



Quick Facts

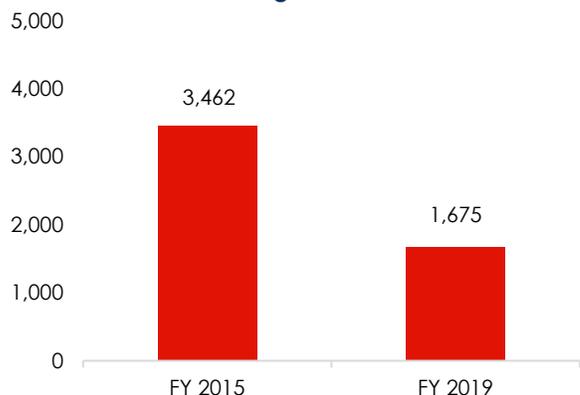
— Marijuana Trafficking Offenses —



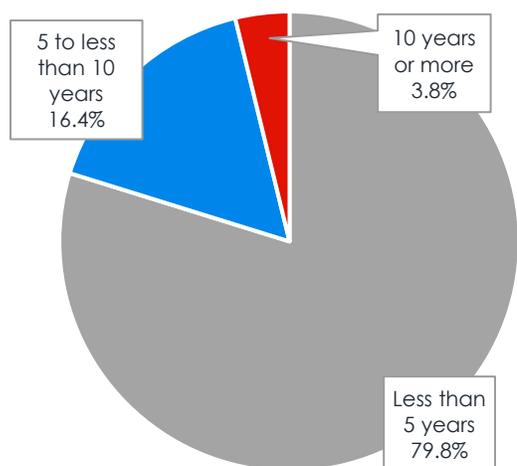
Fiscal Year 2019

- ▶ IN FY 2019, 76,538 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.
- ▶ 20,085 CASES INVOLVED DRUGS.¹
- ▶ 19,765 INVOLVED DRUG TRAFFICKING.²
- ▶ 8.5% OF DRUG TRAFFICKING CASES INVOLVED MARIJUANA.
- ▶ MARIJUANA TRAFFICKING OFFENDERS HAVE DECREASED BY 51.6% SINCE FY 2015.

Number of Marijuana Trafficking Offenders



Sentence Length FY 2019



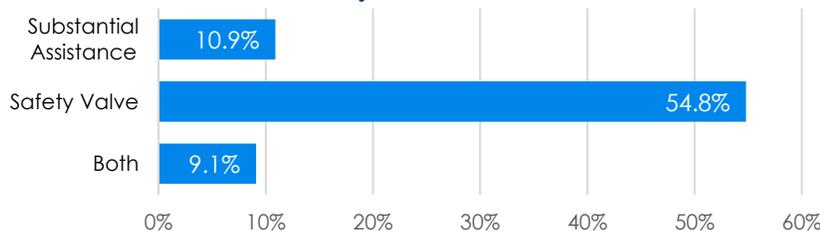
Offender and Offense Characteristics³

- 87.2% of marijuana trafficking offenders were men.
- 67.4% of marijuana trafficking offenders were Hispanic, 14.2% were Black, 13.4% were White, and 5.0% were Other races.
- Their average age was 33 years.
- 56.9% were United States citizens.
- 65.2% had little or no prior criminal history (Criminal History Category I); 3.0% were Career Offenders (§4B1.1).
- The median Base Offense Level in these cases was 22, corresponding to between 80 and 100 kilograms of marijuana.
- Sentences were increased for:
 - ◆ possessing a weapon (16.2%);
 - ◆ having a leadership/supervisory role in the offense (6.0%).
- Sentences were decreased for:
 - ◆ having minor or minimal participation in the offense (38.3%);
 - ◆ meeting the safety valve criteria in the sentencing guidelines (51.3%).
- The top five districts for marijuana trafficking offenders were:
 - ◆ Western District of Texas (467);
 - ◆ Southern District of Texas (258);
 - ◆ District of Arizona (180);
 - ◆ District of New Mexico (72);
 - ◆ District of Puerto Rico (49).

Punishment

- The average sentence for marijuana trafficking offenders was 31 months.
- 89.9% were sentenced to prison.
- 36.8% were convicted of an offense carrying a mandatory minimum penalty; of those offenders, 74.7% were relieved of that penalty.

Means of Relief from Mandatory Minimum Penalty for Marijuana Traffickers





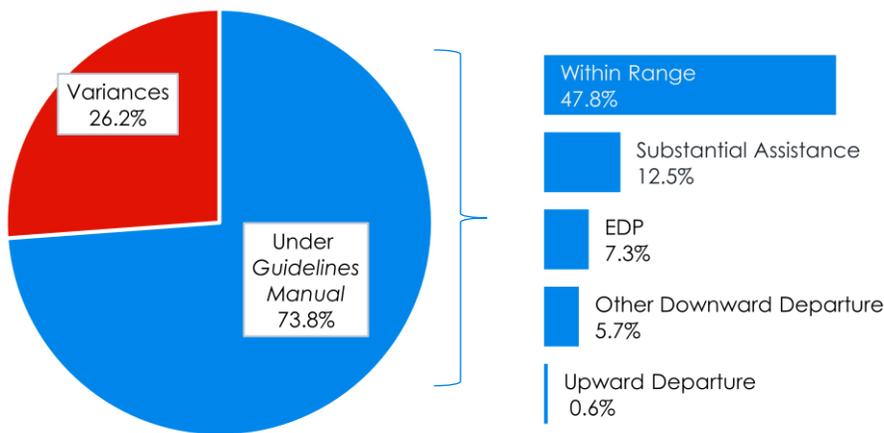
www.ussc.gov
pubaffairs@ussc.gov
@theusscgov

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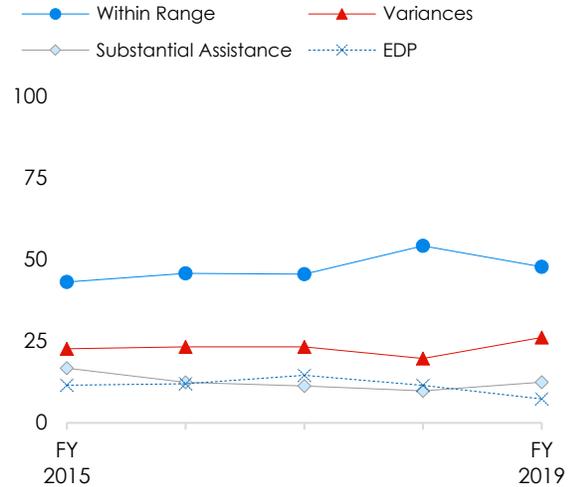
Sentences Relative to the Guideline Range

- Of the 73.8% of marijuana trafficking offenders sentenced under the *Guidelines Manual*:
 - ◆ 64.7% were sentenced within the guideline range.
 - ◆ 16.9% received a substantial assistance departure.
 - ◇ Their average sentence reduction was 57.1%.
 - ◆ 9.9% received an Early Disposition Program (EDP) departure.⁴
 - ◇ Their average sentence reduction was 56.5%.
- 26.2% received a variance; of those offenders:
 - ◆ 91.9% received a below range variance.
 - ◇ Their average sentence reduction was 46.3%.
 - ◆ 8.1% received an above range variance.
 - ◇ Their average sentence increase was 105.5%.
- The average guideline minimum and the sentence imposed has remained steady over the past five years.
 - ◆ The average guideline minimum increased from 39 months in fiscal year 2015 to 40 months in fiscal year 2019.
 - ◆ The average sentence imposed increased from 29 months in fiscal year 2015 to 31 months in fiscal year 2019.

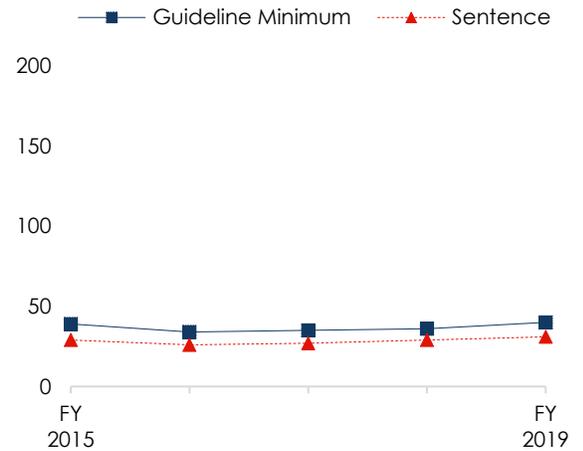
Sentence Imposed Relative to the Guideline Range FY 2019



Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



¹ Drug offenses include cases where offenders were sentenced under USSG Chapter Two, Part D (Drugs). There were 1,734 marijuana offenders sentenced under USSG Chapter Two, Part D (Drugs) in FY 2019.

² Drug Trafficking 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).

³ Cases with incomplete guideline application information were excluded from analysis.

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.