

# GUIDE TO U.S. SENTENCING COMMISSION'S AMENDMENT 821 PART B (RETROACTIVE)



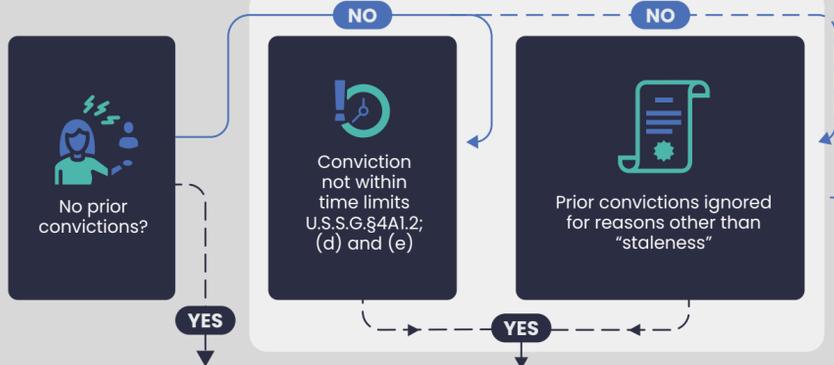
## WHO DOES THIS AFFECT?



Estimated: 7,272 Inmates

Amendment Effective Date: 11/1/2023

## IS DEFENDANT A ZERO POINT OFFENDER?



DEFENDANT IS A ZERO POINT OFFENDER

## ARE ALL OF THE FOLLOWING TRUE?

- Sentence did not include adjustment under 3A1.4 (Terrorism)
- No Violence
- No death or serious bodily injury
- Defendant did not cause substantial financial hardship
- Not a sex offense
- No firearms or dangerous weapon used
- Offense not covered by §2H1.1 (offenses Involving Individual Rights)
- No hate crime or human rights offense
- Defendant did not receive an adjustment under §3B1.1, and was not engaged in a continuing criminal enterprise, as defined in 21 U.S.C. § 848.



## PLEASE NOTE

**Non-Custodial Qualification:** If Amendment 821 application places defendant in Zone A or Zone B of the Sentencing Table, the Commission recommends non-custodial sentence.

The Commission projects reduction of 17.6% on average.

As the above chart illustrates, Federal sentencing is complicated. The path to re-sentencing under the guideline amendments starts with data and analysis. We recommend contacting [SentencingStats.com](https://www.SentencingStats.com) today for your assessment.