

Table 45

SENTENCES RELATIVE TO THE GUIDELINE RANGE FOR DRUG OFFENDERS IN EACH DRUG TYPE¹
Fiscal Year 2013

DRUG TYPE	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE ²		UPWARD DEPARTURE W/ BOOKER ²		ABOVE RANGE W/ BOOKER ²		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
TOTAL	22,878	9,161	40.0	83	0.4	17	0.1	141	0.6	16	0.1
Powder Cocaine	5,498	2,468	44.9	12	0.2	5	0.1	41	0.7	7	0.1
Crack Cocaine	2,974	1,273	42.8	13	0.4	2	0.1	30	1.0	1	0.0
Heroin	2,214	795	35.9	15	0.7	3	0.1	20	0.9	1	0.0
Marijuana	4,939	2,247	45.5	26	0.5	4	0.1	30	0.6	4	0.1
Methamphetamine	5,504	1,796	32.6	11	0.2	1	0.0	13	0.2	3	0.1
Other	1,749	582	33.3	6	0.3	2	0.1	7	0.4	0	0.0

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	5,724	25.0	1,455	6.4	1,575	6.9	508	2.2	244	1.1	3,832	16.7	122	0.5
Powder Cocaine	1,431	26.0	183	3.3	335	6.1	106	1.9	61	1.1	821	14.9	28	0.5
Crack Cocaine	779	26.2	0	0.0	211	7.1	74	2.5	41	1.4	538	18.1	12	0.4
Heroin	534	24.1	79	3.6	168	7.6	61	2.8	37	1.7	495	22.4	6	0.3
Marijuana	899	18.2	724	14.7	259	5.2	100	2.0	25	0.5	578	11.7	43	0.9
Methamphetamine	1,536	27.9	462	8.4	483	8.8	125	2.3	49	0.9	1,001	18.2	24	0.4
Other	545	31.2	7	0.4	119	6.8	42	2.4	31	1.8	399	22.8	9	0.5

¹ Of the 80,035 cases, 23,179 were sentenced under USSG Chapter Two, Part D (Drugs). Of these, 22,895 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 22,895 cases, 17 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.

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, 2013 Datafile, USSCFY13.