

Table 25C

**REASONS GIVEN BY SENTENCING COURTS FOR REMAINING
SENTENCES BELOW THE GUIDELINE RANGE¹
Fiscal Year 2005, Post-Booker (January 12, 2005, through September 30, 2005)**

REASONS	Number	Percent
Insufficient documentation provided on SOR to determine reason	874	30.3
Criminal history issues	376	13.0
General mitigating circumstances (§5K2.0)	181	6.3
Family ties and responsibilities (§5H1.6)	123	4.3
Age (§5H1.1)	67	2.3
General guideline adequacy issues	62	2.1
Time served	57	2.0
Mule/role in the offense	53	1.8
Physical condition (§5H1.4)	50	1.7
Mental and emotional conditions (§5H1.3)	45	1.6
Cooperation (motion unknown)	44	1.5
Aberrant behavior (§5K2.20)	44	1.5
Restitution	42	1.5
Not representative of the heartland	41	1.4
Previous employment record (§5H1.5)	40	1.4
Acceptance of responsibility	33	1.1
Cooperation without motion (Not §5K1.1)	32	1.1
Cultural assimilation	29	1.0
Totality of circumstances/combination of factors	23	0.8
Drug dependence/alcohol abuse (§5H1.4)	20	0.7
Defendant's positive background or good character	20	0.7
Remorse	19	0.7
Diminished capacity (§5K2.13)	17	0.6
Loss issues	16	0.6
Lack of culpability/accountability	15	0.5
Impact on employment of defendant/others	15	0.5
Military record/charitable works/good deeds (§5H1.11)	15	0.5
Susceptibility/prey to other inmates	13	0.5
Currently receiving punishment under state or federal jurisdiction	13	0.5
Offense behavior was an isolated incident	13	0.5
Other	492	17.1
TOTAL	2,884	100.0

¹Of the 53,674 cases, 1,806 were the remaining cases sentenced 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, 2,884 reasons were cited for the 1,806 cases, including 874 cases where the SOR was received but there was insufficient documentation provided to determine the reason. The 'Other' category includes all reasons cited fewer than 13 times among relevant cases. Descriptions of the variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2005 Datafile, USSCFY05, Post-Booker Only Cases (January 12, 2005, through September 30, 2005).