

Table 45

SENTENCES RELATIVE TO THE GUIDELINE RANGE FOR DRUG OFFENDERS IN EACH DRUG TYPE¹
Fiscal Year 2011

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	
		N	%	N	%	N	%	N	%	N	%
TOTAL	25,247	11,987	47.5	73	0.3	14	0.1	157	0.6	21	0.1
Powder Cocaine	6,031	2,914	48.3	19	0.3	2	0.0	33	0.5	4	0.1
Crack Cocaine	4,356	2,053	47.1	18	0.4	5	0.1	46	1.1	5	0.1
Heroin	1,807	748	41.4	4	0.2	2	0.1	11	0.6	3	0.2
Marijuana	6,951	4,006	57.6	18	0.3	3	0.0	35	0.5	4	0.1
Methamphetamine	4,556	1,742	38.2	7	0.2	1	0.0	21	0.5	3	0.1
Other	1,546	524	33.9	7	0.5	1	0.1	11	0.7	2	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	
	N	%	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	5,797	23.0	1,332	5.3	1,216	4.8	524	2.1	302	1.2	3,707	14.7	117	0.5
Powder Cocaine	1,467	24.3	215	3.6	268	4.4	121	2.0	78	1.3	881	14.6	29	0.5
Crack Cocaine	1,172	26.9	0	0.0	174	4.0	86	2.0	56	1.3	720	16.5	21	0.5
Heroin	433	24.0	46	2.5	107	5.9	41	2.3	36	2.0	363	20.1	13	0.7
Marijuana	961	13.8	827	11.9	247	3.6	164	2.4	42	0.6	619	8.9	25	0.4
Methamphetamine	1,285	28.2	237	5.2	323	7.1	87	1.9	59	1.3	771	16.9	20	0.4
Other	479	31.0	7	0.5	97	6.3	25	1.6	31	2.0	353	22.8	9	0.6

¹ Of the 86,201 cases, 25,664 were sentenced under USSG Chapter Two, Part D (Drugs). Of these, 25,278 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 25,278 cases, 31 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 (28) or missing information on drug type (3). Descriptions of variables used in this table are provided in Appendix A.

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

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

SOURCE: U.S. Sentencing Commission, 2011 Datafile, USSCFY11.