

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



**October 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.<sup>1</sup> Data is reported on an annual basis in the Commission's *Annual Report* and *Sourcebook of Federal Sentencing Statistics*.<sup>2</sup>

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*.<sup>3</sup> 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*<sup>4</sup> incorporate the statutory mandatory minimum penalties for drug trafficking offenses (Amendment 782).<sup>5</sup> 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.

---

<sup>1</sup> 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).

<sup>2</sup> See the Commission's website, [www.ussc.gov](http://www.ussc.gov), for electronic copies of the 1995-2014 *Annual Report* and *Sourcebook of Federal Sentencing Statistics*.

<sup>3</sup> See [www.ussc.gov/bf.htm](http://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*.

<sup>4</sup> 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).

<sup>5</sup> 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 for which court documentation was received, coded, and edited at the Commission by October 8, 2015.

**Table 1**

**GEOGRAPHICAL DISTRIBUTION OF APPLICATION OF RETROACTIVE DRUG GUIDELINES AMENDMENT BY DISTRICT**

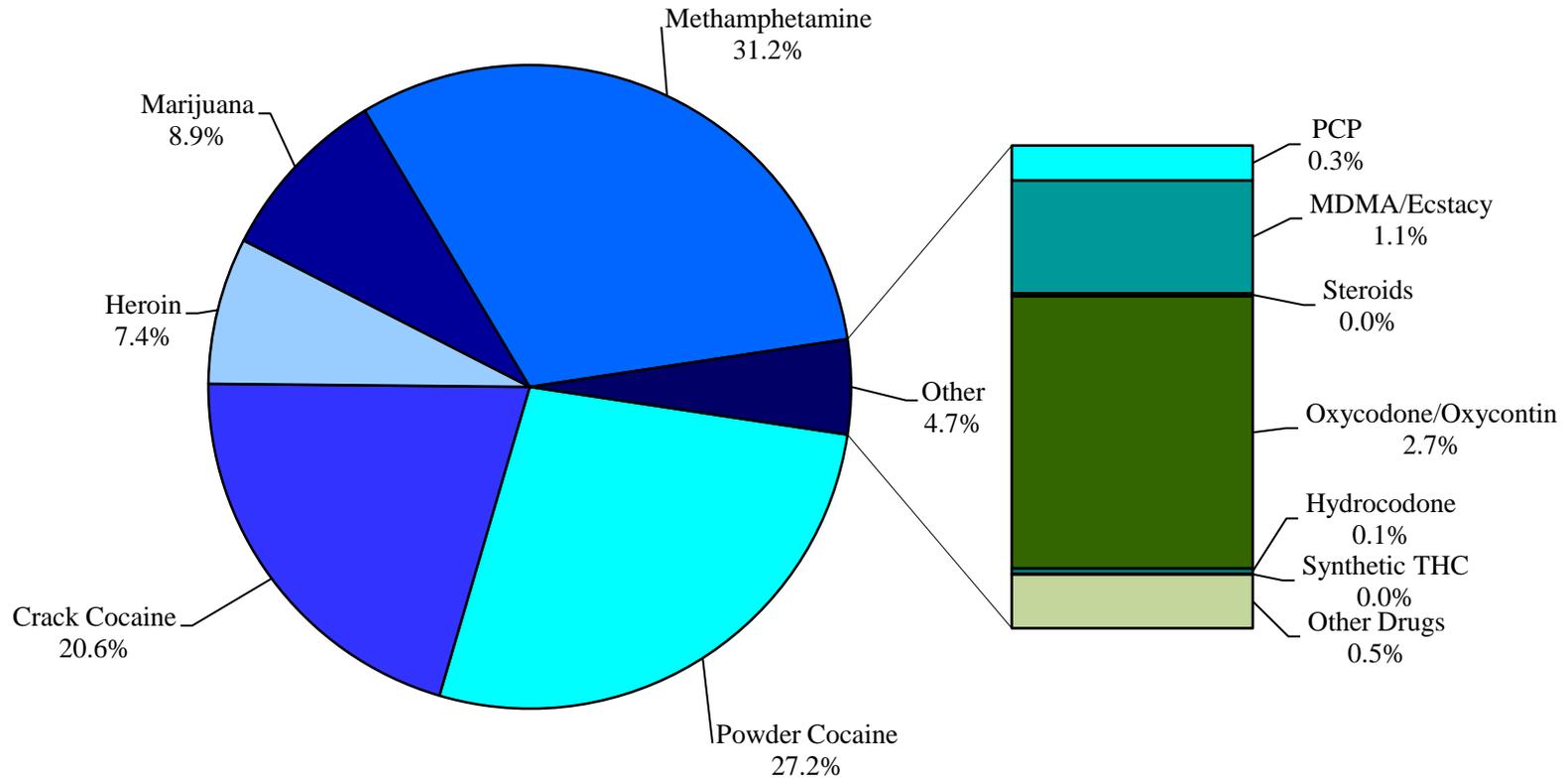
District	Total			Granted		Denied		District	Total			Granted		Denied	
	N	N	%	N	%	N	%		N	N	%	N	%		
<b>TOTAL</b>	<b>23,022</b>	<b>17,128</b>	<b>74.4</b>	<b>5,894</b>	<b>25.6</b>										
Southern Texas	1,546	932	60.3	614	39.7	Northern Georgia	167	167	100.0	0	0.0				
Western Texas	1,280	1,048	81.9	232	18.1	Minnesota	166	131	78.9	35	21.1				
Northern Iowa	1,109	511	46.1	598	53.9	Southern New York	163	163	100.0	0	0.0				
Southern Florida	710	614	86.5	96	13.5	Southern Mississippi	161	115	71.4	46	28.6				
South Carolina	667	478	71.7	189	28.3	Northern Indiana	160	131	81.9	29	18.1				
Western Virginia	652	476	73.0	176	27.0	Connecticut	155	105	67.7	50	32.3				
Eastern Virginia	631	474	75.1	157	24.9	Wyoming	145	143	98.6	2	1.4				
Eastern Texas	609	563	92.4	46	7.6	Utah	142	105	73.9	37	26.1				
Northern Texas	544	286	52.6	258	47.4	Maine	141	99	70.2	42	29.8				
Northern Florida	498	294	59.0	204	41.0	Idaho	139	139	100.0	0	0.0				
Eastern Missouri	484	380	78.5	104	21.5	Eastern Wisconsin	138	112	81.2	26	18.8				
Eastern North Carolina	481	381	79.2	100	20.8	Southern Indiana	137	98	71.5	39	28.5				
Western North Carolina	478	251	52.5	227	47.5	Massachusetts	133	75	56.4	58	43.6				
Southern Iowa	464	274	59.1	190	40.9	Southern California	133	133	100.0	0	0.0				
Kansas	458	344	75.1	114	24.9	Western New York	132	83	62.9	49	37.1				
Southern Georgia	443	252	56.9	191	43.1	Western Kentucky	124	119	96.0	5	4.0				
Southern Alabama	364	244	67.0	120	33.0	Eastern Louisiana	122	108	88.5	14	11.5				
Nebraska	343	254	74.1	89	25.9	South Dakota	117	92	78.6	25	21.4				
Puerto Rico	331	329	99.4	2	0.6	Western Wisconsin	114	113	99.1	1	0.9				
Central Illinois	327	263	80.4	64	19.6	Western Pennsylvania	109	69	63.3	40	36.7				
Maryland	322	301	93.5	21	6.5	Western Oklahoma	99	99	100.0	0	0.0				
Eastern Kentucky	312	124	39.7	188	60.3	Northern Oklahoma	99	86	86.9	13	13.1				
Southern Illinois	312	262	84.0	50	16.0	Eastern New York	97	47	48.5	50	51.5				
Northern Illinois	308	306	99.4	2	0.6	Alaska	95	80	84.2	15	15.8				
Middle Florida	301	292	97.0	9	3.0	New Mexico	93	55	59.1	38	40.9				
Central California	275	228	82.9	47	17.1	Colorado	89	89	100.0	0	0.0				
Western Arkansas	268	165	61.6	103	38.4	Eastern Michigan	84	74	88.1	10	11.9				
Northern Ohio	261	212	81.2	49	18.8	Rhode Island	80	45	56.3	35	43.8				
Southern Ohio	257	244	94.9	13	5.1	Nevada	80	80	100.0	0	0.0				
Eastern California	248	210	84.7	38	15.3	Middle Louisiana	78	42	53.8	36	46.2				
Middle Georgia	246	158	64.2	88	35.8	Middle North Carolina	76	61	80.3	15	19.7				
Western Michigan	242	62	25.6	180	74.4	Oregon	76	76	100.0	0	0.0				
Montana	241	177	73.4	64	26.6	Middle Tennessee	73	53	72.6	20	27.4				
Eastern Arkansas	230	222	96.5	8	3.5	Northern Alabama	71	71	100.0	0	0.0				
Western Tennessee	227	128	56.4	99	43.6	Southern West Virginia	56	56	100.0	0	0.0				
Eastern Pennsylvania	223	222	99.6	1	0.4	North Dakota	52	52	100.0	0	0.0				
Eastern Tennessee	218	196	89.9	22	10.1	District of Columbia	52	52	100.0	0	0.0				
Northern West Virginia	213	213	100.0	0	0.0	New Hampshire	52	30	57.7	22	42.3				
Western Washington	209	122	58.4	87	41.6	Eastern Oklahoma	49	49	100.0	0	0.0				
Western Missouri	201	187	93.0	14	7.0	Middle Alabama	44	34	77.3	10	22.7				
Northern New York	184	132	71.7	52	28.3	Western Louisiana	43	24	55.8	19	44.2				
New Jersey	183	123	67.2	60	32.8	Vermont	28	28	100.0	0	0.0				
Middle Pennsylvania	177	130	73.4	47	26.6	Eastern Washington	26	26	100.0	0	0.0				
Northern California	175	114	65.1	61	34.9	Arizona	18	18	100.0	0	0.0				
Northern Mississippi	173	147	85.0	26	15.0	Delaware	16	10	62.5	6	37.5				
Hawaii	170	163	95.9	7	4.1	Northern Mariana Islands	3	3	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 AMENDMENT<sup>1</sup>**



---

<sup>1</sup> Of the 17,128 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 278 cases.

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

**Table 3****APPLICATION OF RETROACTIVE DRUG GUIDELINES AMENDMENT  
BY YEAR OF ORIGINAL SENTENCE<sup>1</sup>**

<b>Fiscal Year</b>	<b>Total</b>	<b>Granted</b>		<b>Denied</b>	
	<b>N</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
<b>Total</b>	<b>22,969</b>	<b>17,089</b>	<b>74.4</b>	<b>5,880</b>	<b>25.6</b>
2015	235	54	23.0	181	77.0
2014	2,662	1,822	68.4	840	31.6
2013	3,902	3,089	79.2	813	20.8
2012	3,277	2,661	81.2	616	18.8
2011	2,534	1,991	78.6	543	21.4
2010	1,905	1,368	71.8	537	28.2
2009	1,718	1,227	71.4	491	28.6
2008	1,383	1,000	72.3	383	27.7
2007	1,245	902	72.4	343	27.6
2006	927	683	73.7	244	26.3
2005	642	460	71.7	182	28.3
2004	508	356	70.1	152	29.9
2003	437	297	68.0	140	32.0
2002	251	172	68.5	79	31.5
2001	234	175	74.8	59	25.2
2000	186	130	69.9	56	30.1
1999	189	146	77.2	43	22.8
1998	136	107	78.7	29	21.3
1997	122	94	77.0	28	23.0
1996	104	86	82.7	18	17.3
1995	101	67	66.3	34	33.7
1994	83	58	69.9	25	30.1
1993	59	46	78.0	13	22.0
1992	60	45	75.0	15	25.0
1991	38	31	81.6	7	18.4
1990	22	15	68.2	7	31.8
1989	9	7	77.8	2	22.2

<sup>1</sup> Of the 23,022 cases reported to the Commission, 53 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 AMENDMENT<sup>1</sup>**

<b>CIRCUIT</b>	<b>Total</b>	<b>Defendant</b>		<b>Director BOP<sup>2</sup></b>		<b>Court</b>	
	<b>N</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
<b>TOTAL</b>	<b>16,403</b>	<b>12,925</b>	<b>78.8</b>	<b>0</b>	<b>0.0</b>	<b>3,478</b>	<b>21.2</b>
D.C. CIRCUIT	50	50	100.0	0	0.0	0	0.0
FIRST CIRCUIT	577	489	84.7	0	0.0	88	15.3
SECOND CIRCUIT	548	409	74.6	0	0.0	139	25.4
THIRD CIRCUIT	378	368	97.4	0	0.0	10	2.6
FOURTH CIRCUIT	2,604	2,044	78.5	0	0.0	560	21.5
FIFTH CIRCUIT	3,209	2,031	63.3	0	0.0	1,178	36.7
SIXTH CIRCUIT	1,200	977	81.4	0	0.0	223	18.6
SEVENTH CIRCUIT	1,270	1,245	98.0	0	0.0	25	2.0
EIGHTH CIRCUIT	2,249	1,447	64.3	0	0.0	802	35.7
NINTH CIRCUIT	1,364	1,334	97.8	0	0.0	30	2.2
TENTH CIRCUIT	858	788	91.8	0	0.0	70	8.2
ELEVENTH CIRCUIT	2,096	1,743	83.2	0	0.0	353	16.8

<sup>1</sup> Of the 17,128 cases in which the court granted a motion for a sentence reduction due to retroactive application of Amendment 782, 739 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, 16,403 origins were cited for the 16,389 cases.

<sup>2</sup> In 10 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 <sup>1</sup>	Powder Cocaine		Crack Cocaine		Heroin		Marijuana		Metham- phetamine		Other	
		N	%	N	%	N	%	N	%	N	%	N	%
White	4,077	443	9.7	172	5.0	134	10.8	383	25.6	2,531	48.2	414	51.9
Black	5,837	1,630	35.7	3,040	87.6	498	40.2	290	19.4	152	2.9	227	28.4
Hispanic	6,419	2,439	53.3	227	6.5	600	48.4	769	51.4	2,312	44.1	72	9.0
Other	489	60	1.3	32	0.9	8	0.6	53	3.5	251	4.8	85	10.7
<b>Total</b>	<b>16,822</b>	<b>4,572</b>		<b>3,471</b>		<b>1,240</b>		<b>1,495</b>		<b>5,246</b>		<b>798</b>	
<b>Citizenship</b>													
U.S. Citizen	12,929	3,129	68.5	3,359	96.7	884	71.2	1,091	72.7	3,743	71.3	723	90.5
Non-Citizen	3,906	1,442	31.5	114	3.3	357	28.8	409	27.3	1,508	28.7	76	9.5
<b>Total</b>	<b>16,835</b>	<b>4,571</b>		<b>3,473</b>		<b>1,241</b>		<b>1,500</b>		<b>5,251</b>		<b>799</b>	
<b>Gender</b>													
Male	15,603	4,380	95.7	3,328	95.8	1,150	92.7	1,435	95.6	4,599	87.5	711	88.9
Female	1,245	196	4.3	146	4.2	91	7.3	66	4.4	657	12.5	89	11.1
<b>Total</b>	<b>16,848</b>	<b>4,576</b>		<b>3,474</b>		<b>1,241</b>		<b>1,501</b>		<b>5,256</b>		<b>800</b>	
<b>Average Age</b>													
	<b>35</b>	<b>36</b>		<b>32</b>		<b>35</b>		<b>36</b>		<b>35</b>		<b>37</b>	

<sup>1</sup> Of the 17,128 cases in which the court granted a motion for a sentence reduction due to retroactive application of Amendment 782, 278 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 (28), missing citizenship information (15), missing gender information (2), 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 AMENDMENT<sup>1</sup>**

	<b>Total</b>		<b>Powder Cocaine</b>		<b>Crack Cocaine</b>		<b>Heroin</b>		<b>Marijuana</b>		<b>Methamphetamine</b>		<b>Other</b>	
	<b>Grant</b>	<b>Deny</b>	<b>Grant</b>	<b>Deny</b>	<b>Grant</b>	<b>Deny</b>	<b>Grant</b>	<b>Deny</b>	<b>Grant</b>	<b>Deny</b>	<b>Grant</b>	<b>Deny</b>	<b>Grant</b>	<b>Deny</b>
	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>	<b>%</b>
<b>Weapon</b>														
Weapon Specific Offense Characteristic	22.4	19.1	20.1	18.7	29.9	23.2	17.8	16.8	19.6	14.7	22.1	18.0	16.8	13.1
Firearms Mandatory Minimum Applied	0.1	0.8	0.1	0.7	0.1	1.8	0.0	0.0	0.0	0.4	0.1	0.2	0.0	0.8
<b>Safety Valve</b>	14.7	8.1	18.9	8.6	3.0	0.9	17.8	8.1	16.0	9.5	17.7	14.7	13.9	8.6
<b>Guideline Role Adjustments</b>														
Aggravating Role (USSG §3B1.1)	17.5	14.1	19.8	17.0	17.3	11.7	21.5	16.0	29.3	18.7	11.6	11.8	16.1	20.5
Mitigating Role (USSG §3B1.2)	3.8	4.1	3.5	4.3	1.4	1.9	3.6	4.7	4.3	6.2	5.5	5.5	3.1	3.7
Obstruction Adjustment (USSG §3C1.1)	5.9	5.2	6.3	5.1	7.1	5.3	3.5	5.2	9.1	6.2	4.7	4.4	4.1	7.0
<b>Sentence Relative to the Guideline Range</b>														
Within Range	64.2	47.5	66.4	50.3	66.0	52.5	64.2	44.8	70.3	59.6	59.7	38.8	62.5	33.6
Above Range	0.8	1.9	0.9	1.2	1.0	1.8	1.1	3.8	1.0	3.4	0.4	1.2	1.5	4.1
Below Range	34.9	50.6	32.7	48.5	33.0	45.7	34.6	51.4	28.7	37.0	39.8	60.0	36.0	62.3
<b>Criminal History Category</b>														
I	35.7	23.8	48.0	30.1	13.8	7.9	37.1	23.4	43.6	31.0	36.5	33.4	39.4	27.5
II	13.8	10.5	14.5	10.4	11.7	6.8	13.3	9.9	16.1	13.8	14.0	13.2	14.4	12.3
III	20.2	14.7	18.4	16.3	23.3	12.5	19.9	14.3	20.6	17.3	19.6	15.0	21.3	15.2
IV	12.5	8.9	9.2	8.0	19.4	10.1	11.8	6.6	9.1	7.2	11.9	9.5	12.8	8.6
V	7.8	5.7	4.3	4.2	13.8	7.1	8.1	6.3	5.5	5.3	7.8	5.0	4.9	7.8
VI	9.9	36.3	5.6	31.0	18.0	55.7	9.8	39.6	5.1	25.4	10.2	23.9	7.4	28.7

<sup>1</sup> 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 AMENDMENT<sup>1</sup>**

<b>CIRCUIT</b>		<b>Average Current Sentence in Months</b>	<b>Average New Sentence in Months</b>	<b>Average Decrease in Months From Current Sentence</b>	<b>Average Percent Decrease From Current Sentence</b>
District	<b>N</b>				
<b>TOTAL</b>	<b>16,553</b>	<b>132</b>	<b>109</b>	<b>23</b>	<b>17.5</b>
<b>D.C. CIRCUIT</b>	<b>39</b>	<b>104</b>	<b>92</b>	<b>12</b>	<b>12.5</b>
District of Columbia	39	104	92	12	12.5
<b>FIRST CIRCUIT</b>	<b>564</b>	<b>117</b>	<b>97</b>	<b>20</b>	<b>17.0</b>
Maine	98	121	100	21	17.5
Massachusetts	74	150	122	29	19.4
New Hampshire	30	132	111	21	16.6
Puerto Rico	326	107	89	18	16.6
Rhode Island	36	122	105	17	14.2
<b>SECOND CIRCUIT</b>	<b>503</b>	<b>124</b>	<b>103</b>	<b>22</b>	<b>16.8</b>
Connecticut	105	116	96	20	16.9
New York					
Eastern	42	200	163	37	17.5
Northern	95	114	92	22	19.2
Southern	159	128	106	21	15.3
Western	74	110	91	19	16.5
Vermont	28	101	85	17	16.6
<b>THIRD CIRCUIT</b>	<b>552</b>	<b>126</b>	<b>105</b>	<b>21</b>	<b>16.6</b>
Delaware	10	126	104	22	19.9
New Jersey	123	110	89	20	18.0
Pennsylvania					
Eastern	220	148	122	25	16.9
Middle	130	111	94	16	15.1
Western	69	117	98	19	15.9
Virgin Islands	0	--	--	--	--
<b>FOURTH CIRCUIT</b>	<b>2,578</b>	<b>138</b>	<b>114</b>	<b>24</b>	<b>17.4</b>
Maryland	300	118	98	20	16.8
North Carolina					
Eastern	376	120	99	21	17.8
Middle	61	148	121	28	18.5
Western	200	121	100	21	16.7
South Carolina	452	140	115	25	17.7
Virginia					
Eastern	453	170	140	29	16.6
Western	467	152	127	25	17.8
West Virginia					
Northern	213	112	93	19	17.3
Southern	56	120	98	22	18.2

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

<b>CIRCUIT</b> District	<b>N</b>	<b>Average Current Sentence in Months</b>	<b>Average New Sentence in Months</b>	<b>Average Decrease in Months From Current Sentence</b>	<b>Average Percent Decrease From Current Sentence</b>
<b>FIFTH CIRCUIT</b>	<b>3,254</b>	<b>123</b>	<b>102</b>	<b>21</b>	<b>17.1</b>
Louisiana					
Eastern	108	141	119	22	15.6
Middle	40	113	92	21	18.1
Western	24	135	113	23	17.0
Mississippi					
Northern	147	125	100	25	20.7
Southern	115	100	83	17	16.9
Texas					
Eastern	560	118	97	22	18.5
Northern	284	129	106	23	17.5
Southern	931	135	113	22	15.7
Western	1,045	112	94	19	17.0
<b>SIXTH CIRCUIT</b>	<b>1,154</b>	<b>114</b>	<b>93</b>	<b>20</b>	<b>18.0</b>
Kentucky					
Eastern	124	126	107	19	15.7
Western	119	139	116	23	16.4
Michigan					
Eastern	74	106	87	19	17.7
Western	48	101	85	16	15.4
Ohio					
Northern	211	109	86	23	20.9
Southern	244	117	97	20	16.7
Tennessee					
Eastern	195	98	77	21	20.8
Middle	53	120	99	21	16.8
Western	86	108	92	17	15.8
<b>SEVENTH CIRCUIT</b>	<b>1,269</b>	<b>148</b>	<b>117</b>	<b>30</b>	<b>19.9</b>
Illinois					
Central	261	158	113	45	27.2
Northern	301	159	132	27	16.4
Southern	262	132	104	28	20.9
Indiana					
Northern	131	140	117	23	16.4
Southern	97	140	114	26	17.8
Wisconsin					
Eastern	112	125	104	21	16.6
Western	105	169	136	33	18.7
<b>EIGHTH CIRCUIT</b>	<b>2,206</b>	<b>136</b>	<b>112</b>	<b>25</b>	<b>18.1</b>
Arkansas					
Eastern	222	122	102	20	17.0
Western	162	108	89	19	17.4
Iowa					
Northern	481	161	127	33	21.5
Southern	247	160	132	28	17.6
Minnesota	130	128	106	22	17.6
Missouri					
Eastern	379	141	117	24	16.3
Western	187	115	96	20	16.8
Nebraska	254	116	96	20	17.0
North Dakota	52	94	75	19	20.9
South Dakota	92	147	122	25	17.4

**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
<b>NINTH CIRCUIT</b>	<b>1,521</b>	<b>124</b>	<b>104</b>	<b>20</b>	<b>16.1</b>
Alaska	79	125	105	20	15.7
Arizona	18	75	65	11	13.9
California					
Central	227	129	110	18	14.1
Eastern	210	116	97	19	16.7
Northern	114	109	92	17	15.3
Southern	133	100	83	17	16.0
Guam	0	--	--	--	--
Hawaii	162	145	120	25	17.5
Idaho	139	118	96	22	18.3
Montana	174	152	125	26	17.2
Nevada	80	118	98	20	16.7
Northern Mariana Islands	3	107	86	21	19.9
Oregon	76	122	102	20	16.6
Washington					
Eastern	26	136	115	21	15.3
Western	80	115	99	16	13.1
<b>TENTH CIRCUIT</b>	<b>882</b>	<b>137</b>	<b>113</b>	<b>24</b>	<b>17.1</b>
Colorado	89	96	78	18	19.0
Kansas	343	152	126	26	17.1
New Mexico	55	109	90	19	17.1
Oklahoma					
Eastern	49	111	93	18	16.9
Northern	72	164	135	29	17.1
Western	66	152	127	25	15.9
Utah	105	128	107	21	15.9
Wyoming	103	128	106	23	17.9
<b>ELEVENTH CIRCUIT</b>	<b>2,031</b>	<b>151</b>	<b>125</b>	<b>27</b>	<b>17.6</b>
Alabama					
Middle	34	123	102	21	16.7
Northern	67	164	136	28	16.2
Southern	242	169	138	31	18.0
Florida					
Middle	288	122	100	23	17.9
Northern	274	203	167	35	17.1
Southern	603	151	126	25	16.5
Georgia					
Middle	157	107	83	24	23.1
Northern	166	154	126	27	17.3
Southern	200	138	114	24	17.3

<sup>1</sup> Of the 23,022 cases reported to the Commission, 53 cases were excluded from this analysis because the case cannot be matched with an original case in the Commission's records and 5,880 cases were excluded from this analysis because the court denied the motion for a sentence reduction. Of the remaining 17,089 cases, 536 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 MOTION<sup>1</sup>**

<b>REASONS</b>	<b>N</b>	<b>%</b>
<b>Offense does not involve drugs</b>	<b>318</b>	<b>5.0</b>
Sentence is determined by a non-drug guideline	260	4.1
Case does not involve drugs	58	0.9
<b>Offender not eligible under §1B1.10</b>	<b>3,698</b>	<b>58.3</b>
Career Offender or Armed Career Criminal provisions control sentence	1,382	21.8
Statutory mandatory minimum controls sentence	1,213	19.1
Guideline range does not change	617	9.7
Already received Amendment 782 reduction	256	4.0
Defendant will be released before November 1, 2015	132	2.1
Statutory maximum sentence is less than applicable guideline range	50	0.8
Original sentence has been served	48	0.8
Base offense level is 43	1	0.0
<b>Denied on the merits</b>	<b>1,355</b>	<b>21.4</b>
Offender has already benefitted from departure or variance	715	11.3
Denial because of binding plea	211	3.3
18 U.S.C. § 3553(a) factors	194	3.1
Protection of the public	158	2.5
Post-sentencing or post-conviction conduct	77	1.2
<b>No reason provided/Other reason</b>	<b>966</b>	<b>15.3</b>
No reason provided	726	11.5
Other	240	3.8

<sup>1</sup> 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, 6,338 reasons were cited in the 5,894 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.