

Table 44

DRUG OFFENDERS RECEIVING SAFETY VALVE AND MANDATORY MINIMUMS IN EACH DRUG TYPE^{1,4}
Fiscal Year 2016

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	19,199	6,589	34.3	3,956	20.6	6,028	31.4	2,626	13.7
Powder Cocaine	3,796	948	25.0	574	15.1	1,290	34.0	984	25.9
Crack Cocaine	1,557	785	50.4	61	3.9	661	42.5	50	3.2
Heroin	2,759	1,187	43.0	414	15.0	862	31.2	296	10.7
Marijuana	3,369	1,133	33.6	1,329	39.4	411	12.2	496	14.7
Methamphetamine	6,456	1,722	26.7	1,199	18.6	2,741	42.5	794	12.3
Other	1,262	814	64.5	379	30.0	63	5.0	6	0.5

¹ Of the 67,742 cases, 19,945 were sentenced under USSG Chapter Two, Part D (Drugs), regardless of eligibility for the Safety Valve (§5C1.2). Of these, 19,788 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, 19,428 cases contained complete guideline application information. Of these 19,428 cases, 229 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 penalty applied, use of the term "safety valve" on this table means that 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 a Listed Chemical). There were 75 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, the new safety valve reduction was applied in 15 cases.

SOURCE: U.S. Sentencing Commission, 2016 Datafile, USSCFY16.