

U.S. Sentencing Commission Compassionate Release Data Report

**Fiscal Year 2023, 3rd Quarter
(October 1, 2022, through June 30, 2023)**



September 2023

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 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.”³

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.⁴

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 1995-2022 ANNUAL REPORT and SOURCEBOOK OF FEDERAL SENTENCING STATISTICS are available at the Commission's website at www.ussc.gov.

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

⁴ 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,⁵ the courts received thousands of compassionate release motions, most filed by offenders. Data on compassionate release motions decided by the courts from fiscal year 2020 to fiscal year 2022 is available at the Commission's website at www.ussc.gov.

This report provides an analysis of the compassionate release motions filed with the courts and decided during the first two quarters of fiscal year 2023. Table 1 and Figure 1, combine this data with data on compassionate release motions from prior fiscal years to facilitate trend analyses. The data in this report is limited to motions for which the Commission received or obtained court documentation and completed its analysis by August 29, 2023.

⁵ On January 31, 2020, the Secretary of Health and Human Services declared the coronavirus (COVID-19) a public health emergency as of January 27. The World Health Organization declared the COVID-19 outbreak a global pandemic on March 11, 2020. President Trump declared a national emergency concerning COVID-19 on March 13, 2020, retroactive to March 1, 2020. In 2023, Congress later passed a law ending the national emergency, which became effective on April 10, 2023. Pub. L. No. 118-3. President Biden declared an end to the public health emergency effective May 11, 2023.

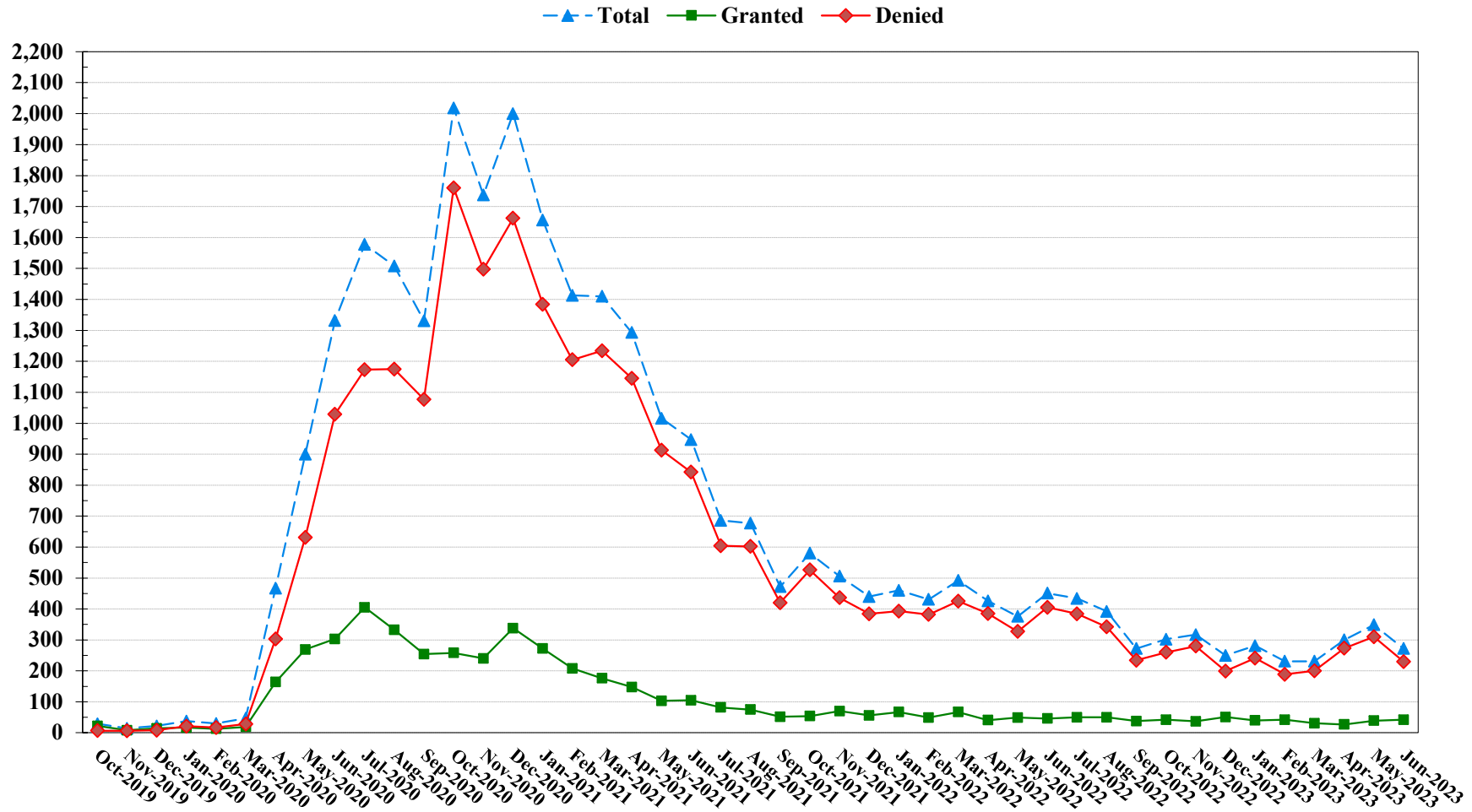
Table 1
MOTIONS FOR COMPASSIONATE RELEASE
BY MONTH OF COURT DECISION¹

| Year | Month | Total | Granted | | Denied | |
|--------------|-----------|---------------|--------------|-------------|---------------|-------------|
| | | N | N | % | N | % |
| TOTAL | | 30,414 | 4,866 | 16.0 | 25,548 | 84.0 |
| 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 | 30 | 13 | 43.3 | 17 | 56.7 |
| 2020 | March | 47 | 19 | 40.4 | 28 | 59.6 |
| 2020 | April | 467 | 164 | 35.1 | 303 | 64.9 |
| 2020 | May | 900 | 269 | 29.9 | 631 | 70.1 |
| 2020 | June | 1,332 | 303 | 22.7 | 1,029 | 77.3 |
| 2020 | July | 1,578 | 405 | 25.7 | 1,173 | 74.3 |
| 2020 | August | 1,508 | 333 | 22.1 | 1,175 | 77.9 |
| 2020 | September | 1,331 | 254 | 19.1 | 1,077 | 80.9 |
| 2020 | October | 2,018 | 258 | 12.8 | 1,760 | 87.2 |
| 2020 | November | 1,737 | 240 | 13.8 | 1,497 | 86.2 |
| 2020 | December | 2,000 | 338 | 16.9 | 1,662 | 83.1 |
| 2021 | January | 1,656 | 272 | 16.4 | 1,384 | 83.6 |
| 2021 | February | 1,413 | 208 | 14.7 | 1,205 | 85.3 |
| 2021 | March | 1,410 | 176 | 12.5 | 1,234 | 87.5 |
| 2021 | April | 1,293 | 148 | 11.4 | 1,145 | 88.6 |
| 2021 | May | 1,016 | 103 | 10.1 | 913 | 89.9 |
| 2021 | June | 947 | 105 | 11.1 | 842 | 88.9 |
| 2021 | July | 686 | 82 | 12.0 | 604 | 88.0 |
| 2021 | August | 677 | 75 | 11.1 | 602 | 88.9 |
| 2021 | September | 472 | 52 | 11.0 | 420 | 89.0 |
| 2021 | October | 580 | 54 | 9.3 | 526 | 90.7 |
| 2021 | November | 506 | 70 | 13.8 | 436 | 86.2 |
| 2021 | December | 440 | 56 | 12.7 | 384 | 87.3 |
| 2022 | January | 460 | 67 | 14.6 | 393 | 85.4 |
| 2022 | February | 431 | 49 | 11.4 | 382 | 88.6 |
| 2022 | March | 492 | 67 | 13.6 | 425 | 86.4 |
| 2022 | April | 426 | 41 | 9.6 | 385 | 90.4 |
| 2022 | May | 376 | 49 | 13.0 | 327 | 87.0 |
| 2022 | June | 451 | 46 | 10.2 | 405 | 89.8 |
| 2022 | July | 434 | 50 | 11.5 | 384 | 88.5 |
| 2022 | August | 392 | 50 | 12.8 | 342 | 87.2 |
| 2022 | September | 272 | 38 | 14.0 | 234 | 86.0 |
| 2022 | October | 302 | 42 | 13.9 | 260 | 86.1 |
| 2022 | November | 317 | 37 | 11.7 | 280 | 88.3 |
| 2022 | December | 250 | 51 | 20.4 | 199 | 79.6 |
| 2023 | January | 281 | 40 | 14.2 | 241 | 85.8 |
| 2023 | February | 231 | 42 | 18.2 | 189 | 81.8 |
| 2023 | March | 231 | 31 | 13.4 | 200 | 86.6 |
| 2023 | April | 300 | 27 | 9.0 | 273 | 91.0 |
| 2023 | May | 349 | 39 | 11.2 | 310 | 88.8 |
| 2023 | June | 272 | 42 | 15.4 | 230 | 84.6 |

¹ Of the 31,380 cases reported to the Commission, 966 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 DISTRICT¹
Fiscal Year 2023, 3rd Quarter

| District | Total | | Granted | | Denied | | District | Total | | Granted | | Denied | |
|------------------------|--------------|--|------------|-------------|--------------|-------------|--------------------------|-------|---|---------|----|--------|---|
| | N | | N | % | N | % | | N | | N | % | N | % |
| TOTAL | 2,533 | | 351 | 13.9 | 2,182 | 86.1 | | | | | | | |
| Western Tennessee | 138 | | 5 | 3.6 | 133 | 96.4 | Northern Indiana | 16 | 2 | 12.5 | 14 | 87.5 | |
| Middle Florida | 116 | | 6 | 5.2 | 110 | 94.8 | Middle North Carolina | 16 | 2 | 12.5 | 14 | 87.5 | |
| Southern Florida | 115 | | 4 | 3.5 | 111 | 96.5 | District of Columbia | 16 | 5 | 31.3 | 11 | 68.8 | |
| Eastern North Carolina | 110 | | 6 | 5.5 | 104 | 94.5 | Southern Texas | 16 | 2 | 12.5 | 14 | 87.5 | |
| Western Missouri | 95 | | 3 | 3.2 | 92 | 96.8 | Eastern Pennsylvania | 15 | 0 | 0.0 | 15 | 100.0 | |
| Eastern Virginia | 92 | | 13 | 14.1 | 79 | 85.9 | Alaska | 14 | 5 | 35.7 | 9 | 64.3 | |
| Maryland | 90 | | 24 | 26.7 | 66 | 73.3 | Eastern Louisiana | 14 | 3 | 21.4 | 11 | 78.6 | |
| Southern Iowa | 86 | | 3 | 3.5 | 83 | 96.5 | Western Wisconsin | 14 | 0 | 0.0 | 14 | 100.0 | |
| Northern Iowa | 76 | | 1 | 1.3 | 75 | 98.7 | Maine | 14 | 0 | 0.0 | 14 | 100.0 | |
| Western North Carolina | 73 | | 10 | 13.7 | 63 | 86.3 | Colorado | 14 | 5 | 35.7 | 9 | 64.3 | |
| Middle Pennsylvania | 68 | | 1 | 1.5 | 67 | 98.5 | New Hampshire | 14 | 0 | 0.0 | 14 | 100.0 | |
| South Carolina | 67 | | 11 | 16.4 | 56 | 83.6 | Middle Alabama | 12 | 2 | 16.7 | 10 | 83.3 | |
| Southern California | 63 | | 19 | 30.2 | 44 | 69.8 | Southern Mississippi | 11 | 1 | 9.1 | 10 | 90.9 | |
| Minnesota | 62 | | 6 | 9.7 | 56 | 90.3 | Western Oklahoma | 10 | 1 | 10.0 | 9 | 90.0 | |
| New Jersey | 57 | | 8 | 14.0 | 49 | 86.0 | Oregon | 10 | 9 | 90.0 | 1 | 10.0 | |
| Western Michigan | 57 | | 0 | 0.0 | 57 | 100.0 | Vermont | 9 | 3 | 33.3 | 6 | 66.7 | |
| Northern Texas | 51 | | 3 | 5.9 | 48 | 94.1 | Eastern Michigan | 9 | 4 | 44.4 | 5 | 55.6 | |
| Southern Indiana | 48 | | 3 | 6.3 | 45 | 93.8 | Hawaii | 9 | 6 | 66.7 | 3 | 33.3 | |
| Central California | 45 | | 7 | 15.6 | 38 | 84.4 | Southern New York | 8 | 8 | 100.0 | 0 | 0.0 | |
| Eastern Missouri | 44 | | 0 | 0.0 | 44 | 100.0 | Eastern Washington | 8 | 3 | 37.5 | 5 | 62.5 | |
| Western Virginia | 41 | | 12 | 29.3 | 29 | 70.7 | Central Illinois | 7 | 1 | 14.3 | 6 | 85.7 | |
| Western Texas | 40 | | 4 | 10.0 | 36 | 90.0 | Massachusetts | 6 | 5 | 83.3 | 1 | 16.7 | |
| Montana | 40 | | 17 | 42.5 | 23 | 57.5 | Nevada | 4 | 4 | 100.0 | 0 | 0.0 | |
| South Dakota | 38 | | 6 | 15.8 | 32 | 84.2 | Rhode Island | 3 | 1 | 33.3 | 2 | 66.7 | |
| Western Pennsylvania | 38 | | 3 | 7.9 | 35 | 92.1 | Eastern California | 2 | 2 | 100.0 | 0 | 0.0 | |
| Western Kentucky | 32 | | 2 | 6.3 | 30 | 93.8 | Northern Mississippi | 2 | 0 | 0.0 | 2 | 100.0 | |
| Eastern New York | 32 | | 13 | 40.6 | 19 | 59.4 | Arizona | 2 | 2 | 100.0 | 0 | 0.0 | |
| Kansas | 28 | | 12 | 42.9 | 16 | 57.1 | Western New York | 2 | 2 | 100.0 | 0 | 0.0 | |
| Eastern Texas | 26 | | 2 | 7.7 | 24 | 92.3 | Northern Georgia | 2 | 0 | 0.0 | 2 | 100.0 | |
| Southern Illinois | 25 | | 1 | 4.0 | 24 | 96.0 | Puerto Rico | 2 | 2 | 100.0 | 0 | 0.0 | |
| Middle Georgia | 25 | | 1 | 4.0 | 24 | 96.0 | Northern Alabama | 2 | 0 | 0.0 | 2 | 100.0 | |
| Southern Georgia | 24 | | 0 | 0.0 | 24 | 100.0 | Southern Ohio | 2 | 1 | 50.0 | 1 | 50.0 | |
| Eastern Wisconsin | 23 | | 0 | 0.0 | 23 | 100.0 | New Mexico | 2 | 2 | 100.0 | 0 | 0.0 | |
| Northern Illinois | 23 | | 12 | 52.2 | 11 | 47.8 | Idaho | 2 | 2 | 100.0 | 0 | 0.0 | |
| Eastern Arkansas | 22 | | 2 | 9.1 | 20 | 90.9 | Western Louisiana | 1 | 1 | 100.0 | 0 | 0.0 | |
| North Dakota | 21 | | 1 | 4.8 | 20 | 95.2 | Middle Louisiana | 1 | 0 | 0.0 | 1 | 100.0 | |
| Nebraska | 20 | | 1 | 5.0 | 19 | 95.0 | Northern Florida | 1 | 1 | 100.0 | 0 | 0.0 | |
| Northern West Virginia | 20 | | 1 | 5.0 | 19 | 95.0 | Southern Alabama | 1 | 0 | 0.0 | 1 | 100.0 | |
| Wyoming | 20 | | 6 | 30.0 | 14 | 70.0 | Northern New York | 1 | 1 | 100.0 | 0 | 0.0 | |
| Northern California | 19 | | 10 | 52.6 | 9 | 47.4 | Guam | 1 | 0 | 0.0 | 1 | 100.0 | |
| Southern West Virginia | 19 | | 4 | 21.1 | 15 | 78.9 | Delaware | 0 | 0 | 0.0 | 0 | 0.0 | |
| Western Washington | 19 | | 4 | 21.1 | 15 | 78.9 | Virgin Islands | 0 | 0 | 0.0 | 0 | 0.0 | |
| Eastern Tennessee | 19 | | 2 | 10.5 | 17 | 89.5 | Northern Ohio | 0 | 0 | 0.0 | 0 | 0.0 | |
| Utah | 19 | | 4 | 21.1 | 15 | 78.9 | Middle Tennessee | 0 | 0 | 0.0 | 0 | 0.0 | |
| Connecticut | 18 | | 2 | 11.1 | 16 | 88.9 | Western Arkansas | 0 | 0 | 0.0 | 0 | 0.0 | |
| Eastern Kentucky | 18 | | 4 | 22.2 | 14 | 77.8 | Northern Mariana Islands | 0 | 0 | 0.0 | 0 | 0.0 | |
| Northern Oklahoma | 16 | | 4 | 25.0 | 12 | 75.0 | Eastern Oklahoma | 0 | 0 | 0.0 | 0 | 0.0 | |

¹ Of the 2,619 cases reported to the Commission in Fiscal Year 2023, 86 were excluded due to indeterminable motion status.

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

Table 3

**MOTIONS FOR COMPASSIONATE RELEASE
IN EACH CIRCUIT AND DISTRICT¹
Fiscal Year 2023, 3rd Quarter**

| CIRCUIT District | TOTAL | Granted | | Denied | |
|----------------------------|--------------|----------------|-------------|---------------|-------------|
| | N | N | % | N | % |
| TOTAL | 2,533 | 351 | 13.9 | 2,182 | 86.1 |
| D.C. CIRCUIT | 16 | 5 | 31.3 | 11 | 68.8 |
| District of Columbia | 16 | 5 | 31.3 | 11 | 68.8 |
| FIRST CIRCUIT | 39 | 8 | 20.5 | 31 | 79.5 |
| Maine | 14 | 0 | 0.0 | 14 | 100.0 |
| Massachusetts | 6 | 5 | 83.3 | 1 | 16.7 |
| New Hampshire | 14 | 0 | 0.0 | 14 | 100.0 |
| Puerto Rico | 2 | 2 | 100.0 | 0 | 0.0 |
| Rhode Island | 3 | 1 | 33.3 | 2 | 66.7 |
| SECOND CIRCUIT | 70 | 29 | 41.4 | 41 | 58.6 |
| Connecticut | 18 | 2 | 11.1 | 16 | 88.9 |
| New York | | | | | |
| Eastern | 32 | 13 | 40.6 | 19 | 59.4 |
| Northern | 1 | 1 | 100.0 | 0 | 0.0 |
| Southern | 8 | 8 | 100.0 | 0 | 0.0 |
| Western | 2 | 2 | 100.0 | 0 | 0.0 |
| Vermont | 9 | 3 | 33.3 | 6 | 66.7 |
| THIRD CIRCUIT | 178 | 12 | 6.7 | 166 | 93.3 |
| Delaware | 0 | 0 | -- | 0 | -- |
| New Jersey | 57 | 8 | 14.0 | 49 | 86.0 |
| Pennsylvania | | | | | |
| Eastern | 15 | 0 | 0.0 | 15 | 100.0 |
| Middle | 68 | 1 | 1.5 | 67 | 98.5 |
| Western | 38 | 3 | 7.9 | 35 | 92.1 |
| Virgin Islands | 0 | 0 | -- | 0 | -- |
| FOURTH CIRCUIT | 528 | 83 | 15.7 | 445 | 84.3 |
| Maryland | 90 | 24 | 26.7 | 66 | 73.3 |
| North Carolina | | | | | |
| Eastern | 110 | 6 | 5.5 | 104 | 94.5 |
| Middle | 16 | 2 | 12.5 | 14 | 87.5 |
| Western | 73 | 10 | 13.7 | 63 | 86.3 |
| South Carolina | 67 | 11 | 16.4 | 56 | 83.6 |
| Virginia | | | | | |
| Eastern | 92 | 13 | 14.1 | 79 | 85.9 |
| Western | 41 | 12 | 29.3 | 29 | 70.7 |
| West Virginia | | | | | |
| Northern | 20 | 1 | 5.0 | 19 | 95.0 |
| Southern | 19 | 4 | 21.1 | 15 | 78.9 |

Table 3 (cont.)

| CIRCUIT District | TOTAL | Granted | | Denied | |
|------------------------|------------|-----------|-------------|------------|-------------|
| | N | N | % | N | % |
| FIFTH CIRCUIT | 162 | 16 | 9.9 | 146 | 90.1 |
| Louisiana | | | | | |
| Eastern | 14 | 3 | 21.4 | 11 | 78.6 |
| Middle | 1 | 0 | 0.0 | 1 | 100.0 |
| Western | 1 | 1 | 100.0 | 0 | 0.0 |
| Mississippi | | | | | |
| Northern | 2 | 0 | 0.0 | 2 | 100.0 |
| Southern | 11 | 1 | 9.1 | 10 | 90.9 |
| Texas | | | | | |
| Eastern | 26 | 2 | 7.7 | 24 | 92.3 |
| Northern | 51 | 3 | 5.9 | 48 | 94.1 |
| Southern | 16 | 2 | 12.5 | 14 | 87.5 |
| Western | 40 | 4 | 10.0 | 36 | 90.0 |
| SIXTH CIRCUIT | 275 | 18 | 6.5 | 257 | 93.5 |
| Kentucky | | | | | |
| Eastern | 18 | 4 | 22.2 | 14 | 77.8 |
| Western | 32 | 2 | 6.3 | 30 | 93.8 |
| Michigan | | | | | |
| Eastern | 9 | 4 | 44.4 | 5 | 55.6 |
| Western | 57 | 0 | 0.0 | 57 | 100.0 |
| Ohio | | | | | |
| Northern | 0 | 0 | -- | 0 | -- |
| Southern | 2 | 1 | 50.0 | 1 | 50.0 |
| Tennessee | | | | | |
| Eastern | 19 | 2 | 10.5 | 17 | 89.5 |
| Middle | 0 | 0 | -- | 0 | -- |
| Western | 138 | 5 | 3.6 | 133 | 96.4 |
| SEVENTH CIRCUIT | 156 | 19 | 12.2 | 137 | 87.8 |
| Illinois | | | | | |
| Central | 7 | 1 | 14.3 | 6 | 85.7 |
| Northern | 23 | 12 | 52.2 | 11 | 47.8 |
| Southern | 25 | 1 | 4.0 | 24 | 96.0 |
| Indiana | | | | | |
| Northern | 16 | 2 | 12.5 | 14 | 87.5 |
| Southern | 48 | 3 | 6.3 | 45 | 93.8 |
| Wisconsin | | | | | |
| Eastern | 23 | 0 | 0.0 | 23 | 100.0 |
| Western | 14 | 0 | 0.0 | 14 | 100.0 |
| EIGHTH CIRCUIT | 464 | 23 | 5.0 | 441 | 95.0 |
| Arkansas | | | | | |
| Eastern | 22 | 2 | 9.1 | 20 | 90.9 |
| Western | 0 | 0 | -- | 0 | -- |
| Iowa | | | | | |
| Northern | 76 | 1 | 1.3 | 75 | 98.7 |
| Southern | 86 | 3 | 3.5 | 83 | 96.5 |
| Minnesota | 62 | 6 | 9.7 | 56 | 90.3 |
| Missouri | | | | | |
| Eastern | 44 | 0 | 0.0 | 44 | 100.0 |
| Western | 95 | 3 | 3.2 | 92 | 96.8 |
| Nebraska | 20 | 1 | 5.0 | 19 | 95.0 |
| North Dakota | 21 | 1 | 4.8 | 20 | 95.2 |
| South Dakota | 38 | 6 | 15.8 | 32 | 84.2 |

Table 3 (cont.)

| CIRCUIT District | TOTAL | Granted | | Denied | |
|--------------------------|------------|-----------|-------------|------------|-------------|
| | N | N | % | N | % |
| NINTH CIRCUIT | 238 | 90 | 37.8 | 148 | 62.2 |
| Alaska | 14 | 5 | 35.7 | 9 | 64.3 |
| Arizona | 2 | 2 | 100.0 | 0 | 0.0 |
| California | | | | | |
| Central | 45 | 7 | 15.6 | 38 | 84.4 |
| Eastern | 2 | 2 | 100.0 | 0 | 0.0 |
| Northern | 19 | 10 | 52.6 | 9 | 47.4 |
| Southern | 63 | 19 | 30.2 | 44 | 69.8 |
| Guam | 1 | 0 | 0.0 | 1 | 100.0 |
| Hawaii | 9 | 6 | 66.7 | 3 | 33.3 |
| Idaho | 2 | 2 | 100.0 | 0 | 0.0 |
| Montana | 40 | 17 | 42.5 | 23 | 57.5 |
| Nevada | 4 | 4 | 100.0 | 0 | 0.0 |
| Northern Mariana Islands | 0 | 0 | -- | 0 | -- |
| Oregon | 10 | 9 | 90.0 | 1 | 10.0 |
| Washington | | | | | |
| Eastern | 8 | 3 | 37.5 | 5 | 62.5 |
| Western | 19 | 4 | 21.1 | 15 | 78.9 |
| TENTH CIRCUIT | 109 | 34 | 31.2 | 75 | 68.8 |
| Colorado | 14 | 5 | 35.7 | 9 | 64.3 |
| Kansas | 28 | 12 | 42.9 | 16 | 57.1 |
| New Mexico | 2 | 2 | 100.0 | 0 | 0.0 |
| Oklahoma | | | | | |
| Eastern | 0 | 0 | -- | 0 | -- |
| Northern | 16 | 4 | 25.0 | 12 | 75.0 |
| Western | 10 | 1 | 10.0 | 9 | 90.0 |
| Utah | 19 | 4 | 21.1 | 15 | 78.9 |
| Wyoming | 20 | 6 | 30.0 | 14 | 70.0 |
| ELEVENTH CIRCUIT | 298 | 14 | 4.7 | 284 | 95.3 |
| Alabama | | | | | |
| Middle | 12 | 2 | 16.7 | 10 | 83.3 |
| Northern | 2 | 0 | 0.0 | 2 | 100.0 |
| Southern | 1 | 0 | 0.0 | 1 | 100.0 |
| Florida | | | | | |
| Middle | 116 | 6 | 5.2 | 110 | 94.8 |
| Northern | 1 | 1 | 100.0 | 0 | 0.0 |
| Southern | 115 | 4 | 3.5 | 111 | 96.5 |
| Georgia | | | | | |
| Middle | 25 | 1 | 4.0 | 24 | 96.0 |
| Northern | 2 | 0 | 0.0 | 2 | 100.0 |
| Southern | 24 | 0 | 0.0 | 24 | 100.0 |

¹ Of the 2,619 cases reported to the Commission in Fiscal Year 2023, 86 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 SENTENCE¹
Fiscal Year 2023, 3rd Quarter**

| Fiscal Year | Total | Granted | | Denied | |
|------------------------|--------------|----------------|-------------|---------------|-------------|
| | N | N | % | N | % |
| TOTAL | 2,524 | 348 | 13.8 | 2,176 | 86.2 |
| 2023 | 30 | 6 | 20.0 | 24 | 80.0 |
| 2022 | 209 | 26 | 12.4 | 183 | 87.6 |
| 2021 | 274 | 27 | 9.9 | 247 | 90.1 |
| 2020 | 230 | 18 | 7.8 | 212 | 92.2 |
| 2019 | 247 | 25 | 10.1 | 222 | 89.9 |
| 2018 | 224 | 26 | 11.6 | 198 | 88.4 |
| 2017 | 178 | 13 | 7.3 | 165 | 92.7 |
| 2016 | 133 | 14 | 10.5 | 119 | 89.5 |
| 2015 | 101 | 16 | 15.8 | 85 | 84.2 |
| 2014 | 112 | 22 | 19.6 | 90 | 80.4 |
| 2013 | 103 | 19 | 18.4 | 84 | 81.6 |
| 2012 | 85 | 11 | 12.9 | 74 | 87.1 |
| 2011 | 94 | 16 | 17.0 | 78 | 83.0 |
| 2010 | 68 | 10 | 14.7 | 58 | 85.3 |
| 2009 | 65 | 15 | 23.1 | 50 | 76.9 |
| 2008 | 50 | 12 | 24.0 | 38 | 76.0 |
| 2007 | 56 | 7 | 12.5 | 49 | 87.5 |
| 2006 | 40 | 11 | 27.5 | 29 | 72.5 |
| 2005 | 30 | 5 | 16.7 | 25 | 83.3 |
| 2004 | 27 | 4 | 14.8 | 23 | 85.2 |
| 2003 | 32 | 8 | 25.0 | 24 | 75.0 |
| 2002 | 13 | 5 | 38.5 | 8 | 61.5 |
| 2001 | 21 | 4 | 19.0 | 17 | 81.0 |
| 2000 | 14 | 5 | 35.7 | 9 | 64.3 |
| 1999 | 17 | 4 | 23.5 | 13 | 76.5 |
| 1998 | 13 | 7 | 53.8 | 6 | 46.2 |
| 1997 | 18 | 4 | 22.2 | 14 | 77.8 |
| 1996 | 12 | 0 | 0.0 | 12 | 100.0 |
| 1995 | 3 | 0 | 0.0 | 3 | 100.0 |
| 1994 | 10 | 4 | 40.0 | 6 | 60.0 |
| 1993 | 7 | 1 | 14.3 | 6 | 85.7 |
| 1992 | 4 | 3 | 75.0 | 1 | 25.0 |
| 1991 | 2 | 0 | 0.0 | 2 | 100.0 |
| 1990 | 2 | 0 | 0.0 | 2 | 100.0 |

¹ Of the 2,533 cases reported to the Commission with motion status information in Fiscal Year 2023, nine 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 RELEASE¹
Fiscal Year 2023, 3rd Quarter

| CIRCUIT | Total | | Defendant | | Director BOP | | Attorney for the Government | | Joint Motion ² | |
|------------------|------------|---|------------|-------------|--------------|------------|-----------------------------|------------|---------------------------|------------|
| | N | % | N | % | N | % | N | % | N | % |
| TOTAL | 350 | | 337 | 96.3 | 5 | 1.4 | 1 | 0.3 | 7 | 2.0 |
| D.C. CIRCUIT | 5 | | 5 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| FIRST CIRCUIT | 8 | | 7 | 87.5 | 0 | 0.0 | 0 | 0.0 | 1 | 12.5 |
| SECOND CIRCUIT | 29 | | 29 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| THIRD CIRCUIT | 12 | | 12 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| FOURTH CIRCUIT | 83 | | 80 | 96.4 | 2 | 2.4 | 1 | 1.2 | 0 | 0.0 |
| FIFTH CIRCUIT | 16 | | 16 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| SIXTH CIRCUIT | 18 | | 18 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| SEVENTH CIRCUIT | 19 | | 18 | 94.7 | 1 | 5.3 | 0 | 0.0 | 0 | 0.0 |
| EIGHTH CIRCUIT | 23 | | 20 | 87.0 | 1 | 4.3 | 0 | 0.0 | 2 | 8.7 |
| NINTH CIRCUIT | 89 | | 85 | 95.5 | 0 | 0.0 | 0 | 0.0 | 4 | 4.5 |
| TENTH CIRCUIT | 34 | | 34 | 100.0 | 0 | 0.0 | 0 | 0.0 | 0 | 0.0 |
| ELEVENTH CIRCUIT | 14 | | 13 | 92.9 | 1 | 7.1 | 0 | 0.0 | 0 | 0.0 |

¹ Of the 351 cases in which the court granted a motion for compassionate release in Fiscal Year 2023, one case was excluded from this analysis because the information received by the Commission prevented a determination of motion origin.

² 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 RELEASE¹****Fiscal Year 2023, 3rd Quarter**

| Demographics | Granted | | Denied | |
|---|----------------|--------------|---------------|--------------|
| | N | % | N | % |
| Race/Ethnicity | | | | |
| White | 118 | 34.0 | 580 | 26.7 |
| Black | 141 | 40.6 | 1,096 | 50.5 |
| Hispanic | 70 | 20.2 | 414 | 19.1 |
| Other | 18 | 5.2 | 80 | 3.7 |
| Total | 347 | 100.0 | 2,170 | 100.0 |
| Citizenship | | | | |
| U.S. Citizen | 304 | 87.6 | 1,886 | 87.2 |
| Non-Citizen | 43 | 12.4 | 278 | 12.8 |
| Total | 347 | 100.0 | 2,164 | 100.0 |
| Gender | | | | |
| Male | 312 | 88.9 | 1,970 | 90.4 |
| Female | 39 | 11.1 | 210 | 9.6 |
| Total | 351 | 100.0 | 2,180 | 100.0 |
| Average Age at Original Sentence | | 39 | 39 | |
| Average Age at Motion Decision | | 49 | 46 | |

¹ Of the 2,533 cases reported to the Commission with motion status information in Fiscal Year 2023, cases were excluded from each section of this table due to the following reasons: missing race information (16), missing citizenship information (22), missing gender information (2), and missing age information (15).

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

Table 7

**SELECTED SENTENCING FACTORS FOR OFFENDERS
MAKING MOTIONS FOR COMPASSIONATE RELEASE¹**

Fiscal Year 2023, 3rd Quarter

| Sentencing Factors | Granted | Denied |
|---|----------------|---------------|
| | % | % |
| Weapon^{2,3} | | |
| Weapon Specific Offense Characteristic | 43.7 | 41.1 |
| Firearms Mandatory Minimum Applied | 20.9 | 21.6 |
| | 27.1 | 23.2 |
| Safety Valve² | 10.8 | 7.8 |
| Guideline Role Adjustments² | | |
| Aggravating Role (USSG §3B1.1) | 21.6 | 18.0 |
| Mitigating Role (USSG §3B1.2) | 5.6 | 2.0 |
| Obstruction Adjustment (USSG §3C1.1) | 8.1 | 10.3 |
| Sentence Relative to the Guideline Range | | |
| Within Range | 48.8 | 49.6 |
| Above Range | 2.6 | 4.9 |
| Below Range | 48.5 | 45.5 |
| Criminal History Category | | |
| I | 24.5 | 24.3 |
| II | 9.9 | 7.4 |
| III | 14.6 | 13.8 |
| IV | 8.5 | 11.3 |
| V | 9.6 | 7.6 |
| VI | 32.9 | 35.6 |
| Career Offender (§4B1.1)² | 21.4 | 19.9 |

¹ Of the 2,533 cases reported to the Commission with motion status information in Fiscal Year 2023, nine were excluded from this analysis because the cases cannot be matched with an original case in the Commission's records.

² This section was limited to the 2,422 cases with complete guideline application information.

³ In 86 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 RELEASE¹
Fiscal Year 2023, 3rd Quarter**

| TYPE OF CRIME | N | % |
|------------------------------|------------|--------------|
| TOTAL | 348 | 100.0 |
| Administration of Justice | 2 | 0.6 |
| Antitrust | 0 | 0.0 |
| Arson | 1 | 0.3 |
| Assault | 6 | 1.7 |
| Bribery/Corruption | 1 | 0.3 |
| Burglary/Trespass | 0 | 0.0 |
| Child Pornography | 7 | 2.0 |
| Commercialized Vice | 1 | 0.3 |
| Drug Possession | 1 | 0.3 |
| Drug Trafficking | 208 | 59.8 |
| Environmental | 0 | 0.0 |
| Extortion/Racketeering | 2 | 0.6 |
| Firearms | 35 | 10.1 |
| Food and Drug | 1 | 0.3 |
| Forgery/Counter/Copyright | 0 | 0.0 |
| Fraud/Theft/Embezzlement | 17 | 4.9 |
| Immigration | 2 | 0.6 |
| Individual Rights | 3 | 0.9 |
| Kidnapping | 1 | 0.3 |
| Manslaughter | 0 | 0.0 |
| Money Laundering | 9 | 2.6 |
| Murder | 13 | 3.7 |
| National Defense | 0 | 0.0 |
| Obscenity/Other Sex Offenses | 0 | 0.0 |
| Prison Offenses | 2 | 0.6 |
| Robbery | 30 | 8.6 |
| Sexual Abuse | 4 | 1.1 |
| Stalking/Harassing | 1 | 0.3 |
| Tax | 1 | 0.3 |
| Other | 0 | 0.0 |

¹ Of the 351 cases in which the court granted a motion for compassionate release in Fiscal Year 2023, three were excluded from this analysis because the cases cannot be matched with an original case in the Commission's records.

Table 9

**TYPE OF CRIME FOR OFFENDERS
DENIED COMPASSIONATE RELEASE¹
Fiscal Year 2023, 3rd Quarter**

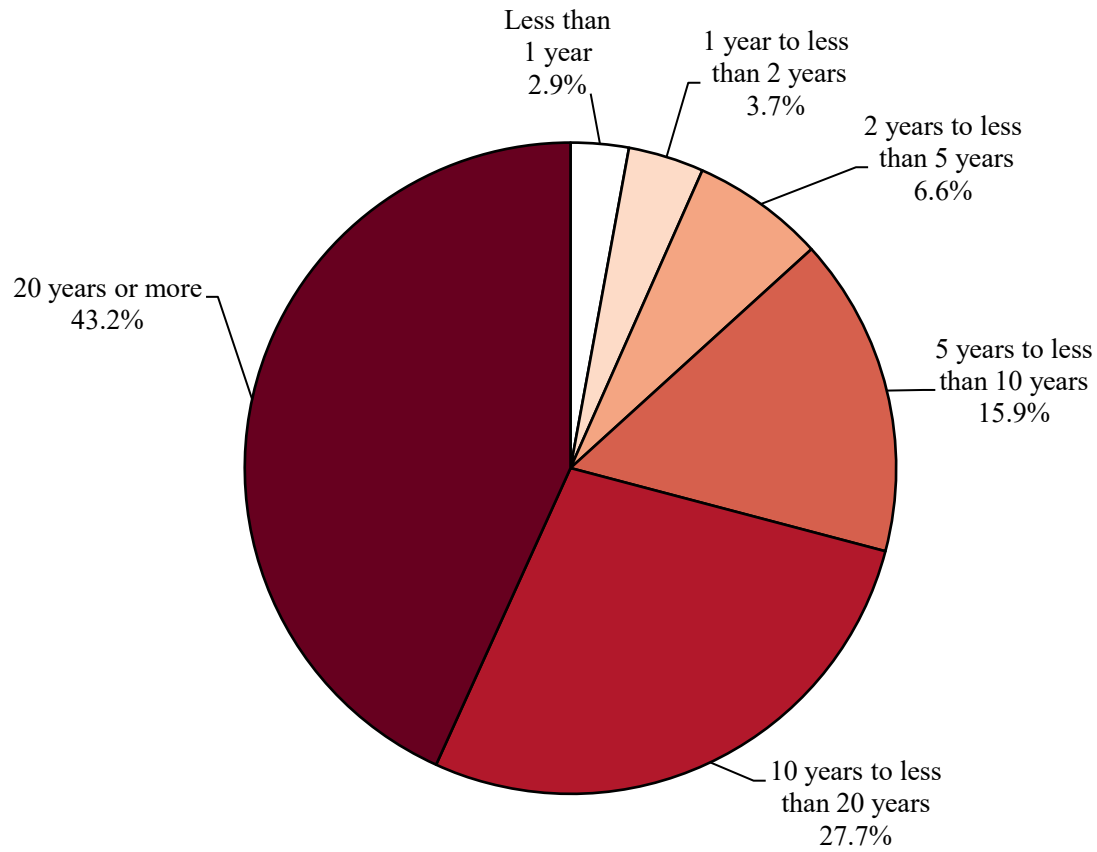
| TYPE OF CRIME | N | % |
|------------------------------|--------------|--------------|
| TOTAL | 2,171 | 100.0 |
| Administration of Justice | 3 | 0.1 |
| Antitrust | 0 | 0.0 |
| Arson | 7 | 0.3 |
| Assault | 22 | 1.0 |
| Bribery/Corruption | 6 | 0.3 |
| Burglary/Trespass | 2 | 0.1 |
| Child Pornography | 66 | 3.0 |
| Commercialized Vice | 2 | 0.1 |
| Drug Possession | 0 | 0.0 |
| Drug Trafficking | 1,125 | 51.8 |
| Environmental | 0 | 0.0 |
| Extortion/Racketeering | 9 | 0.4 |
| Firearms | 295 | 13.6 |
| Food and Drug | 0 | 0.0 |
| Forgery/Counter/Copyright | 1 | 0.0 |
| Fraud/Theft/Embezzlement | 117 | 5.4 |
| Immigration | 12 | 0.6 |
| Individual Rights | 5 | 0.2 |
| Kidnapping | 11 | 0.5 |
| Manslaughter | 4 | 0.2 |
| Money Laundering | 70 | 3.2 |
| Murder | 93 | 4.3 |
| National Defense | 3 | 0.1 |
| Obscenity/Other Sex Offenses | 6 | 0.3 |
| Prison Offenses | 9 | 0.4 |
| Robbery | 210 | 9.7 |
| Sexual Abuse | 75 | 3.5 |
| Stalking/Harassing | 3 | 0.1 |
| Tax | 11 | 0.5 |
| Other | 4 | 0.2 |

¹ Of the 2,182 cases in which the court denied a motion for compassionate release in Fiscal Year 2023, six were excluded from this analysis because the cases cannot be matched with an original case in the Commission's records. Of the remaining cases, five were excluded due to missing information on the type of crime.

Figure 2

ORIGINAL SENTENCE LENGTH FOR OFFENDERS RECEIVING COMPASSIONATE RELEASE¹

Fiscal Year 2023, 3rd Quarter



¹ Of the 351 cases in which the court granted a motion for compassionate release in Fiscal Year 2023, information on the original sentence length was missing in four cases.

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

Table 10
REASONS GIVEN BY SENTENCING COURTS FOR
FOR GRANTED MOTIONS¹
Fiscal Year 2023, 3rd Quarter

| REASONS | N | % |
|--|------------|--------------|
| Rehabilitation ² | 76 | 14.0 |
| Serious physical or medical condition (USSG §1B1.13, Note 1(A)(ii)) | 68 | 12.5 |
| COVID-19/pandemic | 46 | 8.5 |
| Missing/no reason provided | 46 | 8.5 |
| Other mandatory minimum penalties/long sentence | 35 | 6.4 |
| Terminal illness (USSG §1B1.13, Note 1(A)(i)) | 34 | 6.3 |
| Career Offender issues | 32 | 5.9 |
| Multiple 18 U.S.C. § 924(c) penalties | 30 | 5.5 |
| 21 U.S.C. § 851 enhanced drug penalties | 28 | 5.2 |
| Nearly meets requirements of USSG §1B1.13, Notes (1)(A)-(C) | 20 | 3.7 |
| BOP failure to provide treatment | 15 | 2.8 |
| Family circumstance - care for minor child (USSG §1B1.13, Note 1(C)) | 14 | 2.6 |
| Age 65 and deteriorating health and served 10 years/75% (USSG §1B1.13, Note 1(B)) | 11 | 2.0 |
| Deteriorating physical or mental health due to aging process (USSG §1B1.13, Note 1(A)) | 10 | 1.8 |
| Conviction/sentencing errors | 10 | 1.8 |
| Extraordinary and compelling (not specified) | 8 | 1.5 |
| Mandatory nature of guideline at sentencing | 6 | 1.1 |
| Guideline amendment | 5 | 0.9 |
| Safety Valve disqualification | 4 | 0.7 |
| Family circumstance - care for spouse or registered partner (USSG §1B1.13, Note 1(C)) | 3 | 0.6 |
| Serious functional or cognitive impairment (USSG §1B1.13, Note 1(A)(ii)) | 2 | 0.4 |
| ACCA issues | 1 | 0.2 |
| Other | 39 | 7.2 |
| TOTAL | 543 | 100.0 |

¹ The court granted a motion for compassionate release in 351 cases in Fiscal Year 2023. 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, 543 reasons were cited for the 351 cases.

² In all cases where the court gave rehabilitation as a reason for the granted motion, the court also gave one or more other reasons.

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

Table 11

**REASONS GIVEN BY SENTENCING COURTS
FOR DENIAL OF MOTION¹
Fiscal Year 2023, 3rd Quarter**

| REASONS | N | % |
|---|--------------|--------------|
| 18 U.S.C § 3553(a) factors | 1,159 | 25.6 |
| No extraordinary and compelling reason provided | 775 | 17.1 |
| Not at risk from COVID/pandemic | 525 | 11.6 |
| Rehabilitation insufficient | 308 | 6.8 |
| Failure to exhaust administrative remedies | 300 | 6.6 |
| Insufficient proof of serious physical and medical condition | 289 | 6.4 |
| Defendant able to provide self-care in prison | 207 | 4.6 |
| Protection of the public | 178 | 3.9 |
| Other care available for minor child | 134 | 3.0 |
| Does not meet age or length of time served requirement under 18 U.S.C. § 3559 | 38 | 0.8 |
| Mandatory minimum penalty | 29 | 0.6 |
| Post-sentencing/post-conviction conduct | 29 | 0.6 |
| Missing/no reason provided | 20 | 0.4 |
| Insufficient proof of deteriorating physical or mental health | 14 | 0.3 |
| Other care available for spouse or partner | 14 | 0.3 |
| Binding plea agreement | 9 | 0.2 |
| Insufficient proof of serious functional or cognitive impairment | 5 | 0.1 |
| Other | 494 | 10.9 |
| TOTAL | 4,527 | 100.0 |

¹ The court denied a motion for compassionate release in 2,182 cases in Fiscal Year 2023. 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, 4,527 reasons were cited for the 2,182 cases.

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