

Table 24

**REASONS GIVEN BY SENTENCING COURTS FOR UPWARD
DEPARTURES FROM THE GUIDELINE RANGE¹
Fiscal Year 2015**

REASONS	N	%
Criminal history issues	244	43.6
Pursuant to plea agreement	90	16.1
Dismissed and uncharged conduct (§5K2.21)	88	15.7
General aggravating circumstances (§5K2.0)	43	7.7
Extreme conduct (§5K2.8)	11	2.0
General guideline adequacy issues	11	2.0
Physical injury (§5K2.2)	9	1.6
Death (§5K2.1)	8	1.4
Propensity for violence	6	1.1
Insufficient documentation provided on SOR to determine reason	5	0.9
Mental/emotional conditions (§5H1.3)	3	0.5
Weapons/dangerous instrumentalities (§5K2.6)	2	0.4
Totality of circumstances/combination of factors	2	0.4
Statutory minimum/maximum	2	0.4
Conduct while on release, bond, or supervision	2	0.4
Other	34	6.1
TOTAL	560	100.0

¹ Of the 71,003 cases, 349 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, 560 reasons were cited for the 349 cases. In five 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, 2015 Datafile, USSCFY15.