

**Table 43**

**REASONS GIVEN BY SENTENCING COURTS FOR  
DOWNWARD DEPARTURES FROM THE GUIDELINE RANGE<sup>1</sup>  
Fiscal Year 2021**

<b>REASONS</b>	<b>N</b>	<b>%</b>
Early disposition program (EDP) (§5K3.1)	6,497	15.0
Substantial assistance with government motion (§5K1.1)	5,493	12.7
The history and characteristics of the defendant	2,866	6.6
Criminal history issues	1,849	4.3
General mitigating circumstances (§5K2.0)	1,744	4.0
Family ties and responsibilities (§5H1.6)	1,722	4.0
Reflect seriousness of offense/promotes respect for law/just punishment	1,653	3.8
Afford adequate deterrence to criminal conduct	1,611	3.7
COVID-19/pandemic	1,551	3.6
The nature and circumstance of the offense	1,401	3.2
Avoid unwarranted sentencing disparity	1,010	2.3
Drug dependence/alcohol abuse (§5H1.4)	960	2.2
Age (§5H1.1)	944	2.2
Protect public from further crimes	936	2.2
Mental and emotional conditions	791	1.8
Rehabilitation	746	1.7
Pursuant to plea agreement	730	1.7
Physical condition (§5H1.4)	685	1.6
Acceptance of responsibility	681	1.6
Previous employment record (§5H1.5)	655	1.5
First Step Act safety valve expansion	647	1.5
Remorse	629	1.5
Lack of youthful guidance/tragic or troubled childhood	520	1.2
Role in the offense	511	1.2
Conduct while on release, bond, or supervision	401	0.9
Nonviolent offense/offender	388	0.9
Aberrant behavior (§5K2.20)	375	0.9
Waiver of appeal	342	0.8
Early plea	301	0.7
Waiver of indictment	276	0.6
Provide correctional treatment	228	0.5
Provide educational or vocational training	178	0.4
Cooperation without motion (not §5K1.1)	159	0.4
Community ties (§5H1.6)	155	0.4
Other	3,668	8.5
<b>TOTAL</b>	<b>43,303</b>	<b>100.0</b>

<sup>1</sup> Of the 57,287 cases, in 14,642 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, 43,303 reasons were cited for the 14,642 cases. The 'Other' category includes all reasons cited fewer than 150 times among relevant cases and 186 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, 2021 Datafile, USSCFY21.