

**Table 45**

**SENTENCES RELATIVE TO THE GUIDELINE RANGE FOR DRUG OFFENDERS BY EACH DRUG TYPE<sup>1</sup>**  
**Fiscal Year 2009**

<b>DRUG TYPE</b>	<b>TOTAL</b>	<b>WITHIN GUIDELINE RANGE</b>		<b>UPWARD DEPARTURE<sup>2</sup></b>		<b>UPWARD DEPARTURE W/ <i>BOOKER</i><sup>2</sup></b>		<b>ABOVE RANGE WITH W/ <i>BOOKER</i><sup>2</sup></b>		<b>REMAINING ABOVE RANGE</b>	
		<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
<b>TOTAL</b>	<b>24,898</b>	<b>11,790</b>	<b>47.4</b>	<b>61</b>	<b>0.2</b>	<b>13</b>	<b>0.1</b>	<b>122</b>	<b>0.5</b>	<b>26</b>	<b>0.1</b>
<b>Powder Cocaine</b>	<b>6,027</b>	2,847	47.2	10	0.2	5	0.1	31	0.5	10	0.2
<b>Crack Cocaine</b>	<b>5,682</b>	2,797	49.2	17	0.3	3	0.1	34	0.6	4	0.1
<b>Heroin</b>	<b>1,624</b>	688	42.4	9	0.6	0	0.0	9	0.6	3	0.2
<b>Marijuana</b>	<b>6,162</b>	3,229	52.4	15	0.2	2	0.0	26	0.4	7	0.1
<b>Methamphetamine</b>	<b>4,126</b>	1,741	42.2	5	0.1	2	0.0	18	0.4	1	0.0
<b>Other</b>	<b>1,277</b>	488	38.2	5	0.4	1	0.1	4	0.3	1	0.1

**Table 45 (cont.)**

DRUG TYPE	§5K1.1 SUBSTANTIAL ASSISTANCE		§5K3.1 EARLY DISPOSITION		OTHER GOV'T SPONSORED		DOWNWARD DEPARTURE <sup>3</sup>		DOWNWARD DEPARTURE W/ BOOKER <sup>3</sup>		BELOW RANGE W/ BOOKER <sup>3</sup>		REMAINING BELOW RANGE	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>6,268</b>	<b>25.2</b>	<b>1,387</b>	<b>5.6</b>	<b>908</b>	<b>3.6</b>	<b>430</b>	<b>1.7</b>	<b>294</b>	<b>1.2</b>	<b>3,382</b>	<b>13.6</b>	<b>217</b>	<b>0.9</b>
<b>Powder Cocaine</b>	1,752	29.1	156	2.6	233	3.9	86	1.4	67	1.1	790	13.1	40	0.7
<b>Crack Cocaine</b>	1,457	25.6	2	0.0	194	3.4	94	1.7	93	1.6	933	16.4	54	1.0
<b>Heroin</b>	441	27.2	27	1.7	78	4.8	37	2.3	19	1.2	285	17.5	28	1.7
<b>Marijuana</b>	829	13.5	1,102	17.9	165	2.7	128	2.1	41	0.7	556	9.0	62	1.0
<b>Methamphetamine</b>	1,339	32.5	99	2.4	189	4.6	72	1.7	60	1.5	578	14.0	22	0.5
<b>Other</b>	450	35.2	1	0.1	49	3.8	13	1.0	14	1.1	240	18.8	11	0.9

<sup>1</sup>Of the 81,372 cases, 25,164 were sentenced under USSG Chapter Two, Part D (Drugs). Of these, 24,918 were sentenced under §§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), or 2D2.1 (Simple Possession). Of these 24,918 cases, 20 were excluded due to missing information from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

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

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

SOURCE: U.S. Sentencing Commission, 2009 Datafile, USSCFY09.