

**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>	
		N	%	UPWARD		§5K1.1		§5K3.1		DOWNWARD		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.