

**Table 25**

**REASONS GIVEN BY SENTENCING COURTS FOR DOWNWARD  
DEPARTURES FROM THE GUIDELINE RANGE<sup>1</sup>  
Fiscal Year 2007**

<b>REASONS</b>	<b>Number</b>	<b>Percent</b>
Criminal history issues	1,316	41.3
General mitigating circumstances (§5K2.0)	327	10.3
Family ties and responsibilities (§5H1.6)	189	5.9
Physical condition (§5H1.4)	158	5.0
Aberrant behavior (§5K2.20)	120	3.8
Mental and emotional conditions (§5H1.3)	99	3.1
Age (§5H1.1)	86	2.7
Diminished capacity (§5K2.13)	85	2.7
Discharged terms of imprisonment (§5K2.23)	62	1.9
Previous employment record (§5H1.5)	48	1.5
Low likelihood of recidivism	45	1.4
Military record/charitable works/good deeds (§5H1.11)	35	1.1
Convictions on related counts (§5G1.3)	31	1.0
Party motion/agreement/consent (Reason unspecified)	30	0.9
Time served	30	0.9
Restitution	28	0.9
Mule/role in the offense	23	0.7
Coercion and duress (§5K2.12)	22	0.7
General guideline adequacy issues	20	0.6
Cultural assimilation	19	0.6
Not representative of the heartland	19	0.6
Educational and vocational skills (§5H1.2)	17	0.5
Cooperation without motion (Not §5K1.1)	17	0.5
Totality of circumstances/combination of factors	17	0.5
Acceptance of responsibility	17	0.5
Insufficient documentation provided on SOR to determine reason	16	0.5
Lesser harm (§5K2.11)	13	0.4
Defendant's positive background or good character	13	0.4
Voluntary disclosure (§5K2.16)	13	0.4
Offense level overstates offense seriousness (§2B1.1)	12	0.4
Other	257	8.1
<b>TOTAL</b>	<b>3,184</b>	<b>100.0</b>

<sup>1</sup>Of the 72,865 cases, 1,757 received 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, 3,184 reasons were cited for the 1,757 cases. In 16 cases where the SOR was received there was insufficient documentation provided to determine some of the reasons for the sentence. The "Other" category includes all reasons cited fewer than twelve times among relevant cases. Descriptions of the variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2007 Datafile, USSCFY07.