

Table 44

DRUG OFFENDERS RECEIVING SAFETY VALVE AND MANDATORY MINIMUMS FOR EACH DRUG TYPE¹
Fiscal Year 2005, Post-Booker (January 12, 2005, through September 30, 2005)

| DRUG TYPE | TOTAL | No Drug Mandatory Minimum/No Safety Valve | | No Drug Mandatory Minimum/Received Safety Valve | | Drug Mandatory Minimum/No Safety Valve | | Drug Mandatory Minimum/Received Safety Valve | |
|------------------------|---------------|---|-------------|---|-------------|--|-------------|--|-------------|
| | | Number | Percent | Number | Percent | Number | Percent | Number | Percent |
| TOTAL | 17,153 | 3,580 | 20.9 | 2,155 | 12.6 | 7,428 | 43.3 | 3,990 | 23.3 |
| Powder Cocaine | 3,943 | 592 | 15.0 | 304 | 7.7 | 1,598 | 40.5 | 1,449 | 36.7 |
| Crack Cocaine | 3,824 | 612 | 16.0 | 96 | 2.5 | 2,699 | 70.6 | 417 | 10.9 |
| Heroin | 1,169 | 278 | 23.8 | 145 | 12.4 | 372 | 31.8 | 374 | 32.0 |
| Marijuana | 4,038 | 1,125 | 27.9 | 1,145 | 28.4 | 958 | 23.7 | 810 | 20.1 |
| Methamphetamine | 3,454 | 592 | 17.1 | 200 | 5.8 | 1,744 | 50.5 | 918 | 26.6 |
| Other | 725 | 381 | 52.6 | 265 | 36.6 | 57 | 7.9 | 22 | 3.0 |

¹Of the 53,674 cases, 18,743 were sentenced under USSG Chapter Two, Part D (Drugs), regardless of eligibility for the Safety Valve (§5C1.2). Of these, 18,519 were sentenced under §§2D1.1 (Drug Trafficking), 2D1.2 (Protected Locations), 2D1.5 (Continuing Criminal Enterprise), 2D1.6 (Communication Facility), 2D1.8 (Rent/Manage Drug Establishment), or 2D2.1 (Simple Possession). Of these, 17,454 contained complete guideline application information. Of these 17,454 cases, 301 were excluded due to one or more of the following reasons: missing safety valve or mandatory minimum information (297) or missing drug type (6). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2005 Datafile, USSCFY05, Post-Booker Only Cases (January 12, 2005, through September 30, 2005).