

**Table 42**  
**REASONS GIVEN BY SENTENCING COURTS FOR**  
**UPWARD VARIANCES FROM THE GUIDELINE RANGE<sup>1</sup>**  
**Fiscal Year 2018**

<b>REASONS</b>	<b>N</b>	<b>%</b>
Reflect seriousness of offense/promotes respect for law/just punishment	942	14.4
Afford adequate deterrence to criminal conduct	787	12.1
Protect public from further crimes	714	10.9
Criminal history issues	709	10.9
The history and characteristics of the defendant pursuant to 18 U.S.C. § 3553(a)(1)	538	8.2
The nature and circumstance of the offense pursuant to 18 U.S.C. § 3553(a)(1)	537	8.2
Pursuant to plea agreement	199	3.1
General aggravating circumstances (§5K2.0)	173	2.7
Dismissed and uncharged conduct (§5K2.21)	130	2.0
Avoid unwarranted sentencing disparity	117	1.8
Extreme conduct (§5K2.8)	96	1.5
Victim impact	96	1.5
Provide correctional treatment pursuant to 18 U.S.C. § 3553(a)(2)(D)	94	1.4
Nature and circumstance of offense/history of defendant	90	1.4
Provide educational or vocational training	83	1.3
Role in the offense	75	1.1
Propensity for violence	58	0.9
Drug dependence and alcohol abuse (§5H1.4)	56	0.9
Weapons/dangerous instrumentalities (§5K2.6)	50	0.8
Conduct while on release, bond, or supervision	49	0.8
Lack of remorse	46	0.7
Provide medical care	45	0.7
General guideline adequacy issues	38	0.6
Provide restitution to any victims	28	0.4
Mental and emotional conditions	27	0.4
Age (§5H1.1)	26	0.4
Acceptance of responsibility	22	0.3
Increase over similar prior's sentence	20	0.3
Conduct in jail/prison/custody	20	0.3
Death (§5K2.1)	17	0.3
Drug quantity	17	0.3
Excerpt from 18 U.S.C. § 3553(a)	17	0.3
Other	607	9.3
<b>TOTAL</b>	<b>6,523</b>	<b>100.0</b>

<sup>1</sup> Of the 69,425 cases, in 1,404 the sentence was a variance 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, 6,523 reasons were cited for the 1,404 cases. The 'Other' category includes all reasons cited fewer than 17 times among relevant cases and 105 cases where the Statement of Reasons was received, but there was insufficient documentation provided to determine some of the reasons for the sentence. Descriptions of the variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2018 Datafile, USSCFY18.