

Table 44
REASONS GIVEN BY SENTENCING COURTS FOR
DOWNWARD VARIANCES FROM THE GUIDELINE RANGE¹
Fiscal Year 2019

REASONS	N	%
The history and characteristics of the defendant	10,847	11.5
Reflect seriousness of offense/promotes respect for law/just punishment	8,312	8.8
Afford adequate deterrence to criminal conduct	6,920	7.3
The nature and circumstance of the offense	6,273	6.6
Criminal history issues	5,707	6.0
Protect public from further crimes	4,511	4.8
Family ties and responsibilities (§5H1.6)	3,996	4.2
Avoid unwarranted sentencing disparity	3,769	4.0
Age (§5H1.1)	2,718	2.9
Drug dependence/alcohol abuse (§5H1.4)	2,531	2.7
Acceptance of responsibility	2,187	2.3
Mental and emotional conditions	2,155	2.3
Previous employment record (§5H1.5)	2,132	2.3
Remorse	2,077	2.2
Role in the offense	2,034	2.1
Lack of youthful guidance/tragic or troubled childhood	1,837	1.9
Rehabilitation	1,761	1.9
Nonviolent offense/offender	1,441	1.5
General mitigating circumstances (§5K2.0)	1,365	1.4
Provide correctional treatment	1,356	1.4
Provide educational or vocational training	1,105	1.2
Conduct while on release, bond, or supervision	1,020	1.1
Physical condition (§5H1.4)	1,010	1.1
Cooperation without motion (not §5K1.1)	829	0.9
Community ties (§5H1.6)	812	0.9
Pursuant to plea agreement	810	0.9
Aberrant behavior (§5K2.20)	756	0.8
Provide restitution to any victims	748	0.8
Time served/ <i>U.S. v. Barrera-Saucedo</i>	658	0.7
Provide medical care	632	0.7
Low likelihood of recidivism/not a risk to community	497	0.5
First Step Act safety valve expansion	478	0.5
Charitable service/good works	458	0.5
Other	10,930	11.5
TOTAL	94,672	100.0

¹ Of the 76,538 cases, in 17,608 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, 94,672 reasons were cited for the 17,608 cases. The 'Other' category includes all reasons cited fewer than 458 times among relevant cases and 1,295 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.