

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



August 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 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 made conforming changes to section 2D1.1. 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 section 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 section 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 July 24, 2015 and for which court documentation was received, coded, and edited at the Commission by August 3, 2015.

Table 1

GEOGRAPHICAL DISTRIBUTION OF APPLICATION OF RETROACTIVE DRUG GUIDELINES AMENDMENT BY DISTRICT

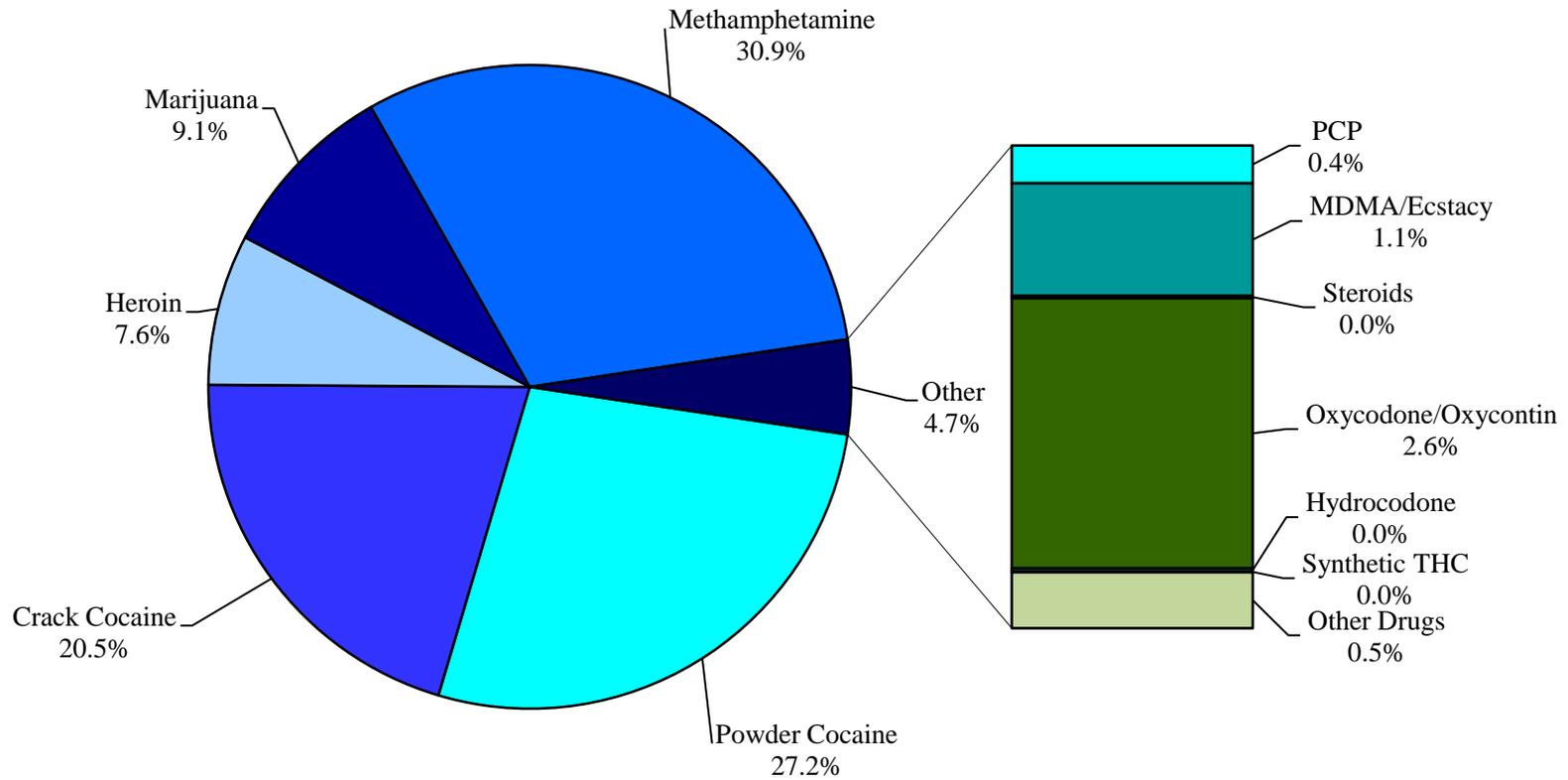
District	Total			Granted		Denied		District	Total			Granted		Denied	
	N	N	%	N	%	N	%		N	N	%	N	%		
TOTAL	17,446	13,187	75.6	4,259	24.4										
Southern Texas	1,330	870	65.4	460	34.6	Middle Pennsylvania	135	102	75.6	33	24.4				
Northern Iowa	1,068	485	45.4	583	54.6	Maine	134	96	71.6	38	28.4				
Western Texas	815	715	87.7	100	12.3	Southern Mississippi	128	96	75.0	32	25.0				
Southern Florida	627	536	85.5	91	14.5	Northern Indiana	121	94	77.7	27	22.3				
Western Virginia	489	361	73.8	128	26.2	Minnesota	120	100	83.3	20	16.7				
South Carolina	472	329	69.7	143	30.3	Western Washington	120	120	100.0	0	0.0				
Eastern Virginia	456	331	72.6	125	27.4	Western Kentucky	120	115	95.8	5	4.2				
Eastern Texas	413	378	91.5	35	8.5	Eastern Wisconsin	114	89	78.1	25	21.9				
Kansas	404	307	76.0	97	24.0	Idaho	114	114	100.0	0	0.0				
Eastern North Carolina	396	320	80.8	76	19.2	Massachusetts	110	65	59.1	45	40.9				
Southern Georgia	367	178	48.5	189	51.5	Western Wisconsin	110	110	100.0	0	0.0				
Eastern Missouri	356	356	100.0	0	0.0	Eastern Tennessee	110	99	90.0	11	10.0				
Southern Iowa	346	245	70.8	101	29.2	Western New York	103	62	60.2	41	39.8				
Northern Texas	336	142	42.3	194	57.7	Northern Georgia	103	103	100.0	0	0.0				
Northern Florida	332	175	52.7	157	47.3	South Dakota	95	73	76.8	22	23.2				
Western North Carolina	295	140	47.5	155	52.5	Southern California	94	94	100.0	0	0.0				
Southern Illinois	259	218	84.2	41	15.8	Southern Indiana	84	56	66.7	28	33.3				
Central Illinois	254	211	83.1	43	16.9	Alaska	83	68	81.9	15	18.1				
Northern Illinois	233	231	99.1	2	0.9	Northern Oklahoma	82	73	89.0	9	11.0				
Eastern Arkansas	229	221	96.5	8	3.5	Western Oklahoma	78	78	100.0	0	0.0				
Southern Ohio	229	221	96.5	8	3.5	Eastern New York	76	33	43.4	43	56.6				
Central California	228	228	100.0	0	0.0	Western Pennsylvania	76	42	55.3	34	44.7				
Eastern Kentucky	223	66	29.6	157	70.4	Wyoming	73	73	100.0	0	0.0				
Puerto Rico	220	218	99.1	2	0.9	Rhode Island	71	36	50.7	35	49.3				
Northern Ohio	220	173	78.6	47	21.4	Middle Tennessee	68	49	72.1	19	27.9				
Northern West Virginia	212	212	100.0	0	0.0	Eastern Louisiana	67	67	100.0	0	0.0				
Middle Georgia	210	143	68.1	67	31.9	Colorado	66	66	100.0	0	0.0				
Southern Alabama	209	209	100.0	0	0.0	Oregon	65	65	100.0	0	0.0				
Montana	205	147	71.7	58	28.3	Nevada	58	58	100.0	0	0.0				
Eastern California	201	164	81.6	37	18.4	Middle Louisiana	57	27	47.4	30	52.6				
Maryland	200	196	98.0	4	2.0	Northern Alabama	50	50	100.0	0	0.0				
Western Michigan	199	34	17.1	165	82.9	Eastern Oklahoma	47	47	100.0	0	0.0				
Eastern Pennsylvania	198	198	100.0	0	0.0	New Hampshire	47	28	59.6	19	40.4				
Nebraska	193	128	66.3	65	33.7	Southern West Virginia	46	46	100.0	0	0.0				
Western Arkansas	164	117	71.3	47	28.7	District of Columbia	45	45	100.0	0	0.0				
Northern Mississippi	161	144	89.4	17	10.6	New Mexico	37	24	64.9	13	35.1				
Middle Florida	159	152	95.6	7	4.4	North Dakota	32	32	100.0	0	0.0				
New Jersey	150	107	71.3	43	28.7	Middle Alabama	31	24	77.4	7	22.6				
Western Tennessee	144	82	56.9	62	43.1	Eastern Michigan	31	28	90.3	3	9.7				
Northern New York	141	104	73.8	37	26.2	Vermont	24	24	100.0	0	0.0				
Hawaii	141	141	100.0	0	0.0	Eastern Washington	15	15	100.0	0	0.0				
Northern California	140	85	60.7	55	39.3	Middle North Carolina	13	10	76.9	3	23.1				
Western Missouri	139	125	89.9	14	10.1	Delaware	11	10	90.9	1	9.1				
Utah	139	104	74.8	35	25.2	Western Louisiana	6	0	0.0	6	100.0				
Southern New York	137	137	100.0	0	0.0	Arizona	1	1	100.0	0	0.0				
Connecticut	135	95	70.4	40	29.6	Northern Mariana Islands	1	1	100.0	0	0.0				

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 13,187 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 229 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	17,372	13,161	75.8	4,211	24.2
2015	80	24	30.0	56	70.0
2014	1,726	1,165	67.5	561	32.5
2013	3,035	2,437	80.3	598	19.7
2012	2,555	2,102	82.3	453	17.7
2011	1,994	1,588	79.6	406	20.4
2010	1,481	1,086	73.3	395	26.7
2009	1,349	986	73.1	363	26.9
2008	1,040	770	74.0	270	26.0
2007	949	699	73.7	250	26.3
2006	720	540	75.0	180	25.0
2005	490	353	72.0	137	28.0
2004	407	287	70.5	120	29.5
2003	338	230	68.0	108	32.0
2002	186	126	67.7	60	32.3
2001	172	132	76.7	40	23.3
2000	142	104	73.2	38	26.8
1999	136	99	72.8	37	27.2
1998	110	84	76.4	26	23.6
1997	89	68	76.4	21	23.6
1996	81	67	82.7	14	17.3
1995	78	52	66.7	26	33.3
1994	64	44	68.8	20	31.3
1993	45	35	77.8	10	22.2
1992	44	34	77.3	10	22.7
1991	33	29	87.9	4	12.1
1990	21	15	71.4	6	28.6
1989	7	5	71.4	2	28.6

¹ Of the 17,446 cases reported to the Commission, 74 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	12,568	9,636	76.7	0	0.0	2,932	23.3
D.C. CIRCUIT	43	43	100.0	0	0.0	0	0.0
FIRST CIRCUIT	443	358	80.8	0	0.0	85	19.2
SECOND CIRCUIT	446	338	75.8	0	0.0	108	24.2
THIRD CIRCUIT	301	291	96.7	0	0.0	10	3.3
FOURTH CIRCUIT	1,871	1,446	77.3	0	0.0	425	22.7
FIFTH CIRCUIT	2,389	1,365	57.1	0	0.0	1,024	42.9
SIXTH CIRCUIT	858	692	80.7	0	0.0	166	19.3
SEVENTH CIRCUIT	997	984	98.7	0	0.0	13	1.3
EIGHTH CIRCUIT	1,865	1,098	58.9	0	0.0	767	41.1
NINTH CIRCUIT	1,099	1,072	97.5	0	0.0	27	2.5
TENTH CIRCUIT	704	647	91.9	0	0.0	57	8.1
ELEVENTH CIRCUIT	1,552	1,302	83.9	0	0.0	250	16.1

¹ Of the 13,187 cases in which the court granted a motion for a sentence reduction due to retroactive application of Amendment 782, 630 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, 12,568 origins were cited for the 12,557 cases.

² In nine 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	3,129	340	9.6	137	5.2	115	11.7	287	24.4	1,944	48.7	306	50.0
Black	4,452	1,259	35.7	2,309	87.0	369	37.5	224	19.1	113	2.8	178	29.1
Hispanic	4,979	1,881	53.3	183	6.9	492	50.1	622	53.0	1,737	43.5	64	10.5
Other	381	46	1.3	26	1.0	7	0.7	41	3.5	197	4.9	64	10.5
Total	12,941	3,526		2,655		983		1,174		3,991		612	
Citizenship													
U.S. Citizen	9,900	2,379	67.5	2,565	96.5	689	70.1	857	72.8	2,856	71.5	554	90.4
Non-Citizen	3,051	1,145	32.5	92	3.5	294	29.9	320	27.2	1,141	28.5	59	9.6
Total	12,951	3,524		2,657		983		1,177		3,997		613	
Gender													
Male	12,011	3,374	95.6	2,539	95.5	905	92.1	1,129	95.9	3,517	88.0	547	89.2
Female	946	154	4.4	119	4.5	78	7.9	48	4.1	481	12.0	66	10.8
Total	12,957	3,528		2,658		983		1,177		3,998		613	
Average Age													
	35	36		32		36		36		35		37	

¹ Of the 13,187 cases in which the court granted a motion for a sentence reduction due to retroactive application of Amendment 782, 229 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 (17), missing citizenship information (7), 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	21.9	19.4	19.9	18.6	29.3	24.3	16.3	16.7	18.6	15.9	21.7	17.5	16.8	12.6
Firearms Mandatory Minimum Applied	0.0	1.0	0.0	0.9	0.1	2.1	0.0	0.0	0.0	0.5	0.1	0.3	0.0	0.6
Safety Valve	15.2	8.5	19.8	8.6	3.1	0.8	17.9	7.7	16.8	9.2	18.2	16.3	15.0	8.5
Guideline Role Adjustments														
Aggravating Role (USSG §3B1.1)	17.4	14.3	19.4	16.7	17.1	12.3	21.6	16.3	28.5	18.5	11.9	11.9	15.2	19.5
Mitigating Role (USSG §3B1.2)	3.7	3.8	3.5	3.9	1.4	2.1	4.3	3.8	4.2	4.7	5.3	5.6	2.6	2.3
Obstruction Adjustment (USSG §3C1.1)	6.1	5.5	6.2	5.1	7.0	6.3	3.7	5.0	9.9	5.9	5.1	4.8	4.7	5.7
Sentence Relative to the Guideline Range														
Within Range	64.3	47.8	66.6	49.9	65.9	52.3	63.5	46.3	70.9	60.5	59.3	39.3	64.7	33.3
Above Range	0.8	1.9	0.8	0.9	1.0	2.0	1.3	3.8	0.8	3.1	0.4	1.3	1.3	4.0
Below Range	34.9	50.3	32.7	49.2	33.1	45.7	35.2	50.0	28.3	36.4	40.3	59.4	34.0	62.6
Criminal History Category														
I	36.3	23.9	48.7	30.1	14.3	8.2	37.0	20.8	44.0	30.0	37.0	34.1	39.3	28.7
II	13.8	10.3	14.3	10.2	12.2	6.9	13.6	10.4	15.5	13.0	13.7	12.7	14.8	10.9
III	20.0	14.5	18.2	16.4	23.3	12.6	18.5	12.5	20.5	17.3	19.5	14.7	21.4	14.4
IV	12.4	8.6	9.4	6.9	18.7	9.7	12.3	6.3	9.6	8.0	11.6	9.3	13.1	8.6
V	7.8	5.5	4.4	4.5	13.8	6.7	8.1	5.8	5.4	4.3	7.9	4.9	4.2	7.5
VI	9.8	37.3	5.0	32.0	17.9	56.0	10.4	44.2	5.1	27.4	10.3	24.2	7.2	29.9

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	12,691	131	108	23	17.5
D.C. CIRCUIT	33	96	85	11	12.7
District of Columbia	33	96	85	11	12.7
FIRST CIRCUIT	434	117	97	20	16.9
Maine	95	119	99	21	17.5
Massachusetts	64	144	117	27	19.2
New Hampshire	28	135	114	22	16.9
Puerto Rico	217	105	88	17	16.4
Rhode Island	30	121	104	17	14.0
SECOND CIRCUIT	412	123	102	22	16.6
Connecticut	95	112	93	19	17.2
New York					
Eastern	29	219	174	45	19.4
Northern	73	108	88	20	18.3
Southern	135	127	106	21	15.2
Western	56	113	94	19	15.8
Vermont	24	105	89	16	15.7
THIRD CIRCUIT	457	125	104	21	16.8
Delaware	10	126	104	22	19.9
New Jersey	107	111	91	20	17.5
Pennsylvania					
Eastern	196	147	121	26	17.2
Middle	102	102	87	15	15.0
Western	42	113	94	19	16.6
Virgin Islands	0	--	--	--	--
FOURTH CIRCUIT	1,847	134	111	23	17.4
Maryland	195	106	88	18	16.9
North Carolina					
Eastern	317	114	94	20	17.6
Middle	10	161	125	37	24.1
Western	96	109	90	19	16.9
South Carolina	303	134	109	25	18.4
Virginia					
Eastern	315	174	144	30	16.6
Western	353	152	128	25	17.3
West Virginia					
Northern	212	113	93	20	17.3
Southern	46	122	99	23	18.7

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	2,433	121	100	21	16.9
Louisiana					
Eastern	67	136	114	22	15.7
Middle	25	121	96	25	20.1
Western	0	--	--	--	--
Mississippi					
Northern	144	121	97	24	20.7
Southern	96	96	80	16	16.7
Texas					
Eastern	378	106	86	19	18.3
Northern	140	127	105	22	17.2
Southern	869	134	112	22	15.6
Western	714	114	95	19	17.0
SIXTH CIRCUIT	821	113	93	21	18.1
Kentucky					
Eastern	66	135	117	19	15.2
Western	115	139	116	23	16.3
Michigan					
Eastern	28	102	85	16	15.9
Western	21	85	70	15	16.5
Ohio					
Northern	172	101	78	23	21.5
Southern	221	117	97	20	16.9
Tennessee					
Eastern	98	95	74	21	21.4
Middle	49	119	99	21	17.0
Western	51	98	82	16	16.0
SEVENTH CIRCUIT	995	148	118	30	19.8
Illinois					
Central	209	159	115	44	26.6
Northern	228	158	131	27	16.4
Southern	218	132	105	27	20.6
Indiana					
Northern	94	140	117	24	16.2
Southern	55	130	108	22	16.7
Wisconsin					
Eastern	89	131	108	23	17.0
Western	102	170	136	33	18.8
EIGHTH CIRCUIT	1,823	138	113	25	18.2
Arkansas					
Eastern	221	122	102	20	17.0
Western	115	106	87	19	17.6
Iowa					
Northern	455	159	126	33	21.6
Southern	219	161	133	28	17.5
Minnesota	100	127	105	21	17.5
Missouri					
Eastern	355	139	115	24	16.3
Western	125	122	101	21	16.6
Nebraska	128	111	92	20	17.7
North Dakota	32	88	70	19	22.0
South Dakota	73	152	127	25	16.8

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	1,255	126	105	21	16.2
Alaska	68	128	107	21	15.8
Arizona	1	--	--	--	--
California					
Central	227	129	110	18	14.1
Eastern	164	120	100	20	16.7
Northern	85	107	90	17	15.6
Southern	94	100	83	18	16.8
Guam	0	--	--	--	--
Hawaii	140	150	123	27	18.1
Idaho	114	119	97	21	18.0
Montana	145	146	120	26	17.5
Nevada	58	118	98	20	16.6
Northern Mariana Islands	1	--	--	--	--
Oregon	65	128	107	21	16.9
Washington					
Eastern	15	135	118	18	12.3
Western	78	115	99	16	12.9
TENTH CIRCUIT	684	136	113	24	17.2
Colorado	66	96	77	19	19.7
Kansas	306	151	125	26	16.8
New Mexico	24	98	80	18	18.3
Oklahoma					
Eastern	47	109	90	18	17.3
Northern	59	162	132	30	17.3
Western	46	156	130	26	16.0
Utah	104	127	106	21	15.9
Wyoming	32	102	82	20	19.9
ELEVENTH CIRCUIT	1,497	146	120	26	17.7
Alabama					
Middle	24	134	112	22	16.2
Northern	49	163	136	27	15.5
Southern	207	169	138	31	17.9
Florida					
Middle	150	108	88	20	18.0
Northern	157	174	145	30	16.8
Southern	528	150	125	25	16.6
Georgia					
Middle	142	109	84	25	23.7
Northern	102	153	125	28	18.0
Southern	138	131	110	21	16.4

¹ Of the 17,446 cases reported to the Commission, 74 cases were excluded from this analysis because the case cannot be matched with an original case in the Commission's records and 4,211 cases were excluded from this analysis because the court denied the motion for a sentence reduction. Of the remaining 13,161 cases, 470 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	233	5.0
Sentence is determined by a non-drug guideline	195	4.2
Case does not involve drugs	38	0.8
Offender not eligible under §1B1.10	2,557	55.6
Career Offender or Armed Career Criminal provisions control sentence	1,045	22.7
Statutory mandatory minimum controls sentence	861	18.7
Guideline range does not change	464	10.1
Defendant will be released before November 1, 2015	110	2.4
Statutory maximum sentence is less than applicable guideline range	41	0.9
Original sentence has been served	35	0.8
Base offense level is 43	1	0.0
Denied on the merits	1,129	24.6
Offender has already benefitted from departure or variance	496	10.8
18 U.S.C. § 3553(a) factors	157	3.4
Denial because of binding plea	151	3.3
Already received Amendment 782 reduction	143	3.1
Protection of the public	119	2.6
Post-sentencing or post-conviction conduct	63	1.4
No reason provided/Other reason	687	15.0
No reason provided	528	11.5
Other	159	3.5

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, 4,606 reasons were cited in the 4,259 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.