

Table 45

SENTENCES RELATIVE TO THE GUIDELINE RANGE FOR DRUG OFFENDERS BY EACH DRUG TYPE¹
Fiscal Year 2007

DRUG TYPE	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE²		UPWARD DEPARTURE W/ <i>BOOKER</i>²		ABOVE RANGE WITH W/ <i>BOOKER</i>²		REMAINING ABOVE RANGE	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	25,366	13,876	54.7	42	0.2	17	0.1	43	0.2	21	0.1
Powder Cocaine	6,253	3,317	53.0	9	0.1	4	0.1	9	0.1	10	0.2
Crack Cocaine	5,466	3,096	56.6	8	0.1	5	0.1	11	0.2	0	0.0
Heroin	1,376	726	52.8	5	0.4	0	0.0	1	0.1	2	0.1
Marijuana	6,272	3,697	58.9	12	0.2	6	0.1	12	0.2	7	0.1
Methamphetamine	5,078	2,628	51.8	4	0.1	1	0.0	7	0.1	1	0.0
Other	921	412	44.7	4	0.4	1	0.1	3	0.3	1	0.1

Table 45 (cont.)

DRUG TYPE	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE³		DOWNWARD DEPARTURE W/ BOOKER³		BELOW RANGE W/ BOOKER³		REMAINING BELOW RANGE	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	6,356	25.1	1,261	5.0	830	3.3	553	2.2	377	1.5	1,786	7.0	204	0.8
Powder Cocaine	1,819	29.1	174	2.8	227	3.6	123	2.0	89	1.4	424	6.8	48	0.8
Crack Cocaine	1,521	27.8	1	0.0	129	2.4	110	2.0	86	1.6	455	8.3	44	0.8
Heroin	336	24.4	8	0.6	39	2.8	53	3.9	41	3.0	157	11.4	8	0.6
Marijuana	878	14.0	970	15.5	207	3.3	122	1.9	48	0.8	261	4.2	52	0.8
Methamphetamine	1,513	29.8	107	2.1	201	4.0	119	2.3	77	1.5	385	7.6	35	0.7
Other	289	31.4	1	0.1	27	2.9	26	2.8	36	3.9	104	11.3	17	1.8

¹Of the 72,865 cases, 25,699 were sentenced under USSG Chapter Two, Part D (Drugs). Of these, 25,491 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 25,491 cases, 125 were excluded due to one or both of the following reasons: missing information from the submitted documents that prevented the comparison of the sentence and the guideline range (123) or missing information on drug type (2). Descriptions of variables used in this table are provided in Appendix A.

²See Tables 24-24B for a list of departure reasons comprising these categories.

³See Tables 25-25B for a list of departure reasons comprising these categories.

SOURCE: U.S. Sentencing Commission, 2007 Datafile, USSCFY07.