

Table 25

**REASONS GIVEN BY SENTENCING COURTS FOR DOWNWARD
DEPARTURES FROM THE GUIDELINE RANGE¹
Fiscal Year 2016**

REASONS	N	%
Criminal history issues	639	25.1
General mitigating circumstances (§5K2.0)	437	17.2
Family ties and responsibilities (§5H1.6)	213	8.4
Criminal history issues in application of §2L1.2	193	7.6
Age (§5H1.1)	95	3.7
Aberrant behavior (§5K2.20)	93	3.7
Mental and emotional conditions	86	3.4
Physical condition (§5H1.4)	81	3.2
Discharged terms of imprisonment (§5K2.23)	54	2.1
Cultural assimilation	42	1.7
Time served/U.S. v. Barrera-Saucedo	38	1.5
Previous employment record (§5H1.5)	37	1.5
Educational and vocational skills (§5H1.2)	31	1.2
Drug dependence/alcohol abuse (§5H1.4)	26	1.0
Coercion and duress (§5K2.12)	26	1.0
Rehabilitation	25	1.0
Party motion/agreement/consent (reason unspecified)	25	1.0
Role in the offense	24	0.9
Insufficient documentation provided on SOR to determine reason	22	0.9
General guideline adequacy issues	17	0.7
Cooperation without motion (not §5K1.1)	17	0.7
Low likelihood of recidivism/not a risk to community	15	0.6
Military record/charitable works/good deeds (§5H1.11)	15	0.6
Totality of circumstances/combination of factors	14	0.6
Diminished capacity (§5K2.13)	13	0.5
Sufficient punishment	12	0.5
Lack of youthful guidance/tragic or troubled childhood	12	0.5
Military record	10	0.4
Not representative of the heartland	10	0.4
Convictions on related counts (§5G1.3)	10	0.4
Deportation	9	0.4
Other	200	7.9
TOTAL	2,541	100.0

¹ Of the 67,742 cases, 1,321 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, 2,541 reasons were cited for the 1,321 cases. In 22 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, 2016 Datafile, USSCFY16.