

Table 24

**REASONS GIVEN BY SENTENCING COURTS FOR UPWARD
DEPARTURES FROM THE GUIDELINE RANGE¹
Fiscal Year 2017**

REASONS	N	%
Criminal history issues	292	47.6
Dismissed and uncharged conduct (§5K2.21)	61	10.0
Pursuant to plea agreement	60	9.8
General aggravating circumstances (§5K2.0)	53	8.6
Criminal history issues in application of §2L1.2	26	4.2
Extreme conduct (§5K2.8)	13	2.1
General guideline adequacy issues	13	2.1
Death (§5K2.1)	12	2.0
Physical injury (§5K2.2)	10	1.6
Weapons/dangerous instrumentalities (§5K2.6)	10	1.6
Propensity for violence	8	1.3
Insufficient documentation provided on SOR to determine reason	7	1.1
Conduct while on release, bond, or supervision	5	0.8
Age or health of sex offenders (§5K2.22)	3	0.5
Extreme psychological injury (§5K2.3)	2	0.3
Property damage or loss (§5K2.5)	2	0.3
Public welfare (§5K2.14)	2	0.3
Discharge terms of imprisonment (§5K2.23)	2	0.3
Cultural assimilation	2	0.3
Sufficient punishment	2	0.3
Ongoing nature of activity	2	0.3
Lack of remorse	2	0.3
Other	24	3.9
TOTAL	613	100.0

¹ Of the 66,873 cases, 352 received an upward 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, 613 reasons were cited for the 352 cases. In seven 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 two times among relevant cases. Descriptions of the variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2017 Datafile, USSCFY17.