

U.S. Sentencing Commission Compassionate Release Data Report

Fiscal Year 2023



March 2024

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 sentenced individuals, 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 1995-2023 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.*, sentenced individuals) 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 sentenced individuals. 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 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 February 16, 2024.

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.

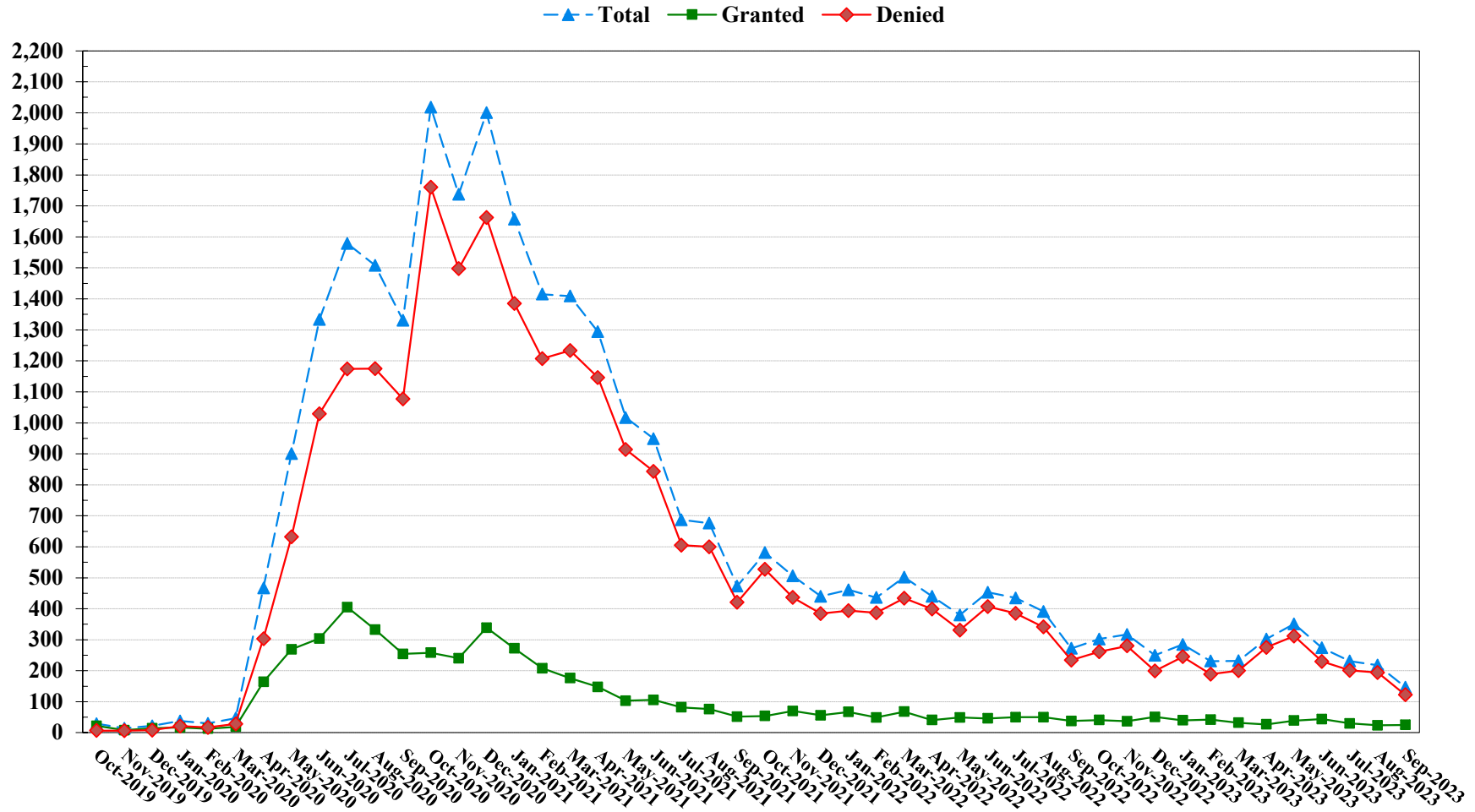
Table 1
MOTIONS FOR COMPASSIONATE RELEASE
BY MONTH OF COURT DECISION¹

Year	Month	Total	Granted		Denied	
		N	N	%	N	%
TOTAL		31,069	4,952	15.9	26,117	84.1
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	901	269	29.9	632	70.1
2020	June	1,333	304	22.8	1,029	77.2
2020	July	1,579	405	25.6	1,174	74.4
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	2,001	339	16.9	1,662	83.1
2021	January	1,657	272	16.4	1,385	83.6
2021	February	1,415	208	14.7	1,207	85.3
2021	March	1,409	176	12.5	1,233	87.5
2021	April	1,294	148	11.4	1,146	88.6
2021	May	1,017	103	10.1	914	89.9
2021	June	949	106	11.2	843	88.8
2021	July	687	82	11.9	605	88.1
2021	August	676	76	11.2	600	88.8
2021	September	473	52	11.0	421	89.0
2021	October	581	54	9.3	527	90.7
2021	November	506	70	13.8	436	86.2
2021	December	440	56	12.7	384	87.3
2022	January	461	67	14.5	394	85.5
2022	February	436	49	11.2	387	88.8
2022	March	502	68	13.5	434	86.5
2022	April	440	41	9.3	399	90.7
2022	May	380	49	12.9	331	87.1
2022	June	453	46	10.2	407	89.8
2022	July	435	50	11.5	385	88.5
2022	August	391	50	12.8	341	87.2
2022	September	272	38	14.0	234	86.0
2022	October	302	41	13.6	261	86.4
2022	November	317	37	11.7	280	88.3
2022	December	250	51	20.4	199	79.6
2023	January	285	40	14.0	245	86.0
2023	February	231	42	18.2	189	81.8
2023	March	232	32	13.8	200	86.2
2023	April	302	27	8.9	275	91.1
2023	May	351	39	11.1	312	88.9
2023	June	274	44	16.1	230	83.9
2023	July	231	30	13.0	201	87.0
2023	August	218	24	11.0	194	89.0
2023	September	147	25	17.0	122	83.0

¹ Of the 32,057 cases reported to the Commission, 988 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

District	Total		Granted		Denied		District	Total		Granted		Denied	
	N	%	N	%	N	%		N	%	N	%	N	%
TOTAL	3,140		432	13.8	2,708	86.2							
Western Tennessee	145		5	3.4	140	96.6	Eastern Kentucky	21		5	23.8	16	76.2
Middle Florida	135		8	5.9	127	94.1	Eastern Tennessee	20		2	10.0	18	90.0
Southern Florida	135		6	4.4	129	95.6	Western Wisconsin	20		0	0.0	20	100.0
Eastern North Carolina	134		9	6.7	125	93.3	Southern Texas	18		2	11.1	16	88.9
Eastern Virginia	133		18	13.5	115	86.5	District of Columbia	17		5	29.4	12	70.6
Maryland	111		30	27.0	81	73.0	Maine	17		1	5.9	16	94.1
Western Missouri	108		4	3.7	104	96.3	Eastern Pennsylvania	15		0	0.0	15	100.0
Southern Iowa	104		6	5.8	98	94.2	Middle Alabama	15		2	13.3	13	86.7
South Carolina	98		15	15.3	83	84.7	Alaska	14		5	35.7	9	64.3
Middle Pennsylvania	92		2	2.2	90	97.8	Eastern Louisiana	14		3	21.4	11	78.6
Western North Carolina	89		15	16.9	74	83.1	Colorado	14		5	35.7	9	64.3
Northern Iowa	87		2	2.3	85	97.7	New Hampshire	14		0	0.0	14	100.0
New Jersey	81		8	9.9	73	90.1	Eastern Washington	13		3	23.1	10	76.9
Southern California	79		21	26.6	58	73.4	Southern Mississippi	12		1	8.3	11	91.7
Minnesota	76		7	9.2	69	90.8	Western Oklahoma	12		1	8.3	11	91.7
Southern Indiana	75		3	4.0	72	96.0	Vermont	11		3	27.3	8	72.7
Western Michigan	60		0	0.0	60	100.0	Hawaii	11		8	72.7	3	27.3
Central California	54		9	16.7	45	83.3	Middle Louisiana	10		0	0.0	10	100.0
Northern Texas	53		3	5.7	50	94.3	Central Illinois	10		1	10.0	9	90.0
South Dakota	51		6	11.8	45	88.2	Eastern Michigan	10		5	50.0	5	50.0
Montana	50		20	40.0	30	60.0	Oregon	10		9	90.0	1	10.0
Western Texas	48		5	10.4	43	89.6	Southern New York	9		9	100.0	0	0.0
Western Virginia	48		15	31.3	33	68.8	Eastern California	8		5	62.5	3	37.5
Eastern Missouri	46		0	0.0	46	100.0	Puerto Rico	7		7	100.0	0	0.0
Western Pennsylvania	46		3	6.5	43	93.5	Massachusetts	6		5	83.3	1	16.7
Middle North Carolina	43		3	7.0	40	93.0	Rhode Island	5		2	40.0	3	60.0
Eastern New York	40		17	42.5	23	57.5	Nevada	5		5	100.0	0	0.0
Eastern Texas	39		3	7.7	36	92.3	Arizona	3		3	100.0	0	0.0
Western Kentucky	37		2	5.4	35	94.6	Western New York	3		3	100.0	0	0.0
Southern Illinois	34		1	2.9	33	97.1	Northern Georgia	3		1	33.3	2	66.7
Middle Georgia	33		1	3.0	32	97.0	New Mexico	3		3	100.0	0	0.0
Eastern Wisconsin	32		0	0.0	32	100.0	Northern Mississippi	2		0	0.0	2	100.0
Kansas	32		14	43.8	18	56.3	Western Louisiana	2		2	100.0	0	0.0
Connecticut	28		3	10.7	25	89.3	Northern Alabama	2		0	0.0	2	100.0
Utah	28		4	14.3	24	85.7	Southern Ohio	2		1	50.0	1	50.0
North Dakota	27		1	3.7	26	96.3	Idaho	2		2	100.0	0	0.0
Nebraska	27		1	3.7	26	96.3	Northern Florida	1		1	100.0	0	0.0
Southern Georgia	27		0	0.0	27	100.0	Southern Alabama	1		0	0.0	1	100.0
Northern Illinois	27		13	48.1	14	51.9	Northern New York	1		1	100.0	0	0.0
Wyoming	25		7	28.0	18	72.0	Eastern Oklahoma	1		1	100.0	0	0.0
Northern West Virginia	25		1	4.0	24	96.0	Northern Mariana Islands	1		0	0.0	1	100.0
Eastern Arkansas	24		2	8.3	22	91.7	Guam	1		0	0.0	1	100.0
Northern Oklahoma	23		6	26.1	17	73.9	Delaware	0		0	0.0	0	0.0
Southern West Virginia	22		4	18.2	18	81.8	Virgin Islands	0		0	0.0	0	0.0
Northern California	21		10	47.6	11	52.4	Northern Ohio	0		0	0.0	0	0.0
Northern Indiana	21		3	14.3	18	85.7	Middle Tennessee	0		0	0.0	0	0.0
Western Washington	21		4	19.0	17	81.0	Western Arkansas	0		0	0.0	0	0.0

¹ Of the 3,246 cases reported to the Commission in Fiscal Year 2023, 106 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**

CIRCUIT District	TOTAL	Granted		Denied	
	N	N	%	N	%
TOTAL	3,140	432	13.8	2,708	86.2
D.C. CIRCUIT	17	5	29.4	12	70.6
District of Columbia	17	5	29.4	12	70.6
FIRST CIRCUIT	49	15	30.6	34	69.4
Maine	17	1	5.9	16	94.1
Massachusetts	6	5	83.3	1	16.7
New Hampshire	14	0	0.0	14	100.0
Puerto Rico	7	7	100.0	0	0.0
Rhode Island	5	2	40.0	3	60.0
SECOND CIRCUIT	92	36	39.1	56	60.9
Connecticut	28	3	10.7	25	89.3
New York					
Eastern	40	17	42.5	23	57.5
Northern	1	1	100.0	0	0.0
Southern	9	9	100.0	0	0.0
Western	3	3	100.0	0	0.0
Vermont	11	3	27.3	8	72.7
THIRD CIRCUIT	234	13	5.6	221	94.4
Delaware	0	0	--	0	--
New Jersey	81	8	9.9	73	90.1
Pennsylvania					
Eastern	15	0	0.0	15	100.0
Middle	92	2	2.2	90	97.8
Western	46	3	6.5	43	93.5
Virgin Islands	0	0	--	0	--
FOURTH CIRCUIT	703	110	15.6	593	84.4
Maryland	111	30	27.0	81	73.0
North Carolina					
Eastern	134	9	6.7	125	93.3
Middle	43	3	7.0	40	93.0
Western	89	15	16.9	74	83.1
South Carolina	98	15	15.3	83	84.7
Virginia					
Eastern	133	18	13.5	115	86.5
Western	48	15	31.3	33	68.8
West Virginia					
Northern	25	1	4.0	24	96.0
Southern	22	4	18.2	18	81.8

Table 3 (cont.)

CIRCUIT District	TOTAL	Granted		Denied	
	N	N	%	N	%
FIFTH CIRCUIT	198	19	9.6	179	90.4
Louisiana					
Eastern	14	3	21.4	11	78.6
Middle	10	0	0.0	10	100.0
Western	2	2	100.0	0	0.0
Mississippi					
Northern	2	0	0.0	2	100.0
Southern	12	1	8.3	11	91.7
Texas					
Eastern	39	3	7.7	36	92.3
Northern	53	3	5.7	50	94.3
Southern	18	2	11.1	16	88.9
Western	48	5	10.4	43	89.6
SIXTH CIRCUIT	295	20	6.8	275	93.2
Kentucky					
Eastern	21	5	23.8	16	76.2
Western	37	2	5.4	35	94.6
Michigan					
Eastern	10	5	50.0	5	50.0
Western	60	0	0.0	60	100.0
Ohio					
Northern	0	0	--	0	--
Southern	2	1	50.0	1	50.0
Tennessee					
Eastern	20	2	10.0	18	90.0
Middle	0	0	--	0	--
Western	145	5	3.4	140	96.6
SEVENTH CIRCUIT	219	21	9.6	198	90.4
Illinois					
Central	10	1	10.0	9	90.0
Northern	27	13	48.1	14	51.9
Southern	34	1	2.9	33	97.1
Indiana					
Northern	21	3	14.3	18	85.7
Southern	75	3	4.0	72	96.0
Wisconsin					
Eastern	32	0	0.0	32	100.0
Western	20	0	0.0	20	100.0
EIGHTH CIRCUIT	550	29	5.3	521	94.7
Arkansas					
Eastern	24	2	8.3	22	91.7
Western	0	0	--	0	--
Iowa					
Northern	87	2	2.3	85	97.7
Southern	104	6	5.8	98	94.2
Minnesota	76	7	9.2	69	90.8
Missouri					
Eastern	46	0	0.0	46	100.0
Western	108	4	3.7	104	96.3
Nebraska	27	1	3.7	26	96.3
North Dakota	27	1	3.7	26	96.3
South Dakota	51	6	11.8	45	88.2

Table 3 (cont.)

CIRCUIT District	TOTAL	Granted		Denied	
	N	N	%	N	%
NINTH CIRCUIT	293	104	35.5	189	64.5
Alaska	14	5	35.7	9	64.3
Arizona	3	3	100.0	0	0.0
California					
Central	54	9	16.7	45	83.3
Eastern	8	5	62.5	3	37.5
Northern	21	10	47.6	11	52.4
Southern	79	21	26.6	58	73.4
Guam	1	0	0.0	1	100.0
Hawaii	11	8	72.7	3	27.3
Idaho	2	2	100.0	0	0.0
Montana	50	20	40.0	30	60.0
Nevada	5	5	100.0	0	0.0
Northern Mariana Islands	1	0	0.0	1	100.0
Oregon	10	9	90.0	1	10.0
Washington					
Eastern	13	3	23.1	10	76.9
Western	21	4	19.0	17	81.0
TENTH CIRCUIT	138	41	29.7	97	70.3
Colorado	14	5	35.7	9	64.3
Kansas	32	14	43.8	18	56.3
New Mexico	3	3	100.0	0	0.0
Oklahoma					
Eastern	1	1	100.0	0	0.0
Northern	23	6	26.1	17	73.9
Western	12	1	8.3	11	91.7
Utah	28	4	14.3	24	85.7
Wyoming	25	7	28.0	18	72.0
ELEVENTH CIRCUIT	352	19	5.4	333	94.6
Alabama					
Middle	15	2	13.3	13	86.7
Northern	2	0	0.0	2	100.0
Southern	1	0	0.0	1	100.0
Florida					
Middle	135	8	5.9	127	94.1
Northern	1	1	100.0	0	0.0
Southern	135	6	4.4	129	95.6
Georgia					
Middle	33	1	3.0	32	97.0
Northern	3	1	33.3	2	66.7
Southern	27	0	0.0	27	100.0

¹ Of the 3,246 cases reported to the Commission in Fiscal Year 2023, 106 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**

Fiscal Year	Total	Granted		Denied	
	N	N	%	N	%
TOTAL	3,130	428	13.7	2,702	86.3
2023	57	11	19.3	46	80.7
2022	280	30	10.7	250	89.3
2021	340	33	9.7	307	90.3
2020	275	19	6.9	256	93.1
2019	306	26	8.5	280	91.5
2018	283	28	9.9	255	90.1
2017	210	17	8.1	193	91.9
2016	167	20	12.0	147	88.0
2015	124	18	14.5	106	85.5
2014	132	25	18.9	107	81.1
2013	130	25	19.2	105	80.8
2012	106	15	14.2	91	85.8
2011	111	19	17.1	92	82.9
2010	87	15	17.2	72	82.8
2009	83	22	26.5	61	73.5
2008	57	14	24.6	43	75.4
2007	62	7	11.3	55	88.7
2006	43	11	25.6	32	74.4
2005	37	8	21.6	29	78.4
2004	32	6	18.8	26	81.3
2003	36	8	22.2	28	77.8
2002	16	5	31.3	11	68.8
2001	27	6	22.2	21	77.8
2000	19	7	36.8	12	63.2
1999	23	6	26.1	17	73.9
1998	13	7	53.8	6	46.2
1997	22	6	27.3	16	72.7
1996	12	0	0.0	12	100.0
1995	5	1	20.0	4	80.0
1994	12	4	33.3	8	66.7
1993	11	4	36.4	7	63.6
1992	4	3	75.0	1	25.0
1991	5	2	40.0	3	60.0
1990	2	0	0.0	2	100.0
1989	1	0	0.0	1	100.0

¹ Of the 3,140 cases reported to the Commission with motion status information in Fiscal Year 2023, 10 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

CIRCUIT	Total		Defendant		Director BOP		Attorney for the Government		Joint Motion ²	
	N	%	N	%	N	%	N	%	N	%
TOTAL	431		413	95.8	7	1.6	1	0.2	10	2.3
D.C. CIRCUIT	5		5	100.0	0	0.0	0	0.0	0	0.0
FIRST CIRCUIT	15		11	73.3	0	0.0	0	0.0	4	26.7
SECOND CIRCUIT	36		36	100.0	0	0.0	0	0.0	0	0.0
THIRD CIRCUIT	13		13	100.0	0	0.0	0	0.0	0	0.0
FOURTH CIRCUIT	110		107	97.3	2	1.8	1	0.9	0	0.0
FIFTH CIRCUIT	19		19	100.0	0	0.0	0	0.0	0	0.0
SIXTH CIRCUIT	20		19	95.0	1	5.0	0	0.0	0	0.0
SEVENTH CIRCUIT	21		20	95.2	1	4.8	0	0.0	0	0.0
EIGHTH CIRCUIT	29		25	86.2	2	6.9	0	0.0	2	6.9
NINTH CIRCUIT	103		99	96.1	0	0.0	0	0.0	4	3.9
TENTH CIRCUIT	41		41	100.0	0	0.0	0	0.0	0	0.0
ELEVENTH CIRCUIT	19		18	94.7	1	5.3	0	0.0	0	0.0

¹ Of the 432 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 INDIVIDUALS
MAKING MOTIONS FOR COMPASSIONATE RELEASE¹
Fiscal Year 2023**

<u>Demographics</u>	Granted		Denied	
	N	%	N	%
Race/Ethnicity				
White	140	32.8	721	26.8
Black	177	41.5	1,358	50.4
Hispanic	90	21.1	512	19.0
Other	20	4.7	104	3.9
Total	427	100.0	2,695	100.0
Citizenship				
U.S. Citizen	376	88.5	2,355	87.6
Non-Citizen	49	11.5	333	12.4
Total	425	100.0	2,688	100.0
Gender				
Male	382	88.4	2,446	90.4
Female	50	11.6	260	9.6
Total	432	100.0	2,706	100.0
Average Age at Original Sentence		39	39	
Average Age at Motion Decision		49	46	

¹ Of the 3,140 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 (18), missing citizenship information (27), missing gender information (2), and missing age information (20).

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

Table 7

**SELECTED SENTENCING FACTORS FOR INDIVIDUALS
MAKING MOTIONS FOR COMPASSIONATE RELEASE¹
Fiscal Year 2023**

Sentencing Factors	Granted	Denied
	%	%
Weapon^{2,3}	43.0	40.8
Weapon Specific Offense Characteristic	21.2	21.3
Firearms Mandatory Minimum Applied	26.5	22.8
Safety Valve²	10.7	7.9
Guideline Role Adjustments²		
Aggravating Role (USSG §3B1.1)	19.9	18.0
Mitigating Role (USSG §3B1.2)	5.4	1.9
Obstruction Adjustment (USSG §3C1.1)	7.7	9.9
Sentence Relative to the Guideline Range		
Within Range	49.9	48.7
Above Range	2.6	4.8
Below Range	47.5	46.5
Criminal History Category		
I	23.6	24.2
II	11.0	7.4
III	14.8	13.6
IV	8.6	11.5
V	8.4	8.3
VI	33.7	35.0
Career Offender (§4B1.1)²	22.1	19.4

¹ Of the 3,140 cases reported to the Commission with motion status information in Fiscal Year 2023, 10 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 3,000 cases with complete guideline application information.

³ In 100 cases the court applied the weapon specific offense characteristic and the sentenced individual 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 INDIVIDUALS
RECEIVING COMPASSIONATE RELEASE¹
Fiscal Year 2023**

TYPE OF CRIME	N	%
TOTAL	428	100.0
Administration of Justice	2	0.5
Antitrust	0	0.0
Arson	2	0.5
Assault	6	1.4
Bribery/Corruption	1	0.2
Burglary/Trespass	0	0.0
Child Pornography	9	2.1
Commercialized Vice	1	0.2
Drug Possession	1	0.2
Drug Trafficking	255	59.6
Environmental	0	0.0
Extortion/Racketeering	2	0.5
Firearms	45	10.5
Food and Drug	1	0.2
Forgery/Counter/Copyright	0	0.0
Fraud/Theft/Embezzlement	21	4.9
Immigration	2	0.5
Individual Rights	3	0.7
Kidnapping	1	0.2
Manslaughter	0	0.0
Money Laundering	9	2.1
Murder	21	4.9
National Defense	0	0.0
Obscenity/Other Sex Offenses	0	0.0
Prison Offenses	2	0.5
Robbery	37	8.6
Sexual Abuse	5	1.2
Stalking/Harassing	1	0.2
Tax	1	0.2
Other	0	0.0

¹ Of the 432 cases in which the court granted a motion for compassionate release in Fiscal Year 2023, four 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 INDIVIDUALS
DENIED COMPASSIONATE RELEASE¹
Fiscal Year 2023**

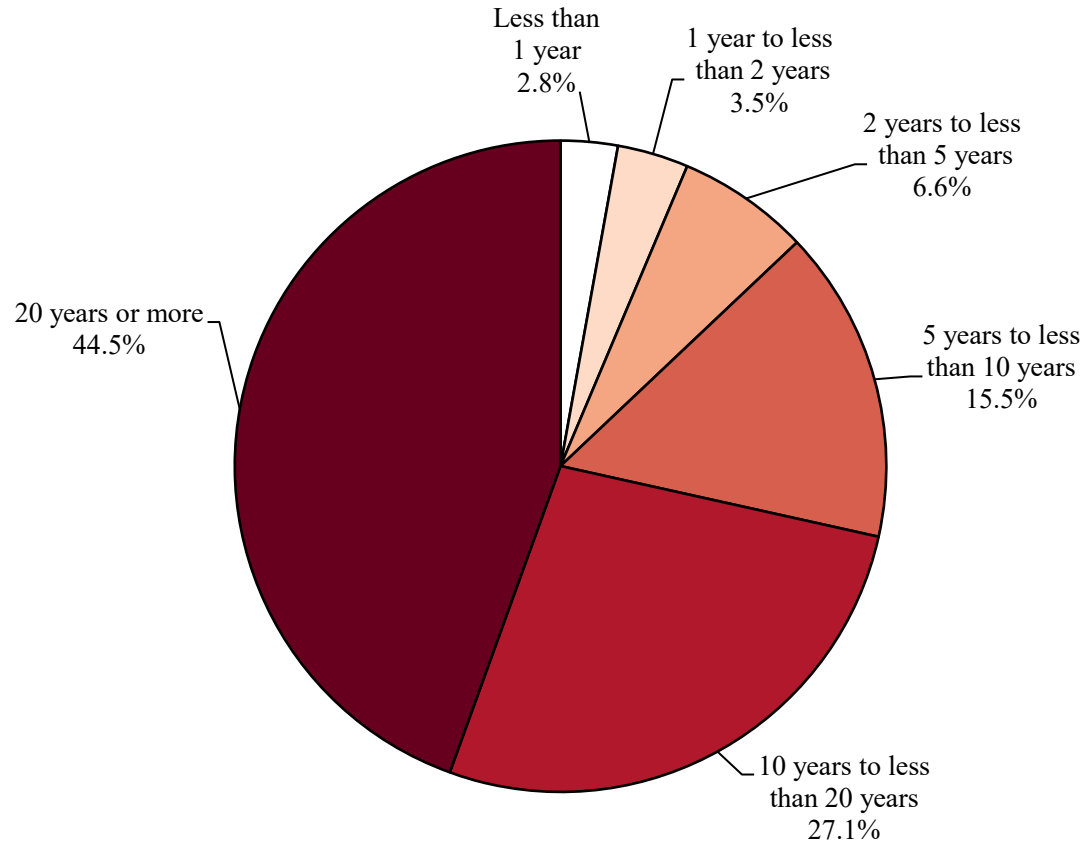
TYPE OF CRIME	N	%
TOTAL	2,696	100.0
Administration of Justice	4	0.1
Antitrust	0	0.0
Arson	9	0.3
Assault	27	1.0
Bribery/Corruption	8	0.3
Burglary/Trespass	2	0.1
Child Pornography	84	3.1
Commercialized Vice	2	0.1
Drug Possession	0	0.0
Drug Trafficking	1,399	51.9
Environmental	1	0.0
Extortion/Racketeering	11	0.4
Firearms	368	13.6
Food and Drug	0	0.0
Forgery/Counter/Copyright	2	0.1
Fraud/Theft/Embezzlement	152	5.6
Immigration	13	0.5
Individual Rights	5	0.2
Kidnapping	12	0.4
Manslaughter	5	0.2
Money Laundering	88	3.3
Murder	112	4.2
National Defense	6	0.2
Obscenity/Other Sex Offenses	6	0.2
Prison Offenses	11	0.4
Robbery	256	9.5
Sexual Abuse	90	3.3
Stalking/Harassing	6	0.2
Tax	12	0.4
Other	5	0.2

¹ Of the 2,708 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, six were excluded due to missing information on the type of crime.

Figure 2

ORIGINAL SENTENCE LENGTH FOR INDIVIDUALS RECEIVING COMPASSIONATE RELEASE¹

Fiscal Year 2023



¹ Of the 432 cases in which the court granted a motion for compassionate release in Fiscal Year 2023, information on the original sentence length was missing in seven cases.

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

Table 10
REASONS GIVEN BY SENTENCING COURTS FOR
FOR GRANTED MOTIONS¹
Fiscal Year 2023

REASONS	N	%
Rehabilitation ²	109	16.0
Serious physical or medical condition (USSG §1B1.13, Note 1(A)(ii))	81	11.9
COVID-19/pandemic	53	7.8
Missing/no reason provided	52	7.6
Other mandatory minimum penalties/long sentence	44	6.4
Multiple 18 U.S.C. § 924(c) penalties	42	6.1
Career Offender issues	40	5.9
Terminal illness (USSG §1B1.13, Note 1(A)(i))	39	5.7
21 U.S.C. § 851 enhanced drug penalties	32	4.7
BOP failure to provide treatment	23	3.4
Family circumstance - care for minor child (USSG §1B1.13, Note 1(C))	19	2.8
Nearly meets requirements of USSG §1B1.13, Notes (1)(A)-(C)	19	2.8
Conviction/sentencing errors	13	1.9
Deteriorating physical or mental health due to aging process (USSG §1B1.13, Note 1(A))	10	1.5
Age 65 and deteriorating health and served 10 years/75% (USSG §1B1.13, Note 1(B))	10	1.5
Extraordinary and compelling (not specified)	9	1.3
Mandatory nature of guideline at sentencing	9	1.3
Guideline amendment	6	0.9
Safety Valve disqualification	4	0.6
Serious functional or cognitive impairment (USSG §1B1.13, Note 1(A)(ii))	3	0.4
Family circumstance - care for spouse or registered partner (USSG §1B1.13, Note 1(C))	3	0.4
ACCA issues	2	0.3
Other	61	8.9
TOTAL	683	100.0

¹ The court granted a motion for compassionate release in 432 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, 683 reasons were cited for the 432 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

REASONS	N	%
18 U.S.C § 3553(a) factors	1,460	25.8
No extraordinary and compelling reason provided	844	14.9
Not at risk from COVID/pandemic	728	12.9
Rehabilitation insufficient	394	7.0
Failure to exhaust administrative remedies	387	6.8
Insufficient proof of serious physical and medical condition	359	6.3
Defendant able to provide self-care in prison	272	4.8
Protection of the public	211	3.7
Other care available for minor child	174	3.1
Does not meet age or length of time served requirement under 18 U.S.C. § 3559	50	0.9
Mandatory minimum penalty	38	0.7
Post-sentencing/post-conviction conduct	34	0.6
Missing/no reason provided	26	0.5
Other care available for spouse or partner	20	0.4
Insufficient proof of deteriorating physical or mental health	15	0.3
Binding plea agreement	13	0.2
Insufficient proof of serious functional or cognitive impairment	7	0.1
Other	633	11.2
TOTAL	5,665	100.0

¹ The court denied a motion for compassionate release in 2,708 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, 5,665 reasons were cited for the 2,708 cases.

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