UNITED STATES SENTENCING COMMISSION

VARIABLE CODEBOOK FOR
COMPASSIONATE RELEASE: THE IMPACT OF THE FIRST STEP ACT AND COVID-19 PANDEMIC

INTRODUCTION

The United States Sentencing Commission is an independent agency in the judicial branch of government. Its principal purposes are: (1) to establish sentencing policies and practices for the federal courts, including guidelines to be consulted regarding the appropriate form and severity of punishment for offenders convicted of federal crimes; (2) to advise and assist Congress and the executive branch in the development of effective and efficient crime policy; and (3) to collect, analyze, research, and distribute a broad array of information on federal crime and sentencing issues, serving as an information resource for Congress, the executive branch, the courts, criminal justice practitioners, the academic community, and the public.

Section 3582(c)(1)(A) of title 18 of the United States Code (commonly referred to as the "compassionate release" provision) authorizes a court to reduce a defendant's term of imprisonment for "extraordinary and compelling" reasons. As part of its annual data collection processes, the Commission receives sentencing documents for any sentence modifications, including sentence reductions granted pursuant to 18 U.S.C. § 3582(c)(1)(A). This codebook discusses the data available in the Commission's Compassionate Release Publication datafile. The Commission released a report using this data in March 2022 (*see* Compassionate Release: The Impact of the First Step Act and COVID-19 Pandemic at www.USSC.gov) (hereinafter the "Compassionate Release Publication"). Most grants of compassionate release included in the report were identified in the court documents submitted to the Commission through its standard document collection process. The Commission identified most denials of compassionate release, and a small number of additional grants, through a separate process described in the methodology section of the Compassionate Release publication.

The Commission conducted a special coding project to collect the reasons courts cited for granting or denying compassionate release and, for offenders granted relief, additional information about the nature of the relief received. The study group for this special coding project included all 1,805 offenders who were granted compassionate release in fiscal year 2020 ("Offenders Granted Relief") and a 40 percent proportionate stratified random sample (n=2,028) of the 5,209 offenders whose motion for compassionate release was denied in fiscal year 2020 ("Offenders Denied Relief"). To reflect the changes over the course of the year, the denial sample included 40 percent of offenders denied compassionate release during each month of the study period. For additional information about case selection/inclusion, please see the methodology section of the Commission's Compassionate Release Publication.

There are two data selections used in this report: 1) basic data on all offenders whose motion for compassionate release was decided in fiscal year 2020, which are variables collected on an on-going basis for the Commission's compassionate release datafile; 2) special publication coding data, which are the coding variables for the Offenders Granted Release and the Offenders Denied Release sample collected only for the Compassionate Release Publication. Please see the variable INREPORT (p.7) of this codebook to limit data selection to the Offenders Granted Release and the Offenders Denied Release sample. Note that due to the special coding efforts, the data presented in the Compassionate Release Publication may differ from the on-going data reports released by the Commission (*see* Compassionate Release Data Reports at ussc.gov).

How to Use the Compassionate Release Codebook

The first column in the codebook, NAME, lists the name of each variable in alphabetical order. Under the variable names, the corresponding research variable name (if one exists) will be listed as: R=Research variable name. The research variables are generally those used in the Commission's publications such as the *Sourcebook of Federal Sentencing Statistics*.

The second column, FORMAT, describes whether the variable is coded as numeric (NUM), character (CHAR), or date (DATE). This column also lists the length of each variable.

The third column, VALUES, lists all the values for each variable and describes what those values mean. Some of the variables have a large number of values, so these values are listed in Appendix B at the end of the codebook.

The final column, DESCRIPTION, describes the uses and creation of each variable. This column also contains notes which caution users about variables which have changed definitions from previous years, or not contained on all years of the data sets.

Attachments have been included at the back of the codebook to elaborate on variable information. Appendix A discusses the calculation of time-served and reduction. Appendix B provides details for variables with a larger number of values.

NAME	FORMAT	VALUES	DESCRIPTION
AGGROLYN	NUM 3	0 = No Aggravating Role Applied 1 = Yes, Aggravating Role Applied	Indicates whether an Aggravating Role Adjustment (§3B1.1) was applied at original sentencing (taken from USSC's original offender datafile at the time of the original sentencing).
COL_CRSENTYPE	NUM 3	1 = Prison Time Imposed 2 = Alternative Sentence Imposed 3 = Time Served	Collapsed version of type of sentence received for offenders granted compassionate release. See CRSENTYPE for expanded version. **Only available in special coding datafile.**
COVID_CAT	NUM 3	1 = COVID is the only reason 2 = COVID + Other Reasons 3 = Reasons Not Provided, But Def motion cites COVID as one of the reasons 4 = COVID not a cited reason	Categorized variable to indicate if COVID-19 was cited as a reason for the grant or, if no reasons were available, cited in the motion for compassionate release. **Only available in special coding datafile.**
CRAGECAT	NUM 3	1 = Under 25 2 = 25 to 34 3 = 35 to 44 4 = 45 to 54 5 = 55 to 64 6 = 65 to 74 7 = 75 and Older	Category of age of offender at the time of the compassionate release grant or denial.
CRCIRCDIST	NUM 3	Range: 1 thru 94 (See Appendix B)	The federal judicial district where the compassionate release request was decided.
CRGOVOBJ	NUM 3	Range: 0 thru 3 0 = No 1 = Yes 2 = Missing/Undetermined 3 = No Response Filed	Indicates whether the government objected to the compassionate release request.

NAME	FORMAT	VALUES	DESCRIPTION
CRMONCIRC	NUM 3	Range: 0 thru 11 0 = DC 1 = First 2 = Second 3 = Third 4 = Fourth 5 = Fifth 6 = Sixth 7 = Seventh 8 = Eighth 9 = Ninth 10 = Tenth 11 = Eleventh	Indicates the federal judicial circuit in which the compassionate release request was decided. ***This variable is generated from the entry for judicial district (CRCIRCDIST).***
CRSENTMON	NUM 3	1 = January 2020 2 = February 2020 3 = March 2020 4 = April 2020 5 = May 2020 6 = June 2020 7 = July 2020 8 = August 2020 9 = September 2020 10 = October 2019 11 = November 2019 12 = December 2019	The month when the compassionate release request was decided during fiscal year 2020.
CRSENTYPE	NUM 3	1 = Prison Time Imposed 2 = Alternative Sentence Imposed 3 = Time Served + Supervised Release Imposed 4 = Time Served + Probation Imposed 5 = Time Served Only	Type of sentence received for offenders granted compassionate release. See COL_CRSENTYPE for collapsed version. **Only available in special coding datafile.**
DENIAL_SAMP	NUM 3	0 = Not in Denial Sample 1 = Denial Sample Case	Indicates cases that were included in the denial sample portion of the report which have additional variables used for the report.
D_ANY3553PROT	NUM 3	0 = No 1 = Yes	Indicates if a case has 18 U.S.C. § 3553 factors/protection of the public as any of the denial reasons cited in the case. **Only available in special coding datafile.**

NAME	FORMAT	VALUES	DESCRIPTION
D_ANYEIGHTY	NUM 3	0 = No 1 = Yes	Indicates if a case has one of the extraordinary and compelling grouped reasons as any of the denial reasons cited in the case. This variable is used in Figure 25 of the Compassionate Release Report. **Only available in special coding datafile.**
D_ANYEXHAUST	NUM 3	0 = No 1 = Yes	Indicates if a case has failure to exhaust administrative remedies as any of the denial reasons cited in the case. **Only available in special coding datafile.**
D_ONLY3553PROT	NUM 3	0 = No 1 = Yes	Indicates if a case has the grouped 18 U.S.C. § 3553 factors/protection of the public as the **only** denial reasons cited in the case. **Only available in special coding datafile.**
D_ONLYEIGHTY	NUM 3	0 = No 1 = Yes	Indicates if a case has one of the extraordinary and compelling grouped reasons as the **only** denial reason cited in the case. **Only available in special coding datafile.**
D_ONLYEXHAUST	NUM 3	0 = No 1 = Yes	Indicates if a case has failure to exhaust administrative remedies as the **only** denial reason cited in the case. **Only available in special coding datafile.**
GC_COVID_ANY	NUM 3	0 = No 1 = Yes	Indicates if COVID-19 was any of the reasons cited for granting the compassionate release. **Only available in special coding datafile.**
GUNDUM	NUM 3	0 = No 18 U.S.C. § 924(c) conviction 1 = Yes, at least one 18 U.S.C. § 924(c) conviction	Indicates if a conviction under 18 U.S.C. § 924(c) occurred in the original sentencing (taken from USSC's original offender datafile at the time of the original sentencing).
INREPORT	NUM 3	0 = Not in the CR Report Denial Sample File 1 = One of the 3,833 cases that were either granted compassionate release or in the denial sample	Indicates if the case was either a grant or in the denial sample (*i.e.*, was one of the 3,833 cases in the non-population section of the report). *Use this variable to only select cases in the "Special coding datafile".*

NAME	FORMAT	VALUES	DESCRIPTION
MITROLYN	NUM 3	0 = No Mitigating Role Applied 1 = Yes, Mitigating Role Applied	Indicates whether a Mitigating Role Adjustment (§3B1.2) was applied at original sentencing (taken from USSC's original offender datafile at the time of the original sentencing).
MOTSTAT	NUM 3	0 = Denied 1 = Granted	Indicates whether the offender's motion for compassionate release was granted or was denied.
NONDUP_GREAS1 thru NONDUP_GREAS5	NUM 3	1 = COVID-19 2 = Terminal Illness 3 = Other Medical 4 = Age 65/75 Reasons Combined (Note 1 (B)) 5 = Family Circumstances (Note 1 (C)) 6 = Rehabilitation 7 = Extraordinary and Compelling (Specific Reasons Not Specified) 8 = Nearly Meets Note 1 (C) 9 = 18 U.S.C. § 924(c) Mandatory Minimum Stacking 10 = Enhanced Drug Mandatory Minimum Penalties (21 U.S.C. § 851) 11 = Other Sentence Related Reasons 12 = All other Reasons 99 = Missing/Indeterminable	Indicates the reason(s) for the compassionate release grant. Note that judges often cited more than one reason for each offender. **Only available in special coding datafile.** **Note that in the report, the percent reported for each reason is based on the denominator of cases (N=1,805) not reasons. In the report both E&C Unspecified (Value 7) and Missing (Value 99) are combined and reported as "Reasons Unspecified" in Figure 17.**
OBSTRCYN	NUM 3	0 = No 1 = Yes, Applied	Indicates whether Obstruction of Justice Adjustment (§3C1.1) was applied at original sentencing (taken from USSC's original offender datafile at the time of the original sentencing).
OP_MONSEX	NUM 3	0 = Male 1 = Female · = Missing, Indeterminable, or Inapplicable	Indicates the offender's gender (taken from USSC's original offender datafile at the time of the original sentencing).

NAME	FORMAT	VALUES	DESCRIPTION
OP_XCRHISSR	NUM 3	Range: 1 thru 6 · = Missing, Indeterminable, or Inapplicable	Defendant's final criminal history category (I-VI), as determined by the court (taken from USSC's original offender datafile at the time of the original sentencing).
ORIGINATOR	NUM 3	1 = Offender Motion 2 = Director of BOP 4 = Attorney for Government 5 = Joint Motion	Identifies the originator of the motion for compassionate release.
OS_ACCAP	NUM 3	0 = No 1 = Yes, Applied	Indicates whether the Armed Career Criminal Provision (see §4B1.4 in the *Guidelines Manual*) was applied at the original sentencing (taken from USSC's original offender datafile at the time of the original sentencing).
OS_CAROFFAP	NUM 3	0 = No 1 = Yes, Applied	Indicates whether the Career Offender Provision (see §4B1.1 in the *Guidelines Manual*) was applied at the original sentencing (taken from USSC's original offender datafile at the time of the original sentencing).
OS_NEWCIT	NUM 3	0 = U.S. 1 = Non-U.S. (Includes Legal and Illegal Aliens) · = Missing, Indeterminable, or Inapplicable	Citizenship of offender (taken from USSC's original offender datafile at the time of the original sentencing).
OS_NEWCNVTN	NUM 3	0 = Plea 1 = Trial · = Missing, Indeterminable, or Inapplicable	Indicates whether the offender was convicted through a plea agreement or after a trial (taken from USSC's original offender datafile at the time of the original sentencing).
OS_NEWRACE	NUM 3	1 = White 2 = Black 3 = Hispanic 6 = Other · = Missing, Indeterminable, or Inapplicable	Race of offender (taken from USSC's original offender datafile at the time of the original sentencing).

NAME	FORMAT	VALUES	DESCRIPTION
OS_OFFGUIDE	NUM 3	Range: 1 thru 30 (See Appendix B)	Primary type of crime for the case generated mainly from the primary guideline the court applied at sentencing and then the count of conviction with the highest statutory maximum (taken from USSC's original offender datafile at the time of the original sentencing).

OS_SENSPLT0	NUM 8	Range: 0 thru 9997
		  0 = Probation
		470 = Life
		  · = Missing, Indeterminable, or Inapplicable
			The total original prison sentence, in months, plus alternatives, **with probation sentences assigned zero months.** Missing terms are set to " ·". This field includes sentences of time imposed, time served, and §5G1.3 credit. *Alternatives include home detention, community confinement, and intermittent confinement.*
			
			Note that this field is taken from USSC's original offender datafile at the time of the original sentencing and may not be the most current sentence for the offender. See Appendix A for more information.

OS_WEAPSOC	NUM 3	0 = No SOC Weapon Enhancement Present 1 = SOC Weapon Enhancement Present · = Missing, Indeterminable, or Inapplicable	Indicates an SOC enhancement for a weapon applied at the time of the original sentencing (taken from USSC's original offender datafile at the time of the original sentencing). *For more information on weapons, see also GUNDUM.*
REDUCTM	NUM 8	Range: 0 to 1345	Reduction in the sentence (in months) for cases granted compassionate release. **Only available in special coding datafile.**
REDUCTP	NUM 8	Range: 0 to 100	Reduction in the sentence (as percentage) for cases granted compassionate release. **Only available in special coding datafile.**
SAFEYN	NUM 3	0 = Did Not Receive Safety Valve 1 = Did Receive Safety Valve	Indicates if the offender received the safety valve at the time of the original sentencing (taken from USSC's original offender datafile at the time of the original sentencing).

NAME	FORMAT	VALUES	DESCRIPTION
SLENGTH	NUM 3	1 = <12 Months 2 = 12 months – <24 Months 3 = 24 months – <60 Months 4 = 60 months – <120 Months 5 = 120 months – <240 Months 6 = 240+ months . = Missing/Undeterminable	Categorized original sentence length. This field is taken from USSC's original offender datafile at the time of the original sentencing (see OS_SENSPLT0).
TSERVEDM	NUM 8	Range: 0 to 900	Amount of time served (in months). This was usually calculated based on the offender's original sentence and sentence date. However, if the documents received indicated that an offender was re-sentenced or received a modification of sentence prior to the compassionate release decision, the newer (lower) sentence was used. If an offender had been released from his/her original sentence but was incarcerated based on a probation or supervised release violation, then the violation sentence and violation sentence date were used for the calculation. See Appendix A for more information. **Only available in special coding datafile.**
TSERVEDP	NUM 8	Range: 0 to 100	Amount of time served (as a percentage). This was usually calculated based on the offender's original sentence and sentence date. However, if the documents received indicated that an offender was re-sentenced prior to the compassionate release decision, the newer (lower) sentence was used. If an offender had been released from his/her original sentence but was incarcerated based on a probation or supervised release violation, then the violation sentence and violation sentence date were used for the calculation. See Appendix A for more information. **Only available in special coding datafile.**

NAME	FORMAT	VALUES	DESCRIPTION
UNDUP_GROUPD1 thru UNDUP_GROUPD6	NUM 3	1 = Failure to Exhaust Administrative Remedies 2 = Not at Risk from COVID-19 3 = Insufficient Proof of Medical Issues 4 = Able to Provide Self-care in Prison 5 = Age/Time Served Requirements Not Met 6 = Other Care Available for Family Member 7 = Rehabilitation Insufficient 8 = Does not Strictly Meet Requirements of Note 1 (A thru C) 9 = 18 U.S.C. § 924(c) Stacking 10 = 21 U.S.C. § 851 Enhanced Drug Penalties 11 = Other Sentence Related Reasons 12 = Conviction Issues 13 = Other 14 = Post Sentencing/Conviction conduct 15 = Protection of Public 16 = 18 U.S.C. §3553 Factors 99 = Missing/Indeterminable	Indicates the reason(s) for the compassionate release denial. Note that judges often cited more than one reason for each offender. **Only available in special coding datafile.** **Note that in the report, the percent reported for each reason is based on the denominator of cases (N=2,028) not reasons.**
USSCIDN	NUM 6	Range: 7 Digits	Unique sequential identification number given to cases upon receipt at USSC.

Additional Information About Sentences, Time Served, and Amount of Reduction

Offenders who applied for compassionate release all had an original federal sentencing that had occurred prior to the compassionate release request. The original sentence length and the original type of crime are used for reporting purposes in Figures 10-13 in the Compassionate Release Publication.

When an offender was granted compassionate release, the judge took one of the follow actions: imposed a prison sentence that was a reduction in the offender's current sentence, but which required the offender to remain in prison to continue serving the remaining time on the sentence; imposed a sentence of alternative confinement (generally home detention) to be served; or imposed a sentence of "time served," which resulted in the release of the offender.

The type of compassionate release sentence (CRSENTYPE) was determined as follows:
- If the judge imposed a prison sentence in months/specified an amount of time left to be served in months, or if the time imposed was greater than 21 days, then the sentence type was categorized as "time imposed". Note that the requirement that a sentence be more than 21 days for this category was decided based on the large number of cases where the offender's release was delayed for 2-3 weeks for a quarantine period prior to release. In those cases, the stay of up to 21-days was not intended to be a new sentence.
- If the judge imposed no prison time in months (but may have imposed prison time up to 21 days), and at least one form of alternative confinement (home detention, intermittent confinement, or community confinement) was imposed, then the type of sentence was categorized as "alternative confinement".
- If an offender received a prison sentence of 21 days or less (and no months) and no alternative confinement, then the type of sentence was categorized as "time served."

The difference between the offender's original sentence date and the compassionate release decision date was used to determine the time served amount in months (TSERVEDM). Some offenders were resentenced or received a modification of sentence (for reasons other than compassionate release) prior to the compassionate release decision. If so, the newer sentence was used for the purposes of calculating the amount of time served. If an offender had been released from his/her original sentence and was subsequently incarcerated based on a probation violation or supervised release violation, then the violation sentence and violation sentence date were used for the time served calculation.

In some cases, offenders had more than one federal conviction (resulting in two or more separate sentencings) or had both federal and state sentences. In other cases, the exact date when the offender began serving time for the "instant" federal offense could not be determined. In all these situations, the amount of time served is missing.

The percent of the time served (TSERVEDP) was calculated by dividing the time served by the violation sentence, or the latest sentence due to a re-sentencing or modification of sentence if the offender was still in prison, or the original sentence if the offender had not received a new

sentence via a re-sentencing, and then multiplying by 100. Cases where the time served amount was missing or the most recent sentence was "life" were excluded from calculations.

The amount of reduction in months (REDUCTM) was calculated from the most recent sentence (violation, re-sentence, or original). For the time-imposed cases (i.e., those offenders who had reduced sentences, but still had to serve time in prison), the reduction was calculated based on the most recent sentence minus the time-imposed amount. For cases where an alternative sentence was imposed, the formula to determine the amount of reduction was the most current sentence minus the time imposed and then the amount of time served was subtracted from that result. For cases where a "time served" sentence was imposed, the formula to calculate the amount of reduction was the most recent sentence minus the amount of time served in months. Cases missing the time served amount and cases where the current sentence was life imprisonment were excluded from the reduction in months calculations.

The percent of time served (REDUCTP) was calculated by dividing the time served by the amount of reduction in months by the most recent sentence, and then multiplying by 100. Cases where the reduction in months was missing or the most recent sentence was life imprisonment were excluded from calculations.

APPENDIX B

OS_CIRCDIST

01 = Dist of Columbia
02 = Maine
03 = Massachusetts
04 = New Hampshire
05 = Puerto Rico
06 = Rhode Island
07 = Connecticut
08 = New York East
09 = New York North
10 = New York South
11 = New York West
12 = Vermont
13 = Delaware
14 = New Jersey
15 = Penn. East
16 = Penn. Mid
17 = Penn. West
18 = Virgin Islands
19 = Maryland
20 = N Carolina East
21 = N Carolina Mid
22 = N Carolina West
23 = South Carolina
24 = Virginia East
25 = Virginia West
26 = W Virginia North
27 = W Virginia South
28 = Louisiana East
29 = Louisiana Middle
30 = Louisiana West
31 = Miss. North
32 = Miss. South
33 = Texas East
34 = Texas North
35 = Texas South
36 = Texas West
37 = Kentucky East
38 = Kentucky West
39 = Michigan East
40 = Michigan West
41 = Ohio North
42 = Ohio South
43 = Tennessee East
44 = Tennessee Mid
45 = Tennessee West
46 = Illinois Cent
47 = Illinois North

48 = Illinois South
49 = Indiana North
50 = Indiana South
51 = Wisconsin East
52 = Wisconsin West
53 = Arkansas East
54 = Arkansas West
55 = Iowa North
56 = Iowa South
57 = Minnesota
58 = Missouri East
59 = Missouri West
60 = Nebraska
61 = North Dakota
62 = South Dakota
63 = Alaska
64 = Arizona
65 = California Cent
66 = California East
67 = California North
68 = California South
69 = Guam
70 = Hawaii
71 = Idaho
72 = Montana
73 = Nevada
74 = N Mariana Island
75 = Oregon
76 = Washington East
77 = Washington West
78 = Colorado
79 = Kansas
80 = New Mexico
81 = Oklahoma East
82 = Oklahoma North
83 = Oklahoma West
84 = Utah
85 = Wyoming
86 = Alabama Mid
87 = Alabama North
88 = Alabama South
89 = Florida Mid
90 = Florida North
91 = Florida South
92 = Georgia Mid
93 = Georgia North
94 = Georgia South

OS_OFFGUIDE

1 = Administration of Justice
2 = Antitrust
3 = Arson
4 = Assault
5 = Bribery/Corruption
6 = Burglary/Trespass
7 = Child Pornography
8 = Commercialized Vice
9 = Drug Possession
10 = Drug Trafficking
11 = Environmental
12 = Extortion/Racketeering
13 = Firearms
14 = Food and Drug
15 = Forgery/Counter/Copyright
16 = Fraud/Theft/Embezzlement
17 = Immigration
18 = Individual Rights
19 = Kidnapping
20 = Manslaughter
21 = Money Launder
22 = Murder
23 = National Defense
24 = Obscenity/Other Sex
　　　Offenses
25 = Prison Offenses
26 = Robbery
27 = Sex Abuse
28 = Stalking/Harassing
29 = Tax
30 = Other
　. = Missing