

**Table 25**

**REASONS GIVEN BY SENTENCING COURTS FOR DEPARTURES  
BELOW THE GUIDELINE RANGE<sup>1</sup>  
Fiscal Year 2005, Post-Booker (January 12, 2005, through September 30, 2005)**

<b>REASONS</b>	<b>Number</b>	<b>Percent</b>
Criminal history issues	514	32.6
General mitigating circumstances (§5K2.0)	239	15.2
Family ties and responsibilities (§5H1.6)	158	10.0
Aberrant behavior (§5K2.20)	141	8.9
Physical condition (§5H1.4)	114	7.2
Diminished capacity (§5K2.13)	78	4.9
Mental and emotional conditions (§5H1.3)	55	3.5
Age (§5H1.1)	51	3.2
Discharged terms of imprisonment (§5K2.23)	36	2.3
Coercion and duress (§5K2.12)	27	1.7
Military record/charitable works/good deeds (§5H1.11)	23	1.5
Lesser harm (§5K2.11)	21	1.3
Convictions on related counts (§5G1.3)	18	1.1
Victim's conduct (§5K2.10)	16	1.0
Previous employment record (§5H1.5)	15	1.0
Drug dependence/alcohol abuse (§5H1.4)	13	0.8
Voluntary disclosure (§5K2.16)	10	0.6
Community ties (§5H1.6)	9	0.6
Loss issues	8	0.5
Age or health of sex offenders (§5K2.22)	7	0.4
Criminal purpose (§5K2.9)	3	0.2
Educational and vocational skills (§5H1.2)	2	0.1
Physical injury (§5K2.2)	2	0.1
Harm resulting from risk (§§2Q1.2, 2Q1.3)	2	0.1
Nature of risk (§§2Q1.2, 2Q1.3)	2	0.1
Other	12	0.8
<b>TOTAL</b>	<b>1,576</b>	<b>100.0</b>

<sup>1</sup>Of the 53,674 cases, 1,197 were sentenced with departures 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 1,576 reasons were cited for the 1,197 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).