

**Table 25A**

**REASONS GIVEN BY SENTENCING COURTS FOR DOWNWARD  
DEPARTURES WITH *BOOKER*/18 U.S.C. § 3553<sup>1</sup>  
Fiscal Year 2012**

<b>REASONS</b>	<b>N</b>	<b>%</b>
Criminal history issues	523	13.0
Avoid unwarranted sentencing disparity among defendants	295	7.3
Insufficient documentation provided on SOR to determine reason	185	4.6
Family ties and responsibilities (§5H1.6)	168	4.2
General mitigating circumstances (§5K2.0)	168	4.2
Rehabilitation	143	3.5
Low likelihood of recidivism/not a risk to community	130	3.2
Lack of youthful guidance/tragic or troubled childhood	124	3.1
Protect public from further crimes	114	2.8
Afford adequate deterrence to criminal conduct	102	2.5
Mental and emotional conditions (§5H1.3)	100	2.5
Provide restitution to any victims	97	2.4
Physical condition (§5H1.4)	97	2.4
Remorse	90	2.2
Role in the offense	88	2.2
Provide defendant with educational or vocational training/medical care	84	2.1
Nature and circumstance of offense/history of defendant	79	2.0
Military record/charitable works/good deeds (§5H1.11)	76	1.9
General guideline adequacy issues	75	1.9
Age (§5H1.1)	74	1.8
Conduct on release/bond/supervision	68	1.7
18 U.S.C. § 3553(a)	66	1.6
Party motion/agreement/consent (reason unspecified)	61	1.5
Criminal history issues in application of §2L1.2	60	1.5
Child abuse syndrome	56	1.4
Cooperation without motion (not §5K1.1)	54	1.3
Previous employment record (§5H1.5)	50	1.2
Acceptance of responsibility	50	1.2
Aberrant behavior (§5K2.20)	43	1.1
Crime motivated by financial distress	43	1.1
Time served/U.S. v. Barrera-Saucedo	40	1.0
Reflect seriousness of offense/promotes respect for law/just punishment	34	0.8
Mitigating factors regarding illegal entry	34	0.8
Other	563	14.0
<b>TOTAL</b>	<b>4,034</b>	<b>100.0</b>

<sup>1</sup> Of the 84,173 cases, 811 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, 4,034 reasons were cited for the 811 cases. In 185 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 34 times among relevant cases. Descriptions of the variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2012 Datafile, USSCFY12.