

Table 45

SENTENCES RELATIVE TO THE GUIDELINE RANGE FOR DRUG OFFENDERS IN EACH DRUG TYPE¹
Fiscal Year 2017

DRUG TYPE	TOTAL	WITHIN GUIDELINE RANGE		UPWARD DEPARTURE ²		UPWARD DEPARTURE W/ <i>BOOKER</i> ²		ABOVE RANGE W/ <i>BOOKER</i> ²		REMAINING ABOVE RANGE	
		N	%	N	%	N	%	N	%	N	%
TOTAL	19,743	7,095	35.9	70	0.4	20	0.1	203	1.0	25	0.1
Powder Cocaine	3,988	1,625	40.7	6	0.2	1	0.0	45	1.1	3	0.1
Crack Cocaine	1,613	665	41.2	10	0.6	0	0.0	33	2.0	4	0.2
Heroin	2,707	929	34.3	17	0.6	13	0.5	50	1.8	7	0.3
Marijuana	2,833	1,333	47.1	16	0.6	2	0.1	29	1.0	7	0.2
Methamphetamine	7,255	2,199	30.3	13	0.2	0	0.0	27	0.4	3	0.0
Other	1,347	344	25.5	8	0.6	4	0.3	19	1.4	1	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	4,253	21.5	1,359	6.9	2,102	10.6	309	1.6	158	0.8	4,076	20.6	73	0.4
Powder Cocaine	869	21.8	169	4.2	298	7.5	68	1.7	35	0.9	852	21.4	17	0.4
Crack Cocaine	272	16.9	0	0.0	180	11.2	32	2.0	21	1.3	389	24.1	7	0.4
Heroin	535	19.8	83	3.1	358	13.2	34	1.3	26	1.0	650	24.0	5	0.2
Marijuana	313	11.0	398	14.0	258	9.1	57	2.0	9	0.3	392	13.8	19	0.7
Methamphetamine	1,830	25.2	699	9.6	849	11.7	98	1.4	58	0.8	1,458	20.1	21	0.3
Other	434	32.2	10	0.7	159	11.8	20	1.5	9	0.7	335	24.9	4	0.3

¹ Of the 66,873 cases, 19,843 were sentenced under USSG Chapter Two, Part D (Drugs). Of these, 19,750 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 19,750 cases, seven 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, 2017 Datafile, USSCFY17.