey	23.5	4	17
Wyoming	23.1	3	13
South Carolina	22.1	15	68
Alabama, Southern	20.4	10	49
Illinois, Northern	20.0	9	45
Oklahoma, Northern	20.0	6	30
Oklahoma, Eastern	20.0	1	5
Illinois, Central	19.7	12	61
Indiana, Southern	19.4	13	67
Georgia, Southern	17.5	17	97
West Virginia, Southern	16.3	8	49
Virginia, Western	16.1	5	31
Texas, Southern	15.9	554	3,488
Virgin Islands	15.2	5	33
West Virginia, Northern	14.3	6	42
Georgia, Middle	14.3	6	42
Virginia, Eastern	13.9	16	115
Nebraska	13.1	11	84
Louisiana, Western	11.5	3	26
Illinois, Southern	10.8	7	65
Florida, Southern	9.5	26	274
Texas, Eastern	9.5	19	201
Texas, Western	9.3	513	5,504
Louisiana, Eastern	6.7	1	15
South Dakota	4.5	3	66
Puerto Rico	2.1	1	47

The following districts had no marijuana trafficking offenses in the selected time period: Northern Mariana Islands.

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

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

District	Percent	Koon Period (6/13/96 - 4/30/03)	
		Number of §5K1.1 Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
Pennsylvania, Eastern	71.4	165	231
New Hampshire	66.2	47	71
New York, Northern	63.2	134	212
Alabama, Northern	62.9	100	159
North Carolina, Western	60.0	156	260
Ohio, Southern	59.3	134	226
Missouri, Western	55.9	179	320
Ohio, Northern	54.7	110	201
Tennessee, Eastern	51.2	168	328
Pennsylvania, Middle	50.0	43	86
Mississippi, Northern	50.0	32	64
New Jersey	50.0	12	24
Louisiana, Middle	50.0	10	20
North Carolina, Eastern	49.2	63	128
Indiana, Southern	49.1	56	114
Illinois, Central	48.9	43	88
Maryland	48.0	36	75
Florida, Middle	46.4	338	728
New York, Western	45.8	97	212
Iowa, Southern	45.7	32	70
Tennessee, Western	45.2	71	157
Pennsylvania, Western	44.6	33	74
Michigan, Eastern	44.4	224	504
Alabama, Southern	44.0	77	175
Michigan, Western	44.0	128	291
District of Columbia	43.8	21	48
Massachusetts	43.7	86	197
Tennessee, Middle	42.1	40	95
Georgia, Middle	41.5	59	142
Idaho	41.5	17	41
South Carolina	41.0	98	239
Alabama, Middle	40.8	31	76
Illinois, Northern	39.3	48	122
Colorado	39.1	50	128
Maine	39.0	41	105
Georgia, Southern	38.5	37	96
Louisiana, Western	37.7	20	53
Hawaii	37.5	24	64
North Carolina, Middle	37.4	43	115
Missouri, Eastern	36.9	87	236
Washington, Western	35.9	106	295
Delaware	34.8	8	23

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

Koon

Period

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

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
Minnesota	34.4	44	128
Arkansas, Western	34.0	18	53
California, Eastern	33.3	57	171
Vermont	33.3	35	105
Guam	33.3	2	6
Georgia, Northern	33.2	86	259
Kentucky, Eastern	33.2	184	555
Oregon	32.6	29	89
Mississippi, Southern	32.5	37	114
Iowa, Northern	32.1	27	84
Nevada	32.0	16	50
Florida, Northern	30.5	97	318
Texas, Northern	30.4	115	378
New York, Southern	29.9	32	107
New York, Eastern	29.8	88	295
Indiana, Northern	29.3	29	99
Connecticut	29.1	16	55
Montana	29.0	47	162
Wisconsin, Eastern	26.1	18	69
Virginia, Western	25.6	33	129
Nebraska	25.2	31	123
Kansas	24.9	48	193
California, Central	24.2	15	62
Texas, Southern	23.8	1,405	5,896
California, Northern	23.3	20	86
Louisiana, Eastern	20.6	21	102
Kentucky, Western	20.2	25	124
Alaska	20.0	9	45
Arkansas, Eastern	19.5	24	123
Florida, Southern	19.4	104	535
Rhode Island	18.5	5	27
Washington, Eastern	18.3	23	126
South Dakota	18.2	27	148
Oklahoma, Northern	18.0	9	50
Virginia, Eastern	17.9	52	291
Oklahoma, Western	16.9	15	89
Wisconsin, Western	16.2	6	37
North Dakota	15.6	5	32
West Virginia, Southern	15.0	27	180
Utah	13.3	6	45
Texas, Eastern	12.3	33	269
Texas, Western	11.3	1,063	9,420
Arizona	11.2	445	3,964
Virgin Islands	11.1	2	18
West Virginia, Northern	10.5	8	76
Wyoming	10.3	4	39
New Mexico	9.4	177	1,889
California, Southern	8.7	651	7,461
Oklahoma, Eastern	8.6	3	35
Illinois, Southern	7.5	12	159
Puerto Rico	6.1	4	66

The following districts had no marijuana trafficking offenses in the selected time period: Northern Mariana Islands.

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

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

District	PROTECT Act		
	Period		
	(5/1/03 - 6/24/04)		
	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
Guam	100.0	1	1
Massachusetts	75.0	6	8
Pennsylvania, Eastern	73.3	11	15
Virgin Islands	66.7	2	3
Connecticut	60.0	3	5
New Hampshire	58.8	10	17
New York, Western	56.3	27	48
Michigan, Eastern	56.2	41	73
Alabama, Southern	54.2	13	24
Ohio, Southern	53.7	22	41
Vermont	52.9	9	17
Tennessee, Western	50.0	7	14
Illinois, Northern	46.9	15	32
Mississippi, Northern	46.7	7	15
Iowa, Northern	46.4	13	28
Missouri, Western	45.5	20	44
Michigan, Western	45.2	28	62
Minnesota	44.8	13	29
Arkansas, Western	44.4	4	9
North Carolina, Eastern	43.5	10	23
Kentucky, Eastern	43.2	32	74
Florida, Northern	42.9	30	70
Oregon	42.4	14	33
New York, Northern	41.3	19	46
Oklahoma, Western	40.0	4	10
California, Eastern	39.5	17	43
Tennessee, Middle	38.1	8	21
Idaho	37.5	3	8
Indiana, Southern	37.0	10	27
Virginia, Western	36.4	8	22
Ohio, Northern	36.4	8	22
Maryland	36.4	4	11
Nevada	36.4	4	11
Tennessee, Eastern	36.2	17	47
District of Columbia	35.7	5	14
Colorado	35.7	5	14
Montana	34.8	8	23
Florida, Middle	34.0	36	106
North Carolina, Western	33.3	13	39
Georgia, Southern	33.3	6	18
Pennsylvania, Middle	33.3	3	9
Delaware	33.3	1	3

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

District	PROTECT Act		
	Period		
	(5/1/03 - 6/24/04)		
Percent	Number of §5K1.1 Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed	
New Jersey	33.3	1	3
Louisiana, Middle	33.3	1	3
Alabama, Middle	33.3	1	3
New York, Eastern	32.7	16	49
Iowa, Southern	30.8	4	13
Louisiana, Western	30.0	3	10
Alabama, Northern	27.8	5	18
Georgia, Middle	27.8	5	18
Georgia, Northern	26.7	12	45
California, Central	26.3	5	19
Washington, Western	25.0	20	80
Missouri, Eastern	25.0	11	44
Illinois, Central	25.0	4	16
North Dakota	25.0	2	8
Florida, Southern	23.8	20	84
Mississippi, Southern	23.8	10	42
Puerto Rico	23.5	4	17
Kansas	23.1	9	39
Indiana, Northern	22.2	6	27
Hawaii	20.0	1	5
Oklahoma, Eastern	20.0	1	5
Kentucky, Western	18.8	3	16
Washington, Eastern	17.9	7	39
West Virginia, Northern	16.7	3	18
Arizona	15.1	93	616
South Carolina	14.8	4	27
Arkansas, Eastern	13.3	2	15
Illinois, Southern	12.9	4	31
Texas, Eastern	11.1	4	36
Pennsylvania, Western	11.1	1	9
Wisconsin, Western	11.1	1	9
Wyoming	11.1	1	9
New York, Southern	10.5	2	19
Texas, Western	10.4	196	1,876
Maine	10.0	1	10
Texas, Southern	9.9	105	1,065
Texas, Northern	9.8	5	51
South Dakota	9.7	3	31
Virginia, Eastern	9.3	7	75
Louisiana, Eastern	8.3	1	12
California, Northern	7.7	1	13
California, Southern	6.3	33	525
New Mexico	4.6	12	262
Wisconsin, Eastern	0.0	0	28
Nebraska	0.0	0	25
West Virginia, Southern	0.0	0	21
North Carolina, Middle	0.0	0	12
Utah	0.0	0	11
Alaska	0.0	0	8
Oklahoma, Northern	0.0	0	3
Rhode Island	0.0	0	2

The following districts had no marijuana trafficking offenses in the selected time period: Northern Mariana Islands.

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

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

District	Percent	Booker Period (1/12/05 - 12/10/07)	
		Number of §5K1.1 Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
Idaho	81.0	17	21
Arkansas, Western	75.0	15	20
Alabama, Middle	66.7	22	33
Ohio, Southern	55.9	62	111
Maryland	52.6	20	38
Kentucky, Eastern	52.5	94	179
District of Columbia	50.0	14	28
New York, Northern	49.6	63	127
Ohio, Northern	49.3	37	75
New York, Western	48.9	86	176
Pennsylvania, Western	48.6	18	37
Michigan, Eastern	48.4	133	275
Maine	47.5	19	40
Vermont	45.8	38	83
New Jersey	43.8	14	32
North Carolina, Eastern	41.9	18	43
Tennessee, Western	41.1	23	56
Pennsylvania, Middle	40.5	17	42
Colorado	40.0	20	50
Alabama, Southern	38.1	16	42
Hawaii	37.9	11	29
North Dakota	37.5	3	8
Florida, Northern	37.4	43	115
Pennsylvania, Eastern	36.9	31	84
New York, Eastern	36.4	43	118
Indiana, Northern	36.4	20	55
Georgia, Middle	36.4	12	33
New Hampshire	36.4	8	22
Oregon	35.8	29	81
North Carolina, Western	35.6	31	87
Michigan, Western	35.4	35	99
Alabama, Northern	35.1	13	37
Minnesota	34.0	35	103
Kentucky, Western	33.9	21	62
Tennessee, Eastern	33.6	36	107
Iowa, Northern	33.3	15	45
Missouri, Western	32.1	27	84
Massachusetts	31.1	19	61
Washington, Eastern	30.8	20	65
Florida, Middle	30.3	95	314
Arkansas, Eastern	29.6	21	71
Washington, Western	29.2	57	195

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

Booker

Period

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

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
Indiana, Southern	29.0	20	69
California, Northern	28.9	11	38
Virginia, Western	28.6	26	91
Kansas	28.0	33	118
Mississippi, Northern	27.3	9	33
Iowa, Southern	27.1	13	48
Oklahoma, Northern	25.0	4	16
Illinois, Northern	24.4	11	45
Louisiana, Western	24.3	9	37
Tennessee, Middle	23.9	11	46
Missouri, Eastern	23.3	28	120
Wisconsin, Eastern	23.1	12	52
New York, Southern	23.0	29	126
Texas, Northern	22.6	26	115
Georgia, Southern	22.5	9	40
North Carolina, Middle	22.2	6	27
Georgia, Northern	21.1	12	57
South Carolina	20.7	17	82
Utah	20.0	8	40
Rhode Island	20.0	2	10
Louisiana, Eastern	19.2	5	26
Alaska	18.2	2	11
Montana	18.0	9	50
Oklahoma, Eastern	16.7	1	6
Wyoming	16.3	8	49
California, Eastern	16.2	17	105
Florida, Southern	16.1	59	366
Nevada	15.4	2	13
Illinois, Central	15.2	5	33
Nebraska	14.6	13	89
Texas, Eastern	13.8	13	94
Texas, Southern	13.0	282	2,169
Connecticut	12.5	2	16
Oklahoma, Western	12.1	4	33
California, Central	11.6	5	43
Arizona	10.4	212	2,038
Mississippi, Southern	10.3	6	58
West Virginia, Northern	8.6	5	58
Puerto Rico	8.5	4	47
Texas, Western	7.9	305	3,861
Illinois, Southern	7.0	4	57
Louisiana, Middle	6.7	1	15
New Mexico	6.6	70	1,065
Virgin Islands	5.6	1	18
Wisconsin, Western	5.6	1	18
California, Southern	5.3	93	1,766
West Virginia, Southern	4.5	3	67
Virginia, Eastern	4.2	8	190
South Dakota	3.8	3	79
Delaware	0.0	0	2
Guam	0.0	0	1

The following districts had no marijuana trafficking offenses in the selected time period: Northern Mariana Islands.

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

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

District	<i>Gall</i> Period		
	(12/11/07 - 9/30/11)		
	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
Guam	100.0	2	2
Idaho	67.6	23	34
Arkansas, Western	66.7	14	21
Delaware	60.0	6	10
District of Columbia	58.3	7	12
Ohio, Southern	57.9	143	247
North Dakota	55.6	5	9
Alaska	52.6	10	19
Maine	51.9	27	52
Pennsylvania, Eastern	50.6	43	85
Ohio, Northern	48.3	57	118
New York, Western	47.5	77	162
New Hampshire	47.5	19	40
Kentucky, Eastern	46.5	80	172
Alabama, Northern	44.1	15	34
Kentucky, Western	43.5	30	69
Louisiana, Middle	42.9	3	7
New York, Northern	42.8	83	194
North Carolina, Eastern	41.3	31	75
North Carolina, Western	40.7	37	91
Tennessee, Eastern	40.0	36	90
Colorado	40.0	18	45
Tennessee, Western	38.5	52	135
Alabama, Middle	37.0	10	27
Pennsylvania, Middle	35.3	30	85
Iowa, Southern	35.1	33	94
Pennsylvania, Western	34.8	8	23
Oregon	34.5	49	142
Florida, Middle	34.5	142	412
Maryland	34.2	13	38
Hawaii	31.3	5	16
New York, Eastern	30.7	39	127
Kansas	30.7	42	137
Oklahoma, Western	30.4	7	23
Wisconsin, Western	30.3	10	33
Missouri, Western	30.3	33	109
Vermont	28.6	20	70
Iowa, Northern	27.6	16	58
Michigan, Eastern	27.5	57	207
Utah	27.3	15	55
North Carolina, Middle	27.3	9	33
Florida, Northern	27.1	29	107

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

Gall

Period

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

District	Percent	Number of §5K1.1 Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
Mississippi, Southern	26.7	12	45
Mississippi, Northern	26.7	4	15
Indiana, Northern	26.3	30	114
Missouri, Eastern	25.7	43	167
Washington, Western	25.5	48	188
Texas, Northern	25.5	28	110
Wisconsin, Eastern	25.2	30	119
Arkansas, Eastern	24.4	19	78
Michigan, Western	23.8	36	151
Tennessee, Middle	23.7	9	38
Montana	23.7	9	38
California, Eastern	23.5	80	340
New Jersey	23.5	4	17
Minnesota	23.1	28	121
Georgia, Northern	22.5	25	111
New York, Southern	22.2	36	162
California, Central	21.8	29	133
Alabama, Southern	20.4	10	49
Washington, Eastern	20.3	25	123
Illinois, Northern	20.0	9	45
Oklahoma, Northern	20.0	6	30
Rhode Island	20.0	2	10
Oklahoma, Eastern	20.0	1	5
Massachusetts	19.7	13	66
Illinois, Central	18.0	11	61
South Carolina	17.6	12	68
Indiana, Southern	16.4	11	67
West Virginia, Southern	16.3	8	49
Wyoming	15.4	2	13
California, Northern	15.2	10	66
Virgin Islands	15.2	5	33
Connecticut	15.0	3	20
Georgia, Southern	14.4	14	97
West Virginia, Northern	14.3	6	42
Georgia, Middle	14.3	6	42
Virginia, Eastern	13.0	15	115
Virginia, Western	12.9	4	31
Louisiana, Western	11.5	3	26
Illinois, Southern	10.8	7	65
Texas, Southern	10.4	362	3,488
Nevada	10.0	2	20
Texas, Eastern	9.0	18	201
Florida, Southern	8.8	24	274
Texas, Western	8.6	474	5,504
Nebraska	7.1	6	84
Louisiana, Eastern	6.7	1	15
New Mexico	6.2	91	1,472
Arizona	5.9	219	3,707
California, Southern	4.3	85	1,991
South Dakota	3.0	2	66
Puerto Rico	2.1	1	47

The following districts had no marijuana trafficking offenses in the selected time period: Northern Mariana Islands.

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

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

District	PROTECT Act		
	Period		
	(5/1/03 - 6/24/04)		
	Percent	Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
California, Southern	53.3	280	525
Arizona	28.2	174	616
Connecticut	20.0	1	5
District of Columbia	14.3	2	14
Texas, Southern	12.1	129	1,065
New York, Eastern	10.2	5	49
New Mexico	7.6	20	262
Indiana, Northern	7.4	2	27
Mississippi, Northern	6.7	1	15
Georgia, Middle	5.6	1	18
California, Central	5.3	1	19
Missouri, Western	4.5	2	44
Indiana, Southern	3.7	1	27
Oregon	3.0	1	33
North Carolina, Western	2.6	1	39
Washington, Western	2.5	2	80
California, Eastern	2.3	1	43
Michigan, Western	1.6	1	62
Texas, Western	0.7	14	1,876
Florida, Middle	0.0	0	106
Florida, Southern	0.0	0	84
Virginia, Eastern	0.0	0	75
Kentucky, Eastern	0.0	0	74
Michigan, Eastern	0.0	0	73
Florida, Northern	0.0	0	70
Texas, Northern	0.0	0	51
New York, Western	0.0	0	48
Tennessee, Eastern	0.0	0	47
New York, Northern	0.0	0	46
Georgia, Northern	0.0	0	45
Missouri, Eastern	0.0	0	44
Mississippi, Southern	0.0	0	42
Ohio, Southern	0.0	0	41
Washington, Eastern	0.0	0	39
Kansas	0.0	0	39
Texas, Eastern	0.0	0	36
Illinois, Northern	0.0	0	32
Illinois, Southern	0.0	0	31
South Dakota	0.0	0	31
Minnesota	0.0	0	29
Wisconsin, Eastern	0.0	0	28
Iowa, Northern	0.0	0	28

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

District	PROTECT Act		
	Period		
	(5/1/03 - 6/24/04)		
Percent	Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed	
South Carolina	0.0	0	27
Nebraska	0.0	0	25
Alabama, Southern	0.0	0	24
North Carolina, Eastern	0.0	0	23
Montana	0.0	0	23
Virginia, Western	0.0	0	22
Ohio, Northern	0.0	0	22
West Virginia, Southern	0.0	0	21
Tennessee, Middle	0.0	0	21
New York, Southern	0.0	0	19
West Virginia, Northern	0.0	0	18
Alabama, Northern	0.0	0	18
Georgia, Southern	0.0	0	18
New Hampshire	0.0	0	17
Puerto Rico	0.0	0	17
Vermont	0.0	0	17
Kentucky, Western	0.0	0	16
Illinois, Central	0.0	0	16
Pennsylvania, Eastern	0.0	0	15
Arkansas, Eastern	0.0	0	15
Tennessee, Western	0.0	0	14
Colorado	0.0	0	14
Iowa, Southern	0.0	0	13
California, Northern	0.0	0	13
North Carolina, Middle	0.0	0	12
Louisiana, Eastern	0.0	0	12
Maryland	0.0	0	11
Nevada	0.0	0	11
Utah	0.0	0	11
Maine	0.0	0	10
Louisiana, Western	0.0	0	10
Oklahoma, Western	0.0	0	10
Pennsylvania, Middle	0.0	0	9
Pennsylvania, Western	0.0	0	9
Wisconsin, Western	0.0	0	9
Arkansas, Western	0.0	0	9
Wyoming	0.0	0	9
Massachusetts	0.0	0	8
North Dakota	0.0	0	8
Alaska	0.0	0	8
Idaho	0.0	0	8
Hawaii	0.0	0	5
Oklahoma, Eastern	0.0	0	5
Delaware	0.0	0	3
New Jersey	0.0	0	3
Virgin Islands	0.0	0	3
Louisiana, Middle	0.0	0	3
Oklahoma, Northern	0.0	0	3
Alabama, Middle	0.0	0	3
Rhode Island	0.0	0	2
Guam	0.0	0	1

The following districts had no marijuana trafficking offenses in the selected time period: Northern Mariana Islands.

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

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

District	Percent	Booker Period (1/12/05 - 12/10/07)	
		Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
Mississippi, Northern	18.2	6	33
Washington, Western	12.3	24	195
California, Central	11.6	5	43
Texas, Southern	11.1	241	2,169
California, Northern	10.5	4	38
Rhode Island	10.0	1	10
Alaska	9.1	1	11
Wyoming	8.2	4	49
Utah	7.5	3	40
District of Columbia	7.1	2	28
Illinois, Central	6.1	2	33
Indiana, Southern	5.8	4	69
California, Eastern	5.7	6	105
Maryland	5.3	2	38
Oregon	4.9	4	81
Washington, Eastern	4.6	3	65
North Carolina, Western	4.6	4	87
New Hampshire	4.5	1	22
Iowa, Northern	4.4	2	45
Kansas	4.2	5	118
New Mexico	3.8	40	1,065
Illinois, Southern	3.5	2	57
Hawaii	3.4	1	29
New York, Western	3.4	6	176
Arizona	3.3	67	2,038
Kentucky, Western	3.2	2	62
New York, Eastern	2.5	3	118
Georgia, Southern	2.5	1	40
Vermont	2.4	2	83
Pennsylvania, Middle	2.4	1	42
Nebraska	2.2	2	89
Illinois, Northern	2.2	1	45
Tennessee, Middle	2.2	1	46
Iowa, Southern	2.1	1	48
Montana	2.0	1	50
Colorado	2.0	1	50
Minnesota	1.9	2	103
Indiana, Northern	1.8	1	55
California, Southern	1.8	32	1,766
Tennessee, Western	1.8	1	56
Texas, Northern	1.7	2	115
West Virginia, Northern	1.7	1	58

**Spread of Rates of Other Government Sponsored Below Range Sentences
Marijuana 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 Marijuana Trafficking Sentences Imposed	
Massachusetts	1.6	1	61	
New York, Southern	1.6	2	126	
Arkansas, Eastern	1.4	1	71	
Florida, Southern	1.4	5	366	
Ohio, Northern	1.3	1	75	
South Dakota	1.3	1	79	
Pennsylvania, Eastern	1.2	1	84	
Missouri, Western	1.2	1	84	
Michigan, Eastern	1.1	3	275	
Virginia, Eastern	1.1	2	190	
Michigan, Western	1.0	1	99	
Tennessee, Eastern	0.9	1	107	
Ohio, Southern	0.9	1	111	
Florida, Middle	0.6	2	314	
Texas, Western	0.6	22	3,861	
Kentucky, Eastern	0.0	0	179	
New York, Northern	0.0	0	127	
Missouri, Eastern	0.0	0	120	
Florida, Northern	0.0	0	115	
Texas, Eastern	0.0	0	94	
Virginia, Western	0.0	0	91	
South Carolina	0.0	0	82	
West Virginia, Southern	0.0	0	67	
Mississippi, Southern	0.0	0	58	
Georgia, Northern	0.0	0	57	
Wisconsin, Eastern	0.0	0	52	
Puerto Rico	0.0	0	47	
North Carolina, Eastern	0.0	0	43	
Alabama, Southern	0.0	0	42	
Maine	0.0	0	40	
Pennsylvania, Western	0.0	0	37	
Louisiana, Western	0.0	0	37	
Alabama, Northern	0.0	0	37	
Oklahoma, Western	0.0	0	33	
Alabama, Middle	0.0	0	33	
Georgia, Middle	0.0	0	33	
New Jersey	0.0	0	32	
North Carolina, Middle	0.0	0	27	
Louisiana, Eastern	0.0	0	26	
Idaho	0.0	0	21	
Arkansas, Western	0.0	0	20	
Virgin Islands	0.0	0	18	
Wisconsin, Western	0.0	0	18	
Connecticut	0.0	0	16	
Oklahoma, Northern	0.0	0	16	
Louisiana, Middle	0.0	0	15	
Nevada	0.0	0	13	
North Dakota	0.0	0	8	
Oklahoma, Eastern	0.0	0	6	
Delaware	0.0	0	2	
Guam	0.0	0	1	

The following districts had no marijuana trafficking offenses in the selected time period: Northern Mariana Islands.

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

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

District	Percent	<i>Gall</i> Period	
		(12/11/07 - 9/30/11)	
		Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
California, Northern	30.3	20	66
Nevada	30.0	6	20
Washington, Western	25.5	48	188
Massachusetts	19.7	13	66
Connecticut	15.0	3	20
Oregon	14.8	21	142
Wisconsin, Eastern	12.6	15	119
Hawaii	12.5	2	16
California, Central	11.3	15	133
Alaska	10.5	2	19
New York, Eastern	10.2	13	127
Rhode Island	10.0	1	10
District of Columbia	8.3	1	12
Wyoming	7.7	1	13
New Hampshire	7.5	3	40
Washington, Eastern	7.3	9	123
Mississippi, Northern	6.7	1	15
Kansas	6.6	9	137
Nebraska	6.0	5	84
Vermont	5.7	4	70
Texas, Southern	5.4	188	3,488
Tennessee, Middle	5.3	2	38
Colorado	4.4	2	45
South Carolina	4.4	3	68
Kentucky, Western	4.3	3	69
New York, Southern	4.3	7	162
Utah	3.6	2	55
North Carolina, Western	3.3	3	91
Virginia, Western	3.2	1	31
Arizona	3.2	118	3,707
Georgia, Southern	3.1	3	97
Missouri, Eastern	3.0	5	167
Indiana, Southern	3.0	2	67
New Mexico	2.9	43	1,472
Michigan, Eastern	2.9	6	207
Maryland	2.6	1	38
California, Southern	2.5	50	1,991
Pennsylvania, Middle	2.4	2	85
Tennessee, Eastern	2.2	2	90
Iowa, Southern	2.1	2	94
Ohio, Southern	2.0	5	247
New York, Western	1.9	3	162

**Spread of Rates of Other Government Sponsored Below Range Sentences
Marijuana 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 Marijuana Trafficking Sentences Imposed
Texas, Northern	1.8	2	110
Georgia, Northern	1.8	2	111
Indiana, Northern	1.8	2	114
Kentucky, Eastern	1.7	3	172
Iowa, Northern	1.7	1	58
Ohio, Northern	1.7	2	118
South Dakota	1.5	1	66
California, Eastern	1.5	5	340
Michigan, Western	1.3	2	151
Arkansas, Eastern	1.3	1	78
Missouri, Western	0.9	1	109
Virginia, Eastern	0.9	1	115
Minnesota	0.8	1	121
Tennessee, Western	0.7	1	135
Florida, Southern	0.7	2	274
Texas, Western	0.7	39	5,504
New York, Northern	0.5	1	194
Texas, Eastern	0.5	1	201
Florida, Middle	0.5	2	412
Florida, Northern	0.0	0	107
Pennsylvania, Eastern	0.0	0	85
North Carolina, Eastern	0.0	0	75
Illinois, Southern	0.0	0	65
Illinois, Central	0.0	0	61
Maine	0.0	0	52
West Virginia, Southern	0.0	0	49
Alabama, Southern	0.0	0	49
Puerto Rico	0.0	0	47
Mississippi, Southern	0.0	0	45
Illinois, Northern	0.0	0	45
West Virginia, Northern	0.0	0	42
Georgia, Middle	0.0	0	42
Montana	0.0	0	38
Idaho	0.0	0	34
Alabama, Northern	0.0	0	34
Virgin Islands	0.0	0	33
North Carolina, Middle	0.0	0	33
Wisconsin, Western	0.0	0	33
Oklahoma, Northern	0.0	0	30
Alabama, Middle	0.0	0	27
Louisiana, Western	0.0	0	26
Pennsylvania, Western	0.0	0	23
Oklahoma, Western	0.0	0	23
Arkansas, Western	0.0	0	21
New Jersey	0.0	0	17
Louisiana, Eastern	0.0	0	15
Delaware	0.0	0	10
North Dakota	0.0	0	9
Louisiana, Middle	0.0	0	7
Oklahoma, Eastern	0.0	0	5
Guam	0.0	0	2

The following districts had no marijuana trafficking offenses in the selected time period: Northern Mariana Islands.

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

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

District	Percent	Koon Period (6/13/96 - 4/30/03)	
		Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
California, Southern	70.5	5,259	7,461
Arizona	61.9	2,454	3,964
Connecticut	30.9	17	55
New York, Eastern	27.8	82	295
Oklahoma, Eastern	25.7	9	35
Vermont	24.8	26	105
Alaska	22.2	10	45
Washington, Eastern	21.4	27	126
New Mexico	21.2	400	1,889
California, Northern	19.8	17	86
Nevada	16.0	8	50
Washington, Western	14.6	43	295
Massachusetts	13.7	27	197
District of Columbia	12.5	6	48
Texas, Western	12.1	1,143	9,420
Nebraska	11.4	14	123
New York, Southern	11.2	12	107
Georgia, Northern	11.2	29	259
Virgin Islands	11.1	2	18
Minnesota	10.9	14	128
California, Eastern	10.5	18	171
Ohio, Northern	10.4	21	201
Wyoming	10.3	4	39
Oregon	10.1	9	89
Louisiana, Middle	10.0	2	20
Illinois, Northern	9.8	12	122
California, Central	9.7	6	62
Maryland	9.3	7	75
Delaware	8.7	2	23
Maine	8.6	9	105
Iowa, Southern	8.6	6	70
Texas, Southern	8.5	503	5,896
New York, Western	8.5	18	212
Pennsylvania, Middle	8.1	7	86
New York, Northern	8.0	17	212
Louisiana, Eastern	7.8	8	102
Hawaii	7.8	5	64
Kansas	7.3	14	193
Iowa, Northern	7.1	6	84
Ohio, Southern	7.1	16	226
Illinois, Southern	6.3	10	159
West Virginia, Southern	6.1	11	180

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

District	<i>Koon</i>		
	Period		
	(6/13/96 - 4/30/03)		
Percent	Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed	
Puerto Rico	6.1	4	66
Pennsylvania, Western	5.4	4	74
Tennessee, Western	5.1	8	157
Indiana, Northern	5.1	5	99
Florida, Southern	5.0	27	535
Georgia, Middle	4.9	7	142
Idaho	4.9	2	41
Colorado	4.7	6	128
Utah	4.4	2	45
Wisconsin, Eastern	4.3	3	69
Florida, Middle	4.3	31	728
Tennessee, Middle	4.2	4	95
Michigan, Eastern	4.2	21	504
New Jersey	4.2	1	24
Michigan, Western	4.1	12	291
Texas, Eastern	4.1	11	269
Virginia, Western	3.9	5	129
Montana	3.7	6	162
Rhode Island	3.7	1	27
Pennsylvania, Eastern	3.5	8	231
North Carolina, Western	3.5	9	260
Alabama, Southern	3.4	6	175
Missouri, Eastern	3.4	8	236
Oklahoma, Western	3.4	3	89
Texas, Northern	3.2	12	378
North Carolina, Eastern	3.1	4	128
Georgia, Southern	3.1	3	96
North Dakota	3.1	1	32
Tennessee, Eastern	3.0	10	328
Missouri, Western	2.8	9	320
Virginia, Eastern	2.7	8	291
Kentucky, Eastern	2.7	15	555
South Dakota	2.7	4	148
Wisconsin, Western	2.7	1	37
Indiana, Southern	2.6	3	114
South Carolina	2.5	6	239
Kentucky, Western	2.4	3	124
Oklahoma, Northern	2.0	1	50
Florida, Northern	1.9	6	318
Alabama, Northern	1.9	3	159
Arkansas, Western	1.9	1	53
North Carolina, Middle	1.7	2	115
Mississippi, Northern	1.6	1	64
New Hampshire	1.4	1	71
West Virginia, Northern	1.3	1	76
Arkansas, Eastern	0.8	1	123
Mississippi, Southern	0.0	0	114
Illinois, Central	0.0	0	88
Alabama, Middle	0.0	0	76
Louisiana, Western	0.0	0	53
Guam	0.0	0	6

The following districts had no marijuana trafficking offenses in the selected time period: Northern Mariana Islands.

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

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Marijuana 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 Marijuana Trafficking Sentences Imposed
California, Northern	38.5	5	13
Delaware	33.3	1	3
Connecticut	20.0	1	5
Ohio, Northern	18.2	4	22
Maryland	18.2	2	11
Washington, Western	15.0	12	80
Arizona	13.1	81	616
Illinois, Central	12.5	2	16
Alaska	12.5	1	8
Oregon	12.1	4	33
Vermont	11.8	2	17
Wyoming	11.1	1	9
New York, Northern	10.9	5	46
California, Central	10.5	2	19
Washington, Eastern	10.3	4	39
New York, Eastern	10.2	5	49
Utah	9.1	1	11
Texas, Eastern	8.3	3	36
Indiana, Northern	7.4	2	27
California, Southern	7.2	38	525
District of Columbia	7.1	1	14
Colorado	7.1	1	14
Tennessee, Eastern	6.4	3	47
New York, Southern	5.3	1	19
Ohio, Southern	4.9	2	41
Florida, Middle	4.7	5	106
California, Eastern	4.7	2	43
Montana	4.3	1	23
Nebraska	4.0	1	25
Indiana, Southern	3.7	1	27
Wisconsin, Eastern	3.6	1	28
South Dakota	3.2	1	31
Illinois, Northern	3.1	1	32
New Mexico	3.1	8	262
Texas, Southern	2.9	31	1,065
Florida, Northern	2.9	2	70
Missouri, Eastern	2.3	1	44
Texas, Northern	2.0	1	51
Texas, Western	1.7	32	1,876
Michigan, Western	1.6	1	62
Michigan, Eastern	1.4	1	73
Virginia, Eastern	1.3	1	75

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

District	PROTECT Act		
	Period		
	(5/1/03 - 6/24/04)		
Percent	Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed	
Florida, Southern	1.2	1	84
Kentucky, Eastern	0.0	0	74
New York, Western	0.0	0	48
Georgia, Northern	0.0	0	45
Missouri, Western	0.0	0	44
Mississippi, Southern	0.0	0	42
North Carolina, Western	0.0	0	39
Kansas	0.0	0	39
Illinois, Southern	0.0	0	31
Minnesota	0.0	0	29
Iowa, Northern	0.0	0	28
South Carolina	0.0	0	27
Alabama, Southern	0.0	0	24
North Carolina, Eastern	0.0	0	23
Virginia, Western	0.0	0	22
West Virginia, Southern	0.0	0	21
Tennessee, Middle	0.0	0	21
West Virginia, Northern	0.0	0	18
Alabama, Northern	0.0	0	18
Georgia, Middle	0.0	0	18
Georgia, Southern	0.0	0	18
New Hampshire	0.0	0	17
Puerto Rico	0.0	0	17
Kentucky, Western	0.0	0	16
Pennsylvania, Eastern	0.0	0	15
Mississippi, Northern	0.0	0	15
Arkansas, Eastern	0.0	0	15
Tennessee, Western	0.0	0	14
Iowa, Southern	0.0	0	13
North Carolina, Middle	0.0	0	12
Louisiana, Eastern	0.0	0	12
Nevada	0.0	0	11
Maine	0.0	0	10
Louisiana, Western	0.0	0	10
Oklahoma, Western	0.0	0	10
Pennsylvania, Middle	0.0	0	9
Pennsylvania, Western	0.0	0	9
Wisconsin, Western	0.0	0	9
Arkansas, Western	0.0	0	9
Massachusetts	0.0	0	8
North Dakota	0.0	0	8
Idaho	0.0	0	8
Hawaii	0.0	0	5
Oklahoma, Eastern	0.0	0	5
New Jersey	0.0	0	3
Virgin Islands	0.0	0	3
Louisiana, Middle	0.0	0	3
Oklahoma, Northern	0.0	0	3
Alabama, Middle	0.0	0	3
Rhode Island	0.0	0	2
Guam	0.0	0	1

The following districts had no marijuana trafficking offenses in the selected time period: Northern Mariana Islands.

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

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

District	Percent	Booker Period	
		(1/12/05 - 12/10/07)	
		Number of Non- Govt Sponsored Below Range Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed
Connecticut	50.0	8	16
Delaware	50.0	1	2
California, Central	39.5	17	43
Nevada	30.8	4	13
New York, Eastern	30.5	36	118
New York, Southern	23.8	30	126
California, Northern	23.7	9	38
Washington, Western	22.6	44	195
North Carolina, Middle	22.2	6	27
Virgin Islands	22.2	4	18
Massachusetts	21.3	13	61
Oklahoma, Western	21.2	7	33
Wisconsin, Eastern	21.2	11	52
Oklahoma, Northern	18.8	3	16
Illinois, Central	18.2	6	33
Tennessee, Middle	17.4	8	46
Michigan, Western	17.2	17	99
California, Eastern	17.1	18	105
Oklahoma, Eastern	16.7	1	6
Nebraska	15.7	14	89
Washington, Eastern	15.4	10	65
Florida, Southern	14.8	54	366
Minnesota	14.6	15	103
Illinois, Northern	13.3	6	45
Vermont	13.3	11	83
Pennsylvania, Eastern	13.1	11	84
Michigan, Eastern	13.1	36	275
Virginia, Eastern	12.6	24	190
Ohio, Southern	12.6	14	111
Georgia, Southern	12.5	5	40
Oregon	12.3	10	81
Colorado	12.0	6	50
New York, Northern	11.8	15	127
Indiana, Southern	11.6	8	69
South Dakota	11.4	9	79
Missouri, Western	10.7	9	84
Puerto Rico	10.6	5	47
Iowa, Southern	10.4	5	48
Hawaii	10.3	3	29
Kansas	10.2	12	118
Utah	10.0	4	40
Rhode Island	10.0	1	10

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

<i>Booker</i>				
<i>Period</i>				
(1/12/05 - 12/10/07)				
District	Percent	Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Marijuana Trafficking Sentences Imposed	
Alabama, Southern	9.5	4	42	
New Jersey	9.4	3	32	
Florida, Middle	9.2	29	314	
Indiana, Northern	9.1	5	55	
Alaska	9.1	1	11	
Tennessee, Western	8.9	5	56	
Iowa, Northern	8.9	4	45	
Georgia, Northern	8.8	5	57	
Texas, Eastern	8.5	8	94	
Arkansas, Eastern	8.5	6	71	
California, Southern	8.4	148	1,766	
Montana	8.0	4	50	
Maryland	7.9	3	38	
New Mexico	7.7	82	1,065	
Louisiana, Eastern	7.7	2	26	
Tennessee, Eastern	7.5	8	107	
Pennsylvania, Middle	7.1	3	42	
District of Columbia	7.1	2	28	
North Carolina, Eastern	7.0	3	43	
West Virginia, Northern	6.9	4	58	
Louisiana, Middle	6.7	1	15	
Virginia, Western	6.6	6	91	
Kentucky, Western	6.5	4	62	
Arizona	6.4	130	2,038	
Wyoming	6.1	3	49	
Alabama, Middle	6.1	2	33	
Georgia, Middle	6.1	2	33	
West Virginia, Southern	6.0	4	67	
Texas, Southern	5.9	129	2,169	
North Carolina, Western	5.7	5	87	
Pennsylvania, Western	5.4	2	37	
Illinois, Southern	5.3	3	57	
Florida, Northern	5.2	6	115	
New York, Western	5.1	9	176	
Missouri, Eastern	5.0	6	120	
South Carolina	4.9	4	82	
Texas, Northern	4.3	5	115	
Texas, Western	4.2	164	3,861	
Ohio, Northern	4.0	3	75	
Louisiana, Western	2.7	1	37	
Maine	2.5	1	40	
Mississippi, Southern	1.7	1	58	
Kentucky, Eastern	1.1	2	179	
Alabama, Northern	0.0	0	37	
Mississippi, Northern	0.0	0	33	
New Hampshire	0.0	0	22	
Idaho	0.0	0	21	
Arkansas, Western	0.0	0	20	
Wisconsin, Western	0.0	0	18	
North Dakota	0.0	0	8	
Guam	0.0	0	1	

The following districts had no marijuana trafficking offenses in the selected time period: Northern Mariana Islands.

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

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Marijuana 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 Marijuana Trafficking Sentences Imposed
Vermont	45.7	32	70
New York, Southern	40.7	66	162
Delaware	40.0	4	10
Massachusetts	33.3	22	66
Hawaii	31.3	5	16
West Virginia, Southern	30.6	15	49
Minnesota	30.6	37	121
Wisconsin, Eastern	30.3	36	119
Nebraska	27.4	23	84
California, Central	27.1	36	133
Oklahoma, Western	26.1	6	23
New York, Eastern	26.0	33	127
Illinois, Northern	24.4	11	45
Colorado	24.4	11	45
Wisconsin, Western	24.2	8	33
Washington, Eastern	23.6	29	123
New York, Northern	23.2	45	194
Indiana, Southern	22.4	15	67
Washington, Western	22.3	42	188
Michigan, Eastern	22.2	46	207
Utah	21.8	12	55
Florida, Southern	21.5	59	274
West Virginia, Northern	21.4	9	42
Maryland	21.1	8	38
New Hampshire	20.0	8	40
Connecticut	20.0	4	20
Louisiana, Eastern	20.0	3	15
Rhode Island	20.0	2	10
Ohio, Southern	19.8	49	247
Virginia, Eastern	19.1	22	115
Florida, Middle	18.9	78	412
Michigan, Western	18.5	28	151
Alabama, Southern	18.4	9	49
Virgin Islands	18.2	6	33
Iowa, Southern	18.1	17	94
Illinois, Central	18.0	11	61
Pennsylvania, Western	17.4	4	23
Missouri, Eastern	17.4	29	167
Tennessee, Western	17.0	23	135
Arkansas, Eastern	16.7	13	78
District of Columbia	16.7	2	12
Oregon	16.2	23	142

**Spread of Rates of Non-Government Sponsored Below Range Sentences
Marijuana 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 Marijuana Trafficking Sentences Imposed
California, Eastern	16.2	55	340
Missouri, Western	15.6	17	109
Iowa, Northern	15.5	9	58
Wyoming	15.4	2	13
Georgia, Northern	15.3	17	111
Louisiana, Middle	14.3	1	7
South Dakota	13.6	9	66
Mississippi, Southern	13.3	6	45
Mississippi, Northern	13.3	2	15
Montana	13.2	5	38
New Mexico	12.6	186	1,472
South Carolina	11.8	8	68
Louisiana, Western	11.5	3	26
Indiana, Northern	11.4	13	114
Florida, Northern	11.2	12	107
California, Southern	11.2	223	1,991
North Dakota	11.1	1	9
Puerto Rico	10.6	5	47
Pennsylvania, Eastern	10.6	9	85
Pennsylvania, Middle	10.6	9	85
Alaska	10.5	2	19
Texas, Northern	10.0	11	110
Nevada	10.0	2	20
Virginia, Western	9.7	3	31
Texas, Southern	9.7	337	3,488
New York, Western	9.3	15	162
California, Northern	9.1	6	66
North Carolina, Middle	9.1	3	33
Idaho	8.8	3	34
Alabama, Northern	8.8	3	34
Kentucky, Western	8.7	6	69
Arizona	8.5	316	3,707
Texas, Western	8.4	461	5,504
Tennessee, Middle	7.9	3	38
Tennessee, Eastern	7.8	7	90
North Carolina, Western	7.7	7	91
Maine	7.7	4	52
Ohio, Northern	7.6	9	118
Texas, Eastern	7.5	15	201
Oklahoma, Northern	6.7	2	30
Kentucky, Eastern	5.2	9	172
Georgia, Southern	5.2	5	97
Georgia, Middle	4.8	2	42
Arkansas, Western	4.8	1	21
Illinois, Southern	4.6	3	65
Kansas	4.4	6	137
North Carolina, Eastern	4.0	3	75
Alabama, Middle	3.7	1	27
New Jersey	0.0	0	17
Oklahoma, Eastern	0.0	0	5
Guam	0.0	0	2

The following districts had no marijuana trafficking offenses in the selected time period: Northern Mariana Islands.

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