

**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.

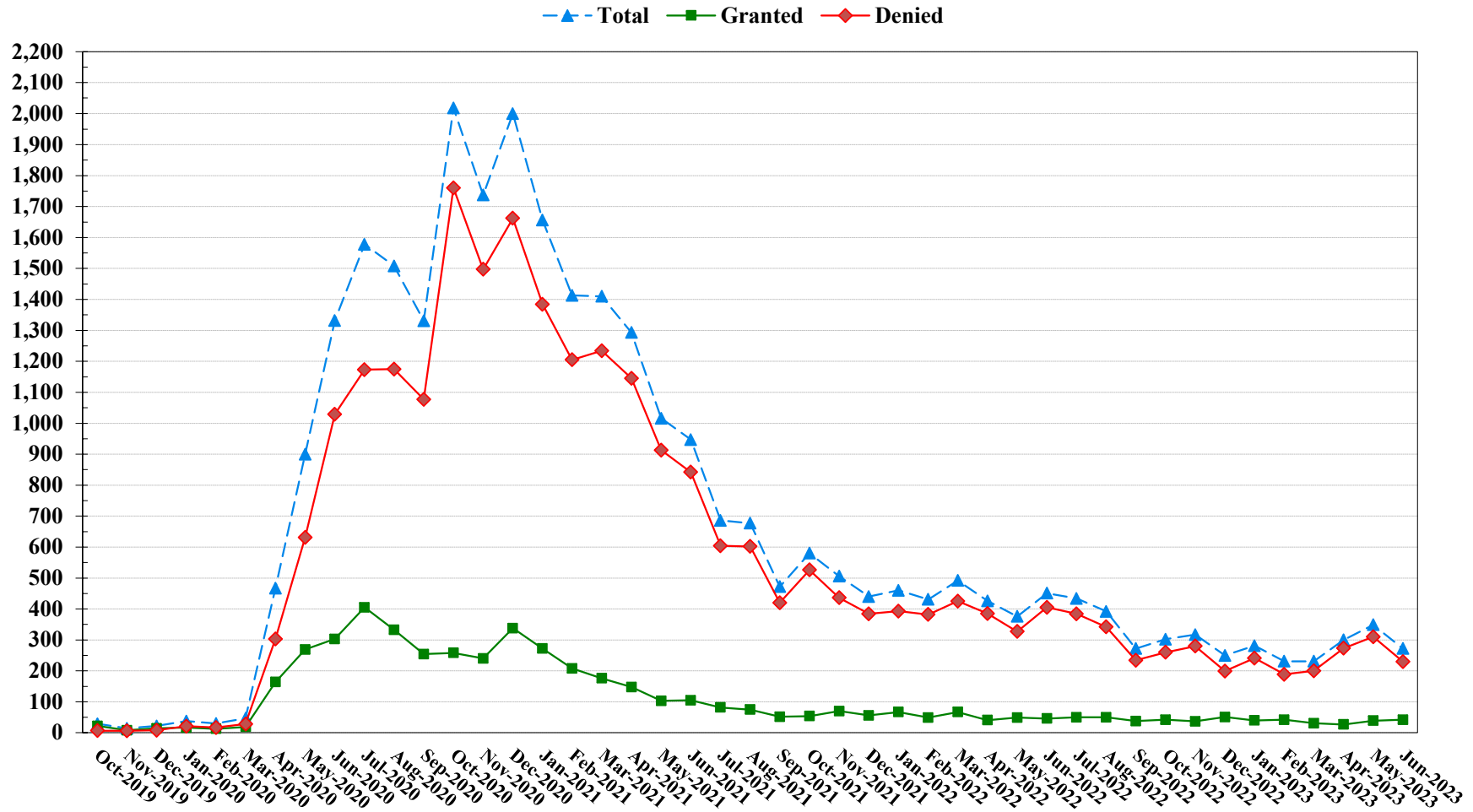
Table 1
MOTIONS FOR COMPASSIONATE RELEASE
BY MONTH OF COURT DECISION¹

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**

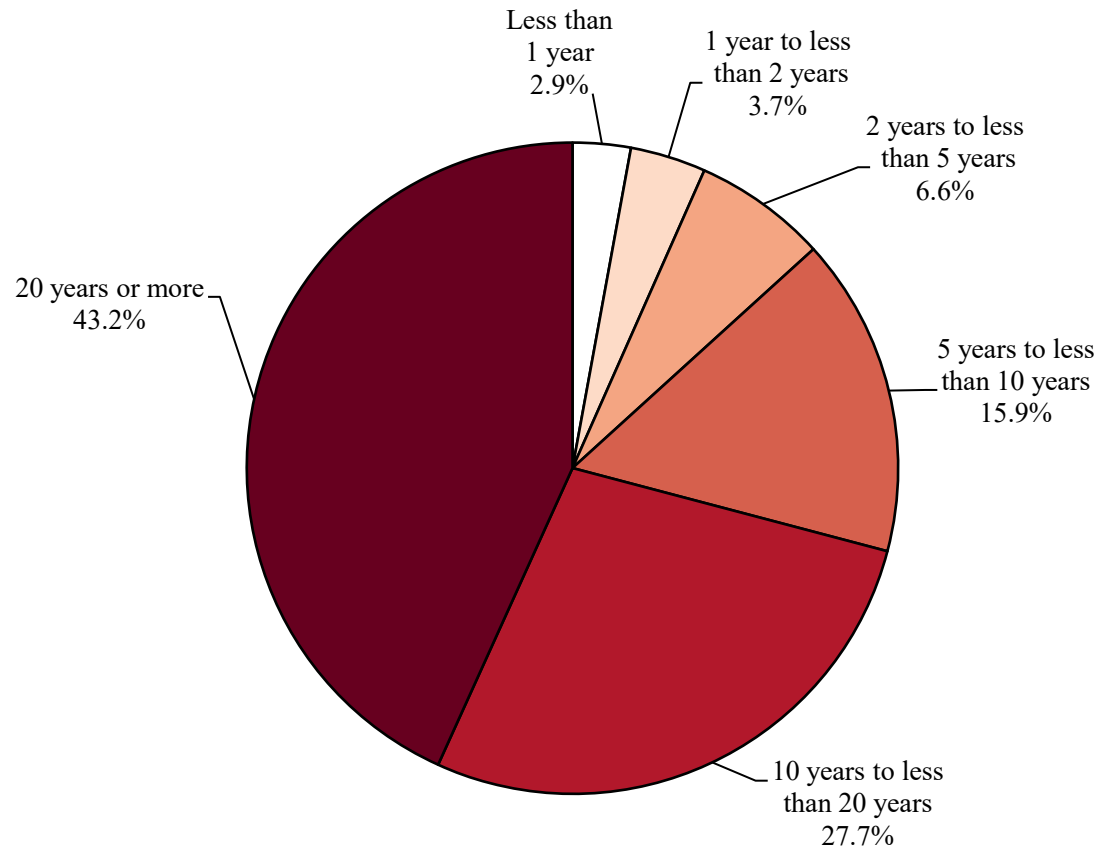
TYPE OF CRIME	N	%
TOTAL	2,171	100.0
Administration of Justice	3	0.1
Antitrust	0	0.0
Arson	7	0.3
Assault	22	1.0
Bribery/Corruption	6	0.3
Burglary/Trespass	2	0.1
Child Pornography	66	3.0
Commercialized Vice	2	0.1
Drug Possession	0	0.0
Drug Trafficking	1,125	51.8
Environmental	0	0.0
Extortion/Racketeering	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.