

Table 24

**REASONS GIVEN BY SENTENCING COURTS FOR DEPARTURES
ABOVE THE GUIDELINE RANGE¹
Fiscal Year 2005, Post-Booker (January 12, 2005, through September 30, 2005)**

REASONS	Number	Percent
Criminal history issues	50	36.0
General aggravating circumstances (§5K2.0)	24	17.3
Dismissed and uncharged conduct (§5K2.21)	21	15.1
Extreme conduct (§5K2.8)	10	7.2
Physical injury (§5K2.2)	6	4.3
Abduction or unlawful restraint (§5K2.4)	5	3.6
Weapons/dangerous instrumentalities (§5K2.6)	5	3.6
Disruption of government function (§5K2.7)	4	2.9
Extreme psychological injury (§5K2.3)	2	1.4
Property damage or loss (§5K2.5)	2	1.4
Criminal purpose (§5K2.9)	2	1.4
Public welfare (§5K2.14)	2	1.4
Systematic/pervasive corruption of government function (§2C1.1)	2	1.4
Other	4	2.9
TOTAL	139	100.0

¹Of the 53,674 cases, 100 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, 139 reasons were cited for the 100 cases. The 'Other' category includes all reasons cited fewer than two times among relevant cases. Descriptions of the variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2005 Datafile, USSCFY05, Post-Booker Only Cases (January 12, 2005, through September 30, 2005).