

Table 44

DRUG OFFENDERS RECEIVING SAFETY VALVE AND MANDATORY MINIMUMS FOR EACH DRUG TYPE¹
Fiscal Year 2006

DRUG TYPE	TOTAL	No Drug Mandatory Minimum/No Safety Valve		No Drug Mandatory Minimum/Received Safety Valve ²		Drug Mandatory Minimum/No Safety Valve		Drug Mandatory Minimum/Received Safety Valve ²	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	24,002	4,704	19.6	3,029	12.6	10,222	42.6	6,047	25.2
Powder Cocaine	5,487	779	14.2	385	7.0	2,221	40.5	2,102	38.3
Crack Cocaine	5,311	947	17.8	162	3.1	3,610	68.0	592	11.1
Heroin	1,446	333	23.0	166	11.5	470	32.5	477	33.0
Marijuana	5,888	1,501	25.5	1,762	29.9	1,243	21.1	1,382	23.5
Methamphetamine	5,041	734	14.6	255	5.1	2,603	51.6	1,449	28.7
Other	829	410	49.5	299	36.1	75	9.0	45	5.4

¹Of the 72,585 cases, 26,122 were sentenced under USSG Chapter Two, Part D (Drugs), regardless of eligibility for the Safety Valve (§5C1.2). Of these, 25,824 were sentenced under §§2D1.1 (Drug Trafficking), 2D1.2 (Protected Locations), 2D1.5 (Continuing Criminal Enterprise), 2D1.6 (Communication Facility), 2D1.8 (Rent/Manage Drug Establishment), or 2D2.1 (Simple Possession). Of these, 24,410 contained complete guideline application information. Of these 24,410 cases, 408 were excluded due to one or more of the following reasons: missing safety valve or mandatory minimum information (402) or missing drug type (10). Descriptions of variables used in this table are provided in Appendix A.

²For cases where a mandatory minimum sentence applied, use of the term "safety value" on this table means the court sentenced the offender without regard to any applicable mandatory minimum penalty (in accordance with the "safety value" provision of 18 U.S.C. § 3553(f), incorporated into the guidelines at §5C1.2) and that the court also reduced the sentence by two levels as provided in §2D1.1(b)(9). For cases where no mandatory minimum applied, use of the term "safety value" on this table means that the court reduced the sentence by two levels as provided in §2D1.1(b)(9).

SOURCE: U.S. Sentencing Commission, 2006 Datafile, USSCFY06.