

# Analysis of Firearms Offenses

## INTRODUCTION

This chapter analyzes sentencing data for firearms offenses in which the court imposed a sentence applying USSG §2K2.1 (Unlawful Receipt, Possession, or Transportation of Firearms or Ammunition; Prohibited Transactions Involving Firearms or Ammunition) as the primary sentencing guideline.<sup>1</sup> After a brief overview of the applicable statutes and the relevant guideline, this section provides data and analyses concerning percentage of the federal docket, geographic distribution, demographics of offenders, and sentencing trends across the *Koon*, PROTECT Act, *Booker*, and *Gall* periods.

As used in this chapter, “firearms offenses” refers to offenses sentenced pursuant to §2K2.1 as the primary sentencing guideline, and “firearms offenders” refers to offenders sentenced for such an offense. Some offenses in which the offender uses or possesses a firearm and receives an increased sentence based on the weapon are sentenced pursuant to other guidelines. For example, 18 U.S.C. § 924(c) establishes the offense of using or carrying a firearm during, or possessing a firearm in furtherance of, a crime of violence or a drug trafficking crime, and assigns a mandatory minimum penalty ranging from five years to life depending on the

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

circumstances of the case. Offenders convicted of only § 924(c) offenses are excluded from this analysis because they are sentenced under USSG §2K2.4 (Use of Firearm, Armor-Piercing Ammunition, or Explosive During or in Relation to Certain Crimes), not under §2K2.1.

Average sentences for firearms offenses have remained stable over the four periods, ranging from a low of 56 months during the *Koon* period to a high of 59 months during the *Gall* period. The influence of the guidelines appears to be stable in firearms offenses, as the average guideline minimums and average sentences for firearms offenses have tracked each other closely and have remained relatively constant over the four periods. Analysis revealed that the average sentence have been nearly the same as the average guideline minimum during all four periods, although there has been a slight divergence between the two during the *Gall* period.

A review of quarterly data revealed that, relative to the within range rates during the *Koon* and PROTECT Act periods, the rates of within range sentences have been generally lower in the *Booker* and *Gall* periods. Additionally, the rate of within range sentences has continued to decrease steadily throughout the *Gall* period, while rates of both government sponsored and non-government sponsored below range sentences have increased. While there has been some increase in the rates of non-government sponsored below range sentences for firearms offenses, the average extent of the reduction has remained near 40 percent below the guideline minimum during all four periods.

## FIREARMS OFFENSES AND USSG §2K2.1

### *Applicable Statutes*

Many statutes are referenced to this guideline. Of the statutes referenced to §2K2.1, some of the most commonly used are 18 U.S.C. §§ 922(a)(6), (g), and (j); 18 U.S.C. §§ 924(a)(1)(A) and 924(e); and 26 U.S.C. § 5861(d).

a. 18 U.S.C. § 922(a)(6)

Section 922(a)(6) makes it unlawful for any person in connection with the acquisition, or attempt to acquire, any firearm or ammunition from a

licensed dealer, to knowingly make any false oral or written statement intended or likely to deceive the dealer with respect to any fact material to the lawfulness of the sale or other disposition of such firearm or ammunition under any provision of 18 U.S.C. §§ 921 *et seq.* The statutory maximum penalty for the offense is ten years of imprisonment.

b. 18 U.S.C. § 922(g)

Most defendants sentenced pursuant to §2K2.1 are convicted under 18 U.S.C. § 922(g), also known as the “felon-in-possession” statute. Section 922(g) prohibits specified classes of people from transporting or possessing in interstate or foreign commerce any firearm or ammunition or from receiving any firearm or ammunition that has been transported in interstate or foreign commerce. The prohibited classes include: convicted felons; fugitives; unlawful users of controlled substances; adjudicated “mental defectives”; illegal aliens; dishonorably discharged service personnel; those who have renounced their United States citizenship; and misdemeanor domestic violence offenders or those subject to certain restraining orders in domestic violence matters. The statutory maximum penalty for the offense is ten years of imprisonment.

c. 18 U.S.C. § 922(j)

Section 922(j) provides that it “shall be unlawful for any person to receive, possess, conceal, store, barter, sell, or dispose of any stolen firearm or stolen ammunition, or pledge or accept as security for a loan any stolen firearm or stolen ammunition, which is moving as, which is a part of, which constitutes, or which has been shipped or transported in, interstate or foreign commerce, either before or after it was stolen, knowing or having reasonable cause to believe that the firearm or ammunition was stolen.” The statutory maximum penalty for this offense is five years of imprisonment.

d. 18 U.S.C. § 924(a)(1)(A)

Section 924(a)(1)(A) makes it unlawful to knowingly make any false statement or representation with respect to the information required by the provisions of 18 U.S.C. §§ 921 *et seq.* to be kept in the records of a person

licensed under the same provisions or in applying for any license or exemption of relief from disability under those same provisions. The statutory maximum penalty for the offense is five years of imprisonment.

e. 18 U.S.C. § 924(e)

Section 924(e) provides enhanced penalties for an individual who violates section 922(g) and has three previous convictions for violent felonies or serious drug offenses. Section 924(e) establishes a mandatory minimum sentence of 15 years of imprisonment.

f. 26 U.S.C. § 5861(d)

Section 5861(d) makes it unlawful for a person “to receive or possess a firearm which is not registered to him in the National Firearms Registration and Transfer Record,” or to transfer such firearm. This section also makes it unlawful to obliterate or remove a serial number or to receive or possess a firearm with an obliterated or removed serial number. The maximum penalty for this offense is ten years of imprisonment.

***USSG §2K2.1 Firearms Guideline***

The offense level under §2K2.1 is determined principally by the type of firearm in question, the offender’s prior convictions, if any, for violent felonies or drug-related felonies, and the offender’s status as a person prohibited by law from possessing firearms, in addition to other offense and offender characteristics. The base offense level ranges from 6 to 26, depending on which of these characteristics are present.<sup>2</sup> Specific offense characteristics may increase the offense level based on the number of firearms involved in the offense, if the offense involved a destructive device, if the firearms were stolen or had altered or obliterated serial numbers, if the offender trafficked in firearms, if the offender possessed the firearm or ammunition “in connection with” another offense, if the offender possessed firearms while leaving the United States, or if the offender committed a

<sup>2</sup> USSG §2K2.1(a)(1)-(8).

recordkeeping offense that “reflected an effort to conceal a substantive offense involving firearms or ammunition.”<sup>3</sup> The offender’s base offense level is reduced if the court finds that the defendant “possessed all ammunition and firearms solely for lawful sporting purposes or collection, and did not unlawfully discharge, or otherwise unlawfully use such firearms or ammunition.”<sup>4</sup>

Effective November 1, 1991, the Commission consolidated several firearms guidelines into one, creating the basic structure of §2K2.1 that remains today.<sup>5</sup> The consolidated guideline provided alternative base offense levels of 20, 22, 24, or 26. These alternative base offense levels provided increases based on the offender’s prior convictions, specifically “crimes of violence” or “controlled substance” offenses, as well as the status of the offender (whether or not the offender is a “prohibited person”) and, in some cases, whether a National Firearms Act firearm<sup>6</sup> was involved. All other offenders received a base offense level of 6 or 12, depending on the offense of conviction. The consolidated guideline contained a multiple firearms table that provided increased enhancements, beginning with three firearms and also generally carried forward the various adjustments from the predecessor guidelines.<sup>7</sup>

The Commission has continued to amend the firearms guideline since its basic structure was established. In 2006, the Commission added the current 4-level enhancement for trafficking in firearms at (b)(5).<sup>8</sup> In 2011,

<sup>3</sup> USSG §2K2.1(b)(1), (3)–(7).

<sup>4</sup> USSG §2K2.1(b)(2) (Nov. 2011).

<sup>5</sup> USSG App. C, amend. 374 (effective Nov. 1, 1991).

<sup>6</sup> Firearms regulated by the National Firearms Act include machineguns, automatic weapons, guns equipped with silencers, and sawed-off longarms such as rifles and shotguns. These are distinguished from, for example, handguns, regulation-length longarms, and semi-automatic weapons.

<sup>7</sup> See USSG App. C, amend. 374 (effective Nov. 1, 1991).

<sup>8</sup> See USSG App. C, amend. 691 (effective Nov. 1, 2006).

the Commission added a 4-level enhancement and a minimum offense level of 18 if the offender possessed any firearms or ammunition while leaving or attempting to leave the United States; or possessed or transferred any firearm or ammunition with knowledge or intent, or reason to believe that it would be transferred out of the United States.<sup>9</sup> The 2011 amendment also increased the base offense levels for certain straw purchasers from 12 or 18 to 14 or 20.<sup>10</sup>

### STATISTICAL OVERVIEW: FISCAL YEAR 2011

In fiscal year 2011, federal courts sentenced 5,896 firearms offenders. The number of firearms offenses varied from circuit to circuit and from district to district. Over fifty percent of firearms offenses (52.4%, n=3,086) originated in the district courts in just four circuits. The Sixth Circuit led in numbers of firearms offenses with 847 in fiscal year 2011 (14.4% of firearms offenses nationwide), followed by the Fourth Circuit with 832 offenses (14.1% of firearms offenses nationwide), the Fifth Circuit with 707 firearms offenses (12.0% of firearms offenses nationwide), and the Eleventh Circuit with 700 offenses (11.9% of firearms offenses nationwide).<sup>11</sup> Among the circuits with the highest number of firearms offenders, the proportion of the overall criminal caseload comprised of firearms offenses varied. For example, in the Fourth and Sixth Circuits, firearms offenses were 14.5 and 15.9 percent, respectively, of the circuits’ caseloads in fiscal year 2011. In contrast, in the Fifth Circuit, firearms offenses were only 4.0 percent of the circuit’s overall caseload. As depicted in the table below, the proportion of a circuit’s caseload comprised of

<sup>9</sup> See USSG App. C, amend. 753 (effective Nov. 1, 2011).

<sup>10</sup> See USSG App. C, amend. 753 (effective Nov. 1, 2011).

<sup>11</sup> See “National Distribution of Offenses by Circuit and District, Firearms Offenses, FY 2011” Appendix Table. By way of comparison, 46.4 percent of all federal criminal offenses in fiscal year 2011 came from the district courts in those four circuits. See “National Distribution of Offenses by Circuit and District, All Offenses, FY 2011” Appendix Table.

## PART C: FIREARMS OFFENSES

firearms offenses ranged from a low of 3.6 percent in the Ninth Circuit to a high of 15.9 percent in the Sixth Circuit.

**Proportion of Caseload by Circuit**  
Firearms Offenses  
Fiscal Year 2011

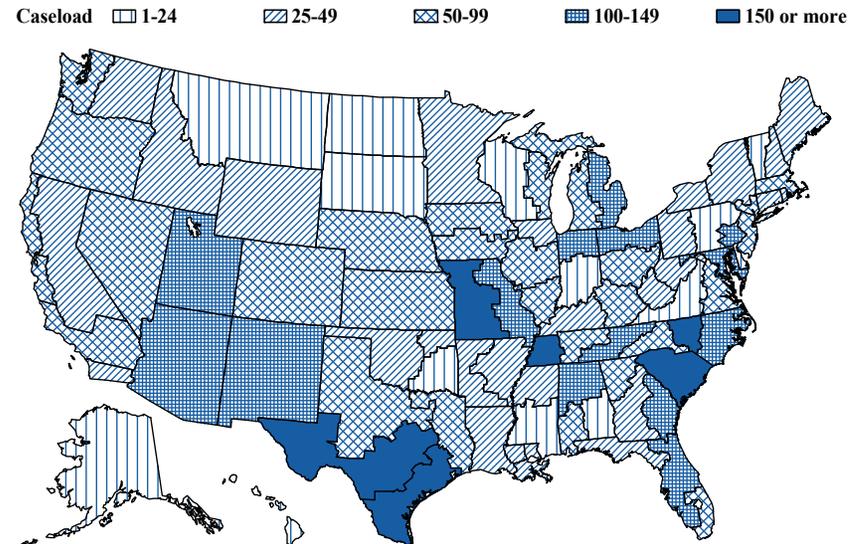
Circuit	Number of Firearms Offenses	Percent of Total Caseload
<b>TOTAL</b>	<b>5,896</b>	<b>7.7</b>
Ninth Circuit	628	3.6
Fifth Circuit	707	4.0
D.C. Circuit	16	4.6
Second Circuit	245	5.7
Tenth Circuit	489	7.7
First Circuit	190	8.9
Third Circuit	279	9.8
Eleventh Circuit	700	10.9
Eighth Circuit	586	12.6
Seventh Circuit	377	12.9
Fourth Circuit	832	14.5
Sixth Circuit	847	15.9

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

When viewed at the district level, the number of firearms offenses in each district ranged from one (Northern Mariana Islands and Guam) to 185 (Western Texas). Only six districts reported more than 150 firearms offenses. Judges in the Western District of Texas sentenced 185 firearms offenders, the highest number of firearms offenders for any single district and 3.1 percent of firearms offenders nationwide. The remaining five districts in which judges sentenced more than 150 firearms offenders in fiscal year 2011 were: Southern Texas at 182 offenders (3.1% of firearms offenders nationwide), South Carolina at 172 offenders (2.9% of firearms offenders nationwide), Western Tennessee at 166 offenders (2.8% of firearms offenders nationwide), Western Missouri at 162 offenders (2.7% of

firearms offenders nationwide), and Middle North Carolina at 159 offenders (2.7% of firearms offenders nationwide). These six districts alone accounted for 17.3 percent (n=1,026) of the 5,896 firearms offenders sentenced in fiscal year 2011.<sup>12</sup> Half of the 94 districts (n=47) reported fewer than 50 firearms offenders.

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



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

Consistent with circuit level data, firearms offenses comprised varying percentages of the districts' criminal docket, ranging from a low of 1.2 percent (Southern California) to a high of 30.4 percent (Middle North Carolina). In ten districts, firearms offenders constituted more than 20

<sup>12</sup> See "National Distribution of Selected Offenses by Circuit and District, Firearms Offenses, FY 2011" Appendix Table. By comparison, 22.9 percent of all federal criminal offenses in fiscal year 2011 came from those six districts. See "National Distribution of All Offenses by Circuit and District, Firearms Offenses, FY 2011" Appendix Table.

percent of the offenders sentenced in those districts. Those districts were: Middle North Carolina (30.4% of offenders in the district, n=159), Northern Indiana (28.9% of offenders in the district, n=126), Western Tennessee (27.9% of offenders in the district, n=166), Middle Tennessee (27.9% of offenders in the district, n=89), Northern Alabama (25.5% of offenders in the district, n=109), Western Missouri (25.4% of offenders in the district, n=162), Southern Georgia (22.8% of offenders in the district, n=101), Delaware (21.4% of offenders in the district, n=24), Maine (20.2% of offenders in the district, n=39), and Middle Louisiana (20.1% of offenders in the district, n=27). In contrast, in five districts, firearms offenders constituted less than three percent of the offenders sentenced in fiscal year 2011. Those districts were: Southern California (1.2% of offenders in the district, n=37), Arizona (1.4% of offenders in the district, n=103), Guam (2.0% of offenders in the district, n=1), Southern Texas (2.2% of offenders in the district, n=182), and Western Texas (2.8% of offenders in the district, n=185).<sup>13</sup>

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<sup>13</sup> See “Proportion of Caseload in Each Circuit and District for Selected Offenses, Firearms Offenses, FY 2011” Appendix Table.

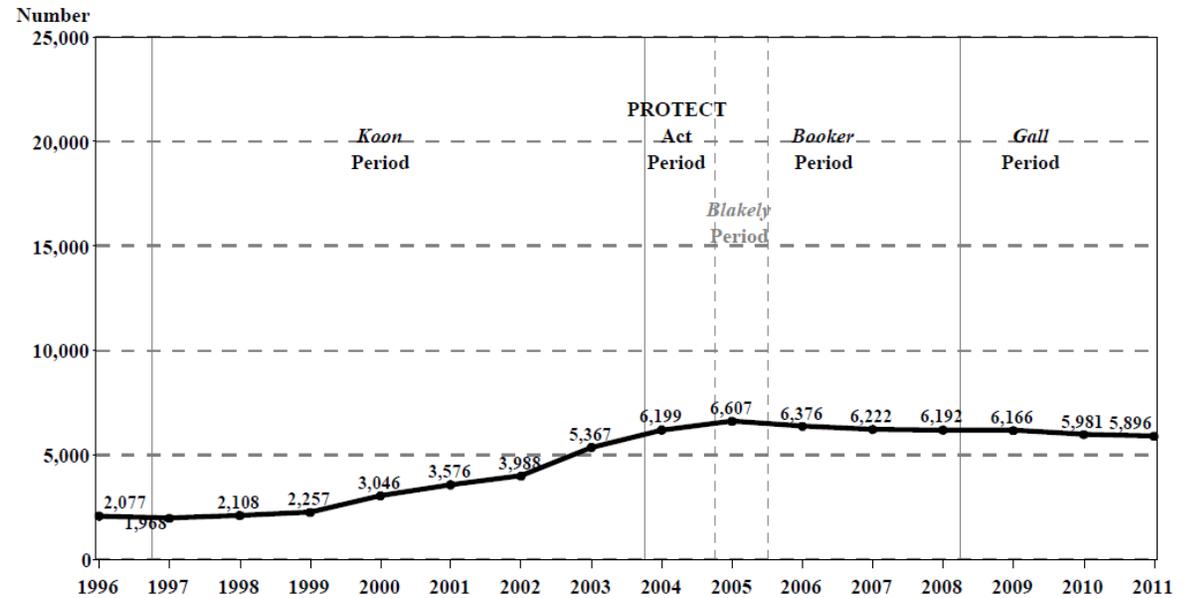
NATIONAL TREND ANALYSIS

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

Over the past 15 years, the number of firearms offenders sentenced in the federal system has generally increased. Between fiscal years 1998 and 2005, the number of firearms offenders nearly tripled, but since 2005 has remained relatively stable.

Firearms offenses comprised varying percentages of the overall criminal caseload over the four periods. Firearms offenses were 6.2 percent of all federal offenses during the *Koon* period, 10.4 percent during the PROTECT Act period, 10.0 percent during the *Booker* period, and 8.4 percent during the *Gall* period.

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



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

**NATIONAL TREND ANALYSIS**

**OFFENDER AND OFFENSE CHARACTERISTICS**

The majority of firearms offenders have been United States citizens. Male offenders were the overwhelming majority of firearms offenders in each of the four periods. Black offenders were the largest group of firearms offenders in all of the periods. White offenders were consistently the second largest group. While the percentage of White offenders has gradually decreased from a high during the *Koon* period, the percentage of Hispanic offenders has increased over time.

During the *Koon* period, the largest group of firearms offenders was in Criminal History Category I. During the other three periods, the largest group of offenders was in Criminal History Category VI.

**Selected Offender Characteristics  
Firearms 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
<b>RACE/ETHNICITY</b>				
White	39.5	39.1	35.6	31.6
Black	45.7	45.4	46.8	48.9
Hispanic	12.0	12.8	14.7	17.2
Other	2.8	2.7	3.0	2.3
<b>GENDER</b>				
Male	96.4	95.5	96.5	96.5
Female	3.6	4.5	3.5	3.5
<b>CITIZENSHIP</b>				
U.S. Citizen	93.6	94.4	93.1	92.3
Non-U.S. Citizen	6.4	5.6	6.9	7.7
<b>CRIMINAL HISTORY CATEGORY</b>				
I	21.8	19.3	19.1	19.5
II	11.3	10.6	9.3	9.1
III	19.1	19.1	17.8	17.7
IV	16.2	17.4	16.8	17.1
V	11.1	11.7	13.1	12.7
VI	20.6	21.9	23.9	23.9

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

**NATIONAL TREND ANALYSIS**  
**OFFENDER AND OFFENSE CHARACTERISTICS**

During each period, the majority of firearms offenders were sentenced to prison. The percentage of offenders sentenced to a split sentence of prison and community confinement, a split sentence of probation and confinement, or probation only, has never been more than five percent.

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

SENTENCE IMPOSED	<i>Koon</i> Period (6/13/96 - 4/30/03)		PROTECT Act Period (5/1/03 - 6/24/04)		<i>Booker</i> Period (1/12/05 - 12/10/07)		<i>Gall</i> Period (12/11/07-9/30/11)	
	N	%	N	%	N	%	N	%
<b>Prison Only</b>	18,055	88.2	6,303	90.0	16,977	90.3	20,646	90.0
<b>Prison/Community Split</b>	730	3.6	194	2.8	535	2.9	690	3.0
<b>Probation and Confinement</b>	797	3.9	233	3.3	659	3.5	708	3.1
<b>Probation Only</b>	888	4.3	270	3.9	622	3.3	905	3.9

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

NATIONAL TREND ANALYSIS

OFFENDER AND OFFENSE CHARACTERISTICS

The average guideline minimum for firearms offenders, which can generally be viewed as a proxy for the seriousness of the offense, has increased slightly over the four periods.

Average sentences were longer during the *Gall* period than during previous periods, whether the sentence was within or below the guideline range. Because very few government sponsored below range sentences for firearms offenders were based on early disposition programs, it is not surprising that the length of Early Disposition Program sentences fluctuated over time.

Rates of within range sentences have decreased over the periods, mostly due to increases in non-government sponsored below range rates. The rate of government sponsored below range sentences has increased slightly over the periods, due in large part to increases in rates of other government sponsored below range sentences.

When firearms offenders have been sentenced below the guideline range, the extent of the reduction below the guideline minimum has varied depending on the type of below range sentence. Substantial assistance sentences had the largest reductions during all periods except the PROTECT Act period, when EDP departures had the largest reductions.

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

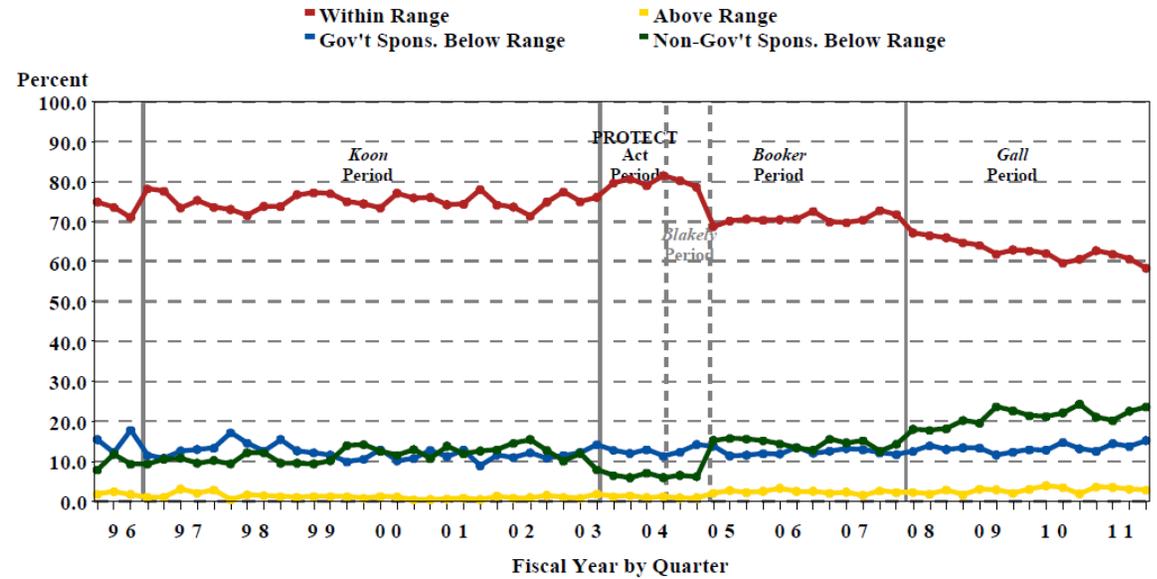
	<i>Koon</i> Period (6/13/96 - 4/30/03)	PROTECT Act Period (5/1/03 - 6/24/04)	<i>Booker</i> Period (1/12/05 - 12/10/07)	<i>Gall</i> Period (12/11/07-9/30/11)
	Percent	Percent	Percent	Percent
<b>GUILTY PLEA</b>	92.5	92.9	93.4	94.6
<b>WEAPON</b>	3.1	2.9	2.5	2.4
<b>GUIDELINE ADJUSTMENTS</b>				
Aggravating Role (USSG §3B1.1)	1.3	1.0	0.8	0.8
Mitigating Role (USSG §3B1.2)	1.6	0.9	0.7	0.7
<b>SENTENCE RELATIVE TO GUIDELINE RANGE</b>				
<b>Within Range</b>	75.1	79.7	70.6	62.9
<b>Above Range</b>	1.1	1.2	2.4	2.8
<b>All Gov't Sponsored Below Range</b>	12.0	12.6	12.5	13.3
Substantial Assistance (USSG §5K1.1)	11.7	11.4	9.4	8.8
Early Disposition Program (USSG §5K3.1)	n/a	0.1	0.6	0.2
Other Gov't Sponsored Below Range	n/a	1.1	2.5	4.3
Non-Gov't Sponsored Below Range	11.9	6.5	14.6	21.1
	Months	Months	Months	Months
<b>AVERAGE GUIDELINE MINIMUM</b>	58	58	60	63
<b>AVERAGE SENTENCE</b>	56	57	58	59
<b>Within Range</b>	63	62	64	65
<b>Above Range</b>	102	120	85	88
<b>All Gov't Sponsored Below Range</b>	34	36	38	45
Substantial Assistance (USSG §5K1.1)	34	35	37	45
Early Disposition Program (USSG §5K3.1)	n/a	53	17	24
Other Gov't Sponsored Below Range	n/a	40	42	47
Non-Gov't Sponsored Below Range	36	33	41	44
<b>AVERAGE EXTENT OF REDUCTION</b>	Percent (Months)	Percent (Months)	Percent (Months)	Percent (Months)
<b>All Gov't Sponsored Below Range</b>	51.0 (26)	49.9 (24)	46.9 (25)	45.2 (28)
Substantial Assistance (USSG §5K1.1)	51.1 (26)	50.9 (24)	49.5 (27)	48.0 (32)
Early Disposition Program (USSG §5K3.1)	n/a (n/a)	36.4 (29)	35.6 (9)	36.9 (11)
Other Gov't Sponsored Below Range	n/a (n/a)	41.2 (25)	39.9 (22)	39.8 (20)
Non-Gov't Sponsored Below Range	42.2 (18)	41.5 (16)	38.0 (16)	39.4 (17)

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

NATIONAL TREND ANALYSIS  
 INFLUENCE OF THE GUIDELINES

Although the rate of within range sentences for firearms offenses has fluctuated over time, the rate of within range sentences in the past five years has generally decreased, while the rate of non-government sponsored below range sentences has generally increased.

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



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

## PART C: FIREARMS OFFENSES

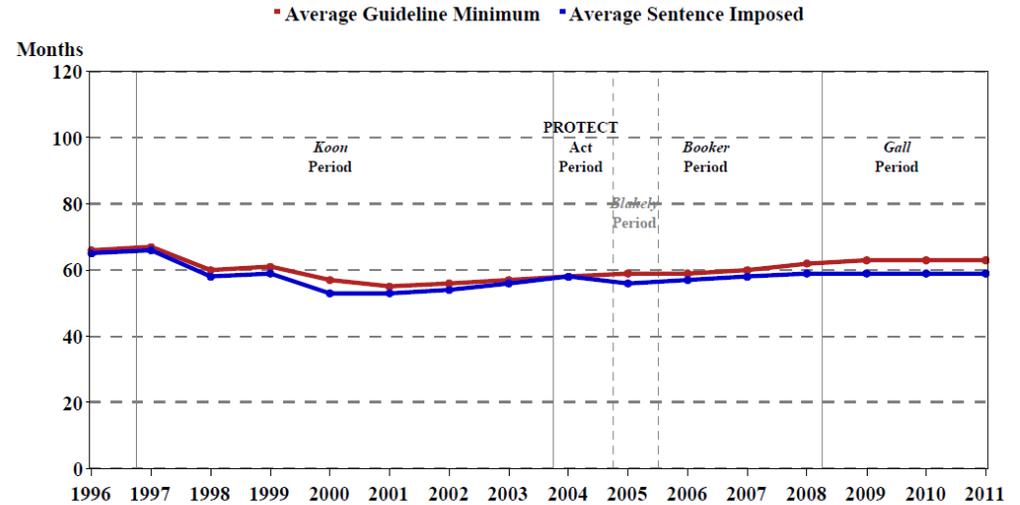
### NATIONAL TREND ANALYSIS INFLUENCE OF THE GUIDELINES

Average sentences for firearms offenses have closely paralleled average guideline minimums over time.

The percentage difference between the average guideline minimum and the average sentence has fluctuated over time, but the relative flatness of the line indicates general stability in the influence of the guidelines in firearms offenses.

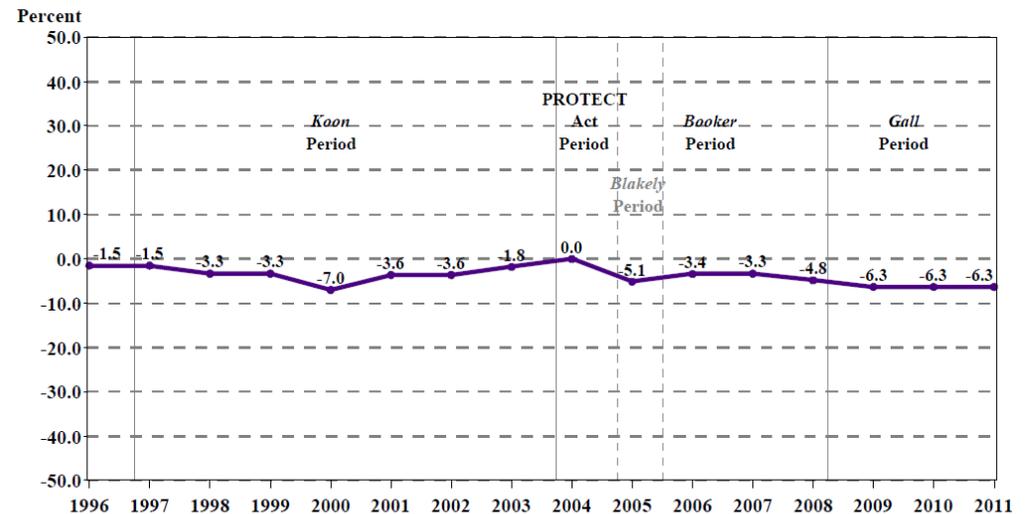
*\*Click on chart for corresponding table by period.*

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



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

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

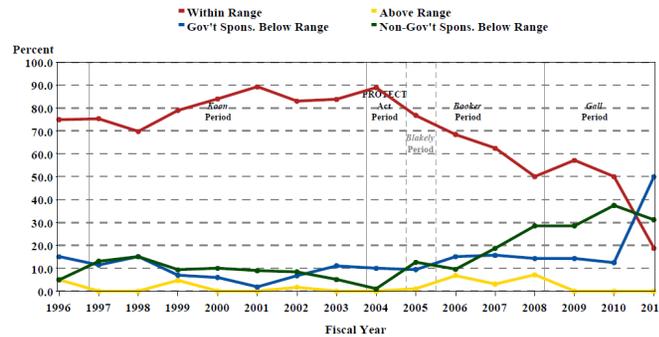


SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

CIRCUIT TREND ANALYSIS  
INFLUENCE OF THE GUIDELINES

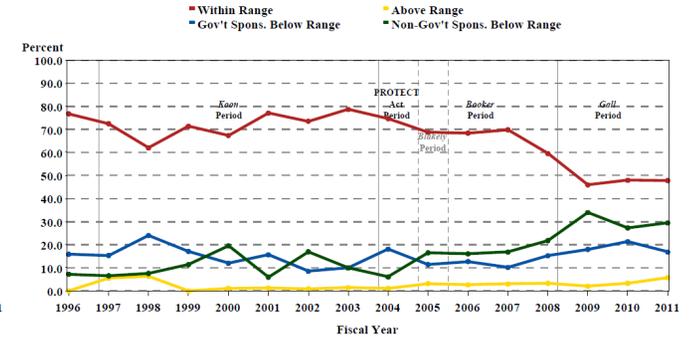
Over the past five years, the national rate of within range sentences has generally decreased, while the rate of non-government sponsored below range sentences has generally increased. Although this trend has existed in the majority of circuits, within and below range rates have varied by circuit, and in some circuits, rates of government sponsored below range sentences have increased.

Fiscal Year Data for Within-Range and Out-of-Range Sentences  
D.C. Circuit - Firearms Offenses  
Fiscal Years 1996-2011



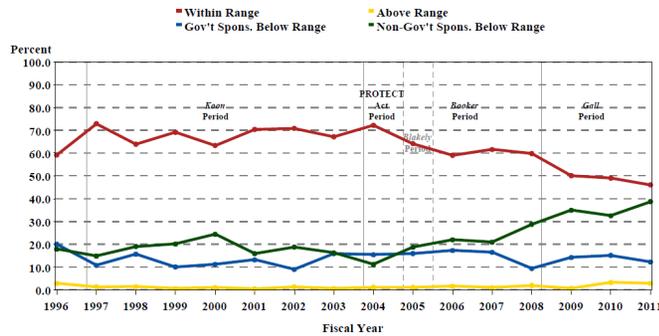
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



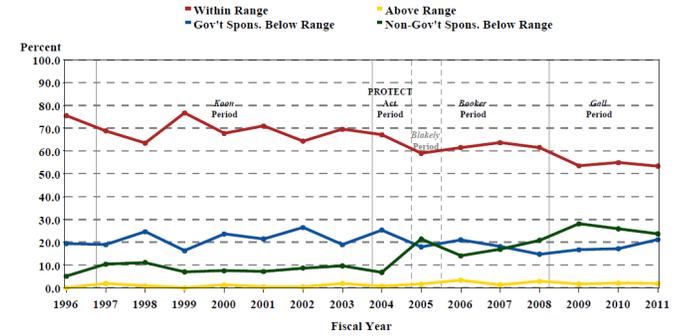
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



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

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

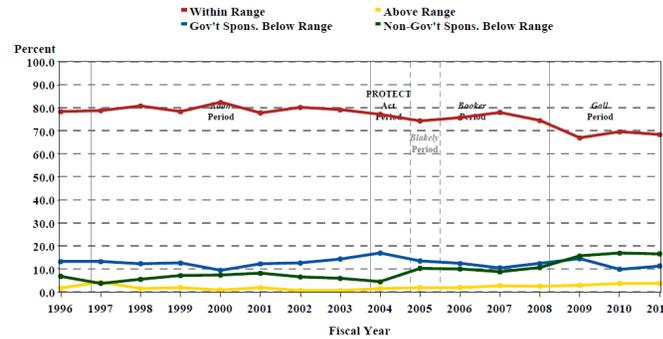


SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

CIRCUIT TREND ANALYSIS  
INFLUENCE OF THE GUIDELINES

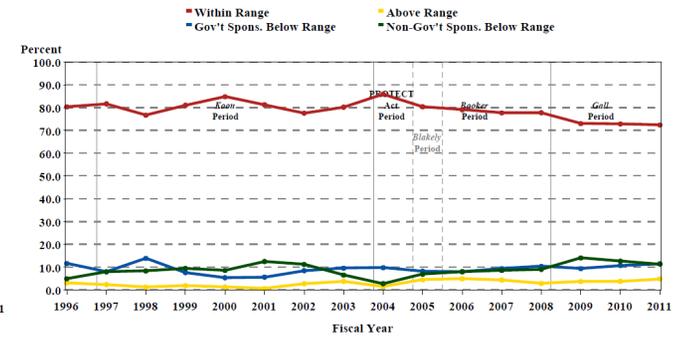
Over the past five years, the national rate of within range sentences has generally decreased, while the rate of non-government sponsored below range sentences has generally increased. Although this trend has existed in the majority of circuits, within and below range rates have varied by circuit, and in some circuits, rates of government sponsored below range sentences have increased.

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



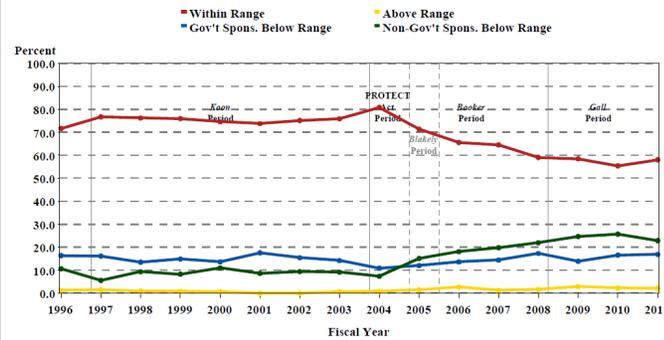
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



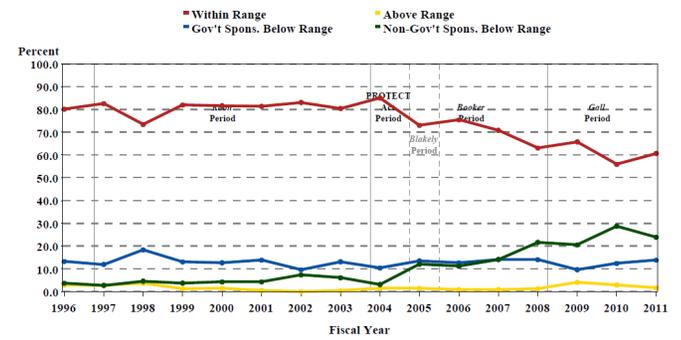
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



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

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

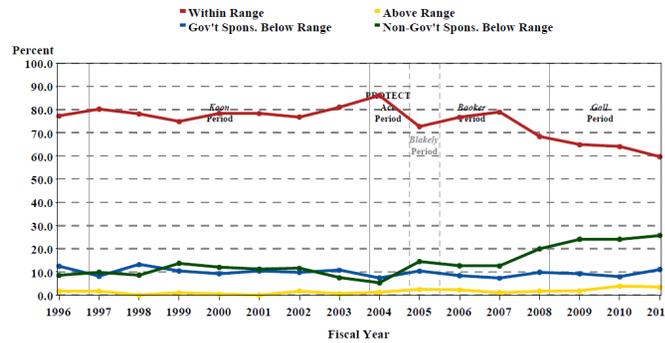


SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**CIRCUIT TREND ANALYSIS**  
**INFLUENCE OF THE GUIDELINES**

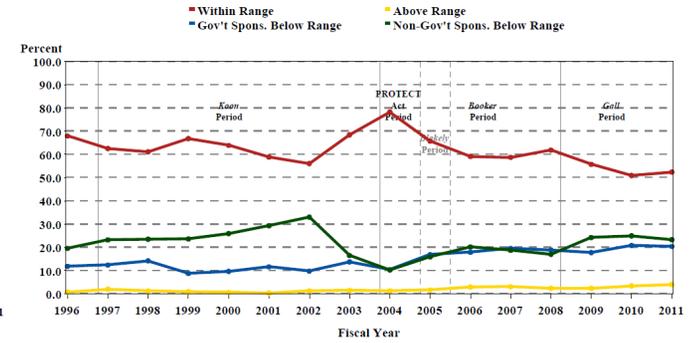
Over the past five years, the national rate of within range sentences has generally decreased, while the rate of non-government sponsored below range sentences has generally increased. Although this trend has existed in the majority of circuits, within and below range rates have varied by circuit, and in some circuits, rates of government sponsored below range sentences have increased.

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



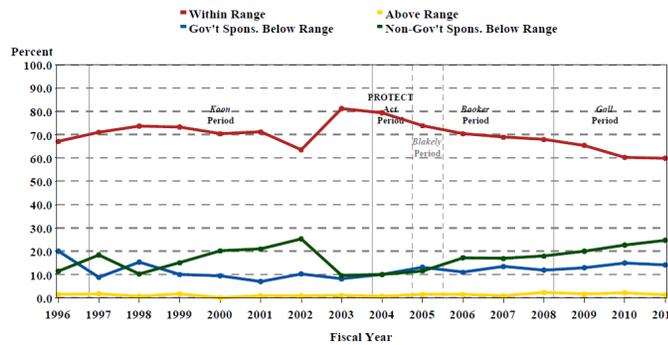
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



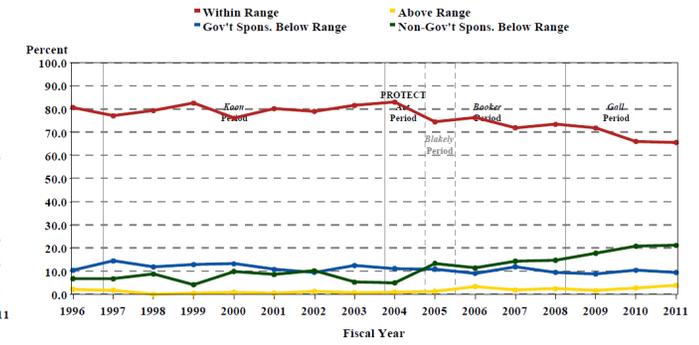
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



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

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



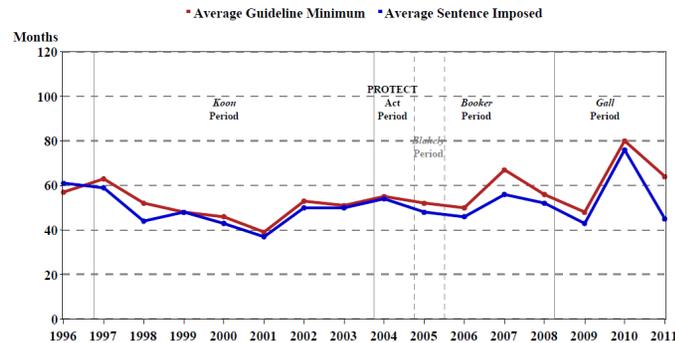
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**CIRCUIT TREND ANALYSIS**  
 INFLUENCE OF THE GUIDELINES

Average guideline minimums for firearms offenses nationally have remained relatively stable over time, and average sentences have closely tracked them. At the circuit level, average guideline minimums and averages sentences have shown more variation.

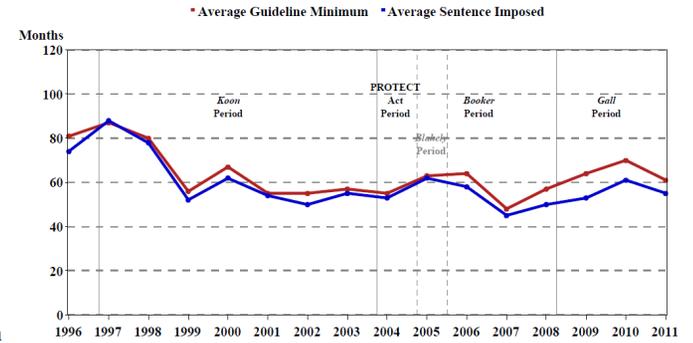
The percentage difference between average guideline minimums and average sentences has varied by circuit. Nonetheless, the influence of the guidelines appears to have remained stable in the majority of circuits.

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



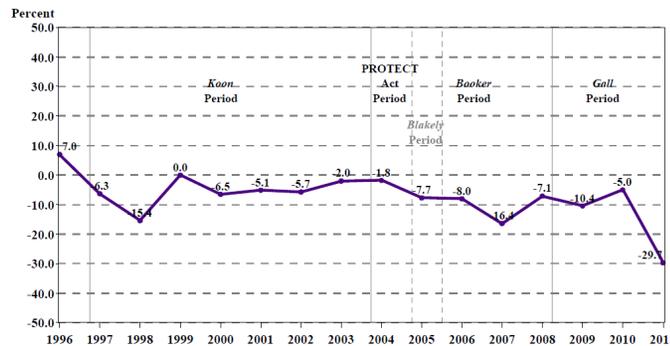
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



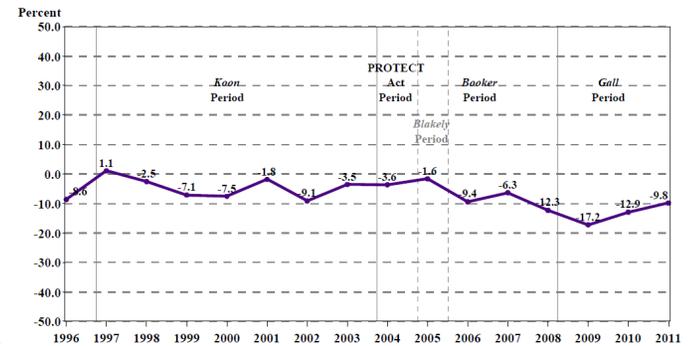
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



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

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



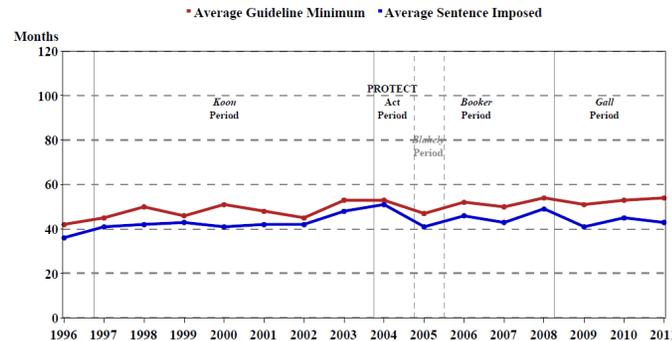
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**CIRCUIT TREND ANALYSIS**  
INFLUENCE OF THE GUIDELINES

Average guideline minimums for firearms offenses nationally have remained relatively stable over time, and average sentences have closely tracked them. At the circuit level, average guideline minimums and averages sentences have shown more variation.

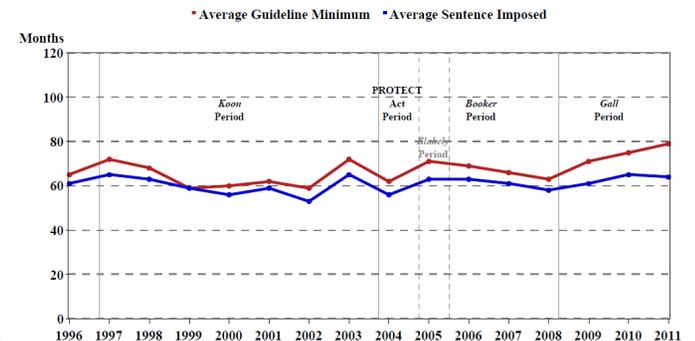
The percentage difference between average guideline minimums and average sentences has varied by circuit. Nonetheless, the influence of the guidelines appears to have remained stable in the majority of circuits.

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



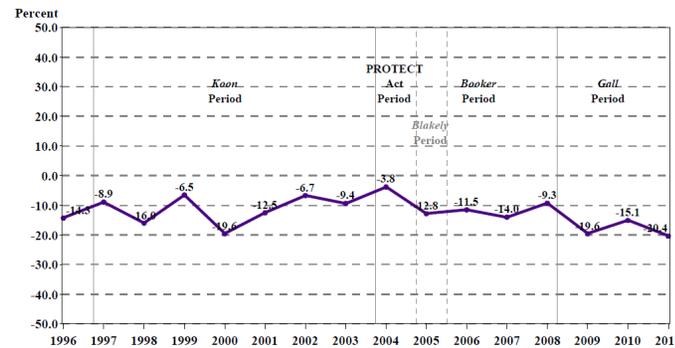
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



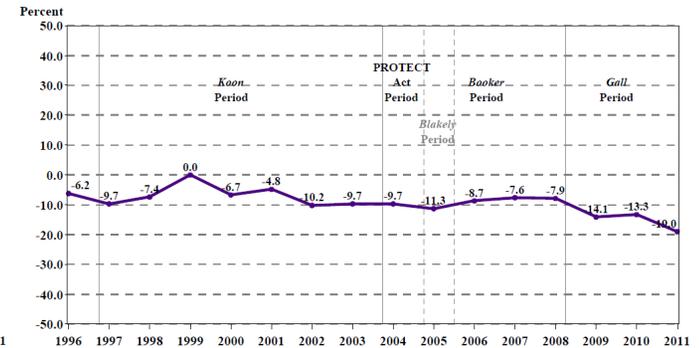
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



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

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



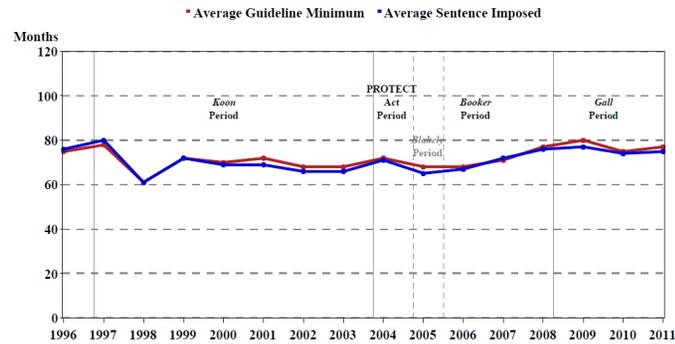
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**CIRCUIT TREND ANALYSIS**  
**INFLUENCE OF THE GUIDELINES**

Average guideline minimums for firearms offenses nationally have remained relatively stable over time, and average sentences have closely tracked them. At the circuit level, average guideline minimums and averages sentences have shown more variation.

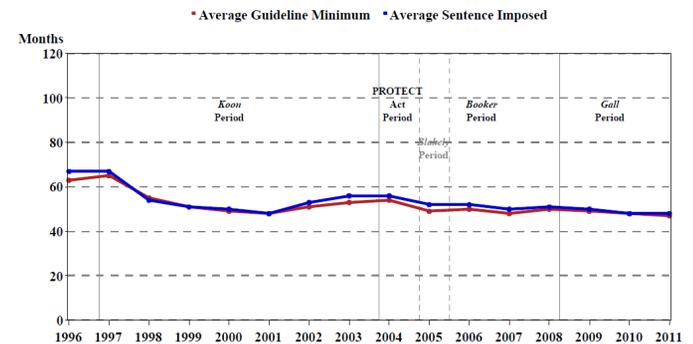
The percentage difference between average guideline minimums and average sentences has varied by circuit. Nonetheless, the influence of the guidelines appears to have remained stable in the majority of circuits.

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



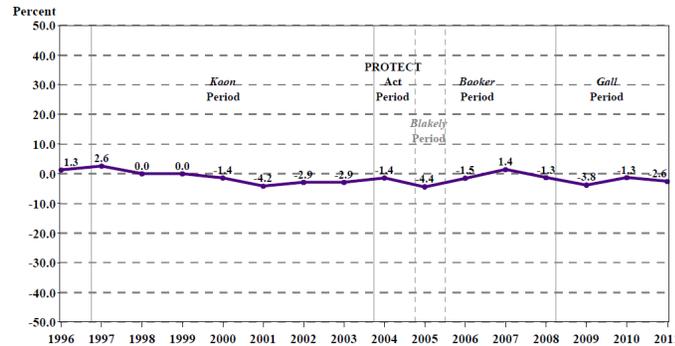
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



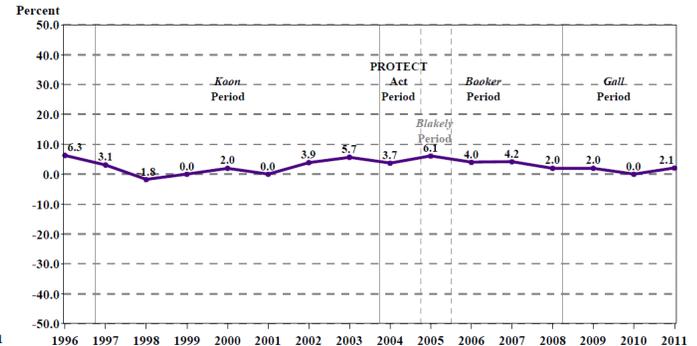
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



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

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



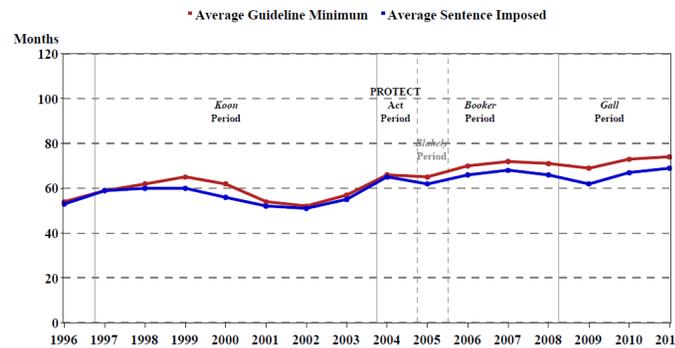
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**CIRCUIT TREND ANALYSIS**  
**INFLUENCE OF THE GUIDELINES**

Average guideline minimums for firearms offenses nationally have remained relatively stable over time, and average sentences have closely tracked them. At the circuit level, average guideline minimums and averages sentences have shown more variation.

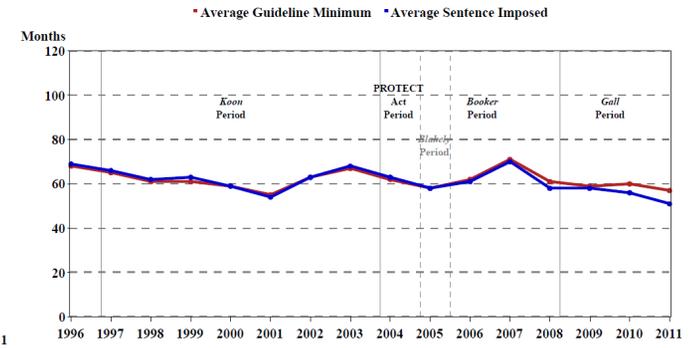
The percentage difference between average guideline minimums and average sentences has varied by circuit. Nonetheless, the influence of the guidelines appears to have remained stable in the majority of circuits.

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



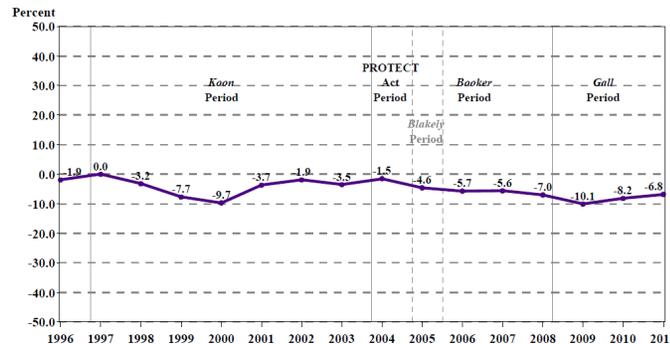
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



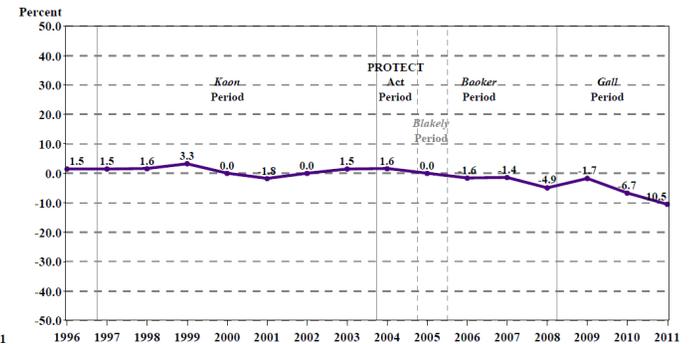
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



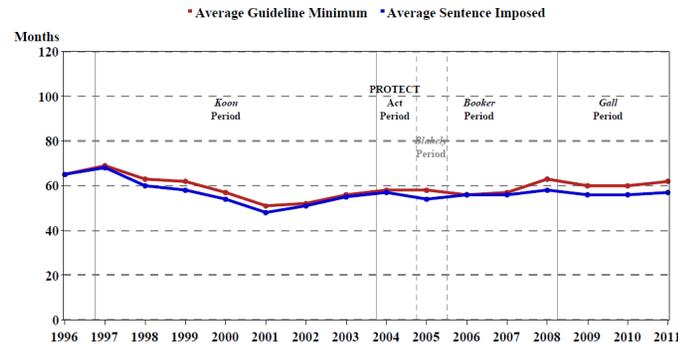
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**CIRCUIT TREND ANALYSIS**  
 INFLUENCE OF THE GUIDELINES

Average guideline minimums for firearms offenses nationally have remained relatively stable over time, and average sentences have closely tracked them. At the circuit level, average guideline minimums and averages sentences have shown more variation.

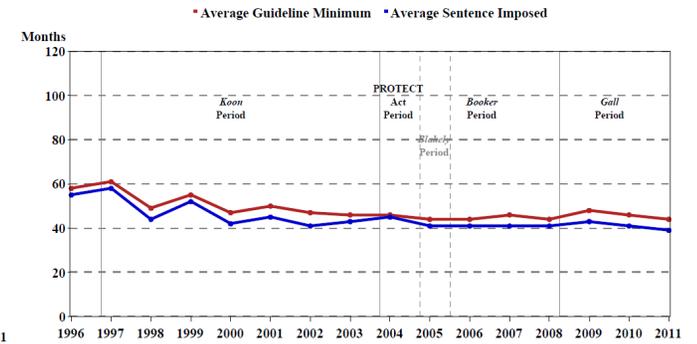
The percentage difference between average guideline minimums and average sentences has varied by circuit. Nonetheless, the influence of the guidelines appears to have remained stable in the majority of circuits.

Average Guideline Minimum and Sentence Imposed  
 Eighth Circuit - Firearms Offenses  
 Fiscal Years 1996-2011



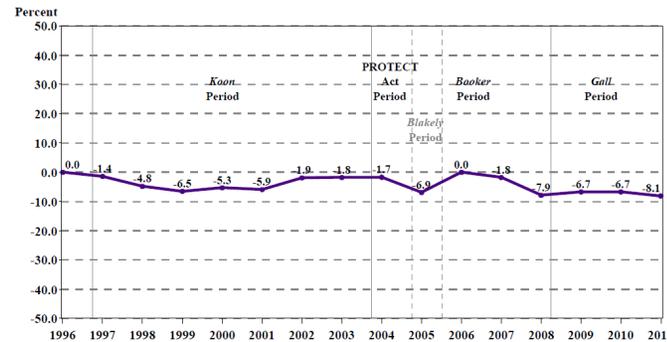
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

Average Guideline Minimum and Sentence Imposed  
 Ninth Circuit - Firearms Offenses  
 Fiscal Years 1996-2011



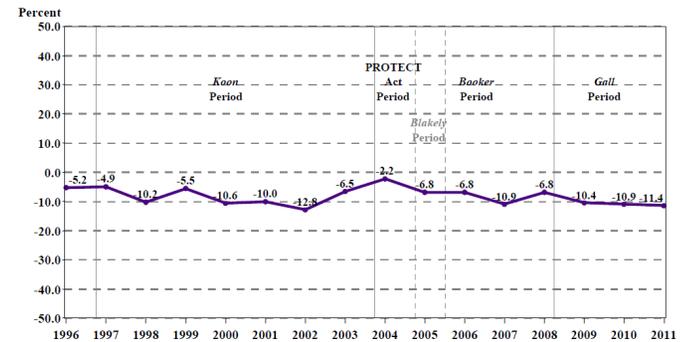
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



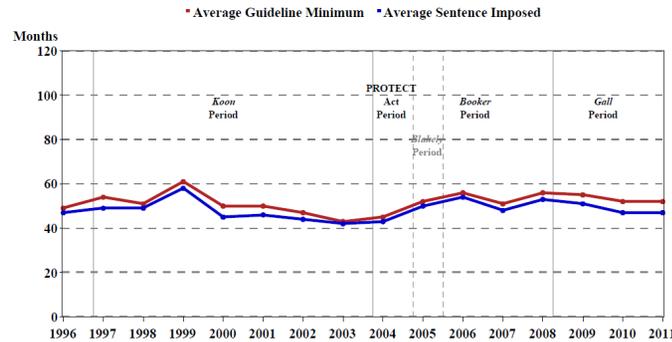
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**CIRCUIT TREND ANALYSIS**  
**INFLUENCE OF THE GUIDELINES**

Average guideline minimums for firearms offenses nationally have remained relatively stable over time, and average sentences have closely tracked them. At the circuit level, average guideline minimums and averages sentences have shown more variation.

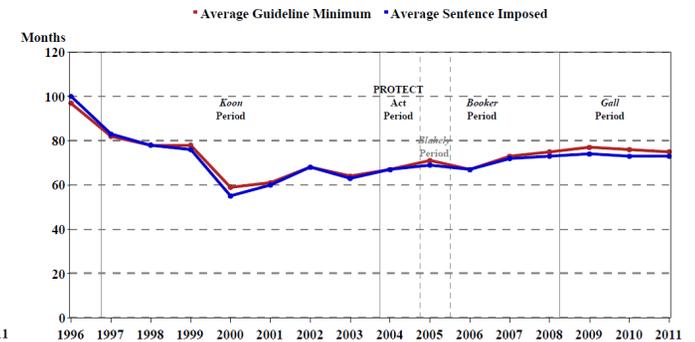
The percentage difference between average guideline minimums and average sentences has varied by circuit. Nonetheless, the influence of the guidelines appears to have remained stable in the majority of circuits.

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



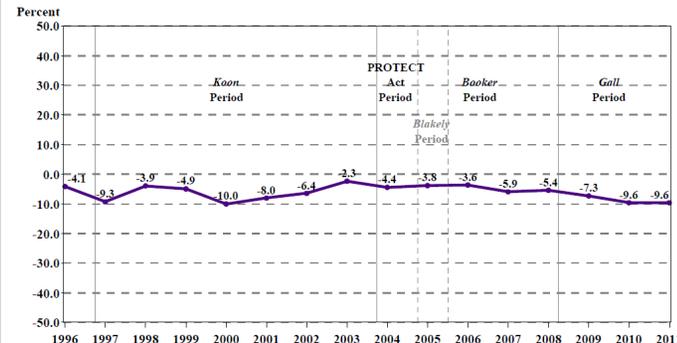
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



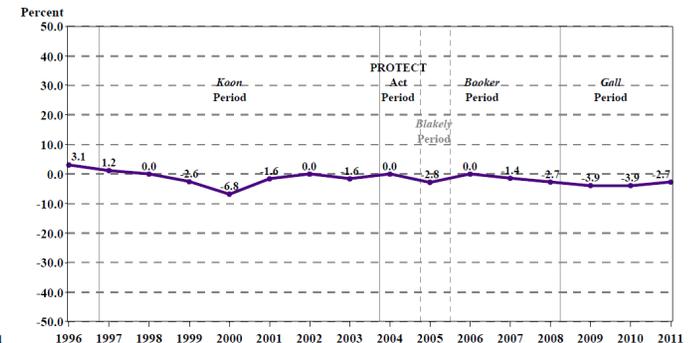
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

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



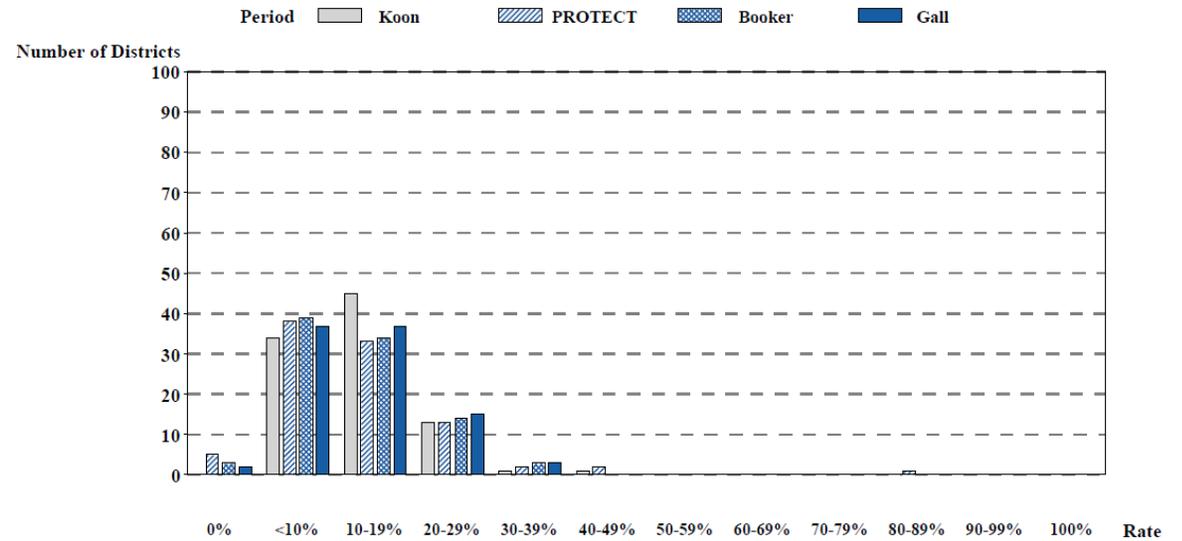
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**DISTRICT TREND ANALYSIS**

**GOVERNMENT SPONSORED BELOW RANGE SENTENCES**

Most districts have had government sponsored below range rates of between less than ten percent and 19 percent in each period.

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



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

## PART C: FIREARMS OFFENSES

### 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 firearms offenses for each of the four periods.

Districts with the Highest and Lowest Rates of Government Sponsored Below Range Sentences  
Firearms 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.
<b>Districts with the Highest Rates in Each Time Period</b>											
Northern Mariana Islands	9	44.4	Southern California	5	80.0	Middle Pennsylvania	107	38.3	Oregon	236	35.6
Middle Pennsylvania	143	30.1	Northern Mississippi	24	45.8	Western Washington	147	31.3	Middle Pennsylvania	101	34.7
Eastern Pennsylvania	573	29.1	New Hampshire	27	40.7	Arizona	492	30.3	Western Kentucky	110	30.0
Guam	63	28.6	Idaho	43	32.6	Northern New York	116	28.4	New Hampshire	77	29.9
Middle Alabama	40	27.5	Eastern Pennsylvania	149	31.5	Western New York	209	28.2	Western New York	158	29.7
<b>Districts with the Lowest Rates in Each Time Period</b>											
Eastern Virginia	421	3.1	Eastern Louisiana	75	2.7	Puerto Rico	93	2.2	Western Arkansas	86	3.5
Eastern Louisiana	293	3.1	Eastern Wisconsin	43	2.3	Rhode Island	52	1.9	Southern Illinois	151	3.3
Middle Louisiana	171	2.3	Middle North Carolina	109	1.8	Montana	175	1.7	Western Oklahoma	167	3.0
Northern Oklahoma	115	1.7	Western Louisiana	60	1.7	Eastern Louisiana	145	1.4	Southern Mississippi	138	2.9
Western Oklahoma	86	1.2	Nevada	126	0.8	Western Louisiana	162	1.2	Northern Texas	342	2.6

Number of Offenders refers to the total number of firearms offenders sentenced during the time period. During the *Booker* period, one district did not sentence any firearms offenses.

During the PROTECT Act period, five districts imposed at least one sentence for a firearms offense but did not impose a government sponsored below range sentence. The total number of firearms offenders sentenced in each of those districts ranged from one to 56 offenders.

During the *Booker* period, three districts imposed at least one sentence for a firearms offense, but did not impose a government sponsored below range sentence. The total number of firearms offenders sentenced in each of those districts ranged from 14 to 77 offenders.

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

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

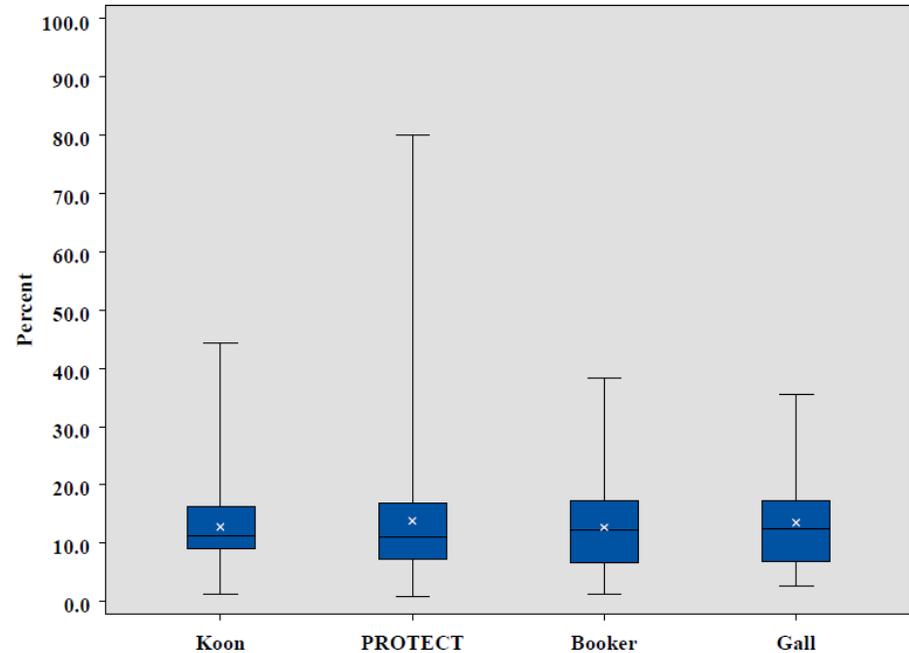
**DISTRICT TREND ANALYSIS**

**GOVERNMENT SPONSORED BELOW RANGE SENTENCES**

This box plot reveals that the spread in rates among the middle 50 percent of districts was smallest in the *Koon* period, but was similar in the other three periods. The average rate of government sponsored below range sentences, as seen in the location of the white “x”, has also been relatively constant after the *Koon* period.

*\*Click on chart for corresponding table.*

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



	Koon	PROTECT	Booker	Gall
N	94.0	89.0	90.0	92.0
Min	1.2	0.8	1.2	2.6
Max	44.4	80.0	38.3	35.6
Q1	8.9	7.1	6.6	6.9
Q3	16.3	16.9	17.3	17.3
Q2	11.2	11.0	12.2	12.5
Mean	12.8	13.8	12.7	13.6

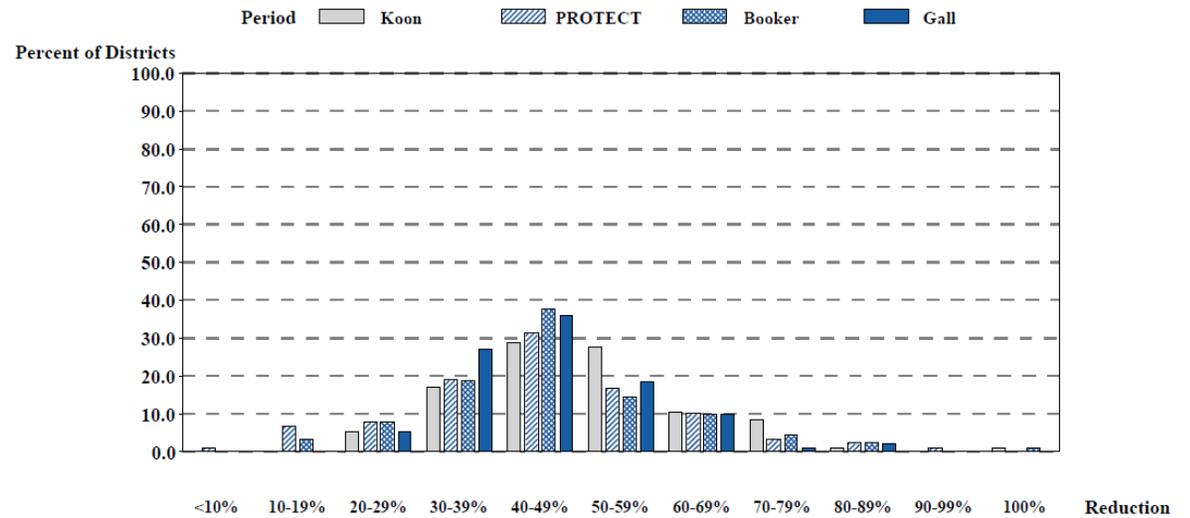
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**DISTRICT TREND ANALYSIS**

**GOVERNMENT SPONSORED BELOW RANGE SENTENCES**

The majority of districts averaged reductions between 30 and 59 percent below the guideline minimum during all periods. There was at least one district in the *Koon* and *Booker* periods with a government sponsored below range sentence that was a 100 percent reduction from the guideline minimum in a firearms offense. This 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 Firearms Offenses Koon Period through Gall Period**



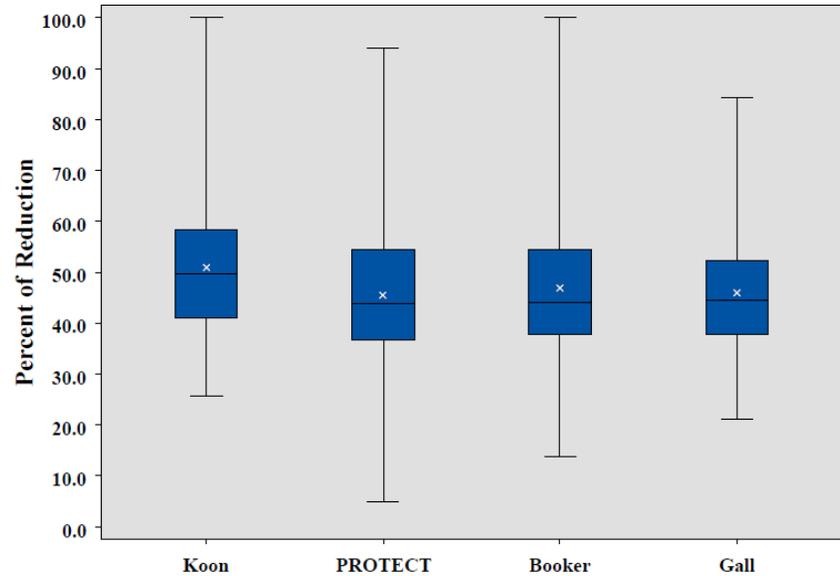
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**DISTRICT TREND ANALYSIS**

**GOVERNMENT SPONSORED BELOW RANGE SENTENCES**

The average extent of the reduction from the guideline minimum, and the spread in the extent of the reduction has decreased since the PROTECT Act period. The mean extent of reduction was highest in the *Koon* period, but similar in the other three periods, as seen in the location of the white “x”.

**Spread of Average Extent of Departure  
Government Sponsored Below Range  
Firearms Offenses  
Koon Period through Gall Period**



	Koon	PROTECT	Booker	Gall
N	94.0	89.0	90.0	92.0
Min	25.8	5.0	13.7	21.0
Max	100.0	93.9	100.0	84.3
Q1	41.1	36.6	37.9	37.7
Q3	58.3	54.5	54.3	52.3
Q2	49.7	44.0	44.1	44.4
Mean	51.0	45.5	46.9	46.0

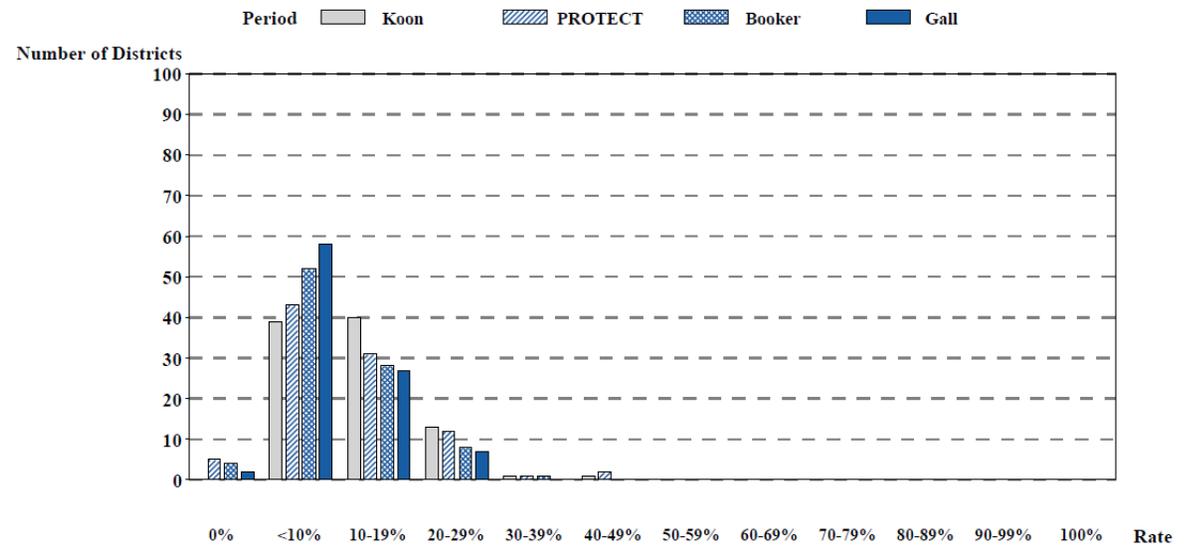
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**DISTRICT TREND ANALYSIS**

**SUBSTANTIAL ASSISTANCE SENTENCES**

Of the districts that have reported substantial assistance below range sentences, the number of districts with substantial assistance rates of less than ten percent has increased over the four periods, while the number of districts with substantial assistance rates of ten to 29 percent has decreased over the four periods.

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



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

## PART C: FIREARMS OFFENSES

### DISTRICT TREND ANALYSIS SUBSTANTIAL ASSISTANCE SENTENCES

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

**Districts with the Highest and Lowest Rates of Substantial Assistance Sentences  
Firearms 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.
<b>Districts with the Highest Rates in Each Time Period</b>											
Northern Mariana Islands	9	44.4	Northern Mississippi	24	41.7	Middle Pennsylvania	107	34.6	Eastern Kentucky	273	27.5
Middle Pennsylvania	143	30.1	New Hampshire	27	40.7	Eastern Kentucky	210	27.1	Middle Pennsylvania	101	25.7
Eastern Pennsylvania	573	29.0	Eastern Pennsylvania	149	30.2	Eastern Pennsylvania	349	25.5	Maine	143	23.8
Guam	63	28.6	Northern New York	38	28.9	Northern New York	116	25.0	New Hampshire	77	22.1
Middle Alabama	40	27.5	Idaho	43	27.9	Eastern North Carolina	449	23.2	Southern Ohio	239	20.9
<b>Districts with the Lowest Rates in Each Time Period</b>											
Eastern Virginia	421	3.1	Utah	241	2.5	Nebraska	287	1.7	Northern California	212	1.4
Easter Louisiana	293	2.7	Eastern Wisconsin	43	2.3	Southern Mississippi	173	1.7	Southern Indiana	79	1.3
Middle Louisiana	171	2.3	Middle North Carolina	109	1.8	Montana	175	1.7	Western Oklahoma	167	1.2
Northern Oklahoma	115	1.7	Western Louisiana	60	1.7	Eastern Louisiana	145	1.4	Nebraska	271	1.1
Western Oklahoma	86	1.2	Nevada	126	0.8	Western Louisiana	162	1.2	South Dakota	104	1.0

Number of Offenders refers to the total number of firearms offenders sentenced during the time period. During the *Booker* period, one district did not sentence any firearms offenses.

During the PROTECT Act period, five districts imposed at least one sentence for a firearms offense but did not impose a substantial assistance sentence. The total number of firearms offenders sentenced in each of those districts ranged from one to 56 offenders.

During the *Booker* period, four districts imposed at least one sentence for a firearms offense, but did not impose a substantial assistance sentence. The total number of firearms offenders sentenced in each of those districts ranged from 14 to 77 offenders.

During the *Gall* period, two districts imposed at least one sentence for a firearms offense, but did not impose a substantial assistance sentence. The total number of firearms offenders sentenced in each of those districts ranged from five to 15 offenders.

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

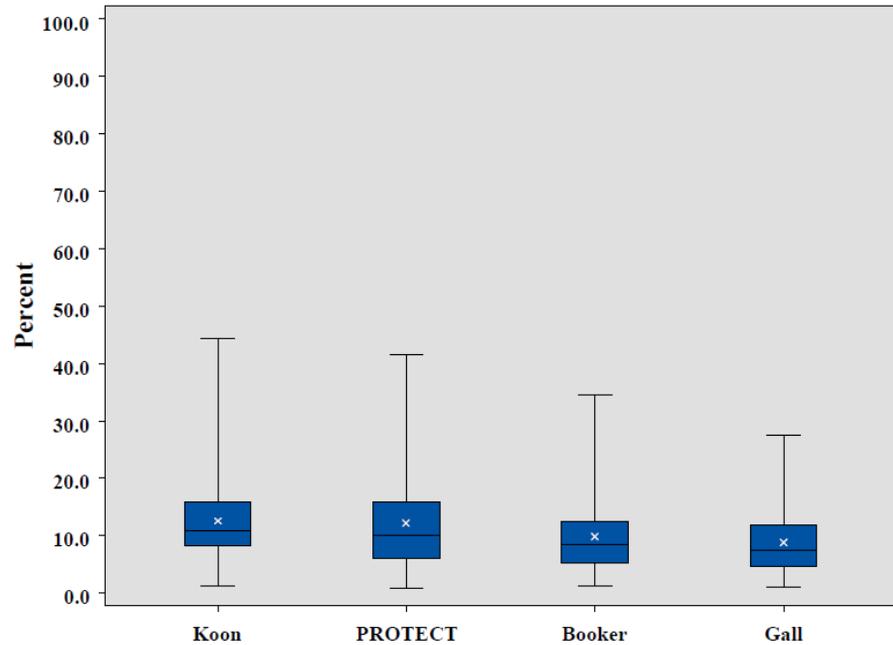
**DISTRICT TREND ANALYSIS**

SUBSTANTIAL ASSISTANCE SENTENCES

Substantial assistance rates for the middle 50 percent of districts have decreased since the PROTECT Act period. Mean substantial assistance rates have also decreased over time as seen in the falling position of the white “x”.

*\*Click on chart for corresponding table.*

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



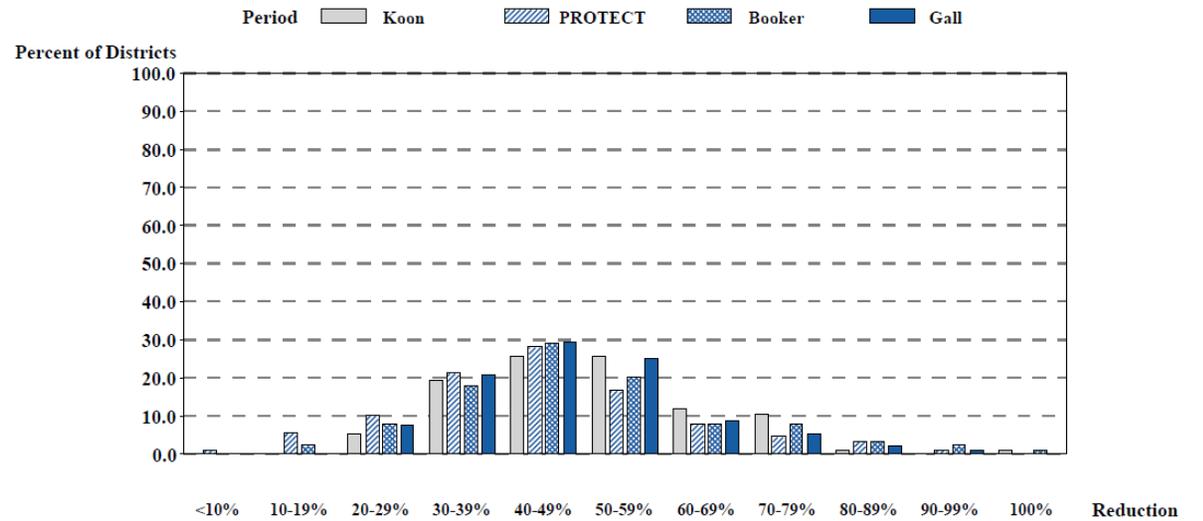
	Koon	PROTECT	Booker	Gall
N	94.0	89.0	89.0	92.0
Min	1.2	0.8	1.2	1.0
Max	44.4	41.7	34.6	27.5
Q1	8.2	6.0	5.2	4.6
Q3	15.9	15.9	12.5	11.9
Q2	10.8	10.1	8.3	7.5
Mean	12.6	12.2	9.8	8.9

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

**DISTRICT TREND ANALYSIS**  
 SUBSTANTIAL ASSISTANCE SENTENCES

In all four periods, the majority of districts have averaged reductions between 30 and 59 percent below the guideline minimum.

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



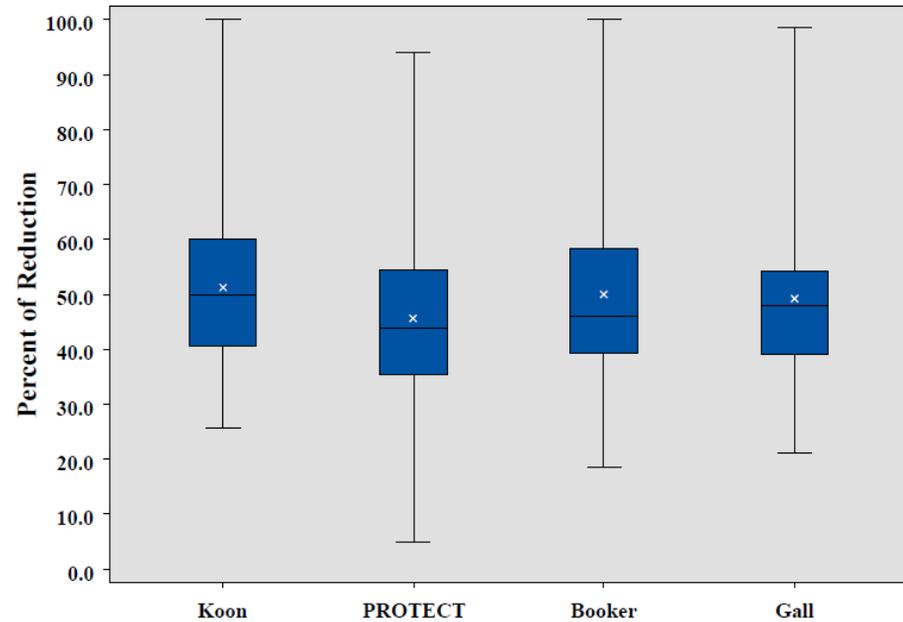
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**DISTRICT TREND ANALYSIS**

SUBSTANTIAL ASSISTANCE SENTENCES

The spread in the average extent of the reduction below the guideline minimum among the middle 50 percent of districts was smallest in the *Gall* period. Although the *Booker* period spread was similar to the PROTECT Act period spread, the middle 50 percent of districts have generally averaged larger reductions during the *Booker* period, as illustrated by the higher placement of the box along the vertical axis in the *Booker* period.

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



	Koon	PROTECT	Booker	Gall
N	94.0	89.0	89.0	92.0
Min	25.8	5.0	18.6	21.0
Max	100.0	93.9	100.0	98.6
Q1	40.7	35.3	39.3	39.1
Q3	60.0	54.5	58.2	54.2
Q2	49.9	44.0	46.1	48.0
Mean	51.3	45.7	50.0	49.2

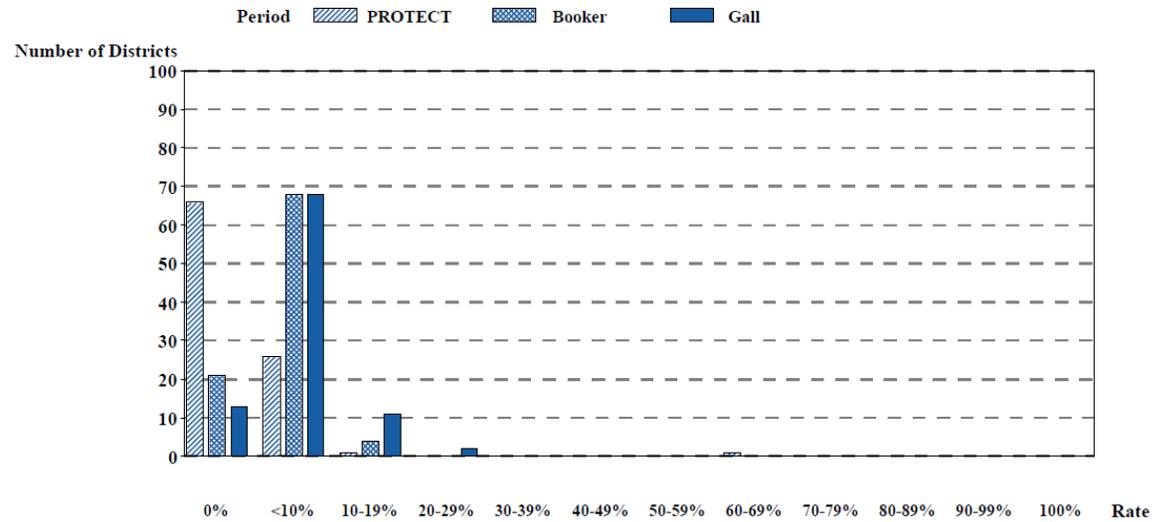
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**DISTRICT TREND ANALYSIS**

**OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES**

The number of districts reporting at least one other government sponsored below range sentence has increased over time. Those districts reporting other government sponsored below range sentences for firearms offenses generally have had rates of less than ten percent.

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



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

**DISTRICT TREND ANALYSIS**

**OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES**

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

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

<i>Koon</i> Period (6/13/96 - 4/30/03)		PROTECT Act Period (5/1/03 - 6/24/04)		<i>Booker</i> Period (1/12/05 - 12/10/07)		<i>Gall</i> Period (12/11/07-9/30/11)	
District	Number of Offenders % Oth. Gov. Spon.	District	Number of Offenders % Oth. Gov. Spon.	District	Number of Offenders % Oth. Gov. Spon.	District	Number of Offenders % Oth. Gov. Spon.
<b>Districts with the Highest Rates in Each Time Period</b>							
		Southern California	5 60.0	Western Washington	147 19.0	Oregon	236 23.3
		Arizona	152 14.5	Eastern Washington	155 12.3	Western Washington	202 20.3
		District of Columbia	107 5.6	Central California	131 11.5	Western Kentucky	110 15.5
		Western New York	61 4.9	New Mexico	231 11.3	Middle Tennessee	289 15.2
		Connecticut	43 4.7	Nebraska	287 9.8	Arizona	453 14.8
<b>Districts with the Lowest Rates in Each Time Period</b>							
		Northern Ohio	101 1.0	Southern Ohio	215 0.5	Eastern New York	193 0.5
		Western Missouri	255 0.8	Eastern North Carolina	449 0.4	Northern Iowa	214 0.5
		Southern New York	144 0.7	Western Missouri	698 0.4	Western Michigan	221 0.5
		Eastern Michigan	150 0.7	New Jersey	241 0.4	Northern Alabama	407 0.2
		Eastern Missouri	161 0.6	Middle North Carolina	270 0.4	Eastern North Carolina	549 0.2

Number of Offenders refers to the total number of firearms offenders sentenced during the time period. Data on other government sponsored below range sentences is unavailable for the *Koon* period. During the *Booker* period, one district did not sentence any firearms offenses.

During the PROTECT Act period, one additional district imposed an other government sponsored below range sentence in 4.7 percent of firearms offenses (Idaho, N=43). Sixty-six districts imposed at least one sentence for a firearms offense but did not impose an other government sponsored below range sentence. The total number of firearms offenders sentenced in each of those districts ranged from one to 227 offenders.

During the *Booker* period, 21 districts imposed at least one sentence for a firearms offense, but did not impose an other government sponsored below range sentence. The total number of firearms offenders sentenced in each of those districts ranged from 14 to 394.

During the *Gall* period, 13 districts imposed at least one sentence for a firearms offense, but did not impose an other government sponsored below range sentence. The total number of firearms offenders sentenced in each of those districts ranged from five to 526.

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

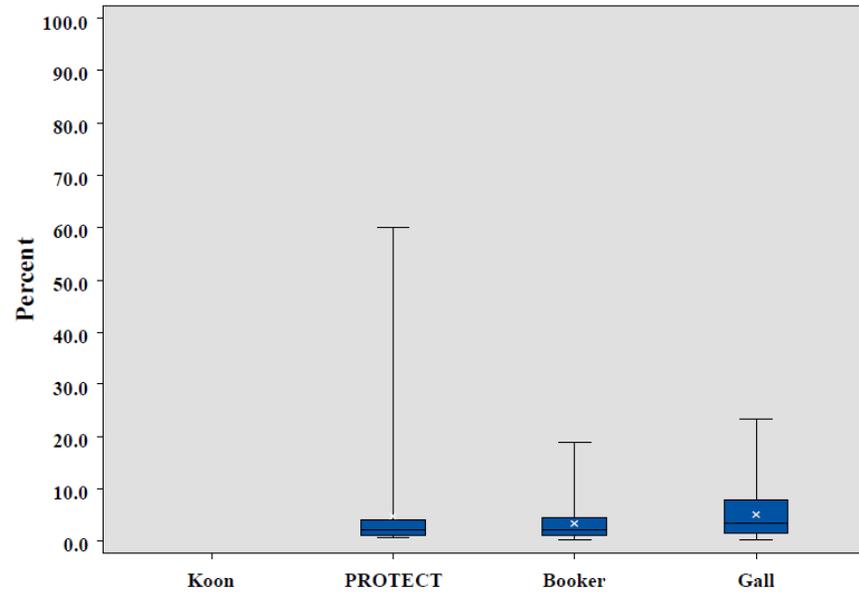
**DISTRICT TREND ANALYSIS**

**OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES**

As more districts reported other government sponsored below range sentences (28 districts during the PROTECT Act Period, 72 during the *Booker* period, and 81 during the *Gall* period) the spread in the rate of such sentences among the middle 50 percent of districts has increased. Other government sponsored below range rates have remained low.

*\*Click on chart for corresponding table.*

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



	Koon	PROTECT	Booker	Gall
N		28.0	72.0	81.0
Min		0.6	0.4	0.2
Max		60.0	19.0	23.3
Q1		1.2	1.1	1.6
Q3		4.1	4.3	7.8
Q2		2.0	2.1	3.5
Mean		4.8	3.4	5.1

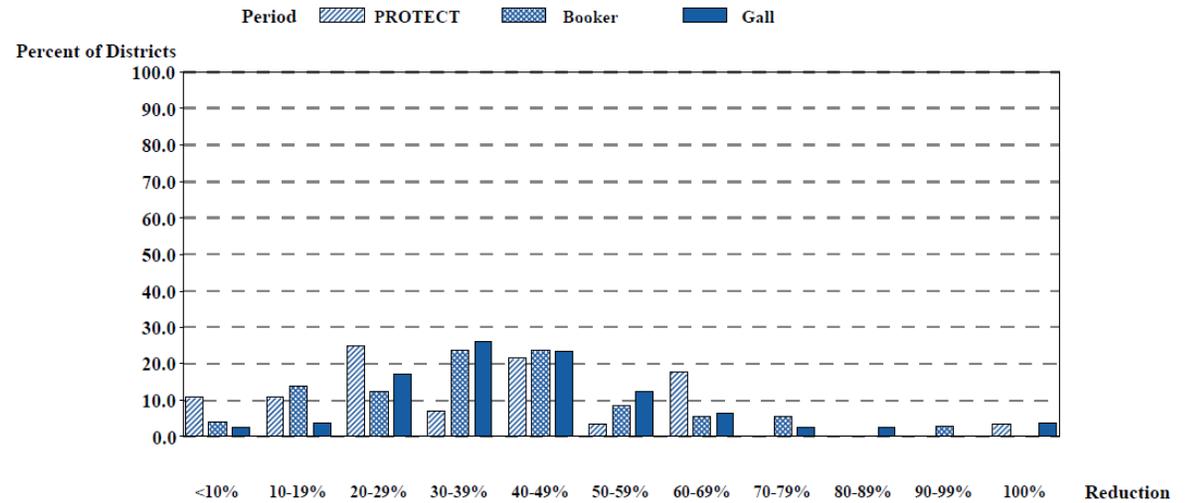
Data on other government sponsored below range sentences is unavailable for the Koon period.  
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**DISTRICT TREND ANALYSIS**

**OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES**

In every period, reductions for other government sponsored below range sentences have been between 20 and 49 percent below the guideline minimum in many districts.

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



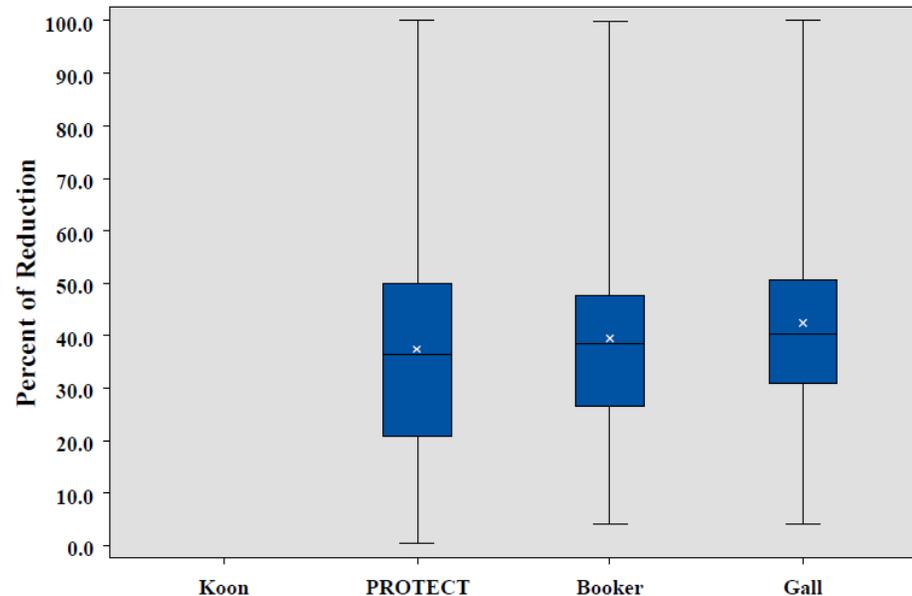
Data on other government sponsored below range sentences is unavailable for the Koon period.  
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**DISTRICT TREND ANALYSIS**

**OTHER GOVERNMENT SPONSORED BELOW RANGE SENTENCES**

While more districts reported other government sponsored below range sentences in the *Booker* and *Gall* periods than in the PROTECT Act period, the spread in the extent of the reduction among the middle 50 percent of districts has decreased over time. However, the higher location of the box across time indicates that among the middle 50 percent of districts, reductions were generally largest during *Gall* period.

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



	Koon	PROTECT	Booker	Gall
N		28.0	72.0	81.0
Min		0.4	4.3	4.3
Max		100.0	99.8	100.0
Q1		20.9	26.6	30.9
Q3		49.9	47.5	50.5
Q2		36.4	38.4	40.3
Mean		37.4	39.5	42.5

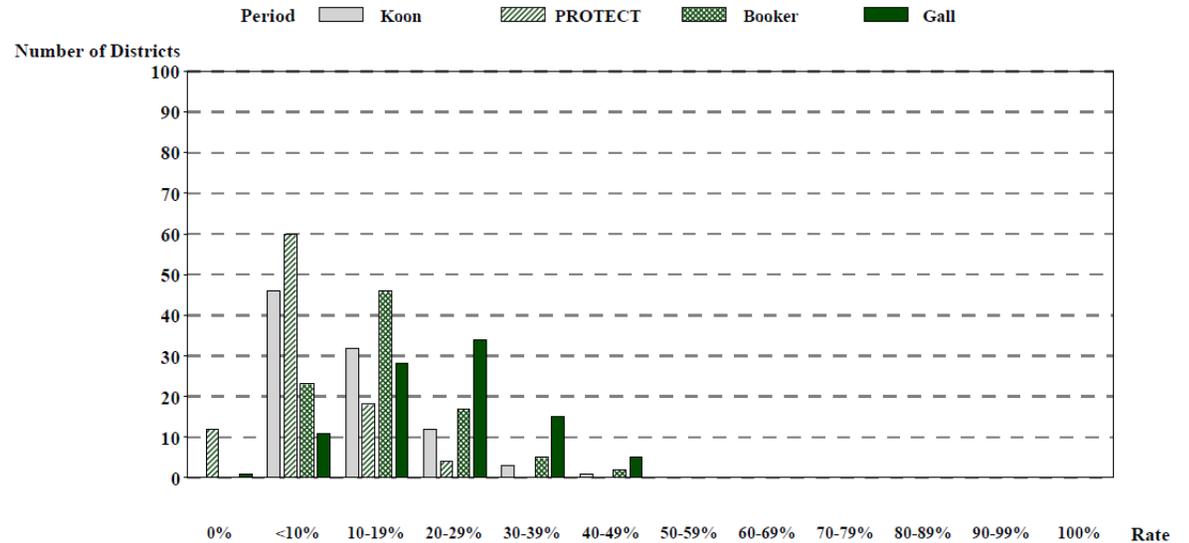
Data on other government sponsored below range sentences is unavailable for the Koon period.  
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**DISTRICT TREND ANALYSIS**

**NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES**

More districts reported non-government sponsored below range sentences at higher rates in the *Booker* and *Gall* periods than in previous periods. In the *Koon* and PROTECT Act periods, most districts reported non-government sponsored below range sentences in less than ten percent of firearms offenses. In the *Booker* and *Gall* periods, more districts reported non-government sponsored below range rates of between ten and 19 percent, while in the *Gall* period, the majority of districts reported non-government sponsored below range rates of between 10 and 29 percent.

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



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

## PART C: FIREARMS OFFENSES

### DISTRICT TREND ANALYSIS

#### NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES

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

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

Koon Period (6/13/96 - 4/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			Booker Period (1/12/05 - 12/10/07)			Gall Period (12/11/07-9/30/11)		
District	Number of Offenders	% Non-Gov. Spon.	District	Number of Offenders	% Non-Gov. Spon.	District	Number of Offenders	% Non-Gov. Spon.	District	Number of Offenders	% Non-Gov. Spon.
<b>Districts with the Highest Rates in Each Time Period</b>											
Southern California	92	41.3	Delaware	33	27.3	Guam	18	44.4	Vermont	99	48.5
Arizona	387	38.8	Oregon	122	22.1	Central California	131	41.2	Guam	15	46.7
New Mexico	213	32.4	South Dakota	23	21.7	Vermont	74	32.4	Southern New York	286	46.5
Vermont	118	31.4	Southern California	5	20.0	Eastern Wisconsin	154	31.8	Massachusetts	197	40.6
Northern California	285	29.8	Connecticut	43	18.6	Southern Iowa	139	31.7	Eastern Wisconsin	276	40.6
<b>Districts with the Lowest Rates in Each Time Period</b>											
South Carolina	453	3.3	South Carolina	227	1.3	Northern Texas	283	4.9	Eastern North Carolina	549	7.1
Southern Georgia	186	3.2	Eastern Kentucky	78	1.3	Eastern Texas	328	4.9	Eastern Texas	353	7.1
Southern Illinois	157	3.2	Kansas	89	1.1	Middle Louisiana	111	4.5	Southern Mississippi	138	5.1
Southern Alabama	147	2.7	Southern Florida	103	1.0	Northern Oklahoma	148	3.4	Eastern Oklahoma	67	4.5
Middle North Carolina	308	2.3	Middle North Carolina	109	0.9	Eastern Oklahoma	43	2.3	Virgin Islands	45	2.2

Number of Offenders refers to the total number of firearms offenders sentenced during the time period. During the *Booker* period, one district did not sentence any firearms offenses.

During the PROTECT Act period, 12 districts imposed at least one sentence for a firearms offense but did not impose a non-government sponsored below range sentence. The total number of firearms offenders sentenced in each of those districts ranged from one to 66 offenders.

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

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

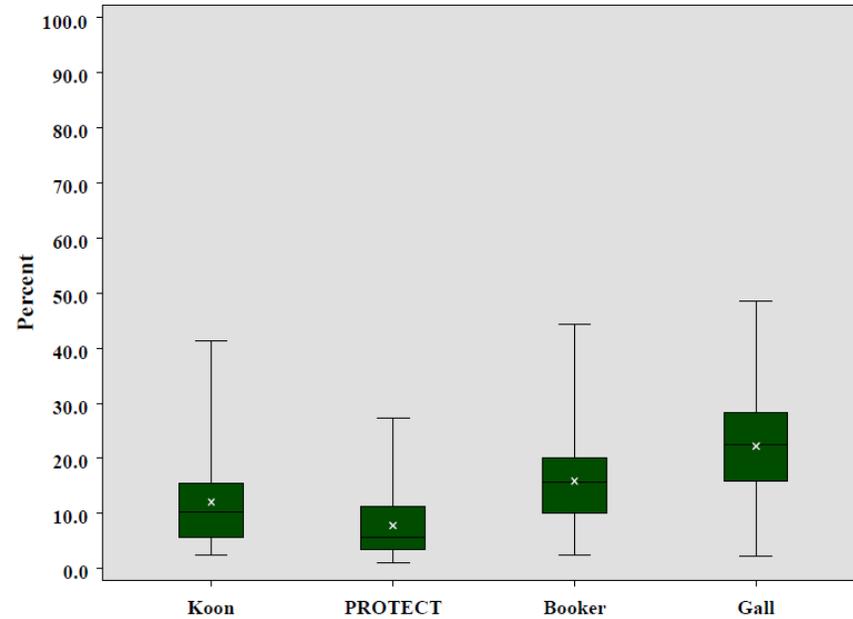
**DISTRICT TREND ANALYSIS**

**NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES**

The middle 50 percent of districts have both higher rates and a larger spread in the rates of non-government sponsored below range sentences in the *Booker* and *Gall* periods than in the PROTECT Act period. In addition, the mean rate of non-government sponsored below range sentences nearly tripled between the PROTECT Act and *Gall* periods.

*\*Click on chart for corresponding table.*

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



	Koon	PROTECT	Booker	Gall
N	94.0	82.0	93.0	93.0
Min	2.3	0.9	2.3	2.2
Max	41.3	27.3	44.4	48.5
Q1	5.6	3.4	10.0	15.9
Q3	15.4	11.1	20.2	28.3
Q2	10.3	5.7	15.7	22.5
Mean	12.1	7.7	15.9	22.3

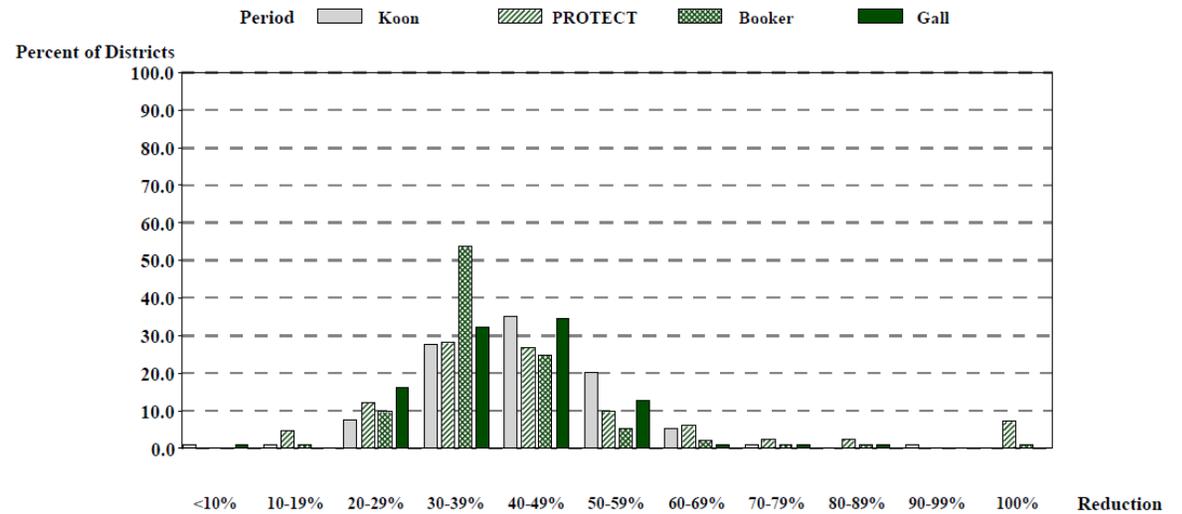
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**DISTRICT TREND ANALYSIS**

**NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES**

In each period, the majority of districts clustered around average reductions of between 30 and 49 percent below the guideline minimum in firearms offenses.

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



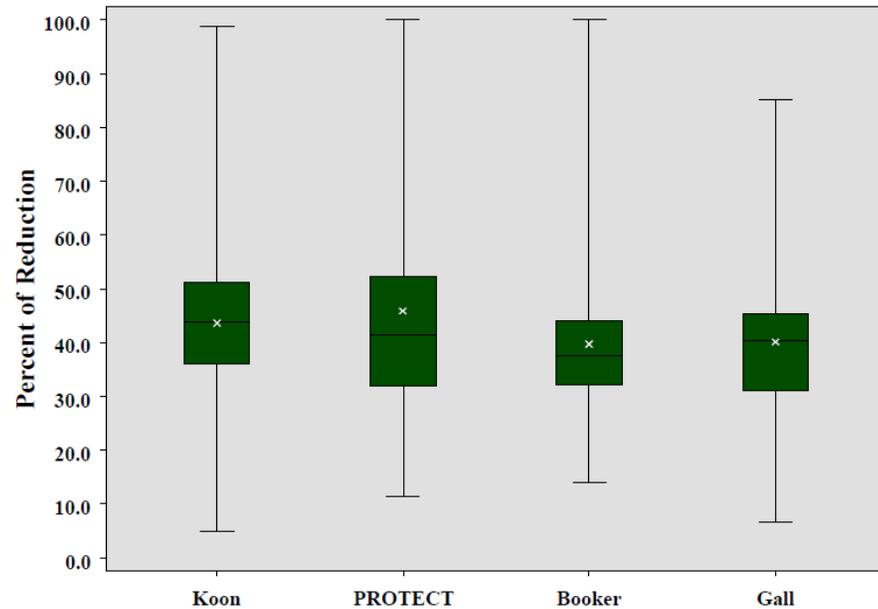
SOURCE: U.S. Sentencing Commission, 2011 Booker Report Datafiles.

**DISTRICT TREND ANALYSIS**

**NON-GOVERNMENT SPONSORED BELOW RANGE SENTENCES**

While the PROTECT Act period had a lower rate of non-government sponsored below range sentences, the spread in the extent of the reduction below the guideline minimum was greatest during that period. The mean extent of the reduction was also highest in the PROTECT Act period. During the *Gall* period the mean reduction for non-government sponsored below range sentences was 40.2 percent below the guideline minimum.

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



	Koon	PROTECT	Booker	Gall
N	94.0	82.0	93.0	93.0
Min	5.0	11.4	14.2	6.7
Max	98.8	100.0	100.0	85.1
Q1	36.3	31.9	32.1	31.0
Q3	51.1	52.3	44.1	45.4
Q2	43.7	41.5	37.6	40.4
Mean	43.7	45.9	39.7	40.2

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

## Appendix: Firearms Offenses

### I. OVERVIEW

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

### II. SENTENCE POSITION RELATIVE TO THE GUIDELINE RANGE

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

### III. BOX PLOTS: BELOW RANGE RATES BY DISTRICT

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

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

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

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

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

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

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

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

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

CIRCUIT	TOTAL	Firearms Offenses		Fraud Offenses		Alien Smuggling Offenses		Illegal Entry Offenses		Drug Trafficking Offenses		Child Pornography Production Offenses		Child Pornography Non-Production Offenses	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>76,191</b>	<b>5,896</b>	<b>7.7</b>	<b>5,898</b>	<b>7.7</b>	<b>2,546</b>	<b>3.3</b>	<b>21,264</b>	<b>27.9</b>	<b>24,502</b>	<b>32.2</b>	<b>226</b>	<b>0.3</b>	<b>1,632</b>	<b>2.1</b>
<b>D.C. CIRCUIT</b>	<b>345</b>	<b>16</b>	<b>0.3</b>	<b>50</b>	<b>0.8</b>	<b>3</b>	<b>0.1</b>	<b>15</b>	<b>0.1</b>	<b>133</b>	<b>0.5</b>	<b>2</b>	<b>0.9</b>	<b>11</b>	<b>0.7</b>
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
<b>FIRST CIRCUIT</b>	<b>2,134</b>	<b>190</b>	<b>3.2</b>	<b>240</b>	<b>4.1</b>	<b>16</b>	<b>0.6</b>	<b>114</b>	<b>0.5</b>	<b>1,129</b>	<b>4.6</b>	<b>10</b>	<b>4.4</b>	<b>39</b>	<b>2.4</b>
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
<b>SECOND CIRCUIT</b>	<b>4,307</b>	<b>245</b>	<b>4.2</b>	<b>556</b>	<b>9.4</b>	<b>48</b>	<b>1.9</b>	<b>462</b>	<b>2.2</b>	<b>1,787</b>	<b>7.3</b>	<b>14</b>	<b>6.2</b>	<b>114</b>	<b>7.0</b>
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
<b>THIRD CIRCUIT</b>	<b>2,861</b>	<b>279</b>	<b>4.7</b>	<b>413</b>	<b>7.0</b>	<b>10</b>	<b>0.4</b>	<b>206</b>	<b>1.0</b>	<b>953</b>	<b>3.9</b>	<b>9</b>	<b>4.0</b>	<b>103</b>	<b>6.3</b>
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
<b>FOURTH CIRCUIT</b>	<b>5,730</b>	<b>832</b>	<b>14.1</b>	<b>596</b>	<b>10.1</b>	<b>13</b>	<b>0.5</b>	<b>484</b>	<b>2.3</b>	<b>2,229</b>	<b>9.1</b>	<b>35</b>	<b>15.5</b>	<b>141</b>	<b>8.6</b>
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	%
<b>FIFTH CIRCUIT</b>	<b>17,799</b>	<b>707</b>	<b>12.0</b>	<b>672</b>	<b>11.4</b>	<b>1,275</b>	<b>50.1</b>	<b>7,950</b>	<b>37.4</b>	<b>4,956</b>	<b>20.2</b>	<b>20</b>	<b>8.8</b>	<b>188</b>	<b>11.5</b>
Louisiana															
Eastern	<b>340</b>	33	0.6	58	1.0	1	0.0	19	0.1	120	0.5	0	0.0	8	0.5
Middle	<b>134</b>	27	0.5	29	0.5	0	0.0	16	0.1	37	0.2	0	0.0	0	0.0
Western	<b>270</b>	41	0.7	40	0.7	0	0.0	11	0.1	60	0.2	3	1.3	11	0.7
Mississippi															
Northern	<b>181</b>	32	0.5	20	0.3	0	0.0	5	0.0	65	0.3	1	0.4	18	1.1
Southern	<b>299</b>	23	0.4	72	1.2	3	0.1	22	0.1	77	0.3	1	0.4	5	0.3
Texas															
Eastern	<b>987</b>	98	1.7	93	1.6	17	0.7	82	0.4	460	1.9	1	0.4	25	1.5
Northern	<b>897</b>	86	1.5	80	1.4	9	0.4	142	0.7	259	1.1	7	3.1	42	2.6
Southern	<b>8,158</b>	182	3.1	120	2.0	938	36.8	4,656	21.9	1,735	7.1	3	1.3	24	1.5
Western	<b>6,533</b>	185	3.1	160	2.7	307	12.1	2,997	14.1	2,143	8.7	4	1.8	55	3.4
<b>SIXTH CIRCUIT</b>	<b>5,324</b>	<b>847</b>	<b>14.4</b>	<b>579</b>	<b>9.8</b>	<b>14</b>	<b>0.5</b>	<b>416</b>	<b>2.0</b>	<b>1,946</b>	<b>7.9</b>	<b>23</b>	<b>10.2</b>	<b>181</b>	<b>11.1</b>
Kentucky															
Eastern	<b>585</b>	55	0.9	51	0.9	0	0.0	22	0.1	259	1.1	6	2.7	19	1.2
Western	<b>358</b>	27	0.5	52	0.9	0	0.0	21	0.1	158	0.6	0	0.0	10	0.6
Michigan															
Eastern	<b>810</b>	126	2.1	97	1.6	2	0.1	104	0.5	243	1.0	4	1.8	35	2.1
Western	<b>450</b>	61	1.0	42	0.7	0	0.0	108	0.5	104	0.4	4	1.8	21	1.3
Ohio															
Northern	<b>610</b>	117	2.0	97	1.6	2	0.1	25	0.1	173	0.7	0	0.0	28	1.7
Southern	<b>704</b>	63	1.1	78	1.3	3	0.1	81	0.4	269	1.1	4	1.8	36	2.2
Tennessee															
Eastern	<b>894</b>	143	2.4	53	0.9	4	0.2	19	0.1	474	1.9	1	0.4	12	0.7
Middle	<b>319</b>	89	1.5	32	0.5	0	0.0	17	0.1	82	0.3	2	0.9	11	0.7
Western	<b>594</b>	166	2.8	77	1.3	3	0.1	19	0.1	184	0.8	2	0.9	9	0.6
<b>SEVENTH CIRCUIT</b>	<b>2,931</b>	<b>377</b>	<b>6.4</b>	<b>341</b>	<b>5.8</b>	<b>4</b>	<b>0.2</b>	<b>214</b>	<b>1.0</b>	<b>1,182</b>	<b>4.8</b>	<b>23</b>	<b>10.2</b>	<b>103</b>	<b>6.3</b>
Illinois															
Central	<b>353</b>	54	0.9	23	0.4	2	0.1	28	0.1	138	0.6	6	2.7	27	1.7
Northern	<b>868</b>	42	0.7	161	2.7	0	0.0	105	0.5	285	1.2	6	2.7	14	0.9
Southern	<b>324</b>	53	0.9	28	0.5	1	0.0	7	0.0	139	0.6	5	2.2	18	1.1
Indiana															
Northern	<b>436</b>	126	2.1	47	0.8	1	0.0	10	0.0	147	0.6	2	0.9	12	0.7
Southern	<b>279</b>	18	0.3	24	0.4	0	0.0	28	0.1	143	0.6	2	0.9	15	0.9
Wisconsin															
Eastern	<b>487</b>	65	1.1	38	0.6	0	0.0	18	0.1	262	1.1	1	0.4	14	0.9
Western	<b>184</b>	19	0.3	20	0.3	0	0.0	18	0.1	68	0.3	1	0.4	3	0.2
<b>EIGHTH CIRCUIT</b>	<b>4,661</b>	<b>586</b>	<b>9.9</b>	<b>434</b>	<b>7.4</b>	<b>20</b>	<b>0.8</b>	<b>601</b>	<b>2.8</b>	<b>1,506</b>	<b>6.1</b>	<b>37</b>	<b>16.4</b>	<b>210</b>	<b>12.9</b>
Arkansas															
Eastern	<b>316</b>	29	0.5	37	0.6	0	0.0	52	0.2	126	0.5	1	0.4	11	0.7
Western	<b>313</b>	26	0.4	13	0.2	4	0.2	94	0.4	91	0.4	6	2.7	9	0.6
Iowa															
Northern	<b>516</b>	66	1.1	22	0.4	3	0.1	136	0.6	184	0.8	6	2.7	20	1.2
Southern	<b>386</b>	52	0.9	44	0.7	6	0.2	28	0.1	148	0.6	1	0.4	25	1.5
Minnesota	<b>438</b>	39	0.7	61	1.0	1	0.0	42	0.2	159	0.6	6	2.7	13	0.8
Missouri															
Eastern	<b>810</b>	124	2.1	106	1.8	2	0.1	25	0.1	225	0.9	7	3.1	54	3.3
Western	<b>639</b>	162	2.7	72	1.2	2	0.1	33	0.2	174	0.7	7	3.1	27	1.7
Nebraska	<b>544</b>	50	0.8	50	0.8	0	0.0	95	0.4	219	0.9	2	0.9	23	1.4
North Dakota	<b>271</b>	15	0.3	6	0.1	2	0.1	46	0.2	76	0.3	0	0.0	19	1.2
South Dakota	<b>428</b>	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	%
<b>NINTH CIRCUIT</b>	<b>17,287</b>	<b>628</b>	<b>10.7</b>	<b>807</b>	<b>13.7</b>	<b>937</b>	<b>36.8</b>	<b>7,211</b>	<b>33.9</b>	<b>5,172</b>	<b>21.1</b>	<b>18</b>	<b>8.0</b>	<b>280</b>	<b>17.2</b>
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
<b>TENTH CIRCUIT</b>	<b>6,371</b>	<b>489</b>	<b>8.3</b>	<b>257</b>	<b>4.4</b>	<b>111</b>	<b>4.4</b>	<b>2,880</b>	<b>13.5</b>	<b>1,487</b>	<b>6.1</b>	<b>12</b>	<b>5.3</b>	<b>96</b>	<b>5.9</b>
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
<b>ELEVENTH CIRCUIT</b>	<b>6,441</b>	<b>700</b>	<b>11.9</b>	<b>953</b>	<b>16.2</b>	<b>95</b>	<b>3.7</b>	<b>711</b>	<b>3.3</b>	<b>2,022</b>	<b>8.3</b>	<b>23</b>	<b>10.2</b>	<b>166</b>	<b>10.2</b>
Alabama															
Middle	227	24	0.4	23	0.4	0	0.0	17	0.1	66	0.3	0	0.0	5	0.3
Northern	428	109	1.8	58	1.0	2	0.1	32	0.2	84	0.3	3	1.3	16	1.0
Southern	421	64	1.1	54	0.9	3	0.1	10	0.0	166	0.7	2	0.9	8	0.5
Florida															
Middle	1,515	149	2.5	173	2.9	27	1.1	302	1.4	534	2.2	6	2.7	49	3.0
Northern	363	49	0.8	28	0.5	1	0.0	17	0.1	115	0.5	1	0.4	16	1.0
Southern	2,027	92	1.6	461	7.8	49	1.9	161	0.8	640	2.6	3	1.3	32	2.0
Georgia															
Middle	368	41	0.7	26	0.4	0	0.0	43	0.2	96	0.4	3	1.3	6	0.4
Northern	649	71	1.2	86	1.5	13	0.5	120	0.6	153	0.6	3	1.3	22	1.3
Southern	443	101	1.7	44	0.7	0	0.0	9	0.0	168	0.7	2	0.9	12	0.7

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

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

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

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

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

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

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

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

**Rate of Within Range Sentences by Circuit and District**  
**Firearms 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	%
<b>TOTAL</b>	<b>20,466</b>	<b>15,362</b>	<b>75.1</b>	<b>7,004</b>	<b>5,580</b>	<b>79.7</b>	<b>18,795</b>	<b>13,265</b>	<b>70.6</b>	<b>22,958</b>	<b>14,440</b>	<b>62.9</b>
<b>D.C. CIRCUIT</b>	<b>390</b>	<b>314</b>	<b>80.5</b>	<b>107</b>	<b>95</b>	<b>88.8</b>	<b>179</b>	<b>123</b>	<b>68.7</b>	<b>49</b>	<b>20</b>	<b>40.8</b>
District of Columbia	390	314	80.5	107	95	88.8	179	123	68.7	49	20	40.8
<b>FIRST CIRCUIT</b>	<b>620</b>	<b>442</b>	<b>71.3</b>	<b>187</b>	<b>147</b>	<b>78.6</b>	<b>499</b>	<b>350</b>	<b>70.1</b>	<b>602</b>	<b>294</b>	<b>48.8</b>
Maine	214	158	73.8	56	47	83.9	145	103	71.0	143	70	49.0
Massachusetts	207	134	64.7	61	45	73.8	135	82	60.7	197	75	38.1
New Hampshire	47	28	59.6	27	16	59.3	74	45	60.8	77	28	36.4
Puerto Rico	59	52	88.1	13	11	84.6	93	83	89.2	116	81	69.8
Rhode Island	93	70	75.3	30	28	93.3	52	37	71.2	69	40	58.0
<b>SECOND CIRCUIT</b>	<b>1,352</b>	<b>920</b>	<b>68.0</b>	<b>418</b>	<b>292</b>	<b>69.9</b>	<b>968</b>	<b>599</b>	<b>61.9</b>	<b>1,006</b>	<b>512</b>	<b>50.9</b>
Connecticut	191	116	60.7	43	25	58.1	107	72	67.3	160	86	53.8
New York												
Eastern	282	174	61.7	100	67	67.0	172	109	63.4	193	111	57.5
Northern	83	49	59.0	38	22	57.9	116	62	53.4	110	68	61.8
Southern	411	319	77.6	144	118	81.9	290	201	69.3	286	137	47.9
Western	267	192	71.9	61	35	57.4	209	121	57.9	158	74	46.8
Vermont	118	70	59.3	32	25	78.1	74	34	45.9	99	36	36.4
<b>THIRD CIRCUIT</b>	<b>1,290</b>	<b>881</b>	<b>68.3</b>	<b>345</b>	<b>240</b>	<b>69.6</b>	<b>976</b>	<b>582</b>	<b>59.6</b>	<b>1,302</b>	<b>736</b>	<b>56.5</b>
Delaware	92	68	73.9	33	23	69.7	66	42	63.6	142	72	50.7
New Jersey	336	264	78.6	82	62	75.6	241	167	69.3	395	270	68.4
Pennsylvania												
Eastern	573	357	62.3	149	92	61.7	349	178	51.0	427	196	45.9
Middle	143	83	58.0	46	34	73.9	107	44	41.1	101	41	40.6
Western	106	79	74.5	33	27	81.8	199	142	71.4	192	120	62.5
Virgin Islands	40	30	75.0	2	2	100.0	14	9	64.3	45	37	82.2
<b>FOURTH CIRCUIT</b>	<b>2,774</b>	<b>2,207</b>	<b>79.6</b>	<b>943</b>	<b>736</b>	<b>78.0</b>	<b>2,558</b>	<b>1,929</b>	<b>75.4</b>	<b>3,261</b>	<b>2,270</b>	<b>69.6</b>
Maryland	532	352	66.2	84	59	70.2	271	178	65.7	387	231	59.7
North Carolina												
Eastern	259	175	67.6	196	128	65.3	449	305	67.9	549	377	68.7
Middle	308	262	85.1	109	103	94.5	270	239	88.5	526	420	79.8
Western	170	122	71.8	51	42	82.4	348	288	82.8	273	216	79.1
South Carolina	453	381	84.1	227	165	72.7	534	416	77.9	699	477	68.2
Virginia												
Eastern	421	379	90.0	120	94	78.3	301	218	72.4	391	273	69.8
Western	319	272	85.3	84	75	89.3	187	131	70.1	139	71	51.1
West Virginia												
Northern	130	108	83.1	32	31	96.9	115	86	74.8	166	118	71.1
Southern	182	156	85.7	40	39	97.5	83	68	81.9	131	87	66.4

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

CIRCUIT	<i>Koon</i>			PROTECT Act			<i>Booker</i>			<i>Gall</i>		
	Period			Period			Period			Period		
District	(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	%
<b>FIFTH CIRCUIT</b>	<b>2,832</b>	<b>2,287</b>	<b>80.8</b>	<b>790</b>	<b>666</b>	<b>84.3</b>	<b>2,380</b>	<b>1,874</b>	<b>78.7</b>	<b>2,800</b>	<b>2,060</b>	<b>73.6</b>
Louisiana												
Eastern	293	268	91.5	75	68	90.7	145	116	80.0	146	111	76.0
Middle	171	148	86.5	36	29	80.6	111	86	77.5	122	97	79.5
Western	111	94	84.7	60	55	91.7	162	130	80.2	140	110	78.6
Mississippi												
Northern	49	33	67.3	24	12	50.0	79	53	67.1	100	64	64.0
Southern	169	147	87.0	66	61	92.4	173	151	87.3	138	121	87.7
Texas												
Eastern	273	225	82.4	90	80	88.9	328	286	87.2	353	290	82.2
Northern	497	406	81.7	122	105	86.1	283	239	84.5	342	281	82.2
Southern	692	531	76.7	145	119	82.1	552	399	72.3	685	471	68.8
Western	577	435	75.4	172	137	79.7	547	414	75.7	774	515	66.5
<b>SIXTH CIRCUIT</b>	<b>2,100</b>	<b>1,595</b>	<b>76.0</b>	<b>818</b>	<b>634</b>	<b>77.5</b>	<b>2,111</b>	<b>1,393</b>	<b>66.0</b>	<b>2,981</b>	<b>1,705</b>	<b>57.2</b>
Kentucky												
Eastern	181	148	81.8	78	57	73.1	210	112	53.3	273	137	50.2
Western	159	106	66.7	53	30	56.6	100	59	59.0	110	53	48.2
Michigan												
Eastern	466	363	77.9	150	126	84.0	242	158	65.3	357	201	56.3
Western	198	140	70.7	72	59	81.9	178	122	68.5	221	133	60.2
Ohio												
Northern	316	228	72.2	101	74	73.3	325	231	71.1	432	267	61.8
Southern	170	109	64.1	60	38	63.3	215	114	53.0	239	100	41.8
Tennessee												
Eastern	299	257	86.0	102	80	78.4	300	246	82.0	451	334	74.1
Middle	107	84	78.5	51	42	82.4	178	121	68.0	289	125	43.3
Western	204	160	78.4	151	128	84.8	363	230	63.4	609	355	58.3
<b>SEVENTH CIRCUIT</b>	<b>1,151</b>	<b>932</b>	<b>81.0</b>	<b>365</b>	<b>307</b>	<b>84.1</b>	<b>1,053</b>	<b>765</b>	<b>72.6</b>	<b>1,340</b>	<b>813</b>	<b>60.7</b>
Illinois												
Central	160	117	73.1	43	31	72.1	135	92	68.1	188	116	61.7
Northern	170	131	77.1	64	57	89.1	162	112	69.1	147	89	60.5
Southern	157	136	86.6	71	56	78.9	112	97	86.6	151	119	78.8
Indiana												
Northern	265	210	79.2	72	61	84.7	324	243	75.0	427	280	65.6
Southern	140	119	85.0	44	36	81.8	89	65	73.0	79	53	67.1
Wisconsin												
Eastern	199	169	84.9	43	40	93.0	154	85	55.2	276	112	40.6
Western	60	50	83.3	28	26	92.9	77	71	92.2	72	44	61.1
<b>EIGHTH CIRCUIT</b>	<b>1,990</b>	<b>1,556</b>	<b>78.2</b>	<b>762</b>	<b>646</b>	<b>84.8</b>	<b>2,242</b>	<b>1,685</b>	<b>75.2</b>	<b>2,626</b>	<b>1,686</b>	<b>64.2</b>
Arkansas												
Eastern	93	77	82.8	30	25	83.3	141	106	75.2	168	106	63.1
Western	56	46	82.1	19	16	84.2	54	33	61.1	86	54	62.8
Iowa												
Northern	181	143	79.0	50	42	84.0	172	140	81.4	214	132	61.7
Southern	121	87	71.9	58	49	84.5	139	84	60.4	260	122	46.9
Minnesota	191	122	63.9	41	27	65.9	131	83	63.4	135	71	52.6
Missouri												
Eastern	478	399	83.5	161	139	86.3	488	385	78.9	614	400	65.1
Western	492	413	83.9	255	233	91.4	698	569	81.5	693	510	73.6
Nebraska	135	92	68.1	98	80	81.6	287	201	70.0	271	176	64.9
North Dakota	137	86	62.8	27	19	70.4	71	38	53.5	81	44	54.3
South Dakota	106	91	85.8	23	16	69.6	61	46	75.4	104	71	68.3

## 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	%
<b>NINTH CIRCUIT</b>	<b>2,246</b>	<b>1,398</b>	<b>62.2</b>	<b>841</b>	<b>638</b>	<b>75.9</b>	<b>2,218</b>	<b>1,351</b>	<b>60.9</b>	<b>2,473</b>	<b>1,348</b>	<b>54.5</b>
Alaska	42	31	73.8	20	18	90.0	55	36	65.5	62	34	54.8
Arizona	387	185	47.8	152	100	65.8	492	263	53.5	453	219	48.3
California												
Central	143	89	62.2	31	27	87.1	131	56	42.7	209	96	45.9
Eastern	115	74	64.3	50	38	76.0	164	113	68.9	198	135	68.2
Northern	285	178	62.5	77	62	80.5	185	117	63.2	212	144	67.9
Southern	92	39	42.4	5	0	0.0	28	14	50.0	137	62	45.3
Guam	63	40	63.5	6	4	66.7	18	10	55.6	15	7	46.7
Hawaii	55	38	69.1	52	45	86.5	144	103	71.5	50	28	56.0
Idaho	66	39	59.1	43	24	55.8	84	47	56.0	132	71	53.8
Montana	113	73	64.6	56	51	91.1	175	148	84.6	182	144	79.1
Nevada	244	203	83.2	126	118	93.7	244	193	79.1	222	151	68.0
Northern Mariana Islands	9	4	44.4	1	1	100.0	0	0	0.0	5	5	100.0
Oregon	372	225	60.5	122	75	61.5	196	103	52.6	236	86	36.4
Washington												
Eastern	120	84	70.0	49	40	81.6	155	93	60.0	158	78	49.4
Western	140	96	68.6	51	35	68.6	147	55	37.4	202	88	43.6
<b>TENTH CIRCUIT</b>	<b>1,414</b>	<b>997</b>	<b>70.5</b>	<b>670</b>	<b>552</b>	<b>82.4</b>	<b>1,554</b>	<b>1,113</b>	<b>71.6</b>	<b>1,871</b>	<b>1,163</b>	<b>62.2</b>
Colorado	295	182	61.7	101	77	76.2	216	124	57.4	261	162	62.1
Kansas	209	163	78.0	89	79	88.8	259	194	74.9	363	225	62.0
New Mexico	213	124	58.2	72	51	70.8	231	151	65.4	305	179	58.7
Oklahoma												
Eastern	69	50	72.5	27	25	92.6	43	39	90.7	67	54	80.6
Northern	115	103	89.6	39	34	87.2	148	133	89.9	162	120	74.1
Western	86	77	89.5	37	32	86.5	79	64	81.0	167	123	73.7
Utah	312	212	67.9	241	198	82.2	416	304	73.1	390	222	56.9
Wyoming	115	86	74.8	64	56	87.5	162	104	64.2	156	78	50.0
<b>ELEVENTH CIRCUIT</b>	<b>2,307</b>	<b>1,833</b>	<b>79.5</b>	<b>758</b>	<b>627</b>	<b>82.7</b>	<b>2,057</b>	<b>1,501</b>	<b>73.0</b>	<b>2,647</b>	<b>1,833</b>	<b>69.2</b>
Alabama												
Middle	40	25	62.5	49	38	77.6	161	116	72.0	145	93	64.1
Northern	323	274	84.8	146	130	89.0	394	300	76.1	407	306	75.2
Southern	147	126	85.7	70	58	82.9	160	126	78.8	221	155	70.1
Florida												
Middle	346	232	67.1	116	89	76.7	313	209	66.8	495	304	61.4
Northern	233	189	81.1	58	48	82.8	122	98	80.3	151	106	70.2
Southern	567	477	84.1	103	93	90.3	311	230	74.0	447	309	69.1
Georgia												
Middle	118	94	79.7	36	31	86.1	138	101	73.2	141	103	73.0
Northern	347	266	76.7	117	97	82.9	248	160	64.5	282	167	59.2
Southern	186	150	80.6	63	43	68.3	210	161	76.7	358	290	81.0

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

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

**Rate of Above Range Sentences by Circuit and District**  
**Firearms 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	%
<b>TOTAL</b>	<b>20,466</b>	<b>230</b>	<b>1.1</b>	<b>7,004</b>	<b>87</b>	<b>1.2</b>	<b>18,795</b>	<b>449</b>	<b>2.4</b>	<b>22,958</b>	<b>636</b>	<b>2.8</b>
<b>D.C. CIRCUIT</b>	<b>390</b>	<b>4</b>	<b>1.0</b>	<b>107</b>	<b>0</b>	<b>0.0</b>	<b>179</b>	<b>7</b>	<b>3.9</b>	<b>49</b>	<b>1</b>	<b>2.0</b>
District of Columbia	390	4	1.0	107	0	0.0	179	7	3.9	49	1	2.0
<b>FIRST CIRCUIT</b>	<b>620</b>	<b>14</b>	<b>2.3</b>	<b>187</b>	<b>3</b>	<b>1.6</b>	<b>499</b>	<b>15</b>	<b>3.0</b>	<b>602</b>	<b>23</b>	<b>3.8</b>
Maine	214	2	0.9	56	0	0.0	145	1	0.7	143	2	1.4
Massachusetts	207	3	1.4	61	3	4.9	135	4	3.0	197	8	4.1
New Hampshire	47	2	4.3	27	0	0.0	74	2	2.7	77	2	2.6
Puerto Rico	59	0	0.0	13	0	0.0	93	3	3.2	116	10	8.6
Rhode Island	93	7	7.5	30	0	0.0	52	5	9.6	69	1	1.4
<b>SECOND CIRCUIT</b>	<b>1,352</b>	<b>13</b>	<b>1.0</b>	<b>418</b>	<b>5</b>	<b>1.2</b>	<b>968</b>	<b>13</b>	<b>1.3</b>	<b>1,006</b>	<b>21</b>	<b>2.1</b>
Connecticut	191	1	0.5	43	1	2.3	107	2	1.9	160	7	4.4
New York												
Eastern	282	4	1.4	100	1	1.0	172	3	1.7	193	10	5.2
Northern	83	1	1.2	38	0	0.0	116	0	0.0	110	1	0.9
Southern	411	4	1.0	144	0	0.0	290	4	1.4	286	1	0.3
Western	267	3	1.1	61	3	4.9	209	3	1.4	158	2	1.3
Vermont	118	0	0.0	32	0	0.0	74	1	1.4	99	0	0.0
<b>THIRD CIRCUIT</b>	<b>1,290</b>	<b>11</b>	<b>0.9</b>	<b>345</b>	<b>5</b>	<b>1.4</b>	<b>976</b>	<b>19</b>	<b>1.9</b>	<b>1,302</b>	<b>29</b>	<b>2.2</b>
Delaware	92	0	0.0	33	0	0.0	66	0	0.0	142	6	4.2
New Jersey	336	1	0.3	82	0	0.0	241	3	1.2	395	4	1.0
Pennsylvania												
Eastern	573	8	1.4	149	4	2.7	349	9	2.6	427	10	2.3
Middle	143	1	0.7	46	1	2.2	107	2	1.9	101	3	3.0
Western	106	1	0.9	33	0	0.0	199	4	2.0	192	1	0.5
Virgin Islands	40	0	0.0	2	0	0.0	14	1	7.1	45	5	11.1
<b>FOURTH CIRCUIT</b>	<b>2,774</b>	<b>41</b>	<b>1.5</b>	<b>943</b>	<b>13</b>	<b>1.4</b>	<b>2,558</b>	<b>62</b>	<b>2.4</b>	<b>3,261</b>	<b>105</b>	<b>3.2</b>
Maryland	532	4	0.8	84	0	0.0	271	7	2.6	387	18	4.7
North Carolina												
Eastern	259	6	2.3	196	4	2.0	449	8	1.8	549	25	4.6
Middle	308	11	3.6	109	3	2.8	270	3	1.1	526	10	1.9
Western	170	2	1.2	51	0	0.0	348	5	1.4	273	3	1.1
South Carolina	453	4	0.9	227	6	2.6	534	8	1.5	699	16	2.3
Virginia												
Eastern	421	4	1.0	120	0	0.0	301	16	5.3	391	17	4.3
Western	319	4	1.3	84	0	0.0	187	8	4.3	139	8	5.8
West Virginia												
Northern	130	4	3.1	32	0	0.0	115	4	3.5	166	4	2.4
Southern	182	2	1.1	40	0	0.0	83	3	3.6	131	4	3.1

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

CIRCUIT	<i>Koon</i>			PROTECT Act			<i>Booker</i>			<i>Gall</i>		
	Period			Period			Period			Period		
District	(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	%
<b>FIFTH CIRCUIT</b>	<b>2,832</b>	<b>50</b>	<b>1.8</b>	<b>790</b>	<b>22</b>	<b>2.8</b>	<b>2,380</b>	<b>109</b>	<b>4.6</b>	<b>2,800</b>	<b>106</b>	<b>3.8</b>
Louisiana												
Eastern	293	2	0.7	75	4	5.3	145	17	11.7	146	15	10.3
Middle	171	8	4.7	36	3	8.3	111	13	11.7	122	9	7.4
Western	111	2	1.8	60	2	3.3	162	15	9.3	140	13	9.3
Mississippi												
Northern	49	0	0.0	24	0	0.0	79	3	3.8	100	6	6.0
Southern	169	2	1.2	66	1	1.5	173	7	4.0	138	6	4.3
Texas												
Eastern	273	1	0.4	90	0	0.0	328	5	1.5	353	2	0.6
Northern	497	8	1.6	122	2	1.6	283	13	4.6	342	12	3.5
Southern	692	16	2.3	145	6	4.1	552	21	3.8	685	14	2.0
Western	577	11	1.9	172	4	2.3	547	15	2.7	774	29	3.7
<b>SIXTH CIRCUIT</b>	<b>2,100</b>	<b>12</b>	<b>0.6</b>	<b>818</b>	<b>4</b>	<b>0.5</b>	<b>2,111</b>	<b>40</b>	<b>1.9</b>	<b>2,981</b>	<b>68</b>	<b>2.3</b>
Kentucky												
Eastern	181	1	0.6	78	0	0.0	210	3	1.4	273	3	1.1
Western	159	0	0.0	53	0	0.0	100	0	0.0	110	1	0.9
Michigan												
Eastern	466	2	0.4	150	1	0.7	242	6	2.5	357	9	2.5
Western	198	2	1.0	72	2	2.8	178	9	5.1	221	10	4.5
Ohio												
Northern	316	1	0.3	101	0	0.0	325	4	1.2	432	11	2.5
Southern	170	1	0.6	60	1	1.7	215	4	1.9	239	4	1.7
Tennessee												
Eastern	299	1	0.3	102	0	0.0	300	4	1.3	451	9	2.0
Middle	107	0	0.0	51	0	0.0	178	4	2.2	289	12	4.2
Western	204	4	2.0	151	0	0.0	363	6	1.7	609	9	1.5
<b>SEVENTH CIRCUIT</b>	<b>1,151</b>	<b>13</b>	<b>1.1</b>	<b>365</b>	<b>4</b>	<b>1.1</b>	<b>1,053</b>	<b>11</b>	<b>1.0</b>	<b>1,340</b>	<b>34</b>	<b>2.5</b>
Illinois												
Central	160	1	0.6	43	1	2.3	135	1	0.7	188	2	1.1
Northern	170	3	1.8	64	0	0.0	162	2	1.2	147	9	6.1
Southern	157	2	1.3	71	0	0.0	112	1	0.9	151	8	5.3
Indiana												
Northern	265	0	0.0	72	0	0.0	324	2	0.6	427	4	0.9
Southern	140	3	2.1	44	1	2.3	89	5	5.6	79	2	2.5
Wisconsin												
Eastern	199	0	0.0	43	1	2.3	154	0	0.0	276	7	2.5
Western	60	4	6.7	28	1	3.6	77	0	0.0	72	2	2.8
<b>EIGHTH CIRCUIT</b>	<b>1,990</b>	<b>14</b>	<b>0.7</b>	<b>762</b>	<b>6</b>	<b>0.8</b>	<b>2,242</b>	<b>44</b>	<b>2.0</b>	<b>2,626</b>	<b>71</b>	<b>2.7</b>
Arkansas												
Eastern	93	1	1.1	30	0	0.0	141	1	0.7	168	7	4.2
Western	56	0	0.0	19	1	5.3	54	0	0.0	86	1	1.2
Iowa												
Northern	181	3	1.7	50	2	4.0	172	16	9.3	214	26	12.1
Southern	121	1	0.8	58	0	0.0	139	3	2.2	260	6	2.3
Minnesota	191	3	1.6	41	0	0.0	131	1	0.8	135	1	0.7
Missouri												
Eastern	478	1	0.2	161	1	0.6	488	5	1.0	614	8	1.3
Western	492	2	0.4	255	1	0.4	698	13	1.9	693	20	2.9
Nebraska	135	0	0.0	98	1	1.0	287	4	1.4	271	0	0.0
North Dakota	137	1	0.7	27	0	0.0	71	0	0.0	81	0	0.0
South Dakota	106	2	1.9	23	0	0.0	61	1	1.6	104	2	1.9

## 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	%
<b>NINTH CIRCUIT</b>	<b>2,246</b>	<b>25</b>	<b>1.1</b>	<b>841</b>	<b>10</b>	<b>1.2</b>	<b>2,218</b>	<b>60</b>	<b>2.7</b>	<b>2,473</b>	<b>74</b>	<b>3.0</b>
Alaska	42	0	0.0	20	0	0.0	55	2	3.6	62	4	6.5
Arizona	387	7	1.8	152	1	0.7	492	8	1.6	453	4	0.9
California												
Central	143	0	0.0	31	0	0.0	131	1	0.8	209	10	4.8
Eastern	115	1	0.9	50	1	2.0	164	6	3.7	198	2	1.0
Northern	285	5	1.8	77	1	1.3	185	3	1.6	212	8	3.8
Southern	92	0	0.0	5	0	0.0	28	0	0.0	137	2	1.5
Guam	63	1	1.6	6	0	0.0	18	0	0.0	15	1	6.7
Hawaii	55	1	1.8	52	2	3.8	144	7	4.9	50	1	2.0
Idaho	66	2	3.0	43	0	0.0	84	2	2.4	132	2	1.5
Montana	113	1	0.9	56	2	3.6	175	4	2.3	182	4	2.2
Nevada	244	0	0.0	126	2	1.6	244	7	2.9	222	8	3.6
Northern Mariana Islands	9	0	0.0	1	0	0.0	0	0	0.0	5	0	0.0
Oregon	372	5	1.3	122	0	0.0	196	5	2.6	236	9	3.8
Washington												
Eastern	120	1	0.8	49	0	0.0	155	8	5.2	158	7	4.4
Western	140	1	0.7	51	1	2.0	147	7	4.8	202	12	5.9
<b>TENTH CIRCUIT</b>	<b>1,414</b>	<b>13</b>	<b>0.9</b>	<b>670</b>	<b>7</b>	<b>1.0</b>	<b>1,554</b>	<b>19</b>	<b>1.2</b>	<b>1,871</b>	<b>36</b>	<b>1.9</b>
Colorado	295	2	0.7	101	0	0.0	216	2	0.9	261	3	1.1
Kansas	209	1	0.5	89	0	0.0	259	7	2.7	363	9	2.5
New Mexico	213	1	0.5	72	0	0.0	231	2	0.9	305	4	1.3
Oklahoma												
Eastern	69	0	0.0	27	0	0.0	43	0	0.0	67	2	3.0
Northern	115	6	5.2	39	1	2.6	148	1	0.7	162	0	0.0
Western	86	2	2.3	37	2	5.4	79	2	2.5	167	10	6.0
Utah	312	0	0.0	241	4	1.7	416	4	1.0	390	3	0.8
Wyoming	115	1	0.9	64	0	0.0	162	1	0.6	156	5	3.2
<b>ELEVENTH CIRCUIT</b>	<b>2,307</b>	<b>20</b>	<b>0.9</b>	<b>758</b>	<b>8</b>	<b>1.1</b>	<b>2,057</b>	<b>50</b>	<b>2.4</b>	<b>2,647</b>	<b>68</b>	<b>2.6</b>
Alabama												
Middle	40	1	2.5	49	0	0.0	161	1	0.6	145	4	2.8
Northern	323	0	0.0	146	1	0.7	394	12	3.0	407	17	4.2
Southern	147	2	1.4	70	2	2.9	160	4	2.5	221	6	2.7
Florida												
Middle	346	1	0.3	116	0	0.0	313	4	1.3	495	11	2.2
Northern	233	2	0.9	58	2	3.4	122	6	4.9	151	5	3.3
Southern	567	5	0.9	103	2	1.9	311	6	1.9	447	6	1.3
Georgia												
Middle	118	1	0.8	36	1	2.8	138	2	1.4	141	2	1.4
Northern	347	5	1.4	117	0	0.0	248	2	0.8	282	6	2.1
Southern	186	3	1.6	63	0	0.0	210	13	6.2	358	11	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 Government Sponsored Sentences by Circuit and District**  
**Firearms 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	%
<b>TOTAL</b>	<b>20,466</b>	<b>2,447</b>	<b>12.0</b>	<b>7,004</b>	<b>883</b>	<b>12.6</b>	<b>18,795</b>	<b>2,341</b>	<b>12.5</b>	<b>22,958</b>	<b>3,049</b>	<b>13.3</b>
<b>D.C. CIRCUIT</b>	<b>390</b>	<b>34</b>	<b>8.7</b>	<b>107</b>	<b>10</b>	<b>9.3</b>	<b>179</b>	<b>23</b>	<b>12.8</b>	<b>49</b>	<b>13</b>	<b>26.5</b>
District of Columbia	390	34	8.7	107	10	9.3	179	23	12.8	49	13	26.5
<b>FIRST CIRCUIT</b>	<b>620</b>	<b>93</b>	<b>15.0</b>	<b>187</b>	<b>26</b>	<b>13.9</b>	<b>499</b>	<b>48</b>	<b>9.6</b>	<b>602</b>	<b>111</b>	<b>18.4</b>
Maine	214	42	19.6	56	8	14.3	145	18	12.4	143	35	24.5
Massachusetts	207	29	14.0	61	4	6.6	135	8	5.9	197	34	17.3
New Hampshire	47	12	25.5	27	11	40.7	74	19	25.7	77	23	29.9
Puerto Rico	59	5	8.5	13	2	15.4	93	2	2.2	116	15	12.9
Rhode Island	93	5	5.4	30	1	3.3	52	1	1.9	69	4	5.8
<b>SECOND CIRCUIT</b>	<b>1,352</b>	<b>166</b>	<b>12.3</b>	<b>418</b>	<b>70</b>	<b>16.7</b>	<b>968</b>	<b>154</b>	<b>15.9</b>	<b>1,006</b>	<b>126</b>	<b>12.5</b>
Connecticut	191	20	10.5	43	9	20.9	107	13	12.1	160	22	13.8
New York												
Eastern	282	49	17.4	100	15	15.0	172	21	12.2	193	10	5.2
Northern	83	18	21.7	38	11	28.9	116	33	28.4	110	17	15.5
Southern	411	39	9.5	144	16	11.1	290	13	4.5	286	15	5.2
Western	267	29	10.9	61	15	24.6	209	59	28.2	158	47	29.7
Vermont	118	11	9.3	32	4	12.5	74	15	20.3	99	15	15.2
<b>THIRD CIRCUIT</b>	<b>1,290</b>	<b>285</b>	<b>22.1</b>	<b>345</b>	<b>77</b>	<b>22.3</b>	<b>976</b>	<b>182</b>	<b>18.6</b>	<b>1,302</b>	<b>223</b>	<b>17.1</b>
Delaware	92	13	14.1	33	1	3.0	66	4	6.1	142	12	8.5
New Jersey	336	39	11.6	82	14	17.1	241	27	11.2	395	61	15.4
Pennsylvania												
Eastern	573	167	29.1	149	47	31.5	349	95	27.2	427	100	23.4
Middle	143	43	30.1	46	11	23.9	107	41	38.3	101	35	34.7
Western	106	15	14.2	33	4	12.1	199	15	7.5	192	13	6.8
Virgin Islands	40	8	20.0	2	0	0.0	14	0	0.0	45	2	4.4
<b>FOURTH CIRCUIT</b>	<b>2,774</b>	<b>338</b>	<b>12.2</b>	<b>943</b>	<b>153</b>	<b>16.2</b>	<b>2,558</b>	<b>308</b>	<b>12.0</b>	<b>3,261</b>	<b>388</b>	<b>11.9</b>
Maryland	532	94	17.7	84	10	11.9	271	42	15.5	387	70	18.1
North Carolina												
Eastern	259	64	24.7	196	54	27.6	449	106	23.6	549	108	19.7
Middle	308	28	9.1	109	2	1.8	270	12	4.4	526	26	4.9
Western	170	40	23.5	51	5	9.8	348	33	9.5	273	23	8.4
South Carolina	453	53	11.7	227	53	23.3	534	52	9.7	699	90	12.9
Virginia												
Eastern	421	13	3.1	120	22	18.3	301	25	8.3	391	24	6.1
Western	319	31	9.7	84	6	7.1	187	25	13.4	139	26	18.7
West Virginia												
Northern	130	6	4.6	32	1	3.1	115	7	6.1	166	15	9.0
Southern	182	9	4.9	40	0	0.0	83	6	7.2	131	6	4.6

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

CIRCUIT	<i>Koon</i>			PROTECT Act			<i>Booker</i>			<i>Gall</i>		
	Period			Period			Period			Period		
District	(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	%
<b>FIFTH CIRCUIT</b>	<b>2,832</b>	<b>217</b>	<b>7.7</b>	<b>790</b>	<b>76</b>	<b>9.6</b>	<b>2,380</b>	<b>201</b>	<b>8.4</b>	<b>2,800</b>	<b>299</b>	<b>10.7</b>
Louisiana												
Eastern	293	9	3.1	75	2	2.7	145	2	1.4	146	8	5.5
Middle	171	4	2.3	36	4	11.1	111	7	6.3	122	7	5.7
Western	111	4	3.6	60	1	1.7	162	2	1.2	140	6	4.3
Mississippi												
Northern	49	10	20.4	24	11	45.8	79	17	21.5	100	22	22.0
Southern	169	10	5.9	66	4	6.1	173	4	2.3	138	4	2.9
Texas												
Eastern	273	19	7.0	90	6	6.7	328	21	6.4	353	36	10.2
Northern	497	42	8.5	122	9	7.4	283	17	6.0	342	9	2.6
Southern	692	57	8.2	145	16	11.0	552	70	12.7	685	93	13.6
Western	577	62	10.7	172	23	13.4	547	61	11.2	774	114	14.7
<b>SIXTH CIRCUIT</b>	<b>2,100</b>	<b>298</b>	<b>14.2</b>	<b>818</b>	<b>114</b>	<b>13.9</b>	<b>2,111</b>	<b>289</b>	<b>13.7</b>	<b>2,981</b>	<b>480</b>	<b>16.1</b>
Kentucky												
Eastern	181	24	13.3	78	20	25.6	210	59	28.1	273	80	29.3
Western	159	36	22.6	53	14	26.4	100	20	20.0	110	33	30.0
Michigan												
Eastern	466	47	10.1	150	11	7.3	242	34	14.0	357	51	14.3
Western	198	33	16.7	72	7	9.7	178	26	14.6	221	27	12.2
Ohio												
Northern	316	42	13.3	101	11	10.9	325	29	8.9	432	51	11.8
Southern	170	40	23.5	60	15	25.0	215	33	15.3	239	65	27.2
Tennessee												
Eastern	299	31	10.4	102	15	14.7	300	24	8.0	451	42	9.3
Middle	107	17	15.9	51	6	11.8	178	12	6.7	289	67	23.2
Western	204	28	13.7	151	15	9.9	363	52	14.3	609	64	10.5
<b>SEVENTH CIRCUIT</b>	<b>1,151</b>	<b>148</b>	<b>12.9</b>	<b>365</b>	<b>41</b>	<b>11.2</b>	<b>1,053</b>	<b>140</b>	<b>13.3</b>	<b>1,340</b>	<b>167</b>	<b>12.5</b>
Illinois												
Central	160	35	21.9	43	9	20.9	135	24	17.8	188	24	12.8
Northern	170	25	14.7	64	4	6.3	162	26	16.0	147	19	12.9
Southern	157	14	8.9	71	12	16.9	112	4	3.6	151	5	3.3
Indiana												
Northern	265	42	15.8	72	10	13.9	324	56	17.3	427	65	15.2
Southern	140	11	7.9	44	4	9.1	89	10	11.2	79	6	7.6
Wisconsin												
Eastern	199	18	9.0	43	1	2.3	154	20	13.0	276	45	16.3
Western	60	3	5.0	28	1	3.6	77	0	0.0	72	3	4.2
<b>EIGHTH CIRCUIT</b>	<b>1,990</b>	<b>205</b>	<b>10.3</b>	<b>762</b>	<b>69</b>	<b>9.1</b>	<b>2,242</b>	<b>197</b>	<b>8.8</b>	<b>2,626</b>	<b>251</b>	<b>9.6</b>
Arkansas												
Eastern	93	10	10.8	30	4	13.3	141	11	7.8	168	18	10.7
Western	56	7	12.5	19	2	10.5	54	12	22.2	86	3	3.5
Iowa												
Northern	181	19	10.5	50	5	10.0	172	7	4.1	214	15	7.0
Southern	121	11	9.1	58	5	8.6	139	8	5.8	260	38	14.6
Minnesota	191	22	11.5	41	10	24.4	131	16	12.2	135	22	16.3
Missouri												
Eastern	478	46	9.6	161	14	8.7	488	45	9.2	614	61	9.9
Western	492	55	11.2	255	14	5.5	698	43	6.2	693	53	7.6
Nebraska	135	14	10.4	98	8	8.2	287	35	12.2	271	25	9.2
North Dakota	137	16	11.7	27	5	18.5	71	16	22.5	81	11	13.6
South Dakota	106	5	4.7	23	2	8.7	61	4	6.6	104	5	4.8

## 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	%
<b>NINTH CIRCUIT</b>	<b>2,246</b>	<b>246</b>	<b>11.0</b>	<b>841</b>	<b>107</b>	<b>12.7</b>	<b>2,218</b>	<b>400</b>	<b>18.0</b>	<b>2,473</b>	<b>482</b>	<b>19.5</b>
Alaska	42	5	11.9	20	1	5.0	55	7	12.7	62	5	8.1
Arizona	387	45	11.6	152	38	25.0	492	149	30.3	453	128	28.3
California												
Central	143	16	11.2	31	0	0.0	131	20	15.3	209	28	13.4
Eastern	115	22	19.1	50	7	14.0	164	29	17.7	198	26	13.1
Northern	285	17	6.0	77	5	6.5	185	32	17.3	212	26	12.3
Southern	92	15	16.3	5	4	80.0	28	6	21.4	137	35	25.5
Guam	63	18	28.6	6	1	16.7	18	0	0.0	15	0	0.0
Hawaii	55	9	16.4	52	3	5.8	144	13	9.0	50	6	12.0
Idaho	66	16	24.2	43	14	32.6	84	18	21.4	132	30	22.7
Montana	113	16	14.2	56	0	0.0	175	3	1.7	182	10	5.5
Nevada	244	9	3.7	126	1	0.8	244	16	6.6	222	13	5.9
Northern Mariana Islands	9	4	44.4	1	0	0.0	0	0	0.0	5	0	0.0
Oregon	372	35	9.4	122	20	16.4	196	33	16.8	236	84	35.6
Washington												
Eastern	120	5	4.2	49	5	10.2	155	28	18.1	158	37	23.4
Western	140	14	10.0	51	8	15.7	147	46	31.3	202	54	26.7
<b>TENTH CIRCUIT</b>	<b>1,414</b>	<b>147</b>	<b>10.4</b>	<b>670</b>	<b>50</b>	<b>7.5</b>	<b>1,554</b>	<b>178</b>	<b>11.5</b>	<b>1,871</b>	<b>257</b>	<b>13.7</b>
Colorado	295	54	18.3	101	12	11.9	216	44	20.4	261	45	17.2
Kansas	209	22	10.5	89	9	10.1	259	26	10.0	363	79	21.8
New Mexico	213	19	8.9	72	9	12.5	231	39	16.9	305	51	16.7
Oklahoma												
Eastern	69	3	4.3	27	2	7.4	43	3	7.0	67	8	11.9
Northern	115	2	1.7	39	4	10.3	148	9	6.1	162	16	9.9
Western	86	1	1.2	37	1	2.7	79	5	6.3	167	5	3.0
Utah	312	31	9.9	241	11	4.6	416	30	7.2	390	22	5.6
Wyoming	115	15	13.0	64	2	3.1	162	22	13.6	156	31	19.9
<b>ELEVENTH CIRCUIT</b>	<b>2,307</b>	<b>270</b>	<b>11.7</b>	<b>758</b>	<b>90</b>	<b>11.9</b>	<b>2,057</b>	<b>221</b>	<b>10.7</b>	<b>2,647</b>	<b>252</b>	<b>9.5</b>
Alabama												
Middle	40	11	27.5	49	7	14.3	161	28	17.4	145	25	17.2
Northern	323	37	11.5	146	11	7.5	394	45	11.4	407	23	5.7
Southern	147	15	10.2	70	9	12.9	160	12	7.5	221	16	7.2
Florida												
Middle	346	67	19.4	116	23	19.8	313	48	15.3	495	68	13.7
Northern	233	26	11.2	58	5	8.6	122	8	6.6	151	12	7.9
Southern	567	37	6.5	103	7	6.8	311	12	3.9	447	31	6.9
Georgia												
Middle	118	15	12.7	36	2	5.6	138	17	12.3	141	22	15.6
Northern	347	35	10.1	117	11	9.4	248	36	14.5	282	34	12.1
Southern	186	27	14.5	63	15	23.8	210	15	7.1	358	21	5.9

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

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

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

### Firearms 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	%
<b>TOTAL</b>	<b>20,466</b>	<b>2,401</b>	<b>11.7</b>	<b>7,004</b>	<b>798</b>	<b>11.4</b>	<b>18,795</b>	<b>1,761</b>	<b>9.4</b>	<b>22,958</b>	<b>2,022</b>	<b>8.8</b>
<b>D.C. CIRCUIT</b>	<b>390</b>	<b>31</b>	<b>7.9</b>	<b>107</b>	<b>4</b>	<b>3.7</b>	<b>179</b>	<b>15</b>	<b>8.4</b>	<b>49</b>	<b>7</b>	<b>14.3</b>
District of Columbia	390	31	7.9	107	4	3.7	179	15	8.4	49	7	14.3
<b>FIRST CIRCUIT</b>	<b>620</b>	<b>92</b>	<b>14.8</b>	<b>187</b>	<b>26</b>	<b>13.9</b>	<b>499</b>	<b>42</b>	<b>8.4</b>	<b>602</b>	<b>66</b>	<b>11.0</b>
Maine	214	42	19.6	56	8	14.3	145	18	12.4	143	34	23.8
Massachusetts	207	29	14.0	61	4	6.6	135	7	5.2	197	10	5.1
New Hampshire	47	12	25.5	27	11	40.7	74	15	20.3	77	17	22.1
Puerto Rico	59	4	6.8	13	2	15.4	93	2	2.2	116	4	3.4
Rhode Island	93	5	5.4	30	1	3.3	52	0	0.0	69	1	1.4
<b>SECOND CIRCUIT</b>	<b>1,352</b>	<b>161</b>	<b>11.9</b>	<b>418</b>	<b>64</b>	<b>15.3</b>	<b>968</b>	<b>125</b>	<b>12.9</b>	<b>1,006</b>	<b>95</b>	<b>9.4</b>
Connecticut	191	18	9.4	43	7	16.3	107	12	11.2	160	19	11.9
New York												
Eastern	282	49	17.4	100	15	15.0	172	15	8.7	193	9	4.7
Northern	83	18	21.7	38	11	28.9	116	29	25.0	110	14	12.7
Southern	411	39	9.5	144	15	10.4	290	9	3.1	286	12	4.2
Western	267	26	9.7	61	12	19.7	209	46	22.0	158	31	19.6
Vermont	118	11	9.3	32	4	12.5	74	14	18.9	99	10	10.1
<b>THIRD CIRCUIT</b>	<b>1,290</b>	<b>281</b>	<b>21.8</b>	<b>345</b>	<b>74</b>	<b>21.4</b>	<b>976</b>	<b>169</b>	<b>17.3</b>	<b>1,302</b>	<b>188</b>	<b>14.4</b>
Delaware	92	11	12.0	33	1	3.0	66	2	3.0	142	7	4.9
New Jersey	336	39	11.6	82	13	15.9	241	26	10.8	395	55	13.9
Pennsylvania												
Eastern	573	166	29.0	149	45	30.2	349	89	25.5	427	88	20.6
Middle	143	43	30.1	46	11	23.9	107	37	34.6	101	26	25.7
Western	106	14	13.2	33	4	12.1	199	15	7.5	192	10	5.2
Virgin Islands	40	8	20.0	2	0	0.0	14	0	0.0	45	2	4.4
<b>FOURTH CIRCUIT</b>	<b>2,774</b>	<b>338</b>	<b>12.2</b>	<b>943</b>	<b>152</b>	<b>16.1</b>	<b>2,558</b>	<b>287</b>	<b>11.2</b>	<b>3,261</b>	<b>323</b>	<b>9.9</b>
Maryland	532	94	17.7	84	10	11.9	271	33	12.2	387	47	12.1
North Carolina												
Eastern	259	64	24.7	196	54	27.6	449	104	23.2	549	107	19.5
Middle	308	28	9.1	109	2	1.8	270	11	4.1	526	26	4.9
Western	170	40	23.5	51	5	9.8	348	31	8.9	273	19	7.0
South Carolina	453	53	11.7	227	53	23.3	534	48	9.0	699	65	9.3
Virginia												
Eastern	421	13	3.1	120	22	18.3	301	25	8.3	391	18	4.6
Western	319	31	9.7	84	5	6.0	187	24	12.8	139	21	15.1
West Virginia												
Northern	130	6	4.6	32	1	3.1	115	5	4.3	166	15	9.0
Southern	182	9	4.9	40	0	0.0	83	6	7.2	131	5	3.8

**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	%
<b>FIFTH CIRCUIT</b>	<b>2,832</b>	<b>213</b>	<b>7.5</b>	<b>790</b>	<b>66</b>	<b>8.4</b>	<b>2,380</b>	<b>145</b>	<b>6.1</b>	<b>2,800</b>	<b>209</b>	<b>7.5</b>
Louisiana												
Eastern	293	8	2.7	75	2	2.7	145	2	1.4	146	5	3.4
Middle	171	4	2.3	36	4	11.1	111	7	6.3	122	7	5.7
Western	111	4	3.6	60	1	1.7	162	2	1.2	140	5	3.6
Mississippi												
Northern	49	10	20.4	24	10	41.7	79	12	15.2	100	20	20.0
Southern	169	10	5.9	66	3	4.5	173	3	1.7	138	3	2.2
Texas												
Eastern	273	18	6.6	90	5	5.6	328	11	3.4	353	7	2.0
Northern	497	41	8.2	122	9	7.4	283	12	4.2	342	9	2.6
Southern	692	56	8.1	145	14	9.7	552	58	10.5	685	66	9.6
Western	577	62	10.7	172	18	10.5	547	38	6.9	774	87	11.2
<b>SIXTH CIRCUIT</b>	<b>2,100</b>	<b>296</b>	<b>14.1</b>	<b>818</b>	<b>111</b>	<b>13.6</b>	<b>2,111</b>	<b>247</b>	<b>11.7</b>	<b>2,981</b>	<b>350</b>	<b>11.7</b>
Kentucky												
Eastern	181	24	13.3	78	19	24.4	210	57	27.1	273	75	27.5
Western	159	35	22.0	53	14	26.4	100	12	12.0	110	16	14.5
Michigan												
Eastern	466	47	10.1	150	10	6.7	242	29	12.0	357	39	10.9
Western	198	32	16.2	72	7	9.7	178	24	13.5	221	26	11.8
Ohio												
Northern	316	42	13.3	101	10	9.9	325	23	7.1	432	40	9.3
Southern	170	40	23.5	60	15	25.0	215	31	14.4	239	50	20.9
Tennessee												
Eastern	299	31	10.4	102	15	14.7	300	22	7.3	451	36	8.0
Middle	107	17	15.9	51	6	11.8	178	11	6.2	289	23	8.0
Western	204	28	13.7	151	15	9.9	363	38	10.5	609	45	7.4
<b>SEVENTH CIRCUIT</b>	<b>1,151</b>	<b>147</b>	<b>12.8</b>	<b>365</b>	<b>41</b>	<b>11.2</b>	<b>1,053</b>	<b>116</b>	<b>11.0</b>	<b>1,340</b>	<b>111</b>	<b>8.3</b>
Illinois												
Central	160	35	21.9	43	9	20.9	135	21	15.6	188	14	7.4
Northern	170	25	14.7	64	4	6.3	162	26	16.0	147	18	12.2
Southern	157	14	8.9	71	12	16.9	112	4	3.6	151	4	2.6
Indiana												
Northern	265	42	15.8	72	10	13.9	324	46	14.2	427	50	11.7
Southern	140	10	7.1	44	4	9.1	89	8	9.0	79	1	1.3
Wisconsin												
Eastern	199	18	9.0	43	1	2.3	154	11	7.1	276	21	7.6
Western	60	3	5.0	28	1	3.6	77	0	0.0	72	3	4.2
<b>EIGHTH CIRCUIT</b>	<b>1,990</b>	<b>201</b>	<b>10.1</b>	<b>762</b>	<b>61</b>	<b>8.0</b>	<b>2,242</b>	<b>141</b>	<b>6.3</b>	<b>2,626</b>	<b>167</b>	<b>6.4</b>
Arkansas												
Eastern	93	9	9.7	30	4	13.3	141	8	5.7	168	10	6.0
Western	56	7	12.5	19	2	10.5	54	11	20.4	86	3	3.5
Iowa												
Northern	181	19	10.5	50	5	10.0	172	5	2.9	214	14	6.5
Southern	121	11	9.1	58	5	8.6	139	5	3.6	260	20	7.7
Minnesota	191	22	11.5	41	9	22.0	131	15	11.5	135	19	14.1
Missouri												
Eastern	478	46	9.6	161	13	8.1	488	36	7.4	614	42	6.8
Western	492	54	11.0	255	12	4.7	698	40	5.7	693	46	6.6
Nebraska	135	13	9.6	98	4	4.1	287	5	1.7	271	3	1.1
North Dakota	137	15	10.9	27	5	18.5	71	13	18.3	81	9	11.1
South Dakota	106	5	4.7	23	2	8.7	61	3	4.9	104	1	1.0

## 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	%
<b>NINTH CIRCUIT</b>	<b>2,246</b>	<b>231</b>	<b>10.3</b>	<b>841</b>	<b>66</b>	<b>7.8</b>	<b>2,218</b>	<b>154</b>	<b>6.9</b>	<b>2,473</b>	<b>165</b>	<b>6.7</b>
Alaska	42	5	11.9	20	1	5.0	55	2	3.6	62	2	3.2
Arizona	387	36	9.3	152	9	5.9	492	25	5.1	453	29	6.4
California												
Central	143	16	11.2	31	0	0.0	131	4	3.1	209	10	4.8
Eastern	115	22	19.1	50	7	14.0	164	16	9.8	198	11	5.6
Northern	285	15	5.3	77	3	3.9	185	16	8.6	212	3	1.4
Southern	92	13	14.1	5	1	20.0	28	4	14.3	137	9	6.6
Guam	63	18	28.6	6	1	16.7	18	0	0.0	15	0	0.0
Hawaii	55	9	16.4	52	2	3.8	144	10	6.9	50	5	10.0
Idaho	66	15	22.7	43	12	27.9	84	18	21.4	132	25	18.9
Montana	113	16	14.2	56	0	0.0	175	3	1.7	182	10	5.5
Nevada	244	9	3.7	126	1	0.8	244	8	3.3	222	4	1.8
Northern Mariana Islands	9	4	44.4	1	0	0.0	0	0	0.0	5	0	0.0
Oregon	372	35	9.4	122	18	14.8	196	22	11.2	236	29	12.3
Washington												
Eastern	120	4	3.3	49	3	6.1	155	8	5.2	158	15	9.5
Western	140	14	10.0	51	8	15.7	147	18	12.2	202	13	6.4
<b>TENTH CIRCUIT</b>	<b>1,414</b>	<b>141</b>	<b>10.0</b>	<b>670</b>	<b>43</b>	<b>6.4</b>	<b>1,554</b>	<b>115</b>	<b>7.4</b>	<b>1,871</b>	<b>140</b>	<b>7.5</b>
Colorado	295	53	18.0	101	12	11.9	216	35	16.2	261	35	13.4
Kansas	209	22	10.5	89	9	10.1	259	14	5.4	363	38	10.5
New Mexico	213	14	6.6	72	7	9.7	231	13	5.6	305	16	5.2
Oklahoma												
Eastern	69	3	4.3	27	2	7.4	43	3	7.0	67	8	11.9
Northern	115	2	1.7	39	4	10.3	148	9	6.1	162	16	9.9
Western	86	1	1.2	37	1	2.7	79	5	6.3	167	2	1.2
Utah	312	31	9.9	241	6	2.5	416	19	4.6	390	8	2.1
Wyoming	115	15	13.0	64	2	3.1	162	17	10.5	156	17	10.9
<b>ELEVENTH CIRCUIT</b>	<b>2,307</b>	<b>269</b>	<b>11.7</b>	<b>758</b>	<b>90</b>	<b>11.9</b>	<b>2,057</b>	<b>205</b>	<b>10.0</b>	<b>2,647</b>	<b>201</b>	<b>7.6</b>
Alabama												
Middle	40	11	27.5	49	7	14.3	161	26	16.1	145	23	15.9
Northern	323	36	11.1	146	11	7.5	394	45	11.4	407	22	5.4
Southern	147	15	10.2	70	9	12.9	160	11	6.9	221	13	5.9
Florida												
Middle	346	67	19.4	116	23	19.8	313	46	14.7	495	59	11.9
Northern	233	26	11.2	58	5	8.6	122	8	6.6	151	12	7.9
Southern	567	37	6.5	103	7	6.8	311	8	2.6	447	24	5.4
Georgia												
Middle	118	15	12.7	36	2	5.6	138	15	10.9	141	15	10.6
Northern	347	35	10.1	117	11	9.4	248	31	12.5	282	22	7.8
Southern	186	27	14.5	63	15	23.8	210	15	7.1	358	11	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 §5K3.1 Early Disposition Program Sentences by Circuit and District**  
**Firearms 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	%
<b>TOTAL</b>	<b>20,466</b>	<b>n/a</b>	<b>n/a</b>	<b>7,004</b>	<b>7</b>	<b>0.1</b>	<b>18,795</b>	<b>104</b>	<b>0.6</b>	<b>22,958</b>	<b>51</b>	<b>0.2</b>
<b>D.C. CIRCUIT</b>	<b>390</b>	<b>n/a</b>	<b>n/a</b>	<b>107</b>	<b>0</b>	<b>0.0</b>	<b>179</b>	<b>0</b>	<b>0.0</b>	<b>49</b>	<b>0</b>	<b>0.0</b>
District of Columbia	390	n/a	n/a	107	0	0.0	179	0	0.0	49	0	0.0
<b>FIRST CIRCUIT</b>	<b>620</b>	<b>n/a</b>	<b>n/a</b>	<b>187</b>	<b>0</b>	<b>0.0</b>	<b>499</b>	<b>0</b>	<b>0.0</b>	<b>602</b>	<b>0</b>	<b>0.0</b>
Maine	214	n/a	n/a	56	0	0.0	145	0	0.0	143	0	0.0
Massachusetts	207	n/a	n/a	61	0	0.0	135	0	0.0	197	0	0.0
New Hampshire	47	n/a	n/a	27	0	0.0	74	0	0.0	77	0	0.0
Puerto Rico	59	n/a	n/a	13	0	0.0	93	0	0.0	116	0	0.0
Rhode Island	93	n/a	n/a	30	0	0.0	52	0	0.0	69	0	0.0
<b>SECOND CIRCUIT</b>	<b>1,352</b>	<b>n/a</b>	<b>n/a</b>	<b>418</b>	<b>0</b>	<b>0.0</b>	<b>968</b>	<b>0</b>	<b>0.0</b>	<b>1,006</b>	<b>0</b>	<b>0.0</b>
Connecticut	191	n/a	n/a	43	0	0.0	107	0	0.0	160	0	0.0
New York												
Eastern	282	n/a	n/a	100	0	0.0	172	0	0.0	193	0	0.0
Northern	83	n/a	n/a	38	0	0.0	116	0	0.0	110	0	0.0
Southern	411	n/a	n/a	144	0	0.0	290	0	0.0	286	0	0.0
Western	267	n/a	n/a	61	0	0.0	209	0	0.0	158	0	0.0
Vermont	118	n/a	n/a	32	0	0.0	74	0	0.0	99	0	0.0
<b>THIRD CIRCUIT</b>	<b>1,290</b>	<b>n/a</b>	<b>n/a</b>	<b>345</b>	<b>0</b>	<b>0.0</b>	<b>976</b>	<b>0</b>	<b>0.0</b>	<b>1,302</b>	<b>0</b>	<b>0.0</b>
Delaware	92	n/a	n/a	33	0	0.0	66	0	0.0	142	0	0.0
New Jersey	336	n/a	n/a	82	0	0.0	241	0	0.0	395	0	0.0
Pennsylvania												
Eastern	573	n/a	n/a	149	0	0.0	349	0	0.0	427	0	0.0
Middle	143	n/a	n/a	46	0	0.0	107	0	0.0	101	0	0.0
Western	106	n/a	n/a	33	0	0.0	199	0	0.0	192	0	0.0
Virgin Islands	40	n/a	n/a	2	0	0.0	14	0	0.0	45	0	0.0
<b>FOURTH CIRCUIT</b>	<b>2,774</b>	<b>n/a</b>	<b>n/a</b>	<b>943</b>	<b>0</b>	<b>0.0</b>	<b>2,558</b>	<b>0</b>	<b>0.0</b>	<b>3,261</b>	<b>0</b>	<b>0.0</b>
Maryland	532	n/a	n/a	84	0	0.0	271	0	0.0	387	0	0.0
North Carolina												
Eastern	259	n/a	n/a	196	0	0.0	449	0	0.0	549	0	0.0
Middle	308	n/a	n/a	109	0	0.0	270	0	0.0	526	0	0.0
Western	170	n/a	n/a	51	0	0.0	348	0	0.0	273	0	0.0
South Carolina	453	n/a	n/a	227	0	0.0	534	0	0.0	699	0	0.0
Virginia												
Eastern	421	n/a	n/a	120	0	0.0	301	0	0.0	391	0	0.0
Western	319	n/a	n/a	84	0	0.0	187	0	0.0	139	0	0.0
West Virginia												
Northern	130	n/a	n/a	32	0	0.0	115	0	0.0	166	0	0.0
Southern	182	n/a	n/a	40	0	0.0	83	0	0.0	131	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	%
<b>FIFTH CIRCUIT</b>	<b>2,832</b>	<b>n/a</b>	<b>n/a</b>	<b>790</b>	<b>0</b>	<b>0.0</b>	<b>2,380</b>	<b>4</b>	<b>0.2</b>	<b>2,800</b>	<b>7</b>	<b>0.3</b>
Louisiana												
Eastern	293	n/a	n/a	75	0	0.0	145	0	0.0	146	0	0.0
Middle	171	n/a	n/a	36	0	0.0	111	0	0.0	122	0	0.0
Western	111	n/a	n/a	60	0	0.0	162	0	0.0	140	0	0.0
Mississippi												
Northern	49	n/a	n/a	24	0	0.0	79	0	0.0	100	0	0.0
Southern	169	n/a	n/a	66	0	0.0	173	0	0.0	138	0	0.0
Texas												
Eastern	273	n/a	n/a	90	0	0.0	328	0	0.0	353	0	0.0
Northern	497	n/a	n/a	122	0	0.0	283	0	0.0	342	0	0.0
Southern	692	n/a	n/a	145	0	0.0	552	0	0.0	685	3	0.4
Western	577	n/a	n/a	172	0	0.0	547	4	0.7	774	4	0.5
<b>SIXTH CIRCUIT</b>	<b>2,100</b>	<b>n/a</b>	<b>n/a</b>	<b>818</b>	<b>0</b>	<b>0.0</b>	<b>2,111</b>	<b>1</b>	<b>0.0</b>	<b>2,981</b>	<b>0</b>	<b>0.0</b>
Kentucky												
Eastern	181	n/a	n/a	78	0	0.0	210	0	0.0	273	0	0.0
Western	159	n/a	n/a	53	0	0.0	100	0	0.0	110	0	0.0
Michigan												
Eastern	466	n/a	n/a	150	0	0.0	242	0	0.0	357	0	0.0
Western	198	n/a	n/a	72	0	0.0	178	0	0.0	221	0	0.0
Ohio												
Northern	316	n/a	n/a	101	0	0.0	325	0	0.0	432	0	0.0
Southern	170	n/a	n/a	60	0	0.0	215	1	0.5	239	0	0.0
Tennessee												
Eastern	299	n/a	n/a	102	0	0.0	300	0	0.0	451	0	0.0
Middle	107	n/a	n/a	51	0	0.0	178	0	0.0	289	0	0.0
Western	204	n/a	n/a	151	0	0.0	363	0	0.0	609	0	0.0
<b>SEVENTH CIRCUIT</b>	<b>1,151</b>	<b>n/a</b>	<b>n/a</b>	<b>365</b>	<b>0</b>	<b>0.0</b>	<b>1,053</b>	<b>0</b>	<b>0.0</b>	<b>1,340</b>	<b>0</b>	<b>0.0</b>
Illinois												
Central	160	n/a	n/a	43	0	0.0	135	0	0.0	188	0	0.0
Northern	170	n/a	n/a	64	0	0.0	162	0	0.0	147	0	0.0
Southern	157	n/a	n/a	71	0	0.0	112	0	0.0	151	0	0.0
Indiana												
Northern	265	n/a	n/a	72	0	0.0	324	0	0.0	427	0	0.0
Southern	140	n/a	n/a	44	0	0.0	89	0	0.0	79	0	0.0
Wisconsin												
Eastern	199	n/a	n/a	43	0	0.0	154	0	0.0	276	0	0.0
Western	60	n/a	n/a	28	0	0.0	77	0	0.0	72	0	0.0
<b>EIGHTH CIRCUIT</b>	<b>1,990</b>	<b>n/a</b>	<b>n/a</b>	<b>762</b>	<b>0</b>	<b>0.0</b>	<b>2,242</b>	<b>2</b>	<b>0.1</b>	<b>2,626</b>	<b>0</b>	<b>0.0</b>
Arkansas												
Eastern	93	n/a	n/a	30	0	0.0	141	0	0.0	168	0	0.0
Western	56	n/a	n/a	19	0	0.0	54	0	0.0	86	0	0.0
Iowa												
Northern	181	n/a	n/a	50	0	0.0	172	0	0.0	214	0	0.0
Southern	121	n/a	n/a	58	0	0.0	139	0	0.0	260	0	0.0
Minnesota	191	n/a	n/a	41	0	0.0	131	0	0.0	135	0	0.0
Missouri												
Eastern	478	n/a	n/a	161	0	0.0	488	0	0.0	614	0	0.0
Western	492	n/a	n/a	255	0	0.0	698	0	0.0	693	0	0.0
Nebraska	135	n/a	n/a	98	0	0.0	287	2	0.7	271	0	0.0
North Dakota	137	n/a	n/a	27	0	0.0	71	0	0.0	81	0	0.0
South Dakota	106	n/a	n/a	23	0	0.0	61	0	0.0	104	0	0.0

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

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
<b>NINTH CIRCUIT</b>	<b>2,246</b>	<b>n/a</b>	<b>n/a</b>	<b>841</b>	<b>7</b>	<b>0.8</b>	<b>2,218</b>	<b>97</b>	<b>4.4</b>	<b>2,473</b>	<b>42</b>	<b>1.7</b>
Alaska	42	n/a	n/a	20	0	0.0	55	0	0.0	62	0	0.0
Arizona	387	n/a	n/a	152	7	4.6	492	95	19.3	453	32	7.1
California												
Central	143	n/a	n/a	31	0	0.0	131	1	0.8	209	0	0.0
Eastern	115	n/a	n/a	50	0	0.0	164	0	0.0	198	0	0.0
Northern	285	n/a	n/a	77	0	0.0	185	0	0.0	212	1	0.5
Southern	92	n/a	n/a	5	0	0.0	28	0	0.0	137	9	6.6
Guam	63	n/a	n/a	6	0	0.0	18	0	0.0	15	0	0.0
Hawaii	55	n/a	n/a	52	0	0.0	144	0	0.0	50	0	0.0
Idaho	66	n/a	n/a	43	0	0.0	84	0	0.0	132	0	0.0
Montana	113	n/a	n/a	56	0	0.0	175	0	0.0	182	0	0.0
Nevada	244	n/a	n/a	126	0	0.0	244	0	0.0	222	0	0.0
Northern Mariana Islands	9	n/a	n/a	1	0	0.0	0	0	0.0	5	0	0.0
Oregon	372	n/a	n/a	122	0	0.0	196	0	0.0	236	0	0.0
Washington												
Eastern	120	n/a	n/a	49	0	0.0	155	1	0.6	158	0	0.0
Western	140	n/a	n/a	51	0	0.0	147	0	0.0	202	0	0.0
<b>TENTH CIRCUIT</b>	<b>1,414</b>	<b>n/a</b>	<b>n/a</b>	<b>670</b>	<b>0</b>	<b>0.0</b>	<b>1,554</b>	<b>0</b>	<b>0.0</b>	<b>1,871</b>	<b>2</b>	<b>0.1</b>
Colorado	295	n/a	n/a	101	0	0.0	216	0	0.0	261	0	0.0
Kansas	209	n/a	n/a	89	0	0.0	259	0	0.0	363	0	0.0
New Mexico	213	n/a	n/a	72	0	0.0	231	0	0.0	305	2	0.7
Oklahoma												
Eastern	69	n/a	n/a	27	0	0.0	43	0	0.0	67	0	0.0
Northern	115	n/a	n/a	39	0	0.0	148	0	0.0	162	0	0.0
Western	86	n/a	n/a	37	0	0.0	79	0	0.0	167	0	0.0
Utah	312	n/a	n/a	241	0	0.0	416	0	0.0	390	0	0.0
Wyoming	115	n/a	n/a	64	0	0.0	162	0	0.0	156	0	0.0
<b>ELEVENTH CIRCUIT</b>	<b>2,307</b>	<b>n/a</b>	<b>n/a</b>	<b>758</b>	<b>0</b>	<b>0.0</b>	<b>2,057</b>	<b>0</b>	<b>0.0</b>	<b>2,647</b>	<b>0</b>	<b>0.0</b>
Alabama												
Middle	40	n/a	n/a	49	0	0.0	161	0	0.0	145	0	0.0
Northern	323	n/a	n/a	146	0	0.0	394	0	0.0	407	0	0.0
Southern	147	n/a	n/a	70	0	0.0	160	0	0.0	221	0	0.0
Florida												
Middle	346	n/a	n/a	116	0	0.0	313	0	0.0	495	0	0.0
Northern	233	n/a	n/a	58	0	0.0	122	0	0.0	151	0	0.0
Southern	567	n/a	n/a	103	0	0.0	311	0	0.0	447	0	0.0
Georgia												
Middle	118	n/a	n/a	36	0	0.0	138	0	0.0	141	0	0.0
Northern	347	n/a	n/a	117	0	0.0	248	0	0.0	282	0	0.0
Southern	186	n/a	n/a	63	0	0.0	210	0	0.0	358	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**  
**Firearms 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	%
<b>TOTAL</b>	<b>20,466</b>	<b>n/a</b>	<b>n/a</b>	<b>7,004</b>	<b>78</b>	<b>1.1</b>	<b>18,795</b>	<b>476</b>	<b>2.5</b>	<b>22,958</b>	<b>976</b>	<b>4.3</b>
<b>D.C. CIRCUIT</b>	<b>390</b>	<b>n/a</b>	<b>n/a</b>	<b>107</b>	<b>6</b>	<b>5.6</b>	<b>179</b>	<b>8</b>	<b>4.5</b>	<b>49</b>	<b>6</b>	<b>12.2</b>
District of Columbia	390	n/a	n/a	107	6	5.6	179	8	4.5	49	6	12.2
<b>FIRST CIRCUIT</b>	<b>620</b>	<b>n/a</b>	<b>n/a</b>	<b>187</b>	<b>0</b>	<b>0.0</b>	<b>499</b>	<b>6</b>	<b>1.2</b>	<b>602</b>	<b>45</b>	<b>7.5</b>
Maine	214	n/a	n/a	56	0	0.0	145	0	0.0	143	1	0.7
Massachusetts	207	n/a	n/a	61	0	0.0	135	1	0.7	197	24	12.2
New Hampshire	47	n/a	n/a	27	0	0.0	74	4	5.4	77	6	7.8
Puerto Rico	59	n/a	n/a	13	0	0.0	93	0	0.0	116	11	9.5
Rhode Island	93	n/a	n/a	30	0	0.0	52	1	1.9	69	3	4.3
<b>SECOND CIRCUIT</b>	<b>1,352</b>	<b>n/a</b>	<b>n/a</b>	<b>418</b>	<b>6</b>	<b>1.4</b>	<b>968</b>	<b>29</b>	<b>3.0</b>	<b>1,006</b>	<b>31</b>	<b>3.1</b>
Connecticut	191	n/a	n/a	43	2	4.7	107	1	0.9	160	3	1.9
New York												
Eastern	282	n/a	n/a	100	0	0.0	172	6	3.5	193	1	0.5
Northern	83	n/a	n/a	38	0	0.0	116	4	3.4	110	3	2.7
Southern	411	n/a	n/a	144	1	0.7	290	4	1.4	286	3	1.0
Western	267	n/a	n/a	61	3	4.9	209	13	6.2	158	16	10.1
Vermont	118	n/a	n/a	32	0	0.0	74	1	1.4	99	5	5.1
<b>THIRD CIRCUIT</b>	<b>1,290</b>	<b>n/a</b>	<b>n/a</b>	<b>345</b>	<b>3</b>	<b>0.9</b>	<b>976</b>	<b>13</b>	<b>1.3</b>	<b>1,302</b>	<b>35</b>	<b>2.7</b>
Delaware	92	n/a	n/a	33	0	0.0	66	2	3.0	142	5	3.5
New Jersey	336	n/a	n/a	82	1	1.2	241	1	0.4	395	6	1.5
Pennsylvania												
Eastern	573	n/a	n/a	149	2	1.3	349	6	1.7	427	12	2.8
Middle	143	n/a	n/a	46	0	0.0	107	4	3.7	101	9	8.9
Western	106	n/a	n/a	33	0	0.0	199	0	0.0	192	3	1.6
Virgin Islands	40	n/a	n/a	2	0	0.0	14	0	0.0	45	0	0.0
<b>FOURTH CIRCUIT</b>	<b>2,774</b>	<b>n/a</b>	<b>n/a</b>	<b>943</b>	<b>1</b>	<b>0.1</b>	<b>2,558</b>	<b>21</b>	<b>0.8</b>	<b>3,261</b>	<b>65</b>	<b>2.0</b>
Maryland	532	n/a	n/a	84	0	0.0	271	9	3.3	387	23	5.9
North Carolina												
Eastern	259	n/a	n/a	196	0	0.0	449	2	0.4	549	1	0.2
Middle	308	n/a	n/a	109	0	0.0	270	1	0.4	526	0	0.0
Western	170	n/a	n/a	51	0	0.0	348	2	0.6	273	4	1.5
South Carolina	453	n/a	n/a	227	0	0.0	534	4	0.7	699	25	3.6
Virginia												
Eastern	421	n/a	n/a	120	0	0.0	301	0	0.0	391	6	1.5
Western	319	n/a	n/a	84	1	1.2	187	1	0.5	139	5	3.6
West Virginia												
Northern	130	n/a	n/a	32	0	0.0	115	2	1.7	166	0	0.0
Southern	182	n/a	n/a	40	0	0.0	83	0	0.0	131	1	0.8

## 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	%
<b>FIFTH CIRCUIT</b>	<b>2,832</b>	<b>n/a</b>	<b>n/a</b>	<b>790</b>	<b>10</b>	<b>1.3</b>	<b>2,380</b>	<b>52</b>	<b>2.2</b>	<b>2,800</b>	<b>83</b>	<b>3.0</b>
Louisiana												
Eastern	293	n/a	n/a	75	0	0.0	145	0	0.0	146	3	2.1
Middle	171	n/a	n/a	36	0	0.0	111	0	0.0	122	0	0.0
Western	111	n/a	n/a	60	0	0.0	162	0	0.0	140	1	0.7
Mississippi												
Northern	49	n/a	n/a	24	1	4.2	79	5	6.3	100	2	2.0
Southern	169	n/a	n/a	66	1	1.5	173	1	0.6	138	1	0.7
Texas												
Eastern	273	n/a	n/a	90	1	1.1	328	10	3.0	353	29	8.2
Northern	497	n/a	n/a	122	0	0.0	283	5	1.8	342	0	0.0
Southern	692	n/a	n/a	145	2	1.4	552	12	2.2	685	24	3.5
Western	577	n/a	n/a	172	5	2.9	547	19	3.5	774	23	3.0
<b>SIXTH CIRCUIT</b>	<b>2,100</b>	<b>n/a</b>	<b>n/a</b>	<b>818</b>	<b>3</b>	<b>0.4</b>	<b>2,111</b>	<b>41</b>	<b>1.9</b>	<b>2,981</b>	<b>130</b>	<b>4.4</b>
Kentucky												
Eastern	181	n/a	n/a	78	1	1.3	210	2	1.0	273	5	1.8
Western	159	n/a	n/a	53	0	0.0	100	8	8.0	110	17	15.5
Michigan												
Eastern	466	n/a	n/a	150	1	0.7	242	5	2.1	357	12	3.4
Western	198	n/a	n/a	72	0	0.0	178	2	1.1	221	1	0.5
Ohio												
Northern	316	n/a	n/a	101	1	1.0	325	6	1.8	432	11	2.5
Southern	170	n/a	n/a	60	0	0.0	215	1	0.5	239	15	6.3
Tennessee												
Eastern	299	n/a	n/a	102	0	0.0	300	2	0.7	451	6	1.3
Middle	107	n/a	n/a	51	0	0.0	178	1	0.6	289	44	15.2
Western	204	n/a	n/a	151	0	0.0	363	14	3.9	609	19	3.1
<b>SEVENTH CIRCUIT</b>	<b>1,151</b>	<b>n/a</b>	<b>n/a</b>	<b>365</b>	<b>0</b>	<b>0.0</b>	<b>1,053</b>	<b>24</b>	<b>2.3</b>	<b>1,340</b>	<b>56</b>	<b>4.2</b>
Illinois												
Central	160	n/a	n/a	43	0	0.0	135	3	2.2	188	10	5.3
Northern	170	n/a	n/a	64	0	0.0	162	0	0.0	147	1	0.7
Southern	157	n/a	n/a	71	0	0.0	112	0	0.0	151	1	0.7
Indiana												
Northern	265	n/a	n/a	72	0	0.0	324	10	3.1	427	15	3.5
Southern	140	n/a	n/a	44	0	0.0	89	2	2.2	79	5	6.3
Wisconsin												
Eastern	199	n/a	n/a	43	0	0.0	154	9	5.8	276	24	8.7
Western	60	n/a	n/a	28	0	0.0	77	0	0.0	72	0	0.0
<b>EIGHTH CIRCUIT</b>	<b>1,990</b>	<b>n/a</b>	<b>n/a</b>	<b>762</b>	<b>8</b>	<b>1.0</b>	<b>2,242</b>	<b>54</b>	<b>2.4</b>	<b>2,626</b>	<b>84</b>	<b>3.2</b>
Arkansas												
Eastern	93	n/a	n/a	30	0	0.0	141	3	2.1	168	8	4.8
Western	56	n/a	n/a	19	0	0.0	54	1	1.9	86	0	0.0
Iowa												
Northern	181	n/a	n/a	50	0	0.0	172	2	1.2	214	1	0.5
Southern	121	n/a	n/a	58	0	0.0	139	3	2.2	260	18	6.9
Minnesota	191	n/a	n/a	41	1	2.4	131	1	0.8	135	3	2.2
Missouri												
Eastern	478	n/a	n/a	161	1	0.6	488	9	1.8	614	19	3.1
Western	492	n/a	n/a	255	2	0.8	698	3	0.4	693	7	1.0
Nebraska	135	n/a	n/a	98	4	4.1	287	28	9.8	271	22	8.1
North Dakota	137	n/a	n/a	27	0	0.0	71	3	4.2	81	2	2.5
South Dakota	106	n/a	n/a	23	0	0.0	61	1	1.6	104	4	3.8

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

CIRCUIT District	<i>Koon</i> Period (6/13/96 - 04/30/03)			PROTECT Act Period (5/1/03 - 6/24/04)			<i>Booker</i> Period (1/12/05 - 12/10/07)			<i>Gall</i> Period (12/11/07-9/30/11)		
	Total	N	%	Total	N	%	Total	N	%	Total	N	%
<b>NINTH CIRCUIT</b>	<b>2,246</b>	<b>n/a</b>	<b>n/a</b>	<b>841</b>	<b>34</b>	<b>4.0</b>	<b>2,218</b>	<b>149</b>	<b>6.7</b>	<b>2,473</b>	<b>275</b>	<b>11.1</b>
Alaska	42	n/a	n/a	20	0	0.0	55	5	9.1	62	3	4.8
Arizona	387	n/a	n/a	152	22	14.5	492	29	5.9	453	67	14.8
California												
Central	143	n/a	n/a	31	0	0.0	131	15	11.5	209	18	8.6
Eastern	115	n/a	n/a	50	0	0.0	164	13	7.9	198	15	7.6
Northern	285	n/a	n/a	77	2	2.6	185	16	8.6	212	22	10.4
Southern	92	n/a	n/a	5	3	60.0	28	2	7.1	137	17	12.4
Guam	63	n/a	n/a	6	0	0.0	18	0	0.0	15	0	0.0
Hawaii	55	n/a	n/a	52	1	1.9	144	3	2.1	50	1	2.0
Idaho	66	n/a	n/a	43	2	4.7	84	0	0.0	132	5	3.8
Montana	113	n/a	n/a	56	0	0.0	175	0	0.0	182	0	0.0
Nevada	244	n/a	n/a	126	0	0.0	244	8	3.3	222	9	4.1
Northern Mariana Islands	9	n/a	n/a	1	0	0.0	0	0	0.0	5	0	0.0
Oregon	372	n/a	n/a	122	2	1.6	196	11	5.6	236	55	23.3
Washington												
Eastern	120	n/a	n/a	49	2	4.1	155	19	12.3	158	22	13.9
Western	140	n/a	n/a	51	0	0.0	147	28	19.0	202	41	20.3
<b>TENTH CIRCUIT</b>	<b>1,414</b>	<b>n/a</b>	<b>n/a</b>	<b>670</b>	<b>7</b>	<b>1.0</b>	<b>1,554</b>	<b>63</b>	<b>4.1</b>	<b>1,871</b>	<b>115</b>	<b>6.1</b>
Colorado	295	n/a	n/a	101	0	0.0	216	9	4.2	261	10	3.8
Kansas	209	n/a	n/a	89	0	0.0	259	12	4.6	363	41	11.3
New Mexico	213	n/a	n/a	72	2	2.8	231	26	11.3	305	33	10.8
Oklahoma												
Eastern	69	n/a	n/a	27	0	0.0	43	0	0.0	67	0	0.0
Northern	115	n/a	n/a	39	0	0.0	148	0	0.0	162	0	0.0
Western	86	n/a	n/a	37	0	0.0	79	0	0.0	167	3	1.8
Utah	312	n/a	n/a	241	5	2.1	416	11	2.6	390	14	3.6
Wyoming	115	n/a	n/a	64	0	0.0	162	5	3.1	156	14	9.0
<b>ELEVENTH CIRCUIT</b>	<b>2,307</b>	<b>n/a</b>	<b>n/a</b>	<b>758</b>	<b>0</b>	<b>0.0</b>	<b>2,057</b>	<b>16</b>	<b>0.8</b>	<b>2,647</b>	<b>51</b>	<b>1.9</b>
Alabama												
Middle	40	n/a	n/a	49	0	0.0	161	2	1.2	145	2	1.4
Northern	323	n/a	n/a	146	0	0.0	394	0	0.0	407	1	0.2
Southern	147	n/a	n/a	70	0	0.0	160	1	0.6	221	3	1.4
Florida												
Middle	346	n/a	n/a	116	0	0.0	313	2	0.6	495	9	1.8
Northern	233	n/a	n/a	58	0	0.0	122	0	0.0	151	0	0.0
Southern	567	n/a	n/a	103	0	0.0	311	4	1.3	447	7	1.6
Georgia												
Middle	118	n/a	n/a	36	0	0.0	138	2	1.4	141	7	5.0
Northern	347	n/a	n/a	117	0	0.0	248	5	2.0	282	12	4.3
Southern	186	n/a	n/a	63	0	0.0	210	0	0.0	358	10	2.8

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

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

**Rate of Non-Government Sponsored Below Range Sentences by Circuit and District**  
**Firearms 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	%
<b>TOTAL</b>	<b>20,466</b>	<b>2,427</b>	<b>11.9</b>	<b>7,004</b>	<b>454</b>	<b>6.5</b>	<b>18,795</b>	<b>2,740</b>	<b>14.6</b>	<b>22,958</b>	<b>4,833</b>	<b>21.1</b>
<b>D.C. CIRCUIT</b>	<b>390</b>	<b>38</b>	<b>9.7</b>	<b>107</b>	<b>2</b>	<b>1.9</b>	<b>179</b>	<b>26</b>	<b>14.5</b>	<b>49</b>	<b>15</b>	<b>30.6</b>
District of Columbia	390	38	9.7	107	2	1.9	179	26	14.5	49	15	30.6
<b>FIRST CIRCUIT</b>	<b>620</b>	<b>71</b>	<b>11.5</b>	<b>187</b>	<b>11</b>	<b>5.9</b>	<b>499</b>	<b>86</b>	<b>17.2</b>	<b>602</b>	<b>174</b>	<b>28.9</b>
Maine	214	12	5.6	56	1	1.8	145	23	15.9	143	36	25.2
Massachusetts	207	41	19.8	61	9	14.8	135	41	30.4	197	80	40.6
New Hampshire	47	5	10.6	27	0	0.0	74	8	10.8	77	24	31.2
Puerto Rico	59	2	3.4	13	0	0.0	93	5	5.4	116	10	8.6
Rhode Island	93	11	11.8	30	1	3.3	52	9	17.3	69	24	34.8
<b>SECOND CIRCUIT</b>	<b>1,352</b>	<b>253</b>	<b>18.7</b>	<b>418</b>	<b>51</b>	<b>12.2</b>	<b>968</b>	<b>202</b>	<b>20.9</b>	<b>1,006</b>	<b>347</b>	<b>34.5</b>
Connecticut	191	54	28.3	43	8	18.6	107	20	18.7	160	45	28.1
New York												
Eastern	282	55	19.5	100	17	17.0	172	39	22.7	193	62	32.1
Northern	83	15	18.1	38	5	13.2	116	21	18.1	110	24	21.8
Southern	411	49	11.9	144	10	6.9	290	72	24.8	286	133	46.5
Western	267	43	16.1	61	8	13.1	209	26	12.4	158	35	22.2
Vermont	118	37	31.4	32	3	9.4	74	24	32.4	99	48	48.5
<b>THIRD CIRCUIT</b>	<b>1,290</b>	<b>113</b>	<b>8.8</b>	<b>345</b>	<b>23</b>	<b>6.7</b>	<b>976</b>	<b>193</b>	<b>19.8</b>	<b>1,302</b>	<b>314</b>	<b>24.1</b>
Delaware	92	11	12.0	33	9	27.3	66	20	30.3	142	52	36.6
New Jersey	336	32	9.5	82	6	7.3	241	44	18.3	395	60	15.2
Pennsylvania												
Eastern	573	41	7.2	149	6	4.0	349	67	19.2	427	121	28.3
Middle	143	16	11.2	46	0	0.0	107	20	18.7	101	22	21.8
Western	106	11	10.4	33	2	6.1	199	38	19.1	192	58	30.2
Virgin Islands	40	2	5.0	2	0	0.0	14	4	28.6	45	1	2.2
<b>FOURTH CIRCUIT</b>	<b>2,774</b>	<b>188</b>	<b>6.8</b>	<b>943</b>	<b>41</b>	<b>4.3</b>	<b>2,558</b>	<b>259</b>	<b>10.1</b>	<b>3,261</b>	<b>498</b>	<b>15.3</b>
Maryland	532	82	15.4	84	15	17.9	271	44	16.2	387	68	17.6
North Carolina												
Eastern	259	14	5.4	196	10	5.1	449	30	6.7	549	39	7.1
Middle	308	7	2.3	109	1	0.9	270	16	5.9	526	70	13.3
Western	170	6	3.5	51	4	7.8	348	22	6.3	273	31	11.4
South Carolina	453	15	3.3	227	3	1.3	534	58	10.9	699	116	16.6
Virginia												
Eastern	421	25	5.9	120	4	3.3	301	42	14.0	391	77	19.7
Western	319	12	3.8	84	3	3.6	187	23	12.3	139	34	24.5
West Virginia												
Northern	130	12	9.2	32	0	0.0	115	18	15.7	166	29	17.5
Southern	182	15	8.2	40	1	2.5	83	6	7.2	131	34	26.0

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

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
<b>FIFTH CIRCUIT</b>	<b>2,832</b>	<b>278</b>	<b>9.8</b>	<b>790</b>	<b>26</b>	<b>3.3</b>	<b>2,380</b>	<b>196</b>	<b>8.2</b>	<b>2,800</b>	<b>335</b>	<b>12.0</b>
Louisiana												
Eastern	293	14	4.8	75	1	1.3	145	10	6.9	146	12	8.2
Middle	171	11	6.4	36	0	0.0	111	5	4.5	122	9	7.4
Western	111	11	9.9	60	2	3.3	162	15	9.3	140	11	7.9
Mississippi												
Northern	49	6	12.2	24	1	4.2	79	6	7.6	100	8	8.0
Southern	169	10	5.9	66	0	0.0	173	11	6.4	138	7	5.1
Texas												
Eastern	273	28	10.3	90	4	4.4	328	16	4.9	353	25	7.1
Northern	497	41	8.2	122	6	4.9	283	14	4.9	342	40	11.7
Southern	692	88	12.7	145	4	2.8	552	62	11.2	685	107	15.6
Western	577	69	12.0	172	8	4.7	547	57	10.4	774	116	15.0
<b>SIXTH CIRCUIT</b>	<b>2,100</b>	<b>195</b>	<b>9.3</b>	<b>818</b>	<b>66</b>	<b>8.1</b>	<b>2,111</b>	<b>389</b>	<b>18.4</b>	<b>2,981</b>	<b>728</b>	<b>24.4</b>
Kentucky												
Eastern	181	8	4.4	78	1	1.3	210	36	17.1	273	53	19.4
Western	159	17	10.7	53	9	17.0	100	21	21.0	110	23	20.9
Michigan												
Eastern	466	54	11.6	150	12	8.0	242	44	18.2	357	96	26.9
Western	198	23	11.6	72	4	5.6	178	21	11.8	221	51	23.1
Ohio												
Northern	316	45	14.2	101	16	15.8	325	61	18.8	432	103	23.8
Southern	170	20	11.8	60	6	10.0	215	64	29.8	239	70	29.3
Tennessee												
Eastern	299	10	3.3	102	7	6.9	300	26	8.7	451	66	14.6
Middle	107	6	5.6	51	3	5.9	178	41	23.0	289	85	29.4
Western	204	12	5.9	151	8	5.3	363	75	20.7	609	181	29.7
<b>SEVENTH CIRCUIT</b>	<b>1,151</b>	<b>58</b>	<b>5.0</b>	<b>365</b>	<b>13</b>	<b>3.6</b>	<b>1,053</b>	<b>137</b>	<b>13.0</b>	<b>1,340</b>	<b>326</b>	<b>24.3</b>
Illinois												
Central	160	7	4.4	43	2	4.7	135	18	13.3	188	46	24.5
Northern	170	11	6.5	64	3	4.7	162	22	13.6	147	30	20.4
Southern	157	5	3.2	71	3	4.2	112	10	8.9	151	19	12.6
Indiana												
Northern	265	13	4.9	72	1	1.4	324	23	7.1	427	78	18.3
Southern	140	7	5.0	44	3	6.8	89	9	10.1	79	18	22.8
Wisconsin												
Eastern	199	12	6.0	43	1	2.3	154	49	31.8	276	112	40.6
Western	60	3	5.0	28	0	0.0	77	6	7.8	72	23	31.9
<b>EIGHTH CIRCUIT</b>	<b>1,990</b>	<b>215</b>	<b>10.8</b>	<b>762</b>	<b>41</b>	<b>5.4</b>	<b>2,242</b>	<b>316</b>	<b>14.1</b>	<b>2,626</b>	<b>618</b>	<b>23.5</b>
Arkansas												
Eastern	93	5	5.4	30	1	3.3	141	23	16.3	168	37	22.0
Western	56	3	5.4	19	0	0.0	54	9	16.7	86	28	32.6
Iowa												
Northern	181	16	8.8	50	1	2.0	172	9	5.2	214	41	19.2
Southern	121	22	18.2	58	4	6.9	139	44	31.7	260	94	36.2
Minnesota	191	44	23.0	41	4	9.8	131	31	23.7	135	41	30.4
Missouri												
Eastern	478	32	6.7	161	7	4.3	488	53	10.9	614	145	23.6
Western	492	22	4.5	255	7	2.7	698	73	10.5	693	110	15.9
Nebraska	135	29	21.5	98	9	9.2	287	47	16.4	271	70	25.8
North Dakota	137	34	24.8	27	3	11.1	71	17	23.9	81	26	32.1
South Dakota	106	8	7.5	23	5	21.7	61	10	16.4	104	26	25.0

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

CIRCUIT	<i>Koon</i> Period			PROTECT Act Period			<i>Booker</i> Period			<i>Gall</i> Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	N	%	Total	N	%	Total	N	%	Total	N	%
<b>NINTH CIRCUIT</b>	<b>2,246</b>	<b>577</b>	<b>25.7</b>	<b>841</b>	<b>86</b>	<b>10.2</b>	<b>2,218</b>	<b>407</b>	<b>18.3</b>	<b>2,473</b>	<b>569</b>	<b>23.0</b>
Alaska	42	6	14.3	20	1	5.0	55	10	18.2	62	19	30.6
Arizona	387	150	38.8	152	13	8.6	492	72	14.6	453	102	22.5
California												
Central	143	38	26.6	31	4	12.9	131	54	41.2	209	75	35.9
Eastern	115	18	15.7	50	4	8.0	164	16	9.8	198	35	17.7
Northern	285	85	29.8	77	9	11.7	185	33	17.8	212	34	16.0
Southern	92	38	41.3	5	1	20.0	28	8	28.6	137	38	27.7
Guam	63	4	6.3	6	1	16.7	18	8	44.4	15	7	46.7
Hawaii	55	7	12.7	52	2	3.8	144	21	14.6	50	15	30.0
Idaho	66	9	13.6	43	5	11.6	84	17	20.2	132	29	22.0
Montana	113	23	20.4	56	3	5.4	175	20	11.4	182	24	13.2
Nevada	244	32	13.1	126	5	4.0	244	28	11.5	222	50	22.5
Northern Mariana Islands	9	1	11.1	1	0	0.0	0	0	0.0	5	0	0.0
Oregon	372	107	28.8	122	27	22.1	196	55	28.1	236	57	24.2
Washington												
Eastern	120	30	25.0	49	4	8.2	155	26	16.8	158	36	22.8
Western	140	29	20.7	51	7	13.7	147	39	26.5	202	48	23.8
<b>TENTH CIRCUIT</b>	<b>1,414</b>	<b>257</b>	<b>18.2</b>	<b>670</b>	<b>61</b>	<b>9.1</b>	<b>1,554</b>	<b>244</b>	<b>15.7</b>	<b>1,871</b>	<b>415</b>	<b>22.2</b>
Colorado	295	57	19.3	101	12	11.9	216	46	21.3	261	51	19.5
Kansas	209	23	11.0	89	1	1.1	259	32	12.4	363	50	13.8
New Mexico	213	69	32.4	72	12	16.7	231	39	16.9	305	71	23.3
Oklahoma												
Eastern	69	16	23.2	27	0	0.0	43	1	2.3	67	3	4.5
Northern	115	4	3.5	39	0	0.0	148	5	3.4	162	26	16.0
Western	86	6	7.0	37	2	5.4	79	8	10.1	167	29	17.4
Utah	312	69	22.1	241	28	11.6	416	78	18.8	390	143	36.7
Wyoming	115	13	11.3	64	6	9.4	162	35	21.6	156	42	26.9
<b>ELEVENTH CIRCUIT</b>	<b>2,307</b>	<b>184</b>	<b>8.0</b>	<b>758</b>	<b>33</b>	<b>4.4</b>	<b>2,057</b>	<b>285</b>	<b>13.9</b>	<b>2,647</b>	<b>494</b>	<b>18.7</b>
Alabama												
Middle	40	3	7.5	49	4	8.2	161	16	9.9	145	23	15.9
Northern	323	12	3.7	146	4	2.7	394	37	9.4	407	61	15.0
Southern	147	4	2.7	70	1	1.4	160	18	11.3	221	44	19.9
Florida												
Middle	346	46	13.3	116	4	3.4	313	52	16.6	495	112	22.6
Northern	233	16	6.9	58	3	5.2	122	10	8.2	151	28	18.5
Southern	567	48	8.5	103	1	1.0	311	63	20.3	447	101	22.6
Georgia												
Middle	118	8	6.8	36	2	5.6	138	18	13.0	141	14	9.9
Northern	347	41	11.8	117	9	7.7	248	50	20.2	282	75	26.6
Southern	186	6	3.2	63	5	7.9	210	21	10.0	358	36	10.1

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.

**Average Guideline Minimum and Length of Imprisonment by Circuit and District**  
**Firearms 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
<b>TOTAL</b>	<b>20,517</b>	<b>58</b>	<b>56</b>	<b>7,015</b>	<b>58</b>	<b>57</b>	<b>18,804</b>	<b>60</b>	<b>58</b>	<b>22,958</b>	<b>63</b>	<b>59</b>
<b>D.C. CIRCUIT</b>	<b>394</b>	<b>51</b>	<b>48</b>	<b>107</b>	<b>52</b>	<b>53</b>	<b>179</b>	<b>54</b>	<b>48</b>	<b>49</b>	<b>60</b>	<b>50</b>
District of Columbia	394	51	48	107	52	53	179	54	48	49	60	50
<b>FIRST CIRCUIT</b>	<b>622</b>	<b>66</b>	<b>63</b>	<b>187</b>	<b>56</b>	<b>54</b>	<b>499</b>	<b>58</b>	<b>55</b>	<b>602</b>	<b>63</b>	<b>54</b>
Maine	214	68	66	56	34	34	145	48	46	143	47	39
Massachusetts	207	75	68	61	86	81	135	91	82	197	94	81
New Hampshire	47	40	41	27	36	31	74	51	46	77	52	42
Puerto Rico	60	32	34	13	36	41	93	27	30	116	31	32
Rhode Island	94	75	74	30	59	63	52	66	69	69	71	58
<b>SECOND CIRCUIT</b>	<b>1,354</b>	<b>48</b>	<b>43</b>	<b>419</b>	<b>53</b>	<b>49</b>	<b>970</b>	<b>50</b>	<b>44</b>	<b>1,006</b>	<b>53</b>	<b>44</b>
Connecticut	191	74	67	43	106	98	107	71	63	160	64	59
New York												
Eastern	282	47	38	100	43	39	172	50	42	193	52	49
Northern	83	46	39	38	45	41	116	40	31	110	39	33
Southern	413	42	39	144	47	46	291	47	44	286	54	42
Western	267	42	40	62	48	44	210	51	44	158	53	41
Vermont	118	47	40	32	58	48	74	45	35	99	53	36
<b>THIRD CIRCUIT</b>	<b>1,293</b>	<b>63</b>	<b>58</b>	<b>345</b>	<b>67</b>	<b>61</b>	<b>976</b>	<b>70</b>	<b>63</b>	<b>1,302</b>	<b>72</b>	<b>62</b>
Delaware	92	43	41	33	37	32	66	56	50	142	48	40
New Jersey	337	58	58	82	67	63	241	61	59	395	66	61
Pennsylvania												
Eastern	574	74	66	149	75	64	349	79	66	427	90	72
Middle	143	54	48	46	60	61	107	69	62	101	58	48
Western	106	63	58	33	74	74	199	74	71	192	75	69
Virgin Islands	41	29	29	2	13	14	14	35	35	45	28	33
<b>FOURTH CIRCUIT</b>	<b>2,779</b>	<b>70</b>	<b>69</b>	<b>943</b>	<b>69</b>	<b>68</b>	<b>2,562</b>	<b>70</b>	<b>69</b>	<b>3,261</b>	<b>77</b>	<b>75</b>
Maryland	532	79	70	84	65	60	271	85	79	387	92	89
North Carolina												
Eastern	259	75	73	196	82	76	449	81	76	549	85	84
Middle	308	83	87	109	76	82	270	75	78	526	84	87
Western	170	93	85	51	81	82	348	61	62	273	77	76
South Carolina	453	72	72	227	77	79	537	80	78	699	78	74
Virginia												
Eastern	425	51	54	120	47	46	302	47	52	391	65	66
Western	319	65	65	84	52	50	187	68	67	139	74	67
West Virginia												
Northern	130	57	58	32	37	38	115	40	39	166	44	41
Southern	183	54	57	40	52	56	83	56	60	131	40	40

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

CIRCUIT	<i>Koon</i>			PROTECT Act			<i>Booker</i>			<i>Gall</i>		
	Period			Period			Period			Period		
	(6/13/96 - 04/30/03)			(5/1/03 - 6/24/04)			(1/12/05 - 12/10/07)			(12/11/07-9/30/11)		
District	Total	Mean Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months	Total	Mean Guideline Minimum	Mean Months
<b>FIFTH CIRCUIT</b>	<b>2,835</b>	<b>52</b>	<b>52</b>	<b>790</b>	<b>54</b>	<b>56</b>	<b>2,380</b>	<b>49</b>	<b>51</b>	<b>2,800</b>	<b>48</b>	<b>49</b>
Louisiana												
Eastern	293	36	39	75	41	47	145	37	44	146	52	57
Middle	172	46	52	36	54	61	111	49	58	122	52	55
Western	111	49	50	60	60	64	162	49	55	140	63	70
Mississippi												
Northern	49	48	43	24	31	28	79	44	45	100	34	36
Southern	170	51	52	66	48	50	173	46	50	138	54	57
Texas												
Eastern	273	61	58	90	59	60	328	54	56	353	54	56
Northern	498	60	62	122	66	69	283	67	72	342	66	70
Southern	692	50	50	145	53	55	552	42	43	685	40	39
Western	577	52	52	172	53	52	547	47	46	774	42	40
<b>SIXTH CIRCUIT</b>	<b>2,102</b>	<b>58</b>	<b>55</b>	<b>820</b>	<b>62</b>	<b>61</b>	<b>2,111</b>	<b>69</b>	<b>65</b>	<b>2,981</b>	<b>72</b>	<b>66</b>
Kentucky												
Eastern	181	46	42	78	47	41	210	52	46	273	62	54
Western	159	46	40	53	50	41	100	64	53	110	81	67
Michigan												
Eastern	466	42	40	150	59	60	242	64	57	357	70	64
Western	198	61	59	74	62	66	178	65	62	221	74	70
Ohio												
Northern	318	42	39	101	43	42	325	58	54	432	58	56
Southern	170	41	35	60	56	48	215	54	49	239	61	49
Tennessee												
Eastern	299	85	85	102	63	63	300	89	91	451	76	75
Middle	107	87	83	51	91	88	178	81	78	289	85	75
Western	204	92	93	151	83	84	363	80	76	609	83	77
<b>SEVENTH CIRCUIT</b>	<b>1,152</b>	<b>61</b>	<b>62</b>	<b>365</b>	<b>64</b>	<b>64</b>	<b>1,053</b>	<b>63</b>	<b>63</b>	<b>1,340</b>	<b>59</b>	<b>56</b>
Illinois												
Central	160	70	69	43	72	69	135	69	67	188	72	68
Northern	170	70	70	64	105	104	162	88	85	147	88	83
Southern	157	57	58	71	45	46	112	73	76	151	64	67
Indiana												
Northern	266	42	40	72	35	33	324	41	41	427	39	37
Southern	140	76	79	44	78	80	89	85	86	79	94	92
Wisconsin												
Eastern	199	69	70	43	64	68	154	58	53	276	53	44
Western	60	54	61	28	57	64	77	67	73	72	65	62
<b>EIGHTH CIRCUIT</b>	<b>1,990</b>	<b>57</b>	<b>55</b>	<b>763</b>	<b>58</b>	<b>58</b>	<b>2,242</b>	<b>57</b>	<b>56</b>	<b>2,626</b>	<b>61</b>	<b>56</b>
Arkansas												
Eastern	93	71	69	30	67	62	141	64	63	168	65	62
Western	56	44	45	19	19	23	54	37	32	86	43	40
Iowa												
Northern	181	46	46	50	57	68	172	48	54	214	59	60
Southern	121	64	61	58	82	80	139	69	67	260	60	51
Minnesota	191	77	72	41	83	76	131	96	91	135	100	90
Missouri												
Eastern	478	63	61	161	63	62	488	60	58	614	64	58
Western	492	57	56	255	60	60	698	59	58	693	66	62
Nebraska	135	38	32	98	40	39	287	39	37	271	46	41
North Dakota	137	56	49	28	48	44	71	41	37	81	56	47
South Dakota	106	34	35	23	23	20	61	37	35	104	30	28

**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
<b>NINTH CIRCUIT</b>	<b>2,254</b>	<b>50</b>	<b>46</b>	<b>844</b>	<b>48</b>	<b>46</b>	<b>2,220</b>	<b>45</b>	<b>41</b>	<b>2,473</b>	<b>45</b>	<b>41</b>
Alaska	42	65	66	20	80	79	55	55	52	62	66	64
Arizona	390	39	32	153	38	31	492	30	25	453	32	26
California												
Central	144	36	32	31	36	36	133	41	33	209	42	37
Eastern	116	49	46	50	49	45	164	48	46	198	48	45
Northern	286	59	54	78	47	46	185	52	46	212	49	48
Southern	92	35	29	5	27	8	28	33	28	137	33	28
Guam	63	43	41	6	46	43	18	34	31	15	28	27
Hawaii	56	48	41	52	24	27	144	39	37	50	39	39
Idaho	66	37	35	43	46	40	84	37	34	132	42	39
Montana	113	48	45	57	41	46	175	37	40	182	38	40
Nevada	245	50	50	126	54	58	244	46	47	222	48	46
Northern Mariana Islands	9	29	21	1	180	180	0	0	0	5	22	23
Oregon	372	60	56	122	63	58	196	53	49	236	58	47
Washington												
Eastern	120	50	47	49	46	46	155	60	58	158	64	56
Western	140	67	60	51	57	50	147	81	66	202	55	49
<b>TENTH CIRCUIT</b>	<b>1,430</b>	<b>50</b>	<b>47</b>	<b>673</b>	<b>43</b>	<b>42</b>	<b>1,554</b>	<b>54</b>	<b>51</b>	<b>1,871</b>	<b>53</b>	<b>49</b>
Colorado	295	38	35	101	44	42	216	55	49	261	50	45
Kansas	209	42	40	89	47	47	259	56	54	363	55	49
New Mexico	213	51	42	72	52	48	231	56	51	305	58	53
Oklahoma												
Eastern	69	83	77	27	58	62	43	64	67	67	69	69
Northern	115	58	63	39	58	57	148	81	84	162	54	52
Western	86	80	84	37	63	66	79	91	92	167	75	74
Utah	328	40	36	243	30	29	416	36	34	390	38	33
Wyoming	115	68	64	65	46	47	162	47	42	156	57	50
<b>ELEVENTH CIRCUIT</b>	<b>2,312</b>	<b>70</b>	<b>69</b>	<b>759</b>	<b>67</b>	<b>67</b>	<b>2,058</b>	<b>72</b>	<b>70</b>	<b>2,647</b>	<b>75</b>	<b>73</b>
Alabama												
Middle	40	63	61	49	57	55	161	52	51	145	54	52
Northern	323	51	52	147	50	50	394	59	57	407	60	59
Southern	147	48	49	70	54	56	160	48	48	221	55	51
Florida												
Middle	346	68	63	116	74	73	313	88	83	495	93	88
Northern	233	101	98	58	111	115	122	105	109	151	87	88
Southern	571	81	81	103	87	89	312	99	96	447	88	84
Georgia												
Middle	118	83	86	36	58	62	138	52	52	141	52	52
Northern	347	61	59	117	59	60	248	61	56	282	86	80
Southern	187	61	61	63	62	57	210	74	75	358	69	71

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  
Firearms Offenses**

<b>District</b>	<b>Percent</b>	<b>Koon Period (6/13/96 - 4/30/03)</b>	
		<b>Number of Govt Sponsored Below Range Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
Northern Mariana Islands	44.4	4	9
Pennsylvania, Middle	30.1	43	143
Pennsylvania, Eastern	29.1	167	573
Guam	28.6	18	63
Alabama, Middle	27.5	11	40
New Hampshire	25.5	12	47
North Carolina, Eastern	24.7	64	259
Idaho	24.2	16	66
North Carolina, Western	23.5	40	170
Ohio, Southern	23.5	40	170
Kentucky, Western	22.6	36	159
Illinois, Central	21.9	35	160
New York, Northern	21.7	18	83
Mississippi, Northern	20.4	10	49
Virgin Islands	20.0	8	40
Maine	19.6	42	214
Florida, Middle	19.4	67	346
California, Eastern	19.1	22	115
Colorado	18.3	54	295
Maryland	17.7	94	532
New York, Eastern	17.4	49	282
Michigan, Western	16.7	33	198
Hawaii	16.4	9	55
California, Southern	16.3	15	92
Tennessee, Middle	15.9	17	107
Indiana, Northern	15.8	42	265
Illinois, Northern	14.7	25	170
Georgia, Southern	14.5	27	186
Montana	14.2	16	113
Pennsylvania, Western	14.2	15	106
Delaware	14.1	13	92
Massachusetts	14.0	29	207
Tennessee, Western	13.7	28	204
Ohio, Northern	13.3	42	316
Kentucky, Eastern	13.3	24	181
Wyoming	13.0	15	115
Georgia, Middle	12.7	15	118
Arkansas, Western	12.5	7	56
Alaska	11.9	5	42
South Carolina	11.7	53	453
North Dakota	11.7	16	137
Arizona	11.6	45	387

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

<b>District</b>	<b>Percent</b>	<i>Koon</i>	
		<b>Period</b>	
<b>(6/13/96 - 4/30/03)</b>			
		<b>Number of Govt Sponsored Below Range Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
New Jersey	11.6	39	336
Minnesota	11.5	22	191
Alabama, Northern	11.5	37	323
California, Central	11.2	16	143
Missouri, Western	11.2	55	492
Florida, Northern	11.2	26	233
New York, Western	10.9	29	267
Arkansas, Eastern	10.8	10	93
Texas, Western	10.7	62	577
Kansas	10.5	22	209
Iowa, Northern	10.5	19	181
Connecticut	10.5	20	191
Nebraska	10.4	14	135
Tennessee, Eastern	10.4	31	299
Alabama, Southern	10.2	15	147
Georgia, Northern	10.1	35	347
Michigan, Eastern	10.1	47	466
Washington, Western	10.0	14	140
Utah	9.9	31	312
Virginia, Western	9.7	31	319
Missouri, Eastern	9.6	46	478
New York, Southern	9.5	39	411
Oregon	9.4	35	372
Vermont	9.3	11	118
North Carolina, Middle	9.1	28	308
Iowa, Southern	9.1	11	121
Wisconsin, Eastern	9.0	18	199
New Mexico	8.9	19	213
Illinois, Southern	8.9	14	157
District of Columbia	8.7	34	390
Puerto Rico	8.5	5	59
Texas, Northern	8.5	42	497
Texas, Southern	8.2	57	692
Indiana, Southern	7.9	11	140
Texas, Eastern	7.0	19	273
Florida, Southern	6.5	37	567
California, Northern	6.0	17	285
Mississippi, Southern	5.9	10	169
Rhode Island	5.4	5	93
Wisconsin, Western	5.0	3	60
West Virginia, Southern	4.9	9	182
South Dakota	4.7	5	106
West Virginia, Northern	4.6	6	130
Oklahoma, Eastern	4.3	3	69
Washington, Eastern	4.2	5	120
Nevada	3.7	9	244
Louisiana, Western	3.6	4	111
Virginia, Eastern	3.1	13	421
Louisiana, Eastern	3.1	9	293
Louisiana, Middle	2.3	4	171
Oklahoma, Northern	1.7	2	115
Oklahoma, Western	1.2	1	86

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

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

<b>District</b>	<b>Percent</b>	<b>PROTECT Act</b>	
		<b>Number of Govt Sponsored Below Range Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
		<b>Period</b>	
		<b>(5/1/03 - 6/24/04)</b>	
California, Southern	80.0	4	5
Mississippi, Northern	45.8	11	24
New Hampshire	40.7	11	27
Idaho	32.6	14	43
Pennsylvania, Eastern	31.5	47	149
New York, Northern	28.9	11	38
North Carolina, Eastern	27.6	54	196
Kentucky, Western	26.4	14	53
Kentucky, Eastern	25.6	20	78
Arizona	25.0	38	152
Ohio, Southern	25.0	15	60
New York, Western	24.6	15	61
Minnesota	24.4	10	41
Pennsylvania, Middle	23.9	11	46
Georgia, Southern	23.8	15	63
South Carolina	23.3	53	227
Connecticut	20.9	9	43
Illinois, Central	20.9	9	43
Florida, Middle	19.8	23	116
North Dakota	18.5	5	27
Virginia, Eastern	18.3	22	120
New Jersey	17.1	14	82
Illinois, Southern	16.9	12	71
Guam	16.7	1	6
Oregon	16.4	20	122
Washington, Western	15.7	8	51
Puerto Rico	15.4	2	13
New York, Eastern	15.0	15	100
Tennessee, Eastern	14.7	15	102
Maine	14.3	8	56
Alabama, Middle	14.3	7	49
California, Eastern	14.0	7	50
Indiana, Northern	13.9	10	72
Texas, Western	13.4	23	172
Arkansas, Eastern	13.3	4	30
Alabama, Southern	12.9	9	70
New Mexico	12.5	9	72
Vermont	12.5	4	32
Pennsylvania, Western	12.1	4	33
Maryland	11.9	10	84
Colorado	11.9	12	101
Tennessee, Middle	11.8	6	51

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

District	Percent	PROTECT Act	
		Period	
		(5/1/03 - 6/24/04)	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Firearms Sentences Imposed
New York, Southern	11.1	16	144
Louisiana, Middle	11.1	4	36
Texas, Southern	11.0	16	145
Ohio, Northern	10.9	11	101
Arkansas, Western	10.5	2	19
Oklahoma, Northern	10.3	4	39
Washington, Eastern	10.2	5	49
Kansas	10.1	9	89
Iowa, Northern	10.0	5	50
Tennessee, Western	9.9	15	151
North Carolina, Western	9.8	5	51
Michigan, Western	9.7	7	72
Georgia, Northern	9.4	11	117
District of Columbia	9.3	10	107
Indiana, Southern	9.1	4	44
Missouri, Eastern	8.7	14	161
South Dakota	8.7	2	23
Iowa, Southern	8.6	5	58
Florida, Northern	8.6	5	58
Nebraska	8.2	8	98
Alabama, Northern	7.5	11	146
Oklahoma, Eastern	7.4	2	27
Texas, Northern	7.4	9	122
Michigan, Eastern	7.3	11	150
Virginia, Western	7.1	6	84
Florida, Southern	6.8	7	103
Texas, Eastern	6.7	6	90
Massachusetts	6.6	4	61
California, Northern	6.5	5	77
Illinois, Northern	6.3	4	64
Mississippi, Southern	6.1	4	66
Hawaii	5.8	3	52
Georgia, Middle	5.6	2	36
Missouri, Western	5.5	14	255
Alaska	5.0	1	20
Utah	4.6	11	241
Wisconsin, Western	3.6	1	28
Rhode Island	3.3	1	30
Wyoming	3.1	2	64
West Virginia, Northern	3.1	1	32
Delaware	3.0	1	33
Oklahoma, Western	2.7	1	37
Louisiana, Eastern	2.7	2	75
Wisconsin, Eastern	2.3	1	43
North Carolina, Middle	1.8	2	109
Louisiana, Western	1.7	1	60
Nevada	0.8	1	126
Montana	0.0	0	56
West Virginia, Southern	0.0	0	40
California, Central	0.0	0	31
Virgin Islands	0.0	0	2
Northern Mariana Islands	0.0	0	1

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

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

<i>Booker</i>			
<b>Period</b>			
(1/12/05 - 12/10/07)			
<b>District</b>	<b>Percent</b>	<b>Number of Govt Sponsored Below Range Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
Pennsylvania, Middle	38.3	41	107
Washington, Western	31.3	46	147
Arizona	30.3	149	492
New York, Northern	28.4	33	116
New York, Western	28.2	59	209
Kentucky, Eastern	28.1	59	210
Pennsylvania, Eastern	27.2	95	349
New Hampshire	25.7	19	74
North Carolina, Eastern	23.6	106	449
North Dakota	22.5	16	71
Arkansas, Western	22.2	12	54
Mississippi, Northern	21.5	17	79
Idaho	21.4	18	84
California, Southern	21.4	6	28
Colorado	20.4	44	216
Vermont	20.3	15	74
Kentucky, Western	20.0	20	100
Washington, Eastern	18.1	28	155
Illinois, Central	17.8	24	135
California, Eastern	17.7	29	164
Alabama, Middle	17.4	28	161
California, Northern	17.3	32	185
Indiana, Northern	17.3	56	324
New Mexico	16.9	39	231
Oregon	16.8	33	196
Illinois, Northern	16.0	26	162
Maryland	15.5	42	271
Ohio, Southern	15.3	33	215
Florida, Middle	15.3	48	313
California, Central	15.3	20	131
Michigan, Western	14.6	26	178
Georgia, Northern	14.5	36	248
Tennessee, Western	14.3	52	363
Michigan, Eastern	14.0	34	242
Wyoming	13.6	22	162
Virginia, Western	13.4	25	187
Wisconsin, Eastern	13.0	20	154
District of Columbia	12.8	23	179
Alaska	12.7	7	55
Texas, Southern	12.7	70	552
Maine	12.4	18	145
Georgia, Middle	12.3	17	138

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

<b>District</b>	<b>Percent</b>	<b>Booker Period (1/12/05 - 12/10/07)</b>	
		<b>Number of Govt Sponsored Below Range Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
Minnesota	12.2	16	131
New York, Eastern	12.2	21	172
Nebraska	12.2	35	287
Connecticut	12.1	13	107
Alabama, Northern	11.4	45	394
Indiana, Southern	11.2	10	89
New Jersey	11.2	27	241
Texas, Western	11.2	61	547
Kansas	10.0	26	259
South Carolina	9.7	52	534
North Carolina, Western	9.5	33	348
Missouri, Eastern	9.2	45	488
Hawaii	9.0	13	144
Ohio, Northern	8.9	29	325
Virginia, Eastern	8.3	25	301
Tennessee, Eastern	8.0	24	300
Arkansas, Eastern	7.8	11	141
Pennsylvania, Western	7.5	15	199
Alabama, Southern	7.5	12	160
West Virginia, Southern	7.2	6	83
Utah	7.2	30	416
Georgia, Southern	7.1	15	210
Oklahoma, Eastern	7.0	3	43
Tennessee, Middle	6.7	12	178
Nevada	6.6	16	244
Florida, Northern	6.6	8	122
South Dakota	6.6	4	61
Texas, Eastern	6.4	21	328
Oklahoma, Western	6.3	5	79
Louisiana, Middle	6.3	7	111
Missouri, Western	6.2	43	698
West Virginia, Northern	6.1	7	115
Oklahoma, Northern	6.1	9	148
Delaware	6.1	4	66
Texas, Northern	6.0	17	283
Massachusetts	5.9	8	135
Iowa, Southern	5.8	8	139
New York, Southern	4.5	13	290
North Carolina, Middle	4.4	12	270
Iowa, Northern	4.1	7	172
Florida, Southern	3.9	12	311
Illinois, Southern	3.6	4	112
Mississippi, Southern	2.3	4	173
Puerto Rico	2.2	2	93
Rhode Island	1.9	1	52
Montana	1.7	3	175
Louisiana, Eastern	1.4	2	145
Louisiana, Western	1.2	2	162
Wisconsin, Western	0.0	0	77
Guam	0.0	0	18
Virgin Islands	0.0	0	14

The following districts had no firearms 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  
Firearms Offenses**

<b>District</b>	<b>Percent</b>	<b>Gall Period (12/11/07 - 9/30/11)</b>	
		<b>Number of Govt Sponsored Below Range Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
Oregon	35.6	84	236
Pennsylvania, Middle	34.7	35	101
Kentucky, Western	30.0	33	110
New Hampshire	29.9	23	77
New York, Western	29.7	47	158
Kentucky, Eastern	29.3	80	273
Arizona	28.3	128	453
Ohio, Southern	27.2	65	239
Washington, Western	26.7	54	202
District of Columbia	26.5	13	49
California, Southern	25.5	35	137
Maine	24.5	35	143
Pennsylvania, Eastern	23.4	100	427
Washington, Eastern	23.4	37	158
Tennessee, Middle	23.2	67	289
Idaho	22.7	30	132
Mississippi, Northern	22.0	22	100
Kansas	21.8	79	363
Wyoming	19.9	31	156
North Carolina, Eastern	19.7	108	549
Virginia, Western	18.7	26	139
Maryland	18.1	70	387
Massachusetts	17.3	34	197
Colorado	17.2	45	261
Alabama, Middle	17.2	25	145
New Mexico	16.7	51	305
Wisconsin, Eastern	16.3	45	276
Minnesota	16.3	22	135
Georgia, Middle	15.6	22	141
New York, Northern	15.5	17	110
New Jersey	15.4	61	395
Indiana, Northern	15.2	65	427
Vermont	15.2	15	99
Texas, Western	14.7	114	774
Iowa, Southern	14.6	38	260
Michigan, Eastern	14.3	51	357
Connecticut	13.8	22	160
Florida, Middle	13.7	68	495
North Dakota	13.6	11	81
Texas, Southern	13.6	93	685
California, Central	13.4	28	209
California, Eastern	13.1	26	198

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

District	Percent	Gall Period	
		(12/11/07 - 9/30/11)	
		Number of Govt Sponsored Below Range Sentences Imposed	Total Number of Firearms Sentences Imposed
Puerto Rico	12.9	15	116
Illinois, Northern	12.9	19	147
South Carolina	12.9	90	699
Illinois, Central	12.8	24	188
California, Northern	12.3	26	212
Michigan, Western	12.2	27	221
Georgia, Northern	12.1	34	282
Hawaii	12.0	6	50
Oklahoma, Eastern	11.9	8	67
Ohio, Northern	11.8	51	432
Arkansas, Eastern	10.7	18	168
Tennessee, Western	10.5	64	609
Texas, Eastern	10.2	36	353
Missouri, Eastern	9.9	61	614
Oklahoma, Northern	9.9	16	162
Tennessee, Eastern	9.3	42	451
Nebraska	9.2	25	271
West Virginia, Northern	9.0	15	166
Delaware	8.5	12	142
North Carolina, Western	8.4	23	273
Alaska	8.1	5	62
Florida, Northern	7.9	12	151
Missouri, Western	7.6	53	693
Indiana, Southern	7.6	6	79
Alabama, Southern	7.2	16	221
Iowa, Northern	7.0	15	214
Florida, Southern	6.9	31	447
Pennsylvania, Western	6.8	13	192
Virginia, Eastern	6.1	24	391
Georgia, Southern	5.9	21	358
Nevada	5.9	13	222
Rhode Island	5.8	4	69
Louisiana, Middle	5.7	7	122
Alabama, Northern	5.7	23	407
Utah	5.6	22	390
Montana	5.5	10	182
Louisiana, Eastern	5.5	8	146
New York, Southern	5.2	15	286
New York, Eastern	5.2	10	193
North Carolina, Middle	4.9	26	526
South Dakota	4.8	5	104
West Virginia, Southern	4.6	6	131
Virgin Islands	4.4	2	45
Louisiana, Western	4.3	6	140
Wisconsin, Western	4.2	3	72
Arkansas, Western	3.5	3	86
Illinois, Southern	3.3	5	151
Oklahoma, Western	3.0	5	167
Mississippi, Southern	2.9	4	138
Texas, Northern	2.6	9	342
Guam	0.0	0	15
Northern Mariana Islands	0.0	0	5

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

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

*Koon*

**Period**

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

<b>District</b>	<b>Percent</b>	<b>Number of §5K1.1 Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
Northern Mariana Islands	44.4	4	9
Pennsylvania, Middle	30.1	43	143
Pennsylvania, Eastern	29.0	166	573
Guam	28.6	18	63
Alabama, Middle	27.5	11	40
New Hampshire	25.5	12	47
North Carolina, Eastern	24.7	64	259
North Carolina, Western	23.5	40	170
Ohio, Southern	23.5	40	170
Idaho	22.7	15	66
Kentucky, Western	22.0	35	159
Illinois, Central	21.9	35	160
New York, Northern	21.7	18	83
Mississippi, Northern	20.4	10	49
Virgin Islands	20.0	8	40
Maine	19.6	42	214
Florida, Middle	19.4	67	346
California, Eastern	19.1	22	115
Colorado	18.0	53	295
Maryland	17.7	94	532
New York, Eastern	17.4	49	282
Hawaii	16.4	9	55
Michigan, Western	16.2	32	198
Tennessee, Middle	15.9	17	107
Indiana, Northern	15.8	42	265
Illinois, Northern	14.7	25	170
Georgia, Southern	14.5	27	186
Montana	14.2	16	113
California, Southern	14.1	13	92
Massachusetts	14.0	29	207
Tennessee, Western	13.7	28	204
Ohio, Northern	13.3	42	316
Kentucky, Eastern	13.3	24	181
Pennsylvania, Western	13.2	14	106
Wyoming	13.0	15	115
Georgia, Middle	12.7	15	118
Arkansas, Western	12.5	7	56
Delaware	12.0	11	92
Alaska	11.9	5	42
South Carolina	11.7	53	453
New Jersey	11.6	39	336
Minnesota	11.5	22	191

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

*Koon*  
**Period**  

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

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<b>District</b>	<b>Percent</b>	<b>Number of §5K1.1 Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
California, Central	11.2	16	143
Florida, Northern	11.2	26	233
Alabama, Northern	11.1	36	323
Missouri, Western	11.0	54	492
North Dakota	10.9	15	137
Texas, Western	10.7	62	577
Kansas	10.5	22	209
Iowa, Northern	10.5	19	181
Tennessee, Eastern	10.4	31	299
Alabama, Southern	10.2	15	147
Georgia, Northern	10.1	35	347
Michigan, Eastern	10.1	47	466
Washington, Western	10.0	14	140
Utah	9.9	31	312
New York, Western	9.7	26	267
Virginia, Western	9.7	31	319
Arkansas, Eastern	9.7	9	93
Nebraska	9.6	13	135
Missouri, Eastern	9.6	46	478
New York, Southern	9.5	39	411
Connecticut	9.4	18	191
Oregon	9.4	35	372
Vermont	9.3	11	118
Arizona	9.3	36	387
North Carolina, Middle	9.1	28	308
Iowa, Southern	9.1	11	121
Wisconsin, Eastern	9.0	18	199
Illinois, Southern	8.9	14	157
Texas, Northern	8.2	41	497
Texas, Southern	8.1	56	692
District of Columbia	7.9	31	390
Indiana, Southern	7.1	10	140
Puerto Rico	6.8	4	59
Texas, Eastern	6.6	18	273
New Mexico	6.6	14	213
Florida, Southern	6.5	37	567
Mississippi, Southern	5.9	10	169
Rhode Island	5.4	5	93
California, Northern	5.3	15	285
Wisconsin, Western	5.0	3	60
West Virginia, Southern	4.9	9	182
South Dakota	4.7	5	106
West Virginia, Northern	4.6	6	130
Oklahoma, Eastern	4.3	3	69
Nevada	3.7	9	244
Louisiana, Western	3.6	4	111
Washington, Eastern	3.3	4	120
Virginia, Eastern	3.1	13	421
Louisiana, Eastern	2.7	8	293
Louisiana, Middle	2.3	4	171
Oklahoma, Northern	1.7	2	115
Oklahoma, Western	1.2	1	86

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

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

District	PROTECT Act		
	Period		
	(5/1/03 - 6/24/04)		
Percent	Number of §5K1.1 Sentences Imposed	Total Number of Firearms Sentences Imposed	
Mississippi, Northern	41.7	10	24
New Hampshire	40.7	11	27
Pennsylvania, Eastern	30.2	45	149
New York, Northern	28.9	11	38
Idaho	27.9	12	43
North Carolina, Eastern	27.6	54	196
Kentucky, Western	26.4	14	53
Ohio, Southern	25.0	15	60
Kentucky, Eastern	24.4	19	78
Pennsylvania, Middle	23.9	11	46
Georgia, Southern	23.8	15	63
South Carolina	23.3	53	227
Minnesota	22.0	9	41
Illinois, Central	20.9	9	43
California, Southern	20.0	1	5
Florida, Middle	19.8	23	116
New York, Western	19.7	12	61
North Dakota	18.5	5	27
Virginia, Eastern	18.3	22	120
Illinois, Southern	16.9	12	71
Guam	16.7	1	6
Connecticut	16.3	7	43
New Jersey	15.9	13	82
Washington, Western	15.7	8	51
Puerto Rico	15.4	2	13
New York, Eastern	15.0	15	100
Oregon	14.8	18	122
Tennessee, Eastern	14.7	15	102
Maine	14.3	8	56
Alabama, Middle	14.3	7	49
California, Eastern	14.0	7	50
Indiana, Northern	13.9	10	72
Arkansas, Eastern	13.3	4	30
Alabama, Southern	12.9	9	70
Vermont	12.5	4	32
Pennsylvania, Western	12.1	4	33
Maryland	11.9	10	84
Colorado	11.9	12	101
Tennessee, Middle	11.8	6	51
Louisiana, Middle	11.1	4	36
Arkansas, Western	10.5	2	19
Texas, Western	10.5	18	172

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

**PROTECT Act  
Period**

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

<b>District</b>	<b>Percent</b>	<b>Number of §5K1.1 Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
New York, Southern	10.4	15	144
Oklahoma, Northern	10.3	4	39
Kansas	10.1	9	89
Iowa, Northern	10.0	5	50
Tennessee, Western	9.9	15	151
Ohio, Northern	9.9	10	101
North Carolina, Western	9.8	5	51
Michigan, Western	9.7	7	72
New Mexico	9.7	7	72
Texas, Southern	9.7	14	145
Georgia, Northern	9.4	11	117
Indiana, Southern	9.1	4	44
South Dakota	8.7	2	23
Iowa, Southern	8.6	5	58
Florida, Northern	8.6	5	58
Missouri, Eastern	8.1	13	161
Alabama, Northern	7.5	11	146
Oklahoma, Eastern	7.4	2	27
Texas, Northern	7.4	9	122
Florida, Southern	6.8	7	103
Michigan, Eastern	6.7	10	150
Massachusetts	6.6	4	61
Illinois, Northern	6.3	4	64
Washington, Eastern	6.1	3	49
Virginia, Western	6.0	5	84
Arizona	5.9	9	152
Texas, Eastern	5.6	5	90
Georgia, Middle	5.6	2	36
Alaska	5.0	1	20
Missouri, Western	4.7	12	255
Mississippi, Southern	4.5	3	66
Nebraska	4.1	4	98
California, Northern	3.9	3	77
Hawaii	3.8	2	52
District of Columbia	3.7	4	107
Wisconsin, Western	3.6	1	28
Rhode Island	3.3	1	30
Wyoming	3.1	2	64
West Virginia, Northern	3.1	1	32
Delaware	3.0	1	33
Oklahoma, Western	2.7	1	37
Louisiana, Eastern	2.7	2	75
Utah	2.5	6	241
Wisconsin, Eastern	2.3	1	43
North Carolina, Middle	1.8	2	109
Louisiana, Western	1.7	1	60
Nevada	0.8	1	126
Montana	0.0	0	56
West Virginia, Southern	0.0	0	40
California, Central	0.0	0	31
Virgin Islands	0.0	0	2
Northern Mariana Islands	0.0	0	1

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

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

<b>District</b>	<b>Percent</b>	<b>Booker Period</b>	
		<b>(1/12/05 - 12/10/07)</b>	
		<b>Number of §5K1.1 Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
Pennsylvania, Middle	34.6	37	107
Kentucky, Eastern	27.1	57	210
Pennsylvania, Eastern	25.5	89	349
New York, Northern	25.0	29	116
North Carolina, Eastern	23.2	104	449
New York, Western	22.0	46	209
Idaho	21.4	18	84
Arkansas, Western	20.4	11	54
New Hampshire	20.3	15	74
Vermont	18.9	14	74
North Dakota	18.3	13	71
Colorado	16.2	35	216
Alabama, Middle	16.1	26	161
Illinois, Northern	16.0	26	162
Illinois, Central	15.6	21	135
Mississippi, Northern	15.2	12	79
Florida, Middle	14.7	46	313
Ohio, Southern	14.4	31	215
California, Southern	14.3	4	28
Indiana, Northern	14.2	46	324
Michigan, Western	13.5	24	178
Virginia, Western	12.8	24	187
Georgia, Northern	12.5	31	248
Maine	12.4	18	145
Washington, Western	12.2	18	147
Maryland	12.2	33	271
Kentucky, Western	12.0	12	100
Michigan, Eastern	12.0	29	242
Minnesota	11.5	15	131
Alabama, Northern	11.4	45	394
Oregon	11.2	22	196
Connecticut	11.2	12	107
Georgia, Middle	10.9	15	138
New Jersey	10.8	26	241
Texas, Southern	10.5	58	552
Wyoming	10.5	17	162
Tennessee, Western	10.5	38	363
California, Eastern	9.8	16	164
South Carolina	9.0	48	534
Indiana, Southern	9.0	8	89
North Carolina, Western	8.9	31	348
New York, Eastern	8.7	15	172

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

*Booker*

**Period**

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

<b>District</b>	<b>Percent</b>	<b>Number of §5K1.1 Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
California, Northern	8.6	16	185
District of Columbia	8.4	15	179
Virginia, Eastern	8.3	25	301
Pennsylvania, Western	7.5	15	199
Missouri, Eastern	7.4	36	488
Tennessee, Eastern	7.3	22	300
West Virginia, Southern	7.2	6	83
Georgia, Southern	7.1	15	210
Wisconsin, Eastern	7.1	11	154
Ohio, Northern	7.1	23	325
Oklahoma, Eastern	7.0	3	43
Texas, Western	6.9	38	547
Hawaii	6.9	10	144
Alabama, Southern	6.9	11	160
Florida, Northern	6.6	8	122
Oklahoma, Western	6.3	5	79
Louisiana, Middle	6.3	7	111
Tennessee, Middle	6.2	11	178
Oklahoma, Northern	6.1	9	148
Missouri, Western	5.7	40	698
Arkansas, Eastern	5.7	8	141
New Mexico	5.6	13	231
Kansas	5.4	14	259
Massachusetts	5.2	7	135
Washington, Eastern	5.2	8	155
Arizona	5.1	25	492
South Dakota	4.9	3	61
Utah	4.6	19	416
West Virginia, Northern	4.3	5	115
Texas, Northern	4.2	12	283
North Carolina, Middle	4.1	11	270
Alaska	3.6	2	55
Iowa, Southern	3.6	5	139
Illinois, Southern	3.6	4	112
Texas, Eastern	3.4	11	328
Nevada	3.3	8	244
New York, Southern	3.1	9	290
California, Central	3.1	4	131
Delaware	3.0	2	66
Iowa, Northern	2.9	5	172
Florida, Southern	2.6	8	311
Puerto Rico	2.2	2	93
Nebraska	1.7	5	287
Mississippi, Southern	1.7	3	173
Montana	1.7	3	175
Louisiana, Eastern	1.4	2	145
Louisiana, Western	1.2	2	162
Wisconsin, Western	0.0	0	77
Rhode Island	0.0	0	52
Guam	0.0	0	18
Virgin Islands	0.0	0	14

The following districts had no firearms 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  
Firearms Offenses**

*Gall*

**Period**

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

<b>District</b>	<b>Percent</b>	<b>Number of §5K1.1 Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
Kentucky, Eastern	27.5	75	273
Pennsylvania, Middle	25.7	26	101
Maine	23.8	34	143
New Hampshire	22.1	17	77
Ohio, Southern	20.9	50	239
Pennsylvania, Eastern	20.6	88	427
Mississippi, Northern	20.0	20	100
New York, Western	19.6	31	158
North Carolina, Eastern	19.5	107	549
Idaho	18.9	25	132
Alabama, Middle	15.9	23	145
Virginia, Western	15.1	21	139
Kentucky, Western	14.5	16	110
District of Columbia	14.3	7	49
Minnesota	14.1	19	135
New Jersey	13.9	55	395
Colorado	13.4	35	261
New York, Northern	12.7	14	110
Oregon	12.3	29	236
Illinois, Northern	12.2	18	147
Maryland	12.1	47	387
Oklahoma, Eastern	11.9	8	67
Florida, Middle	11.9	59	495
Connecticut	11.9	19	160
Michigan, Western	11.8	26	221
Indiana, Northern	11.7	50	427
Texas, Western	11.2	87	774
North Dakota	11.1	9	81
Michigan, Eastern	10.9	39	357
Wyoming	10.9	17	156
Georgia, Middle	10.6	15	141
Kansas	10.5	38	363
Vermont	10.1	10	99
Hawaii	10.0	5	50
Oklahoma, Northern	9.9	16	162
Texas, Southern	9.6	66	685
Washington, Eastern	9.5	15	158
South Carolina	9.3	65	699
Ohio, Northern	9.3	40	432
West Virginia, Northern	9.0	15	166
Tennessee, Eastern	8.0	36	451
Tennessee, Middle	8.0	23	289

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

*Gall*

**Period**

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

<b>District</b>	<b>Percent</b>	<b>Number of §5K1.1 Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
Florida, Northern	7.9	12	151
Georgia, Northern	7.8	22	282
Iowa, Southern	7.7	20	260
Wisconsin, Eastern	7.6	21	276
Illinois, Central	7.4	14	188
Tennessee, Western	7.4	45	609
North Carolina, Western	7.0	19	273
Missouri, Eastern	6.8	42	614
Missouri, Western	6.6	46	693
California, Southern	6.6	9	137
Iowa, Northern	6.5	14	214
Washington, Western	6.4	13	202
Arizona	6.4	29	453
Arkansas, Eastern	6.0	10	168
Alabama, Southern	5.9	13	221
Louisiana, Middle	5.7	7	122
California, Eastern	5.6	11	198
Montana	5.5	10	182
Alabama, Northern	5.4	22	407
Florida, Southern	5.4	24	447
New Mexico	5.2	16	305
Pennsylvania, Western	5.2	10	192
Massachusetts	5.1	10	197
North Carolina, Middle	4.9	26	526
Delaware	4.9	7	142
California, Central	4.8	10	209
New York, Eastern	4.7	9	193
Virginia, Eastern	4.6	18	391
Virgin Islands	4.4	2	45
New York, Southern	4.2	12	286
Wisconsin, Western	4.2	3	72
West Virginia, Southern	3.8	5	131
Louisiana, Western	3.6	5	140
Arkansas, Western	3.5	3	86
Puerto Rico	3.4	4	116
Louisiana, Eastern	3.4	5	146
Alaska	3.2	2	62
Georgia, Southern	3.1	11	358
Illinois, Southern	2.6	4	151
Texas, Northern	2.6	9	342
Mississippi, Southern	2.2	3	138
Utah	2.1	8	390
Texas, Eastern	2.0	7	353
Nevada	1.8	4	222
Rhode Island	1.4	1	69
California, Northern	1.4	3	212
Indiana, Southern	1.3	1	79
Oklahoma, Western	1.2	2	167
Nebraska	1.1	3	271
South Dakota	1.0	1	104
Guam	0.0	0	15
Northern Mariana Islands	0.0	0	5

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

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

<b>District</b>	<b>PROTECT Act</b>		
	<b>Period</b>		
	<b>(5/1/03 - 6/24/04)</b>		
	<b>Percent</b>	<b>Number of Other Govt Sponsored Below Range Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
California, Southern	60.0	3	5
Arizona	14.5	22	152
District of Columbia	5.6	6	107
New York, Western	4.9	3	61
Connecticut	4.7	2	43
Idaho	4.7	2	43
Mississippi, Northern	4.2	1	24
Nebraska	4.1	4	98
Washington, Eastern	4.1	2	49
Texas, Western	2.9	5	172
New Mexico	2.8	2	72
California, Northern	2.6	2	77
Minnesota	2.4	1	41
Utah	2.1	5	241
Hawaii	1.9	1	52
Oregon	1.6	2	122
Mississippi, Southern	1.5	1	66
Texas, Southern	1.4	2	145
Pennsylvania, Eastern	1.3	2	149
Kentucky, Eastern	1.3	1	78
New Jersey	1.2	1	82
Virginia, Western	1.2	1	84
Texas, Eastern	1.1	1	90
Ohio, Northern	1.0	1	101
Missouri, Western	0.8	2	255
New York, Southern	0.7	1	144
Michigan, Eastern	0.7	1	150
Missouri, Eastern	0.6	1	161
South Carolina	0.0	0	227
North Carolina, Eastern	0.0	0	196
Tennessee, Western	0.0	0	151
Alabama, Northern	0.0	0	146
Nevada	0.0	0	126
Texas, Northern	0.0	0	122
Virginia, Eastern	0.0	0	120
Georgia, Northern	0.0	0	117
Florida, Middle	0.0	0	116
North Carolina, Middle	0.0	0	109
Florida, Southern	0.0	0	103
Tennessee, Eastern	0.0	0	102
Colorado	0.0	0	101
New York, Eastern	0.0	0	100

**Spread of Rates of Other Government Sponsored Below Range Sentences  
Firearms 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 Firearms Sentences Imposed		
Kansas	0.0	0	89	
Maryland	0.0	0	84	
Louisiana, Eastern	0.0	0	75	
Michigan, Western	0.0	0	72	
Indiana, Northern	0.0	0	72	
Illinois, Southern	0.0	0	71	
Alabama, Southern	0.0	0	70	
Illinois, Northern	0.0	0	64	
Wyoming	0.0	0	64	
Georgia, Southern	0.0	0	63	
Massachusetts	0.0	0	61	
Louisiana, Western	0.0	0	60	
Ohio, Southern	0.0	0	60	
Iowa, Southern	0.0	0	58	
Florida, Northern	0.0	0	58	
Maine	0.0	0	56	
Montana	0.0	0	56	
Kentucky, Western	0.0	0	53	
North Carolina, Western	0.0	0	51	
Tennessee, Middle	0.0	0	51	
Washington, Western	0.0	0	51	
Iowa, Northern	0.0	0	50	
California, Eastern	0.0	0	50	
Alabama, Middle	0.0	0	49	
Pennsylvania, Middle	0.0	0	46	
Indiana, Southern	0.0	0	44	
Illinois, Central	0.0	0	43	
Wisconsin, Eastern	0.0	0	43	
West Virginia, Southern	0.0	0	40	
Oklahoma, Northern	0.0	0	39	
New York, Northern	0.0	0	38	
Oklahoma, Western	0.0	0	37	
Louisiana, Middle	0.0	0	36	
Georgia, Middle	0.0	0	36	
Delaware	0.0	0	33	
Pennsylvania, Western	0.0	0	33	
Vermont	0.0	0	32	
West Virginia, Northern	0.0	0	32	
California, Central	0.0	0	31	
Rhode Island	0.0	0	30	
Arkansas, Eastern	0.0	0	30	
Wisconsin, Western	0.0	0	28	
New Hampshire	0.0	0	27	
North Dakota	0.0	0	27	
Oklahoma, Eastern	0.0	0	27	
South Dakota	0.0	0	23	
Alaska	0.0	0	20	
Arkansas, Western	0.0	0	19	
Puerto Rico	0.0	0	13	
Guam	0.0	0	6	
Virgin Islands	0.0	0	2	
Northern Mariana Islands	0.0	0	1	

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

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

<b>District</b>	<b>Booker Period</b>		
	<b>(1/12/05 - 12/10/07)</b>		
	<b>Percent</b>	<b>Number of Other Govt Sponsored Below Range Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
Washington, Western	19.0	28	147
Washington, Eastern	12.3	19	155
California, Central	11.5	15	131
New Mexico	11.3	26	231
Nebraska	9.8	28	287
Alaska	9.1	5	55
California, Northern	8.6	16	185
Kentucky, Western	8.0	8	100
California, Eastern	7.9	13	164
California, Southern	7.1	2	28
Mississippi, Northern	6.3	5	79
New York, Western	6.2	13	209
Arizona	5.9	29	492
Wisconsin, Eastern	5.8	9	154
Oregon	5.6	11	196
New Hampshire	5.4	4	74
Kansas	4.6	12	259
District of Columbia	4.5	8	179
North Dakota	4.2	3	71
Colorado	4.2	9	216
Tennessee, Western	3.9	14	363
Pennsylvania, Middle	3.7	4	107
New York, Eastern	3.5	6	172
Texas, Western	3.5	19	547
New York, Northern	3.4	4	116
Maryland	3.3	9	271
Nevada	3.3	8	244
Indiana, Northern	3.1	10	324
Wyoming	3.1	5	162
Texas, Eastern	3.0	10	328
Delaware	3.0	2	66
Utah	2.6	11	416
Indiana, Southern	2.2	2	89
Illinois, Central	2.2	3	135
Texas, Southern	2.2	12	552
Iowa, Southern	2.2	3	139
Arkansas, Eastern	2.1	3	141
Hawaii	2.1	3	144
Michigan, Eastern	2.1	5	242
Georgia, Northern	2.0	5	248
Rhode Island	1.9	1	52
Arkansas, Western	1.9	1	54

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

<i>Booker</i>					
<b>Period</b>					
(1/12/05 - 12/10/07)					
<b>District</b>	<b>Percent</b>	<b>Number of Other Govt Sponsored Below Range Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>		
Ohio, Northern	1.8	6	325		
Missouri, Eastern	1.8	9	488		
Texas, Northern	1.8	5	283		
West Virginia, Northern	1.7	2	115		
Pennsylvania, Eastern	1.7	6	349		
South Dakota	1.6	1	61		
Georgia, Middle	1.4	2	138		
New York, Southern	1.4	4	290		
Vermont	1.4	1	74		
Florida, Southern	1.3	4	311		
Alabama, Middle	1.2	2	161		
Iowa, Northern	1.2	2	172		
Michigan, Western	1.1	2	178		
Kentucky, Eastern	1.0	2	210		
Connecticut	0.9	1	107		
Minnesota	0.8	1	131		
South Carolina	0.7	4	534		
Massachusetts	0.7	1	135		
Tennessee, Eastern	0.7	2	300		
Florida, Middle	0.6	2	313		
Alabama, Southern	0.6	1	160		
Mississippi, Southern	0.6	1	173		
North Carolina, Western	0.6	2	348		
Tennessee, Middle	0.6	1	178		
Virginia, Western	0.5	1	187		
Ohio, Southern	0.5	1	215		
North Carolina, Eastern	0.4	2	449		
Missouri, Western	0.4	3	698		
New Jersey	0.4	1	241		
North Carolina, Middle	0.4	1	270		
Alabama, Northern	0.0	0	394		
Virginia, Eastern	0.0	0	301		
Georgia, Southern	0.0	0	210		
Pennsylvania, Western	0.0	0	199		
Montana	0.0	0	175		
Louisiana, Western	0.0	0	162		
Illinois, Northern	0.0	0	162		
Oklahoma, Northern	0.0	0	148		
Maine	0.0	0	145		
Louisiana, Eastern	0.0	0	145		
Florida, Northern	0.0	0	122		
Illinois, Southern	0.0	0	112		
Louisiana, Middle	0.0	0	111		
Puerto Rico	0.0	0	93		
Idaho	0.0	0	84		
West Virginia, Southern	0.0	0	83		
Oklahoma, Western	0.0	0	79		
Wisconsin, Western	0.0	0	77		
Oklahoma, Eastern	0.0	0	43		
Guam	0.0	0	18		
Virgin Islands	0.0	0	14		

The following districts had no firearms 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  
Firearms Offenses**

<b>District</b>	<i>Gall</i> <b>Period</b>		
	(12/11/07 - 9/30/11)		
	<b>Percent</b>	<b>Number of Other Govt Sponsored Below Range Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
Oregon	23.3	55	236
Washington, Western	20.3	41	202
Kentucky, Western	15.5	17	110
Tennessee, Middle	15.2	44	289
Arizona	14.8	67	453
Washington, Eastern	13.9	22	158
California, Southern	12.4	17	137
District of Columbia	12.2	6	49
Massachusetts	12.2	24	197
Kansas	11.3	41	363
New Mexico	10.8	33	305
California, Northern	10.4	22	212
New York, Western	10.1	16	158
Puerto Rico	9.5	11	116
Wyoming	9.0	14	156
Pennsylvania, Middle	8.9	9	101
Wisconsin, Eastern	8.7	24	276
California, Central	8.6	18	209
Texas, Eastern	8.2	29	353
Nebraska	8.1	22	271
New Hampshire	7.8	6	77
California, Eastern	7.6	15	198
Iowa, Southern	6.9	18	260
Indiana, Southern	6.3	5	79
Ohio, Southern	6.3	15	239
Maryland	5.9	23	387
Illinois, Central	5.3	10	188
Vermont	5.1	5	99
Georgia, Middle	5.0	7	141
Alaska	4.8	3	62
Arkansas, Eastern	4.8	8	168
Rhode Island	4.3	3	69
Georgia, Northern	4.3	12	282
Nevada	4.1	9	222
South Dakota	3.8	4	104
Colorado	3.8	10	261
Idaho	3.8	5	132
Virginia, Western	3.6	5	139
Utah	3.6	14	390
South Carolina	3.6	25	699
Delaware	3.5	5	142
Indiana, Northern	3.5	15	427

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

District	Gall			
	Period			
	(12/11/07 - 9/30/11)			
Percent	Number of Other Govt Sponsored Below Range Sentences Imposed	Total Number of Firearms Sentences Imposed		
Texas, Southern	3.5	24	685	
Michigan, Eastern	3.4	12	357	
Tennessee, Western	3.1	19	609	
Missouri, Eastern	3.1	19	614	
Texas, Western	3.0	23	774	
Pennsylvania, Eastern	2.8	12	427	
Georgia, Southern	2.8	10	358	
New York, Northern	2.7	3	110	
Ohio, Northern	2.5	11	432	
North Dakota	2.5	2	81	
Minnesota	2.2	3	135	
Louisiana, Eastern	2.1	3	146	
Mississippi, Northern	2.0	2	100	
Hawaii	2.0	1	50	
Connecticut	1.9	3	160	
Kentucky, Eastern	1.8	5	273	
Florida, Middle	1.8	9	495	
Oklahoma, Western	1.8	3	167	
Florida, Southern	1.6	7	447	
Pennsylvania, Western	1.6	3	192	
Virginia, Eastern	1.5	6	391	
New Jersey	1.5	6	395	
North Carolina, Western	1.5	4	273	
Alabama, Middle	1.4	2	145	
Alabama, Southern	1.4	3	221	
Tennessee, Eastern	1.3	6	451	
New York, Southern	1.0	3	286	
Missouri, Western	1.0	7	693	
West Virginia, Southern	0.8	1	131	
Mississippi, Southern	0.7	1	138	
Louisiana, Western	0.7	1	140	
Maine	0.7	1	143	
Illinois, Northern	0.7	1	147	
Illinois, Southern	0.7	1	151	
New York, Eastern	0.5	1	193	
Iowa, Northern	0.5	1	214	
Michigan, Western	0.5	1	221	
Alabama, Northern	0.2	1	407	
North Carolina, Eastern	0.2	1	549	
North Carolina, Middle	0.0	0	526	
Texas, Northern	0.0	0	342	
Montana	0.0	0	182	
West Virginia, Northern	0.0	0	166	
Oklahoma, Northern	0.0	0	162	
Florida, Northern	0.0	0	151	
Louisiana, Middle	0.0	0	122	
Arkansas, Western	0.0	0	86	
Wisconsin, Western	0.0	0	72	
Oklahoma, Eastern	0.0	0	67	
Virgin Islands	0.0	0	45	
Guam	0.0	0	15	
Northern Mariana Islands	0.0	0	5	

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

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

<b>District</b>	<b>Percent</b>	<i>Koon</i> <b>Period</b>	
		<b>(6/13/96 - 4/30/03)</b>	
		<b>Number of Non- Govt Sponsored Below Range Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
California, Southern	41.3	38	92
Arizona	38.8	150	387
New Mexico	32.4	69	213
Vermont	31.4	37	118
California, Northern	29.8	85	285
Oregon	28.8	107	372
Connecticut	28.3	54	191
California, Central	26.6	38	143
Washington, Eastern	25.0	30	120
North Dakota	24.8	34	137
Oklahoma, Eastern	23.2	16	69
Minnesota	23.0	44	191
Utah	22.1	69	312
Nebraska	21.5	29	135
Washington, Western	20.7	29	140
Montana	20.4	23	113
Massachusetts	19.8	41	207
New York, Eastern	19.5	55	282
Colorado	19.3	57	295
Iowa, Southern	18.2	22	121
New York, Northern	18.1	15	83
New York, Western	16.1	43	267
California, Eastern	15.7	18	115
Maryland	15.4	82	532
Alaska	14.3	6	42
Ohio, Northern	14.2	45	316
Idaho	13.6	9	66
Florida, Middle	13.3	46	346
Nevada	13.1	32	244
Hawaii	12.7	7	55
Texas, Southern	12.7	88	692
Mississippi, Northern	12.2	6	49
Texas, Western	12.0	69	577
Delaware	12.0	11	92
New York, Southern	11.9	49	411
Rhode Island	11.8	11	93
Georgia, Northern	11.8	41	347
Ohio, Southern	11.8	20	170
Michigan, Western	11.6	23	198
Michigan, Eastern	11.6	54	466
Wyoming	11.3	13	115
Pennsylvania, Middle	11.2	16	143

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

<b>District</b>	<b>Percent</b>	<i>Koon</i> <b>Period</b>	
		<b>(6/13/96 - 4/30/03)</b>	
		<b>Number of Non- Govt Sponsored Below Range Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
Northern Mariana Islands	11.1	1	9
Kansas	11.0	23	209
Kentucky, Western	10.7	17	159
New Hampshire	10.6	5	47
Pennsylvania, Western	10.4	11	106
Texas, Eastern	10.3	28	273
Louisiana, Western	9.9	11	111
District of Columbia	9.7	38	390
New Jersey	9.5	32	336
West Virginia, Northern	9.2	12	130
Iowa, Northern	8.8	16	181
Florida, Southern	8.5	48	567
Texas, Northern	8.2	41	497
West Virginia, Southern	8.2	15	182
South Dakota	7.5	8	106
Alabama, Middle	7.5	3	40
Pennsylvania, Eastern	7.2	41	573
Oklahoma, Western	7.0	6	86
Florida, Northern	6.9	16	233
Georgia, Middle	6.8	8	118
Missouri, Eastern	6.7	32	478
Illinois, Northern	6.5	11	170
Louisiana, Middle	6.4	11	171
Guam	6.3	4	63
Wisconsin, Eastern	6.0	12	199
Virginia, Eastern	5.9	25	421
Mississippi, Southern	5.9	10	169
Tennessee, Western	5.9	12	204
Maine	5.6	12	214
Tennessee, Middle	5.6	6	107
North Carolina, Eastern	5.4	14	259
Arkansas, Eastern	5.4	5	93
Arkansas, Western	5.4	3	56
Indiana, Southern	5.0	7	140
Wisconsin, Western	5.0	3	60
Virgin Islands	5.0	2	40
Indiana, Northern	4.9	13	265
Louisiana, Eastern	4.8	14	293
Missouri, Western	4.5	22	492
Kentucky, Eastern	4.4	8	181
Illinois, Central	4.4	7	160
Virginia, Western	3.8	12	319
Alabama, Northern	3.7	12	323
North Carolina, Western	3.5	6	170
Oklahoma, Northern	3.5	4	115
Puerto Rico	3.4	2	59
Tennessee, Eastern	3.3	10	299
South Carolina	3.3	15	453
Georgia, Southern	3.2	6	186
Illinois, Southern	3.2	5	157
Alabama, Southern	2.7	4	147
North Carolina, Middle	2.3	7	308

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

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

District	Percent	PROTECT Act Period (5/1/03 - 6/24/04)	
		Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Firearms Sentences Imposed
Delaware	27.3	9	33
Oregon	22.1	27	122
South Dakota	21.7	5	23
California, Southern	20.0	1	5
Connecticut	18.6	8	43
Maryland	17.9	15	84
New York, Eastern	17.0	17	100
Kentucky, Western	17.0	9	53
New Mexico	16.7	12	72
Guam	16.7	1	6
Ohio, Northern	15.8	16	101
Massachusetts	14.8	9	61
Washington, Western	13.7	7	51
New York, Northern	13.2	5	38
New York, Western	13.1	8	61
California, Central	12.9	4	31
Colorado	11.9	12	101
California, Northern	11.7	9	77
Idaho	11.6	5	43
Utah	11.6	28	241
North Dakota	11.1	3	27
Ohio, Southern	10.0	6	60
Minnesota	9.8	4	41
Wyoming	9.4	6	64
Vermont	9.4	3	32
Nebraska	9.2	9	98
Arizona	8.6	13	152
Washington, Eastern	8.2	4	49
Alabama, Middle	8.2	4	49
Michigan, Eastern	8.0	12	150
California, Eastern	8.0	4	50
Georgia, Southern	7.9	5	63
North Carolina, Western	7.8	4	51
Georgia, Northern	7.7	9	117
New Jersey	7.3	6	82
New York, Southern	6.9	10	144
Iowa, Southern	6.9	4	58
Tennessee, Eastern	6.9	7	102
Indiana, Southern	6.8	3	44
Pennsylvania, Western	6.1	2	33
Tennessee, Middle	5.9	3	51
Michigan, Western	5.6	4	72

**Spread of Rates of Non-Government Sponsored Below Range Sentences  
Firearms 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 Firearms Sentences Imposed	
Georgia, Middle	5.6	2	36
Oklahoma, Western	5.4	2	37
Montana	5.4	3	56
Tennessee, Western	5.3	8	151
Florida, Northern	5.2	3	58
North Carolina, Eastern	5.1	10	196
Alaska	5.0	1	20
Texas, Northern	4.9	6	122
Illinois, Northern	4.7	3	64
Texas, Western	4.7	8	172
Illinois, Central	4.7	2	43
Texas, Eastern	4.4	4	90
Missouri, Eastern	4.3	7	161
Illinois, Southern	4.2	3	71
Mississippi, Northern	4.2	1	24
Pennsylvania, Eastern	4.0	6	149
Nevada	4.0	5	126
Hawaii	3.8	2	52
Virginia, Western	3.6	3	84
Florida, Middle	3.4	4	116
Virginia, Eastern	3.3	4	120
Louisiana, Western	3.3	2	60
Rhode Island	3.3	1	30
Arkansas, Eastern	3.3	1	30
Texas, Southern	2.8	4	145
Missouri, Western	2.7	7	255
Alabama, Northern	2.7	4	146
West Virginia, Southern	2.5	1	40
Wisconsin, Eastern	2.3	1	43
Iowa, Northern	2.0	1	50
District of Columbia	1.9	2	107
Maine	1.8	1	56
Alabama, Southern	1.4	1	70
Indiana, Northern	1.4	1	72
Louisiana, Eastern	1.3	1	75
South Carolina	1.3	3	227
Kentucky, Eastern	1.3	1	78
Kansas	1.1	1	89
Florida, Southern	1.0	1	103
North Carolina, Middle	0.9	1	109
Mississippi, Southern	0.0	0	66
Pennsylvania, Middle	0.0	0	46
Oklahoma, Northern	0.0	0	39
Louisiana, Middle	0.0	0	36
West Virginia, Northern	0.0	0	32
Wisconsin, Western	0.0	0	28
New Hampshire	0.0	0	27
Oklahoma, Eastern	0.0	0	27
Arkansas, Western	0.0	0	19
Puerto Rico	0.0	0	13
Virgin Islands	0.0	0	2
Northern Mariana Islands	0.0	0	1

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

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

<b>District</b>	<b>Percent</b>	<b>Booker Period</b>	
		<b>(1/12/05 - 12/10/07)</b>	
		<b>Number of Non- Govt Sponsored Below Range Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
Guam	44.4	8	18
California, Central	41.2	54	131
Vermont	32.4	24	74
Wisconsin, Eastern	31.8	49	154
Iowa, Southern	31.7	44	139
Massachusetts	30.4	41	135
Delaware	30.3	20	66
Ohio, Southern	29.8	64	215
California, Southern	28.6	8	28
Virgin Islands	28.6	4	14
Oregon	28.1	55	196
Washington, Western	26.5	39	147
New York, Southern	24.8	72	290
North Dakota	23.9	17	71
Minnesota	23.7	31	131
Tennessee, Middle	23.0	41	178
New York, Eastern	22.7	39	172
Wyoming	21.6	35	162
Colorado	21.3	46	216
Kentucky, Western	21.0	21	100
Tennessee, Western	20.7	75	363
Florida, Southern	20.3	63	311
Idaho	20.2	17	84
Georgia, Northern	20.2	50	248
Pennsylvania, Eastern	19.2	67	349
Pennsylvania, Western	19.1	38	199
Ohio, Northern	18.8	61	325
Utah	18.8	78	416
Connecticut	18.7	20	107
Pennsylvania, Middle	18.7	20	107
New Jersey	18.3	44	241
Michigan, Eastern	18.2	44	242
Alaska	18.2	10	55
New York, Northern	18.1	21	116
California, Northern	17.8	33	185
Rhode Island	17.3	9	52
Kentucky, Eastern	17.1	36	210
New Mexico	16.9	39	231
Washington, Eastern	16.8	26	155
Arkansas, Western	16.7	9	54
Florida, Middle	16.6	52	313
South Dakota	16.4	10	61

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

<b>District</b>	<b>Booker Period (1/12/05 - 12/10/07)</b>		
	<b>Percent</b>	<b>Number of Non- Govt Sponsored Below Range Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
Nebraska	16.4	47	287
Arkansas, Eastern	16.3	23	141
Maryland	16.2	44	271
Maine	15.9	23	145
West Virginia, Northern	15.7	18	115
Arizona	14.6	72	492
Hawaii	14.6	21	144
District of Columbia	14.5	26	179
Virginia, Eastern	14.0	42	301
Illinois, Northern	13.6	22	162
Illinois, Central	13.3	18	135
Georgia, Middle	13.0	18	138
New York, Western	12.4	26	209
Kansas	12.4	32	259
Virginia, Western	12.3	23	187
Michigan, Western	11.8	21	178
Nevada	11.5	28	244
Montana	11.4	20	175
Alabama, Southern	11.3	18	160
Texas, Southern	11.2	62	552
South Carolina	10.9	58	534
Missouri, Eastern	10.9	53	488
New Hampshire	10.8	8	74
Missouri, Western	10.5	73	698
Texas, Western	10.4	57	547
Oklahoma, Western	10.1	8	79
Indiana, Southern	10.1	9	89
Georgia, Southern	10.0	21	210
Alabama, Middle	9.9	16	161
California, Eastern	9.8	16	164
Alabama, Northern	9.4	37	394
Louisiana, Western	9.3	15	162
Illinois, Southern	8.9	10	112
Tennessee, Eastern	8.7	26	300
Florida, Northern	8.2	10	122
Wisconsin, Western	7.8	6	77
Mississippi, Northern	7.6	6	79
West Virginia, Southern	7.2	6	83
Indiana, Northern	7.1	23	324
Louisiana, Eastern	6.9	10	145
North Carolina, Eastern	6.7	30	449
Mississippi, Southern	6.4	11	173
North Carolina, Western	6.3	22	348
North Carolina, Middle	5.9	16	270
Puerto Rico	5.4	5	93
Iowa, Northern	5.2	9	172
Texas, Northern	4.9	14	283
Texas, Eastern	4.9	16	328
Louisiana, Middle	4.5	5	111
Oklahoma, Northern	3.4	5	148
Oklahoma, Eastern	2.3	1	43

The following districts had no firearms 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  
Firearms Offenses**

<b>District</b>	<i>Gall</i> <b>Period</b>		
	(12/11/07 - 9/30/11)		
	<b>Percent</b>	<b>Number of Non-Govt Sponsored Below Range Sentences Imposed</b>	<b>Total Number of Firearms Sentences Imposed</b>
Vermont	48.5	48	99
Guam	46.7	7	15
New York, Southern	46.5	133	286
Massachusetts	40.6	80	197
Wisconsin, Eastern	40.6	112	276
Utah	36.7	143	390
Delaware	36.6	52	142
Iowa, Southern	36.2	94	260
California, Central	35.9	75	209
Rhode Island	34.8	24	69
Arkansas, Western	32.6	28	86
New York, Eastern	32.1	62	193
North Dakota	32.1	26	81
Wisconsin, Western	31.9	23	72
New Hampshire	31.2	24	77
Alaska	30.6	19	62
District of Columbia	30.6	15	49
Minnesota	30.4	41	135
Pennsylvania, Western	30.2	58	192
Hawaii	30.0	15	50
Tennessee, Western	29.7	181	609
Tennessee, Middle	29.4	85	289
Ohio, Southern	29.3	70	239
Pennsylvania, Eastern	28.3	121	427
Connecticut	28.1	45	160
California, Southern	27.7	38	137
Wyoming	26.9	42	156
Michigan, Eastern	26.9	96	357
Georgia, Northern	26.6	75	282
West Virginia, Southern	26.0	34	131
Nebraska	25.8	70	271
Maine	25.2	36	143
South Dakota	25.0	26	104
Illinois, Central	24.5	46	188
Virginia, Western	24.5	34	139
Oregon	24.2	57	236
Ohio, Northern	23.8	103	432
Washington, Western	23.8	48	202
Missouri, Eastern	23.6	145	614
New Mexico	23.3	71	305
Michigan, Western	23.1	51	221
Washington, Eastern	22.8	36	158

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

District	Gall Period		
	(12/11/07 - 9/30/11)		
	Percent	Number of Non-Govt Sponsored Below Range Sentences Imposed	Total Number of Firearms Sentences Imposed
Indiana, Southern	22.8	18	79
Florida, Middle	22.6	112	495
Florida, Southern	22.6	101	447
Nevada	22.5	50	222
Arizona	22.5	102	453
New York, Western	22.2	35	158
Arkansas, Eastern	22.0	37	168
Idaho	22.0	29	132
New York, Northern	21.8	24	110
Pennsylvania, Middle	21.8	22	101
Kentucky, Western	20.9	23	110
Illinois, Northern	20.4	30	147
Alabama, Southern	19.9	44	221
Virginia, Eastern	19.7	77	391
Colorado	19.5	51	261
Kentucky, Eastern	19.4	53	273
Iowa, Northern	19.2	41	214
Florida, Northern	18.5	28	151
Indiana, Northern	18.3	78	427
California, Eastern	17.7	35	198
Maryland	17.6	68	387
West Virginia, Northern	17.5	29	166
Oklahoma, Western	17.4	29	167
South Carolina	16.6	116	699
Oklahoma, Northern	16.0	26	162
California, Northern	16.0	34	212
Missouri, Western	15.9	110	693
Alabama, Middle	15.9	23	145
Texas, Southern	15.6	107	685
New Jersey	15.2	60	395
Alabama, Northern	15.0	61	407
Texas, Western	15.0	116	774
Tennessee, Eastern	14.6	66	451
Kansas	13.8	50	363
North Carolina, Middle	13.3	70	526
Montana	13.2	24	182
Illinois, Southern	12.6	19	151
Texas, Northern	11.7	40	342
North Carolina, Western	11.4	31	273
Georgia, Southern	10.1	36	358
Georgia, Middle	9.9	14	141
Puerto Rico	8.6	10	116
Louisiana, Eastern	8.2	12	146
Mississippi, Northern	8.0	8	100
Louisiana, Western	7.9	11	140
Louisiana, Middle	7.4	9	122
North Carolina, Eastern	7.1	39	549
Texas, Eastern	7.1	25	353
Mississippi, Southern	5.1	7	138
Oklahoma, Eastern	4.5	3	67
Virgin Islands	2.2	1	45
Northern Mariana Islands	0.0	0	5

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