

Table 43

**REASONS GIVEN BY SENTENCING COURTS FOR
DOWNWARD DEPARTURES FROM THE GUIDELINE RANGE¹
Fiscal Year 2018**

REASONS	N	%
Substantial assistance with government motion (§5K1.1)	6,948	16.4
Early disposition program (EDP) (§5K3.1)	6,391	15.1
Criminal history issues	2,659	6.3
The history and characteristics of the defendant pursuant to 18 U.S.C. § 3553(a)(1)	2,347	5.5
General mitigating circumstances (§5K2.0)	1,704	4.0
Family ties and responsibilities (§5H1.6)	1,697	4.0
Reflect seriousness of offense/promotes respect for law/just punishment	1,641	3.9
Afford adequate deterrence to criminal conduct	1,479	3.5
The nature and circumstance of the offense pursuant to 18 U.S.C. § 3553(a)(1)	1,322	3.1
Avoid unwarranted sentencing disparity	1,039	2.5
Age (§5H1.1)	977	2.3
Protect public from further crimes	847	2.0
Previous employment record (§5H1.5)	742	1.8
Pursuant to plea agreement	694	1.6
Rehabilitation	694	1.6
Drug dependence/alcohol abuse (§5H1.4)	687	1.6
Role in the offense	663	1.6
Mental and emotional conditions	636	1.5
Acceptance of responsibility	547	1.3
Remorse	496	1.2
Aberrant behavior (§5K2.20)	474	1.1
Lack of youthful guidance/tragic or troubled childhood	455	1.1
Physical condition (§5H1.4)	446	1.1
Conduct while on release, bond, or supervision	353	0.8
Early plea	281	0.7
Nonviolent offense/offender	265	0.6
Provide correctional treatment pursuant to 18 U.S.C. § 3553(a)(2)(D)	247	0.6
Waiver of appeal	232	0.5
Educational and vocational skills (§5H1.2)	223	0.5
Cooperation without motion (not §5K1.1)	215	0.5
Community ties (§5H1.6)	185	0.4
Time served/ <i>U.S. v. Barrera-Saucedo</i>	183	0.4
Low likelihood of recidivism/not a risk to community	177	0.4
Other	4,441	10.5
TOTAL	42,387	100.0

¹ Of the 69,425 cases, in 16,179 the sentence was a downward 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, 42,387 reasons were cited for the 16,179 cases. The 'Other' category includes all reasons cited fewer than 175 times among relevant cases and 414 cases where the Statement of Reason was received, but there was insufficient documentation provided to determine some of the reasons for the sentence. Descriptions of the variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2018 Datafile, USSCFY18.