

**Table 42**  
**REASONS GIVEN BY SENTENCING COURTS FOR**  
**UPWARD VARIANCES FROM THE GUIDELINE RANGE<sup>1</sup>**  
**Fiscal Year 2022**

<b>REASONS</b>	<b>N</b>	<b>%</b>
Reflect seriousness of offense/promotes respect for law/just punishment	1,056	15.4
Afford adequate deterrence to criminal conduct	854	12.4
Protect public from further crimes	794	11.6
The history and characteristics of the defendant	739	10.8
The nature and circumstance of the offense	729	10.6
Criminal history issues	446	6.5
General aggravating circumstances (§5K2.0)	224	3.3
Dismissed and uncharged conduct (§5K2.21)	162	2.4
Pursuant to plea agreement	131	1.9
Avoid unwarranted sentencing disparity	125	1.8
Role in the offense	115	1.7
Victim impact	113	1.6
Extreme conduct (§5K2.8)	110	1.6
Drug dependence and alcohol abuse (§5H1.4)	77	1.1
Provide correctional treatment	73	1.1
Lack of remorse	63	0.9
Provide educational or vocational training	60	0.9
Mental and emotional conditions	52	0.8
Propensity for violence	46	0.7
Acceptance of responsibility	39	0.6
Conduct while on release, bond, or supervision	38	0.6
Age (§5H1.1)	37	0.5
Lack of youthful guidance/tragic or troubled childhood	29	0.4
Aberrant behavior (§5K2.20)	28	0.4
Family ties and responsibilities (§5H1.6)	25	0.4
Provide medical care	24	0.3
Provide restitution to any victims	23	0.3
Previous employment record (§5H1.5)	22	0.3
Weapons/dangerous instrumentalities (§5K2.6)	19	0.3
General guideline adequacy issues	18	0.3
Physical condition (§5H1.4)	16	0.2
Mens Rea	16	0.2
Defendant absconded/evaded/fled arrest	14	0.2
Time served	14	0.2
Other	534	7.8
<b>TOTAL</b>	<b>6,865</b>	<b>100.0</b>

<sup>1</sup> Of the 64,142 cases, in 1,477 the sentence was a variance above 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, 6,865 reasons were cited for the 1,477 cases. The 'Other' category includes all reasons cited fewer than 14 times among relevant cases and 77 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, 2022 Datafile, USSCFY22.