

**Table 25B**

**REASONS GIVEN BY SENTENCING COURTS FOR SENTENCES BELOW  
THE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553<sup>1</sup>  
Fiscal Year 2016**

<b>REASONS</b>	<b>N</b>	<b>%</b>
The history and characteristics of the defendant pursuant to 18 U.S.C. § 3553(a)(1)	6,284	10.2
Reflect seriousness of offense/promotes respect for law/just punishment	5,992	9.7
Afford adequate deterrence to criminal conduct	4,800	7.8
The nature and circumstance of the offense pursuant to 18 U.S.C. § 3553(a)(1)	3,952	6.4
Criminal history issues	3,658	5.9
Family ties and responsibilities (§5H1.6)	2,892	4.7
Protect public from further crimes	2,873	4.7
Avoid unwarranted sentencing disparity	2,771	4.5
Age (§5H1.1)	1,813	2.9
Previous employment record (§5H1.5)	1,578	2.6
Role in the offense	1,515	2.5
Nature and circumstance of offense/history of defendant	1,371	2.2
Remorse	1,282	2.1
Acceptance of responsibility	1,253	2.0
Drug dependence/alcohol abuse (§5H1.4)	1,179	1.9
Mental and emotional conditions	1,075	1.7
General mitigating circumstances (§5K2.0)	1,041	1.7
Nonviolent offense/offender	964	1.6
Lack of youthful guidance/tragic or troubled childhood	828	1.3
Physical condition (§5H1.4)	746	1.2
Provide correctional treatment pursuant to 18 U.S.C. § 3553(a)(2)(D)	699	1.1
Provide restitution to any victims	686	1.1
Pre-sentence rehabilitation	680	1.1
Community ties (§5H1.6)	678	1.1
Aberrant behavior (§5K2.20)	666	1.1
Insufficient documentation provided on SOR to determine reason	617	1.0
Provide educational or vocational training	580	0.9
Conduct while on release, bond, or supervision	572	0.9
Cooperation without motion (not §5K1.1)	559	0.9
Charitable service/good works	441	0.7
Low likelihood of recidivism/not a risk to community	395	0.6
Provide medical care	358	0.6
Time served/U.S. v. Barrera-Saucedo	353	0.6
Other	6,476	10.5
<b>TOTAL</b>	<b>61,627</b>	<b>100.0</b>

<sup>1</sup> Of the 67,742 cases, 11,684 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, 61,627 reasons were cited for the 11,684 cases. In 617 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 350 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.