



Introduction to the Guidelines

September 16, 2015

Alan Dorhoffer

Deputy Director, Office of Education



Presenters

Hon. Ricardo Hinojosa
Chief Judge, SD/Texas

Alan Dorhoffer
Deputy Director, Office of Education and Sentencing Practice



Commission Resources



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Federal Sentencing System



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Sentencing in the Advisory Guidelines System

- Sentences are to be based on the factors at 18 U.S.C. § 3553(a)(1)-(7)
- Correct guideline application is the required starting point in sentencing
- Sentences are reviewed for “reasonableness”



18 U.S.C. § 3553(a)

The court is to impose a sentence
sufficient but not greater than necessary
to comply with the “purposes of sentencing”

Punishment, deterrence,
incapacitation & rehabilitation
(§ 3553(a)(2))



§ 3553(a)(1) - (7) Factors

The court shall consider:

- (1) Nature & circumstances of offense;
history and characteristics of defendant
- (2) “Purposes of sentencing”
Punishment, deterrence, incapacitation & rehabilitation
- (3) Kinds of sentences available



§ 3553(a)(1) - (7) Factors (cont.)

The court shall consider:

- (4) The sentencing guidelines
- (5) The guideline policy statements
- (6) Avoiding unwarranted sentencing disparities
- (7) Need to provide restitution





3-Step Approach to Federal Sentencing



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3-Step Approach to Federal Sentencing

Step 1

Correctly apply and consider the sentencing guidelines, including the guideline range and other aspects of the sentence called for by the guidelines

See §1B1.1(a)



SENTENCING TABLE
(in months of imprisonment)

Offense Level	Criminal History Category (Criminal History Points)					
	I (0 or 1)	II (2 or 3)	III (4, 5, 6)	IV (7, 8, 9)	V (10, 11, 12)	VI (13 or more)
	0-6	0-6	0-6	0-6	0-6	0-6
	0-6	0-6	0-6	0-6	0-6	1-7
	0-6	0-6	0-6	0-6	2-8	3-9
Zone A	0-6	0-6	0-6	2-8	4-10	6-12
	0-6	0-6	1-7	4-10	6-12	9-15
	0-6	1-7	2-8	6-12	9-15	12-18
	0-6	2-8	4-10	8-14	12-18	15-21
	0-6	4-10	6-12	10-16	15-21	18-24
	4-10	6-12	8-14	12-18	18-24	21-27
Zone B	6-12	8-14	10-16	15-21	21-27	24-30
	8-14	10-16	12-18	18-24	24-30	27-33
Zone C	10-16	12-18	15-21	21-27	27-33	30-37
	12-18	15-21	18-24	24-30	30-37	33-41
	15-21	18-24	21-27	27-33	33-41	37-46
	18-24	21-27	24-30	30-37	37-46	41-51
	21-27	24-30	27-33	33-41	41-51	46-57
	24-30	27-33	30-37	37-46	46-57	51-63
	27-33	30-37	33-41	41-51	51-63	57-71
	30-37	33-41	37-46	46-57	57-71	63-78
	33-41	37-46	41-51	51-63	63-78	70-87
	37-46	41-51	46-57	57-71	70-87	77-96
	41-51	46-57	51-63	63-78	77-96	84-105
	46-57	51-63	57-71	70-87	84-105	92-115
	51-63	57-71	63-78	77-96	92-115	100-125
	57-71	63-78	70-87	84-105	100-125	110-137
	63-78	70-87	78-97	92-115	110-137	120-150
Zone D	70-87	78-97	87-108	100-125	120-150	130-162
	78-97	87-108	97-121	110-137	130-162	140-175
	87-108	97-121	108-135	121-151	140-175	151-188
	97-121	108-135	121-151	135-168	151-188	168-210
	108-135	121-151	135-168	151-188	168-210	188-235
	121-151	135-168	151-188	168-210	188-235	210-262
	135-168	151-188	168-210	188-235	210-262	235-293
	151-188	168-210	188-235	210-262	235-293	262-327
	168-210	188-235	210-262	235-293	262-327	292-365
	188-235	210-262	235-293	262-327	292-365	324-405
	210-262	235-293	262-327	292-365	324-405	360-life
	235-293	262-327	292-365	324-405	360-life	360-life
	262-327	292-365	324-405	360-life	360-life	360-life
	292-365	324-405	360-life	360-life	360-life	360-life
	324-405	360-life	360-life	360-life	360-life	360-life
	360-life	360-life	360-life	360-life	360-life	360-life
	life	life	life	life	life	life



3-Step Approach to Federal Sentencing (cont.)

Step 2

Consider the Commission's policy statements, including those addressing departures, that might warrant consideration in imposing sentence

See §1B1.1(b)



Policy Statements Regarding Departures

- Chapter One, Part A
- Chapter Five, Part K
 - **§5K1.1 Substantial Assistance (requires a government motion)**
 - §5K2.0 Grounds for Departure
 - §5K2.1 – 2.24 Various bases for departures
 - **§5K3.1 Early Disposition Programs (“Fast Track”) (requires a government motion)**



Policy Statements Regarding Departures (cont.)

- Chapter Five, Part H - Specific Offender Characteristics
- §4A1.3 - Inadequacy of Criminal History Category
- Other specific commentary
 - *E.g.*, in a Chapter Two offense guideline
- *Note:* comprehensive List of Departure Provisions in back of *Guidelines Manual*



3-Step Approach to Federal Sentencing (cont.)

Step 3

Consider § 3553(a) taken as a whole...

See §1B1.1(c)



Step 3 (continued)

...and determine if the appropriate sentence is

- One within the advisory guideline system:
 - a sentence within the guideline range
 - a “*departure*”

OR

- One outside the advisory guideline system:
 - a “*variance*”



Overview of the Sentencing Process

- Plea/verdict of guilty
- U.S. probation officer (USPO) does a presentence investigation (PSI) & presentence report (PSR)
 - Gathers facts
 - **Applies guidelines**
 - Provides PSR to parties



Overview of the Sentencing Process (cont.)

- Parties review PSR; advise USPO of any disputes
- USPO resolves disputes as possible; submits amended PSR and addendum of unresolved disputes to parties and the judge
- At the sentencing hearing the judge will resolve disputes as necessary



Pointers for the Application of the Guidelines

- The sentencing judge resolves disputed issues **(§6A1.3)**
- Standard of proof: preponderance **(§6A1.3)****
- Burden of persuasion: falls on party seeking the adjustment



Pointers for the Application of the Guidelines (cont.)

- Rules of evidence do not apply
(Fed. R. Evid. 1101(d)(3))
- Evidence must have sufficient indicia of reliability to support probable accuracy **(§6A1.3(a))**





Overview of Basic Guideline Application



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The Statutes “Trump” the Guidelines

Regardless of what sentence the guidelines may call for,
the sentence imposed must fall within the restrictions
set by statute

(e.g., statutory maximums and mandatory minimums)

-See §§5G1.1 & 5G1.2



Mandatory Minimum's Impact on Sentencing Range

Guideline Range Computed

41 - 51

Mandatory Minimum

5 years

(60 months)

Final Guideline Range: 60-60

Selected Criminal Statutes

- 21 U.S.C. §§ 841 & 846 (Drug Trafficking)
- 8 U.S.C. § 1326 (Illegal Reentry)
- 18 U.S.C. § 922 (Felon in Possession)
- 18 U.S.C. § 1343 (Wire Fraud)



Guidelines Manual

- Ch. One Introduction, definitions, application principles
- Ch. Two Offense guidelines
- Ch. Three Generic adjustments
- Ch. Four Criminal history

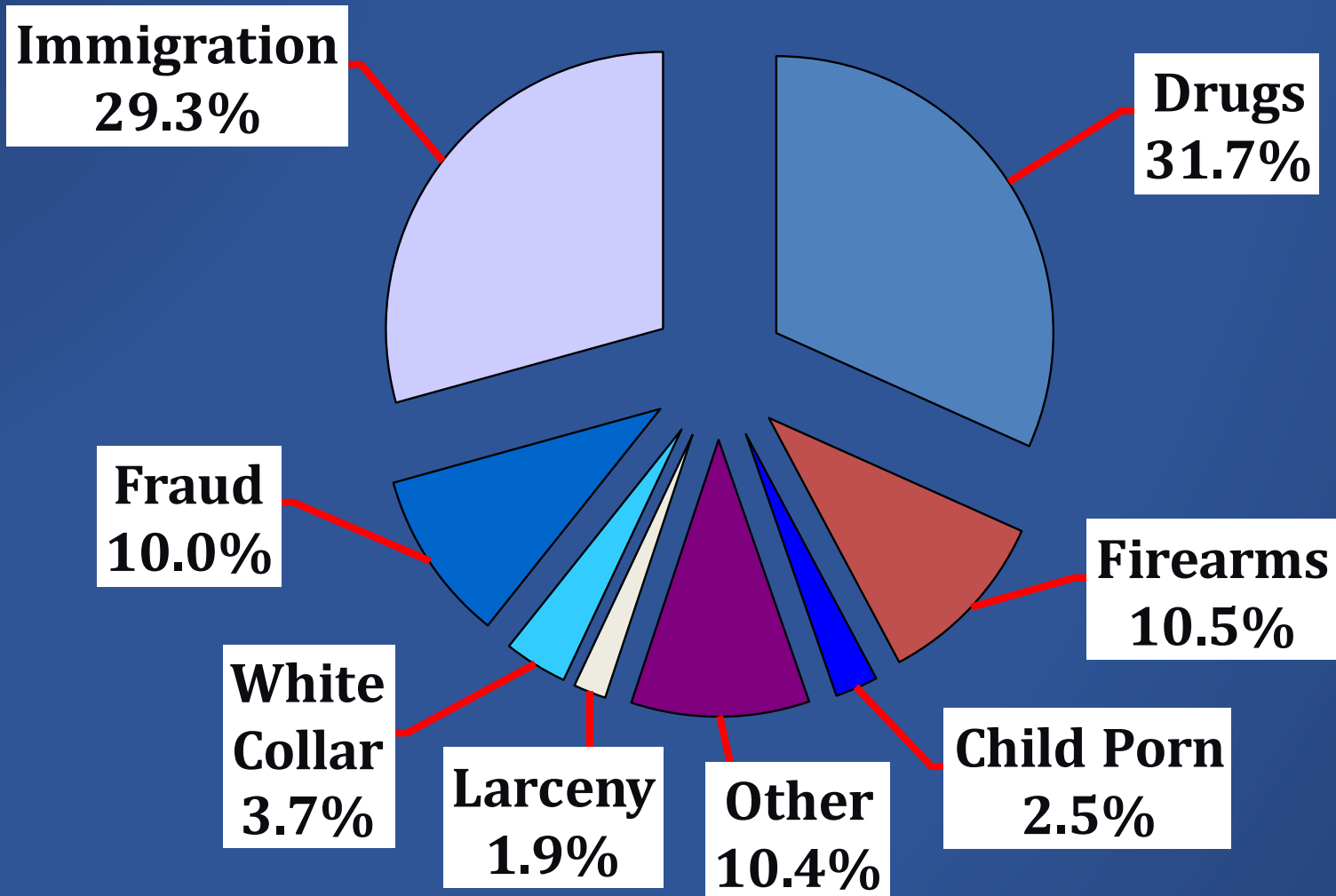


- Ch. Five Determining the guideline range and other aspects of the sentence
- Ch. Six Sentencing procedures & pleas
- Ch. Seven Violations of probation & supervised release
- Ch. Eight Sentencing of organizations
- Appx A Statutory Index



Primary Offense Types

National - FY 2014



SOURCE: 2014 Sourcebook of Federal Sentencing Statistics; 75,836 Cases Sentenced





Single Count Scenario

Robbery Scenario



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Robbery Scenario Facts

- Defendant A convicted of 18/2113(a)&(d)
- Def. A and co-participant robbed federally insured bank
- Robbery planned by Def. A who directed co-defendant
- Def. A carried pistol; co-participant carried knife
- Def. A pushed teller, resulting in cut, bruises & contusions
- \$15,000 taken in robbery
- Defendant A will plead guilty



Robbery Scenario Facts (cont.)

- Def. A's prior record, all since age 18:
 - 6 yrs. prior to instant robbery; auto theft: 2 yrs. probation
 - 3 yrs. prior to instant robbery; grand larceny: 6 mos. jail & 3 yrs. probation
- On probation at the time of the instant federal offense



General Approach of the Federal Sentencing Guidelines

- Begins as an offense of conviction system
- Then considers many real offense characteristics



3-Step Approach to Federal Sentencing

Step 1

Correctly apply and consider the sentencing guidelines



Basic Guideline Application

- 1) Determine the Chapter 2 offense guideline
- 2) Calculate the offense level from that guideline (base offense level, specific offense characteristics, cross references)
- 3) Determine if any Chapter 3 adjustments apply
- 4) Determine the defendant's criminal history category under Chapter 4
- 5) Identify the guideline range at the intersection of the two points



Determining the Applicable Chapter Two Guideline

§1B1.2(a)

- Use the Chapter Two guideline applicable to the offense of conviction
- Refer to the Statutory Index (Appendix A) in this determination
- If no guideline is listed, use §2X5.1 for finding an analogous guideline for a felony (stat. max. over 1 yr.), or §2X5.2 for a Class A misd.



Appendix A

Statute

18 U.S.C. § 2111

18 U.S.C. § 2112

18 U.S.C. § 2113(a)

18 U.S.C. § 2113(b)

18 U.S.C. § 2113(c)

18 U.S.C. § 2113(d)

Guideline

2B3.1

2B3.1

2B1.1, 2B2.1,
2B3.1, 2B3.2

2B1.1

2B1.1

2B3.1



- §2B1.1 Larceny, Embezzlement, Fraud and Forgery
- §2B2.1 Burglary
- **§2B3.1 Robbery**
- §2B3.2 Extortion by Force or Threat of Injury or Serious Damage



More than one Guideline

- *U.S. v. Kupfer*, 2015 WL 4926885 (10th Cir. 2015)
 - When more than one guideline section is listed, the statutory index instructs the court to “use the guideline most appropriate for the offense conduct charged in the count of which the defendant was convicted.”
 - Court must use charged conduct not facts in making this determination



§2B3.1 Robbery

(a) Base Offense Level:	20
(b) Specific Offense Characteristics	<u>Levels</u>
(1) financial institution or post office	+2
(2) firearm, weapon, death threat	+2 to +7
(3) victim injury	+2 to +6
(max. of 11 offense levels from (b)(2) & (b)(3))	



(b) SOC's (cont.)Levels

(4) abduction

+4

restraint

+2

(5) carjacking

+2

(6) taking of a firearm,

destructive device,

or controlled substance

+1

(7) loss of \$10,000+ to \$5 million+**+1 to +7**

(c) Cross Reference

(1) if victim murdered, apply the guideline
for First Degree Murder (§2A1.1)



Most Commonly Applied Guidelines

- §2D1.1 (Drug Trafficking)
- §2L1.2 (Unlawfully Entering/Remaining in U.S.)
- §2B1.1 (Fraud, Theft, Embezzlement)
- §2K2.1 (Firearms Offenses)



Chapter Three Adjustments

- Victim-Related Adjustments
- Role in the Offense
- Obstruction
- Multiple Counts
- Acceptance of Responsibility



Role in the Offense

Chapter Three, Part B

Levels

- **§3B1.1 Aggravating Role** **+4,+3 or +2**
- **§3B1.2 Mitigating Role** **-4, -3 or -2**
- **§3B1.3 Abuse of a Position of Trust
or Use of a Special Skill** **+2**



Acceptance of Responsibility

Chapter Three, Part E

- **2-Level Reduction:**

If defendant clearly demonstrates affirmative acceptance of responsibility for the offense.

- **1-Level Additional Reduction Possible**



Requirements for 1-Level Additional Reduction

§3E1.1(b)

- Only if 2-level reduction applicable
- Must be at least offense level 16
- Government motion required
- Must give timely notification of plea of guilty





Relevant Conduct

§1B1.3



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Relevant Conduct Synopsis

- The defendant is held accountable for anything defendant does during the offense of conviction, preparing for that offense, or avoiding detection or responsibility for that offense
- The defendant may be held accountable for conduct of co-conspirators



Relevant Conduct Synopsis (cont.)

- For certain offense types, the defendant may be held accountable for conduct outside the offense of conviction, when in the same course of conduct or common scheme or plan





Chapter Four

Criminal History and “Overrides”



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SENTENCING TABLE
(in months of imprisonment)

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2	0-6	0-6	0-6	0-6	0-6	1-7
3	0-6	0-6	0-6	0-6	2-8	3-9
4	0-6	0-6	0-6	2-8	4-10	6-12
5	0-6	0-6	1-7	4-10	6-12	9-15
6	0-6	1-7	2-8	6-12	9-15	12-18
7	0-6	2-8	4-10	8-14	12-18	15-21
8	0-6	4-10	6-12	10-16	15-21	18-24
9	4-10	6-12	8-14	12-18	18-24	21-27
10	6-12	8-14	10-16	15-21	21-27	24-30
11	8-14	10-16	12-18	18-24	24-30	27-33
12	10-16	12-18	15-21	21-27	27-33	30-37
13	12-18	15-21	18-24	24-30	30-37	33-41
14	15-21	18-24	21-27	27-33	33-41	37-46
15	18-24	21-27	24-30	30-37	37-46	41-51
16	21-27	24-30	27-33	33-41	41-51	46-57
17	24-30	27-33	30-37	37-46	46-57	51-63
18	27-33	30-37	33-41	41-51	51-63	57-71
19	30-37	33-41	37-46	46-57	57-71	63-78
20	33-41	37-46	41-51	51-63	63-78	70-87
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23	46-57	51-63	57-71	70-87	84-105	92-115
24	51-63	57-71	63-78	77-96	92-115	100-125
25	57-71	63-78	70-87	84-105	100-125	110-137
26	63-78	70-87	78-97	92-115	110-137	120-150
27	70-87	78-97	87-108	100-125	120-150	130-162
28	78-97	87-108	97-121	110-137	130-162	140-175
29	87-108	97-121	108-135	121-151	140-175	151-188
30	97-121	108-135	121-151	135-168	151-188	168-210
31	108-135	121-151	135-168	151-188	168-210	188-235
32	121-151	135-168	151-188	168-210	188-235	210-262
33	135-168	151-188	168-210	188-235	210-262	235-293
34	151-188	168-210	188-235	210-262	235-293	262-327
35	168-210	188-235	210-262	235-293	262-327	292-365
36	188-235	210-262	235-293	262-327	292-365	324-405
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38	235-293	262-327	292-365	324-405	360-life	360-life
39	262-327	292-365	324-405	360-life	360-life	360-life
40	292-365	324-405	360-life	360-life	360-life	360-life
41	324-405	360-life	360-life	360-life	360-life	360-life
42	360-life	360-life	360-life	360-life	360-life	360-life
43	life	life	life	life	life	life



Numerous “Rules” in Chapter Four

- Typically clear regarding previous federal record
- Issues more likely to arise regarding previous state/local record
 - Look to case law
 - Established methods used in your court for recurring issues



Criminal History

Measures the seriousness of a defendant's prior record
and the likelihood of recidivism

- ✓ “Prior Sentences”
(1, 2, or 3 points each)
- ✓ “Status”
(2 points)



Criminal History Points

Prior Offense Committed at 18 or Older

Points*	Sentence	Time Frame (Earliest Date of Relevant Conduct)
3	>13 months	Within 15 yrs. of prior sentence imposition or release
2	≥60 days	Within 10 yrs. of prior sentence imposition
1 (max of 4)	All others**	Within 10 yrs. of prior sentence imposition

* If otherwise countable

** Exceptions may apply



Length of Prior Sentences

§4A1.2(a) and App. Note 2

- Set by maximum sentence imposed
 - If sentence or any portion is suspended, the maximum is established by the unsuspended portion
- Unaffected by release
 - *E.g.*, release to parole or for “good time”



Robbery Scenario Facts (cont.)

- Def. A's prior record, all since age 18:
 - 6 yrs. prior to instant robbery; auto theft: 2 yrs. probation
 - 3 yrs. prior to instant robbery; grand larceny: 6 mos. jail & 3 yrs. probation
- On probation at the time of the instant federal offense



Criminal History Points

Prior Offense Committed at 18 or Older

Points*	Sentence	Time Frame (Earliest Date of Relevant Conduct)
3	>13 months	Within 15 yrs. of prior sentence imposition or release
2	≥60 days	Within 10 yrs. of prior sentence imposition
1 (max of 4)	All others**	Within 10 yrs. of prior sentence imposition

* If otherwise countable

** Exceptions may apply



Relevant Conduct and “Status”

§4A1.1(d) & App. Note 4

- “Status” if under criminal justice sentence during any relevant conduct

Note: “status” can only count if the sentence from which it resulted has been counted



Excluded Offenses

§4A1.2(c)(1) & (c)(2)



Excluded Offenses

§4A1.2(c)(1) & (c)(2) & (o)

- §4A1.2(c)(1) - List of misdemeanors and petty offenses that are only counted when:
 - The sentence was probation of more than one year
 - The sentence was imprisonment of at least thirty days
 - *E.g.*, driving without license or with suspended license



Excluded Offenses (cont.)

§4A1.2(c)(1) & (c)(2) & (o)

- §4A1.2(c)(2) - List of misdemeanor and petty offenses that are never counted
 - *E.g.*, Minor traffic infractions
- “Misdemeanor” means having a maximum statutory penalty of one year or less
 - Note: All such offenses are counted if a “felony offense” (*i.e.*, maximum of over 1 yr.)



Other Considerations

- Expungements, diversionary dispositions, pardons
 - §4A1.2(f) & (j), App. Notes 9 & 10
- Tribal convictions not counted for criminal history points
- Prior convictions considered part of relevant conduct of instant offense (there are exceptions)





“Overrides”

Chapter Four, Part B



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Chapter Four

“Overrides”

§§4B1.1 - 4B1.2

Career Offender

§4B1.3

Criminal Livelihood

§4B1.4

Armed Career Criminal

§4B1.5

Repeat and Dangerous
Sex Offender Against
Minors



§4B1.1 Career Offender Criteria

- Defendant at least 18 at time of instant offense
- Instant offense of conviction is a felony for a “crime of violence” or a “controlled substance offense”
- At least two prior felony convictions for a “crime of violence” or “controlled substance offense,” counted *separately* under the provisions of §4A1.1(a), (b), or (c)





Sentencing Table (Ch. 5, Part A) & Zones (§5C1.1)



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SENTENCING TABLE
(in months of imprisonment)

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	I (0 or 1)	II (2 or 3)	III (4, 5, 6)	IV (7, 8, 9)	V (10, 11, 12)	VI (13 or more)
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2	0-6	0-6	0-6	0-6	0-6	1-7
3	0-6	0-6	0-6	0-6	2-8	3-9
4	0-6	0-6	0-6	2-8	4-10	6-12
5	0-6	0-6	1-7	4-10	6-12	9-15
6	0-6	1-7	2-8	6-12	9-15	12-18
7	0-6	2-8	4-10	8-14	12-18	15-21
8	0-6	4-10	6-12	10-16	15-21	18-24
9	4-10	6-12	8-14	12-18	18-24	21-27
10	6-12	8-14	10-16	15-21	21-27	24-30
11	8-14	10-16	12-18	18-24	24-30	27-33
12	10-16	12-18	15-21	21-27	27-33	30-37
13	12-18	15-21	18-24	24-30	30-37	33-41
14	15-21	18-24	21-27	27-33	33-41	37-46
15	18-24	21-27	24-30	30-37	37-46	41-51
16	21-27	24-30	27-33	33-41	41-51	46-57
17	24-30	27-33	30-37	37-46	46-57	51-63
18	27-33	30-37	33-41	41-51	51-63	57-71
19	30-37	33-41	37-46	46-57	57-71	63-78
20	33-41	37-46	41-51	51-63	63-78	70-87
21	37-46	41-51	46-57	57-71	70-87	77-96
22	41-51	46-57	51-63	63-78	77-96	84-105
23	46-57	51-63	57-71	70-87	84-105	92-115
24	51-63	57-71	63-78	77-96	92-115	100-125
25	57-71	63-78	70-87	84-105	100-125	110-137
26	63-78	70-87	78-97	92-115	110-137	120-150
27	70-87	78-97	87-108	100-125	120-150	130-162
28	78-97	87-108	97-121	110-137	130-162	140-175
29	87-108	97-121	108-135	121-151	140-175	151-188
30	97-121	108-135	121-151	135-168	151-188	168-210
31	108-135	121-151	135-168	151-188	168-210	188-235
32	121-151	135-168	151-188	168-210	188-235	210-262
33	135-168	151-188	168-210	188-235	210-262	235-293
34	151-188	168-210	188-235	210-262	235-293	262-327
35	168-210	188-235	210-262	235-293	262-327	292-365
36	188-235	210-262	235-293	262-327	292-365	324-405
37	210-262	235-293	262-327	292-365	324-405	360-life
38	235-293	262-327	292-365	324-405	360-life	360-life
39	262-327	292-365	324-405	360-life	360-life	360-life
40	292-365	324-405	360-life	360-life	360-life	360-life
41	324-405	360-life	360-life	360-life	360-life	360-life
42	360-life	360-life	360-life	360-life	360-life	360-life
43	life	life	life	life	life	life



Sentencing Table

Criminal History Category

Offense Level	I (0 or 1)	II (2 or 3)	III (4,5,6)	IV (7,8,9)	V (10,11,12)	VI (13 or more)
1	0-6	0-6	0-6	0-6	0-6	0-6
2	0-6	0-6	0-6	0-6	0-6	1-7
3	Zone A		0-6	0-6	2-8	3-9
4	0-6	0-6	0-6	2-8	4-10	6-12
5	0-6	0-6	1-7	4-10	6-12	9-15
6	0-6	1-7	2-8	6-12	9-15	12-18
7	0-6	Zone B		8-14	12-18	15-21
8	0-6	4-10	6-12	10-16	15-21	18-24
9	4-10	6-12	8-14	12-18	18-24	21-27
10	6-12	8-14	Zone C		21-27	24-30
11	8-14	10-16	12-18	15-21	27-30	27-33
12	10-16	12-18	15-21	18-24	27-33	30-37
13	12-18	15-21	18-24	Zone D		33-41



Other Aspects of Sentence

Chapter Five

- Probation (§5B)
- Supervised release (§5D)
- Restitution, fines, assessments, forfeitures (§5E)
- Sentencing options (§5F)
- Undischarged terms (consecutive/concurrent) (§5G1.3)





Mandatory Minimums



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Common Mandatory Minimum Offenses

- 18 U.S.C § 841 (Drug Trafficking)
- 18 U.S.C. § 924(c) (Firearms)
- 18 U.S.C. § 1028(A) (Aggravated Identity Theft)
- 18 U.S.C. 2252 (Receipt and Trafficking of Child Porn)





Relief from Mandatory Minimums



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Substantial Assistance Departures

§5K1.1

&

18 U.S.C. § 3553(e)



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Substantial Assistance

§5K1.1

Permits a sentence below
the minimum of the guideline range

18 U.S.C. § 3553(e)

Permits a sentence below
a mandatory minimum



Substantial Assistance (cont.)

§5K1.1 & 18 U.S.C. § 3553(e)

- Each requires a government motion
 - *Wade v. U.S.*, 504 U.S. 181 (1992)
- A separate government motion under 18 U.S.C. § 3553(e) is required to go below a mandatory minimum
 - *Melendez v. U.S.*, 518 U.S. 120 (1996)



“Safety Valve”

18 U.S.C. § 3553(f)
& §5C1.2



“Safety Valve”

18 U.S.C. § 3553(f)

- Court makes determination; no government motion required
- Sentence without regard to mandatory minimums for violations of select drug statutes
- Downward departures for mitigating factors or variances possible



“Safety Valve”

§5C1.2(a)

In the case of an offense subject to a mandatory minimum sentence under 21 U.S.C. §§ 841, 844, 846, 960, or 963, the court shall impose a sentence in accordance with the applicable guidelines without regard to any statutory minimum sentence, if the court finds the defendant meets the criteria set forth below:



§5C1.2(a)

Subdivisions (1) – (5)

1. Defendant does not have more than 1 Criminal History Point
2. Defendant did not use violence/threats of violence or possess a firearm or other dangerous weapon in connection with the offense
3. Offense did not result in death or serious bodily injury



4. Defendant was not an organizer/leader/manager/supervisor of others in the offense; was not engaged in a CCE

5. Not later than the time of the sentencing hearing, defendant has truthfully provided to the Government all information and evidence the defendant has concerning the offense or offenses that were part of the same course of conduct or common scheme or plan.



3-Step Approach to Federal Sentencing (cont.)

Step 2

Consider the Commission's policy statements, including those addressing departures, that might warrant consideration in imposing sentence

See §1B1.1(b)



3-Step Approach to Federal Sentencing (cont.)

Step 3

Consider § 3553(a) taken as a whole...

See §1B1.1(c)



Thank You!