

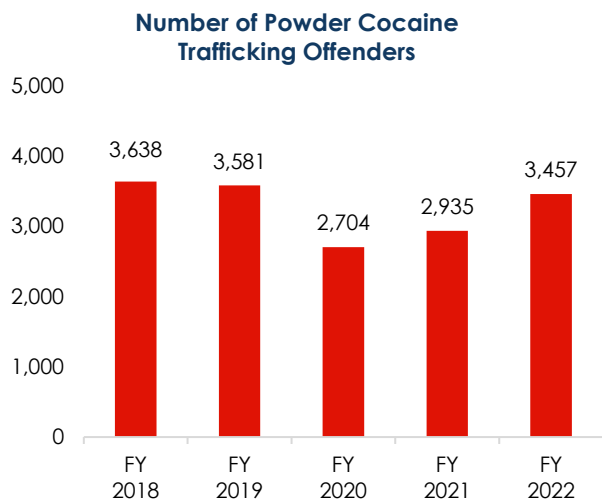


# Quick Facts

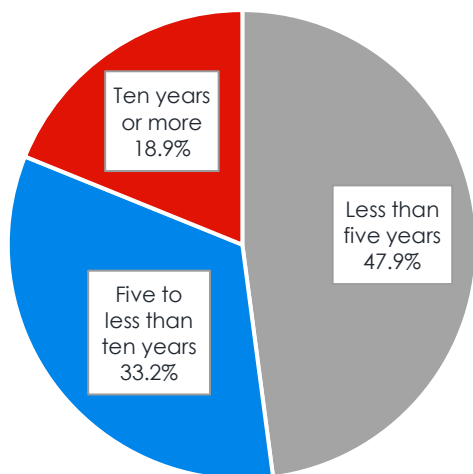
## — Powder Cocaine Trafficking Offenses —

### Fiscal Year 2022

- ▶ IN FY 2022, 64,142 CASES WERE REPORTED TO THE U. S. SENTENCING COMMISSION.
- ▶ 20,037 CASES INVOLVED DRUGS.<sup>1</sup>
- ▶ 19,851 INVOLVED DRUG TRAFFICKING.<sup>2</sup>
- ▶ 17.4% OF DRUG TRAFFICKING CASES INVOLVED POWDER COCAINE.
- ▶ POWDER COCAINE TRAFFICKING OFFENSES HAVE DECREASED BY 5.0% SINCE FY 2018.



### Sentence Length FY 2022<sup>3</sup>



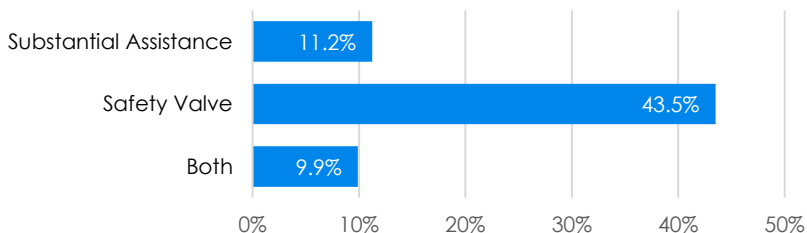
### Offender and Offense Characteristics

- 90.0% of powder cocaine trafficking offenders were men.
- 67.1% were Hispanic, 26.1% were Black, 5.5% were White, and 1.3% were Other races.
- Their average age was 38 years.
- 67.8% were United States citizens.
- 62.3% had little or no prior criminal history (Criminal History Category I); 3.2% were career offenders (§4B1.1).
- The median base offense level in these cases was 30, corresponding to between five and 15 kilograms of powder cocaine.
- Sentences were increased for:
  - ◆ possessing a weapon (20.1%);
  - ◆ having a leadership or supervisory role in the offense (8.3%).
- Sentences were decreased for:
  - ◆ minor or minimal participation in the offense (17.3%);
  - ◆ meeting the safety valve criteria in the sentencing guidelines (45.5%).
- The top five districts for powder cocaine trafficking offenders were:
  - ◆ Southern District of Texas (340);
  - ◆ District of Puerto Rico (332);
  - ◆ Southern District of Florida (265);
  - ◆ Middle District of Florida (227);
  - ◆ Southern District of California (190).

### Punishment

- The average sentence for powder cocaine trafficking offenders was 68 months.
- 97.5% were sentenced to prison.
- 73.6% were convicted of an offense carrying a mandatory minimum penalty; of those offenders, 64.6% were relieved of that penalty.

### Means of Relief from Mandatory Minimum Penalty for Powder Cocaine Traffickers





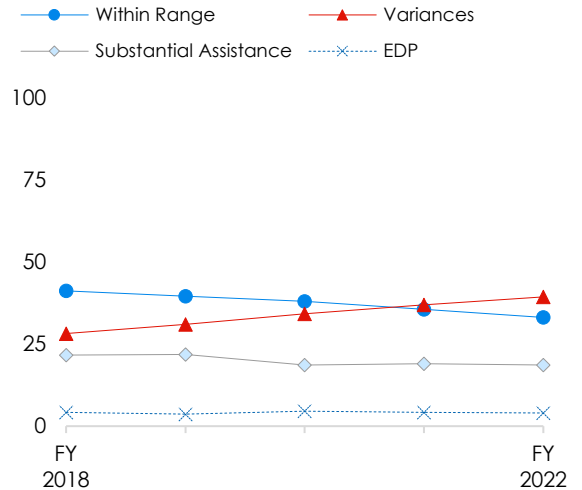
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## — Powder Cocaine Trafficking Offenses —

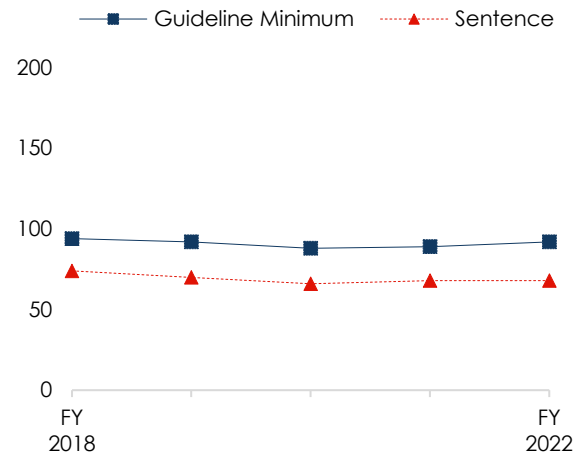
### Sentences Relative to the Guideline Range

- Of the 60.6% of powder cocaine trafficking offenders sentenced under the *Guidelines Manual*:
  - 54.6% were sentenced within the guideline range.
  - 30.8% received a substantial assistance departure.
    - Their average sentence reduction was 52.6%.
  - 6.6% received an Early Disposition Program (EDP) departure.<sup>4</sup>
    - Their average sentence reduction was 60.8%.
- 39.4% received a variance; of those offenders:
  - 97.3% received a downward variance.
    - Their average sentence reduction was 36.1%.
  - 2.7% received an upward variance.
    - Their average sentence increase was 66.9%.
- 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 guideline minimum was 94 months in fiscal year 2018 and 92 months in fiscal year 2022.
  - The average sentence imposed increased and decreased throughout the fiscal years. The average sentence was 74 months in fiscal year 2018 and 68 months in fiscal year 2022.

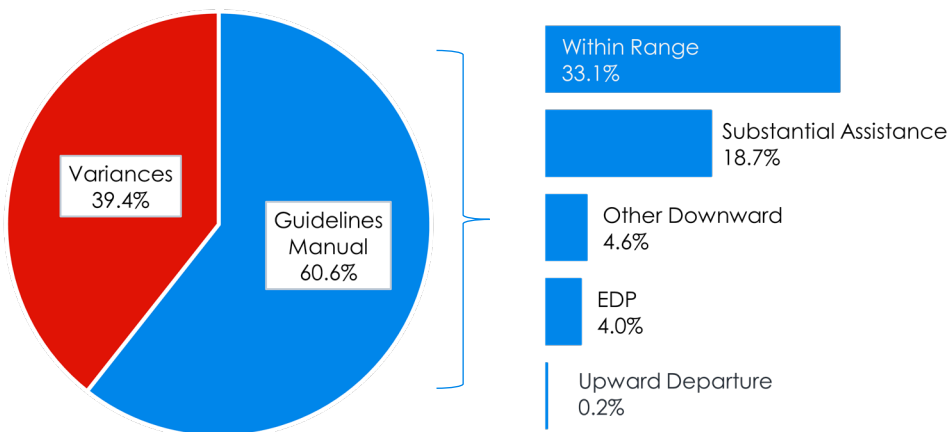
### Sentence Relative to the Guideline Range (%)



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



### Sentence Imposed Relative to the Guideline Range FY 2022



<sup>1</sup> Drug offenses include cases where offenders were sentenced under USSG Chapter Two, Part D (Drugs). There were 3,476 powder cocaine offenders sentenced under USSG Chapter Two, Part D (Drugs) in FY 2022.

<sup>2</sup> 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).

<sup>3</sup> Cases with incomplete sentencing information were excluded from the analysis.

<sup>4</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.

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