

**Table 24**

**REASONS GIVEN BY SENTENCING COURTS FOR UPWARD  
DEPARTURES FROM THE GUIDELINE RANGE<sup>1</sup>  
Fiscal Year 2006**

<b>REASONS</b>	<b>Number</b>	<b>Percent</b>
Criminal history issues	316	46.3
Dismissed and uncharged conduct (§5K2.21)	94	13.8
Pursuant to plea agreement	61	8.9
General aggravating circumstances (§5K2.0)	61	8.9
Extreme conduct (§5K2.8)	20	2.9
General guideline adequacy issues	15	2.2
Physical injury (§5K2.2)	8	1.2
Not representative of heartland	8	1.2
Large number of aliens (§2L1.1)	7	1.0
Unusually high drug amount/purity	7	1.0
Death (§5K2.1)	5	0.7
Extreme psychological injury (§5K2.3)	5	0.7
Abduction or unlawful restraint (§5K2.4)	5	0.7
Circumstance not considered by guidelines	4	0.6
Training or treatment opportunities	4	0.6
Public welfare (§5K2.14)	3	0.4
Further obstruction of justice (§3C1.1)	3	0.4
Propensity for violence	3	0.4
Defendant's negative background or bad character	3	0.4
Offense level understates offense seriousness (§2B1.1)	3	0.4
Risk of death or bodily injury (§8C4.2)	3	0.4
On-going nature of activity	2	0.3
Conduct while on release, bond or supervision	2	0.3
Time served	2	0.3
Insufficient documentation provided on SOR to determine reason	2	0.3
Other	36	5.3
<b>TOTAL</b>	<b>682</b>	<b>100.0</b>

<sup>1</sup>Of the 72,585 cases, 412 received an upward 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, 682 reasons were cited for the 412 cases, including two cases where the SOR was received but there was insufficient documentation provided to determine the reason. 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, 2006 Datafile, USSCFY06.