

Table 25A

**REASONS GIVEN BY SENTENCING COURTS FOR DOWNWARD
DEPARTURES WITH *BOOKER*/18 U.S.C. § 3553¹
Fiscal Year 2007**

REASONS	Number	Percent
Nature and circumstance of offense/history of defendant	603	14.2
Criminal history issues	462	10.9
Reflect seriousness of offense/promotes respect for law/just punishment	285	6.7
Afford adequate deterrence to criminal conduct	244	5.7
General mitigating circumstances (§5K2.0)	214	5.0
Family ties and responsibilities (§5H1.6)	209	4.9
Insufficient documentation provided on SOR to determine reason	207	4.9
Avoid unwarranted sentencing disparity among defendants	186	4.4
Protect public from further crimes	156	3.7
Provide defendant with educational or vocational training/medical care	142	3.3
Rehabilitation	121	2.8
18 U.S.C. § 3553(a)	114	2.7
Physical condition (§5H1.4)	106	2.5
Mental and emotional conditions (§5H1.3)	102	2.4
Age (§5H1.1)	93	2.2
Previous employment record (§5H1.5)	75	1.8
Low likelihood of recidivism	46	1.1
Diminished capacity (§5K2.13)	43	1.0
Party motion/agreement/consent (Reason unspecified)	43	1.0
Aberrant behavior (§5K2.20)	42	1.0
Reduce disparity	41	1.0
Provide restitution to any victims	31	0.7
Military record/charitable works/good deeds (§5H1.11)	30	0.7
Educational and vocational skills (§5H1.2)	29	0.7
Time served	27	0.6
Reasonableness	26	0.6
Mule/role in the offense	25	0.6
Excerpt from 18 U.S.C. § 3553(a)	25	0.6
Deterrence	24	0.6
Other	502	11.8
TOTAL	4,253	100.0

¹Of the 72,865 cases, 1,013 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, 4,253 reasons were cited for the 1,013 cases. In 207 cases where the SOR was received there was insufficient documentation provided to determine some of the reasons for the sentence. The "Other" category includes all reasons cited fewer than twenty three times among relevant cases. Descriptions of the variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2007 Datafile, USSCFY07.