

Table 25A

**REASONS GIVEN BY SENTENCING COURTS FOR DOWNWARD
DEPARTURES WITH *BOOKER* /18 U.S.C. § 3553¹
Fiscal Year 2016**

REASONS	N	%
Criminal history issues	329	9.6
The history and characteristics of the defendant pursuant to 18 U.S.C. § 3553(a)(1)	230	6.7
Reflect seriousness of offense/promotes respect for law/just punishment	211	6.1
Family ties and responsibilities (§5H1.6)	184	5.4
Afford adequate deterrence to criminal conduct	161	4.7
General mitigating circumstances (§5K2.0)	134	3.9
The nature and circumstance of the offense pursuant to 18 U.S.C. § 3553(a)(1)	132	3.8
Avoid unwarranted sentencing disparity	130	3.8
Age (§5H1.1)	109	3.2
Mental and emotional conditions	106	3.1
Physical condition (§5H1.4)	100	2.9
Insufficient documentation provided on SOR to determine reason	100	2.9
Protect public from further crimes	97	2.8
Previous employment record (§5H1.5)	87	2.5
Drug dependence/alcohol abuse (§5H1.4)	65	1.9
Aberrant behavior (§5K2.20)	65	1.9
Role in the offense	63	1.8
Lack of youthful guidance/tragic or troubled childhood	58	1.7
Nature and circumstance of offense/history of defendant	55	1.6
Remorse	53	1.5
Acceptance of responsibility	52	1.5
Party motion/agreement/consent (reason unspecified)	49	1.4
Nonviolent offense/offender	41	1.2
Pre-sentence rehabilitation	39	1.1
18 U.S.C. § 3553(a)	37	1.1
Cooperation without motion (not §5K1.1)	37	1.1
Provide educational or vocational training	36	1.0
Rehabilitation	36	1.0
Charitable service/good works	30	0.9
Conduct while on release, bond, or supervision	29	0.8
Low likelihood of recidivism/not a risk to community	28	0.8
Other	552	16.1
TOTAL	3,435	100.0

¹ Of the 67,742 cases, 547 received a downward departure from 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, 3,435 reasons were cited for the 547 cases. In 100 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 28 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.