

**U.S. Sentencing Commission
Part A of the 2023 Criminal History Amendment
Retroactivity Data Report**



March 2024

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*. 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 three separate occasions in recent years the Commission has amended the federal sentencing guidelines to lower the punishment for certain drug trafficking crimes, and also voted to apply those reductions retroactively.³ The Commission has also periodically reported on the number of offenders who received a sentence reduction under those retroactive amendments and presented other data regarding those cases.⁴

On April 27, 2023, the United States Sentencing Commission submitted to Congress Amendment 821 to the federal sentencing guidelines revising two criminal history provisions found in Chapter Four of the *Guidelines Manual*. Part A of the amendment made targeted changes to reduce the impact of providing additional criminal history points for offenders under a criminal justice sentence (commonly known as "status points"). Part B provided a two-level downward adjustment for certain offenders with zero criminal history points under the guidelines.

Amendment 821 went into effect on November 1, 2023. On August 24, 2023, the Commission voted to give retroactive effect to Amendment 821 beginning on February 1, 2024. To effectuate that decision, the Commission promulgated Amendment 825, which added Amendment 821 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 and added a

¹ In each federal felony or Class A misdemeanor case, 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 Electronic copies of the 1995-2023 ANNUAL REPORT and SOURCEBOOK OF FEDERAL SENTENCING STATISTICS are available at the Commission's website at www.ussc.gov.

³ *See* Amendment 706, as amended by Amendment 711, and made retroactive by Amendment 713 (the 2007 Crack Cocaine Amendment); Amendment 750, made retroactive by Amendment 759 (the 2010 Fair Sentencing Act Amendment); and Amendment 782 (the 2014 Drug Guidelines Amendment, often referred to as "Drugs Minus Two"), made retroactive by Amendment 788.

⁴ These retroactivity analyses and data reports are available at <https://www.ussc.gov/research/datareports/retroactivity-analyses-and-data-reports>.

new provision at subsection (e)(2) of that policy statement providing, “The court shall not order a reduced term of imprisonment based on Part A or Part B, Subpart 1 of Amendment 821 unless the effective date of the court’s order is February 1, 2024, or later.”.

Under section 3582(c)(2) of title 18, courts are authorized to reduce the sentences of incarcerated persons pursuant to any retroactive guideline amendment. The data in this report represents information concerning motions for a reduced sentence pursuant to the retroactive application of Part A of Amendment 821 decided through March 11, 2024 and for which court documentation was received, coded, and edited at the Commission by March 15, 2024.

Table 1

**MOTIONS FOR RETROACTIVE APPLICATION OF PART A
OF THE 2023 CRIMINAL HISTORY AMENDMENT BY DISTRICT ¹**

District	Total		Granted		Denied		District	Total		Granted		Denied	
	N		N	%	N	%		N		N	%	N	%
TOTAL	3,129		1,440	46.0	1,689	54.0							
Northern Texas	229		33	14.4	196	85.6	Northern Ohio	19		10	52.6	9	47.4
Western Texas	225		149	66.2	76	33.8	Idaho	19		19	100.0	0	0.0
Southern Texas	221		110	49.8	111	50.2	Middle Georgia	18		17	94.4	1	5.6
Eastern Arkansas	141		44	31.2	97	68.8	Northern Georgia	16		16	100.0	0	0.0
Northern Iowa	120		83	69.2	37	30.8	Maine	15		6	40.0	9	60.0
Southern Georgia	118		95	80.5	23	19.5	Colorado	15		15	100.0	0	0.0
Eastern Kentucky	114		46	40.4	68	59.6	New Jersey	14		2	14.3	12	85.7
Eastern Missouri	82		15	18.3	67	81.7	Western Kentucky	14		3	21.4	11	78.6
Western Virginia	79		45	57.0	34	43.0	Western Tennessee	14		9	64.3	5	35.7
Kansas	73		71	97.3	2	2.7	Central California	14		9	64.3	5	35.7
Southern Illinois	71		51	71.8	20	28.2	Eastern Oklahoma	14		8	57.1	6	42.9
Northern West Virginia	69		36	52.2	33	47.8	Northern Oklahoma	14		5	35.7	9	64.3
Southern Iowa	63		14	22.2	49	77.8	Western Arkansas	13		1	7.7	12	92.3
Western North Carolina	62		19	30.6	43	69.4	Northern Alabama	13		6	46.2	7	53.8
Western Missouri	52		28	53.8	24	46.2	Northern Florida	13		4	30.8	9	69.2
Middle Alabama	52		27	51.9	25	48.1	Western Wisconsin	12		1	8.3	11	91.7
Western New York	47		14	29.8	33	70.2	Northern California	12		8	66.7	4	33.3
Northern Indiana	46		12	26.1	34	73.9	Southern Alabama	12		3	25.0	9	75.0
Southern Florida	46		10	21.7	36	78.3	Eastern Washington	11		4	36.4	7	63.6
Southern West Virginia	43		16	37.2	27	62.8	Massachusetts	10		1	10.0	9	90.0
Western Louisiana	43		8	18.6	35	81.4	Montana	10		3	30.0	7	70.0
Southern New York	41		2	4.9	39	95.1	Northern Illinois	9		5	55.6	4	44.4
Eastern Michigan	39		21	53.8	18	46.2	Eastern Pennsylvania	8		7	87.5	1	12.5
Puerto Rico	38		7	18.4	31	81.6	Western Pennsylvania	6		0	0.0	6	100.0
Southern Indiana	38		36	94.7	2	5.3	Western Washington	6		3	50.0	3	50.0
Utah	38		9	23.7	29	76.3	Wyoming	6		0	0.0	6	100.0
Middle Pennsylvania	36		16	44.4	20	55.6	District of Columbia	4		3	75.0	1	25.0
Maryland	36		36	100.0	0	0.0	Eastern New York	4		1	25.0	3	75.0
South Dakota	35		6	17.1	29	82.9	Delaware	4		0	0.0	4	100.0
Southern Ohio	34		28	82.4	6	17.6	North Dakota	4		1	25.0	3	75.0
Southern Mississippi	31		7	22.6	24	77.4	Southern California	4		2	50.0	2	50.0
Central Illinois	30		5	16.7	25	83.3	Hawaii	4		3	75.0	1	25.0
Middle North Carolina	29		17	58.6	12	41.4	Middle Florida	4		3	75.0	1	25.0
Eastern Virginia	29		14	48.3	15	51.7	Rhode Island	3		1	33.3	2	66.7
Minnesota	29		7	24.1	22	75.9	Eastern California	2		1	50.0	1	50.0
Eastern Louisiana	28		22	78.6	6	21.4	Oregon	2		2	100.0	0	0.0
Western Oklahoma	28		2	7.1	26	92.9	Northern New York	1		1	100.0	0	0.0
Eastern North Carolina	26		15	57.7	11	42.3	Nevada	1		1	100.0	0	0.0
Western Michigan	26		1	3.8	25	96.2	Connecticut	0		0	--	0	--
Eastern Wisconsin	26		0	0.0	26	100.0	Vermont	0		0	--	0	--
South Carolina	25		15	60.0	10	40.0	Virgin Islands	0		0	--	0	--
Eastern Texas	25		12	48.0	13	52.0	Northern Mississippi	0		0	--	0	--
Eastern Tennessee	22		16	72.7	6	27.3	Middle Tennessee	0		0	--	0	--
Nebraska	22		11	50.0	11	50.0	Alaska	0		0	--	0	--
Arizona	20		0	0.0	20	100.0	Guam	0		0	--	0	--
New Hampshire	19		12	63.2	7	36.8	Northern Mariana Islands	0		0	--	0	--
Middle Louisiana	19		13	68.4	6	31.6	New Mexico	0		0	--	0	--

SOURCE: U.S. Sentencing Commission, Amendment 821 Datafile.

Table 2**MOTIONS FOR RETROACTIVE APPLICATION OF PART A
OF THE 2023 CRIMINAL HISTORY AMENDMENT
BY YEAR OF ORIGINAL SENTENCE**

Fiscal Year	Total	Granted		Denied	
	N	N	%	N	%
TOTAL	3,129	1,440	46.0	1,689	54.0
2024	5	1	20.0	4	80.0
2023	635	334	52.6	301	47.4
2022	609	295	48.4	314	51.6
2021	373	182	48.8	191	51.2
2020	339	150	44.2	189	55.8
2019	276	121	43.8	155	56.2
2018	227	101	44.5	126	55.5
2017	160	72	45.0	88	55.0
2016	110	44	40.0	66	60.0
2015	77	36	46.8	41	53.2
2014	65	25	38.5	40	61.5
2013	45	16	35.6	29	64.4
2012	34	16	47.1	18	52.9
2011	27	11	40.7	16	59.3
2010	26	10	38.5	16	61.5
2009	18	7	38.9	11	61.1
2008	13	3	23.1	10	76.9
2007	18	4	22.2	14	77.8
2006	15	2	13.3	13	86.7
2005	10	0	0.0	10	100.0
2004	13	2	15.4	11	84.6
2003	5	2	40.0	3	60.0
2002	8	2	25.0	6	75.0
2001	3	1	33.3	2	66.7
2000	7	2	28.6	5	71.4
1999	0	0	--	0	--
1998	3	1	33.3	2	66.7
1997	0	0	--	0	--
1996	2	0	0.0	2	100.0
1995	2	0	0.0	2	100.0
1994	3	0	0.0	3	100.0
1993	1	0	0.0	1	100.0
1992	0	0	--	0	--

SOURCE: U.S. Sentencing Commission, Amendment 821 Datafile.

Table 3

**ORIGIN OF GRANTED MOTIONS FOR RETROACTIVE APPLICATION OF PART A
OF THE 2023 CRIMINAL HISTORY AMENDMENT¹**

CIRCUIT	Total	Defendant ²		Director BOP		Courts	
	N	N	%	N	%	N	%
TOTAL	1,435	807	56.2	0	0.0	628	43.8
D.C. CIRCUIT	3	3	100.0	0	0.0	0	0.0
FIRST CIRCUIT	27	14	51.9	0	0.0	13	48.1
SECOND CIRCUIT	18	16	88.9	0	0.0	2	11.1
THIRD CIRCUIT	23	22	95.7	0	0.0	1	4.3
FOURTH CIRCUIT	212	153	72.2	0	0.0	59	27.8
FIFTH CIRCUIT	353	143	40.5	0	0.0	210	59.5
SIXTH CIRCUIT	134	66	49.3	0	0.0	68	50.7
SEVENTH CIRCUIT	110	110	100.0	0	0.0	0	0.0
EIGHTH CIRCUIT	209	81	38.8	0	0.0	128	61.2
NINTH CIRCUIT	55	52	94.5	0	0.0	3	5.5
TENTH CIRCUIT	110	106	96.4	0	0.0	4	3.6
ELEVENTH CIRCUIT	181	41	22.7	0	0.0	140	77.3

¹ Of the 1,440 cases in which the court granted a motion for a sentence reduction due to the retroactive application of Part A of the 2023 Criminal History Amendment, five cases were excluded from this analysis because the information received by the Commission prevented a determination of motion origin.

² In 21 cases, documents provided to the Commission indicated that an attorney for the government made a joint motion. Those cases appear to be clerical errors.

SOURCE: U.S. Sentencing Commission, Amendment 821 Datafile.

Table 4

**DEMOGRAPHIC CHARACTERISTICS FOR INDIVIDUALS
MAKING MOTIONS FOR RETROACTIVE APPLICATION OF
PART A OF THE 2023 CRIMINAL HISTORY AMENDMENT¹**

Demographics	Granted		Denied	
	N	%	N	%
Race/Ethnicity				
White	383	26.7	420	24.9
Black	639	44.5	791	47.0
Hispanic	380	26.5	433	25.7
Other	33	2.3	40	2.4
Total	1,435	100.0	1,684	100.0
Citizenship				
U.S. Citizen	1,262	87.6	1,487	88.2
Non-Citizen	178	12.4	199	11.8
Total	1,440	100.0	1,686	100.0
Gender				
Male	1,330	92.4	1,493	88.4
Female	110	7.6	195	11.6
Total	1,440	100.0	1,688	100.0
Average Age at Original Sentence		35	36	
Average Age at Motion Decision		39	40	

¹ Of the 3,129 cases reported to the Commission with motion status information, cases were excluded from each section of this table due to the following reasons: missing race information (10), missing citizenship information (3), and missing gender information (1).

SOURCE: U.S. Sentencing Commission, Amendment 821 Datafile.

Table 5

**SELECTED SENTENCING FACTORS FOR INDIVIDUALS
MAKING MOTIONS FOR RETROACTIVE APPLICATION OF
PART A OF THE 2023 CRIMINAL HISTORY AMENDMENT**

Sentencing Factors	Granted	Denied
	%	%
Weapon^{1,2}		
Weapon Specific Offense Characteristic	26.5	33.1
Firearms Mandatory Minimum Applied	18.6	19.6
	9.1	15.3
Safety Valve¹	4.4	6.8
Guideline Role Adjustments¹		
Aggravating Role (USSG §3B1.1)	7.3	10.8
Mitigating Role (USSG §3B1.2)	1.7	2.4
Obstruction Adjustment (USSG §3C1.1)	2.8	4.9
Sentence Relative to the Guideline Range		
Within Range	71.3	49.6
Above Range	3.9	7.3
Below Range	24.9	43.2
Criminal History Category		
I	7.8	6.3
II	28.0	9.2
III	38.8	22.6
IV	16.0	16.8
V	9.3	14.7
VI	0.2	30.5
Career Offender (§4B1.1)¹	0.1	12.1

¹ This section was limited to the 3,068 cases with complete guideline application information.

² In 45 cases the court applied the weapon specific offense characteristic and the offender was also convicted of a firearms offense carrying a mandatory minimum penalty.

SOURCE: U.S. Sentencing Commission, Amendment 821 Datafile.

Table 6**TYPE OF CRIME FOR INDIVIDUALS RECEIVING RETROACTIVE
APPLICATION OF PART A OF THE 2023 CRIMINAL HISTORY AMENDMENT**

TYPE OF CRIME	N	%
TOTAL	1,440	100.0
Administration of Justice	6	0.4
Antitrust	0	0.0
Arson	2	0.1
Assault	16	1.1
Bribery/Corruption	1	0.1
Burglary/Trespass	2	0.1
Child Pornography	21	1.5
Commercialized Vice	1	0.1
Drug Possession	2	0.1
Drug Trafficking	611	42.4
Environmental	0	0.0
Extortion/Racketeering	4	0.3
Firearms	407	28.3
Food and Drug	1	0.1
Forgery/Counter/Copyright	1	0.1
Fraud/Theft/Embezzlement	42	2.9
Immigration	136	9.4
Individual Rights	0	0.0
Kidnapping	3	0.2
Manslaughter	2	0.1
Money Laundering	19	1.3
Murder	4	0.3
National Defense	3	0.2
Obscenity/Other Sex Offenses	4	0.3
Prison Offenses	41	2.8
Robbery	96	6.7
Sexual Abuse	13	0.9
Stalking/Harassing	0	0.0
Tax	0	0.0
Other	2	0.1

SOURCE: U.S. Sentencing Commission, Amendment 821 Datafile.

Table 7**TYPE OF CRIME FOR INDIVIDUALS DENIED RETROACTIVE APPLICATION OF PART A OF THE 2023 CRIMINAL HISTORY AMENDMENT¹**

TYPE OF CRIME	N	%
TOTAL	1,688	100.0
Administration of Justice	6	0.4
Antitrust	0	0.0
Arson	4	0.2
Assault	24	1.4
Bribery/Corruption	1	0.1
Burglary/Trespass	1	0.1
Child Pornography	19	1.1
Commercialized Vice	1	0.1
Drug Possession	0	0.0
Drug Trafficking	891	52.8
Environmental	0	0.0
Extortion/Racketeering	5	0.3
Firearms	356	21.1
Food and Drug	0	0.0
Forgery/Counter/Copyright	1	0.1
Fraud/Theft/Embezzlement	50	3.0
Immigration	78	4.6
Individual Rights	0	0.0
Kidnapping	10	0.6
Manslaughter	2	0.1
Money Laundering	15	0.9
Murder	27	1.6
National Defense	3	0.2
Obscenity/Other Sex Offenses	5	0.3
Prison Offenses	10	0.6
Robbery	141	8.4
Sexual Abuse	32	1.9
Stalking/Harassing	5	0.3
Tax	1	0.1
Other	0	0.0

¹ Of the 1,689 cases in which the court denied a motion for a sentence reduction due to the retroactive application of Part A of the 2023 Criminal History Amendment, one was excluded due to missing information on the type of crime.

SOURCE: U.S. Sentencing Commission, Amendment 821 Datafile.

Table 8

**EXTENT OF SENTENCE REDUCTIONS DUE TO RETROACTIVE
APPLICATION OF PART A OF THE 2023 CRIMINAL HISTORY AMENDMENT¹**

CIRCUIT District	N	Mean			
		Current Sentence In Months	New Sentence In Months	Decrease In Months From Current Sentence ²	Percent Decrease From Current Sentence
TOTAL	1,259	93	83	10	12.7
D.C. CIRCUIT	1	--	--	--	--
District of Columbia	1	--	--	--	--
FIRST CIRCUIT	26	108	97	11	11.0
Maine	6	133	118	14	11.2
Massachusetts	1	--	--	--	--
New Hampshire	11	106	96	9	9.0
Puerto Rico	7	101	89	12	11.8
Rhode Island	1	--	--	--	--
SECOND CIRCUIT	15	71	63	8	11.8
Connecticut	0	--	--	--	--
New York					
Eastern	1	--	--	--	--
Northern	1	--	--	--	--
Southern	2	--	--	--	--
Western	11	71	63	8	11.4
Vermont	0	--	--	--	--
THIRD CIRCUIT	17	103	92	11	12.1
Delaware	0	--	--	--	--
New Jersey	2	--	--	--	--
Pennsylvania					
Eastern	3	123	107	16	14.1
Middle	12	103	93	10	11.7
Western	0	--	--	--	--
Virgin Islands	0	--	--	--	--
FOURTH CIRCUIT	199	101	90	10	11.8
Maryland	26	94	85	9	10.2
North Carolina					
Eastern	15	87	78	9	11.9
Middle	17	75	68	8	10.9
Western	17	72	63	9	14.1
South Carolina	14	107	94	14	12.1
Virginia					
Eastern	13	124	111	13	12.1
Western	45	134	123	11	8.7
West Virginia					
Northern	36	103	91	11	12.9
Southern	16	59	49	10	18.3

Table 8 (cont.)

CIRCUIT	District	N	Mean			
			Current Sentence In Months	New Sentence In Months	Decrease In Months From Current Sentence ²	Percent Decrease From Current Sentence
FIFTH CIRCUIT		342	78	69	9	13.1
Louisiana						
Eastern		17	117	105	12	12.1
Middle		12	115	103	11	11.9
Western		8	89	80	9	13.0
Mississippi						
Northern		0	--	--	--	--
Southern		6	61	53	8	19.2
Texas						
Eastern		12	94	81	13	14.7
Northern		33	127	113	14	11.7
Southern		106	77	68	8	11.5
Western		148	60	53	7	14.3
SIXTH CIRCUIT		111	92	82	10	12.7
Kentucky						
Eastern		45	107	98	10	10.5
Western		3	49	41	8	17.6
Michigan						
Eastern		15	75	66	10	14.4
Western		1	--	--	--	--
Ohio						
Northern		10	57	46	11	20.5
Southern		19	107	95	12	13.1
Tennessee						
Eastern		10	79	71	8	11.0
Middle		0	--	--	--	--
Western		8	87	77	10	11.7
SEVENTH CIRCUIT		81	105	94	11	12.2
Illinois						
Central		5	58	52	7	12.8
Northern		1	--	--	--	--
Southern		50	121	108	13	11.5
Indiana						
Northern		12	75	67	8	11.6
Southern		12	95	85	10	15.1
Wisconsin						
Eastern		0	--	--	--	--
Western		1	--	--	--	--
EIGHTH CIRCUIT		189	87	77	9	14.4
Arkansas						
Eastern		44	45	39	6	23.0
Western		1	--	--	--	--
Iowa						
Northern		83	113	101	12	12.3
Southern		13	85	77	8	12.8
Minnesota		1	--	--	--	--
Missouri						
Eastern		14	77	68	9	13.2
Western		19	74	67	7	9.7
Nebraska		11	100	90	10	11.1
North Dakota		1	--	--	--	--
South Dakota		2	--	--	--	--

Table 8 (cont.)

CIRCUIT	District	N	Mean			
			Current Sentence In Months	New Sentence In Months	Decrease In Months From Current Sentence ²	Percent Decrease From Current Sentence
NINTH CIRCUIT		50	90	80	10	13.1
	Alaska	0	--	--	--	--
	Arizona	0	--	--	--	--
	California					
	Central	9	125	115	10	8.6
	Eastern	1	--	--	--	--
	Northern	6	73	61	12	18.7
	Southern	2	--	--	--	--
	Guam	0	--	--	--	--
	Hawaii	3	84	76	8	10.3
	Idaho	19	84	73	10	13.7
	Montana	2	--	--	--	--
	Nevada	1	--	--	--	--
	Northern Mariana Islands	0	--	--	--	--
	Oregon	2	--	--	--	--
	Washington					
	Eastern	2	--	--	--	--
	Western	3	54	47	7	12.1
TENTH CIRCUIT		85	126	113	13	11.2
	Colorado	5	84	77	7	9.5
	Kansas	56	149	135	15	10.7
	New Mexico	0	--	--	--	--
	Oklahoma					
	Eastern	8	97	86	11	12.5
	Northern	5	68	58	10	15.0
	Western	2	--	--	--	--
	Utah	9	79	70	9	11.3
	Wyoming	0	--	--	--	--
ELEVENTH CIRCUIT		143	103	92	11	12.6
	Alabama					
	Middle	27	98	86	12	13.4
	Northern	6	76	69	7	11.9
	Southern	2	--	--	--	--
	Florida					
	Middle	3	73	65	8	11.8
	Northern	4	90	79	11	19.4
	Southern	10	147	132	14	12.5
	Georgia					
	Middle	3	139	119	20	18.4
	Northern	14	83	75	9	11.5
	Southern	74	107	95	11	12.1

¹ Of the 1,440 cases in which the court granted a motion for a sentence reduction due to the retroactive application of Part A of the 2023 Criminal History Amendment, 179 cases were excluded from this analysis because the resulting term of imprisonment could not be determined from the records received by the Commission. Another two cases were excluded because the court document provided that the new sentence was a “time served” sentence without specifying the length of time that had been served.

² The average sentence lengths and the average decrease in months from the current sentence are rounded to the nearest whole number. Consequently, the average decrease in months from the current sentence may not equal the difference between the rounded average current sentence and the rounded average new sentence.

Table 9

**REASONS GIVEN BY SENTENCING COURTS FOR DENIAL OF
MOTION FOR RETROACTIVE APPLICATION OF PART A
OF THE 2023 CRIMINAL HISTORY AMENDMENT¹**

REASONS	N	%
Not eligible under the amendment	414	21.8
Did not receive status points	414	21.8
Not eligible under §1B1.10	803	42.4
CHC does not change	423	22.3
Career Offender or Armed Career Criminal provisions control sentence	122	6.4
Current sentence below new guideline range and no §5K1.1	104	5.5
Statutory mandatory minimum penalty controls sentence	64	3.4
Guideline range does not change	59	3.1
Sentenced to trumping statutory maximum penalty	13	0.7
Original sentence has been served	12	0.6
Offender received Amendment 821 reduction at original sentencing	3	0.2
Defendant will be released before effective date of amendment	3	0.2
CHC determined by Repeat and Dangerous Sex Offender (USSG §4B1.5)	0	0.0
Denied on the merits	246	13.0
18 U.S.C. § 3553(a) factors	159	8.4
Post-sentencing or post-conviction conduct	35	1.8
Binding plea agreement determined sentence	28	1.5
Offender has already benefitted from departure or variance	24	1.3
No reason provided/Other reason	434	22.9
No reason provided	351	18.5
Other	83	4.4

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, 1,897 reasons were cited in the 1,689 cases in which the court denied a motion for a sentence reduction due to the retroactive application of Part A of the 2023 Criminal History Amendment.

SOURCE: U.S. Sentencing Commission, Amendment 821 Datafile.