

Table D-13

**DRUG TRAFFICKING OFFENDERS RECEIVING SAFETY VALVE AND
MANDATORY MINIMUM PENALTIES^{1, 5}
Fiscal Year 2020**

DRUG TYPE	TOTAL	NO SAFETY VALVE				SAFETY VALVE			
		No Drug Mandatory Minimum ²		Drug Mandatory Minimum		No Drug Mandatory Minimum ³		Drug Mandatory Minimum ⁴	
		N	%	N	%	N	%	N	%
TOTAL	16,023	4,353	27.2	6,134	38.3	1,109	6.9	4,427	27.6
Powder Cocaine	2,668	673	25.2	833	31.2	139	5.2	1,023	38.3
Crack Cocaine	1,204	669	55.6	429	35.6	41	3.4	65	5.4
Heroin	1,847	636	34.4	646	35.0	107	5.8	458	24.8
Marijuana	1,088	400	36.8	126	11.6	328	30.1	234	21.5
Methamphetamine	7,377	1,092	14.8	3,709	50.3	218	3.0	2,358	32.0
Other	1,839	883	48.0	391	21.3	276	15.0	289	15.7

¹ Of the 64,565 cases, in 16,501 the offender was sentenced under USSG Chapter Two, Part D (Drugs). Of these, 16,287 offenders were sentenced under §§2D1.1 (Drug Trafficking), 2D1.2 (Protected Locations), 2D1.5 (Continuing Criminal Enterprise), 2D1.6 (Use of a Communication Facility), 2D1.8 (Rent/Manage Drug Establishment), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism). Of these, 16,027 cases contained complete guideline application information. Of these 16,027 cases, four were excluded due to missing safety valve or mandatory minimum information. Descriptions of variables used in this table are provided in Appendix A.

² This column includes 197 cases where the court indicated a variance based on the expanded safety valve eligibility under the First Step Act, but the offender was not eligible to receive the guideline safety valve reduction.

³ For offenders with no drug mandatory minimum penalty, use of the term 'safety valve' on this table means that the court indicated that the two-level reduction at §2D1.1 applied because the offender met the criteria set forth at §5C1.2.

⁴ For offenders with a drug mandatory minimum penalty, use of the term 'safety valve' on this table means that the court sentenced the offender without regard to any applicable mandatory minimum penalty (in accordance with the 'safety valve' provision of 18 U.S.C. § 3553(f), incorporated into the guidelines at §5C1.2).

⁵ Effective November 1, 2012, the safety valve reduction was added to §2D1.11 (Unlawfully Distributing a Listed Chemical). There were five offenders sentenced under §2D1.11 as the primary sentencing guideline in which the 2012 or later *Guidelines Manual* was applied with complete guideline application information. Of these cases, the safety valve reduction was applied for two offenders.