



Quick Facts

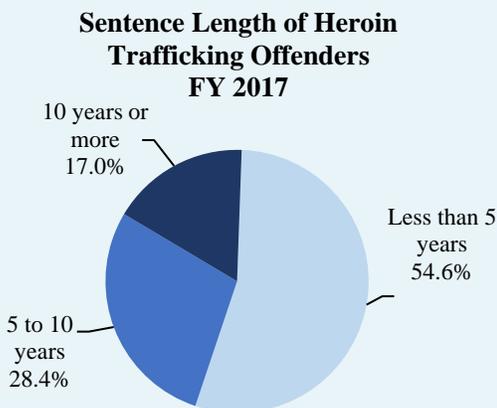
- ▶ THERE WERE 66,873 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2017.
- ▶ OF THESE CASES, 19,240 INVOLVED DRUG TRAFFICKING.¹
- ▶ 13.8% OF DRUG TRAFFICKING OFFENSES INVOLVED HEROIN.

Heroin Trafficking Offenses



Top Five Districts Heroin Trafficking Offenders FY 2017

Southern District of New York (N=160)
District of Connecticut (N=82)
District of Maryland (N=82)
District of New Jersey (N=80)
Southern District of Ohio (N=80)



In fiscal year 2017, there were 2,658 heroin trafficking offenders, who accounted for 13.8% of all offenders sentenced under the drug trafficking guidelines. The number of heroin offenders has increased by 22.6% since fiscal year 2013.

Offender and Offense Characteristics

- In fiscal year 2017, the majority of heroin trafficking offenders were men (85.9%).
- Just over 40 percent of heroin trafficking offenders were Black (42.7%) followed by Hispanic (40.1%), White (15.6%), and Other Races (1.5%).
- The average age of these offenders at sentencing was 35 years.
- More than 80 percent of heroin trafficking offenders were United States citizens (82.8%).
- Almost 40 percent (39.1%) of heroin trafficking offenders had little or no prior criminal history (*i.e.*, assigned to Criminal History Category I) while 11.6% 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:
 - ◆ 21.0% of offenders because the offense involved the possession of a weapon;
 - ◆ 9.3% of offenders for having a leadership or supervisory role in the offense.
- Heroin trafficking sentences were decreased for:
 - ◆ 14.8% of offenders because they were a minor or minimal participant in the offense;
 - ◆ 23.8% of offenders because they met the safety valve criteria in the sentencing guidelines.

Punishment

- Most heroin trafficking offenders were sentenced to imprisonment (96.3%).
- 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 (43.7%).
 - ◆ However, 44.2% of these offenders were not subject to any mandatory minimum penalty at sentencing because:
 - ◇ 21.0% provided the government with substantial assistance in the investigation or prosecution of other offenders, 16.9% were eligible for relief through the statutory safety valve provision, and 6.4% received both forms of relief.

¹ 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).

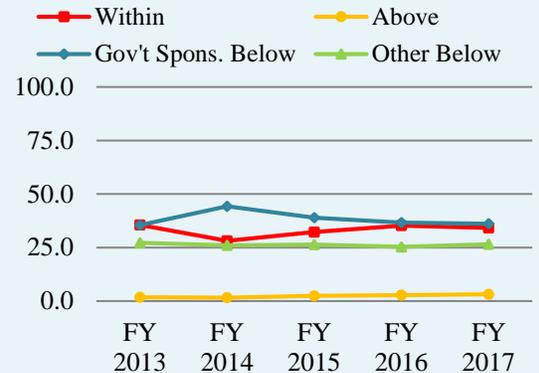
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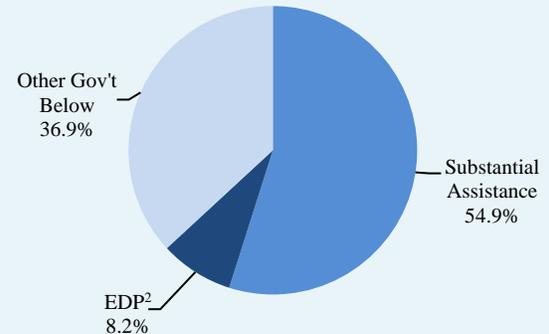
Sentences Relative to the Guideline Range

- The rate of within range sentences for heroin trafficking offenders fell from fiscal year 2013 to fiscal year 2014, increased in fiscal years 2015 and 2016, and decreased slightly in fiscal year 2017. The within-range rate was 34.2% in fiscal year 2017.
- The rate of government sponsored below range sentences for heroin trafficking offenders increased from fiscal year 2013 to fiscal year 2014 before decreasing in each of the past three years. The rate of government sponsored below range sentences was 36.1% in fiscal year 2017.
 - ◆ Substantial assistance departures were granted for approximately a quarter of heroin trafficking offenders in fiscal years 2012 through 2015, before decreasing to 21.6% in fiscal year 2016 and 19.8% in fiscal year 2017.
 - ◇ In fiscal year 2017, these offenders received an average reduction in their sentence of 52.4%.
 - ◆ Early Disposition Program (EDP) departures² were granted for a small proportion of heroin trafficking offenders over each of the last five years (3.0% in fiscal year 2017).
 - ◇ In fiscal year 2017, these offenders received an average reduction in their sentence of 53.0%.
 - ◆ 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 EDP has generally increased, from 7.7% in fiscal year 2013 to 13.3% in fiscal year 2017.
 - ◇ In fiscal year 2017, these offenders received an average reduction in their sentence of 44.6%.
- Non-government sponsored below range sentences have accounted for slightly more than one-quarter of heroin trafficking sentences in each of the past five years. The non-government sponsored below range rate was 26.6% in fiscal year 2017.
 - ◆ In fiscal year 2017, these offenders received an average reduction in their sentence of 39.4%.
- The average guideline minimum and average sentence imposed for heroin trafficking have each shown a slight downward trend in four of the past five years, but both increased slightly in fiscal year 2017.
 - ◆ The average guideline minimum was 93 months in fiscal year 2013 and decreased to 87 months in fiscal year 2016 before increasing to 88 months in fiscal year 2017;
 - ◆ The average sentence imposed decreased from 69 months in fiscal year 2013 to 63 months in fiscal year 2016 before increasing to 65 months in fiscal year 2017.

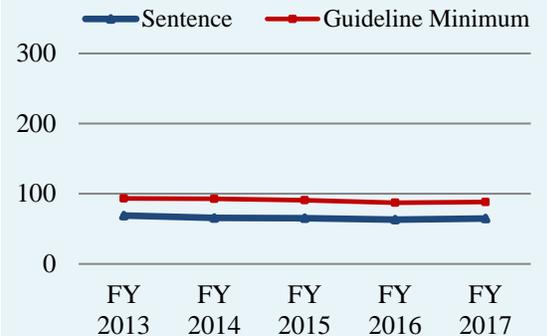
Sentence Relative to the Guideline Range



Government Sponsored Below Range Sentences FY 2017



Average Sentence and Average Guideline Minimum (in months)



² "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.

