

Table D-11

LENGTH OF MANDATORY MINIMUM PENALTIES IN DRUG TRAFFICKING CASES¹
Fiscal Year 2023

DRUG TYPE	TOTAL	No Drug Mandatory Minimum ²		Five-Year Drug Mandatory Minimum		Ten-Year or More Drug Mandatory Minimum ³	
		N	%	N	%	N	%
TOTAL	18,936	7,301	38.6	4,525	23.9	7,110	37.5
Powder Cocaine	3,577	1,157	32.3	925	25.9	1,495	41.8
Crack Cocaine	862	583	67.6	199	23.1	80	9.3
Heroin	1,011	440	43.5	286	28.3	285	28.2
Marijuana	561	360	64.2	141	25.1	60	10.7
Methamphetamine	8,988	2,691	29.9	1,957	21.8	4,340	48.3
Fentanyl	3,354	1,560	46.5	969	28.9	825	24.6
Other	583	510	87.5	48	8.2	25	4.3

¹ Of the 64,124 cases, in 19,066 the individual was sentenced under USSG Chapter Two, Part D (Drugs). Of these, 18,939 individuals 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 the remaining cases, three were excluded because the individual was convicted of a mandatory minimum penalty from one of the following statutes: 21 U.S.C. § 860a or 21 U.S.C. § 865. Descriptions of variables used in this table are provided in Appendix A.

² Includes 130 sentenced individuals whose drug mandatory minimum penalty was less than 60 months.

³ Includes 331 sentenced individuals whose drug mandatory minimum penalty was greater than ten years.

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.