Federal Sentencing Snapshot: Compassionate Release Trends

This fact sheet provides a snapshot of findings from the U.S. Sentencing Commission’s report, Compassionate Release: The Impact of the First Step Act and COVID-19 Pandemic.

**OVERVIEW**

The number of offenders who sought compassionate release dramatically increased in fiscal year 2020. The First Step Act, which authorized the defendant to file a motion in federal court, helped facilitate a substantial increase in grants of compassionate release during the COVID-19 pandemic.

Overwhelmingly, courts cited grant reasons comparable to those listed by the Commission in its policy statement; however, in the absence of recently amended federal sentencing guidelines, application of compassionate release among those studied varied considerably across the country.

Read the Commission’s full report: https://www.ussc.gov/topic/compassionate-release
An offender’s age, the length of original sentence imposed, and the amount of time already served by the offender emerged as the central factors that impacted the likelihood an offender would be granted relief.

When offenders were granted relief in fiscal year 2020, they received substantial reductions in sentence, both in months and as a percentage of their original sentence.

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1 Courts cited reasons specifically described in the Commission’s compassionate release policy statement (USSG §1B1.13) or reasons comparable to the reasons specifically described in the policy statement.

2 The Commission lost a voting quorum shortly after enactment of the First Step Act. As a result, §1B1.13 reflects the pre-First Step Act procedural requirement that the court may reduce a term of imprisonment only “upon motion of the Director of the Bureau of Prisons.”

3 Courts often cited multiple reasons for granting relief. “COVID-19 health concerns” was at least one of the reasons cited by the court in 72% of granted cases.

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