



Quick Facts

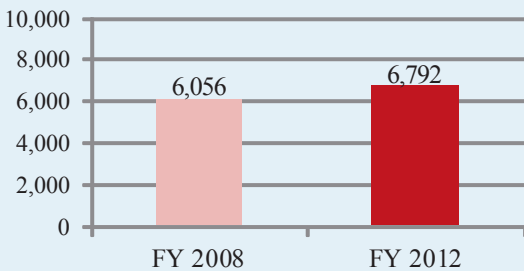
▶ THERE WERE 84,173 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2012.

▶ OF THESE CASES, 24,563 INVOLVED DRUG TRAFFICKING.¹

▶ 27.7% OF DRUG TRAFFICKING OFFENSES INVOLVED MARIJUANA.²

Marijuana Trafficking Offenses

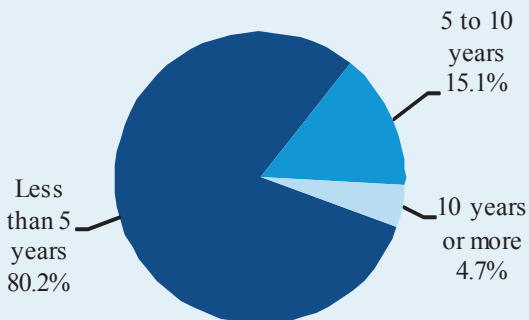
Number of Marijuana Trafficking Offenders



Top Five Districts Marijuana Trafficking Offenders FY 2012

District of Arizona (N=1,934)
Western District of Texas (N=1,325)
Southern District of Texas (N=840)
Southern District of California (N=396)
District of New Mexico (N=245)

Sentence Length of Marijuana Trafficking Offenders FY 2012



Offender and Offense Characteristics

- In fiscal year 2012, most offenders convicted of marijuana trafficking were male (89.6%).
- The majority were Hispanic (66.2%) followed by White (21.8%), Black (8.9%), and Other Races (3.1%).
- The average age of these offenders at sentencing was 33 years.
- Offenders convicted of marijuana trafficking were evenly split between United States citizens (50.4%) and non-citizens (49.6%).
- Two-thirds of marijuana traffickers had little or no prior criminal history (66.3% of these offenders were assigned to Criminal History Category I).
- The median base offense level in these cases was 22. This corresponds to a quantity of drugs between 132 and 176 pounds of marijuana.
- Marijuana trafficking sentences were increased for:
 - ◆ 7.9% of offenders because the offense involved the possession of a weapon;
 - ◆ 4.9% of offenders for having a leadership or supervisory role in the offense.
- Marijuana trafficking sentences were decreased for:
 - ◆ Almost a quarter (23.3%) of all offenders because they were a minor or minimal participant in the offense;
 - ◆ More than half (55.2%) of all offenders because they met the safety valve criteria in the sentencing guidelines.

Punishment

- Most marijuana trafficking offenders were sentenced to imprisonment (94.5%).
- The average sentence length for marijuana traffickers was 34 months.
- Almost 40 percent (39.7%) of these offenders were convicted of a drug offense carrying a mandatory minimum penalty.
 - ◆ However, two-thirds (65.4%) of those offenders were not subject to any mandatory minimum penalty at sentencing because:
 - ◇ 23.4% provided the government with substantial assistance in the investigation or prosecution of other offenders;
 - ◇ another 42.0% were eligible for relief through the statutory safety valve provision.

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 5.5% of all drug offenses reported to the Commission in fiscal year 2012.

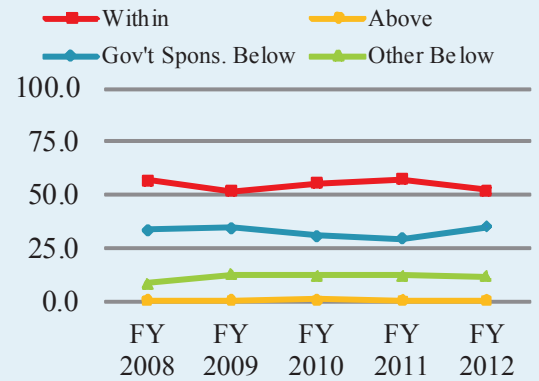
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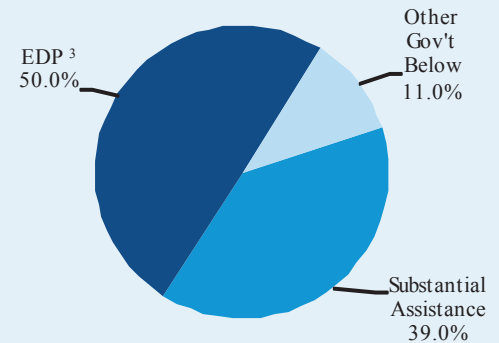
Sentences Relative to the Guideline Range

- For each of the last five years, more than half of all marijuana traffickers were sentenced within the guideline range.
- In each of the last five years, approximately one-third of marijuana 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 14% of marijuana trafficking cases in each of the last five years.
 - ◇ In fiscal year 2012, these offenders received an average reduction of 51.0% in their sentence (which corresponds to a reduction of 31 months).
 - ◆ In fiscal year 2012, Early Disposition Program (EDP) departures were granted in 17.5% of marijuana trafficking cases.
 - ◇ In fiscal year 2012, reductions in EDP cases were 40.9%, smaller than those in substantial assistance cases (which corresponds to a reduction of 9 months).
- For the last four years, non-government sponsored below range sentences accounted for approximately 12% of marijuana trafficking cases which is an increase above the fiscal year 2008 rate (8.8%).
 - ◆ In fiscal year 2012, these offenders received an average reduction of 44.3% in their sentence (which corresponds to a reduction of 16 months).
- Both the average sentence and the average guideline minimum for marijuana traffickers have been stable for the last five years.
 - ◆ The average guideline minimum was consistently between 40 and 43 months during that period;
 - ◆ The average sentence imposed was consistently between 33 and 35 months.

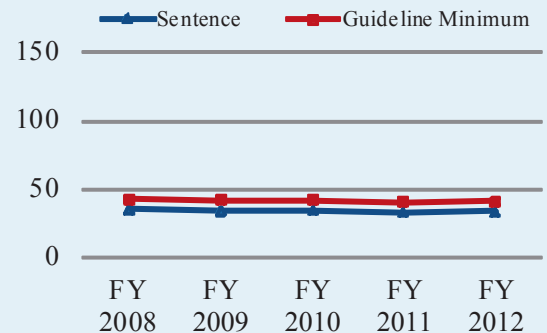
Sentence Relative to the Guideline Range



Government Sponsored Below Range Sentences FY 2012



Average Sentence and Average Guideline Minimum (in months)



³ "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.

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