



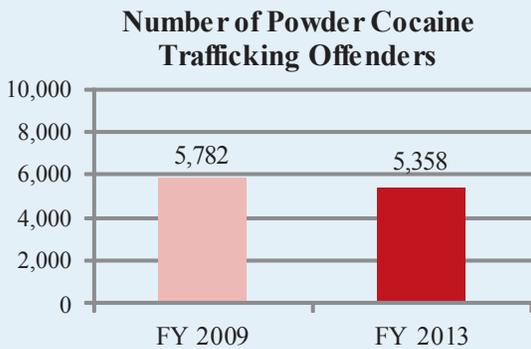
# Quick Facts

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

▶ OF THESE CASES, 22,215 INVOLVED DRUG TRAFFICKING.<sup>1</sup>

▶ 24.1% OF DRUG TRAFFICKING OFFENSES INVOLVED POWDER COCAINE.

## Powder Cocaine Trafficking Offenses



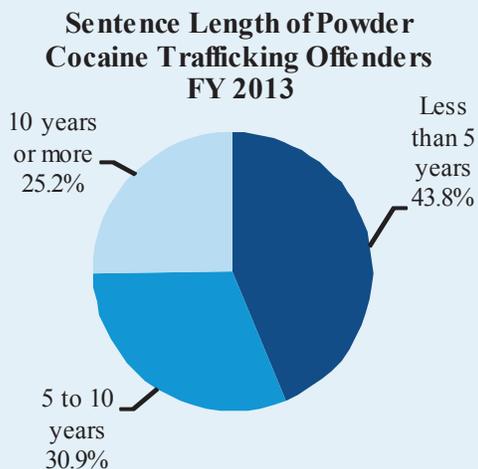
In fiscal year 2013, the courts reported 5,358 powder cocaine cases to the Commission. These cases accounted for 24.1% of all offenders sentenced under the drug trafficking guidelines. The number of powder cocaine cases has remained relatively stable for the past five years.

### Offender and Offense Characteristics

- In fiscal year 2013, most offenders convicted of powder cocaine trafficking were male (89.9%).
- More than half of the offenders were Hispanic (58.0%) followed by Black (31.5%), White (9.4%), and Other Races (1.1%).
- The average age of these offenders at sentencing was 36 years.
- Most powder cocaine traffickers were United States citizens (70.5%).
- Over half of powder cocaine traffickers had little or no prior criminal history (57.0% of these offenders were assigned to Criminal History Category I).
- The median base offense level in these cases was 30. This corresponds to a quantity of drugs between 7.7 and 11.0 pounds of powder cocaine.
- Powder cocaine trafficking sentences were increased for:
  - ◆ 18.2% of offenders because the offense involved the possession of a weapon;
  - ◆ 8.4% of offenders for having a leadership or supervisory role in the offense.
- Powder cocaine trafficking sentences were decreased for:
  - ◆ 16.4% of offenders because they were a minor or minimal participant in the offense;
  - ◆ Slightly more than one-third (36.3%) of offenders because they met the safety valve criteria in the sentencing guidelines.

**Top Five Districts Powder Cocaine Trafficking Offenders FY 2013**

District of Puerto Rico (N=566)
Western District of Texas (N=328)
Southern District of Florida (N=307)
Southern District of Texas (N=304)
Southern District of California (N=253)



### Punishment

- Most powder cocaine trafficking offenders were sentenced to imprisonment (97.4%).
- The average sentence length for powder cocaine traffickers was 79 months.
- Most powder cocaine traffickers were convicted of a drug offense carrying a mandatory minimum penalty (74.8%).
  - ◆ However, nearly 60 percent (59.4%) of these offenders were not subject to any mandatory minimum penalty at sentencing because:
    - ◇ 18.5% provided the government with substantial assistance in the investigation or prosecution of other offenders, 29.7% were eligible for relief through the statutory safety valve provision, and 11.2% received both forms of relief.

<sup>1</sup> 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).

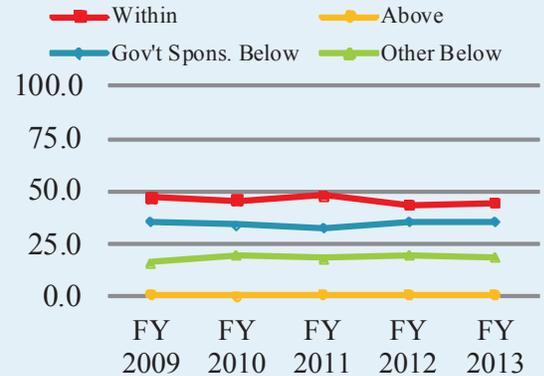
# Quick Facts

## Powder Cocaine Trafficking Offenses

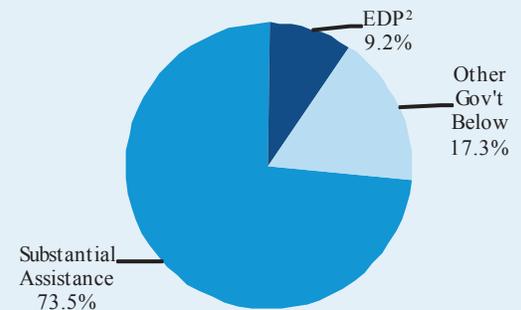
### Sentences Relative to the Guideline Range

- The rate of within range sentences for powder cocaine trafficking cases has decreased slightly over the last five years from 47.2% in fiscal year 2009 to 44.7% in fiscal year 2013.
- In each of the last five years, approximately 35 percent of powder cocaine 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 one-quarter of powder cocaine trafficking cases over the past five years.
    - ◇ In fiscal year 2013, these offenders received an average reduction in their sentence of 48.8%.
  - ◆ A small but growing proportion of powder cocaine traffickers received a below range sentence sponsored by the government for reasons other than substantial assistance or participation in an Early Disposition Program.
    - ◇ Other government sponsored below range sentences have increased over the past five years from 3.8% in fiscal year 2009 to 6.2% in fiscal year 2013.
      - In fiscal year 2013, these offenders received an average reduction in their sentence of 31.1%.
- Over the last five years, the rate of non-government sponsored below range sentences for powder cocaine traffickers has increased from 16.3% in fiscal year 2009 to 18.5% in fiscal year 2013.
  - ◆ In fiscal year 2013, these offenders received an average reduction in their sentence of 35.0%.
- The average guideline minimum and average sentence imposed for powder cocaine traffickers have remained stable, decreasing only slightly in the past five years.
  - ◆ The average guideline minimum decreased from 105 to 102 months during that period;
  - ◆ The average sentence imposed decreased from 83 to 79 months.

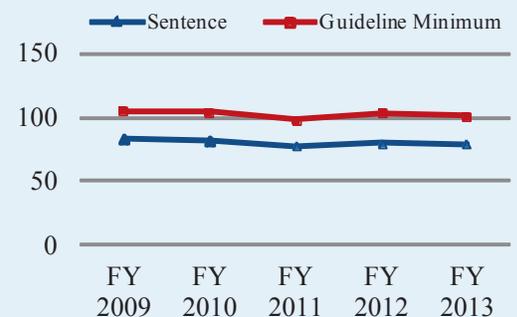
### Sentence Relative to the Guideline Range



### Government Sponsored Below Range Sentences FY 2013



### Average Sentence and Average Guideline Minimum (in months)



<sup>2</sup> "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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