

Table 24A

**REASONS GIVEN BY SENTENCING COURTS FOR UPWARD
DEPARTURES WITH *BOOKER* /18 U.S.C. § 3553¹
Fiscal Year 2014**

REASONS	N	%
Criminal history issues	145	21.7
Nature and circumstance of offense/history of defendant	93	13.9
Reflect seriousness of offense/promotes respect for law/just punishment	88	13.2
Afford adequate deterrence to criminal conduct	82	12.3
Protect public from further crimes	67	10.0
Dismissed and uncharged conduct (§5K2.21)	18	2.7
General aggravating circumstances (§5K2.0)	18	2.7
Insufficient documentation provided on SOR to determine reason	18	2.7
Pursuant to plea agreement	16	2.4
Avoid unwarranted sentencing disparity among defendants	14	2.1
Provide defendant with educational or vocational training/medical care	10	1.5
General guideline adequacy issues	9	1.3
Physical injury (§5K2.2)	7	1.0
Death (§5K2.1)	6	0.9
Extreme psychological injury (§5K2.3)	6	0.9
Extreme conduct (§5K2.8)	5	0.7
Propensity for violence	5	0.7
Early implementation of Amendment 782 to drug guidelines	5	0.7
Provide restitution to any victims	4	0.6
Deterrence	4	0.6
Weapons/dangerous instrumentalities (§5K2.6)	3	0.4
Public welfare (§5K2.14)	3	0.4
18 U.S.C. § 3553(a)	3	0.4
Excerpt from 18 U.S.C. § 3553(a)	3	0.4
Lack of remorse	3	0.4
Physical condition (§5H1.4)	2	0.3
Abduction or unlawful restraint (§5K2.4)	2	0.3
Disruption of government function (§5K2.7)	2	0.3
Dangerous or inhumane treatment (§2L1.1)	2	0.3
Other	24	3.6
TOTAL	667	100.0

¹ Of the 75,836 cases, 123 received an upward 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, 667 reasons were cited for the 123 cases. In 18 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.