

PART K – ASSISTANCE TO AUTHORITIES

<i>Historical Note</i>	Effective November 1, 1987. Amended effective November 1, 2025 (amendment 836). The heading to Part K, Subpart 1 (Substantial Assistance to Authorities), effective November 1, 1987, was deleted due to the change to the heading to Part K (Departures) and the deletion of Part K, Subparts 2 (Other Grounds for Departure) and 3 (Early Disposition Programs) effective November 1, 2025 (amendment 836).
------------------------	---

§5K1.1. Substantial Assistance to Authorities (Policy Statement)

Upon motion of the government stating that the defendant has provided substantial assistance in the investigation or prosecution of another person who has committed an offense, a sentence that is below the otherwise applicable guideline range may be appropriate.

- (a) The appropriate reduction shall be determined by the court for reasons stated that may include, but are not limited to, consideration of the following:
 - (1) the court's evaluation of the significance and usefulness of the defendant's assistance, taking into consideration the government's evaluation of the assistance rendered;
 - (2) the truthfulness, completeness, and reliability of any information or testimony provided by the defendant;
 - (3) the nature and extent of the defendant's assistance;
 - (4) any injury suffered, or any danger or risk of injury to the defendant or his family resulting from his assistance;
 - (5) the timeliness of the defendant's assistance.

Commentary

Application Notes:

1. **Sentence Below Statutorily Required Minimum Sentence.**—Under circumstances set forth in 18 U.S.C. § 3553(e) and 28 U.S.C. § 994(n), as amended, substantial assistance in the investigation or prosecution of another person who has committed an offense may justify a sentence below a statutorily required minimum sentence.
2. **Interaction with Acceptance of Responsibility Reduction.**—The sentencing reduction for assistance to authorities shall be considered independently of any reduction for acceptance of responsibility. Substantial assistance is directed to the investigation and prosecution of criminal activities by persons other than the defendant, while acceptance of responsibility is directed to the defendant's affirmative recognition of responsibility for his own conduct.