Table 25

REASONS GIVEN BY SENTENCING COURTS FOR DOWNWARD
DEPARTURES FROM THE GUIDELINE RANGE[1]
Fiscal Year 2013

REASONS	N	%
Criminal history issues	1,284	29.7
General mitigating circumstances (§5K2.0)	611	14.1
Family ties and responsibilities (§5H1.6)	370	8.5
Criminal history issues in application of §2L1.2	200	4.6
Mental and emotional conditions (§5H1.3)	164	3.8
Age (§5H1.1)	142	3.3
Physical condition (§5H1.4)	137	3.2
Cultural assimilation	110	2.5
Aberrant behavior (§5K2.20)	104	2.4
Previous employment record (§5H1.5)	91	2.1
Party motion/agreement/consent (reason unspecified)	88	2.0
Time served/U.S. v. Barrera-Saucedo	56	1.3
Discharged terms of imprisonment (§5K2.23)	54	1.2
Rehabilitation	53	1.2
Educational and vocational skills (§5H1.2)	52	1.2
Not representative of the heartland	51	1.2
Role in the offense	47	1.1
Military record/charitable works/good deeds (§5H1.11)	47	1.1
Drug dependence/alcohol abuse (§5H1.4)	38	0.9
Diminished capacity (§5K2.13)	36	0.8
Low likelihood of recidivism/not a risk to community	34	0.8
Insufficient documentation provided on SOR to determine reason	34	0.8
Lack of youthful guidance/tragic or troubled childhood	29	0.7
Cooperation without motion (not §5K1.1)	29	0.7
Coercion and duress (§5K2.12)	27	0.6
Remorse	25	0.6
First immigration offense	24	0.6
Child abuse syndrome	22	0.5
Mitigating factors regarding illegal entry	21	0.5
General guideline adequacy issues	21	0.5
Totality of circumstances/combination of factors	20	0.5
Nonviolent offense/offender	16	0.4
Other	291	6.7
TOTAL	**4,328**	**100.0**

[1] Of the 80,035 cases, 2,027 received a downward departure from 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, 4,328 reasons were cited for the 2,027 cases. In 34 cases where the SOR was received, there was insufficient documentation provided to determine some of the reasons for the sentence. The "Other" category includes all reasons cited fewer than 16 times among relevant cases. Descriptions of the variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2013 Datafile, USSCFY13.