



QuickFacts

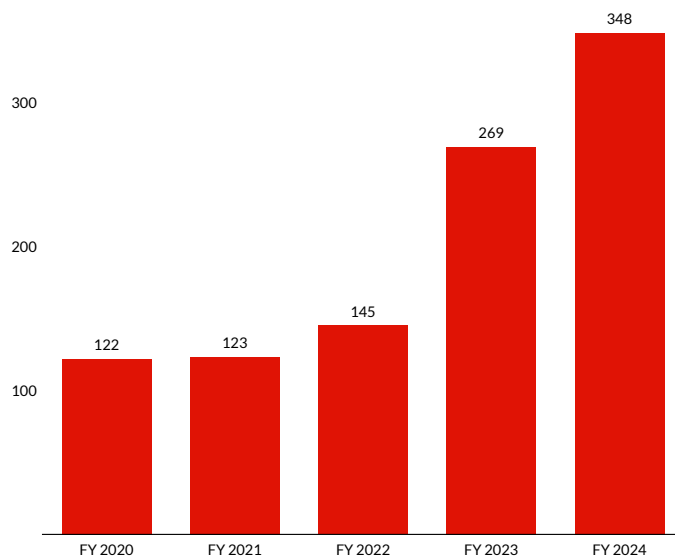
Fentanyl Analogue Trafficking

Population Snapshot

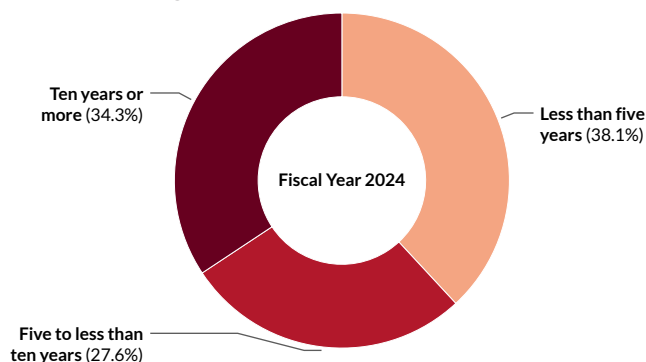
61,678 cases were reported in FY24;
18,150 involved drugs,¹
18,029 involved drug trafficking.²

1.9% of such cases involved
fentanyl analogues, up
185.2% since FY20.

Number of Fentanyl Analogue Trafficking Offenses



Sentence Length³



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Individual and Offense Characteristics

91.0% of individuals sentenced for fentanyl analogue trafficking were men.

55.2% were Black, 28.8% were Hispanic, 14.5% were White, and 1.5% were Other races.

Their average age was 35 years.

89.5% were United States citizens.

29.4% had little or no prior criminal history (Criminal History Category I); 7.3% were individuals sentenced under the career offender guideline (§4B1.1).

The median base offense level in these cases was 30, corresponding to between 100 and 300 grams of fentanyl analogue.

Sentences were increased for:

- possessing a weapon (38.4%);
- a leadership or supervisory role in the offense (7.3%).

Sentences were decreased for:

- minor or minimal participation in the offense (9.3%);
- meeting the safety valve criteria in the sentencing guidelines (20.1%).

The most common fentanyl analogue types were:

- Para-fluorofentanyl (125);
- Fluorofentanyl (76);
- Acetyl fentanyl (52);
- Despropionyl fentanyl (42);
- Carfentanil (11).⁴

Punishment

The average sentence for individuals trafficking fentanyl analogue was 94 months.

98.3% were sentenced to prison.

50.6% were convicted of an offense carrying a mandatory minimum penalty; 31.0% of those individuals were relieved of that penalty.

Means of Relief from Mandatory Minimum Penalty for Fentanyl Analogue Trafficking

Means of Relief	Percent
Safety Valve	8.6%
Substantial Assistance	15.5%
Both	6.9%



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Fentanyl Analogue Trafficking

Sentences Relative to the Guideline Range

49.4% of sentences for fentanyl analogue trafficking were under the *Guidelines Manual*.

- 27.0% were within the guideline range.
- 16.0% were substantial assistance departures.
 - *The average sentence reduction was 47.1%.*
- 0.9% were Early Disposition Program (EDP) departures.⁵
 - *The average sentence reduction was 45.6%.*
- 4.7% were some other downward departure.
 - *The average sentence reduction was 47.4%.*
- 0.9% were upward departures.
 - *The average sentence increase was 21.9%.*

50.6% of sentences for fentanyl analogue trafficking were variances.

- 48.8% were downward variances.
 - *The average sentence reduction was 36.7%.*
- 1.7% were upward variances.
 - *The average sentence increase was 27.3%.*

The average guideline minimum and the average sentence imposed have increased over the past five years.

- The average guideline minimum increased from 110 months in fiscal year 2020 to 124 months in fiscal year 2024.
- The average sentence imposed increased from 82 months in fiscal year 2020 to 94 months in fiscal year 2024.

¹ Drug offenses include cases where individuals were sentenced under USSG Chapter Two, Part D (Drugs). There were 348 individuals sentenced for fentanyl analogue offenses under USSG Chapter Two, Part D (Drugs) in FY 2024.

² Individuals sentenced for drug trafficking were 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).

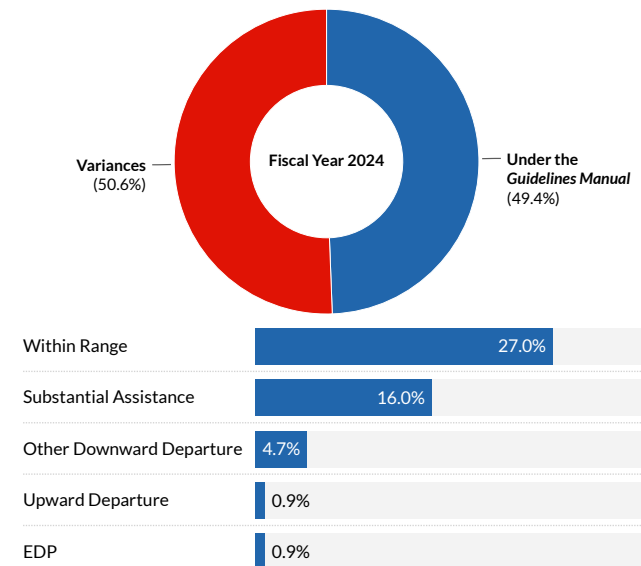
³ Cases with incomplete sentencing information were excluded from the analysis.

⁴ Other fentanyl analogue types were: Valeryl fentanyl (8), Despropionyl meta-Fluorofentanyl (3), and Furanyl fentanyl (3). The following fentanyl analogues were trafficked in two cases: Acrylfentanyl, Benzyl fentanyl, and Butyryl fentanyl. The following fentanyl analogues were trafficked in a single case: Cyclopropyl fentanyl, Fluoro-Valeryl fentanyl, Lofentanil, Methylfentanyl, Norfentanyl, para-Fluorobutyryl fentanyl, and para-Fluoroisobutyryl fentanyl. For 58 individuals the type of analogue was unknown.

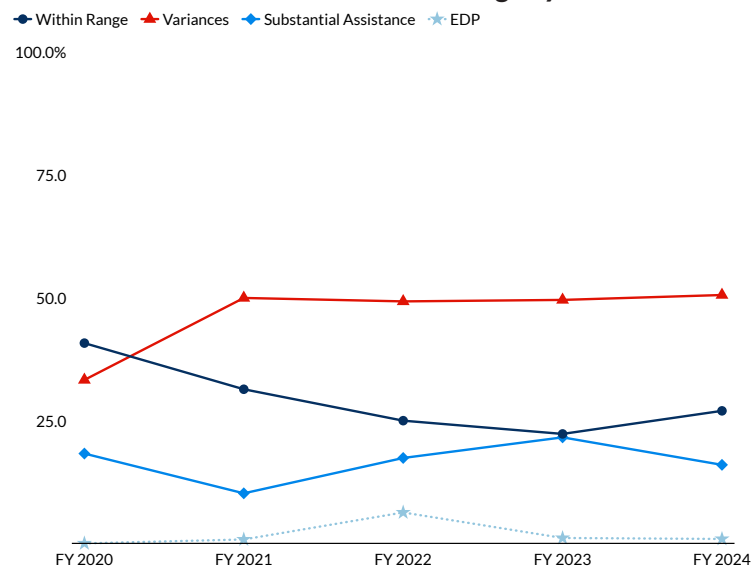
⁵ "Early Disposition Program" (or EDP) departures are departures where the government sought a sentence below the guideline range because the defendant participated in the government's Early Disposition Program, through which cases are resolved in an expedited manner. See USSG §5K3.1.

SOURCE: United States Sentencing Commission, FY 2020 through FY 2024 Datafiles, USSCFY20-USSCFY24.

Sentences Relative to the Guideline Range



Sentences Relative to the Guideline Range by Fiscal Year



Average Guideline Minimum and Average Sentence (months)

