

Table 44

DRUG OFFENDERS RECEIVING SAFETY VALVE AND MANDATORY MINIMUMS IN EACH DRUG TYPE¹
Fiscal Year 2014

DRUG TYPE	TOTAL	No Drug Mandatory Minimum/No Safety Valve		No Drug Mandatory Minimum/Received Safety Valve ²		Drug Mandatory Minimum/No Safety Valve		Drug Mandatory Minimum/Received Safety Valve ³	
		N	%	N	%	N	%	N	%
TOTAL	21,083	6,812	32.3	3,622	17.2	7,256	34.4	3,393	16.1
Powder Cocaine	4,792	1,060	22.1	582	12.1	1,968	41.1	1,182	24.7
Crack Cocaine	2,366	1,041	44.0	111	4.7	1,102	46.6	112	4.7
Heroin	2,347	865	36.9	338	14.4	774	33.0	370	15.8
Marijuana	3,818	1,412	37.0	1,126	29.5	672	17.6	608	15.9
Methamphetamine	6,037	1,371	22.7	881	14.6	2,680	44.4	1,105	18.3
Other	1,723	1,063	61.7	584	33.9	60	3.5	16	0.9

¹ Of the 75,836 cases, 22,193 were sentenced under USSG Chapter Two, Part D (Drugs), regardless of eligibility for the Safety Valve (§5C1.2). Of these, 21,907 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, 21,257 cases contained complete guideline application information. Of these 21,257 cases, 174 were excluded due to missing safety valve or mandatory minimum information. Descriptions of variables used in this table are provided in Appendix A.

² For cases where no mandatory minimum applied, use of the term "safety valve" on this table means that the court indicated that the provisions of §5C1.2 applied.

³ For cases where a mandatory minimum sentence applied, use of the term "safety valve" on this table means the court sentenced the offender without regard to any applicable mandatory minimum penalty (in accordance with the "safety valve" provision of 18 U.S.C. § 3553(f), incorporated into the guidelines at §5C1.2).

⁴ Effective November 1, 2012, the safety valve reduction was added to §2D1.11 (Unlawfully Distributing of Listed Chemicals). There were 159 cases sentenced under §2D1.11 as the primary sentencing guideline in which the 2012 guidelines manual was applied with complete guideline application information. Of these cases, in 53 the new safety valve reduction was applied.

SOURCE: U.S. Sentencing Commission, 2014 Datafile, USSCFY14.