

**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ENHANCEMENT WITHDRAWN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ENHANCEMENT NOT WITHDRAWN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 Includes 23 cases in which the enhancement was not formally withdrawn but where the court determined that the enhancement did not apply at the time of sentencing.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.