

Table 24

**REASONS GIVEN BY SENTENCING COURTS FOR UPWARD
DEPARTURES FROM THE GUIDELINE RANGE¹
Fiscal Year 2014**

REASONS	N	%
Criminal history issues	227	42.2
Dismissed and uncharged conduct (§5K2.21)	117	21.7
Pursuant to plea agreement	72	13.4
General aggravating circumstances (§5K2.0)	36	6.7
General guideline adequacy issues	12	2.2
Physical injury (§5K2.2)	7	1.3
Extreme conduct (§5K2.8)	5	0.9
Death (§5K2.1)	4	0.7
Weapons/dangerous instrumentalities (§5K2.6)	4	0.7
Propensity for violence	4	0.7
Extreme psychological injury (§5K2.3)	3	0.6
Criminal purpose (§5K2.9)	2	0.4
Public welfare (§5K2.14)	2	0.4
Dangerous or inhumane treatment (§2L1.1)	2	0.4
Other plea agreement reason	2	0.4
Role in the offense	2	0.4
Training or treatment opportunities	2	0.4
Ongoing nature of activity	2	0.4
Terrifying the victim	2	0.4
Party motion/agreement/consent (reason unspecified)	2	0.4
Lack of remorse	2	0.4
Age of victim (sexual abuse or child pornography)	2	0.4
Insufficient documentation provided on SOR to determine reason	2	0.4
Other	23	4.3
TOTAL	538	100.0

¹ Of the 75,836 cases, 343 received an upward departure from the guideline range. 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, 538 reasons were cited for the 343 cases. In two 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 two times among relevant cases. Descriptions of the variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2014 Datafile, USSCFY14.