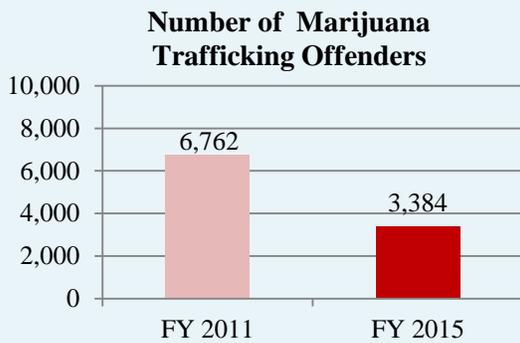




Quick Facts

- ▶ THERE WERE 71,003 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2015.
- ▶ OF THESE CASES, 19,792 INVOLVED DRUG TRAFFICKING.¹
- ▶ 17.1% OF DRUG TRAFFICKING OFFENSES INVOLVED MARIJUANA.²

Marijuana Trafficking Offenses



In fiscal year 2015, there were 3,384 marijuana trafficking offenders, who accounted for 17.1% of all offenders sentenced under the drug trafficking guidelines. The number of marijuana offenders has decreased by 50.2% from the 6,792 offenders in fiscal year 2012.³

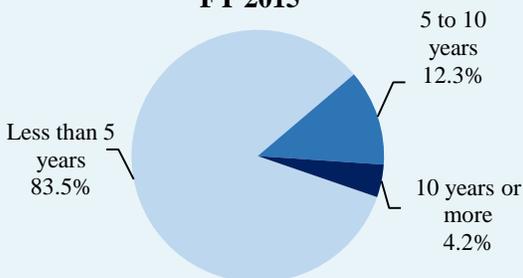
Top Five Districts Marijuana Trafficking Offenders FY 2015

District of Arizona (N=696)
Western District of Texas (N=623)
Southern District of Texas (N=527)
District of New Mexico (N=311)
Eastern District of California (N=76)

Offender and Offense Characteristics

- In fiscal year 2015, the majority of marijuana trafficking offenders were male (90.6%).
- Nearly three-quarters of marijuana trafficking offenders were Hispanic (69.7%) followed by White (18.5%), Black (9.0%), and Other Races (2.8%).
- The average age of these offenders at sentencing was 33 years.
- Just over half of marijuana trafficking offenders were United States citizens (52.1%).
- More than half (59.4%) of marijuana trafficking offenders had little or no prior criminal history (i.e., assigned to Criminal History Category I) while 2.4% were Career Offenders (§4B1.1).
- The median base offense level in these cases was 20. This corresponds to a quantity of drugs between 132 and 176 pounds of marijuana.
- Marijuana trafficking sentences were increased for:
 - ◆ 9.7% of offenders because the offense involved the possession of a weapon;
 - ◆ 6.4% of offenders for having a leadership or supervisory role in the offense.
- Marijuana trafficking sentences were decreased for:
 - ◆ 27.8% of offenders because they were a minor or minimal participant in the offense;
 - ◆ 46.5% of offenders because they met the safety valve criteria in the sentencing guidelines.

Sentence Length of Marijuana Trafficking Offenders FY 2015



Punishment

- Most marijuana trafficking offenders were sentenced to imprisonment (91.6%).
- The average sentence for marijuana trafficking offenders was 29 months.
- Nearly one-third (29.6%) of all marijuana trafficking offenders were convicted of an offense carrying a mandatory minimum penalty.
 - ◆ However, two-thirds (65.7%) of these offenders were not subject to any mandatory minimum penalty at sentencing because:
 - ◇ 18.7% provided the government with substantial assistance in the investigation or prosecution of other offenders, 32.4% were eligible for relief through the statutory safety valve provision, and 14.6% 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).

² This analysis does not include simple possession offenses, which accounted for 10.1% of all drug offenses reported to the Commission in fiscal year 2015.

³ Data not depicted in bar chart.

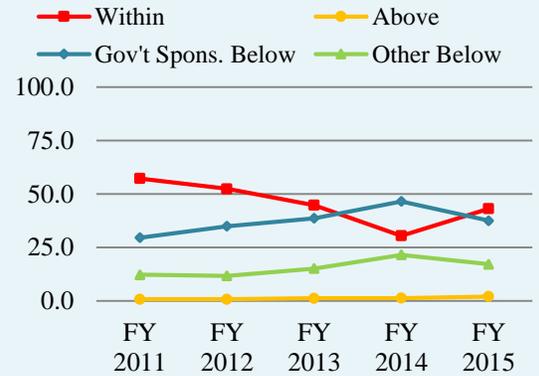
Quick Facts

Marijuana Trafficking Offenses

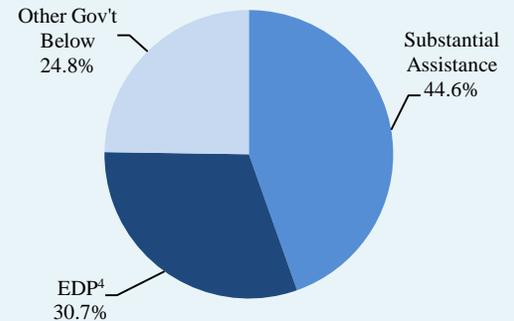
Sentences Relative to the Guideline Range

- The rate of within range sentences for marijuana trafficking offenders in fiscal year 2015 was 43.1%.
- The rate of government sponsored below range sentences for marijuana trafficking offenders increased in recent years before decreasing to 37.6% in fiscal year 2015.
 - ◆ Substantial assistance departures were granted to a generally increasing number of offenders before decreasing to 16.8% in fiscal year 2015.
 - ◇ In fiscal year 2015, these offenders received an average reduction in their sentence of 54.7%.
 - ◆ Early Disposition Program (EDP) departures⁴ were granted for 11.5% of marijuana trafficking offenders in fiscal year 2015.
 - ◇ In fiscal year 2015, these offenders received an average reduction in their sentence of 46.1%.
 - ◆ The rate of marijuana 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 9.3% in fiscal year 2015.
 - ◇ In fiscal year 2015, these offenders received an average reduction in their sentence of 41.4%.
- The rate of non-government sponsored below range sentences for marijuana traffickers increased in recent years before decreasing to 17.2% in fiscal year 2015.
 - ◆ In fiscal year 2015, these offenders received an average reduction in their sentence of 45.3%.
- The average guideline minimum and average sentence for marijuana trafficking increased from fiscal years 2011 through 2013, but decreased in fiscal years 2014 and 2015.
 - ◆ The average guideline minimum increased from 40 to 50 months between fiscal years 2011 and 2013, and decreased to 39 months in fiscal year 2015;
 - ◆ The average sentence imposed increased from 33 to 39 months between fiscal years 2011 and 2013, and decreased to 29 months in fiscal year 2015.

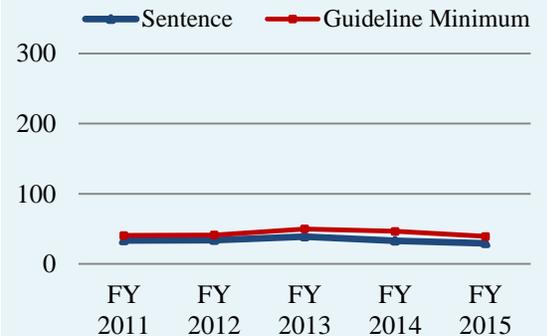
Sentence Relative to the Guideline Range



Government Sponsored Below Range Sentences FY 2015



Average Sentence and Average Guideline Minimum (in months)



⁴ "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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