Table 44

REASONS GIVEN BY SENTENCING COURTS FOR
DOWNWARD VARIANCES FROM THE GUIDELINE RANGE[1]
Fiscal Year 2022

REASONS	N	%
The history and characteristics of the defendant	12,238	12.0
Reflect seriousness of offense/promotes respect for law/just punishment	9,114	8.9
Afford adequate deterrence to criminal conduct	7,737	7.6
The nature and circumstance of the offense	7,299	7.2
Protect public from further crimes	5,238	5.1
Family ties and responsibilities (§5H1.6)	4,287	4.2
Avoid unwarranted sentencing disparity	4,129	4.1
Criminal history issues	3,974	3.9
Acceptance of responsibility	2,921	2.9
Drug dependence and alcohol abuse (§5H1.4)	2,877	2.8
Age (§5H1.1)	2,869	2.8
Remorse	2,768	2.7
Mental and emotional conditions	2,517	2.5
Previous employment record (§5H1.5)	2,347	2.3
Lack of youthful guidance/tragic or troubled childhood	2,278	2.2
Role in the offense	2,166	2.1
Rehabilitation	1,996	2.0
Provide correctional treatment	1,505	1.5
Nonviolent offense/offender	1,484	1.5
General mitigating circumstances (§5K2.0)	1,414	1.4
Provide educational or vocational training	1,349	1.3
Conduct while on release, bond, or supervision	1,299	1.3
Physical condition (§5H1.4)	1,221	1.2
Pursuant to plea agreement	946	0.9
Community ties (§5H1.6)	868	0.9
Cooperation without motion (not §5K1.1)	818	0.8
Aberrant behavior (§5K2.20)	809	0.8
Provide medical care	794	0.8
Provide restitution to any victims	776	0.8
Early plea	753	0.7
First Step Act safety valve expansion	743	0.7
Waiver of appeal	685	0.7
COVID-19/pandemic	625	0.6
Other	9,099	8.9
TOTAL	**101,943**	**100.0**

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[1] Of the 64,142 cases, in 19,068 the sentence was a variance below 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, 101,943 reasons were cited for the 19,068 cases. The 'Other' category includes all reasons cited fewer than 500 times among relevant cases and 933 cases where the Statement of Reason 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, 2022 Datafile, USSCFY22.