

Table 25A

**REASONS GIVEN BY SENTENCING COURTS FOR DOWNWARD
DEPARTURES WITH *BOOKER*/18 U.S.C. § 3553¹
Fiscal Year 2011**

REASONS	N	%
Nature and circumstance of offense/history of defendant	607	12.8
Criminal history issues	552	11.7
Reflect seriousness of offense/promotes respect for law/just punishment	349	7.4
Family ties and responsibilities (§5H1.6)	269	5.7
Afford adequate deterrence to criminal conduct	261	5.5
General mitigating circumstances (§5K2.0)	198	4.2
Avoid unwarranted sentencing disparity among defendants	194	4.1
Protect public from further crimes	158	3.3
Insufficient documentation provided on SOR to determine reason	148	3.1
Provide defendant with educational or vocational training/medical care	140	3.0
Physical condition (§5H1.4)	134	2.8
Age (§5H1.1)	132	2.8
Rehabilitation	125	2.6
Mental and emotional conditions (§5H1.3)	121	2.6
Previous employment record (§5H1.5)	97	2.0
18 U.S.C. § 3553(a)	71	1.5
Military record/charitable works/good deeds (§5H1.11)	58	1.2
Role in the offense	57	1.2
Provide restitution to any victims	51	1.1
Low likelihood of recidivism/not a risk to community	51	1.1
Educational and vocational skills (§5H1.2)	44	0.9
Party motion/agreement/consent (reason unspecified)	43	0.9
Cooperation without motion (not §5K1.1)	43	0.9
Drug dependence/alcohol abuse (§5H1.4)	41	0.9
General guideline adequacy issues	39	0.8
Aberrant behavior (§5K2.20)	38	0.8
Acceptance of responsibility	34	0.7
Conduct on release/bond/supervision	34	0.7
Reduce disparity	33	0.7
Cultural assimilation	30	0.6
Remorse	30	0.6
Time served/U.S. v. Barrera-Saucedo	29	0.6
Nonviolent offense/offender	25	0.5
Other	496	10.5
TOTAL	4,732	100.0

¹ Of the 86,201 cases, 917 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, 4,732 reasons were cited for the 917 cases. In 148 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 25 times among relevant cases. Descriptions of the variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2011 Datafile, USSCFY11.