There were 84,173 cases reported to the United States Sentencing Commission in fiscal year 2012.

Of these cases, 24,563 involved drug trafficking.1

8.7% of drug trafficking offenses involved heroin.

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**Offender and Offense Characteristics**

- The number of heroin trafficking cases has increased steadily during the past five years.
- In fiscal year 2012, most offenders convicted of heroin trafficking were male (85.9%).
- The largest demographic group was Hispanic (47.0%) followed by Black (36.3%), White (15.7%) and Other Races (1.0%).
- The average age of these offenders at sentencing was 35 years.
- Almost three-quarters (72.7%) of heroin traffickers were United States citizens.
- Just under half of heroin traffickers had little or no prior criminal history (48.6% of these offenders were assigned to Criminal History Category I).
- The median base offense level for heroin offenders was 28. This corresponds to a quantity of drugs between 0.9 and 1.5 pounds of heroin.
- Heroin trafficking sentences were increased for:
  - 13.8% of offenders because the offense involved the possession of a weapon;
  - 8.0% of offenders for having a leadership or supervisory role in the offense.
- Heroin traffickers received sentence reductions in:
  - Almost twenty percent (19.5%) of all cases because they were a minor or minimal participant in the offense.
  - Thirty-five percent (35.1%) of heroin traffickers met the statutory safety valve criteria authorizing the court to impose a sentence below a mandatory minimum penalty.

**Punishment**

- Most heroin trafficking offenders were sentenced to imprisonment (96.7%).
- The average sentence length for persons convicted of trafficking heroin was 70 months.
- Most heroin traffickers were convicted of a drug offense carrying a mandatory minimum penalty (66.4%).
  - However, 57.4% of these offenders were not subject to any mandatory minimum penalty at sentencing because:
    - 27.3% provided the government with substantial assistance in the investigation or prosecution of other offenders;
    - another 30.1% were eligible for relief through the safety valve provision.
Sentences Relative to the Guideline Range

- The rate of within range sentences for heroin cases has generally decreased over the past five years from 48.0% to 41.9%.

- In each of the past five years, approximately thirty percent of heroin trafficking offenders received a sentence below the applicable guideline range because the government sponsored the below range sentence.
  - Substantial assistance departures were granted in approximately a quarter of heroin trafficking cases in each of the past five years.
    - These offenders received an average reduction in their sentence of 50.3% in fiscal year 2012 (which corresponds to a reduction of 53 months).

- Non-government sponsored below range sentences were imposed in 24.0% of cases in fiscal year 2012, down slightly from 26.2% in fiscal year 2010.
  - The average reduction was 35.8% in fiscal year 2012 (which corresponds to a reduction of 28 months).

- The average sentence and the average guideline minimum for heroin traffickers have remained stable during the past five years.
  - The sentence imposed averaged around 69 months during that period;
  - The guideline minimum averaged approximately 90 months.