Table 24B

**REASONS GIVEN BY SENTENCING COURTS FOR SENTENCES ABOVE
THE GUIDELINE RANGE WITH *BOOKER* /18 U.S.C. § 3553[1]
Fiscal Year 2007**

REASONS	Number	Percent
Nature and circumstance of offense/history of defendant	366	22.9
Reflect seriousness of offense/promotes respect for law/just punishment	293	18.3
Afford adequate deterrence to criminal conduct	241	15.1
Protect public from further crimes	221	13.8
Criminal history issues	117	7.3
Provide defendant with educational or vocational training/medical care	73	4.6
Avoid unwarranted sentencing disparity among defendants	43	2.7
Pursuant to plea agreement	37	2.3
General guideline adequacy issues	36	2.3
18 U.S.C. § 3553(a)	23	1.4
Interest of justice	11	0.7
Provide restitution to any victims	10	0.6
Insufficient documentation provided on SOR to determine reason	9	0.6
Training or treatment opportunities	7	0.4
Reasonableness	7	0.4
Excerpt from 18 U.S.C. § 3553(a)	7	0.4
Dismissed and uncharged conduct (§5K2.21)	6	0.4
Deterrence	6	0.4
General aggravating circumstances (§5K2.0)	6	0.4
Conduct while on release, bond or supervision	5	0.3
Circumstance not considered by guidelines	4	0.3
Propensity for violence	4	0.3
Loss issues	4	0.3
Mule/role in offense	3	0.2
Time served	3	0.2
Other	56	3.5
TOTAL	**1,598**	**100.0**

[1]Of the 72,865 cases, 491 were sentenced above the guideline range with *Booker* /18 U.S.C. § 3553. 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, 1,598 reasons were cited for the 491 cases. In nine 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 three 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.