

Table 25A

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

REASONS	Number	Percent
18 U.S.C. § 3553(a)	547	11.6
Nature and circumstance of offense/history of defendant	509	10.8
Criminal history issues	409	8.7
Reflect seriousness of offense/promotes respect for law/just punishment	239	5.1
Insufficient documentation provided on SOR to determine reason	221	4.7
General mitigating circumstances (§5K2.0)	199	4.2
Family ties and responsibilities (§5H1.6)	198	4.2
Afford adequate deterrence to criminal conduct	197	4.2
Rehabilitation	171	3.6
Avoid unwarranted sentencing disparity among defendants	134	2.8
Protect public from further crimes	127	2.7
Provide defendant with educational or vocational training/medical care	117	2.5
Mental and emotional conditions (§5H1.3)	101	2.1
Age (§5H1.1)	100	2.1
Physical condition (§5H1.4)	92	2.0
Reduce disparity	90	1.9
Judge specifies presence of variance	84	1.8
Exempt from 18 U.S.C. § 3553(a)	77	1.6
Reasonableness	72	1.5
Previous employment record (§5H1.5)	68	1.4
General guideline adequacy issues	55	1.2
Deterrence	51	1.1
Aberrant behavior (§5K2.20)	49	1.0
Adequate to meet purposes of sentencing	47	1.0
Mule/role in the offense	40	0.9
Diminished capacity (§5K2.13)	39	0.8
Low likelihood of recidivism	36	0.8
Provide restitution to any victims	31	0.7
Drug dependence/alcohol abuse (§5H1.4)	28	0.6
Military record/charitable works/good deeds (§5H1.11)	28	0.6
Other	549	11.7
TOTAL	4,705	100.0

¹Of the 72,585 cases, 1,432 received a downward 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, 4,705 reasons were cited for the 1,432 cases, including 221 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 twenty eight 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.