

**Table 43**

**REASONS GIVEN BY SENTENCING COURTS FOR  
DOWNWARD DEPARTURES FROM THE GUIDELINE RANGE<sup>1</sup>  
Fiscal Year 2023**

<b>REASONS</b>	<b>N</b>	<b>%</b>
Substantial assistance with government motion (§5K1.1)	6,499	13.2
Early disposition program (EDP) (§5K3.1)	6,462	13.2
The history and characteristics of the defendant	4,255	8.7
Family ties and responsibilities (§5H1.6)	2,119	4.3
Reflect seriousness of offense/promotes respect for law/just punishment	2,015	4.1
The nature and circumstance of the offense	1,871	3.8
Criminal history issues	1,841	3.7
Afford adequate deterrence to criminal conduct	1,813	3.7
General mitigating circumstances (§5K2.0)	1,419	2.9
Avoid unwarranted sentencing disparity	1,303	2.7
Age (§5H1.1)	1,293	2.6
Drug dependence and alcohol abuse (§5H1.4)	1,195	2.4
Protect public from further crimes	1,028	2.1
Rehabilitation	1,024	2.1
Remorse	1,024	2.1
Previous employment record (§5H1.5)	986	2.0
Mental and emotional conditions	879	1.8
Acceptance of responsibility	844	1.7
Lack of youthful guidance/tragic or troubled childhood	806	1.6
Pursuant to plea agreement	710	1.4
First Step Act safety valve expansion	688	1.4
Role in the offense	627	1.3
Aberrant behavior (§5K2.20)	561	1.1
Physical condition (§5H1.4)	544	1.1
Conduct while on release, bond, or supervision	512	1.0
Waiver of appeal	510	1.0
Nonviolent offense	448	0.9
Applied proposed guideline amendment (Amendment 821)	406	0.8
Waiver of indictment	286	0.6
Provide correctional treatment	239	0.5
Early plea	201	0.4
Party motion/agreement/consent (reason unspecified)	201	0.4
Community ties (§5H1.6)	200	0.4
Other	4,316	8.8
<b>TOTAL</b>	<b>49,125</b>	<b>100.0</b>

<sup>1</sup> Of the 64,124 cases, in 15,283 the sentence was 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, 49,125 reasons were cited for the 15,283 cases. The 'Other' category includes all reasons cited fewer than 200 times among relevant cases and 229 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, 2023 Datafile, USSCFY23.