

**Table 44**

**DRUG OFFENDERS RECEIVING SAFETY VALVE AND MANDATORY MINIMUMS FOR EACH DRUG TYPE<sup>1</sup>**  
**Fiscal Year 2007**

DRUG TYPE	TOTAL	No Drug Mandatory Minimum/No Safety Valve		No Drug Mandatory Minimum/Received Safety Valve <sup>2</sup>		Drug Mandatory Minimum/No Safety Valve		Drug Mandatory Minimum/Received Safety Valve <sup>2</sup>	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
<b>TOTAL</b>	<b>23,910</b>	<b>4,369</b>	<b>18.3</b>	<b>3,321</b>	<b>13.9</b>	<b>10,326</b>	<b>43.2</b>	<b>5,894</b>	<b>24.7</b>
<b>Powder Cocaine</b>	<b>5,940</b>	812	13.7	404	6.8	2,489	41.9	2,235	37.6
<b>Crack Cocaine</b>	<b>5,224</b>	797	15.3	142	2.7	3,731	71.4	554	10.6
<b>Heroin</b>	<b>1,277</b>	307	24.0	124	9.7	384	30.1	462	36.2
<b>Marijuana</b>	<b>5,834</b>	1,360	23.3	2,094	35.9	1,203	20.6	1,177	20.2
<b>Methamphetamine</b>	<b>4,800</b>	662	13.8	242	5.0	2,461	51.3	1,435	29.9
<b>Other</b>	<b>835</b>	431	51.6	315	37.7	58	6.9	31	3.7

<sup>1</sup>Of the 72,865 cases, 25,699 were sentenced under USSG Chapter Two, Part D (Drugs), regardless of eligibility for the Safety Valve (§5C1.2). Of these, 25,491 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, 24,243 contained complete guideline application information. Of these 24,243 cases, 333 were excluded due to one or more of the following reasons: missing safety valve or mandatory minimum information (331) or missing information on drug type (2). Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup>For cases where a mandatory minimum sentence applied, use of the term "safety valve" on this table means the court sentenced the offender without regard to any applicable mandatory minimum penalty (in accordance with the "safety valve" provision of 18 U.S.C. § 3553(f), incorporated into the guidelines at §5C1.2) and that the court also reduced the sentence by two levels as provided in §2D1.1(b)(9). For cases where no mandatory minimum applied, use of the term "safety valve" on this table means that the court reduced the sentence by two levels as provided in §2D1.1(b)(9).

SOURCE: U.S. Sentencing Commission, 2007 Datafile, USSCFY07.