

**Table 44**

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

<b>REASONS</b>	<b>N</b>	<b>%</b>
The history and characteristics of the defendant	10,378	12.2
Reflect seriousness of offense/promotes respect for law/just punishment	7,728	9.1
Afford adequate deterrence to criminal conduct	6,521	7.7
The nature and circumstance of the offense	5,706	6.7
Protect public from further crimes	4,379	5.1
Criminal history issues	3,751	4.4
Family ties and responsibilities (§5H1.6)	3,549	4.2
Avoid unwarranted sentencing disparity	3,182	3.7
Drug dependence/alcohol abuse (§5H1.4)	2,429	2.9
Age (§5H1.1)	2,425	2.9
Acceptance of responsibility	2,367	2.8
Mental and emotional conditions	2,121	2.5
Remorse	2,076	2.4
Lack of youthful guidance/tragic or troubled childhood	1,852	2.2
Previous employment record (§5H1.5)	1,844	2.2
Role in the offense	1,657	1.9
Rehabilitation	1,584	1.9
General mitigating circumstances (§5K2.0)	1,204	1.4
Provide correctional treatment	1,202	1.4
Nonviolent offense/offender	1,198	1.4
COVID-19/pandemic	1,124	1.3
Physical condition (§5H1.4)	1,122	1.3
Conduct while on release, bond, or supervision	1,083	1.3
Provide educational or vocational training	978	1.1
Pursuant to plea agreement	829	1.0
Cooperation without motion (not §5K1.1)	701	0.8
Community ties (§5H1.6)	690	0.8
Aberrant behavior (§5K2.20)	637	0.7
First Step Act safety valve expansion	607	0.7
Provide restitution to any victims	606	0.7
Provide medical care	577	0.7
Early plea	519	0.6
Time served/ <i>U.S. v. Barrera-Saucedo</i>	495	0.6
Waiver of appeal	491	0.6
Other	7,469	8.8
<b>TOTAL</b>	<b>85,081</b>	<b>100.0</b>

<sup>1</sup> Of the 57,287 cases, in 16,466 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, 85,081 reasons were cited for the 16,466 cases. The 'Other' category includes all reasons cited fewer than 450 times among relevant cases and 736 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.