

**Table 25A**

**REASONS GIVEN BY SENTENCING COURTS FOR OTHER DEPARTURES  
BELOW THE GUIDELINE RANGE<sup>1</sup>  
Fiscal Year 2003**

<b>REASONS FOR DEPARTURES BELOW THE RANGE <sup>2</sup></b>	<b>Number</b>	<b>Percent</b>
General mitigating circumstances	1,087	18.3
Criminal history overrepresents defendant's involvement	1,079	18.1
Offense behavior was an isolated incident	458	7.7
Family ties and responsibilities	430	7.2
Diminished capacity	272	4.6
Physical condition	268	4.5
Rehabilitation	230	3.9
Not representative of the heartland	157	2.6
Acceptance of responsibility	113	1.9
Mental and emotional conditions	106	1.8
(5K2.20) Aberrant behavior	64	1.1
Coercion and duress	60	1.0
Age	59	1.0
Mule/role in the offense	53	0.9
Lesser harm	46	0.8
Time served	43	0.7
Convictions on related counts	42	0.7
Voluntary disclosure (§5K2.16)	32	0.5
Dollar amount	31	0.5
Victim's conduct	22	0.4
Community ties	21	0.4
Put in line w/co-defendants	21	0.4
Drug dependence/alcohol abuse	20	0.3
Other	1,236	20.8
<b>TOTAL</b>	<b>5,950</b>	<b>100.0</b>

<sup>1</sup>The departure reasons in the table represent non-government initiated departures. This data was collected prior to the issuance of AO Form 245B, Revision 12/03, which now provides specific entries for the sentencing court to indicate whether a departure was initiated by one of the parties. As a result, the Commission could not definitively determine the attribution for every case. However, based on a review of the available sentencing documentation by USSC legal staff, the Commission believes that the overwhelming majority of departure reasons listed in this table are properly categorized as other downward departures and the overwhelming majority of departure reasons listed in Table 25 are properly categorized as "government initiated departures."

<sup>2</sup>Of the 70,258 cases, 4,896 had a non-government initiated departure below the guideline range. Departure reasons were available in 4,719 of these cases which cited 5,950 reasons for downward departure. Courts often provide multiple reasons for departure; consequently, the total number of downward departure reasons may exceed the number of cases with a downward departure. Cases with substantial assistance as a reason for downward departure were not included in this table. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2003 Datafile, USSCFY2003.