

**U.S. Sentencing Commission
2014 Drug Guidelines Amendment
Retroactivity Data Report**



June 2015

Introduction

As part of its ongoing mission, the United States Sentencing Commission provides Congress, the judiciary, the executive branch, and the general public with data extracted from and based on sentencing documents submitted by courts to the Commission.¹ Data is reported on an annual basis in the Commission's *Annual Report* and *Sourcebook of Federal Sentencing Statistics*.²

The Commission also reports preliminary data for an on-going fiscal year in order to provide real-time analysis of sentencing practices in the federal courts. Since 2005, the Commission has published a series of quarterly reports that are similar in format and methodology to tables and figures produced in the *Sourcebook of Federal Sentencing Statistics* or in the Commission's *Final Report on the Impact of the United States v. Booker on Federal Sentencing*.³ The quarterly reports contain cumulative data for the on-going fiscal year (i.e., data from the start of the fiscal year through the most current quarter).

On April 30, 2014, the United States Sentencing Commission submitted to Congress an amendment to the federal sentencing guidelines that revised the guidelines applicable to drug trafficking offenses by changing how the base offense levels in the drug or chemical quantity tables in sections 2D1.1 and 2D1.11 of the *Guidelines Manual*⁴ incorporate the statutory mandatory minimum penalties for drug trafficking offenses (Amendment 782).⁵ Specifically, the amendment reduced by two levels the offense levels assigned to the quantities that trigger the statutory mandatory minimum penalties, resulting in corresponding guideline ranges that include the mandatory minimum penalties, and make conforming changes to section 2D2.11. Amendment 782 became effective on November 1, 2014.

¹ In each felony or Class A misdemeanor case sentenced in federal court, sentencing courts are required to submit the following documents to the Commission: the judgment and commitment order, the statement of reasons, the plea agreement (if applicable), the indictment or other charging document, and the presentence report. See 28 U.S.C. § 994(w).

² See the Commission's website, www.ussc.gov, for electronic copies of the 1995-2014 *Annual Report* and *Sourcebook of Federal Sentencing Statistics*.

³ See www.ussc.gov/bf.htm for an electronic copy of the Commission's *Final Report on the Impact of United States v. Booker on Federal Sentencing*.

⁴ U.S. SENTENCING COMMISSION, GUIDELINES MANUAL §2D1.1 (Unlawful Manufacturing, Importing, Exporting or Trafficking (Including Possession with Intent to Commit These Offenses); Attempt or Conspiracy) (2013) (hereinafter USSG); USSG §2D1.11 (Unlawfully Distributing, Importing, Exporting or Possessing a Listed Chemical; Attempt or Conspiracy).

⁵ References to the "2014 drug guidelines amendment," "the amendment," or any similar references mean Amendment 782.

On July 18, 2014, the Commission voted to give retroactive effect to Amendment 782 beginning on the effective date of the amendment. The Commission also voted to require that courts not release any offender whose term of imprisonment was reduced pursuant to retroactive applications of Amendment 782 prior to November 1, 2015. To effectuate these decisions, the Commission promulgated Amendment 788 which added Amendment 782 to the list of amendments in §1B1.10 (*Reduction in Term of Imprisonment as a Result of an Amended Guideline Range*)(*Policy Statement*) that apply retroactively. Amendment 788 also added a new special instruction to §1B1.10 requiring that the effective date of all orders reducing a term of imprisonment pursuant to retroactive application of Amendment 782 be November 1, 2015 or later. Amendment 788 became effective on November 1, 2014.

The data in this report represents information concerning motions for a reduced sentence pursuant to the retroactive application of Amendment 782. The data in this report reflects all motions decided through May 28, 2015 and for which court documentation was received, coded, and edited at the Commission by May 31, 2015.

Table 1

GEOGRAPHICAL DISTRIBUTION OF APPLICATION OF RETROACTIVE DRUG GUIDELINES AMENDMENT BY DISTRICT

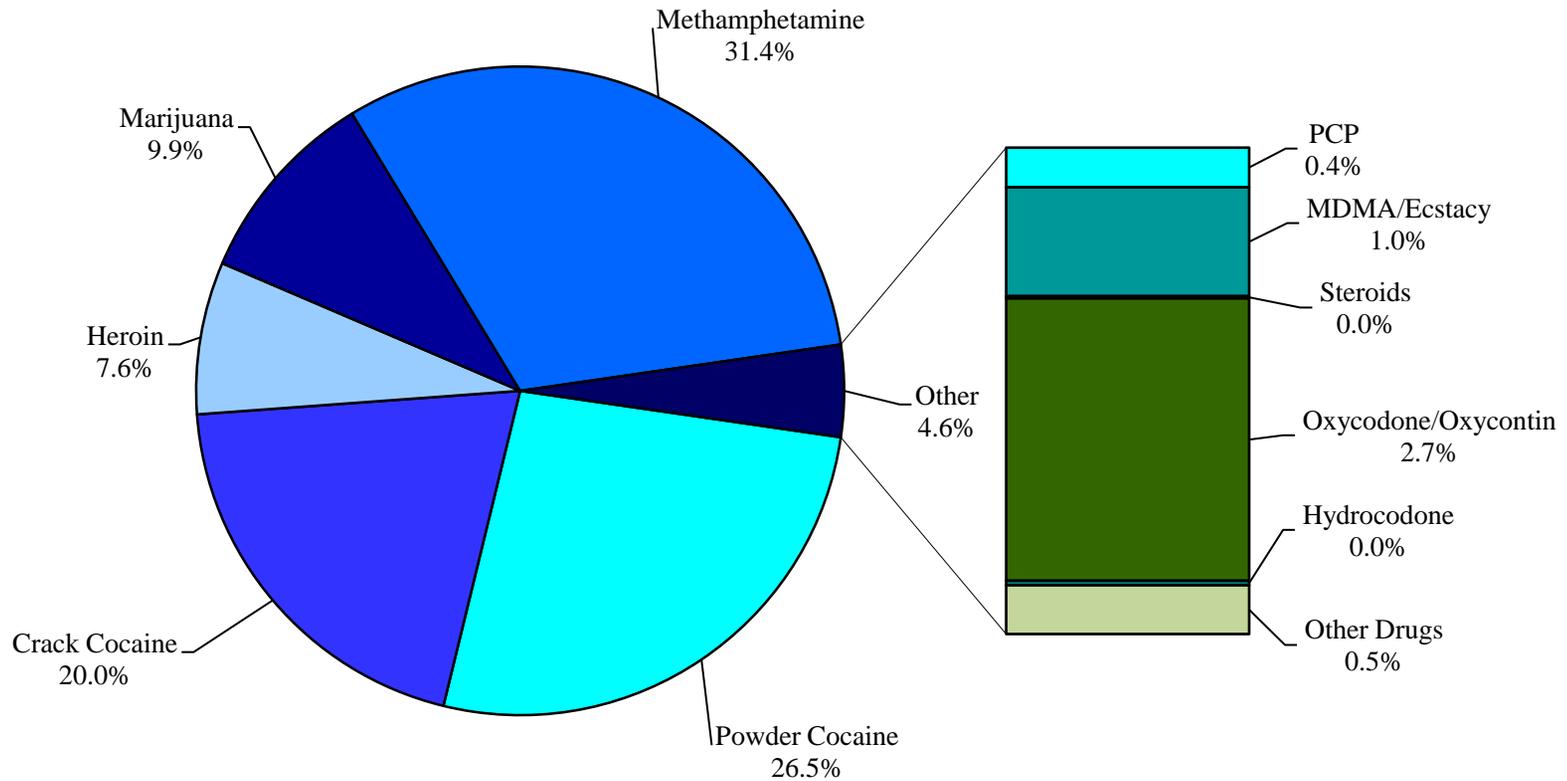
District	Total			Granted		Denied		District	Total			Granted		Denied	
	N	N	%	N	%	N	%		N	N	%	N	%		
TOTAL	12,093	9,552	79.0	2,541	21.0										
Southern Texas	1,139	795	69.8	344	30.2	Utah	95	61	64.2	34	35.8				
Northern Iowa	548	412	75.2	136	24.8	Nebraska	93	63	67.7	30	32.3				
Western Texas	535	522	97.6	13	2.4	Northern California	93	60	64.5	33	35.5				
Southern Florida	497	420	84.5	77	15.5	Middle Pennsylvania	92	75	81.5	17	18.5				
Kansas	354	283	79.9	71	20.1	Massachusetts	82	45	54.9	37	45.1				
Western Virginia	345	282	81.7	63	18.3	Northern Indiana	78	70	89.7	8	10.3				
Eastern Virginia	315	220	69.8	95	30.2	South Dakota	74	56	75.7	18	24.3				
Eastern Missouri	310	310	100.0	0	0.0	Idaho	74	74	100.0	0	0.0				
Eastern North Carolina	298	259	86.9	39	13.1	Northern Georgia	65	65	100.0	0	0.0				
Southern Iowa	281	204	72.6	77	27.4	Minnesota	60	58	96.7	2	3.3				
Eastern Texas	272	247	90.8	25	9.2	Western Tennessee	60	59	98.3	1	1.7				
South Carolina	266	193	72.6	73	27.4	Alaska	55	52	94.5	3	5.5				
Eastern Arkansas	225	217	96.4	8	3.6	Rhode Island	55	30	54.5	25	45.5				
Southern Georgia	219	95	43.4	124	56.6	Eastern Wisconsin	54	43	79.6	11	20.4				
Northern Texas	216	83	38.4	133	61.6	Colorado	53	53	100.0	0	0.0				
Southern Illinois	207	170	82.1	37	17.9	Southern New York	52	52	100.0	0	0.0				
Northern West Virginia	200	200	100.0	0	0.0	Southern Indiana	50	36	72.0	14	28.0				
Central Illinois	194	176	90.7	18	9.3	Oregon	50	50	100.0	0	0.0				
Eastern Kentucky	192	54	28.1	138	71.9	Middle Tennessee	47	31	66.0	16	34.0				
Maryland	191	189	99.0	2	1.0	Eastern New York	47	20	42.6	27	57.4				
Northern Florida	189	104	55.0	85	45.0	Western Oklahoma	44	44	100.0	0	0.0				
Southern Ohio	186	180	96.8	6	3.2	Northern Oklahoma	43	37	86.0	6	14.0				
Western North Carolina	181	93	51.4	88	48.6	Western Pennsylvania	42	19	45.2	23	54.8				
Northern Ohio	177	132	74.6	45	25.4	Southern California	41	41	100.0	0	0.0				
Northern Illinois	168	166	98.8	2	1.2	Western New York	40	13	32.5	27	67.5				
Eastern Pennsylvania	157	157	100.0	0	0.0	Eastern Oklahoma	36	36	100.0	0	0.0				
Eastern California	152	121	79.6	31	20.4	Eastern Tennessee	35	25	71.4	10	28.6				
Montana	149	99	66.4	50	33.6	Nevada	35	35	100.0	0	0.0				
Western Arkansas	146	117	80.1	29	19.9	District of Columbia	34	34	100.0	0	0.0				
Southern Alabama	145	145	100.0	0	0.0	Northern New York	34	23	67.6	11	32.4				
Western Michigan	142	9	6.3	133	93.7	Eastern Louisiana	31	31	100.0	0	0.0				
Puerto Rico	133	131	98.5	2	1.5	Northern Alabama	29	29	100.0	0	0.0				
Hawaii	131	131	100.0	0	0.0	New Hampshire	27	11	40.7	16	59.3				
Western Missouri	128	114	89.1	14	10.9	Middle Alabama	19	13	68.4	6	31.6				
Middle Georgia	126	64	50.8	62	49.2	Vermont	15	15	100.0	0	0.0				
Central California	125	125	100.0	0	0.0	Eastern Michigan	15	15	100.0	0	0.0				
New Jersey	112	81	72.3	31	27.7	North Dakota	14	14	100.0	0	0.0				
Western Washington	110	110	100.0	0	0.0	Middle Louisiana	11	4	36.4	7	63.6				
Middle Florida	109	106	97.2	3	2.8	Southern West Virginia	11	11	100.0	0	0.0				
Western Wisconsin	106	106	100.0	0	0.0	New Mexico	10	5	50.0	5	50.0				
Maine	103	66	64.1	37	35.9	Delaware	7	7	100.0	0	0.0				
Western Kentucky	103	99	96.1	4	3.9	Middle North Carolina	7	5	71.4	2	28.6				
Southern Mississippi	101	75	74.3	26	25.7	Wyoming	4	4	100.0	0	0.0				
Northern Mississippi	99	92	92.9	7	7.1	Eastern Washington	1	1	100.0	0	0.0				
Connecticut	97	73	75.3	24	24.7										

Note: Some districts may not have reported all denials of motions seeking retroactive application of Amendment 782.

SOURCE: U.S. Sentencing Commission, Amendment 782 Datafile.

Table 2

**DISTRIBUTION OF DRUG TYPE OF OFFENDERS WHO RECEIVED SENTENCE REDUCTION
DUE TO APPLICATION OF RETROACTIVE DRUG GUIDELINES AMENDMENT¹**



¹ Of the 9,552 cases in which the court granted a motion for a sentence reduction due to retroactive application of Amendment 782, information on drug type was missing in 174 cases.

SOURCE: U.S. Sentencing Commission, Amendment 782 Datafile.

Table 3**APPLICATION OF RETROACTIVE DRUG GUIDELINES AMENDMENT
BY YEAR OF ORIGINAL SENTENCE¹**

Fiscal Year	Total	Granted		Denied	
	N	N	%	N	%
Total	12,056	9,535	79.1	2,521	20.9
2015	41	12	29.3	29	70.7
2014	1,070	742	69.3	328	30.7
2013	2,148	1,765	82.2	383	17.8
2012	1,847	1,583	85.7	264	14.3
2011	1,387	1,141	82.3	246	17.7
2010	1,056	815	77.2	241	22.8
2009	957	733	76.6	224	23.4
2008	715	562	78.6	153	21.4
2007	660	505	76.5	155	23.5
2006	518	411	79.3	107	20.7
2005	334	255	76.3	79	23.7
2004	270	211	78.1	59	21.9
2003	222	165	74.3	57	25.7
2002	132	88	66.7	44	33.3
2001	124	101	81.5	23	18.5
2000	93	70	75.3	23	24.7
1999	91	70	76.9	21	23.1
1998	77	62	80.5	15	19.5
1997	64	49	76.6	15	23.4
1996	57	50	87.7	7	12.3
1995	48	32	66.7	16	33.3
1994	43	30	69.8	13	30.2
1993	33	27	81.8	6	18.2
1992	28	22	78.6	6	21.4
1991	19	19	100.0	0	0.0
1990	15	10	66.7	5	33.3
1989	7	5	71.4	2	28.6

¹ Of the 12,093 cases reported to the Commission, 37 were excluded from this analysis because the case cannot be matched with an original case in the Commission's records.

SOURCE: U.S. Sentencing Commission, Amendment 782 Datafile.

Table 4**ORIGIN OF GRANTED MOTION FOR SENTENCE REDUCTION DUE TO
RETROACTIVE APPLICATION OF DRUG GUIDELINES AMENDMENT¹**

CIRCUIT	Total	Defendant		Director BOP²		Court	
	N	N	%	N	%	N	%
TOTAL	9,179	6,773	73.8	0	0.0	2,406	26.2
D.C. CIRCUIT	33	33	100.0	0	0.0	0	0.0
FIRST CIRCUIT	283	238	84.1	0	0.0	45	15.9
SECOND CIRCUIT	189	152	80.4	0	0.0	37	19.6
THIRD CIRCUIT	204	196	96.1	0	0.0	8	3.9
FOURTH CIRCUIT	1,400	1,063	75.9	0	0.0	337	24.1
FIFTH CIRCUIT	1,810	910	50.3	0	0.0	900	49.7
SIXTH CIRCUIT	600	458	76.3	0	0.0	142	23.7
SEVENTH CIRCUIT	759	750	98.8	0	0.0	9	1.2
EIGHTH CIRCUIT	1,553	849	54.7	0	0.0	704	45.3
NINTH CIRCUIT	791	770	97.3	0	0.0	21	2.7
TENTH CIRCUIT	520	488	93.8	0	0.0	32	6.2
ELEVENTH CIRCUIT	1,037	866	83.5	0	0.0	171	16.5

¹ Of the 9,552 cases in which the court granted a motion for a sentence reduction due to retroactive application of Amendment 782, 383 cases were excluded from this analysis because the information received by the Commission prevented a determination of motion origin. Additionally, courts may cite multiple origins for a motion; consequently, the total number of origins cited generally exceeds the total number of cases. In this table, 9,179 origins were cited for the 9,169 cases.

² In seven cases, documents provided to the Commission indicated that the Director of the Bureau of Prisons made the motion. Those cases appear to be clerical errors.

Table 5

**DEMOGRAPHIC CHARACTERISTICS OF OFFENDERS WHO RECEIVED SENTENCE REDUCTION
DUE TO APPLICATION OF RETROACTIVE DRUG GUIDELINES AMENDMENT**

Race/Ethnicity	Total Granted ¹	Powder Cocaine		Crack Cocaine		Heroin		Marijuana		Metham- phetamine		Other	
		N	%	N	%	N	%	N	%	N	%	N	%
White	2,265	238	9.6	104	5.5	83	11.7	190	20.6	1,433	48.8	217	50.7
Black	3,109	841	33.8	1,618	86.2	272	38.2	167	18.1	87	3.0	124	29.0
Hispanic	3,694	1,368	55.1	133	7.1	352	49.4	534	57.8	1,261	42.9	46	10.7
Other	296	38	1.5	21	1.1	5	0.7	33	3.6	158	5.4	41	9.6
Total	9,364	2,485		1,876		712		924		2,939		428	
Citizenship													
U.S. Citizen	7,143	1,652	66.5	1,813	96.5	502	70.5	663	71.5	2,125	72.2	388	90.4
Non-Citizen	2,229	832	33.5	65	3.5	210	29.5	264	28.5	817	27.8	41	9.6
Total	9,372	2,484		1,878		712		927		2,942		429	
Gender													
Male	8,677	2,375	95.5	1,793	95.4	652	91.6	889	95.9	2,587	87.9	381	88.8
Female	700	112	4.5	86	4.6	60	8.4	38	4.1	356	12.1	48	11.2
Total	9,377	2,487		1,879		712		927		2,943		429	
Average Age													
	35	36		32		36		36		36		38	

¹ Of the 9,552 cases in which the court granted a motion for a sentence reduction due to retroactive application of Amendment 782, 174 cases were excluded due to missing drug type information. Additional cases were excluded from each section of this table due to the following reasons: missing race information (14), missing citizenship information (6), missing gender information (1), and missing age information (3).

SOURCE: U.S. Sentencing Commission, Amendment 782 Datafile.

Table 6

**SELECTED SENTENCING FACTORS FOR OFFENDERS WHO WERE CONSIDERED FOR SENTENCE
REDUCTION DUE TO APPLICATION OF RETROACTIVE DRUG GUIDELINES AMENDMENT¹**

	Total		Powder Cocaine		Crack Cocaine		Heroin		Marijuana		Methamphetamine		Other	
	Grant	Deny	Grant	Deny	Grant	Deny	Grant	Deny	Grant	Deny	Grant	Deny	Grant	Deny
	%	%	%	%	%	%	%	%	%	%	%	%	%	%
Weapon														
Weapon Specific Offense Characteristic	21.7	18.4	20.1	17.8	29.2	24.3	16.6	12.9	18.8	14.8	21.4	15.9	16.1	12.8
Firearms Mandatory Minimum Applied	0.0	1.0	0.0	1.0	0.1	2.3	0.0	0.0	0.0	0.4	0.1	0.0	0.0	0.8
Safety Valve	15.7	10.1	20.4	9.7	3.1	1.2	18.1	11.1	17.9	11.1	18.5	20.5	14.5	7.6
Guideline Role Adjustments														
Aggravating Role (USSG §3B1.1)	17.6	14.0	19.4	17.0	16.7	12.3	21.1	17.0	28.3	17.0	12.7	10.4	16.3	19.2
Mitigating Role (USSG §3B1.2)	3.5	4.1	3.6	3.7	1.3	2.3	3.2	3.4	4.4	6.0	4.8	6.4	2.1	1.6
Obstruction Adjustment (USSG §3C1.1)	6.1	5.6	6.1	4.8	6.9	6.4	3.7	5.4	10.0	5.3	5.2	5.3	4.7	6.4
Sentence Relative to the Guideline Range														
Within Range	64.5	46.7	66.7	51.9	66.0	51.6	64.3	45.6	72.7	55.5	58.7	34.8	68.2	36.0
Above Range	0.6	2.0	0.6	1.0	0.8	2.1	1.0	3.4	0.5	3.9	0.4	1.3	0.5	2.4
Below Range	34.8	51.3	32.7	47.1	33.2	46.3	34.7	51.0	26.8	40.6	40.8	63.9	31.3	61.6
Criminal History Category														
I	36.9	26.1	49.9	31.9	13.7	8.0	36.9	23.8	44.9	32.9	37.8	39.9	38.9	28.0
II	13.7	10.4	13.8	9.5	12.1	6.7	14.0	10.9	15.4	12.7	13.9	14.2	14.7	11.2
III	19.8	14.5	18.2	15.6	23.6	13.6	17.7	10.9	19.6	15.9	19.1	15.2	21.2	12.8
IV	12.1	8.9	8.9	7.1	18.8	10.2	11.9	6.8	9.9	7.4	11.0	10.1	14.2	8.8
V	7.8	5.3	4.2	4.8	14.2	7.0	8.4	4.1	5.3	5.3	8.0	3.3	4.4	8.0
VI	9.7	34.9	5.1	31.1	17.6	54.5	11.0	43.5	4.9	25.8	10.3	17.3	6.5	31.2

¹ Some cases were excluded from sections of this table due to missing information on the offense or sentencing factors reported.

SOURCE: U.S. Sentencing Commission, Amendment 782 Datafile.

Table 7

**DEGREE OF DECREASE IN SENTENCE DUE TO RETROACTIVE
APPLICATION OF DRUG GUIDELINES AMENDMENT¹**

CIRCUIT		Average Current Sentence in Months	Average New Sentence in Months	Average Decrease in Months From Current Sentence	Average Percent Decrease From Current Sentence
District	N				
TOTAL	9,223	130	107	23	17.5
D.C. CIRCUIT	25	90	82	9	11.2
District of Columbia	25	90	82	9	11.2
FIRST CIRCUIT	276	113	94	19	17.0
Maine	65	115	94	21	17.4
Massachusetts	44	146	119	28	19.4
New Hampshire	11	75	62	13	16.6
Puerto Rico	131	104	87	17	16.4
Rhode Island	25	113	97	16	14.7
SECOND CIRCUIT	182	124	103	21	16.3
Connecticut	73	111	93	19	16.6
New York					
Eastern	19	210	172	38	18.3
Northern	17	119	98	21	17.5
Southern	51	128	107	21	15.0
Western	7	82	72	10	14.3
Vermont	15	89	75	14	15.8
THIRD CIRCUIT	338	125	104	21	16.6
Delaware	7	124	99	25	21.4
New Jersey	81	106	88	18	17.3
Pennsylvania					
Eastern	156	146	121	26	17.2
Middle	75	97	83	14	14.5
Western	19	138	114	24	15.3
Virgin Islands	0	--	--	--	--
FOURTH CIRCUIT	1,371	132	109	23	17.5
Maryland	188	107	89	18	17.0
North Carolina					
Eastern	256	110	91	20	17.6
Middle	5	137	98	40	30.1
Western	51	93	78	15	16.2
South Carolina	173	132	106	26	19.5
Virginia					
Eastern	212	179	148	31	16.6
Western	275	156	131	25	17.3
West Virginia					
Northern	200	110	91	19	17.3
Southern	11	183	145	39	18.9

Table 7 (continued)
DEGREE OF DECREASE IN SENTENCE DUE TO RETROACTIVE
APPLICATION OF DRUG GUIDELINES AMENDMENT

CIRCUIT District	N	Average Current Sentence in Months	Average New Sentence in Months	Average Decrease in Months From Current Sentence	Average Percent Decrease From Current Sentence
FIFTH CIRCUIT	1,847	117	97	20	16.7
Louisiana					
Eastern	31	121	104	16	13.9
Middle	3	196	144	53	26.1
Western	0	--	--	--	--
Mississippi					
Northern	92	116	93	23	19.7
Southern	75	95	80	15	16.0
Texas					
Eastern	247	100	82	18	18.2
Northern	83	124	103	21	17.2
Southern	794	132	110	22	15.6
Western	522	105	87	18	17.4
SIXTH CIRCUIT	577	114	93	21	18.0
Kentucky					
Eastern	54	129	111	18	15.2
Western	99	136	113	23	16.4
Michigan					
Eastern	15	100	82	19	18.0
Western	6	99	82	16	12.8
Ohio					
Northern	131	94	72	22	21.8
Southern	180	119	98	21	17.2
Tennessee					
Eastern	25	94	74	20	20.3
Middle	31	121	101	20	16.7
Western	36	91	75	15	16.9
SEVENTH CIRCUIT	753	151	120	31	19.8
Illinois					
Central	174	161	117	45	26.1
Northern	163	162	134	28	16.6
Southern	170	135	108	26	19.7
Indiana					
Northern	70	146	122	24	15.9
Southern	35	135	112	24	17.0
Wisconsin					
Eastern	43	127	104	23	17.6
Western	98	166	134	33	18.8
EIGHTH CIRCUIT	1,511	137	112	25	18.2
Arkansas					
Eastern	217	120	101	20	17.0
Western	115	106	87	19	17.6
Iowa					
Northern	383	154	122	32	21.8
Southern	182	157	130	27	17.3
Minnesota	58	128	105	23	18.5
Missouri					
Eastern	309	136	113	23	16.2
Western	114	125	104	21	16.8
Nebraska	63	120	99	21	17.1
North Dakota	14	106	86	20	18.5
South Dakota	56	149	123	26	17.6

Table 7 (continued)
**DEGREE OF DECREASE IN SENTENCE DUE TO RETROACTIVE
APPLICATION OF DRUG GUIDELINES AMENDMENT**

CIRCUIT District	N	Average Current Sentence in Months	Average New Sentence in Months	Average Decrease in Months From Current Sentence	Average Percent Decrease From Current Sentence
NINTH CIRCUIT	856	129	108	22	16.5
Alaska	52	126	105	20	15.8
Arizona	0	--	--	--	--
California					
Central	125	128	109	19	14.6
Eastern	121	121	101	20	16.9
Northern	60	110	93	17	15.3
Southern	41	114	93	21	16.8
Guam	0	--	--	--	--
Hawaii	131	150	123	27	17.9
Idaho	74	121	98	22	18.6
Montana	97	152	126	27	17.4
Nevada	35	118	96	21	17.8
Northern Mariana Islands	0	--	--	--	--
Oregon	50	132	109	23	17.6
Washington					
Eastern	1	--	--	--	--
Western	69	116	101	16	12.5
TENTH CIRCUIT	493	136	112	24	17.3
Colorado	53	87	70	17	19.2
Kansas	283	151	125	26	16.8
New Mexico	5	116	95	21	17.6
Oklahoma					
Eastern	36	107	88	19	18.3
Northern	23	129	107	23	16.7
Western	28	146	123	23	15.5
Utah	61	123	102	21	16.6
Wyoming	4	109	67	42	37.4
ELEVENTH CIRCUIT	994	143	117	25	17.4
Alabama					
Middle	13	141	114	27	18.8
Northern	29	159	134	26	15.8
Southern	143	164	134	30	18.3
Florida					
Middle	106	111	90	21	18.3
Northern	89	171	142	29	16.5
Southern	412	143	119	24	16.4
Georgia					
Middle	64	98	74	24	24.6
Northern	65	156	129	27	17.1
Southern	73	129	109	21	16.0

¹ Of the 12,093 cases reported to the Commission, 37 cases were excluded from this analysis because the case cannot be matched with an original case in the Commission's records and 2,521 cases were excluded from this analysis because the court denied the motion for a sentence reduction. Of the remaining 9,535 cases, 312 cases in which the court granted the motion were excluded from this analysis because the offender was sentenced to time served but the resulting term of imprisonment could not be determined from the records received by the Commission.

SOURCE: U.S. Sentencing Commission, Amendment 782 Datafile.

Table 8

REASONS GIVEN BY SENTENCING COURTS FOR DENIAL OF MOTION¹

REASONS	N	%
Offense does not involve drugs	145	5.2
Sentence is determined by a non-drug guideline	117	4.2
Case does not involve drugs	28	1.0
Offender not eligible under §1B1.10	1,596	57.4
Career Offender or Armed Career Criminal provisions control sentence	574	20.7
Statutory mandatory minimum controls sentence	520	18.7
Guideline range does not change	280	10.1
Defendant will be released before November 1, 2015	89	3.2
Already received Amendment 782 reduction	86	3.1
Original sentence has been served	23	0.8
Statutory maximum sentence is less than applicable guideline range	23	0.8
Base offense level is 43	1	0.0
Denied on the merits	595	21.4
Offender has already benefitted from departure or variance	317	11.4
18 U.S.C. § 3553(a) factors	94	3.4
Denial because of binding plea	84	3.0
Protection of the public	58	2.1
Post-sentencing or post-conviction conduct	42	1.5
No reason provided/Other reason	442	15.9
No reason provided	339	12.2
Other	103	3.7

¹ Courts may cite multiple reasons for denying a motion; consequently, the total number of reasons cited generally exceeds the total number of cases. In this table, 2,778 reasons were cited in the 2,541 cases in which the court denied the motion for a sentence reduction pursuant to the retroactive application of Amendment 782.

SOURCE: U.S. Sentencing Commission, Amendment 782 Datafile.