



QuickFacts

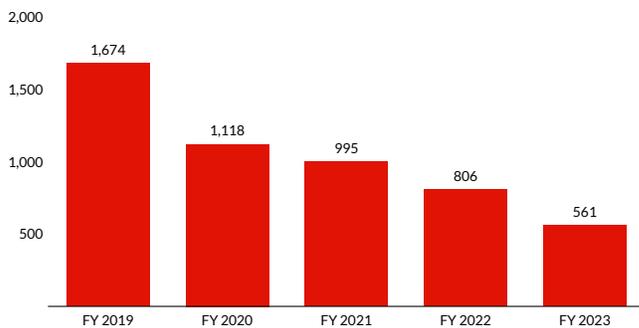
Marijuana Trafficking

Population Snapshot

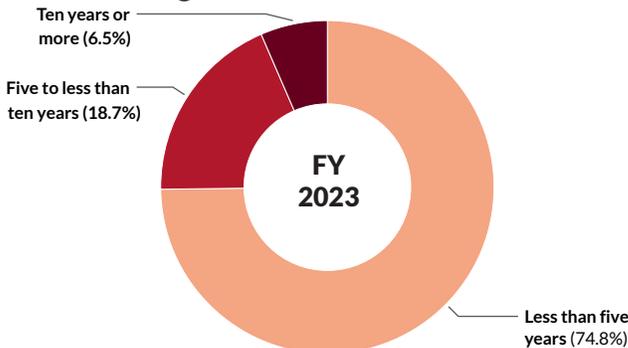
64,124 cases were reported in FY23;
19,066 involved drugs,¹
18,939 involved drug trafficking.²

3.0% of such cases involved marijuana, down 66.5% since FY 2019.

Number of Marijuana Trafficking Offenses



Sentence Length³



Individual and Offense Characteristics

91.1% of individuals sentenced for marijuana trafficking were men.

41.9% were Hispanic, 27.6% were Black, 21.2% were White, and 9.3% were Other races.

Their average age was 35 years.

71.0% were United States citizens.

64.7% had little or no prior criminal history (Criminal History Category I); 2.0% were individuals sentenced under the career offender guideline (§4B1.1).

The median base offense level in these cases was 24, corresponding to between 100 and 400 kilograms of marijuana.

Sentences were increased for:

- possessing a weapon (31.1%);
- a leadership or supervisory role in the offense (7.4%).

Sentences were decreased for:

- minor or minimal participation in the offense (19.0%);
- meeting the safety valve criteria in the sentencing guidelines (43.3%).

The top five districts for marijuana trafficking offenses were:

- Western District of Texas (87);
- Southern District of Texas (80);
- District of South Carolina (26);
- Northern District of New York (19);
- Eastern District of California (18).

Punishment

The average sentence for marijuana trafficking individuals was 37 months.

90.6% were sentenced to prison.

36.4% were convicted of an offense carrying a mandatory minimum penalty; 74.0% of those individuals were relieved of that penalty.



QuickFacts

Marijuana Trafficking

Sentences Relative to the Guideline Range

Of the 66.5% of individuals sentenced for marijuana trafficking under the *Guidelines Manual*:

- 64.9% were sentenced within the guideline range.
- 28.1% received a substantial assistance departure.
 - Their average sentence reduction was 64.9%.
- 1.1% received an Early Disposition Program (EDP) departure.⁴
 - Their average sentence reduction was 75.2%.
- 4.4% received some other downward departure.
 - Their average sentence reduction was 68.7%.

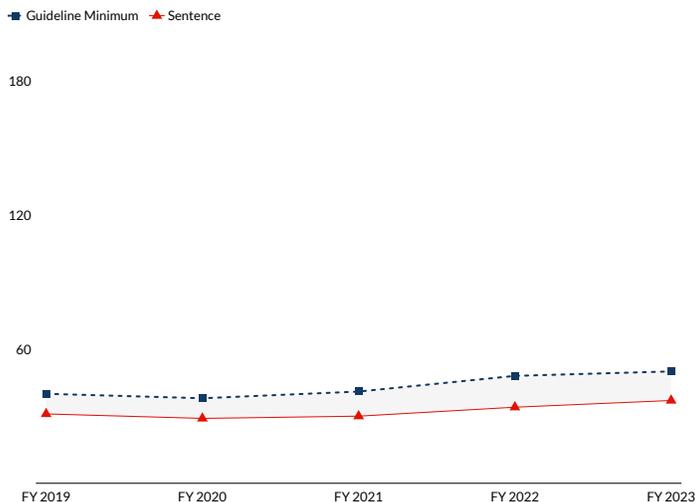
33.5% received a variance; of those individuals:

- 90.3% received a downward variance.
 - Their average sentence reduction was 52.5%.
- 9.7% received an upward variance.
 - Their average sentence increase was 128.6%.

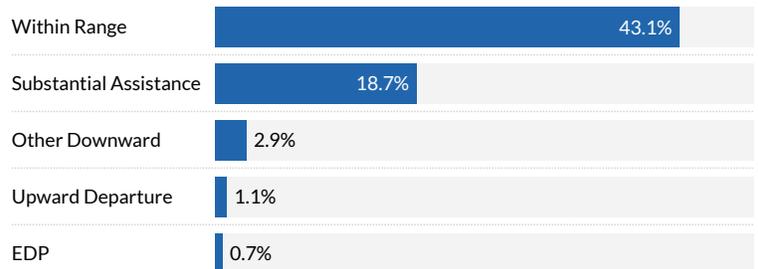
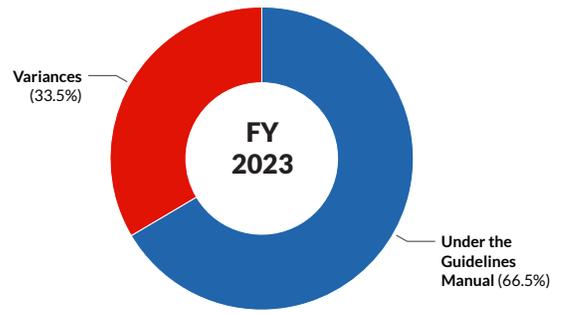
The average guideline minimum and average sentence imposed increased over the past five years.

- The average guideline minimum increased from 40 months in fiscal year 2019 to 50 months in fiscal year 2023.
- The average sentence imposed slightly increased from 31 months in fiscal year 2019 to 37 months in fiscal year 2023.

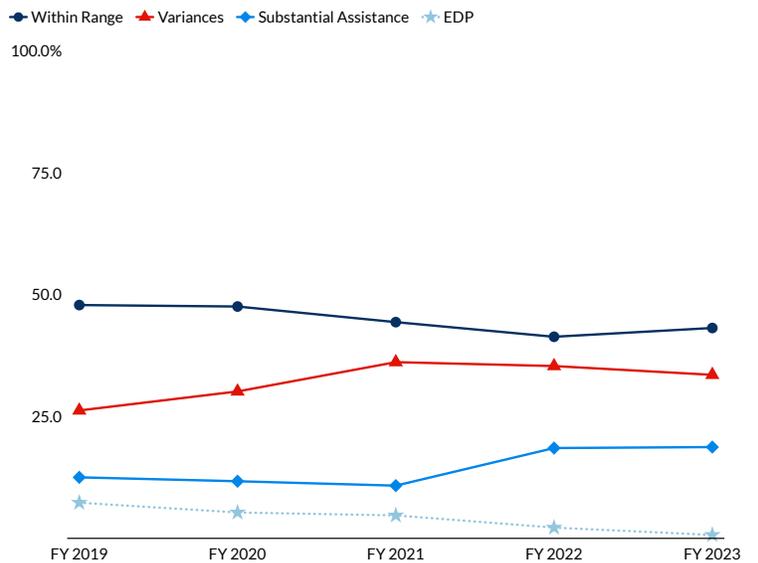
Average Guideline Minimum and Average Sentence (months)



Sentences Relative to the Guideline Range



Sentences Relative to the Guideline Range



¹ Drug offenses include cases where individuals were sentenced under USSG Chapter Two, Part D (Drugs). There were 564 individuals sentenced for marijuana offenses under USSG Chapter Two, Part D (Drugs) in FY 2023.

² Individuals sentenced for drug trafficking 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 sentencing information were excluded from the 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.