



# Quick Facts

▶ THERE WERE 67,742 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2016.

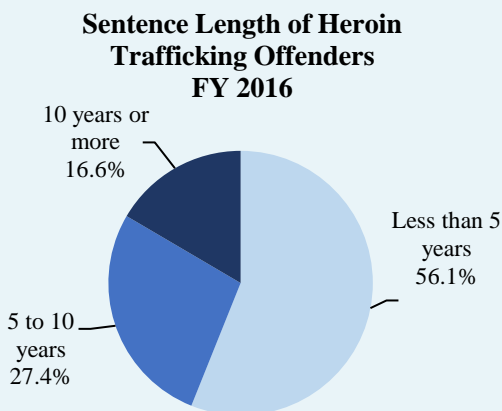
▶ OF THESE CASES, 19,222 INVOLVED DRUG TRAFFICKING.<sup>1</sup>

▶ 14.4% OF DRUG TRAFFICKING OFFENSES INVOLVED HEROIN.

## Heroin Trafficking Offenses



Top Five Districts Heroin Trafficking Offenders FY 2016
Southern District of New York (N=151)
Western District of Texas (N=107)
Northern District of West Virginia (N=101)
Southern District of California (N=100)
Northern District of Ohio (N=96)



In fiscal year 2016, there were 2,763 heroin trafficking offenders, who accounted for 14.4% of all offenders sentenced under the drug trafficking guidelines. The number of heroin offenders has increased by 29.4% since fiscal year 2012.

### Offender and Offense Characteristics

- In fiscal year 2016, the majority of heroin trafficking offenders were male (83.8%).
- Less than half of heroin trafficking offenders were Hispanic (42.1%) followed by Black (40.1%), White (16.6%), and Other Races (1.2%).
- The average age of these offenders at sentencing was 36 years.
- More than eighty percent of heroin trafficking offenders were United States citizens (81.2%).
- Almost forty percent (39.6%) of heroin trafficking offenders had little or no prior criminal history (*i.e.*, assigned to Criminal History Category I) while 11.0% were Career Offenders (§4B1.1).
- The median base offense level in these cases was 26. This corresponds to a quantity of drugs between 400 and 700 grams of heroin.
- Heroin trafficking sentences were increased for:
  - ◆ 17.6% of offenders because the offense involved the possession of a weapon;
  - ◆ 9.2% of offenders for having a leadership or supervisory role in the offense.
- Heroin trafficking sentences were decreased for:
  - ◆ 14.4% of offenders because they were a minor or minimal participant in the offense;
  - ◆ 25.7% of offenders because they met the safety valve criteria in the sentencing guidelines.

### Punishment

- Most heroin trafficking offenders were sentenced to imprisonment (96.2%).
- The average sentence for heroin trafficking offenders was 63 months.
- Less than half of all heroin trafficking offenders were convicted of an offense carrying a mandatory minimum penalty (43.1%).
  - ◆ However, almost half (47.6%) of these offenders were not subject to any mandatory minimum penalty at sentencing because:
    - ◇ 22.5% provided the government with substantial assistance in the investigation or prosecution of other offenders, 16.8% were eligible for relief through the statutory safety valve provision, and 8.3% received both forms of relief.

<sup>1</sup> Drug trafficking offenses include cases with complete guideline application information in which the offender was sentenced under USSG §§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), or 2D1.14 (Narco-Terrorism).

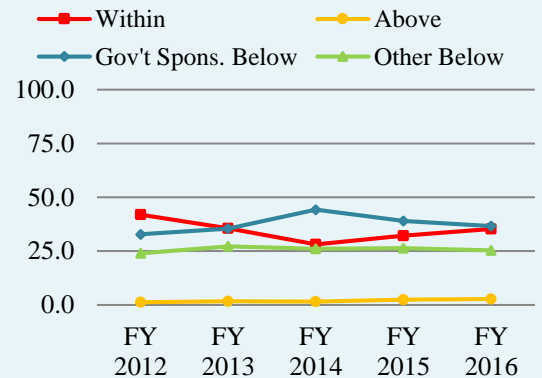
# Quick Facts

## Heroin Trafficking Offenses

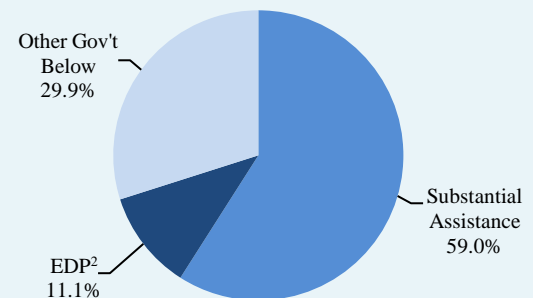
### Sentences Relative to the Guideline Range

- The rate of within range sentences for heroin trafficking offenders fell from fiscal year 2012 through fiscal year 2014 before increasing in fiscal years 2015 and 2016. The within-range rate was 35.3% in fiscal year 2016.
- The rate of government sponsored below range sentences for heroin trafficking offenders followed an inverse pattern from within range sentences, with the rate increasing from fiscal year 2012 through fiscal year 2014 before decreasing in each of the past two years. The rate of government sponsored below range sentences was 36.7% in fiscal year 2016.
  - ◆ Substantial assistance departures were granted for twenty to twenty-five percent of heroin trafficking offenders in each of the last five years (21.6% in fiscal year 2016).
    - ◇ In fiscal year 2016, these offenders received an average reduction in their sentence of 51.5%.
  - ◆ Early Disposition Program (EDP) departures<sup>2</sup> were granted for a small proportion of heroin trafficking offenders over each of the last five years (4.1% in fiscal year 2016).
    - ◇ In fiscal year 2016, these offenders received an average reduction in their sentence of 52.5%.
  - ◆ The rate of heroin trafficking offenders receiving a below range sentence sponsored by the government for reasons other than substantial assistance or participation in an Early Disposition Program was 11.0% in fiscal year 2016.
    - ◇ In fiscal year 2016, these offenders received an average reduction in their sentence of 43.7%.
- Non-government sponsored below range sentences have accounted for approximately one-quarter of heroin trafficking sentences in each of the past five years.
  - ◆ In fiscal year 2016, these offenders received an average reduction in their sentence of 41.1%.
- The average guideline minimum and average sentence imposed for heroin trafficking have each shown a slight downward trend over the last five years.
  - ◆ The average guideline minimum was 91 months in fiscal year 2012 and decreased to 87 months in fiscal year 2016;
  - ◆ The average sentence imposed decreased from 70 months in fiscal year 2012 to 63 months in fiscal year 2016.

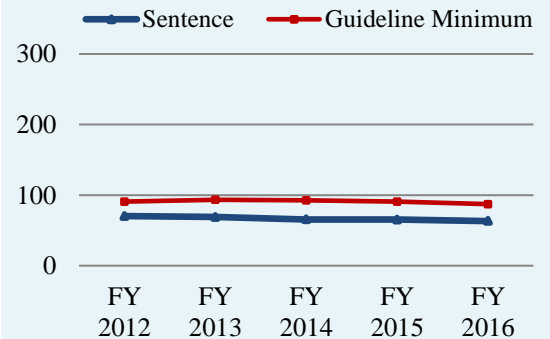
### Sentence Relative to the Guideline Range



### Government Sponsored Below Range Sentences FY 2016



### Average Sentence and Average Guideline Minimum (in months)



<sup>2</sup> "Early Disposition Program (or EDP) departures" are departures where the government sought a sentence below the guideline range because the defendant participated in the government's Early Disposition Program, through which cases are resolved in an expedited manner. See USSG §5K3.1.

