

▶ THERE WERE 71,003 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2015.

▶ OF THESE CASES, 19,792 INVOLVED DRUG TRAFFICKING.<sup>1</sup>

▶ 13.3% OF DRUG TRAFFICKING OFFENSES INVOLVED HEROIN.

# Quick Facts



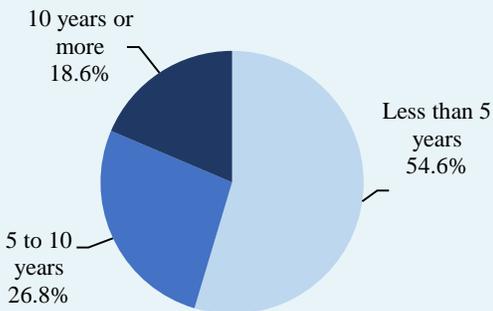
## Heroin Trafficking Offenses



**Top Five Districts Heroin Trafficking Offenders FY 2015**

Southern District of New York (N=205)
Northern District of Ohio (N=125)
Southern District of Ohio (N=119)
Western District of Pennsylvania (N=103)
Western District of Texas (N=96)

**Sentence Length of Heroin Trafficking Offenders FY 2015**



In fiscal year 2015, there were 2,640 heroin trafficking offenders, who accounted for 13.3% of all offenders sentenced under the drug trafficking guidelines. The number of heroin offenders has increased by 49.6% since fiscal year 2011.

### Offender and Offense Characteristics

- In fiscal year 2015, the majority of heroin trafficking offenders were male (83.7%).
- Less than half of heroin trafficking offenders were Hispanic (42.0%) followed by Black (40.4%), White (16.4%), and Other Races (1.2%).
- The average age of these offenders at sentencing was 35 years.
- Three-quarters of heroin trafficking offenders were United States citizens (79.8%).
- Less than half (42.2%) of heroin trafficking offenders had little or no prior criminal history (i.e., assigned to Criminal History Category I) while 12.9% were Career Offenders (§4B1.1).
- The median base offense level in these cases was 26. This corresponds to a quantity of drugs between 400 and 700 grams of heroin.
- Heroin trafficking sentences were increased for:
  - ◆ 16.9% of offenders because the offense involved the possession of a weapon;
  - ◆ 9.1% of offenders for having a leadership or supervisory role in the offense.
- Heroin trafficking sentences were decreased for:
  - ◆ 12.8% of offenders because they were a minor or minimal participant in the offense;
  - ◆ 27.3% of offenders because they met the safety valve criteria in the sentencing guidelines.

### Punishment

- Most heroin trafficking offenders were sentenced to imprisonment (96.8%).
- The average sentence for heroin trafficking offenders was 65 months.
- Less than half of all heroin trafficking offenders were convicted of an offense carrying a mandatory minimum penalty (47.0%).
  - ◆ However, almost half (48.2%) of these offenders were not subject to any mandatory minimum penalty at sentencing because:
    - ◇ 23.0% provided the government with substantial assistance in the investigation or prosecution of other offenders, 15.7% were eligible for relief through the statutory safety valve provision, and 9.4% 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).

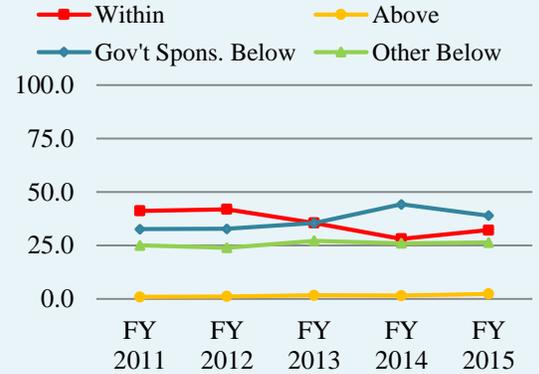
# Quick Facts

## Heroin Trafficking Offenses

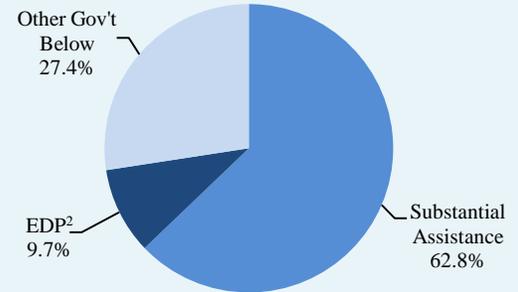
### Sentences Relative to the Guideline Range

- The rate of within range sentences for heroin trafficking offenders in fiscal year 2015 was 32.2%.
- The rate of government sponsored below range sentences for heroin trafficking offenders increased in recent years before decreasing to 38.9% in fiscal year 2015.
  - ◆ Substantial assistance departures were granted for slightly less than one-quarter of all heroin traffickers in each of the past five years.
    - ◇ In fiscal year 2015, these offenders received an average reduction in their sentence of 53.3%.
  - ◆ Early Disposition Program (EDP) departures<sup>2</sup> were granted for a small proportion of heroin trafficking offenders over each of the last five years (3.8% in fiscal year 2015).
    - ◇ In fiscal year 2015, these offenders received an average reduction in their sentence of 54.3%.
  - ◆ The rate of heroin trafficking offenders receiving a below range sentence sponsored by the government for reasons other than substantial assistance or participation in an Early Disposition Program increased in recent years before decreasing to 10.7% in fiscal year 2015.
    - ◇ In fiscal year 2015, these offenders received an average reduction in their sentence of 38.9%.
- Non-government sponsored below range sentences have accounted for approximately one-quarter of heroin trafficking sentences in each of the past five years.
  - ◆ In fiscal year 2015, these offenders received an average reduction in their sentence of 37.3%.
- The average guideline minimum and average sentence imposed for heroin trafficking has remained relatively stable over the last 5 years.
  - ◆ The average guideline minimum was 91 months in fiscal year 2015;
  - ◆ The average sentence imposed decreased slightly from 69 months in fiscal year 2011 to 65 months in fiscal year 2015.

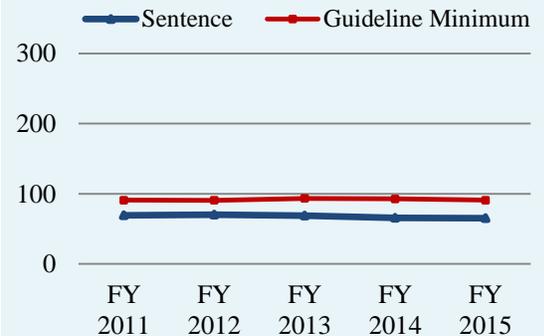
### Sentence Relative to the Guideline Range



### Government Sponsored Below Range Sentences FY 2015



### 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.

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SOURCE: United States Sentencing Commission, 2011 through 2015 Datafiles, USSCFY11-USSCFY15.



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