

**Table 44**

**DRUG OFFENDERS RECEIVING SAFETY VALVE AND MANDATORY MINIMUMS IN EACH DRUG TYPE<sup>1</sup>**  
**Fiscal Year 2015**

DRUG TYPE	TOTAL	No Drug Mandatory Minimum/No Safety Valve		No Drug Mandatory Minimum/Received Safety Valve <sup>2</sup>		Drug Mandatory Minimum/No Safety Valve		Drug Mandatory Minimum/Received Safety Valve <sup>3</sup>	
		N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>19,770</b>	<b>6,892</b>	<b>34.9</b>	<b>3,780</b>	<b>19.1</b>	<b>6,502</b>	<b>32.9</b>	<b>2,596</b>	<b>13.1</b>
<b>Powder Cocaine</b>	<b>4,051</b>	1,011	25.0	532	13.1	1,587	39.2	921	22.7
<b>Crack Cocaine</b>	<b>1,887</b>	918	48.6	81	4.3	820	43.5	68	3.6
<b>Heroin</b>	<b>2,640</b>	1,004	38.0	413	15.6	915	34.7	308	11.7
<b>Marijuana</b>	<b>3,368</b>	1,279	38.0	1,097	32.6	522	15.5	470	14.0
<b>Methamphetamine</b>	<b>6,235</b>	1,662	26.7	1,148	18.4	2,609	41.8	816	13.1
<b>Other</b>	<b>1,589</b>	1,018	64.1	509	32.0	49	3.1	13	0.8

<sup>1</sup> Of the 71,003 cases, 20,790 were sentenced under USSG Chapter Two, Part D (Drugs), regardless of eligibility for the Safety Valve (§5C1.2). Of these, 20,602 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, 19,959 cases contained complete guideline application information. Of these 19,959 cases, 189 were excluded due to missing safety valve or mandatory minimum information. Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup> 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.

<sup>3</sup> 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).

<sup>4</sup> Effective November 1, 2012, the safety valve reduction was added to §2D1.11 (Unlawfully Distributing a Listed Chemicals). There were 117 cases sentenced under §2D1.11 as the primary sentencing guideline in which the 2012 or later *Guidelines Manual* was applied with complete guideline application information. Of these cases, in 35 the new safety valve reduction was applied.

SOURCE: U.S. Sentencing Commission, 2015 Datafile, USSCFY15.