

Table 25

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

REASONS	N	%
Criminal history issues	890	29.2
General mitigating circumstances (§5K2.0)	501	16.5
Family ties and responsibilities (§5H1.6)	275	9.0
Criminal history issues in application of §2L1.2	136	4.5
Physical condition (§5H1.4)	127	4.2
Age (§5H1.1)	119	3.9
Mental and emotional conditions (§5H1.3)	94	3.1
Aberrant behavior (§5K2.20)	86	2.8
Time served/U.S. v. Barrera-Saucedo	68	2.2
Cultural assimilation	65	2.1
Previous employment record (§5H1.5)	51	1.7
Party motion/agreement/consent (reason unspecified)	47	1.5
Discharged terms of imprisonment (§5K2.23)	40	1.3
Low likelihood of recidivism/not a risk to community	35	1.2
Military record/charitable works/good deeds (§5H1.11)	32	1.1
Cooperation without motion (not §5K1.1)	25	0.8
Rehabilitation	24	0.8
Drug dependence/alcohol abuse (§5H1.4)	23	0.8
General guideline adequacy issues	22	0.7
Insufficient documentation provided on SOR to determine reason	21	0.7
Educational and vocational skills (§5H1.2)	20	0.7
Lack of youthful guidance/tragic or troubled childhood	19	0.6
Coercion and duress (§5K2.12)	17	0.6
Diminished capacity (§5K2.13)	17	0.6
Conduct on release/bond/supervision	16	0.5
First immigration offense	16	0.5
Not representative of the heartland	15	0.5
Restitution/pay taxes	13	0.4
Role in the offense	11	0.4
Acceptance of responsibility	11	0.4
Sufficient punishment	10	0.3
Convictions on related counts (§5G1.3)	10	0.3
Loss issues	9	0.3
Other	178	5.8
TOTAL	3,043	100.0

¹ Of the 71,003 cases, 1,521 received a downward 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, 3,043 reasons were cited for the 1,521 cases. In 21 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 nine 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.