



Quick Facts

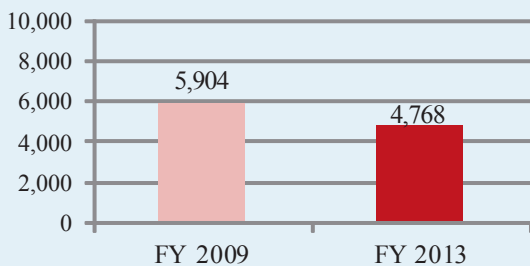
▶ THERE WERE 80,035 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2013.

▶ OF THESE CASES, 22,215 INVOLVED DRUG TRAFFICKING.¹

▶ 21.5% OF DRUG TRAFFICKING OFFENSES INVOLVED MARIJUANA.²

Marijuana Trafficking Offenses

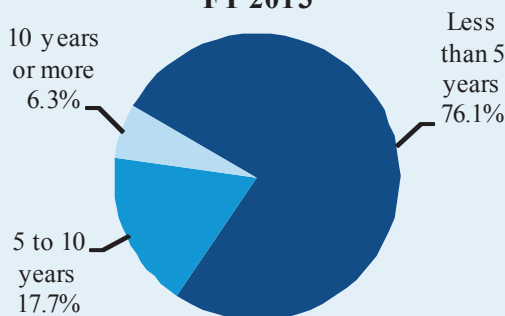
Number of Marijuana Trafficking Offenders



Top Five Districts Marijuana Trafficking Offenders FY 2013

District of Arizona (N=807)
Western District of Texas (N=806)
Southern District of Texas (N=689)
Southern District of California (N=288)
District of New Mexico (N=219)

Sentence Length of Marijuana Trafficking Offenders FY 2013



In fiscal year 2013, there were 4,768 marijuana trafficking offenders, who accounted for 21.5% of all offenders sentenced under the drug trafficking guidelines. The number of marijuana offenders decreased by 29.8% from the 6,792 offenders in fiscal year 2012³.

Offender and Offense Characteristics

- In fiscal year 2013, most offenders convicted of marijuana trafficking were male (88.7%).
- The majority were Hispanic (64.1%) followed by White (20.7%), Black (10.3%), and Other Races (5.0%).
- The average age of these offenders at sentencing was 34 years.
- The majority of offenders convicted of marijuana trafficking were United States citizens (60.9%).
- Almost sixty percent (59.5%) of marijuana traffickers had little or no prior criminal history (i.e., assigned to Criminal History Category I).
- The median base offense level in these cases was 24. This corresponds to a quantity of drugs between 176 and 220 pounds of marijuana.
- Marijuana trafficking sentences were increased for:
 - ◆ 10.3% of offenders because the offense involved the possession of a weapon;
 - ◆ 6.8% of offenders for having a leadership or supervisory role in the offense.
- Marijuana trafficking sentences were decreased for:
 - ◆ A quarter (25.4%) of offenders because they were a minor or minimal participant in the offense;
 - ◆ Nearly half (45.4%) of offenders because they met the safety valve criteria in the sentencing guidelines.

Punishment

- Most marijuana trafficking offenders were sentenced to imprisonment (93.8%).
- The average sentence length for marijuana traffickers was 39 months.
- Almost half (47.5%) of these offenders were convicted of a drug offense carrying a mandatory minimum penalty.
 - ◆ However, two-thirds (66.4%) of those offenders were not subject to any mandatory minimum penalty at sentencing because:
 - ◇ 15.9% provided the government with substantial assistance in the investigation or prosecution of other offenders, 38.1% were eligible for relief through the statutory safety valve provision, and 12.4% 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).

² This analysis does not include simple possession offenses, which accounted for 9.4% of all drug offenses reported to the Commission in fiscal year 2013.

³ Data not depicted in bar chart.

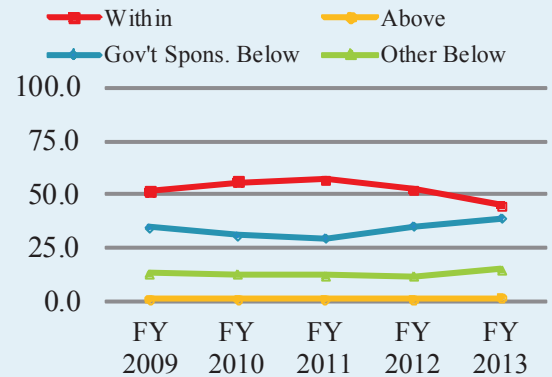
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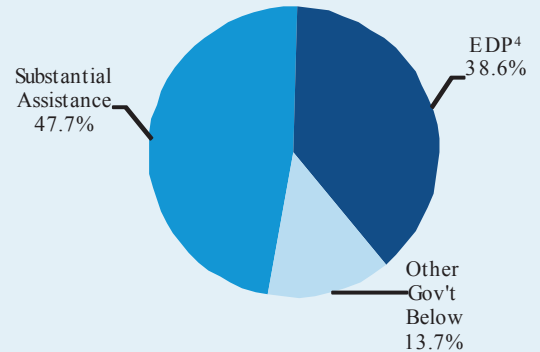
Sentences Relative to the Guideline Range

- Over the last five years, the percentage of marijuana trafficking offenders sentenced within the guideline range has generally decreased. The within range rate dropped to 44.8% in fiscal year 2013.
- In fiscal year 2013, nearly forty percent (38.7%) of marijuana trafficking offenders received a sentence below the applicable guideline range because the government sponsored the below range sentence. This rate has increased over the last three years.
 - Substantial assistance departures were granted in approximately fourteen percent of marijuana trafficking offenses in fiscal years 2009 through fiscal year 2012, but increased to 18.5% of these cases in fiscal year 2013.
 - In fiscal year 2013, these offenders received an average reduction in their sentence of 52.1%.
 - In fiscal year 2013, Early Disposition Program (EDP) departures⁴ were granted in 14.9% of marijuana trafficking offenses.
 - These offenders received an average reduction in their sentence of 41.1%.
 - A small but growing proportion of marijuana traffickers received a below range sentence sponsored by the government for reasons other than substantial assistance or participation in an Early Disposition Program.
 - The rate of other government sponsored below range sentences has increased over the last five years from 2.7% in fiscal year 2009 to 5.3% in fiscal year 2013.
 - In fiscal year 2013, these offenders received an average reduction in their sentence of 42.9%.
- In fiscal year 2013, 15.2% of marijuana traffickers received a non-government sponsored below range sentence.
 - These offenders received an average reduction in their sentence of 42.5%.
- The average sentence and average guideline minimum for marijuana traffickers increased in fiscal year 2013 after remaining relatively constant since fiscal year 2009.
 - The average guideline minimum ranged increased from 41 months in fiscal year 2012 to 50 months in fiscal year 2013.
 - The average sentence imposed increased from 34 months in fiscal year 2012 to 39 months in fiscal year 2013.

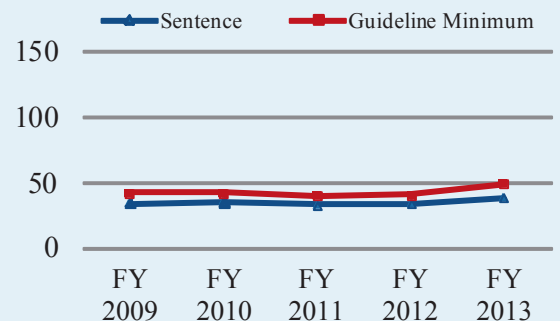
Sentence Relative to the Guideline Range



Government Sponsored Below Range Sentences FY 2013



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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