

Table 25

**REASONS GIVEN BY SENTENCING COURTS FOR DOWNWARD
DEPARTURES FROM THE GUIDELINE RANGE¹
Fiscal Year 2006**

REASONS	Number	Percent
Criminal history issues	1,221	38.3
General mitigating circumstances (§5K2.0)	353	11.1
Family ties and responsibilities (§5H1.6)	217	6.8
Physical condition (§5H1.4)	173	5.4
Aberrant behavior (§5K2.20)	156	4.9
Diminished capacity (§5K2.13)	99	3.1
Mental and emotional conditions (§5H1.3)	98	3.1
Age (§5H1.1)	96	3.0
Discharged terms of imprisonment (§5K2.23)	54	1.7
Previous employment record (§5H1.5)	38	1.2
Not representative of the heartland	38	1.2
Mule/role in the offense	30	0.9
Time served	29	0.9
General guideline adequacy issues	29	0.9
Military record/charitable works/good deeds (§5H1.11)	29	0.9
Low likelihood of recidivism	28	0.9
Coercion and duress (§5K2.12)	25	0.8
Restitution	24	0.8
Convictions on related counts (§5G1.3)	24	0.8
Totality of circumstances/combination of factors	21	0.7
Cultural assimilation	20	0.6
Acceptance of responsibility	20	0.6
Lesser harm (§5K2.11)	18	0.6
Cooperation without motion (Not §5K1.1)	16	0.5
Insufficient documentation provided on SOR to determine reason	16	0.5
Voluntary disclosure (§5K2.16)	15	0.5
Defendant's positive background or good character	14	0.4
Cooperation (motion unknown)	13	0.4
Loss issues	13	0.4
Other	257	8.1
TOTAL	3,184	100.0

¹Of the 72,585 cases, 1,903 received 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, 3,184 reasons were cited for the 1,903 cases, including 16 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 twelve 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.