

Table 25B

**REASONS GIVEN BY SENTENCING COURTS FOR SENTENCES BELOW
THE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553¹
Fiscal Year 2015**

REASONS	N	%
Nature and circumstance of offense/history of defendant	10,324	20.9
Reflect seriousness of offense/promotes respect for law/just punishment	6,871	13.9
Afford adequate deterrence to criminal conduct	5,314	10.7
Protect public from further crimes	3,236	6.5
Avoid unwarranted sentencing disparity among defendants	3,212	6.5
Criminal history issues	2,567	5.2
Provide defendant with educational or vocational training/medical care	1,859	3.8
Family ties and responsibilities (§5H1.6)	1,492	3.0
Previous employment record (§5H1.5)	835	1.7
Provide restitution to any victims	807	1.6
Age (§5H1.1)	732	1.5
Role in the offense	672	1.4
Rehabilitation	671	1.4
Mental and emotional conditions (§5H1.3)	591	1.2
Insufficient documentation provided on SOR to determine reason	558	1.1
Physical condition (§5H1.4)	531	1.1
Drug dependence/alcohol abuse (§5H1.4)	503	1.0
Low likelihood of recidivism/not a risk to community	482	1.0
Remorse	461	0.9
Lack of youthful guidance/tragic or troubled childhood	456	0.9
Cooperation without motion (not §5K1.1)	451	0.9
Conduct on release/bond/supervision	450	0.9
Early implementation of Amendment 782 to drug guidelines	423	0.9
General guideline adequacy issues	299	0.6
Educational and vocational skills (§5H1.2)	262	0.5
Time served/U.S. v. Barrera-Saucedo	253	0.5
Acceptance of responsibility	252	0.5
Military record/charitable works/good deeds (§5H1.11)	243	0.5
Nonviolent offense/offender	238	0.5
Community ties (§5H1.6)	195	0.4
Deportation	158	0.3
Criminal history issues in application of §2L1.2	157	0.3
Child abuse syndrome	150	0.3
Other	3,733	7.6
TOTAL	49,438	100.0

¹ Of the 71,003 cases, 12,032 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, 49,438 reasons were cited for the 12,032 cases. In 558 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, 2015 Datafile, USSCFY15.