

Table 25B

**REASONS GIVEN BY SENTENCING COURTS FOR SENTENCES BELOW
THE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553¹
Fiscal Year 2017**

REASONS	N	%
The history and characteristics of the defendant pursuant to 18 U.S.C. § 3553(a)(1)	6,930	11.3
Reflect seriousness of offense/promotes respect for law/just punishment	5,658	9.2
Afford adequate deterrence to criminal conduct	4,693	7.6
The nature and circumstance of the offense pursuant to 18 U.S.C. § 3553(a)(1)	4,319	7.0
Criminal history issues	3,756	6.1
Family ties and responsibilities (§5H1.6)	2,922	4.7
Protect public from further crimes	2,818	4.6
Avoid unwarranted sentencing disparity	2,627	4.3
Age (§5H1.1)	1,845	3.0
Previous employment record (§5H1.5)	1,623	2.6
Role in the offense	1,505	2.4
Drug dependence/alcohol abuse (§5H1.4)	1,439	2.3
Remorse	1,344	2.2
Mental and emotional conditions	1,258	2.0
Acceptance of responsibility	1,201	2.0
General mitigating circumstances (§5K2.0)	980	1.6
Lack of youthful guidance/tragic or troubled childhood	955	1.6
Nonviolent offense/offender	931	1.5
Pre-sentence rehabilitation	828	1.3
Provide correctional treatment pursuant to 18 U.S.C. § 3553(a)(2)(D)	808	1.3
Physical condition (§5H1.4)	753	1.2
Insufficient documentation provided on SOR to determine reason	752	1.2
Provide educational or vocational training	663	1.1
Conduct while on release, bond, or supervision	654	1.1
Aberrant behavior (§5K2.20)	621	1.0
Community ties (§5H1.6)	608	1.0
Cooperation without motion (not §5K1.1)	604	1.0
Provide restitution to any victims	572	0.9
Time served/U.S. v. Barrera-Saucedo	407	0.7
Provide medical care	399	0.6
Charitable service/good works	395	0.6
Nature and circumstance of offense/history of defendant	369	0.6
Low likelihood of recidivism/not a risk to community	361	0.6
Other	5,941	9.7
TOTAL	61,539	100.0

¹ Of the 66,873 cases, 11,457 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, 61,539 reasons were cited for the 11,457 cases. In 752 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, 2017 Datafile, USSCFY17.