



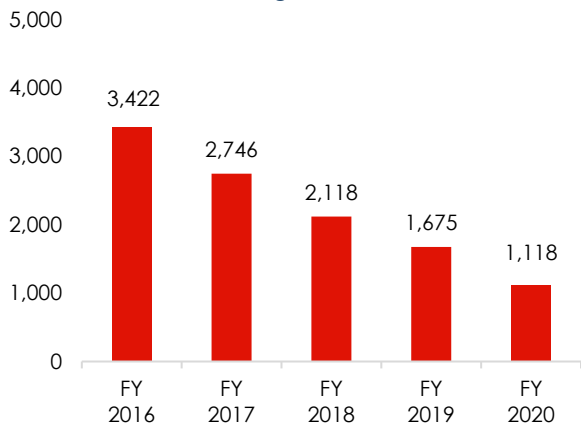
Quick Facts

— Marijuana Trafficking Offenses —

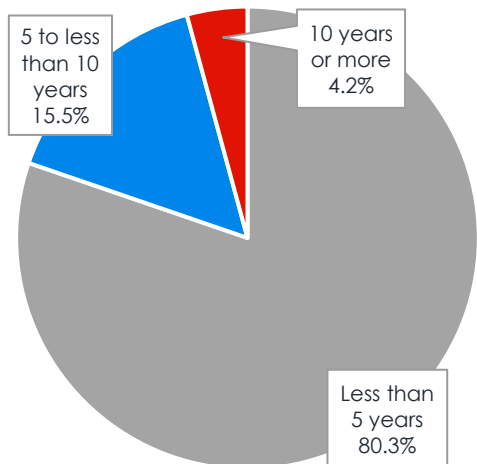
Fiscal Year 2020

- ▶ IN FY 2020, 64,565 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.
- ▶ 16,501 CASES INVOLVED DRUGS.¹
- ▶ 16,287 CASES INVOLVED DRUG TRAFFICKING.²
- ▶ 6.9% OF DRUG TRAFFICKING CASES INVOLVED MARIJUANA.
- ▶ MARIJUANA TRAFFICKING OFFENDERS HAVE DECREASED BY 67.3% SINCE FY 2016.

Number of Marijuana Trafficking Offenders



Sentence Length FY 2020



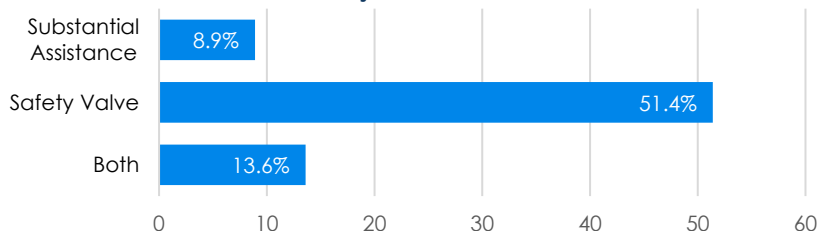
Offender and Offense Characteristics³

- 88.8% of marijuana trafficking offenders were men.
- 62.0% of marijuana trafficking offenders were Hispanic, 17.9% were Black, 14.9% were White, and 5.2% were Other races.
- Their average age was 34 years.
- 59.8% were United States citizens.
- 65.4% had little or no prior criminal history (Criminal History Category I); 1.9% were Career Offenders (§4B1.1).
- The median Base Offense Level in these cases was 22, corresponding to between 80 and 100 kilograms of marijuana.
- Sentences were increased for:
 - ◆ possessing a weapon (18.4%);
 - ◆ a leadership or supervisory role in the offense (5.2%).
- Sentences were decreased for:
 - ◆ minor or minimal participation in the offense (37.1%);
 - ◆ meeting the safety valve criteria in the sentencing guidelines (51.7%).
- The top five districts for marijuana trafficking offenders were:
 - ◆ Western District of Texas (308);
 - ◆ Southern District of Texas (137);
 - ◆ District of Arizona (66);
 - ◆ Eastern District of California (47);
 - ◆ District of Puerto Rico (36).

Punishment

- The average sentence for marijuana trafficking offenders was 29 months.
- 88.0% were sentenced to prison.
- 33.1% were convicted of an offense carrying a mandatory minimum penalty; of those offenders, 73.9% were relieved of that penalty.

Means of Relief from Mandatory Minimum Penalty for Marijuana Traffickers





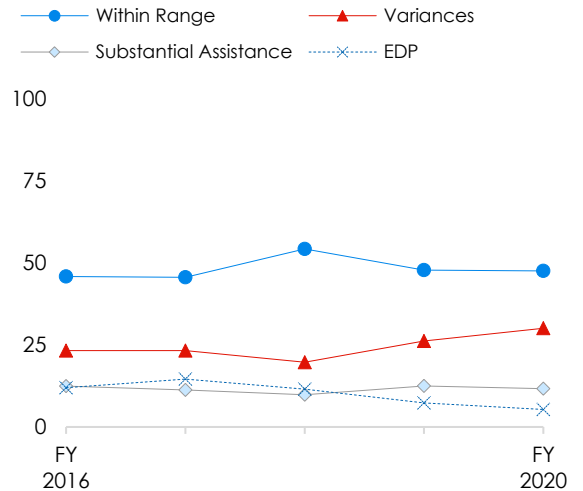
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— Marijuana Trafficking Offenses —

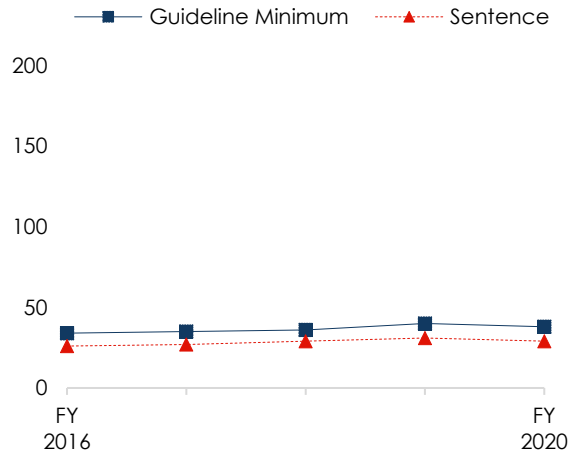
Sentences Relative to the Guideline Range

- Of the 69.9% of marijuana trafficking offenders sentenced under the *Guidelines Manual*:
 - 67.9% were sentenced within the guideline range.
 - 16.7% received a substantial assistance departure.
 - Their average sentence reduction was 65.1%.
 - 7.6% received an Early Disposition Program (EDP) departure.⁴
 - Their average sentence reduction was 57.9%.
- 30.1% received a variance; of those offenders:
 - 93.3% received a downward variance.
 - Their average sentence reduction was 45.2%.
 - 6.7% received an upward variance.
 - Their average sentence increase was 169.1%.
- The average guideline minimum and the average sentence imposed slightly increased over the past five years.
 - The average guideline minimum increased from 34 months in fiscal year 2016 to 38 months in fiscal year 2020.
 - The average sentence imposed increased from 26 months in fiscal year 2016 to 29 months in fiscal year 2020.

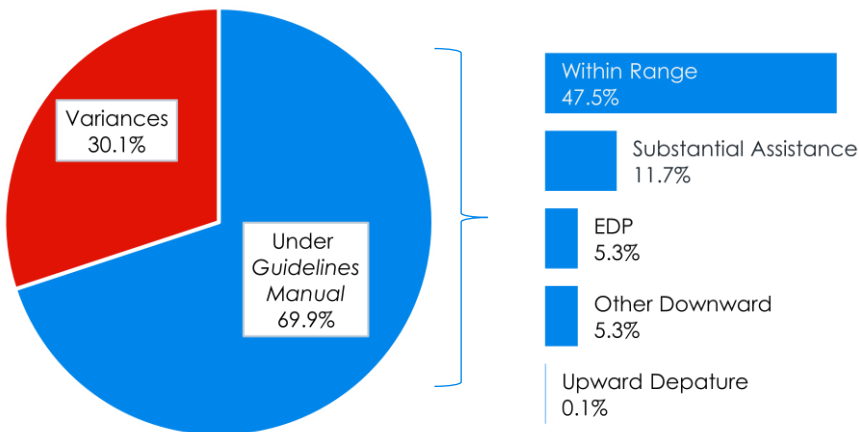
Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



Sentence Imposed Relative to the Guideline Range FY 2020



¹ Drug offenses include cases where offenders were sentenced under USSG Chapter Two, Part D (Drugs). There were 1,160 marijuana offenders sentenced under USSG Chapter Two, Part D (Drugs) in FY 2020.

² Drug Trafficking offenders were sentenced under USSG §§2D1.1 (Drug Trafficking), 2D1.2 (Protected Locations), 2D1.5 (Confining 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 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.