

Table 24

**REASONS GIVEN BY SENTENCING COURTS FOR DEPARTURES
ABOVE THE GUIDELINE RANGE¹
Fiscal Year 2005, Pre-Booker (October 1, 2004, through January 11, 2005)**

REASONS	Number	Percent
Criminal history issues	82	43.9
Dismissed and uncharged conduct (§5K2.21)	27	14.4
General aggravating circumstances (§5K2.0)	24	12.8
Pursuant to plea agreement	16	8.6
Death (§5K2.1)	3	1.6
Disruption of government function (§5K2.7)	3	1.6
Extreme psychological injury (§5K2.3)	2	1.1
Weapons/dangerous instrumentalities (§5K2.6)	2	1.1
Extreme conduct (§5K2.8)	2	1.1
Criminal purpose (§5K2.9)	2	1.1
Not representative of heartland	2	1.1
Insufficient documentation provided on SOR to determine reason	2	1.1
Other	20	10.7
TOTAL	187	100.0

¹Of the 18,788 cases, 128 were sentenced with departures above the guideline range. Courts may cite multiple reasons for sentencing outside the guideline range; consequently, the total number of reasons cited generally exceeds the total number of cases. In this table, 187 reasons were cited for the 128 cases, including two cases where the SOR was received but there was insufficient documentation provided to determine the reason. The 'Other' category includes all reasons cited fewer than two times among relevant cases. Descriptions of the variable used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2005 Datafile, USSCFY05, Pre-Booker Only Cases (October 1, 2004, through January 11, 2005).