

Table 43

**REASONS GIVEN BY SENTENCING COURTS FOR
DOWNWARD DEPARTURES FROM THE GUIDELINE RANGE¹
Fiscal Year 2020**

REASONS	N	%
Early disposition program (EDP) (§5K3.1)	7,033	17.7
Substantial assistance with government motion (§5K1.1)	5,270	13.3
The history and characteristics of the defendant	2,478	6.2
Criminal history issues	2,112	5.3
Family ties and responsibilities (§5H1.6)	1,500	3.8
General mitigating circumstances (§5K2.0)	1,448	3.6
Reflect seriousness of offense/promotes respect for law/just punishment	1,401	3.5
Afford adequate deterrence to criminal conduct	1,360	3.4
The nature and circumstance of the offense	1,195	3.0
Avoid unwarranted sentencing disparity	947	2.4
Age (§5H1.1)	873	2.2
Protect public from further crimes	794	2.0
Drug dependence/alcohol abuse (§5H1.4)	789	2.0
COVID-19/pandemic	710	1.8
Pursuant to plea agreement	663	1.7
Acceptance of responsibility	651	1.6
Mental and emotional conditions	634	1.6
Rehabilitation	593	1.5
Previous employment record (§5H1.5)	573	1.4
Remorse	507	1.3
Role in the offense	494	1.2
Lack of youthful guidance/tragic or troubled childhood	486	1.2
Physical condition (§5H1.4)	454	1.1
First Step Act safety valve expansion	409	1.0
Nonviolent offense/offender	348	0.9
Aberrant behavior (§5K2.20)	346	0.9
Waiver of appeal	307	0.8
Early plea	298	0.8
Conduct while on release, bond, or supervision	276	0.7
Provide correctional treatment	234	0.6
Waiver of indictment	197	0.5
Time served/ <i>U.S. v. Barrera-Saucedo</i>	183	0.5
Provide educational or vocational training	175	0.4
Educational and vocational skills (§5H1.2)	142	0.4
Other	3,807	9.6
TOTAL	39,687	100.0

¹ Of the 64,565 cases, in 14,722 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, 39,687 reasons were cited for the 14,722 cases. The 'Other' category includes all reasons cited fewer than 140 times among relevant cases and 184 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, 2020 Datafile, USSCFY20.