

**Table 24B**

**REASONS GIVEN BY SENTENCING COURTS FOR SENTENCES ABOVE  
THE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553<sup>1</sup>  
Fiscal Year 2014**

<b>REASONS</b>	<b>N</b>	<b>%</b>
Nature and circumstance of offense/history of defendant	692	19.3
Reflect seriousness of offense/promotes respect for law/just punishment	643	17.9
Afford adequate deterrence to criminal conduct	569	15.8
Protect public from further crimes	496	13.8
Criminal history issues	293	8.2
Pursuant to plea agreement	285	7.9
Avoid unwarranted sentencing disparity among defendants	98	2.7
Provide defendant with educational or vocational training/medical care	89	2.5
General guideline adequacy issues	36	1.0
Propensity for violence	32	0.9
Provide restitution to any victims	23	0.6
Role in the offense	23	0.6
Insufficient documentation provided on SOR to determine reason	23	0.6
Ongoing nature of activity	21	0.6
Conduct while on release, bond, or supervision	20	0.6
Dismissed and uncharged conduct (§5K2.21)	18	0.5
Terrifying the victim	13	0.4
Lack of remorse	13	0.4
18 U.S.C. § 3553(a)	9	0.3
Weapons/dangerous instrumentalities (§5K2.6)	8	0.2
Time served	7	0.2
Defendant's negative background or bad character	6	0.2
Excerpt from 18 U.S.C. § 3553(a)	6	0.2
Abuse of trust/skill	6	0.2
Death (§5K2.1)	5	0.1
Physical injury (§5K2.2)	5	0.1
Circumstance not considered by guidelines	5	0.1
Other plea agreement reason	5	0.1
Deterrence	5	0.1
Party motion/agreement/consent (reason unspecified)	5	0.1
Early implementation of Amendment 782 to drug guidelines	5	0.1
Loss issues	5	0.1
Other	121	3.4
<b>TOTAL</b>	<b>3,590</b>	<b>100.0</b>

<sup>1</sup> Of the 75,836 cases, 1,104 were sentenced above 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, 3,590 reasons were cited for the 1,104 cases. In 23 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 five 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.