

# **U.S. Sentencing Commission Compassionate Release Data Report**

**Fiscal Years 2020 to 2021**



**May 2022**

## 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 ongoing 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 ongoing fiscal year (*i.e.*, data from the start of the fiscal year through the most current quarter). From time to time the Commission also reports data regarding other sentencing trends, such as resentencings or other modifications of sentences previously imposed.

Section 3582(c)(1)(A) of title 18, United States Code, provides courts with the authority to reduce a term of imprisonment after it has been imposed in specific circumstances. One of the circumstances provided in the statute is that “extraordinary and compelling reasons” warrant such a reduction. Motions asserting that reason are commonly referred to as “compassionate release” motions. When considering any motion under section 3582(c)(1)(A), courts are also required to consider the factors set forth in section 3553(a) of title 18 and to find that any reduction “is consistent with applicable policy statements issued by the Sentencing Commission.”<sup>3</sup>

Before December 2018, courts were authorized to consider motions under section 3582(c)(1)(A) only if they were filed by the Director of the Bureau of Prisons. In December 2018, Congress amended that portion of section 3582 to authorize courts to also consider motions filed by offenders, in certain circumstances.<sup>4</sup>

---

<sup>1</sup> 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).

<sup>2</sup> Electronic copies of the 1995-2021 ANNUAL REPORT and SOURCEBOOK OF FEDERAL SENTENCING STATISTICS are available at the Commission's website at [www.ussc.gov](http://www.ussc.gov).

<sup>3</sup> U.S. SENTENCING COMM'N, Guidelines Manual §1B1.13 (Nov. 2021) [hereinafter USSG].

<sup>4</sup> The First Step Act of 2018 (Pub. L. No. 115-391 (2018)) went into effect on December 21, 2018. Section 603 of the Act amended section 3582(c)(1)(A) of title 18 to authorize “defendants” (*i.e.*, offenders) to file a motion for compassionate release “after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier.”

With the advent of the COVID-19 pandemic,<sup>5</sup> the courts received thousands of compassionate release motions, most filed by offenders. This report provides an analysis of the compassionate release motions filed with the courts during the COVID-19 pandemic. The data in this report reflects compassionate release motions decided by the courts during fiscal years 2020 and 2021 (October 1, 2019 – September 30, 2022). Prior to October 1, 2020, courts submitted to the Commission documentation regarding motions for all compassionate release that were granted, but not for compassionate release motions that were denied. For the time period of January 1, 2020 to September 30, 2020, the Commission obtained documentation for compassionate release motions that were denied, where available, by searching court records using the PACER system. Beginning October 1, 2020, courts began submitting to the Commission documentation for all compassionate release motions, regardless of whether they were granted or denied. The data in this report is limited to motions for which the Commission received or obtained court documentation and completed its analysis by March 8, 2022.

---

<sup>5</sup> The World Health Organization declared the coronavirus (COVID-19) outbreak a global pandemic on March 11, 2020. President Trump declared a national emergency concerning the coronavirus (COVID-19) on March 13, 2020.

**Table 1****MOTIONS FOR COMPASSIONATE RELEASE  
BY MONTH OF COURT DECISION<sup>1</sup>**

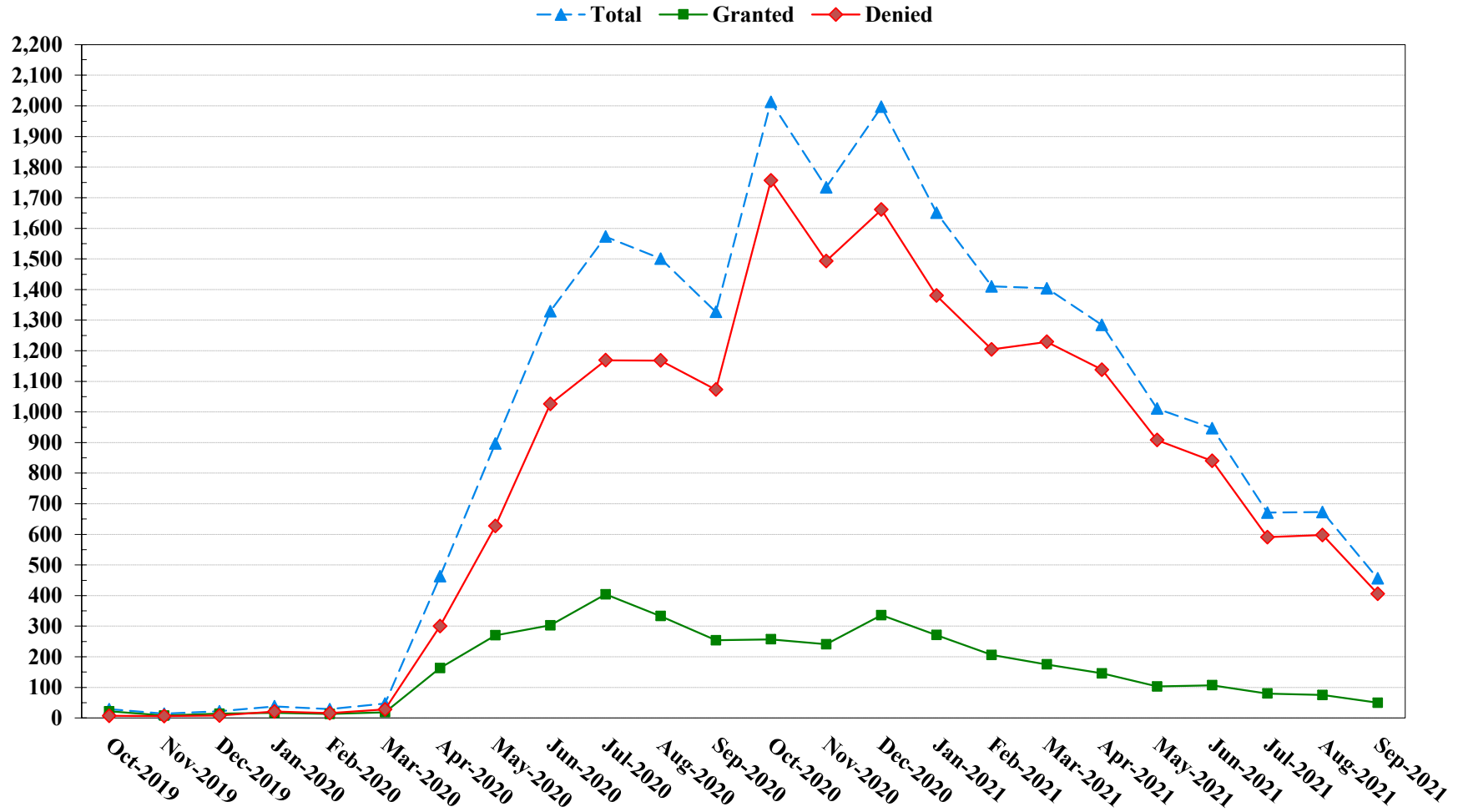
<b>Year</b>	<b>Month</b>	<b>Total</b>	<b>Granted</b>		<b>Denied</b>	
		<b>N</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
<b>TOTAL</b>		<b>22,520</b>	<b>3,867</b>	<b>17.2</b>	<b>18,653</b>	<b>82.8</b>
2019	October	29	22	75.9	7	24.1
2019	November	14	8	57.1	6	42.9
2019	December	22	14	63.6	8	36.4
2020	January	38	17	44.7	21	55.3
2020	February	29	13	44.8	16	55.2
2020	March	47	19	40.4	28	59.6
2020	April	463	163	35.2	300	64.8
2020	May	897	270	30.1	627	69.9
2020	June	1,329	303	22.8	1,026	77.2
2020	July	1,573	404	25.7	1,169	74.3
2020	August	1,501	333	22.2	1,168	77.8
2020	September	1,327	254	19.1	1,073	80.9
2020	October	2,013	257	12.8	1,756	87.2
2020	November	1,734	241	13.9	1,493	86.1
2020	December	1,997	336	16.8	1,661	83.2
2021	January	1,651	271	16.4	1,380	83.6
2021	February	1,410	206	14.6	1,204	85.4
2021	March	1,404	175	12.5	1,229	87.5
2021	April	1,284	146	11.4	1,138	88.6
2021	May	1,011	103	10.2	908	89.8
2021	June	947	107	11.3	840	88.7
2021	July	671	80	11.9	591	88.1
2021	August	673	75	11.1	598	88.9
2021	September	456	50	11.0	406	89.0

---

<sup>1</sup> Of the 23,194 cases reported to the Commission, 674 were excluded due to indeterminable motion status.

SOURCE: U.S. Sentencing Commission, Compassionate Release Datafile.

**Figure 1**  
**MOTIONS FOR COMPASSIONATE RELEASE**  
**BY MONTH OF COURT DECISION**



SOURCE: U.S. Sentencing Commission, Compassionate Release Datafile.

Table 2

GEOGRAPHICAL DISTRIBUTION OF MOTIONS FOR COMPASSIONATE RELEASE BY DISTRICT<sup>1</sup>

District	Total		Granted		Denied		District	Total		Granted		Denied	
	N		N	%	N	%		N		N	%	N	%
<b>TOTAL</b>	<b>22,520</b>		<b>3,867</b>	<b>17.2</b>	<b>18,653</b>	<b>82.8</b>							
Southern Florida	969		139	14.3	830	85.7	Kansas	202		83	41.1	119	58.9
Eastern Virginia	784		113	14.4	671	85.6	Western Tennessee	187		12	6.4	175	93.6
Middle Florida	782		45	5.8	737	94.2	District of Columbia	178		53	29.8	125	70.2
Maryland	646		211	32.7	435	67.3	Southern West Virginia	171		9	5.3	162	94.7
Northern Texas	615		30	4.9	585	95.1	Northern Georgia	170		76	44.7	94	55.3
Southern New York	591		124	21.0	467	79.0	Nebraska	169		22	13.0	147	87.0
Western North Carolina	534		18	3.4	516	96.6	Colorado	168		22	13.1	146	86.9
Eastern Michigan	523		164	31.4	359	68.6	Eastern Louisiana	160		16	10.0	144	90.0
Southern Iowa	501		42	8.4	459	91.6	Massachusetts	160		75	46.9	85	53.1
Western Missouri	500		49	9.8	451	90.2	Southern Ohio	152		44	28.9	108	71.1
Northern Illinois	481		145	30.1	336	69.9	Western Wisconsin	149		13	8.7	136	91.3
South Carolina	463		87	18.8	376	81.2	South Dakota	147		16	10.9	131	89.1
Eastern North Carolina	455		101	22.2	354	77.8	North Dakota	147		5	3.4	142	96.6
Minnesota	415		96	23.1	319	76.9	Southern Alabama	145		15	10.3	130	89.7
Southern Indiana	380		38	10.0	342	90.0	Oregon	144		91	63.2	53	36.8
Western Texas	374		32	8.6	342	91.4	Utah	140		20	14.3	120	85.7
Eastern Missouri	371		40	10.8	331	89.2	Maine	139		11	7.9	128	92.1
Middle Pennsylvania	370		18	4.9	352	95.1	Eastern Arkansas	135		6	4.4	129	95.6
Central Illinois	357		61	17.1	296	82.9	Middle Tennessee	135		34	25.2	101	74.8
Eastern Texas	349		7	2.0	342	98.0	Northern Alabama	134		20	14.9	114	85.1
Eastern California	344		60	17.4	284	82.6	Alaska	125		26	20.8	99	79.2
Northern Iowa	343		21	6.1	322	93.9	Eastern Washington	122		25	20.5	97	79.5
Middle North Carolina	331		21	6.3	310	93.7	Western New York	121		30	24.8	91	75.2
New Jersey	325		43	13.2	282	86.8	New Hampshire	116		21	18.1	95	81.9
Eastern Kentucky	314		19	6.1	295	93.9	Middle Alabama	115		6	5.2	109	94.8
Eastern Pennsylvania	301		97	32.2	204	67.8	Northern Florida	111		42	37.8	69	62.2
Eastern New York	300		67	22.3	233	77.7	Northern Mississippi	106		14	13.2	92	86.8
Northern Ohio	287		60	20.9	227	79.1	Northern West Virginia	102		7	6.9	95	93.1
Southern Texas	280		76	27.1	204	72.9	Wyoming	95		22	23.2	73	76.8
Northern California	280		106	37.9	174	62.1	Vermont	91		39	42.9	52	57.1
Central California	275		86	31.3	189	68.7	Western Oklahoma	81		3	3.7	78	96.3
Western Washington	273		60	22.0	213	78.0	Nevada	77		34	44.2	43	55.8
Western Virginia	271		61	22.5	210	77.5	Rhode Island	75		30	40.0	45	60.0
Western Pennsylvania	270		37	13.7	233	86.3	Northern Oklahoma	72		28	38.9	44	61.1
Southern Georgia	248		5	2.0	243	98.0	Northern New York	67		18	26.9	49	73.1
Northern Indiana	245		20	8.2	225	91.8	Arizona	62		20	32.3	42	67.7
Western Michigan	245		12	4.9	233	95.1	Eastern Oklahoma	58		3	5.2	55	94.8
Southern Mississippi	227		12	5.3	215	94.7	New Mexico	55		19	34.5	36	65.5
Connecticut	223		87	39.0	136	61.0	Western Louisiana	45		14	31.1	31	68.9
Middle Georgia	217		4	1.8	213	98.2	Middle Louisiana	41		3	7.3	38	92.7
Southern California	217		90	41.5	127	58.5	Western Arkansas	27		2	7.4	25	92.6
Southern Illinois	214		15	7.0	199	93.0	Puerto Rico	24		19	79.2	5	20.8
Montana	212		25	11.8	187	88.2	Idaho	23		8	34.8	15	65.2
Western Kentucky	211		11	5.2	200	94.8	Delaware	21		4	19.0	17	81.0
Eastern Tennessee	210		42	20.0	168	80.0	Guam	14		7	50.0	7	50.0
Hawaii	206		34	16.5	172	83.5	Virgin Islands	6		0	0.0	6	100.0
Eastern Wisconsin	202		48	23.8	154	76.2	Northern Mariana Islands	5		1	20.0	4	80.0

<sup>1</sup> Of the 23,194 cases reported to the Commission, 674 were excluded due to indeterminable motion status.

**Table 3**

**MOTIONS FOR COMPASSIONATE RELEASE  
IN EACH CIRCUIT AND DISTRICT<sup>1</sup>**

<b>CIRCUIT</b> District	<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>22,520</b>	<b>3,867</b>	<b>17.2</b>	<b>18,653</b>	<b>82.8</b>
<b>D.C. CIRCUIT</b>	<b>178</b>	<b>53</b>	<b>29.8</b>	<b>125</b>	<b>70.2</b>
District of Columbia	178	53	29.8	125	70.2
<b>FIRST CIRCUIT</b>	<b>514</b>	<b>156</b>	<b>30.4</b>	<b>358</b>	<b>69.6</b>
Maine	139	11	7.9	128	92.1
Massachusetts	160	75	46.9	85	53.1
New Hampshire	116	21	18.1	95	81.9
Puerto Rico	24	19	79.2	5	20.8
Rhode Island	75	30	40.0	45	60.0
<b>SECOND CIRCUIT</b>	<b>1,393</b>	<b>365</b>	<b>26.2</b>	<b>1,028</b>	<b>73.8</b>
Connecticut	223	87	39.0	136	61.0
New York					
Eastern	300	67	22.3	233	77.7
Northern	67	18	26.9	49	73.1
Southern	591	124	21.0	467	79.0
Western	121	30	24.8	91	75.2
Vermont	91	39	42.9	52	57.1
<b>THIRD CIRCUIT</b>	<b>1,293</b>	<b>199</b>	<b>15.4</b>	<b>1,094</b>	<b>84.6</b>
Delaware	21	4	19.0	17	81.0
New Jersey	325	43	13.2	282	86.8
Pennsylvania					
Eastern	301	97	32.2	204	67.8
Middle	370	18	4.9	352	95.1
Western	270	37	13.7	233	86.3
Virgin Islands	6	0	0.0	6	100.0
<b>FOURTH CIRCUIT</b>	<b>3,757</b>	<b>628</b>	<b>16.7</b>	<b>3,129</b>	<b>83.3</b>
Maryland	646	211	32.7	435	67.3
North Carolina					
Eastern	455	101	22.2	354	77.8
Middle	331	21	6.3	310	93.7
Western	534	18	3.4	516	96.6
South Carolina	463	87	18.8	376	81.2
Virginia					
Eastern	784	113	14.4	671	85.6
Western	271	61	22.5	210	77.5
West Virginia					
Northern	102	7	6.9	95	93.1
Southern	171	9	5.3	162	94.7

**Table 3 (cont.)**

CIRCUIT District	TOTAL	Granted		Denied	
	N	N	%	N	%
<b>FIFTH CIRCUIT</b>	<b>2,197</b>	<b>204</b>	<b>9.3</b>	<b>1,993</b>	<b>90.7</b>
Louisiana					
Eastern	160	16	10.0	144	90.0
Middle	41	3	7.3	38	92.7
Western	45	14	31.1	31	68.9
Mississippi					
Northern	106	14	13.2	92	86.8
Southern	227	12	5.3	215	94.7
Texas					
Eastern	349	7	2.0	342	98.0
Northern	615	30	4.9	585	95.1
Southern	280	76	27.1	204	72.9
Western	374	32	8.6	342	91.4
<b>SIXTH CIRCUIT</b>	<b>2,264</b>	<b>398</b>	<b>17.6</b>	<b>1,866</b>	<b>82.4</b>
Kentucky					
Eastern	314	19	6.1	295	93.9
Western	211	11	5.2	200	94.8
Michigan					
Eastern	523	164	31.4	359	68.6
Western	245	12	4.9	233	95.1
Ohio					
Northern	287	60	20.9	227	79.1
Southern	152	44	28.9	108	71.1
Tennessee					
Eastern	210	42	20.0	168	80.0
Middle	135	34	25.2	101	74.8
Western	187	12	6.4	175	93.6
<b>SEVENTH CIRCUIT</b>	<b>2,028</b>	<b>340</b>	<b>16.8</b>	<b>1,688</b>	<b>83.2</b>
Illinois					
Central	357	61	17.1	296	82.9
Northern	481	145	30.1	336	69.9
Southern	214	15	7.0	199	93.0
Indiana					
Northern	245	20	8.2	225	91.8
Southern	380	38	10.0	342	90.0
Wisconsin					
Eastern	202	48	23.8	154	76.2
Western	149	13	8.7	136	91.3
<b>EIGHTH CIRCUIT</b>	<b>2,755</b>	<b>299</b>	<b>10.9</b>	<b>2,456</b>	<b>89.1</b>
Arkansas					
Eastern	135	6	4.4	129	95.6
Western	27	2	7.4	25	92.6
Iowa					
Northern	343	21	6.1	322	93.9
Southern	501	42	8.4	459	91.6
Minnesota	415	96	23.1	319	76.9
Missouri					
Eastern	371	40	10.8	331	89.2
Western	500	49	9.8	451	90.2
Nebraska	169	22	13.0	147	87.0
North Dakota	147	5	3.4	142	96.6
South Dakota	147	16	10.9	131	89.1



**Table 3 (cont.)**

CIRCUIT District	TOTAL	Granted		Denied	
	N	N	%	N	%
<b>NINTH CIRCUIT</b>	<b>2,379</b>	<b>673</b>	<b>28.3</b>	<b>1,706</b>	<b>71.7</b>
Alaska	125	26	20.8	99	79.2
Arizona	62	20	32.3	42	67.7
California					
Central	275	86	31.3	189	68.7
Eastern	344	60	17.4	284	82.6
Northern	280	106	37.9	174	62.1
Southern	217	90	41.5	127	58.5
Guam	14	7	50.0	7	50.0
Hawaii	206	34	16.5	172	83.5
Idaho	23	8	34.8	15	65.2
Montana	212	25	11.8	187	88.2
Nevada	77	34	44.2	43	55.8
Northern Mariana Islands	5	1	20.0	4	80.0
Oregon	144	91	63.2	53	36.8
Washington					
Eastern	122	25	20.5	97	79.5
Western	273	60	22.0	213	78.0
<b>TENTH CIRCUIT</b>	<b>871</b>	<b>200</b>	<b>23.0</b>	<b>671</b>	<b>77.0</b>
Colorado	168	22	13.1	146	86.9
Kansas	202	83	41.1	119	58.9
New Mexico	55	19	34.5	36	65.5
Oklahoma					
Eastern	58	3	5.2	55	94.8
Northern	72	28	38.9	44	61.1
Western	81	3	3.7	78	96.3
Utah	140	20	14.3	120	85.7
Wyoming	95	22	23.2	73	76.8
<b>ELEVENTH CIRCUIT</b>	<b>2,891</b>	<b>352</b>	<b>12.2</b>	<b>2,539</b>	<b>87.8</b>
Alabama					
Middle	115	6	5.2	109	94.8
Northern	134	20	14.9	114	85.1
Southern	145	15	10.3	130	89.7
Florida					
Middle	782	45	5.8	737	94.2
Northern	111	42	37.8	69	62.2
Southern	969	139	14.3	830	85.7
Georgia					
Middle	217	4	1.8	213	98.2
Northern	170	76	44.7	94	55.3
Southern	248	5	2.0	243	98.0

<sup>1</sup> Of the 23,194 cases reported to the Commission, 674 were excluded due to indeterminable motion status.

SOURCE: U.S. Sentencing Commission, Compassionate Release Datafile.

**Table 4****MOTIONS FOR COMPASSIONATE RELEASE  
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>22,438</b>	<b>3,833</b>	<b>17.1</b>	<b>18,605</b>	<b>82.9</b>
2021	166	24	14.5	142	85.5
2020	2,370	362	15.3	2,008	84.7
2019	3,863	548	14.2	3,315	85.8
2018	2,823	420	14.9	2,403	85.1
2017	2,193	272	12.4	1,921	87.6
2016	1,666	208	12.5	1,458	87.5
2015	1,484	227	15.3	1,257	84.7
2014	1,223	185	15.1	1,038	84.9
2013	1,062	206	19.4	856	80.6
2012	859	170	19.8	689	80.2
2011	674	114	16.9	560	83.1
2010	591	110	18.6	481	81.4
2009	566	114	20.1	452	79.9
2008	452	107	23.7	345	76.3
2007	375	77	20.5	298	79.5
2006	314	86	27.4	228	72.6
2005	254	70	27.6	184	72.4
2004	236	65	27.5	171	72.5
2003	189	52	27.5	137	72.5
2002	143	43	30.1	100	69.9
2001	122	48	39.3	74	60.7
2000	139	56	40.3	83	59.7
1999	104	43	41.3	61	58.7
1998	85	31	36.5	54	63.5
1997	105	28	26.7	77	73.3
1996	90	40	44.4	50	55.6
1995	73	36	49.3	37	50.7
1994	68	26	38.2	42	61.8
1993	60	20	33.3	40	66.7
1992	44	17	38.6	27	61.4
1991	28	18	64.3	10	35.7
1990	12	8	66.7	4	33.3
1989	5	2	40.0	3	60.0

<sup>1</sup> Of the 22,520 cases reported to the Commission, 82 were excluded from this analysis because the cases cannot be matched with an original case in the Commission's records.

SOURCE: U.S. Sentencing Commission, Compassionate Release Datafile.

**Table 5**

**ORIGIN OF GRANTED MOTIONS FOR COMPASSIONATE RELEASE<sup>1</sup>**

CIRCUIT	Total	Defendant		Director BOP		Attorney for the Government		Joint Motion <sup>2</sup>	
	N	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>3,856</b>	<b>3,709</b>	<b>96.2</b>	<b>41</b>	<b>1.1</b>	<b>5</b>	<b>0.1</b>	<b>101</b>	<b>2.6</b>
D.C. CIRCUIT	53	52	98.1	0	0.0	0	0.0	1	1.9
FIRST CIRCUIT	154	151	98.1	1	0.6	0	0.0	2	1.3
SECOND CIRCUIT	363	362	99.7	1	0.3	0	0.0	0	0.0
THIRD CIRCUIT	199	187	94.0	2	1.0	0	0.0	10	5.0
FOURTH CIRCUIT	626	618	98.7	5	0.8	1	0.2	2	0.3
FIFTH CIRCUIT	201	193	96.0	7	3.5	1	0.5	0	0.0
SIXTH CIRCUIT	398	389	97.7	4	1.0	0	0.0	5	1.3
SEVENTH CIRCUIT	340	333	97.9	4	1.2	0	0.0	3	0.9
EIGHTH CIRCUIT	299	263	88.0	1	0.3	0	0.0	35	11.7
NINTH CIRCUIT	672	623	92.7	7	1.0	1	0.1	41	6.1
TENTH CIRCUIT	199	193	97.0	4	2.0	0	0.0	2	1.0
ELEVENTH CIRCUIT	352	345	98.0	5	1.4	2	0.6	0	0.0

<sup>1</sup> Of the 3,867 cases in which the court granted a motion for compassionate release, 11 cases were excluded from this analysis because the information received by the Commission prevented a determination of motion origin.

<sup>2</sup> Joint motion by the defendant and the attorney for the government.

SOURCE: U.S. Sentencing Commission, Compassionate Release Datafile.

**Table 6****DEMOGRAPHIC CHARACTERISTICS FOR OFFENDERS MAKING  
MOTIONS FOR COMPASSIONATE RELEASE<sup>1</sup>**

<b>Demographics</b>	<b>Granted</b>		<b>Denied</b>	
	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
<b>Race/Ethnicity</b>				
White	1,238	32.4	5,899	31.8
Black	1,759	46.1	8,951	48.2
Hispanic	674	17.6	3,069	16.5
Other	148	3.9	638	3.4
<b>Total</b>	<b>3,819</b>	<b>100.0</b>	<b>18,557</b>	<b>100.0</b>
<b>Citizenship</b>				
U.S. Citizen	3,470	91.5	17,214	92.8
Non-Citizen	322	8.5	1,342	7.2
<b>Total</b>	<b>3,792</b>	<b>100.0</b>	<b>18,556</b>	<b>100.0</b>
<b>Gender</b>				
Male	3,486	90.2	16,925	90.8
Female	379	9.8	1,720	9.2
<b>Total</b>	<b>3,865</b>	<b>100.0</b>	<b>18,645</b>	<b>100.0</b>
<b>Average Age at Original Sentence</b>		<b>43</b>	<b>39</b>	
<b>Average Age at Release</b>		<b>50</b>	<b>45</b>	

<sup>1</sup> Of the 22,520 cases reported to the Commission, cases were excluded from each section of this table due to the following reasons: missing race information (144), missing citizenship information (172), missing gender information (10), and missing age information (131).

SOURCE: U.S. Sentencing Commission, Compassionate Release Datafile.

**Table 7**

**SELECTED SENTENCING FACTORS FOR OFFENDERS  
MAKING MOTIONS FOR COMPASSIONATE RELEASE<sup>1</sup>**

<b>Sentencing Factors</b>	<b>Granted</b>	<b>Denied</b>
	<b>%</b>	<b>%</b>
<b>Weapon<sup>2,3</sup></b>	33.7	34.0
Weapon Specific Offense Characteristic	16.8	19.1
Firearms Mandatory Minimum Applied	19.8	17.2
<b>Safety Valve<sup>2</sup></b>	9.3	6.8
<b>Guideline Role Adjustments<sup>2</sup></b>		
Aggravating Role (USSG §3B1.1)	17.2	16.5
Mitigating Role (USSG §3B1.2)	4.2	1.9
Obstruction Adjustment (USSG §3C1.1)	8.6	7.7
<b>Sentence Relative to the Guideline Range</b>		
Within Range	44.4	48.3
Above Range	2.5	4.4
Below Range	53.2	47.3
<b>Criminal History Category</b>		
I	30.0	25.9
II	10.3	9.6
III	14.1	15.6
IV	9.8	11.1
V	6.6	7.8
VI	29.1	29.9
<b>Career Offender (§4B1.1)<sup>2</sup></b>	17.6	16.7

<sup>1</sup> Of the 22,520 cases reported to the Commission, 82 were excluded from this analysis because the cases cannot be matched with an original case in the Commission's records.

<sup>2</sup> This section was limited to the 21,596 cases with complete guideline application information.

<sup>3</sup> In 504 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, Compassionate Release Datafile.

**Table 8****TYPE OF CRIME FOR OFFENDERS  
RECEIVING COMPASSIONATE RELEASE<sup>1</sup>**

<b>TYPE OF CRIME</b>	<b>N</b>	<b>%</b>
<b>TOTAL</b>	<b>3,818</b>	<b>100.0</b>
Administration of Justice	14	0.4
Antitrust	2	0.1
Arson	8	0.2
Assault	20	0.5
Bribery/Corruption	20	0.5
Burglary/Trespass	0	0.0
Child Pornography	123	3.2
Commercialized Vice	4	0.1
Drug Possession	1	0.0
Drug Trafficking	2,034	53.3
Environmental	3	0.1
Extortion/Racketeering	13	0.3
Firearms	463	12.1
Food and Drug	0	0.0
Forgery/Counter/Copyright	6	0.2
Fraud/Theft/Embezzlement	350	9.2
Immigration	38	1.0
Individual Rights	7	0.2
Kidnapping	8	0.2
Manslaughter	1	0.0
Money Laundering	138	3.6
Murder	59	1.5
National Defense	11	0.3
Obscenity/Other Sex Offenses	4	0.1
Prison Offenses	13	0.3
Robbery	378	9.9
Sexual Abuse	61	1.6
Stalking/Harassing	3	0.1
Tax	34	0.9
Other	2	0.1

<sup>1</sup> Of the 3,867 cases in which the court granted a motion for compassionate release, 34 were excluded from this analysis because the cases cannot be matched with an original case in the Commission's records. Of the remaining cases, 15 were excluded due to missing information on the type of crime.

SOURCE: U.S. Sentencing Commission, Compassionate Release Datafile.

**Table 9****TYPE OF CRIME FOR OFFENDERS  
DENIED COMPASSIONATE RELEASE<sup>1</sup>**

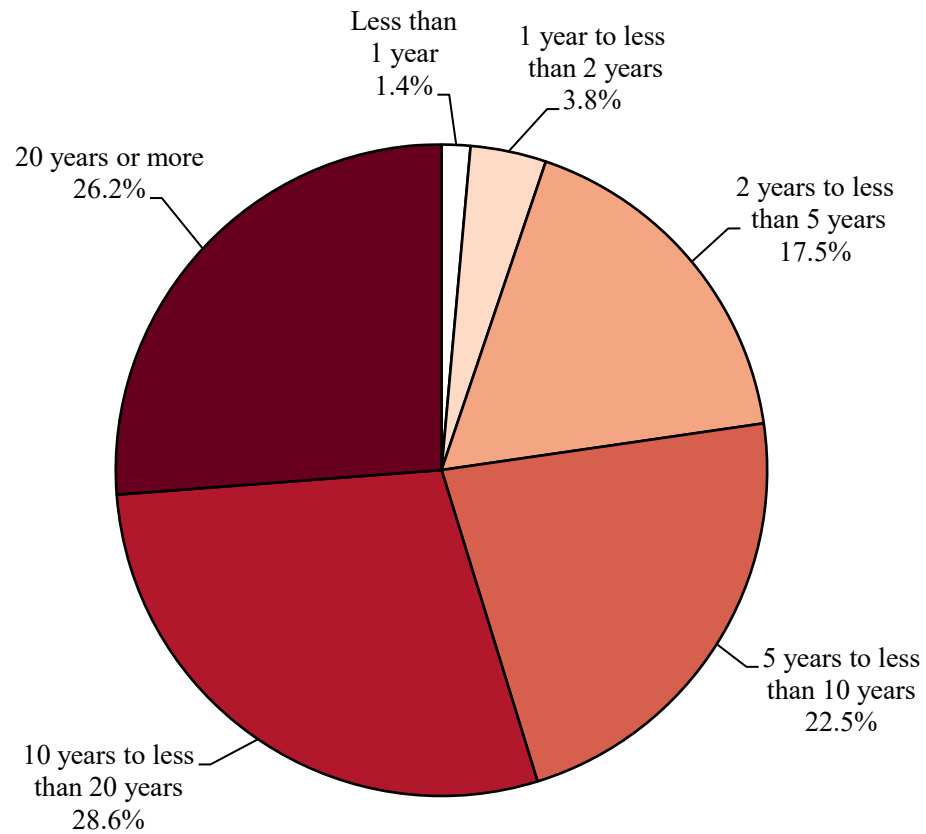
<b>TYPE OF CRIME</b>	<b>N</b>	<b>%</b>
<b>TOTAL</b>	<b>18,588</b>	<b>100.0</b>
<b>Administration of Justice</b>	47	0.3
<b>Antitrust</b>	1	0.0
<b>Arson</b>	35	0.2
<b>Assault</b>	146	0.8
<b>Bribery/Corruption</b>	51	0.3
<b>Burglary/Trespass</b>	5	0.0
<b>Child Pornography</b>	815	4.4
<b>Commercialized Vice</b>	14	0.1
<b>Drug Possession</b>	2	0.0
<b>Drug Trafficking</b>	9,599	51.6
<b>Environmental</b>	3	0.0
<b>Extortion/Racketeering</b>	68	0.4
<b>Firearms</b>	2,726	14.7
<b>Food and Drug</b>	6	0.0
<b>Forgery/Counter/Copyright</b>	14	0.1
<b>Fraud/Theft/Embezzlement</b>	1,391	7.5
<b>Immigration</b>	83	0.4
<b>Individual Rights</b>	28	0.2
<b>Kidnapping</b>	92	0.5
<b>Manslaughter</b>	6	0.0
<b>Money Laundering</b>	526	2.8
<b>Murder</b>	419	2.3
<b>National Defense</b>	44	0.2
<b>Obscenity/Other Sex Offenses</b>	21	0.1
<b>Prison Offenses</b>	64	0.3
<b>Robbery</b>	1,462	7.9
<b>Sexual Abuse</b>	729	3.9
<b>Stalking/Harassing</b>	42	0.2
<b>Tax</b>	134	0.7
<b>Other</b>	15	0.1

<sup>1</sup> Of the 18,653 cases in which the court denied a motion for compassionate release, 48 were excluded from this analysis because the cases cannot be matched with an original case in the Commission's records. Of the remaining cases, 17 were excluded due to missing information on the type of crime.

SOURCE: U.S. Sentencing Commission, Compassionate Release Datafile.

**Figure 2**

**ORIGINAL SENTENCE LENGTH FOR OFFENDERS RECEIVING COMPASSIONATE RELEASE<sup>1</sup>**



---

<sup>1</sup> Of the 3,867 cases in which the court granted a motion for compassionate release, information on the original sentence length was missing in 74 cases.

SOURCE: U.S. Sentencing Commission, Compassionate Release Datafile.



**Table 10**  
**REASONS GIVEN BY SENTENCING COURTS FOR**  
**FOR GRANTED MOTIONS<sup>1</sup>**  
**Fiscal Year 2020**

<b>REASONS</b>	<b>N</b>	<b>%</b>
COVID-19/pandemic	1,303	61.6
Missing/no reason provided	253	12.0
Serious physical or medical condition (USSG §1B1.13, Note 1(A)(ii))	187	8.8
Terminal illness (USSG §1B1.13, Note 1(A)(i))	68	3.2
Rehabilitation	49	2.3
Age 65 and deteriorating health and served 10 years/75% (USSG §1B1.13, Note 1(B))	43	2.0
Multiple 18 U.S.C. § 924(c) penalties	37	1.7
Extraordinary and compelling (not specified)	34	1.6
Deteriorating physical or mental health due to aging process (USSG §1B1.13, Note 1(A))	25	1.2
Family circumstance - care for minor child (USSG §1B1.13, Note 1(C))	23	1.1
Nearly meets requirements of USSG §1B1.13, Notes (1)(A)-(C)	17	0.8
Career Offender issues	11	0.5
Serious functional or cognitive impairment (USSG §1B1.13, Note 1(A)(ii))	10	0.5
Family circumstance - care for spouse or registered partner (USSG §1B1.13, Note 1(C))	8	0.4
21 U.S.C. § 851 enhanced drug penalties	7	0.3
Other mandatory minimum penalties/long sentence	6	0.3
Mandatory nature of guideline at sentencing	4	0.2
BOP failure to provide treatment	3	0.1
Age 70 and served 30 years of sentence (18 U.S.C. § 3559)	2	0.1
Safety Valve disqualification	2	0.1
BOP Program Statement	1	0.0
Other	23	1.1
<b>TOTAL</b>	<b>2,116</b>	<b>100.0</b>

<sup>1</sup> The court granted a motion for compassionate release in 1,820 cases in Fiscal Year 2020. Courts may cite multiple reasons for granting motions; consequently, the total number of granted reasons cited generally exceeds the total number of cases. In this table, 2,116 reasons were cited for the 1,820 cases.

SOURCE: U.S. Sentencing Commission, Compassionate Release Datafile.

**Table 11**  
**REASONS GIVEN BY SENTENCING COURTS**  
**FOR DENIAL OF MOTION<sup>1</sup>**  
**Fiscal Year 2020**

<b>REASONS</b>	<b>N</b>	<b>%</b>
18 U.S.C § 3553(a) factors	2,154	22.5
Not at risk from COVID/pandemic	2,104	21.9
Failure to exhaust administrative remedies	1,713	17.9
No extraordinary and compelling reason provided	1,107	11.5
Protection of the public	1,015	10.6
Insufficient proof of serious physical and medical condition	430	4.5
Defendant able to provide self-care in prison	195	2.0
Does not meet age or length of time served requirement under 18 U.S.C. § 3559	178	1.9
Missing/no reason provided	164	1.7
Rehabilitation insufficient	84	0.9
Post-sentencing/post-conviction conduct	59	0.6
Other care available for minor child	54	0.6
Insufficient proof of deteriorating physical or mental health	17	0.2
Other care available for spouse or partner	17	0.2
Insufficient proof of serious functional or cognitive impairment	11	0.1
Mandatory minimum penalty	8	0.1
Binding plea agreement	6	0.1
Other	277	2.9
<b>TOTAL</b>	<b>9,593</b>	<b>100.0</b>

<sup>1</sup> The court denied a motion for compassionate release in 5,449 cases in Fiscal Year 2020. Courts may cite multiple reasons for denying motions; consequently, the total number of denial reasons cited generally exceeds the total number of cases. In this table, 9,593 reasons were cited for the 5,449 cases.

SOURCE: U.S. Sentencing Commission, Compassionate Release Datafile.

**Table 12**  
**REASONS GIVEN BY SENTENCING COURTS FOR**  
**FOR GRANTED MOTIONS<sup>1</sup>**  
**Fiscal Year 2021**

<b>REASONS</b>	<b>N</b>	<b>%</b>
COVID-19/pandemic	1,273	50.2
Missing/no reason provided	292	11.5
Rehabilitation	235	9.3
Serious physical or medical condition (USSG §1B1.13, Note 1(A)(ii))	157	6.2
Multiple 18 U.S.C. § 924(c) penalties	145	5.7
Family circumstance - care for minor child (USSG §1B1.13, Note 1(C))	50	2.0
Extraordinary and compelling (not specified)	48	1.9
Terminal illness (USSG §1B1.13, Note 1(A)(i))	47	1.9
21 U.S.C. § 851 enhanced drug penalties	41	1.6
Career Offender issues	26	1.0
Nearly meets requirements of USSG §1B1.13, Notes (1)(A)-(C)	24	0.9
Other mandatory minimum penalties/long sentence	21	0.8
Deteriorating physical or mental health due to aging process (USSG §1B1.13, Note 1(A))	20	0.8
Age 65 and deteriorating health and served 10 years/75% (USSG §1B1.13, Note 1(B))	20	0.8
Mandatory nature of guideline at sentencing	14	0.6
Family circumstance - care for spouse or registered partner (USSG §1B1.13, Note 1(C))	10	0.4
Serious functional or cognitive impairment (USSG §1B1.13, Note 1(A)(ii))	6	0.2
Conviction/sentencing errors	6	0.2
Guideline amendment	6	0.2
BOP failure to provide treatment	5	0.2
ACCA issues	5	0.2
Age 70 and served 30 years of sentence (18 U.S.C. § 3559)	3	0.1
Safety Valve disqualification	2	0.1
BOP Program Statement	1	0.0
Other	77	3.0
<b>TOTAL</b>	<b>2,534</b>	<b>100.0</b>

<sup>1</sup> The court granted a motion for compassionate release in 2,047 cases in Fiscal Year 2021. Courts may cite multiple reasons for granting motions; consequently, the total number of granted reasons cited generally exceeds the total number of cases. In this table, 2,534 reasons were cited for the 2,047 cases.

SOURCE: U.S. Sentencing Commission, Compassionate Release Datafile.

**Table 13**  
**REASONS GIVEN BY SENTENCING COURTS**  
**FOR DENIAL OF MOTION<sup>1</sup>**  
**Fiscal Year 2021**

<b>REASONS</b>	<b>N</b>	<b>%</b>
18 U.S.C § 3553(a) factors	7,346	31.1
No extraordinary and compelling reason provided	4,010	17.0
Not at risk from COVID/pandemic	3,828	16.2
Protection of the public	2,158	9.1
Failure to exhaust administrative remedies	1,977	8.4
Insufficient proof of serious physical and medical condition	1,065	4.5
Defendant able to provide self-care in prison	612	2.6
Does not meet age or length of time served requirement under 18 U.S.C. § 3559	444	1.9
Missing/no reason provided	346	1.5
Other care available for minor child	199	0.8
Rehabilitation insufficient	174	0.7
Post-sentencing/post-conviction conduct	119	0.5
Insufficient proof of deteriorating physical or mental health	30	0.1
Other care available for spouse or partner	27	0.1
Binding plea agreement	25	0.1
Mandatory minimum penalty	16	0.1
Insufficient proof of serious functional or cognitive impairment	6	0.0
Other	1,263	5.3
<b>TOTAL</b>	<b>23,645</b>	<b>100.0</b>

<sup>1</sup> The court denied a motion for compassionate release in 13,204 cases in Fiscal Year 2021. Courts may cite multiple reasons for denying motions; consequently, the total number of denial reasons cited generally exceeds the total number of cases. In this table, 23,645 reasons were cited for the 13,204 cases.

SOURCE: U.S. Sentencing Commission, Compassionate Release Datafile.