



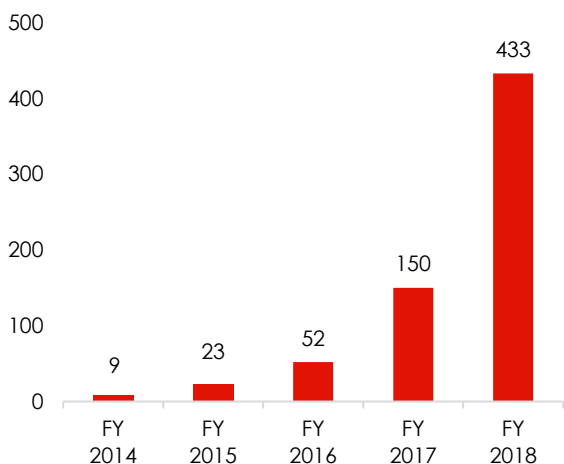
Quick Facts

— Fentanyl Trafficking Offenses —

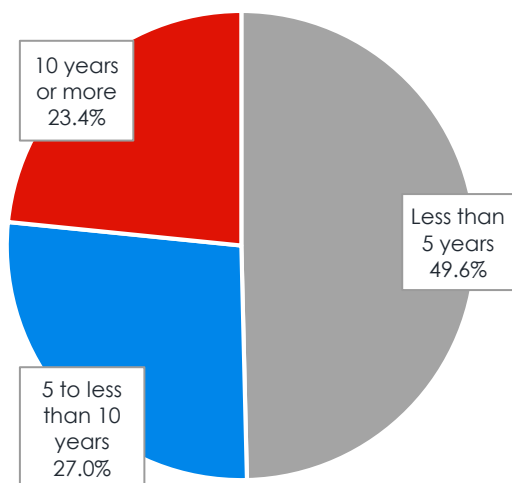
Fiscal Year 2018

- ▶ IN FY 2018, 69,425 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.
- ▶ 18,964 OF THESE INVOLVED DRUG TRAFFICKING.^{1,2}
- ▶ 2.3% OF DRUG TRAFFICKING CASES INVOLVED FENTANYL.
- ▶ FENTANYL TRAFFICKING OFFENDERS HAVE INCREASED BY 4,711.1% SINCE FY 2014.

Number of Fentanyl Trafficking Offenders



Sentence Length FY 2018



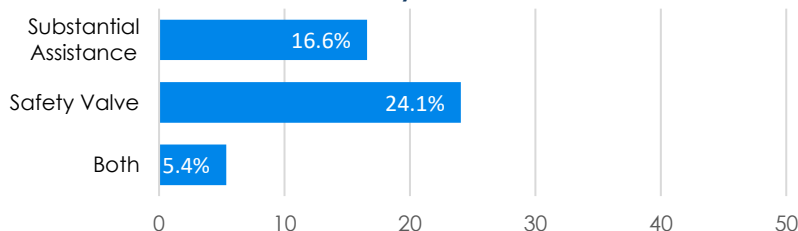
Offender and Offense Characteristics

- 86.2% of fentanyl trafficking offenders were men.
- 39.1% of fentanyl trafficking offenders were Black, 38.1% were Hispanic, 22.3% were White, and 0.5% were Other races.
- Their average age was 33 years.
- 81.6% were United States citizens.
- 41.1% had little or no prior criminal history (Criminal History Category I); 11.7% were Career Offenders (§4B1.1).
- The median Base Offense Level in these cases was 26, corresponding to between 160 and 280 grams of fentanyl.
- Sentences were increased for:
 - ◆ possessing a weapon (21.0%);
 - ◆ having a leadership/supervisory role in the offense (5.7%).
- Sentences were decreased for:
 - ◆ having minor or minimal participation in the offense (15.3%);
 - ◆ meeting the safety valve criteria in the sentencing guidelines (24.6%).
- The top five districts for fentanyl trafficking offenders were:
 - ◆ District of Massachusetts (33);
 - ◆ Southern District of Ohio (33);
 - ◆ Southern District of California (28);
 - ◆ District of New Hampshire (24);
 - ◆ Northern District of Ohio (24).

Punishment

- The average sentence for fentanyl trafficking offenders was 74 months.
- 97.4% were sentenced to prison.
- 44.6% were convicted of an offense carrying a mandatory minimum penalty; 46.0% of those offenders were relieved of that penalty.

Means of Relief from Mandatory Minimum Penalty for Fentanyl Traffickers



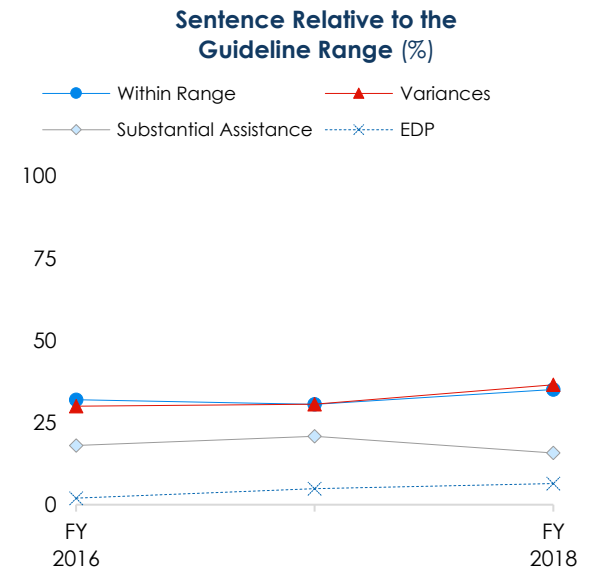


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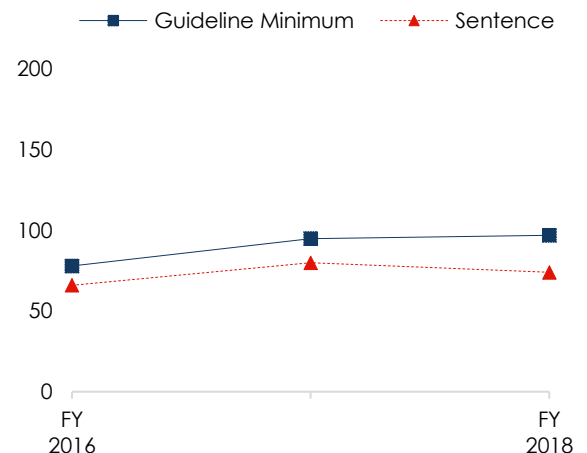
— Fentanyl Trafficking Offenses —

Sentences Relative to the Guideline Range

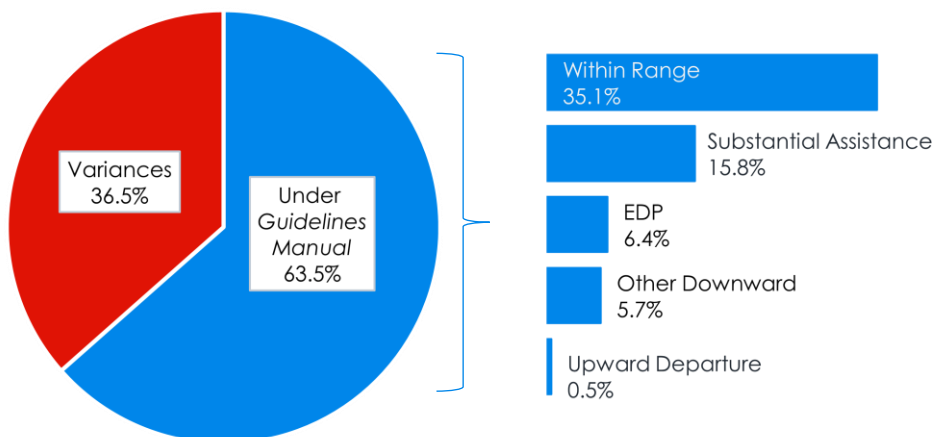
- Of the 63.5% of fentanyl trafficking offenders sentenced under the *Guidelines Manual*:
 - ◆ 55.3% were sentenced within the guideline range.
 - ◆ 24.8% received a substantial assistance departure.
 - ◇ Their average sentence reduction was 48.0%.
 - ◆ 10.2% received an Early Disposition Program (EDP) departure.³
 - ◇ Their average sentence reduction was 49.0%.
- 36.5% received a variance; of those offenders:
 - ◆ 91.5% received a below range variance.
 - ◇ Their average sentence reduction was 36.9%.
 - ◆ 8.5% received an above range variance.
 - ◇ Their average sentence increase was 127.5%.
- The average guideline minimum and the sentence imposed has increased over the past three years.
 - ◆ The average guideline minimum increased from 78 months in fiscal year 2016 to 97 months in fiscal year 2018.
 - ◆ The average sentence imposed increased from 66 months in fiscal year 2016 to 74 months in fiscal year 2018.



Average Guideline Minimum and Average Sentence (months)



Sentence Imposed Relative to the Guideline Range FY 2018



¹ Drug trafficking offenses include cases where offenders were sentenced under USSG Chapter Two, Part D (Drugs).

² Offenders 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). Cases with incomplete sentencing information were excluded from the analysis.

³ "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.