



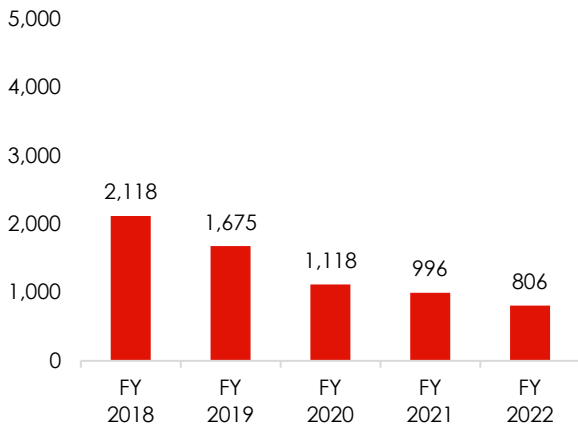
Quick Facts

— Marijuana Trafficking Offenses —

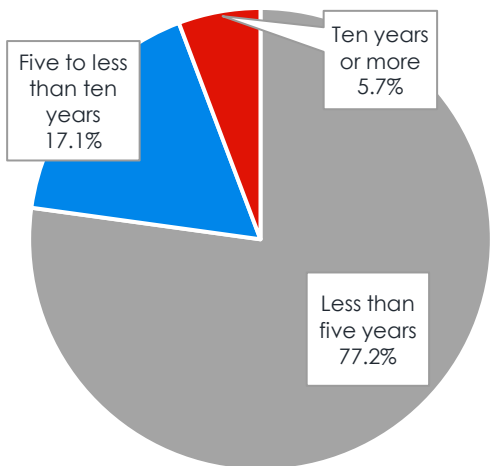
Fiscal Year 2022

- ▶ 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
- ▶ 4.1% OF DRUG TRAFFICKING CASES INVOLVED MARIJUANA.
- ▶ MARIJUANA TRAFFICKING OFFENSES HAVE DECREASED BY 61.9% SINCE FY 2018.

Number of Marijuana Trafficking Offenders



Sentence Length FY 2022³



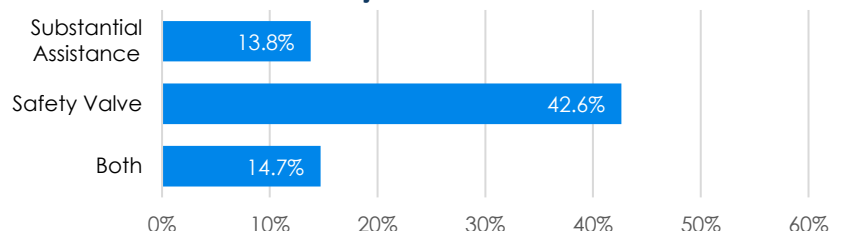
Offender and Offense Characteristics

- 90.4% of marijuana trafficking offenders were men.
- 48.6% were Hispanic, 28.6% were Black, 17.4% were White, and 5.4% were Other races.
- Their average age was 35 years.
- 70.3% were United States citizens.
- 62.3% had little or no prior criminal history (Criminal History Category I); 2.6% 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 (25.3%);
 - ◆ a leadership or supervisory role in the offense (6.6%).
- Sentences were decreased for:
 - ◆ minor or minimal participation in the offense (25.2%);
 - ◆ meeting the safety valve criteria in the sentencing guidelines (41.2%).
- The top five districts for marijuana trafficking offenders were:
 - ◆ Western District of Texas (132);
 - ◆ Southern District of Texas (123);
 - ◆ Western District of Missouri (30);
 - ◆ Eastern District of Wisconsin (23);
 - ◆ District of Arizona (20).

Punishment

- The average sentence for marijuana trafficking offenders was 34 months.
- 85.8% were sentenced to prison.
- 37.4% were convicted of an offense carrying a mandatory minimum penalty; of those offenders, 71.1% were relieved of that penalty.

Means of Relief from Mandatory Minimum Penalty for Marijuana Traffickers





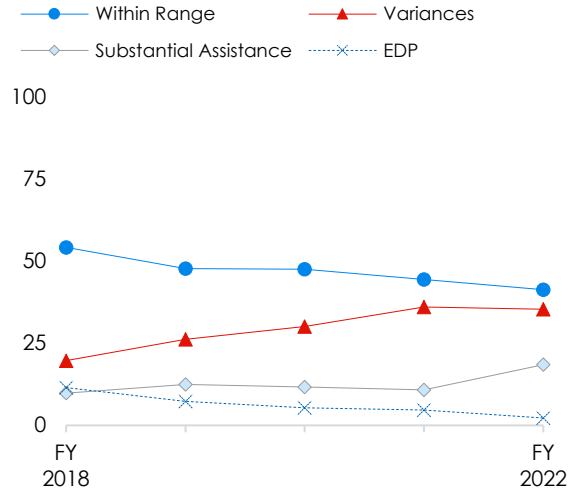
www.ussc.gov
pubaffairs@ussc.gov
@theusscgov

— Marijuana Trafficking Offenses —

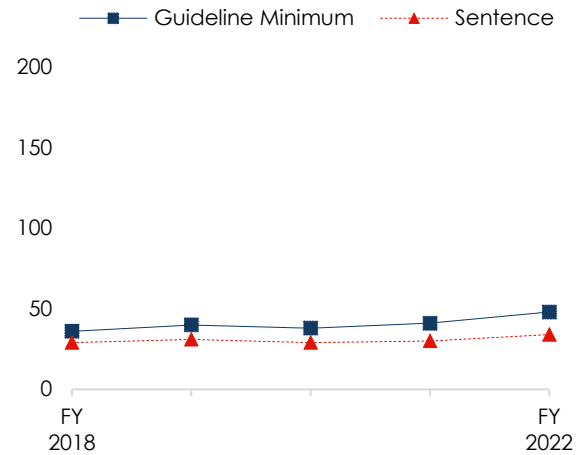
Sentences Relative to the Guideline Range

- Of the 64.7% of marijuana trafficking offenders sentenced under the *Guidelines Manual*:
 - 63.9% were sentenced within the guideline range.
 - 28.6% received a substantial assistance departure.
 - Their average sentence reduction was 65.8%.
 - 3.5% received an Early Disposition Program (EDP) departure.⁴
 - Their average sentence reduction was 67.9%.
- 35.3% received a variance; of those offenders:
 - 89.4% received a downward variance.
 - Their average sentence reduction was 49.0%.
 - 10.6% received an upward variance.
 - Their average sentence increase was 151.4%.
- The average guideline minimum increased while the average sentence imposed slightly increased over the past five years.
 - The average guideline minimum increased from 36 months in fiscal year 2018 to 48 months in fiscal year 2022.
 - The average sentence imposed increased from 29 months in fiscal year 2018 to 34 months in fiscal year 2022.

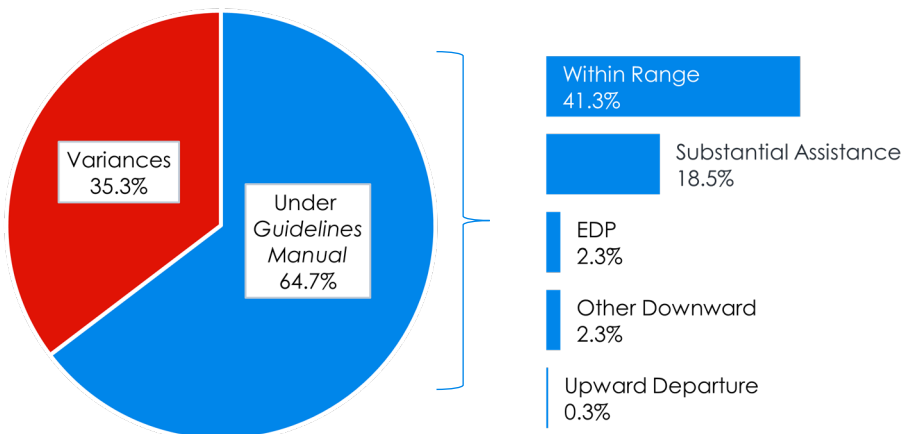
Sentence Relative to the Guideline Range (%)



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 835 marijuana 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.