

Table 42

**REASONS GIVEN BY SENTENCING COURTS FOR
UPWARD VARIANCES FROM THE GUIDELINE RANGE¹
Fiscal Year 2025**

REASONS	N	%
Reflect seriousness of offense/promotes respect for law/just punishment	2,437	17.1
Afford adequate deterrence to criminal conduct	2,110	14.8
Protect public from further crimes	1,918	13.4
The history and characteristics of the defendant	1,836	12.9
Criminal history issues	1,388	9.7
The nature and circumstances of the offense	992	6.9
Family ties and responsibilities (§5H1.6)	337	2.4
General aggravating circumstances (§5K2.0)	337	2.4
Drug dependence and alcohol abuse (§5H1.4)	317	2.2
Avoid unwarranted sentencing disparity	187	1.3
Extreme conduct (§5K2.8)	175	1.2
Victim impact	151	1.1
Role in the offense	144	1.0
Dismissed and uncharged conduct (§5K2.21)	141	1.0
Pursuant to plea agreement	137	1.0
Lack of remorse	103	0.7
Provide correctional treatment	94	0.7
Provide educational or vocational training	82	0.6
Age (§5H1.1)	77	0.5
Party motion/agreement/consent (reason unspecified)	73	0.5
Acceptance of responsibility	67	0.5
Mental and emotional conditions	63	0.4
Propensity for violence	57	0.4
Lack of youthful guidance/tragic or troubled childhood	53	0.4
Conduct while on release, bond, or supervision	46	0.3
Provide medical care	45	0.3
General guideline adequacy issues	41	0.3
Aberrant behavior (§5K2.20)	28	0.2
Provide restitution to any victims	27	0.2
Previous employment record (§5H1.5)	27	0.2
Weapons/dangerous instrumentalities (§5K2.6)	24	0.2
18 U.S.C. § 3553(a)	24	0.2
Conduct in jail/prison/custody	21	0.1
Other	720	5.0
TOTAL	14,279	100.0

¹ Of the 66,662 cases, in 2,890 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, 14,279 reasons were cited for the 2,890 cases. The 'Other' category includes all reasons cited fewer than 20 times among relevant cases and 99 cases where the Statement of Reasons 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, 2025 Datafile, USSCFY25.