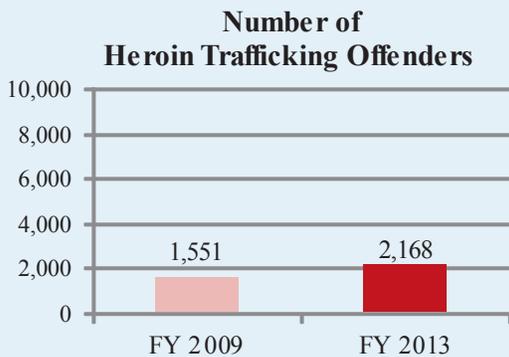




Quick Facts

- ▶ 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
- ▶ 9.8% OF DRUG TRAFFICKING OFFENSES INVOLVED HEROIN.

Heroin Trafficking Offenses



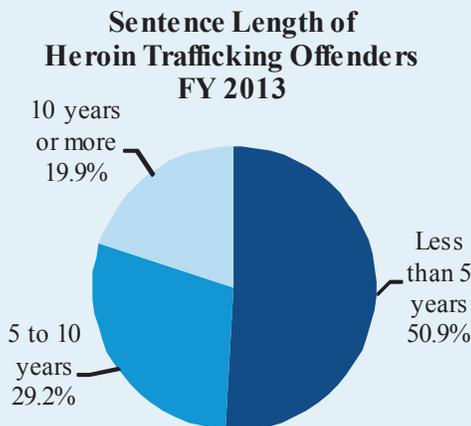
In fiscal year 2013, there were 2,168 heroin offenders, who accounted for 9.8% of all offenders sentenced under the drug trafficking guidelines. The number of heroin offenders has increased by 39.8% over the last five years.

Offender and Offense Characteristics

- In fiscal year 2013, most offenders convicted of heroin trafficking were male (85.2%).
- The majority of heroin trafficking offenders were Hispanic (49.6%) followed by Black (36.4%), White (13.3%), and Other Races (0.7%).
- 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 (46.2%) of heroin traffickers had little or no prior criminal history (i.e., assigned to Criminal History Category I). However, 10.4% of heroin traffickers were classified as career offenders under USSG §4B1.1.
- 1.0% of heroin traffickers were involved in an offense in which death or serious bodily injury resulted from the use of the substance. While this is a small proportion of cases, heroin traffickers account for nearly two-thirds (61.8%) of all such cases.
- The median base offense level for heroin trafficking offenders sentenced under the drug quantity table was 28. This corresponds to a quantity of drugs between 0.9 and 1.5 pounds of heroin.
- Heroin trafficking sentences were increased for:
 - ◆ 14.0% of offenders because the offense involved the possession of a weapon;
 - ◆ 8.1% of offenders for having a leadership or supervisory role in the offense.
- Heroin trafficking sentences were decreased for:
 - ◆ 18.3% of offenders because they were a minor or minimal participant in the offense.
 - ◆ 34.0% of offenders because they met the safety valve criteria in the sentencing guidelines.

Top Five Districts Heroin Trafficking Offenders FY 2013

Southern District of New York (N=120)
Southern District of Ohio (N=105)
Southern District of California (N=100)
District of Maryland (N=93)
Northern District of Illinois (N=89)



Punishment

- Most heroin trafficking offenders were sentenced to imprisonment (97.5%).
- The average sentence length for heroin traffickers was 69 months.
- Most heroin traffickers were convicted of a drug offense carrying a mandatory minimum penalty (68.4%).
 - ◆ However, 59.3% of these offenders were not subject to any mandatory minimum penalty at sentencing because:
 - ◇ 18.2% provided the government with substantial assistance in the investigation or prosecution of other offenders, 29.9% were eligible for relief through the statutory safety valve provision, and 11.2% 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).

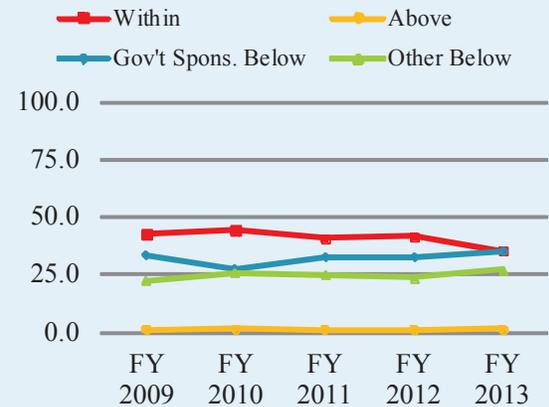
Quick Facts

Heroin Trafficking Offenses

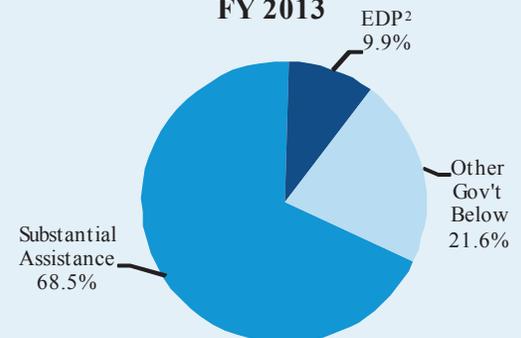
Sentences Relative to the Guideline Range

- Over the last five years, the proportion of heroin trafficking offenders sentenced within the guideline range has generally decreased from 42.6% in fiscal year 2009 to 35.6% in fiscal year 2013.
- In fiscal year 2013, more than one-third (35.5%) of heroin trafficking offenders received a government sponsored below range sentence. This is an increase from 33.7% in fiscal year 2009.
 - Substantial assistance departures were granted in approximately a quarter of heroin trafficking offenses in each of the last five years.
 - In fiscal year 2013, these offenders received an average reduction in their sentence of 50.8%.
 - A small but growing proportion of heroin 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 4.8% in fiscal year 2009 to 7.7% in fiscal year 2013.
 - In fiscal year 2013, these offenders received an average reduction in their sentence of 35.7%.
- In fiscal year 2013, 27.2% of heroin trafficking offenders received a non-government sponsored below range sentence.
 - These offenders received an average reduction in their sentence of 36.1%.
- Over the last five years, the average guideline minimum increased slightly from 91 months in fiscal year 2009 to 93 months in fiscal year 2013.
- The average sentence remained stable at 69 months and 70 months in each of the last five years.

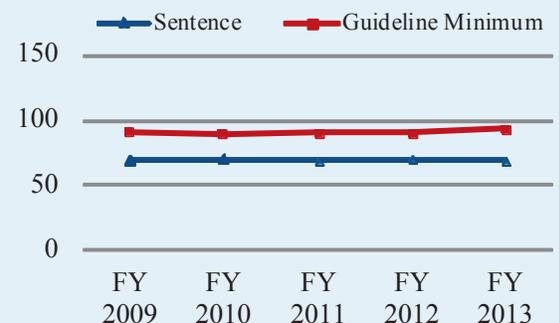
Sentence Relative to the Guideline Range



Government Sponsored Below Range Sentences FY 2013



Average Sentence and Average Guideline Minimum (in months)



² "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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