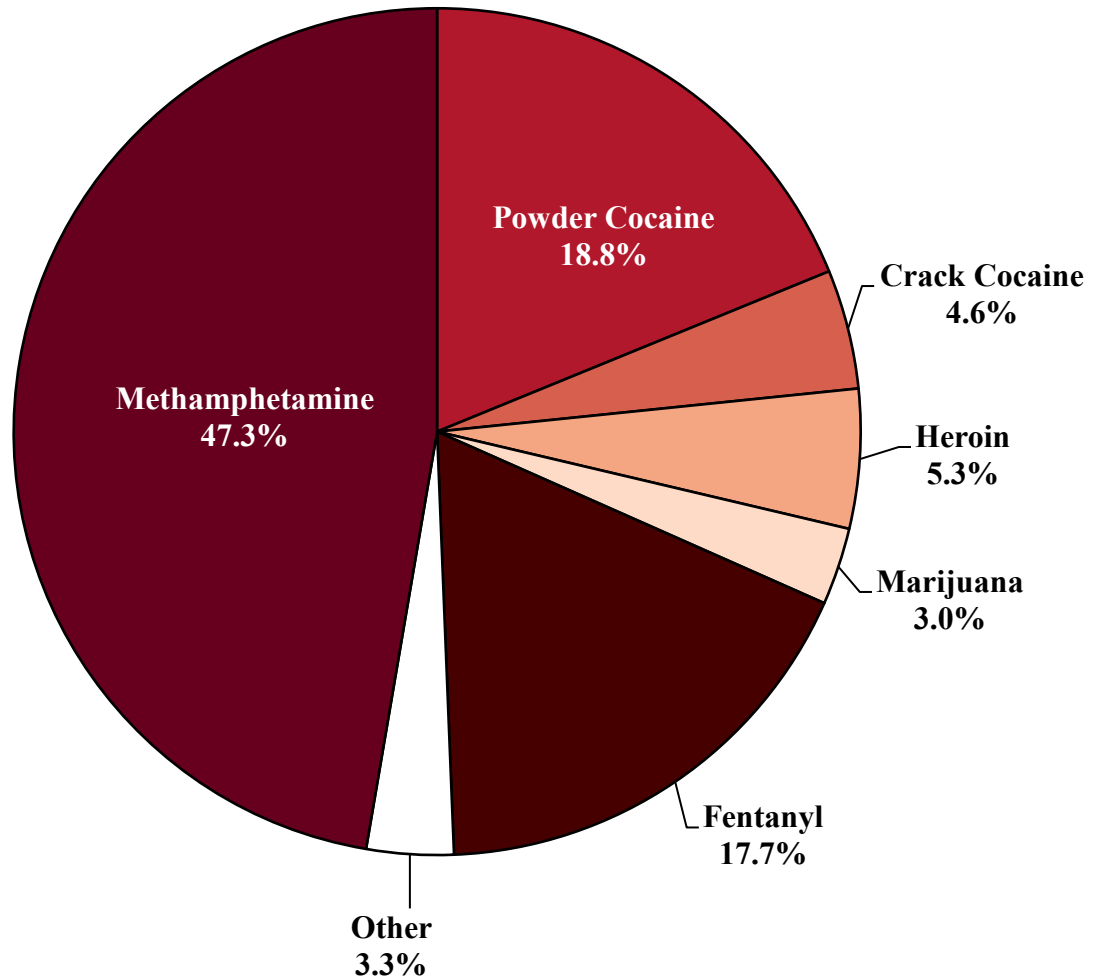


**Figure D-1**

**DISTRIBUTION OF PRIMARY DRUG TYPE  
IN FEDERAL DRUG CASES<sup>1,2</sup>  
Fiscal Year 2023**



<sup>1</sup> Of the 64,124 cases, in 19,066 the individual was sentenced under USSG Chapter Two, Part D (Drugs). The 'Fentanyl' category includes both Fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] Propanamide) and Fentanyl Analogue. Descriptions of variables used in this figure are provided in Appendix A.

<sup>2</sup> The 'Other' drug category includes the remaining primary drug types of which the following have more than 50 cases: Oxycodone/Oxycontin (234), and MDMA/Ecstasy/MDA (53).

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.

**Table D-1**

**PRIMARY DRUG TYPE OF DRUG TRAFFICKING CASES<sup>1</sup>**  
**Fiscal Year 2023**

DRUG TYPE	TOTAL	§2D1.1 Drug Trafficking		§2D1.2 Protected Locations		§2D1.5 Continuing Criminal Enterprise		§2D1.6 Communication Facility		§2D1.8 Rent/Manage Drug Establishment		§2D1.10 Endangering Human Life While Manufacturing		§2D1.14 Narco- Terrorism	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>18,939</b>	<b>18,640</b>	<b>98.4</b>	<b>276</b>	<b>1.5</b>	<b>7</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>	<b>15</b>	<b>0.1</b>	<b>1</b>	<b>0.0</b>	<b>0</b>	<b>0.0</b>
<b>Powder Cocaine</b>	<b>3,577</b>	3,347	93.6	226	6.3	3	0.1	0	0.0	1	0.0	0	0.0	0	0.0
<b>Crack Cocaine</b>	<b>862</b>	855	99.2	6	0.7	0	0.0	0	0.0	1	0.1	0	0.0	0	0.0
<b>Heroin</b>	<b>1,011</b>	1,005	99.4	5	0.5	1	0.1	0	0.0	0	0.0	0	0.0	0	0.0
<b>Marijuana</b>	<b>561</b>	557	99.3	4	0.7	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0
<b>Methamphetamine</b>	<b>8,991</b>	8,961	99.7	21	0.2	0	0.0	0	0.0	9	0.1	0	0.0	0	0.0
<b>Fentanyl</b>	<b>3,354</b>	3,338	99.5	12	0.4	1	0.0	0	0.0	3	0.1	0	0.0	0	0.0
<b>Other</b>	<b>583</b>	577	99.0	2	0.3	2	0.3	0	0.0	1	0.2	1	0.2	0	0.0

<sup>1</sup> Of the 64,124 cases, in 19,066 the individual was sentenced under USSG Chapter Two, Part D (Drugs). Of these, 18,939 individuals 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), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.

**Table D-2**

**RACE OF SENTENCED INDIVIDUALS IN DRUG TRAFFICKING CASES<sup>1</sup>**  
**Fiscal Year 2023**

DRUG TYPE	TOTAL	WHITE		BLACK		HISPANIC		OTHER	
		N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>18,906</b>	<b>4,857</b>	<b>25.7</b>	<b>5,233</b>	<b>27.7</b>	<b>8,240</b>	<b>43.6</b>	<b>576</b>	<b>3.0</b>
<b>Powder Cocaine</b>	<b>3,573</b>	191	5.3	801	22.4	2,544	71.2	37	1.0
<b>Crack Cocaine</b>	<b>862</b>	55	6.4	681	79.0	122	14.2	4	0.5
<b>Heroin</b>	<b>1,010</b>	186	18.4	349	34.6	462	45.7	13	1.3
<b>Marijuana</b>	<b>560</b>	120	21.4	155	27.7	233	41.6	52	9.3
<b>Methamphetamine</b>	<b>8,972</b>	3,412	38.0	1,734	19.3	3,498	39.0	328	3.7
<b>Fentanyl</b>	<b>3,348</b>	656	19.6	1,326	39.6	1,282	38.3	84	2.5
<b>Other</b>	<b>581</b>	237	40.8	187	32.2	99	17.0	58	10.0

<sup>1</sup> Of the 64,124 cases, in 19,066 the individual was sentenced under USSG Chapter Two, Part D (Drugs). Of these, 18,939 individuals 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), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism). Of these 18,939 cases, 33 were excluded due to missing information on the individual's race. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.

**Table D-3****GENDER OF SENTENCED INDIVIDUALS IN DRUG TRAFFICKING CASES<sup>1</sup>  
Fiscal Year 2023**

<b>DRUG TYPE</b>	<b>TOTAL</b>	<b>MALE</b>		<b>FEMALE</b>	
		<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
<b>TOTAL</b>	<b>18,939</b>	<b>15,829</b>	<b>83.6</b>	<b>3,110</b>	<b>16.4</b>
<b>Powder Cocaine</b>	<b>3,577</b>	3,281	91.7	296	8.3
<b>Crack Cocaine</b>	<b>862</b>	789	91.5	73	8.5
<b>Heroin</b>	<b>1,011</b>	842	83.3	169	16.7
<b>Marijuana</b>	<b>561</b>	512	91.3	49	8.7
<b>Methamphetamine</b>	<b>8,991</b>	7,166	79.7	1,825	20.3
<b>Fentanyl</b>	<b>3,354</b>	2,770	82.6	584	17.4
<b>Other</b>	<b>583</b>	469	80.4	114	19.6

<sup>1</sup> Of the 64,124 cases, in 19,066 the individual was sentenced under USSG Chapter Two, Part D (Drugs). Of these, 18,939 individuals 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), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.

**Table D-4**

**AGE OF SENTENCED INDIVIDUALS IN DRUG TRAFFICKING CASES<sup>1</sup>**  
**Fiscal Year 2023**

DRUG TYPE	TOTAL	Under 21		21 to 25		26 to 30		31 to 35		36 to 40		41 to 50		51 to 60		Over 60	
		N	%	N	%	N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>18,939</b>	<b>342</b>	<b>1.8</b>	<b>1,856</b>	<b>9.8</b>	<b>2,906</b>	<b>15.3</b>	<b>3,536</b>	<b>18.7</b>	<b>3,373</b>	<b>17.8</b>	<b>4,650</b>	<b>24.6</b>	<b>1,717</b>	<b>9.1</b>	<b>559</b>	<b>3.0</b>
<b>Powder Cocaine</b>	<b>3,577</b>	56	1.6	302	8.4	510	14.3	633	17.7	615	17.2	995	27.8	345	9.6	121	3.4
<b>Crack Cocaine</b>	<b>862</b>	3	0.3	57	6.6	127	14.7	173	20.1	146	16.9	240	27.8	87	10.1	29	3.4
<b>Heroin</b>	<b>1,011</b>	7	0.7	70	6.9	173	17.1	171	16.9	215	21.3	240	23.7	106	10.5	29	2.9
<b>Marijuana</b>	<b>561</b>	30	5.3	88	15.7	97	17.3	102	18.2	83	14.8	101	18.0	46	8.2	14	2.5
<b>Methamphetamine</b>	<b>8,991</b>	128	1.4	724	8.1	1,195	13.3	1,661	18.5	1,720	19.1	2,404	26.7	905	10.1	254	2.8
<b>Fentanyl</b>	<b>3,354</b>	115	3.4	554	16.5	698	20.8	715	21.3	510	15.2	553	16.5	167	5.0	42	1.3
<b>Other</b>	<b>583</b>	3	0.5	61	10.5	106	18.2	81	13.9	84	14.4	117	20.1	61	10.5	70	12.0

<sup>1</sup> Of the 64,124 cases, in 19,066 the individual was sentenced under USSG Chapter Two, Part D (Drugs). Of these, 18,939 individuals 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), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.

**Table D-5**

**CITIZENSHIP OF SENTENCED INDIVIDUALS IN DRUG TRAFFICKING CASES<sup>1</sup>**  
**Fiscal Year 2023**

<b>DRUG TYPE</b>	<b>TOTAL</b>	<b>U.S. CITIZEN</b>		<b>NON-U.S. CITIZEN</b>	
		<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
<b>TOTAL</b>	<b>18,932</b>	<b>15,514</b>	<b>81.9</b>	<b>3,418</b>	<b>18.1</b>
<b>Powder Cocaine</b>	<b>3,575</b>	2,349	65.7	1,226	34.3
<b>Crack Cocaine</b>	<b>862</b>	848	98.4	14	1.6
<b>Heroin</b>	<b>1,010</b>	795	78.7	215	21.3
<b>Marijuana</b>	<b>561</b>	399	71.1	162	28.9
<b>Methamphetamine</b>	<b>8,989</b>	7,670	85.3	1,319	14.7
<b>Fentanyl</b>	<b>3,353</b>	2,905	86.6	448	13.4
<b>Other</b>	<b>582</b>	548	94.2	34	5.8

<sup>1</sup> Of the 64,124 cases, in 19,066 the individual was sentenced under USSG Chapter Two, Part D (Drugs). Of these, 18,939 individuals 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), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism). Of these 18,939 cases, seven were excluded due to missing information on the individual's citizenship status. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.

**Table D-6**

**EDUCATION OF SENTENCED INDIVIDUALS IN DRUG TRAFFICKING CASES<sup>1</sup>**  
**Fiscal Year 2023**

DRUG TYPE	TOTAL	LESS THAN HIGH SCHOOL GRADUATE		HIGH SCHOOL GRADUATE		SOME COLLEGE		COLLEGE GRADUATE	
		N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>18,891</b>	<b>6,476</b>	<b>34.3</b>	<b>7,885</b>	<b>41.7</b>	<b>3,900</b>	<b>20.6</b>	<b>630</b>	<b>3.3</b>
<b>Powder Cocaine</b>	<b>3,563</b>	1,439	40.4	1,365	38.3	626	17.6	133	3.7
<b>Crack Cocaine</b>	<b>860</b>	305	35.5	412	47.9	128	14.9	15	1.7
<b>Heroin</b>	<b>1,006</b>	366	36.4	431	42.8	182	18.1	27	2.7
<b>Marijuana</b>	<b>558</b>	232	41.6	178	31.9	118	21.1	30	5.4
<b>Methamphetamine</b>	<b>8,976</b>	2,908	32.4	3,880	43.2	1,960	21.8	228	2.5
<b>Fentanyl</b>	<b>3,345</b>	1,131	33.8	1,426	42.6	709	21.2	79	2.4
<b>Other</b>	<b>583</b>	95	16.3	193	33.1	177	30.4	118	20.2

<sup>1</sup> Of the 64,124 cases, in 19,066 the individual was sentenced under USSG Chapter Two, Part D (Drugs). Of these, 18,939 individuals 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), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism). Of these 18,939 cases, 48 were excluded due to missing information on the individual's education. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.

**Table D-7**

**CRIMINAL HISTORY CATEGORY OF SENTENCED INDIVIDUALS IN DRUG TRAFFICKING CASES<sup>1</sup>**  
**Fiscal Year 2023**

DRUG TYPE	TOTAL	CRIMINAL HISTORY CATEGORY											
		I		II		III		IV		V		VI	
		N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>18,939</b>	<b>8,050</b>	<b>42.5</b>	<b>2,247</b>	<b>11.9</b>	<b>2,789</b>	<b>14.7</b>	<b>1,876</b>	<b>9.9</b>	<b>1,145</b>	<b>6.0</b>	<b>2,832</b>	<b>15.0</b>
<b>Powder Cocaine</b>	<b>3,577</b>	2,265	63.3	423	11.8	405	11.3	194	5.4	92	2.6	198	5.5
<b>Crack Cocaine</b>	<b>862</b>	178	20.6	117	13.6	185	21.5	127	14.7	61	7.1	194	22.5
<b>Heroin</b>	<b>1,011</b>	400	39.6	130	12.9	157	15.5	108	10.7	65	6.4	151	14.9
<b>Marijuana</b>	<b>561</b>	363	64.7	60	10.7	65	11.6	28	5.0	22	3.9	23	4.1
<b>Methamphetamine</b>	<b>8,991</b>	3,157	35.1	1,006	11.2	1,352	15.0	1,016	11.3	675	7.5	1,785	19.9
<b>Fentanyl</b>	<b>3,354</b>	1,352	40.3	441	13.1	553	16.5	359	10.7	206	6.1	443	13.2
<b>Other</b>	<b>583</b>	335	57.5	70	12.0	72	12.3	44	7.5	24	4.1	38	6.5

<sup>1</sup> Of the 64,124 cases, in 19,066 the individual was sentenced under USSG Chapter Two, Part D (Drugs). Of these, 18,939 individuals 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), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.



**Table D-8**

**WEAPON INVOLVEMENT IN DRUG TRAFFICKING CASES<sup>1</sup>**  
**Fiscal Year 2023**

<b>DRUG TYPE</b>	<b>TOTAL</b>	<b>NO WEAPON INVOLVED</b>		<b>WEAPON INVOLVED</b>	
		<b>N</b>	<b>%</b>	<b>N</b>	<b>%</b>
<b>TOTAL</b>	<b>18,699</b>	<b>13,385</b>	<b>71.6</b>	<b>5,314</b>	<b>28.4</b>
<b>Powder Cocaine</b>	<b>3,535</b>	2,844	80.5	691	19.5
<b>Crack Cocaine</b>	<b>847</b>	504	59.5	343	40.5
<b>Heroin</b>	<b>998</b>	773	77.5	225	22.5
<b>Marijuana</b>	<b>552</b>	381	69.0	171	31.0
<b>Methamphetamine</b>	<b>8,874</b>	6,119	69.0	2,755	31.0
<b>Fentanyl</b>	<b>3,318</b>	2,304	69.4	1,014	30.6
<b>Other</b>	<b>575</b>	460	80.0	115	20.0

<sup>1</sup> Of the 64,124 cases, in 19,066 the individual was sentenced under USSG Chapter Two, Part D (Drugs). Of these, 18,939 individuals 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), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism). Of these, 18,699 cases contained complete guideline application information. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.

**Table D-9**

**ROLE ADJUSTMENT IN DRUG TRAFFICKING CASES<sup>1</sup>**  
**Fiscal Year 2023**

DRUG TYPE	TOTAL	No Role Adjustment		Mitigating Role Adjustment		Aggravating Role Adjustment	
		N	%	N	%	N	%
<b>TOTAL</b>	<b>18,699</b>	<b>14,101</b>	<b>75.4</b>	<b>3,420</b>	<b>18.3</b>	<b>1,178</b>	<b>6.3</b>
<b>Powder Cocaine</b>	<b>3,535</b>	2,595	73.4	602	17.0	338	9.6
<b>Crack Cocaine</b>	<b>847</b>	745	88.0	41	4.8	61	7.2
<b>Heroin</b>	<b>998</b>	750	75.2	159	15.9	89	8.9
<b>Marijuana</b>	<b>552</b>	406	73.6	105	19.0	41	7.4
<b>Methamphetamine</b>	<b>8,874</b>	6,676	75.2	1,777	20.0	421	4.7
<b>Fentanyl</b>	<b>3,318</b>	2,475	74.6	682	20.6	161	4.9
<b>Other</b>	<b>575</b>	454	79.0	54	9.4	67	11.7

<sup>1</sup> Of the 64,124 cases, in 19,066 the individual was sentenced under USSG Chapter Two, Part D (Drugs). Of these, 18,939 individuals 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), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism). Of these, 18,699 contained complete guideline application information. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.

**Table D-10**

**DRUG AMOUNTS (IN GRAMS) FOR SELECTED  
BASE OFFENSE LEVELS AND DRUG TYPES<sup>1</sup>  
Fiscal Year 2023**

**Base Offense Level and Quantity Range**

<b>DRUG TYPE</b>	<b>12</b>	<b>24</b>	<b>30</b>	<b>38</b>
<b>Powder Cocaine</b>	<b>Less than 50G</b>	<b>500G - 1,999G</b>	<b>5,000G - 14,999G</b>	<b>At least 450,000G</b>
N	64	412	590	325
Mean	20.6	2,144.6	7,953.9	1,178,951.6
Median	20.2	983.8	7,000.0	623,000.0
<b>Crack Cocaine</b>	<b>Less than 2.8G</b>	<b>28G - 111G</b>	<b>280G - 839G</b>	<b>At least 25,200G</b>
N	24	98	48	1
Mean	1.5	51.6	395.6	--
Median	1.2	37.6	313.5	--
<b>Heroin</b>	<b>Less than 10G</b>	<b>100G - 399G</b>	<b>1,000G - 2,999G</b>	<b>At least 90,000G</b>
N	21	129	126	4
Mean	4.2	161.2	1,564.6	93,070.0
Median	3.6	119.7	1,290.0	90,000.0
<b>Marijuana</b>	<b>5,000G - 9,999G</b>	<b>100,000G - 399,999G</b>	<b>1,000,000G - 2,999,999G</b>	<b>At least 90,000,000G</b>
N	17	143	43	3
Mean	7,205.1	170,640.7	1,630,453.4	83,133,526.7
Median	6,790.0	150,250.0	1,709,400.0	100,000.0
<b>Methamphetamine Mix</b>	<b>Less than 5G</b>	<b>50G - 199G</b>	<b>500G - 1,499G</b>	<b>At least 45,000G</b>
N	9	265	290	88
Mean	2.6	94.9	793.3	158,168.0
Median	2.4	84.0	687.1	69,855.0
<b>Methamphetamine Actual</b>	<b>Less than 0.5G</b>	<b>5G - 19G</b>	<b>50G - 149G</b>	<b>At least 4,500G</b>
N	1	103	539	539
Mean	--	11.5	94.3	22,794.5
Median	--	12.0	81.2	9,600.0
<b>Fentanyl<sup>2</sup></b>	<b>Less than 4G</b>	<b>40G - 159G</b>	<b>400G - 1,199G</b>	<b>At least 36,000G</b>
N	40	448	272	19
Mean	1.6	72.8	636.6	48,447.4
Median	1.1	57.8	538.4	36,000.0

<sup>1</sup> Of the 64,124 cases, in 18,640 the individual was sentenced under §2D1.1 (Drug Trafficking). Of these, 18,405 cases had complete guideline application information. Of these 18,405 cases, 14,506 involved powder cocaine, crack cocaine, heroin, marijuana, methamphetamine actual or mix or fentanyl n-phenyl. Of these 14,506 cases, 5,773 had a base offense level of 12, 24, 30, or 38. Of these 5,773 cases, 1,891 were excluded due to one or more of the following reasons: involvement of more than one drug type (1,805), missing drug amount or range (123), or logical criteria (7). The methamphetamine actual category also includes ICE. Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup> Does not include cases involving Fentanyl Analogue.

**Table D-11**

**LENGTH OF MANDATORY MINIMUM PENALTIES IN DRUG TRAFFICKING CASES<sup>1</sup>**  
**Fiscal Year 2023**

DRUG TYPE	TOTAL	No Drug Mandatory Minimum <sup>2</sup>		Five-Year Drug Mandatory Minimum		Ten-Year or More Drug Mandatory Minimum <sup>3</sup>	
		N	%	N	%	N	%
<b>TOTAL</b>	<b>18,936</b>	<b>7,301</b>	<b>38.6</b>	<b>4,525</b>	<b>23.9</b>	<b>7,110</b>	<b>37.5</b>
<b>Powder Cocaine</b>	<b>3,577</b>	1,157	32.3	925	25.9	1,495	41.8
<b>Crack Cocaine</b>	<b>862</b>	583	67.6	199	23.1	80	9.3
<b>Heroin</b>	<b>1,011</b>	440	43.5	286	28.3	285	28.2
<b>Marijuana</b>	<b>561</b>	360	64.2	141	25.1	60	10.7
<b>Methamphetamine</b>	<b>8,988</b>	2,691	29.9	1,957	21.8	4,340	48.3
<b>Fentanyl</b>	<b>3,354</b>	1,560	46.5	969	28.9	825	24.6
<b>Other</b>	<b>583</b>	510	87.5	48	8.2	25	4.3

<sup>1</sup> Of the 64,124 cases, in 19,066 the individual was sentenced under USSG Chapter Two, Part D (Drugs). Of these, 18,939 individuals 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), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism). Of the remaining cases, three were excluded because the individual was convicted of a mandatory minimum penalty from one of the following statutes: 21 U.S.C. § 860a or 21 U.S.C. § 865. Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup> Includes 130 sentenced individuals whose drug mandatory minimum penalty was less than 60 months.

<sup>3</sup> Includes 331 sentenced individuals whose drug mandatory minimum penalty was greater than ten years.

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.

**Table D-12**

**APPLICATION OF RECIDIVIST PENALTIES IN DRUG TRAFFICKING CASES<sup>1</sup>**  
**Fiscal Year 2023**

<b>DRUG TYPE</b>	<b>ENHANCEMENT FILED</b>	<b>ENHANCEMENT WITHDRAWN<sup>2</sup></b>		<b>ENHANCEMENT NOT WITHDRAWN</b>	
	N	N	%	N	%
<b>TOTAL</b>	<b>758</b>	<b>242</b>	<b>31.9</b>	<b>516</b>	<b>68.1</b>
<b>Powder Cocaine</b>	<b>123</b>	36	29.3	87	70.7
<b>Crack Cocaine</b>	<b>56</b>	16	28.6	40	71.4
<b>Heroin</b>	<b>75</b>	24	32.0	51	68.0
<b>Marijuana</b>	<b>14</b>	2	14.3	12	85.7
<b>Methamphetamine</b>	<b>344</b>	125	36.3	219	63.7
<b>Fentanyl</b>	<b>137</b>	38	27.7	99	72.3
<b>Other</b>	<b>9</b>	1	11.1	8	88.9

<sup>1</sup> Of the 765 cases in which notice of an enhanced penalty was given under 21 U.S.C. § 851, seven were excluded due to missing or undetermined withdrawal information. Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup> Includes 23 cases in which the enhancement was not formally withdrawn but where the court determined that the enhancement did not apply at the time of sentencing.

SOURCE: U.S. Sentencing Commission, 2023 851 Datafile, DRUG851FY23.

**Table D-13**

**DRUG TRAFFICKING CASES RECEIVING SAFETY VALVE AND  
MANDATORY MINIMUM PENALTIES<sup>1,5</sup>  
Fiscal Year 2023**

DRUG TYPE	TOTAL	NO SAFETY VALVE				SAFETY VALVE			
		No Drug Mandatory Minimum <sup>2</sup>		Drug Mandatory Minimum		No Drug Mandatory Minimum <sup>3</sup>		Drug Mandatory Minimum <sup>4</sup>	
		N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>18,688</b>	<b>5,389</b>	<b>28.8</b>	<b>7,078</b>	<b>37.9</b>	<b>1,819</b>	<b>9.7</b>	<b>4,402</b>	<b>23.6</b>
<b>Powder Cocaine</b>	<b>3,533</b>	874	24.7	1,100	31.1	267	7.6	1,292	36.6
<b>Crack Cocaine</b>	<b>847</b>	540	63.8	228	26.9	33	3.9	46	5.4
<b>Heroin</b>	<b>998</b>	360	36.1	338	33.9	76	7.6	224	22.4
<b>Marijuana</b>	<b>550</b>	241	43.8	71	12.9	110	20.0	128	23.3
<b>Methamphetamine</b>	<b>8,873</b>	1,826	20.6	4,177	47.1	837	9.4	2,033	22.9
<b>Fentanyl</b>	<b>3,312</b>	1,204	36.4	1,116	33.7	336	10.1	656	19.8
<b>Other</b>	<b>575</b>	344	59.8	48	8.3	160	27.8	23	4.0

<sup>1</sup> Of the 64,124 cases, in 19,066 the individual was sentenced under USSG Chapter Two, Part D (Drugs). Of these, 18,939 individuals 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), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism). Of these, 18,699 cases contained complete guideline application information. Of these 18,699 cases, 11 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> This column includes 380 cases where the court indicated a variance based on the expanded safety valve eligibility under the First Step Act, but the sentenced individual was not eligible to receive the guideline safety valve reduction.

<sup>3</sup> For sentenced individuals with no drug mandatory minimum penalty, use of the term 'safety valve' on this table means that the court indicated that the two-level reduction at §2D1.1 applied because the individual met the criteria set forth at §5C1.2.

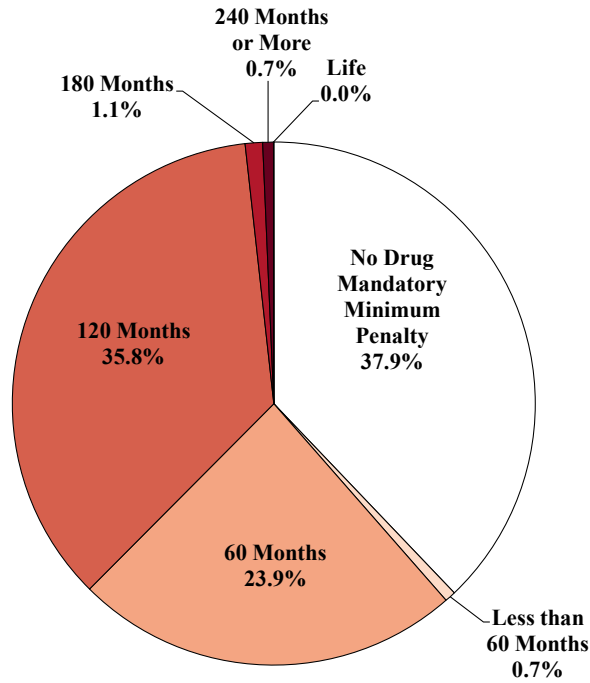
<sup>4</sup> For sentenced individuals with a drug mandatory minimum penalty, use of the term 'safety valve' on this table means that the court sentenced the individual without regard to any applicable mandatory minimum penalty (in accordance with the 'safety valve' provision of 18 U.S.C. § 3553(f), incorporated into the guidelines at §5C1.2).

<sup>5</sup> Effective November 1, 2012, the safety valve reduction was added to §2D1.11 (Unlawfully Distributing a Listed Chemical). There were two individuals 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, the safety valve reduction was applied to both sentenced individuals.

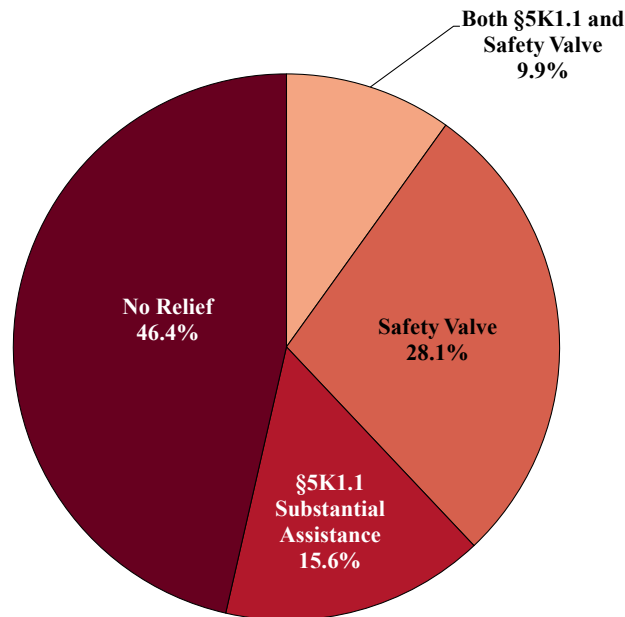
**Figure D-2**

**MANDATORY MINIMUM PENALTIES IN DRUG TRAFFICKING CASES<sup>1</sup>**  
**Fiscal Year 2023**

**LENGTH OF MANDATORY MINIMUM PENALTIES**



**RELIEF FROM MANDATORY MINIMUM PENALTIES**



<sup>1</sup> Of the 64,124 cases, in 19,066 the individual was sentenced under USSG Chapter Two, Part D (Drugs). Of these, 18,939 individuals 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), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism). Of these 18,939 cases, three were excluded because the sentenced individual was convicted of a mandatory minimum penalty from one of the following statutes: 21 U.S.C. § 860a or 21 U.S.C. § 865. Descriptions of variables used in this figure are provided in Appendix A.

**Table D-14**

**SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE FOR DRUG TRAFFICKING CASES<sup>1</sup>**  
**Fiscal Year 2023**

DRUG TYPE	TOTAL	WITHIN GUIDELINE RANGE		DEPARTURE								VARIANCE <sup>2</sup>	
		UPWARD	§5K1.1	§5K3.1	DOWNWARD	N		%		N		%	
		N	%	N	%	N	%	N	%	N	%	N	%
<b>TOTAL</b>	<b>18,934</b>	<b>5,039</b>	<b>26.6</b>	<b>59</b>	<b>0.3</b>	<b>3,942</b>	<b>20.8</b>	<b>1,237</b>	<b>6.5</b>	<b>882</b>	<b>4.7</b>	<b>7,775</b>	<b>41.1</b>
<b>Powder Cocaine</b>	<b>3,575</b>	1,137	31.8	2	0.1	656	18.3	145	4.1	189	5.3	1,446	40.4
<b>Crack Cocaine</b>	<b>862</b>	213	24.7	4	0.5	144	16.7	0	0.0	25	2.9	476	55.2
<b>Heroin</b>	<b>1,011</b>	310	30.7	5	0.5	215	21.3	34	3.4	43	4.3	404	40.0
<b>Marijuana</b>	<b>561</b>	241	43.0	6	1.1	104	18.5	4	0.7	16	2.9	190	33.9
<b>Methamphetamine</b>	<b>8,989</b>	2,043	22.7	10	0.1	2,052	22.8	759	8.4	461	5.1	3,664	40.8
<b>Fentanyl</b>	<b>3,353</b>	942	28.1	30	0.9	622	18.6	292	8.7	132	3.9	1,335	39.8
<b>Other</b>	<b>583</b>	153	26.2	2	0.3	149	25.6	3	0.5	16	2.7	260	44.6

<sup>1</sup> Of the 64,124 cases, in 19,066 the individual was sentenced under USSG Chapter Two, Part D (Drugs). Of these, 18,939 individuals 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), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism). Of these 18,939 cases, five 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.

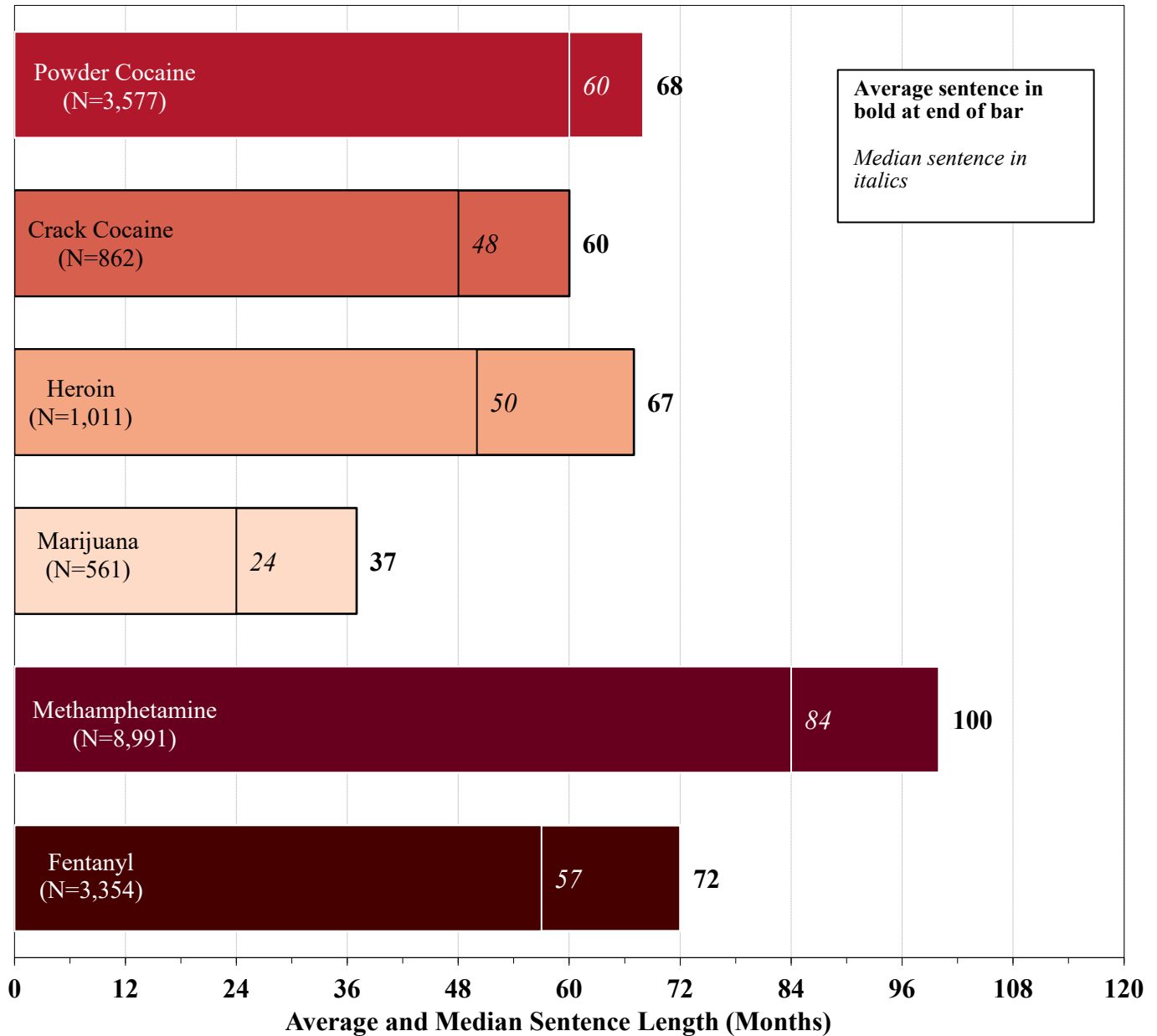
<sup>2</sup> Of the 7,775 variance cases, in 745 cases the court cited First Step Act safety valve expansion as a reason for the sentence.

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.



Figure D-3

SENTENCE LENGTH IN DRUG TRAFFICKING CASES  
BY MAJOR DRUG TYPE<sup>1</sup>  
Fiscal Year 2023



<sup>1</sup> Of the 64,124 cases, in 19,066 the individual was sentenced under USSG Chapter Two, Part D (Drugs). Of these, 18,939 individuals 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), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism). Sentences of 470 months or greater (including life) and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this figure includes conditions of confinement as described in USSG §5C1.1. Italicized numbers depict median values and the bolded numbers at the end of the bar indicate average values. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2023 Datafile, USSCFY23.

Figure D-4

**NUMBER OF DRUG TRAFFICKING CASES  
BY MAJOR DRUG TYPE OVER TIME<sup>1</sup>**  
Fiscal Years 2014 - 2023

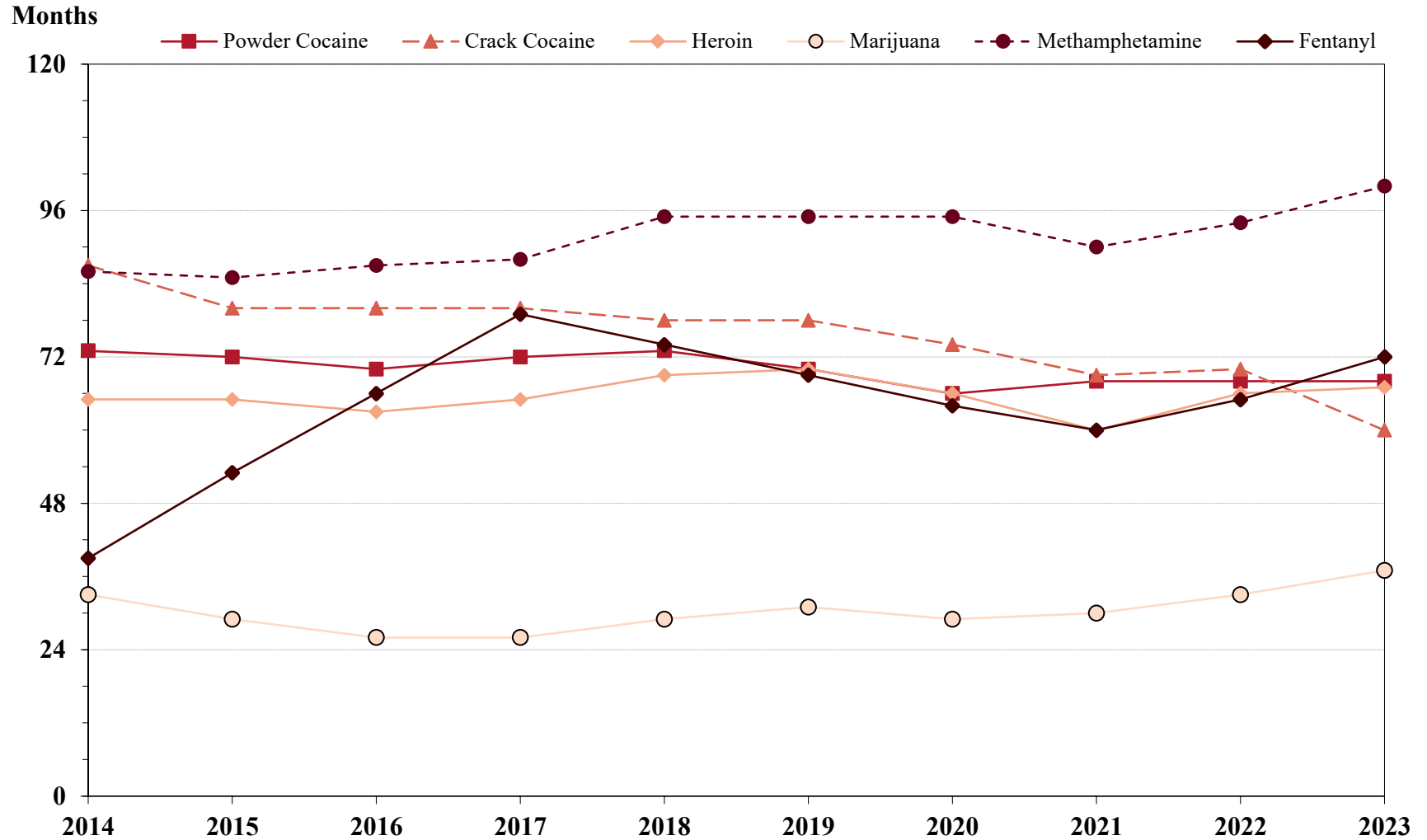


<sup>1</sup> Only individuals sentenced under §§2D1.1 (Drug Trafficking), 2D1.2 (Protected Locations), 2D1.5 (Continuing Criminal Enterprise), 2D1.6 (Use of a Communication Facility), 2D1.8 (Rent/Manage Drug Establishment), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism) are depicted in this figure. Additional cases were excluded due to missing information on drug type. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2014 - 2023 Datafiles, USSCFY14 - USSCFY23.

Figure D-5

**SENTENCE LENGTH IN DRUG TRAFFICKING CASES  
BY MAJOR DRUG TYPE OVER TIME<sup>1</sup>**  
Fiscal Years 2014 - 2023



<sup>1</sup> Only individuals 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), 2D1.10 (Endangering Human Life While Manufacturing), or 2D1.14 (Narco-Terrorism) are depicted in this figure. Sentences of 470 months or greater (including life) and probation were included in the sentence average computations as 470 months and zero months, respectively. The information in this figure includes conditions of confinement as described in USSG §5C1.1. Cases missing drug type or sentencing information were also excluded. Descriptions of variables used in this figure are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2014 - 2023 Datafiles, USSCFY14 - USSCFY23.