

Table 24A
REASONS GIVEN BY SENTENCING COURTS FOR UPWARD
DEPARTURES WITH *BOOKER*/18 U.S.C. § 3553¹
Fiscal Year 2006

REASONS	Number	Percent
Criminal history issues	124	17.4
Nature and circumstance of offense/history of defendant	78	11.0
Protect public from further crimes	68	9.6
Reflect seriousness of offense/promotes respect for law/just punishment	64	9.0
Afford adequate deterrence to criminal conduct	57	8.0
18 U.S.C. § 3553(a)	34	4.8
General aggravating circumstances (§5K2.0)	29	4.1
Dismissed and uncharged conduct (§5K2.21)	21	3.0
General guideline adequacy issues	20	2.8
Insufficient documentation provided on SOR to determine reason	20	2.8
Pursuant to plea agreement	17	2.4
Provide defendant with educational or vocational training/medical care	16	2.3
Deterrence	14	2.0
Judge specifies presence of variance	14	2.0
Excerpt from 18 U.S.C. § 3553(a)	10	1.4
Avoid unwarranted sentencing disparity among defendants	9	1.3
Adequate punishment to meet purposes of sentencing	9	1.3
Reasonableness	7	1.0
Incapacitation	6	0.8
Weapons/dangerous instrumentalities (§5K2.6)	4	0.6
Extreme conduct (§5K2.8)	4	0.6
Sufficient punishment	4	0.6
Advisory nature of guidelines	4	0.6
Other	78	11.0
TOTAL	711	100.0

¹Of the 72,585 cases, 177 received an upward departure from the guideline range with *Booker*/18 U.S.C § 3553. 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, 711 reasons were cited for the 177 cases, including 20 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 four 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.