

**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 2015**

<b>REASONS</b>	<b>N</b>	<b>%</b>
Nature and circumstance of offense/history of defendant	777	20.6
Reflect seriousness of offense/promotes respect for law/just punishment	713	18.9
Afford adequate deterrence to criminal conduct	605	16.1
Protect public from further crimes	546	14.5
Criminal history issues	288	7.6
Provide defendant with educational or vocational training/medical care	123	3.3
Pursuant to plea agreement	106	2.8
Avoid unwarranted sentencing disparity among defendants	105	2.8
General guideline adequacy issues	44	1.2
Insufficient documentation provided on SOR to determine reason	44	1.2
Propensity for violence	41	1.1
Provide restitution to any victims	37	1.0
Dismissed and uncharged conduct (§5K2.21)	22	0.6
Role in the offense	18	0.5
Conduct while on release, bond, or supervision	16	0.4
Weapons/dangerous instrumentalities (§5K2.6)	12	0.3
Physical injury (§5K2.2)	11	0.3
Ongoing nature of activity	10	0.3
Lack of remorse	10	0.3
Terrifying the victim	8	0.2
Death (§5K2.1)	7	0.2
Deterrence	7	0.2
Party motion/agreement/consent (reason unspecified)	7	0.2
18 U.S.C. § 3553(a)	7	0.2
Abuse of trust/skill	7	0.2
Extreme conduct (§5K2.8)	6	0.2
Minors involved	6	0.2
Drug quantity	5	0.1
Charge/plea does not reflect seriousness of offense	5	0.1
Sufficient punishment	5	0.1
Excerpt from 18 U.S.C. § 3553(a)	5	0.1
Time served	4	0.1
Other	160	4.2
<b>TOTAL</b>	<b>3,767</b>	<b>100.0</b>

<sup>1</sup> Of the 71,003 cases, 1,002 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, 3,767 reasons were cited for the 1,002 cases. In 44 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 four 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.