

Tables 24-25
REASONS GIVEN BY SENTENCING COURTS FOR UPWARD AND DOWNWARD DEPARTURES
(October 1, 1995, through September 30, 1996)

Table 24

REASONS FOR UPWARD DEPARTURES¹	Number	Percent
Criminal history category does not reflect seriousness	164	35.0
Risk of future conduct based on prior conduct or record	59	12.6
Pursuant to plea agreement	27	5.8
General aggravating circumstances	25	5.3
Weapons/dangerous instrumentalities	20	4.3
Extreme conduct	19	4.1
Extreme psychological injury	15	3.2
Physical injury	12	2.6
Dangerous or inhumane treatment	11	2.4
Nature or seriousness of the offense	10	2.1
Criminal purpose	9	1.9
Death	9	1.9
Disruption of governmental function	9	1.9
Monetary value does not reflect extent of harm	8	1.7
Several persons injured	6	1.3
Drug amount or drug purity	5	1.1
Further obstruction of justice	4	0.9
Guideline factors do not reflect offense seriousness	4	0.9
Property damage or loss	4	0.9
Degree of injury falls between two categories	3	0.6
Large number of aliens	3	0.6
Public welfare	3	0.6
Mule/Role in the offense	2	0.4
Other	37	7.9

Table 25

REASONS FOR DOWNWARD DEPARTURES²	Number	Percent
Deportation	901	19.3
Pursuant to plea agreement	860	18.4
Criminal history overrepresents defendant's involvement	550	11.8
General mitigating circumstances	335	7.2
Family ties and responsibilities	290	6.2
Offense behavior was an isolated incident	282	6.0
Physical condition	201	4.3
Diminished capacity	148	3.2
Acceptance of responsibility	90	1.9
Age	75	1.6
Mule/Role in the offense	72	1.5
Coercion and duress	67	1.4
Not representative of the heartland	64	1.4
Mental and emotional conditions	63	1.3
Rehabilitation	46	1.0
Time served	44	0.9
Dollar amount	42	0.9
Voluntary disclosure (§5K2.16)	40	0.9
No prior record/First offender	32	0.7
To put defendant's sentence in line with codefendant	29	0.6
Victim's conduct	29	0.6
Convictions on related counts	25	0.5
Lesser harms	25	0.5
Cooperation (motion unknown)	20	0.4
Due to stipulations	20	0.4
Other	322	6.9

¹Of the 42,436 cases, 388 were recorded as upward departures. Information on departure reasons was available in 374 of these cases which cited 468 reasons for upward departure. Courts often provided more than one reason for departure; consequently, the percentages across all reasons for departure may add up to more than 100 percent. The "Other" category includes all reasons provided less than two times among relevant cases.

²Of the 42,436 cases, 4,201 were recorded as downward departures. Information on departure reasons was available in 4,055 of these cases which cited 4,672 reasons for downward departure. Courts often provided more than one reason for departure; consequently, the percentages across all reasons for departure may add up to more than 100 percent. The "Other" category includes all reasons provided less than 20 times among relevant cases. Cases in which substantial assistance was given as a reason for a downward departure were not included in this table. Descriptions of variables used in this tables are provided in Appendix A.