29.6% of all cases carried a mandatory minimum penalty.

Of all cases carrying a mandatory minimum penalty:
- 73.2% were drug trafficking;
- 6.1% were sexual abuse;
- 5.2% were child pornography;
- 4.7% were firearms;
- 3.7% were fraud.

42.7% of offenders convicted of an offense carrying a mandatory minimum were relieved of the penalty:
- 21.6% received relief through the safety valve provision;
- 14.4% provided the government with substantial assistance;
- 6.7% received relief through both.

Of offenders convicted of an offense carrying a mandatory minimum penalty:
- 38.3% of male offenders received relief;
- 70.6% of female offenders received relief;
- 37.8% of U.S. citizen offenders received relief;
- 67.7% of non-U.S. citizen offenders received relief.

57.3% of offenders convicted of an offense carrying a mandatory minimum penalty did not receive relief.

38.5% of offenders convicted of a mandatory minimum penalty were Hispanic, 30.2% were White, 28.1% were Black, and 3.2% were Other races.

The average sentence length was:
- 144 months for those subject to the mandatory minimum;
- 63 months for those receiving relief;
- 29 months for offenders who were not convicted of an offense carrying a mandatory minimum penalty.

The top five districts where cases involving a mandatory minimum penalty comprised the highest percentage of the overall caseload were:
- Northern District of Florida (64.4%);
- District of Hawaii (61.3%);
- Eastern District of Tennessee (56.7%);
- Eastern District of Kentucky (55.9%);
- Southern District of Illinois (55.2%).
Offense Categories

Identity Theft Offenders
- 83.1% of the 775 identity theft offenders\(^4\) were subject to a mandatory minimum penalty at sentencing.
- Their average sentence was 51 months; 29 months with relief.

Drug Offenders\(^5\)
- 67.1% of drug offenders were convicted of an offense carrying a mandatory minimum penalty;
  - 46.6% remained subject to that penalty at sentencing.
  - Their average sentence was 133 months; 61 months with relief.
- 74.6% of methamphetamine offenders were convicted of an offense carrying a mandatory minimum penalty, compared to 42.7% of marijuana offenders.
- 74.4% of crack cocaine offenders remained subject to a mandatory minimum penalty at sentencing, compared to 38.5% of marijuana offenders.

Firearms Offenders
- 3,091 offenders were convicted of a firearms offense carrying a mandatory minimum penalty.
- 2,760 were convicted under 18 U.S.C. § 924(c);
  - 82.5% remained subject to the mandatory minimum penalty at sentencing.
  - Their average sentence was 151 months; 101 months with relief.
- 243 qualified as Armed Career Criminals under 18 U.S.C. § 924(e);
  - 79.8% remained subject to the mandatory minimum penalty at sentencing.
  - Their average sentence was 208 months; 96 months with relief.

Sex Offenders
- 70.4% of the 2,902 sex offenders—sexual abuse or child pornography offenders—were convicted of an offense carrying a mandatory minimum penalty.
- 74.4% of the 1,478 sexual abuse offenders were convicted of an offense carrying a mandatory minimum penalty;
  - 93.5% remained subject to the mandatory minimum at sentencing.
  - Their average sentence was 252 months; 138 months with relief.
- 66.3% of the 1,424 child pornography offenders were convicted of an offense carrying a mandatory minimum penalty;
  - 97.8% remained subject to the mandatory minimum at sentencing.
  - Their average sentence was 138 months; 88 months with relief.

FY 2022 Average Sentence by Drug Type and Relief Status (in months)

<table>
<thead>
<tr>
<th>Drug Type</th>
<th>Relief</th>
<th>No Relief</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meth</td>
<td>69</td>
<td>147</td>
</tr>
<tr>
<td>Heroin</td>
<td>47</td>
<td>115</td>
</tr>
<tr>
<td>Fentanyl</td>
<td>46</td>
<td>113</td>
</tr>
<tr>
<td>Powder</td>
<td>58</td>
<td>113</td>
</tr>
<tr>
<td>Crack</td>
<td>49</td>
<td>113</td>
</tr>
<tr>
<td>Marijuana</td>
<td>30</td>
<td>92</td>
</tr>
</tbody>
</table>

Average Guideline Minimum and Average Sentence (in months)

- Average Guideline Minimum
- Average Sentence

\(^1\) Cases with incomplete sentencing information were excluded from the analysis.
\(^3\) See 18 U.S.C. § 3553(e).
\(^4\) Convicted of an offense under 18 U.S.C. § 1028A.
\(^5\) The ‘Fentanyl’ category includes both Fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] Propanamide) and Fentanyl Analogue.