



Quick Facts

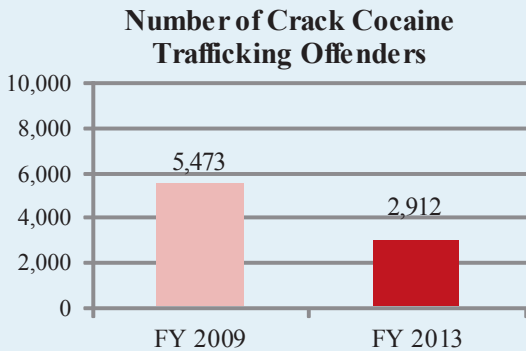
▶ THERE WERE 80,035 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2013.

▶ OF THESE CASES, 22,215 INVOLVED DRUG TRAFFICKING.¹

▶ 13.1% OF DRUG TRAFFICKING OFFENSES INVOLVED CRACK COCAINE.

Crack Cocaine Trafficking Offenses

In fiscal year 2013, there were 2,912 crack cocaine offenders accounting for 13.1% of all offenders sentenced under the drug trafficking guidelines. The number of crack cocaine offenders has decreased substantially since fiscal year 2008 when there were almost 6,000 such cases.²



Offender and Offense Characteristics

- In fiscal year 2013, most offenders convicted of crack cocaine trafficking were male (90.8%).
- Most of the offenders were Black (83.0%) followed by Hispanic (10.0%), White (5.8%), and Other Races (1.2%).
- The average age of these offenders at sentencing was 33 years.
- Almost all crack cocaine traffickers were United States citizens (97.5%).
- More than one-quarter (28.5%) of crack cocaine traffickers were in Criminal History Category VI.
- One-fifth (20.2%) of crack cocaine offenders were classified as career offenders under §4B1.1. This is twice as high as the rate in heroin trafficking offenses, the drug trafficking offense with the second highest rate.
- The median base offense level in these cases was 26. This corresponds to a quantity of drugs between 28 and 112 grams of crack cocaine.
- Crack cocaine trafficking sentences were increased for:
 - ◆ 28.6% of offenders because the offense involved the possession of a weapon;
 - ◆ 6.9% of offenders for having a leadership or supervisory role in the offense.
- Crack cocaine trafficking sentences were decreased for:
 - ◆ 4.1% of offenders because they were a minor or minimal participant in the offense;
 - ◆ 10.0% of offenders because they met the safety valve criteria in the sentencing guidelines.

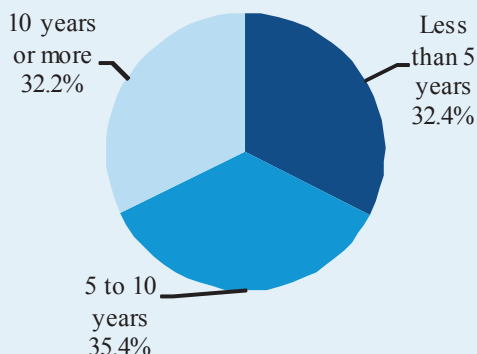
Top Five Districts Crack Cocaine Trafficking Offenders FY 2013

Southern District of New York (N=182)
Eastern District of North Carolina (N=134)
District of South Carolina (N=94)
Western District of Texas (N=91)
Northern District of Ohio (N=86)

Punishment

- Most crack cocaine trafficking offenders were sentenced to imprisonment (98.0%).
- The average sentence length for crack cocaine traffickers was 96 months.
- Almost two-thirds of crack cocaine traffickers were convicted of a drug offense carrying a mandatory minimum penalty (62.3%).
 - ◆ However, forty percent (40.3%) of these offenders were not subject to any mandatory minimum penalty at sentencing because:
 - ◇ 29.1% provided the government with substantial assistance in the investigation or prosecution of other offenders, 7.9% were eligible for relief through the statutory safety valve provision, and 3.3% received both forms of relief.

Sentence Length of Crack Cocaine Trafficking Offenders FY 2013



¹ 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).

² Data not depicted in the bar chart.

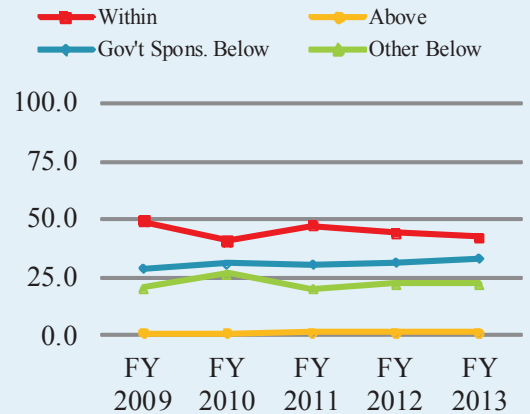
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Crack Cocaine Trafficking Offenses

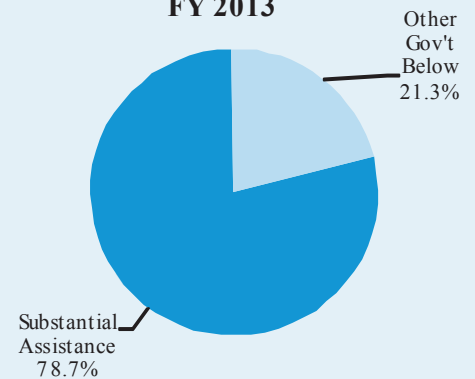
Sentences Relative to the Guideline Range

- The rate of within range sentences for crack cocaine trafficking cases has decreased over the last five years from 49.2% in fiscal year 2009 to 42.6% in fiscal year 2013.
- The rate of government sponsored below range sentences has increased in four of the last five years from 29.2% in fiscal year 2009 to 33.5% in fiscal year 2013.
 - ◆ Substantial assistance departures were granted in approximately one-quarter of crack cocaine trafficking cases over the past five years.
 - ◇ In fiscal year 2013, these offenders received an average reduction in their sentence of 48.8%.
 - ◆ A small but growing proportion of crack cocaine traffickers received a below range sentence sponsored by the government for reasons other than substantial assistance or participation in an Early Disposition Program.³
 - ◇ Other government sponsored below range sentences have increased over the past five years from 3.4% in fiscal year 2009 to 7.1% in fiscal year 2013.
 - In fiscal year 2013, these offenders received an average reduction in their sentence of 36.7%.
- Over the last five years, the rate of non-government sponsored below range sentences for crack cocaine traffickers has increased slightly from 20.6% in fiscal year 2009 to 22.4% in fiscal year 2013.
 - ◆ In fiscal year 2013, these offenders received an average reduction in their sentence of 34.2%.
- The average guideline minimum and average sentence imposed for crack cocaine traffickers have generally decreased in the past five years, largely as a result of implementation of the Fair Sentencing Act of 2010.
 - ◆ The average guideline minimum decreased from 141 to 125 months during that period;
 - ◆ The average sentence imposed decreased from 113 to 96 months.

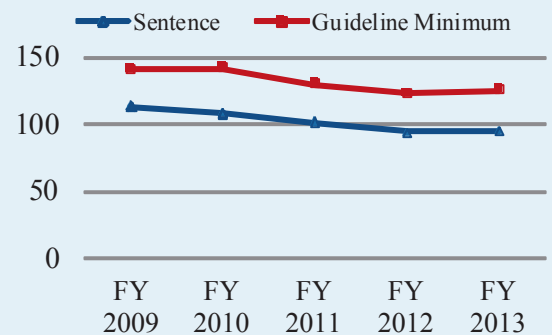
Sentence Relative to the Guideline Range



Government Sponsored Below Range Sentences FY 2013



Average Sentence and Average Guideline Minimum (in months)



³“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.

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SOURCE: United States Sentencing Commission, 2009 through 2013 Datafiles, USSCFY09-USSCFY13.



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