

Table 25B

**REASONS GIVEN BY SENTENCING COURTS FOR SENTENCES BELOW
THE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553¹
Fiscal Year 2014**

REASONS	N	%
Nature and circumstance of offense/history of defendant	10,352	21.1
Reflect seriousness of offense/promotes respect for law/just punishment	6,809	13.8
Afford adequate deterrence to criminal conduct	5,255	10.7
Avoid unwarranted sentencing disparity among defendants	3,360	6.8
Protect public from further crimes	3,073	6.2
Criminal history issues	2,496	5.1
Early implementation of Amendment 782 to drug guidelines	1,827	3.7
Provide defendant with educational or vocational training/medical care	1,696	3.4
Family ties and responsibilities (§5H1.6)	1,448	2.9
Provide restitution to any victims	814	1.7
Previous employment record (§5H1.5)	771	1.6
Age (§5H1.1)	718	1.5
Role in the offense	644	1.3
Physical condition (§5H1.4)	534	1.1
Rehabilitation	525	1.1
Mental and emotional conditions (§5H1.3)	508	1.0
Low likelihood of recidivism/not a risk to community	506	1.0
Insufficient documentation provided on SOR to determine reason	418	0.9
Drug dependence/alcohol abuse (§5H1.4)	396	0.8
Remorse	396	0.8
Cooperation without motion (not §5K1.1)	390	0.8
Lack of youthful guidance/tragic or troubled childhood	372	0.8
Conduct on release/bond/supervision	367	0.7
General guideline adequacy issues	316	0.6
Time served/U.S. v. Barrera-Saucedo	276	0.6
Military record/charitable works/good deeds (§5H1.11)	254	0.5
Acceptance of responsibility	241	0.5
Educational and vocational skills (§5H1.2)	215	0.4
Nonviolent offense/offender	200	0.4
Community ties (§5H1.6)	183	0.4
Defendant's positive background or good character	167	0.3
18 U.S.C. § 3553(a)	159	0.3
Criminal history issues in application of §2L1.2	150	0.3
Other	3,337	6.8
TOTAL	49,173	100.0

¹ Of the 75,836 cases, 12,894 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, 49,173 reasons were cited for the 12,894 cases. In 418 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, 2014 Datafile, USSCFY14.