

Table D-14

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE FOR DRUG TRAFFICKING OFFENDERS¹
Fiscal Year 2022

DRUG TYPE	TOTAL	WITHIN GUIDELINE RANGE		DEPARTURE								VARIANCE ²	
		N	%	UPWARD		§5K1.1		§5K3.1		DOWNWARD		N	%
				N	%	N	%	N	%	N	%		
TOTAL	19,842	5,445	27.4	68	0.3	4,098	20.7	1,634	8.2	967	4.9	7,630	38.5
Powder Cocaine	3,456	1,139	33.0	9	0.3	646	18.7	140	4.1	161	4.7	1,361	39.4
Crack Cocaine	1,104	339	30.7	5	0.5	140	12.7	1	0.1	42	3.8	577	52.3
Heroin	1,614	497	30.8	10	0.6	345	21.4	78	4.8	71	4.4	613	38.0
Marijuana	805	332	41.2	3	0.4	150	18.6	18	2.2	18	2.2	284	35.3
Methamphetamine	9,678	2,298	23.7	9	0.1	2,220	22.9	1,090	11.3	541	5.6	3,520	36.4
Fentanyl	2,510	694	27.6	30	1.2	399	15.9	303	12.1	110	4.4	974	38.8
Other	675	146	21.6	2	0.3	198	29.3	4	0.6	24	3.6	301	44.6

¹ Of the 64,142 cases, in 20,037 the offender was sentenced under USSG Chapter Two, Part D (Drugs). Of these, 19,851 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 19,851 cases, nine were excluded due to missing information from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

² Of the 7,630 variance cases, in 733 cases the court cited First Step Act safety valve expansion as a reason for the sentence.

SOURCE: U.S. Sentencing Commission, 2022 Datafile, USSCFY22.