Table 43

REASONS GIVEN BY SENTENCING COURTS FOR
DOWNWARD DEPARTURES FROM THE GUIDELINE RANGE[1]
Fiscal Year 2019

REASONS	N	%
Early disposition program (EDP) (§5K3.1)	7,280	15.5
Substantial assistance with government motion (§5K1.1)	7,272	15.5
The history and characteristics of the defendant	2,819	6.0
Criminal history issues	2,768	5.9
General mitigating circumstances (§5K2.0)	1,870	4.0
Family ties and responsibilities (§5H1.6)	1,792	3.8
Reflect seriousness of offense/promotes respect for law/just punishment	1,730	3.7
Afford adequate deterrence to criminal conduct	1,534	3.3
The nature and circumstance of the offense	1,506	3.2
Avoid unwarranted sentencing disparity	1,129	2.4
Age (§5H1.1)	1,085	2.3
Protect public from further crimes	929	2.0
Drug dependence/alcohol abuse (§5H1.4)	875	1.9
Mental and emotional conditions	789	1.7
Rehabilitation	739	1.6
Previous employment record (§5H1.5)	731	1.6
Pursuant to plea agreement	710	1.5
Role in the offense	653	1.4
Acceptance of responsibility	647	1.4
Remorse	582	1.2
Lack of youthful guidance/tragic or troubled childhood	550	1.2
Physical condition (§5H1.4)	507	1.1
Aberrant behavior (§5K2.20)	453	1.0
Conduct while on release, bond, or supervision	396	0.8
First Step Act safety valve expansion	351	0.7
Waiver of appeal	320	0.7
Nonviolent offense/offender	311	0.7
Provide correctional treatment	294	0.6
Early plea	278	0.6
Time served/*U.S. v. Barrera-Saucedo*	232	0.5
Provide educational or vocational training	217	0.5
Cooperation without motion (not §5K1.1)	204	0.4
Educational and vocational skills (§5H1.2)	200	0.4
Community ties (§5H1.6)	182	0.4
Other	4,945	10.5
TOTAL	**46,880**	**100.0**

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[1] Of the 76,538 cases, in 17,553 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, 46,880 reasons were cited for the 17,553 cases. The 'Other' category includes all reasons cited fewer than 182 times among relevant cases and 383 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, 2019 Datafile, USSCFY19.