



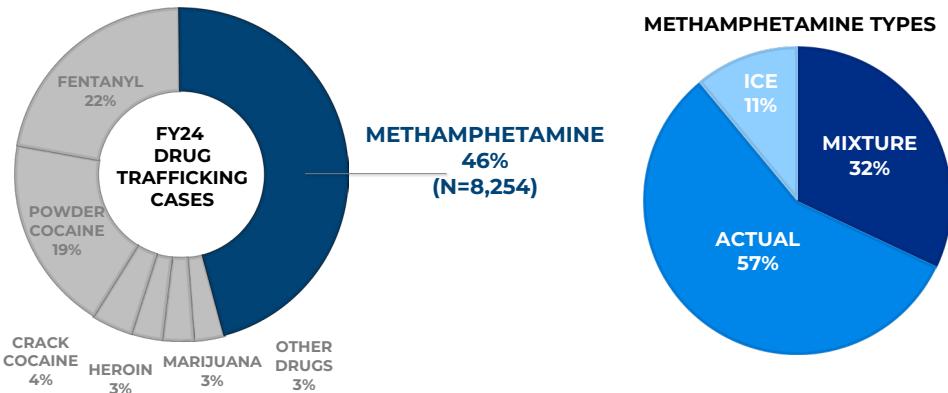
# Federal Sentencing Snapshot: Methamphetamine Trafficking

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The U.S. Sentencing Commission is considering options to update how the federal sentencing *Guidelines Manual* addresses methamphetamine trafficking offenses. This fact sheet describes related trends and the policy options before the Commission for the amendment cycle ending May 1, 2026.

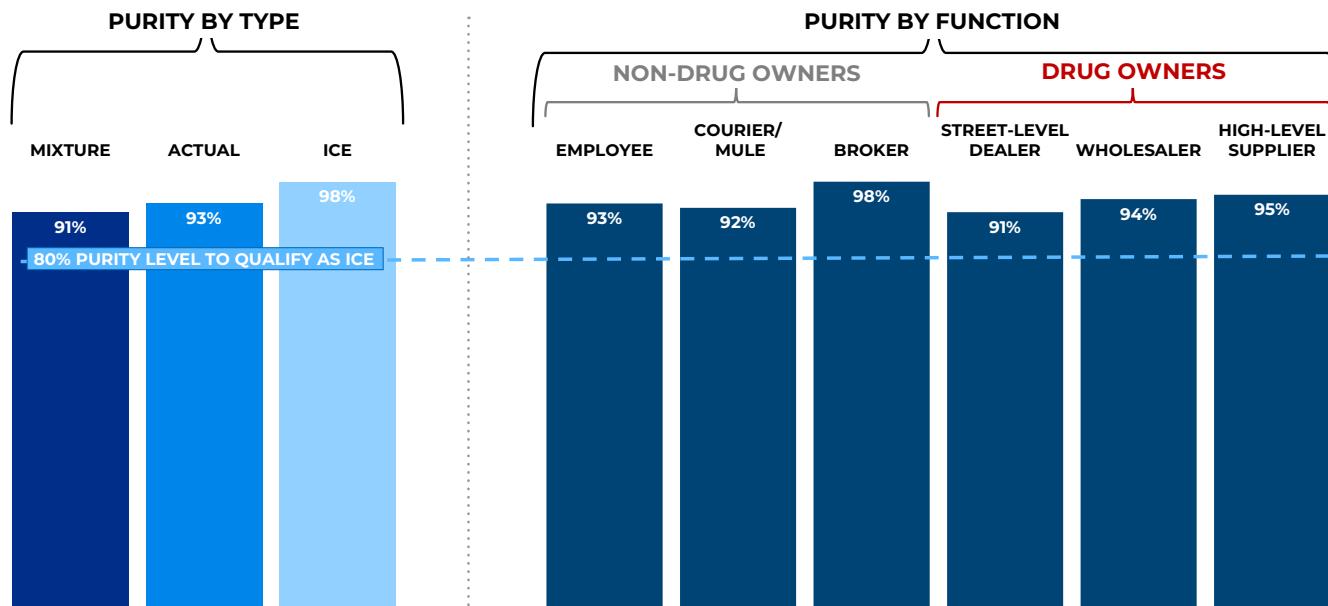
## EVOLVING TRENDS IN METHAMPHETAMINE TRAFFICKING

The Commission has received significant comment from judges, criminal justice practitioners, advocacy organizations, incarcerated individuals and their families, and others urging the Commission to update the *Guidelines Manual* to better align federal methamphetamine sentencing with the current trends in methamphetamine trafficking. Almost one-quarter of the Federal Bureau of Prisons population is serving sentences for methamphetamine trafficking offenses. Methamphetamine has grown to be the most common drug type in federal drug cases, with 8,254 individuals sentenced for methamphetamine trafficking offenses in fiscal year 2024. The guidelines distinguish between three types of methamphetamine based on purity—mixture, actual, and ice—with one-third of individuals sentenced for mixture and two-thirds of individuals sentenced for actual or ice.



## DECREASING VARIATION IN METHAMPHETAMINE PURITY

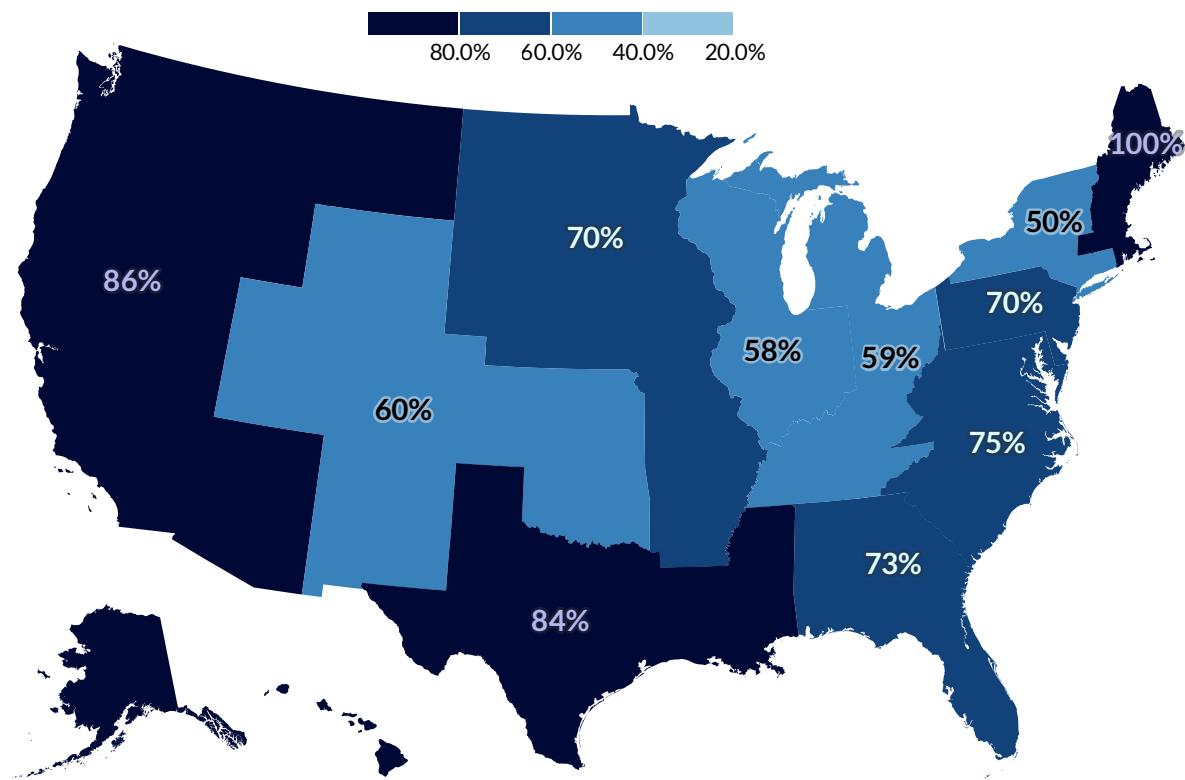
Unlike most drug types, the statutory penalties for methamphetamine are based on both quantity and purity. When Congress established the statutory penalties for methamphetamine over 25 years ago, purity was considered a proxy for an individual's culpability, and the purity of trafficked methamphetamine was seldom greater than 50 percent. Today, however, methamphetamine purity levels are uniformly high regardless of the type of methamphetamine or the individual's function in the offense.



## GEOGRAPHIC DIFFERENCES IN METHAMPHETAMINE PURITY TESTING

Although there is little variation in the purity of methamphetamine seized, districts vary in how often drugs are sent for purity testing. A recent Commission study found that individuals sentenced for methamphetamine trafficking offenses were significantly more likely to have their drugs tested for purity in border districts than non-border districts. Some stakeholders claim this can create unwarranted sentencing disparity because sentences imposed may reflect inconsistencies in local drug testing practices rather than the purity of the methamphetamine in the offense.

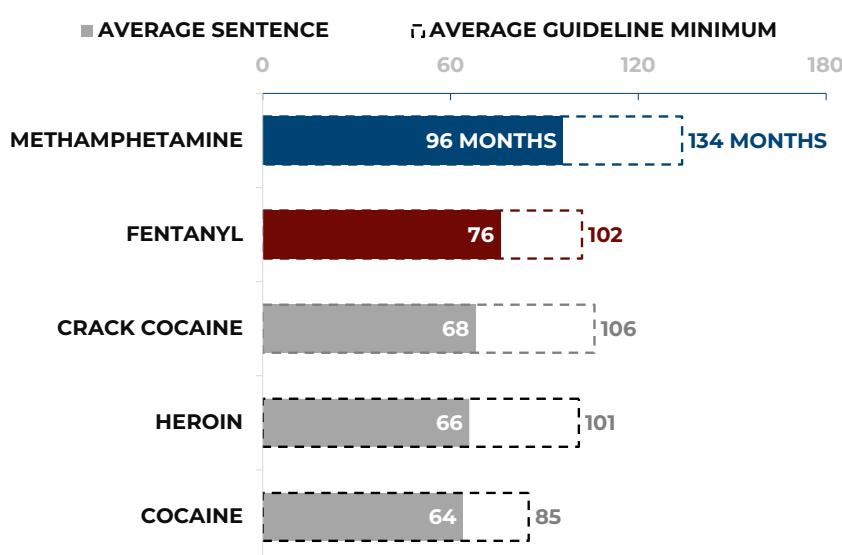
### DRUG TESTING RATES BY FEDERAL CIRCUIT (FY22)



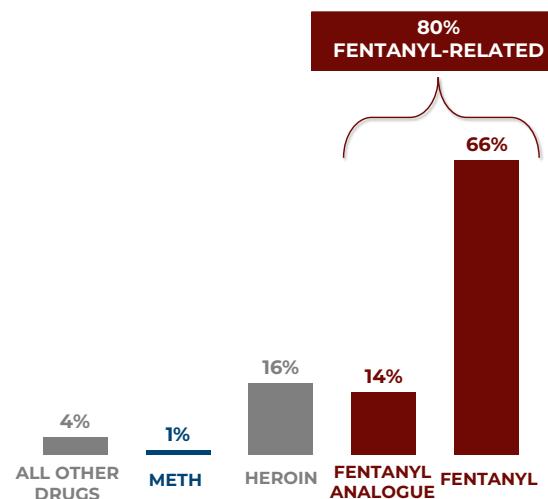
## METHAMPHETAMINE TRAFFICKING SENTENCED MORE SEVERELY THAN OTHER DRUG TYPES

Individuals sentenced for methamphetamine offenses received the longest sentences, on average, compared to other drug types, including fentanyl—the drug type involved in 80% of overdoses in federal drug trafficking offenses studied over a five-year period. By contrast, methamphetamine was involved in 1% of overdoses in federal drug trafficking offenses studied over the five-year period.

### AVERAGE SENTENCES BY DRUG TYPE (FY24)



### OVERDOSES BY DRUG TYPE (FY19-FY23)



## COURTS EXPRESSING GROWING POLICY DISAGREEMENTS WITH METHAMPHETAMINE PENALTIES

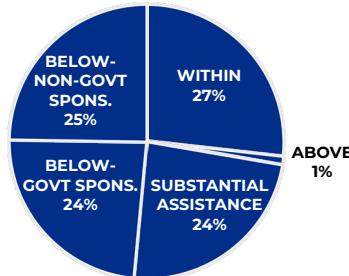
Some courts have criticized the methamphetamine penalty structure as overly punitive and contributing to unwarranted sentencing disparity. Fewer than one-third of individuals sentenced in fiscal year 2024 for a methamphetamine offense received a sentence within the guideline range, regardless of the type of methamphetamine; most sentences for methamphetamine were below the guideline range. The government requested a below-range sentence in many of these cases.

### ■ AVERAGE SENTENCE

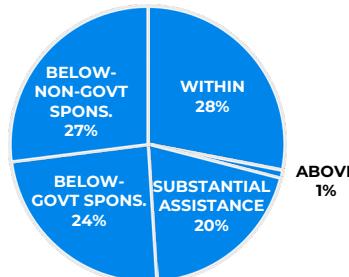
#### MIXTURE



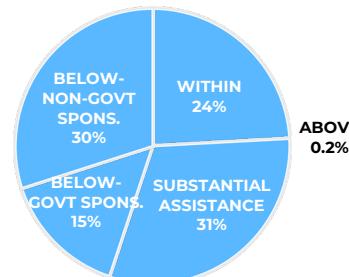
### □ AVERAGE GUIDELINE MINIMUM



#### ACTUAL



#### ICE



## UPDATING THE GUIDELINES TO REFLECT EVOLVING TRENDS IN METHAMPHETAMINE TRAFFICKING

The Commission is considering two options to update the guidelines, both of which would change current methamphetamine sentencing practices. For additional information about how the options would change sentencing practices, please see the Commission's 2026 drug offenses data briefing.

### OPTION 1

would eliminate the distinction in the guidelines between different types of methamphetamine by setting the same quantity thresholds for all methamphetamine offenses. The Commission is considering three options on where to set the quantity thresholds—the current quantity thresholds for mixture, the current quantity thresholds for actual, or quantity thresholds in the middle of the two (such as fentanyl or cocaine base).

### OPTION 2

would maintain different quantity thresholds for methamphetamine offenses but use conduct-based factors to determine which threshold applies in each case. Depending on the factors in the case, individuals would be sentenced at the current quantity thresholds for mixture, the current quantity thresholds for actual, or at a level in the middle of the two. The Commission is considering which and how many conduct-based factors must be met.

## ADDITIONAL RESOURCES

The options in the methamphetamine amendment are informed by extensive public comment, including in response to amendments proposed last amendment cycle; public hearings with perspectives from all stakeholders in the federal criminal justice system and experts on chemistry, pharmacology, medicine, public health, and public policy; and Commission research and data. The Commission will also hold a public hearing in February 2026 to receive testimony from invited experts on the proposed changes.



### RESEARCH AND DATA REPORTS

U.S. SENT'G COMM'N, METHAMPHETAMINE TRAFFICKING OFFENSES IN THE FEDERAL CRIMINAL JUSTICE SYSTEM (JUNE 2024)

U.S. SENT'G COMM'N, OVERDOSES IN FEDERAL DRUG TRAFFICKING CRIMES (MAR. 2025)

U.S. SENT'G COMM'N, QUICK FACTS: METHAMPHETAMINE TRAFFICKING OFFENSES (MAY 2025)

U.S. SENT'G COMM'N, QUICK FACTS: DRUG TRAFFICKING (MAY 2025)

U.S. SENT'G COMM'N, 2026 DRUG OFFENSES DATA BRIEFING (JAN. 2026)



### PUBLIC HEARING TESTIMONY

U.S. SENT'G COMM'N, TESTIMONY FROM PUBLIC HEARING ON METHAMPHETAMINE (AUG. 2025)

- FEDERAL LAW ENFORCEMENT OBSERVATIONS
- ACADEMIC OBSERVATIONS
- STATE AND LOCAL LAW ENFORCEMENT OBSERVATIONS
- OBSERVATIONS ON PHARMACOLOGY AND CHEMICAL EFFECTS
- MEDICAL AND PUBLIC HEALTH OBSERVATIONS
- TREATMENT PROVIDER OBSERVATIONS

U.S. SENT'G COMM'N, TESTIMONY FROM PUBLIC HEARING ON PROPOSED AMENDMENTS (MAR. 2025)

- PRACTITIONERS' PERSPECTIVES
- ADVISORY GROUPS' PERSPECTIVES
- VICTIMS' PERSPECTIVES
- SENTENCED INDIVIDUALS' PERSPECTIVES
- COMMUNITY PERSPECTIVES
- ACADEMIC PERSPECTIVES



### PUBLIC COMMENT

HUNDREDS OF PUBLIC COMMENT SUBMISSIONS ON:

- PROPOSED PRIORITIES FOR THE 2024-25 AMENDMENT CYCLE (JULY 2024)
- PROPOSED 2025 AMENDMENTS (MAR. 2025)
- PROPOSED PRIORITIES FOR THE 2025-26 AMENDMENT CYCLE (JULY 2025)

### FEEDBACK REQUESTED

The Commission is *currently soliciting comment* from the general public and stakeholder groups on proposed amendments, including the *proposed methamphetamine amendment*. Comments may be submitted using the *Public Comment Submission Portal*.

**DEADLINE: February 10, 2026**  
<https://comment.ussc.gov>



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