

**Table 24B**

**REASONS GIVEN BY SENTENCING COURTS FOR SENTENCES ABOVE  
THE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553<sup>1</sup>  
Fiscal Year 2017**

<b>REASONS</b>	<b>N</b>	<b>%</b>
Reflect seriousness of offense/promotes respect for law/just punishment	947	14.8
Afford adequate deterrence to criminal conduct	816	12.7
Protect public from further crimes	755	11.8
Criminal history issues	646	10.1
The nature and circumstance of the offense pursuant to 18 U.S.C. § 3553(a)(1)	569	8.9
The history and characteristics of the defendant pursuant to 18 U.S.C. § 3553(a)(1)	557	8.7
Pursuant to plea agreement	217	3.4
General aggravating circumstances (§5K2.0)	183	2.9
Nature and circumstance of offense/history of defendant	170	2.7
Avoid unwarranted sentencing disparity	115	1.8
Victim impact	105	1.6
Dismissed and uncharged conduct (§5K2.21)	93	1.5
Role in the offense	87	1.4
Extreme conduct (§5K2.8)	82	1.3
Provide correctional treatment pursuant to 18 U.S.C. § 3553(a)(2)(D)	80	1.2
Propensity for violence	80	1.2
Provide educational or vocational training	79	1.2
Insufficient documentation provided on SOR to determine reason	66	1.0
Drug dependence and alcohol abuse (§5H1.4)	47	0.7
Lack of remorse	37	0.6
General guideline adequacy issues	36	0.6
Provide medical care	35	0.5
Conduct while on release, bond, or supervision	34	0.5
Age (§5H1.1)	28	0.4
Mental and emotional conditions	28	0.4
Provide restitution to any victims	20	0.3
Provide defendant with educational or vocational training/medical care	19	0.3
Death (§5K2.1)	19	0.3
Weapons/dangerous instrumentalities (§5K2.6)	19	0.3
Mens Rea	19	0.3
Acceptance of responsibility	17	0.3
Other	401	6.3
<b>TOTAL</b>	<b>6,406</b>	<b>100.0</b>

<sup>1</sup> Of the 66,873 cases, 1,411 were sentenced above 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, 6,406 reasons were cited for the 1,411 cases. In 66 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 16 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.