

**Table 25B**

**REASONS GIVEN BY SENTENCING COURTS FOR SENTENCES BELOW  
THE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553<sup>1</sup>  
Fiscal Year 2013**

<b>REASONS</b>	<b>N</b>	<b>%</b>
Nature and circumstance of offense/history of defendant	9,762	21.0
Reflect seriousness of offense/promotes respect for law/just punishment	6,299	13.5
Afford adequate deterrence to criminal conduct	4,990	10.7
Avoid unwarranted sentencing disparity among defendants	2,987	6.4
Protect public from further crimes	2,971	6.4
Criminal history issues	2,662	5.7
Provide defendant with educational or vocational training/medical care	1,715	3.7
Family ties and responsibilities (§5H1.6)	1,476	3.2
Previous employment record (§5H1.5)	855	1.8
Age (§5H1.1)	821	1.8
Provide restitution to any victims	692	1.5
Role in the offense	653	1.4
Rehabilitation	601	1.3
Low likelihood of recidivism/not a risk to community	576	1.2
Physical condition (§5H1.4)	548	1.2
Mental and emotional conditions (§5H1.3)	545	1.2
Cooperation without motion (not §5K1.1)	535	1.1
Remorse	464	1.0
Drug dependence/alcohol abuse (§5H1.4)	454	1.0
Conduct on release/bond/supervision	402	0.9
Insufficient documentation provided on SOR to determine reason	348	0.7
Lack of youthful guidance/tragic or troubled childhood	319	0.7
Acceptance of responsibility	292	0.6
Educational and vocational skills (§5H1.2)	282	0.6
Time served/U.S. v. Barrera-Saucedo	277	0.6
General guideline adequacy issues	275	0.6
Military record/charitable works/good deeds (§5H1.11)	268	0.6
Mitigating factors regarding illegal entry	191	0.4
Defendant's positive background or good character	183	0.4
Criminal history issues in application of §2L1.2	178	0.4
Nonviolent offense/offender	177	0.4
Community ties (§5H1.6)	174	0.4
18 U.S.C. § 3553(a)	174	0.4
Other	3,404	7.3
<b>TOTAL</b>	<b>46,550</b>	<b>100.0</b>

<sup>1</sup> Of the 80,035 cases, 11,519 were sentenced below 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, 46,550 reasons were cited for the 11,519 cases. In 348 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 150 times among relevant cases. Descriptions of the variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2013 Datafile, USSCFY13.