



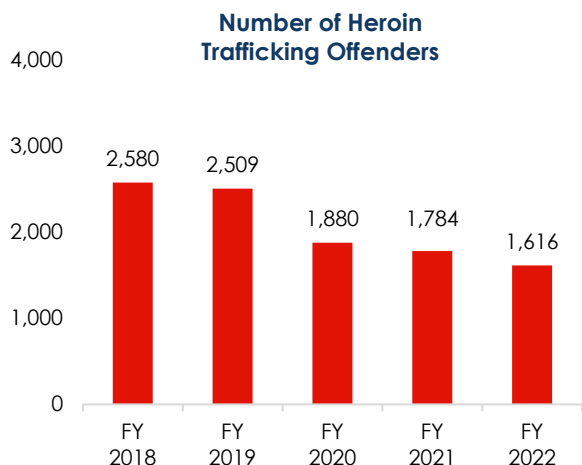
Quick Facts

— Heroin Trafficking Offenses —

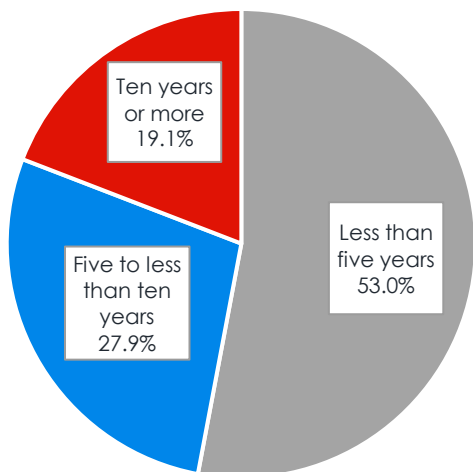


Fiscal Year 2022

- ▶ IN FY 2022, 64,142 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.
- ▶ 20,037 CASES INVOLVED DRUGS.¹
- ▶ 19,851 INVOLVED DRUG TRAFFICKING.²
- ▶ 8.1% OF DRUG TRAFFICKING CASES INVOLVED HEROIN.
- ▶ HEROIN TRAFFICKING OFFENSES HAVE DECREASED BY 37.4% SINCE FY 2018.



Sentence Length FY 2022³



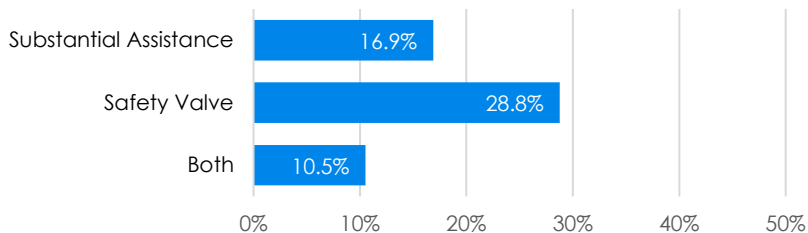
Offender and Offense Characteristics

- 82.5% of heroin trafficking offenders were men.
- 42.7% were Hispanic, 36.0% were Black, 19.8% were White, and 1.5% were Other races.
- Their average age was 37 years.
- 82.9% were United States citizens.
- 38.3% had little or no prior criminal history (Criminal History Category I); 6.0% were career offenders (§4B1.1).
- The median base offense level in these cases was 28, corresponding to between 700 grams and 1 kilogram of heroin.
- Sentences were increased for:
 - ◆ possessing a weapon (25.2%);
 - ◆ a leadership or supervisory role in the offense (6.4%).
- Sentences were decreased for:
 - ◆ minor or minimal participation in the offense (17.8%);
 - ◆ meeting the safety valve criteria in the sentencing guidelines (31.3%).
- The top five districts for heroin trafficking offenders were:
 - ◆ Eastern District of Tennessee (69);
 - ◆ Southern District of California (68);
 - ◆ Southern District of New York (67);
 - ◆ Western District of Texas (64);
 - ◆ District of New Jersey (58).

Punishment

- The average sentence for heroin trafficking offenders was 66 months.
- 96.6% were sentenced to prison.
- 60.0% were convicted of an offense carrying a mandatory minimum penalty; of those offenders, 56.2% were relieved of that penalty.

Means of Relief from Mandatory Minimum Penalty for Heroin Traffickers





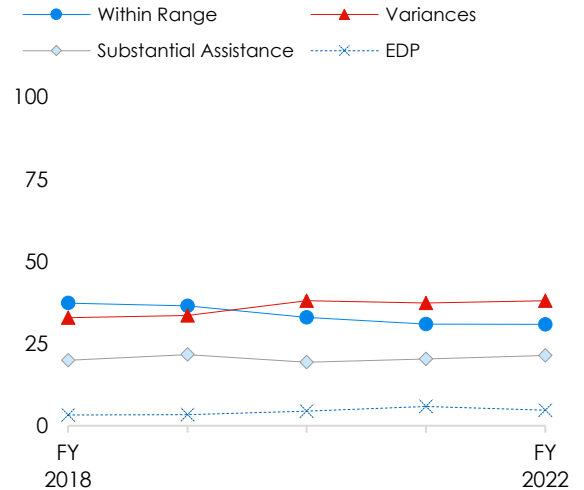
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— Heroin Trafficking Offenses —

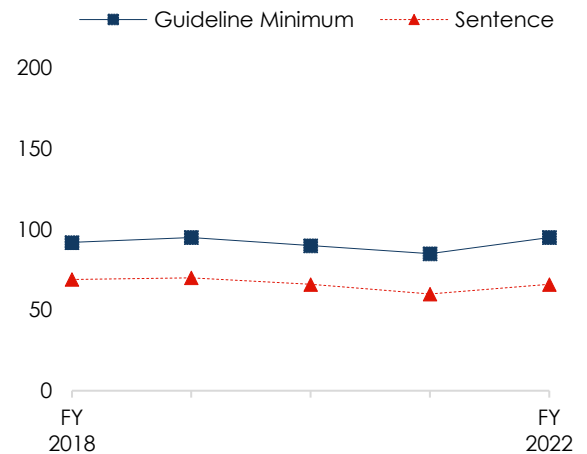
Sentences Relative to the Guideline Range

- Of the 62.0% of heroin trafficking offenders sentenced under the *Guidelines Manual*:
 - 49.8% were sentenced within the guideline range.
 - 34.5% received a substantial assistance departure.
 - Their average sentence reduction was 55.6%.
 - 7.6% received an Early Disposition Program (EDP) departure.⁴
 - Their average sentence reduction was 61.2%.
- 38.0% received a variance; of those offenders:
 - 96.9% received a downward variance.
 - Their average sentence reduction was 42.1%.
 - 3.1% received an upward variance.
 - Their average sentence increase was 88.7%.
- The average guideline minimum and average sentence imposed fluctuated over the past five years.
 - The average guideline minimum increased and decreased throughout the fiscal years. The average sentence was 92 months in fiscal year 2018 and 95 months in fiscal year 2022.
 - The average sentence imposed increased and decreased throughout the fiscal years. The average sentence was 69 months in fiscal year 2018 and 66 months in fiscal year 2022.

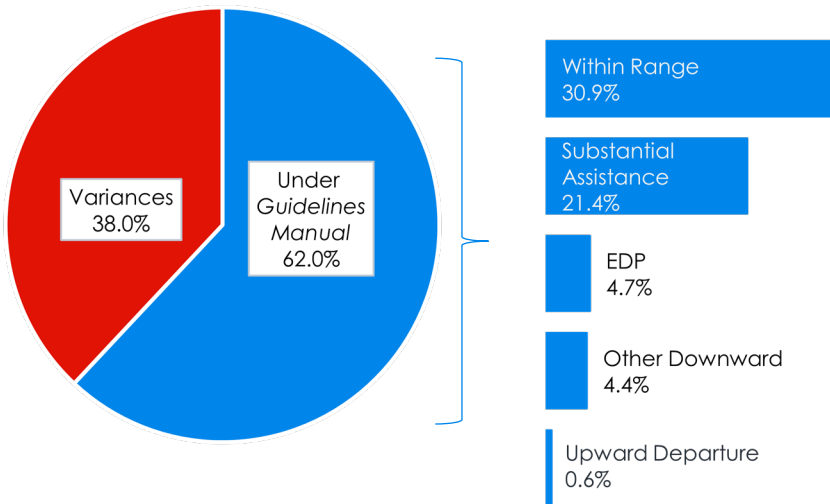
Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



Sentence Imposed Relative to the Guideline Range FY 2022



¹ Drug offenses include cases where offenders were sentenced under USSG Chapter Two, Part D (Drugs). There were 1,626 heroin offenders sentenced under USSG Chapter Two, Part D (Drugs) in FY 2022.

² Drug Trafficking offenders were 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).

³ Cases with incomplete sentencing information were excluded from the analysis.

⁴ "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.

SOURCE: United States Sentencing Commission, FY 2018 through FY 2022 Datafiles, USSCFY18-USSCFY22.