

**Table 45**

**SENTENCES RELATIVE TO THE GUIDELINE RANGE FOR DRUG OFFENDERS IN EACH DRUG TYPE<sup>1</sup>**  
**Fiscal Year 2010**

DRUG TYPE	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE <sup>2</sup>		UPWARD DEPARTURE W/ <i>BOOKER</i> <sup>2</sup>		ABOVE RANGE WITH W/ <i>BOOKER</i> <sup>2</sup>		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>24,333</b>	<b>11,174</b>	<b>45.9</b>	<b>72</b>	<b>0.3</b>	<b>18</b>	<b>0.1</b>	<b>117</b>	<b>0.5</b>	<b>27</b>	<b>0.1</b>
<b>Powder Cocaine</b>	<b>5,714</b>	2,618	45.8	12	0.2	2	0.0	17	0.3	6	0.1
<b>Crack Cocaine</b>	<b>4,896</b>	2,019	41.2	15	0.3	3	0.1	31	0.6	5	0.1
<b>Heroin</b>	<b>1,626</b>	730	44.9	9	0.6	4	0.2	12	0.7	1	0.1
<b>Marijuana</b>	<b>6,320</b>	3,547	56.1	21	0.3	4	0.1	32	0.5	9	0.1
<b>Methamphetamine</b>	<b>4,302</b>	1,756	40.8	11	0.3	2	0.0	19	0.4	4	0.1
<b>Other</b>	<b>1,475</b>	504	34.2	4	0.3	3	0.2	6	0.4	2	0.1

**Table 45 (cont.)**

<b>DRUG TYPE</b>	<b>§5K1.1 SUBSTANTIAL ASSISTANCE</b>		<b>§5K3.1 EARLY DISPOSITION</b>		<b>OTHER GOV'T SPONSORED</b>		<b>DOWNWARD DEPARTURE<sup>3</sup></b>		<b>DOWNWARD DEPARTURE W/ BOOKER<sup>3</sup></b>		<b>BELOW RANGE W/ BOOKER<sup>3</sup></b>		<b>REMAINING BELOW RANGE</b>	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>5,755</b>	<b>23.7</b>	<b>1,312</b>	<b>5.4</b>	<b>1,022</b>	<b>4.2</b>	<b>383</b>	<b>1.6</b>	<b>315</b>	<b>1.3</b>	<b>3,904</b>	<b>16.0</b>	<b>234</b>	<b>1.0</b>
<b>Powder Cocaine</b>	1,545	27.0	190	3.3	187	3.3	89	1.6	91	1.6	915	16.0	42	0.7
<b>Crack Cocaine</b>	1,231	25.1	1	0.0	279	5.7	69	1.4	76	1.6	1,116	22.8	51	1.0
<b>Heroin</b>	352	21.6	30	1.8	66	4.1	38	2.3	39	2.4	330	20.3	15	0.9
<b>Marijuana</b>	889	14.1	898	14.2	137	2.2	100	1.6	34	0.5	579	9.2	70	1.1
<b>Methamphetamine</b>	1,233	28.7	189	4.4	272	6.3	63	1.5	53	1.2	662	15.4	38	0.9
<b>Other</b>	505	34.2	4	0.3	81	5.5	24	1.6	22	1.5	302	20.5	18	1.2

<sup>1</sup> Of the 83,946 cases, 24,713 were sentenced under USSG Chapter Two, Part D (Drugs). Of these, 24,366 cases 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 24,366 cases, 33 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, 2010 Datafile, USSCFY10.