



# Quick Facts

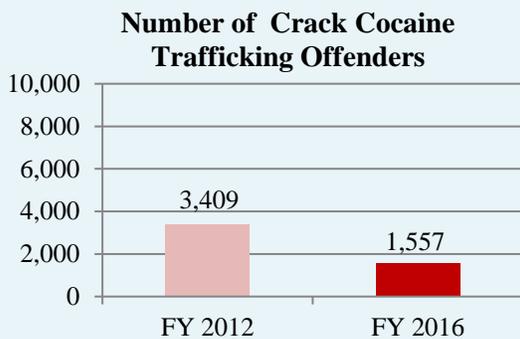
▶ THERE WERE 67,742 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2016.

▶ OF THESE CASES, 19,222 INVOLVED DRUG TRAFFICKING.<sup>1</sup>

▶ 8.1% OF DRUG TRAFFICKING OFFENSES INVOLVED CRACK COCAINE.

## Crack Cocaine Trafficking Offenses

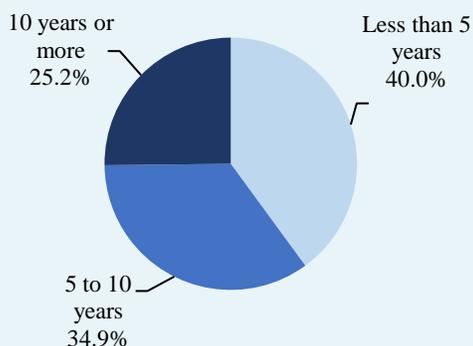
In fiscal year 2016, there were 1,557 crack cocaine trafficking offenders, who accounted for 8.1% of all offenders sentenced under the drug trafficking guidelines. The number of crack cocaine offenders has decreased by 54.3% since fiscal year 2012.



### Top Five Districts Crack Cocaine Trafficking Offenders FY 2016

Southern District of New York (N=91)
Southern District of Florida (N=59)
District of Connecticut (N=58)
Eastern District of North Carolina (N=52)
District of South Carolina (N=51)

### Sentence Length of Crack Cocaine Trafficking Offenders FY 2016



### Offender and Offense Characteristics

- In fiscal year 2016, the majority of crack cocaine trafficking offenders were male (90.8%).
- More than three-quarters of crack cocaine trafficking offenders were Black (82.6%) followed by Hispanic (11.3%), White (5.6%), and Other Races (0.5%).
- The average age of these offenders at sentencing was 35 years.
- Nearly all crack cocaine trafficking offenders were United States citizens (97.5%).
- More than one-quarter (28.7%) of crack cocaine traffickers were in Criminal History Category VI.
- Almost one-fifth (19.0%) of crack cocaine offenders were classified as Career Offenders (§4B1.1). This is nearly twice as high as the rate in heroin trafficking offenses, the drug trafficking offense with the second highest rate (11.0%).
- The median base offense level in these cases was 24. This corresponds to a quantity of drugs between 28 and 112 grams of crack cocaine.
- Crack cocaine trafficking sentences were increased for:
  - ◆ 31.9% of offenders because the offense involved the possession of a weapon;
  - ◆ 7.0% of offenders for having a leadership or supervisory role in the offense.
- Crack cocaine trafficking sentences were decreased for:
  - ◆ 5.5% of offenders because they were a minor or minimal participant in the offense;
  - ◆ 7.1% of offenders because they met the safety valve criteria in the sentencing guidelines.

### Punishment

- Most crack cocaine trafficking offenders were sentenced to imprisonment (97.0%).
- The average sentence for crack cocaine trafficking offenders was 79 months.
- Nearly half of all crack cocaine trafficking offenders were convicted of an offense carrying a mandatory minimum penalty (46.6%).
  - ◆ However, almost one-third (30.3%) of these offenders were not subject to any mandatory minimum penalty at sentencing because:
    - ◇ 23.5% provided the government with substantial assistance in the investigation or prosecution of other offenders, 5.2% were eligible for relief through the statutory safety valve provision, and 1.7% received both forms of relief.

<sup>1</sup> Drug trafficking offenses include cases with complete guideline application information in which the offender was sentenced under USSG §§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), or 2D1.14 (Narco-Terrorism).

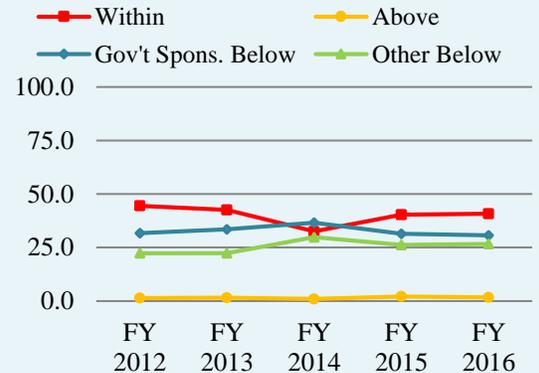
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## Crack Cocaine Trafficking Offenses

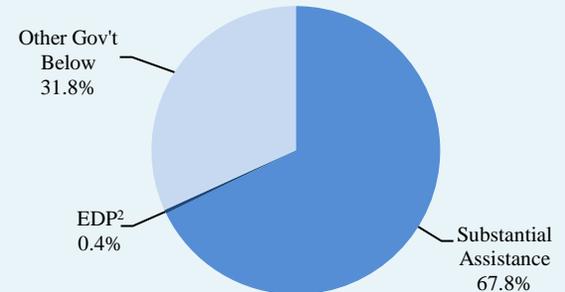
### Sentences Relative to the Guideline Range

- The rate of within range sentences for crack cocaine trafficking offenders fell from fiscal year 2012 through fiscal year 2014 before increasing in fiscal years 2015 and 2016. The within range rate was 40.9% in fiscal year 2016.
- The rate of government sponsored below range sentences for crack cocaine trafficking offenders followed an inverse pattern from within range sentences, with the rate increasing from fiscal year 2012 through fiscal year 2014 before decreasing in each of the past two years. The rate of government sponsored below range sentences was 30.7% in fiscal year 2016.
  - ◆ Substantial assistance departures were granted for twenty to twenty-five percent of crack cocaine offenders in each of the last five years (20.8% in fiscal year 2016).
    - ◇ In fiscal year 2016, these offenders received an average reduction in their sentence of 53.5%.
  - ◆ The rate of crack cocaine trafficking offenders receiving a below range sentence sponsored by the government for reasons other than substantial assistance or participation in an Early Disposition Program (EDP)<sup>2</sup> increased in fiscal years 2012 through 2014, but slightly decreased in fiscal years 2015 and 2016 (9.8% in fiscal year 2016).
    - ◇ In fiscal year 2016, these offenders received an average reduction in their sentence of 39.9%.
- Non-government sponsored below range sentences increased from fiscal year 2012 through fiscal year 2014 before decreasing in fiscal years 2015 and 2016 (26.7% in fiscal year 2016).
  - ◆ In fiscal year 2016, these offenders received an average reduction in their sentence of 35.4%.
- The average guideline minimum and average sentence imposed for crack cocaine trafficking generally have decreased over the last five years.
  - ◆ The average guideline minimum decreased from 123 months in fiscal year 2012 to 107 months in fiscal year 2016;
  - ◆ The average sentence imposed decreased from 95 months in fiscal year 2012 to 79 months in fiscal year 2016.

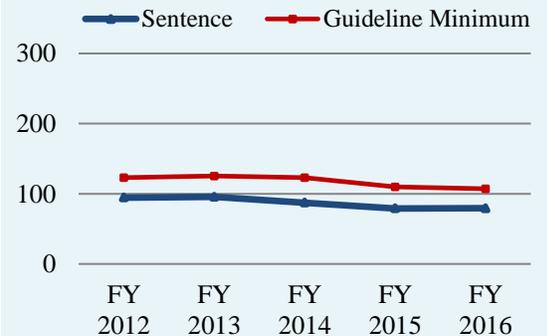
### Sentence Relative to the Guideline Range



### Government Sponsored Below Range Sentences FY 2016



### Average Sentence and Average Guideline Minimum (in months)



<sup>2</sup> "Early Disposition Program (or EDP) departures" are departures where the government sought a sentence below the guideline range because the defendant participated in the government's Early Disposition Program, through which cases are resolved in an expedited manner. See USSG §5K3.1.

