

Table 44

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

REASONS	N	%
The history and characteristics of the defendant pursuant to 18 U.S.C. § 3553(a)(1)	9,261	10.9
Reflect seriousness of offense/promotes respect for law/just punishment	7,560	8.9
Afford adequate deterrence to criminal conduct	6,382	7.5
The nature and circumstance of the offense pursuant to 18 U.S.C. § 3553(a)(1)	5,639	6.7
Criminal history issues	5,055	6.0
Protect public from further crimes	4,139	4.9
Avoid unwarranted sentencing disparity	3,682	4.4
Family ties and responsibilities (§5H1.6)	3,610	4.3
Age (§5H1.1)	2,411	2.8
Previous employment record (§5H1.5)	2,014	2.4
Drug dependence/alcohol abuse (§5H1.4)	2,002	2.4
Role in the offense	1,941	2.3
Acceptance of responsibility	1,843	2.2
Remorse	1,806	2.1
Mental and emotional conditions	1,788	2.1
Rehabilitation	1,597	1.9
Lack of youthful guidance/tragic or troubled childhood	1,489	1.8
Nonviolent offense/offender	1,217	1.4
General mitigating circumstances (§5K2.0)	1,216	1.4
Provide correctional treatment pursuant to 18 U.S.C. § 3553(a)(2)(D)	1,205	1.4
Conduct while on release, bond, or supervision	946	1.1
Physical condition (§5H1.4)	936	1.1
Pursuant to plea agreement	914	1.1
Provide educational or vocational training	882	1.0
Cooperation without motion (not §5K1.1)	873	1.0
Community ties (§5H1.6)	798	0.9
Provide restitution to any victims	745	0.9
Aberrant behavior (§5K2.20)	744	0.9
Time served/ <i>U.S. v. Barrera-Saucedo</i>	541	0.6
Provide medical care	524	0.6
Charitable service/good works	478	0.6
Low likelihood of recidivism/not a risk to community	471	0.6
Early plea	459	0.5
Other	9,466	11.2
TOTAL	84,634	100.0

¹ Of the 69,425 cases, in 15,796 the sentence was a variance below 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, 84,634 reasons were cited for the 15,796 cases. The 'Other' category includes all reasons cited fewer than 440 times among relevant cases and 1,281 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.