Table 44

REASONS GIVEN BY SENTENCING COURTS FOR
DOWNWARD VARIANCES FROM THE GUIDELINE RANGE[1]
Fiscal Year 2020

REASONS	N	%
The history and characteristics of the defendant	9,646	11.9
Reflect seriousness of offense/promotes respect for law/just punishment	7,411	9.1
Afford adequate deterrence to criminal conduct	6,069	7.5
The nature and circumstance of the offense	5,286	6.5
Criminal history issues	4,308	5.3
Protect public from further crimes	3,974	4.9
Family ties and responsibilities (§5H1.6)	3,351	4.1
Avoid unwarranted sentencing disparity	3,052	3.7
Age (§5H1.1)	2,296	2.8
Drug dependence/alcohol abuse (§5H1.4)	2,219	2.7
Acceptance of responsibility	2,036	2.5
Remorse	1,844	2.3
Previous employment record (§5H1.5)	1,839	2.3
Mental and emotional conditions	1,822	2.2
Role in the offense	1,710	2.1
Lack of youthful guidance/tragic or troubled childhood	1,612	2.0
Rehabilitation	1,440	1.8
Nonviolent offense/offender	1,225	1.5
Provide correctional treatment	1,196	1.5
General mitigating circumstances (§5K2.0)	1,150	1.4
Provide educational or vocational training	968	1.2
Physical condition (§5H1.4)	938	1.2
COVID-19/pandemic	911	1.1
Conduct while on release, bond, or supervision	862	1.1
Pursuant to plea agreement	722	0.9
Cooperation without motion (not §5K1.1)	722	0.9
Community ties (§5H1.6)	670	0.8
Provide restitution to any victims	611	0.8
Aberrant behavior (§5K2.20)	606	0.7
Provide medical care	585	0.7
Time served/*U.S. v. Barrera-Saucedo*	575	0.7
First Step Act safety valve expansion	553	0.7
Early plea	462	0.6
Waiver of appeal	379	0.5
Other	8,338	10.2
TOTAL	**81,388**	**100.0**

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[1] Of the 64,565 cases, in 15,710 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, 81,388 reasons were cited for the 15,710 cases. The 'Other' category includes all reasons cited fewer than 375 times among relevant cases and 866 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.