

Table 39

**SAFETY VALVE AND DRUG MANDATORY MINIMUM STATUS
OF DRUG DEFENDANTS BY DRUG TYPE¹
(October 1, 1995, through September 30, 1996)**

| DRUG TYPE | TOTAL | No Drug Mandatory/ No Safety Valve | | No Drug Mandatory/ Received Safety Valve | | Drug Mandatory/ No Safety Valve | | Drug Mandatory/ Received Safety Valve | |
|------------------------------------|---------------|---|-------------|---|------------|--|-------------|--|-------------|
| | | Number | Percent | Number | Percent | Number | Percent | Number | Percent |
| TOTAL | 17,166 | 5,530 | 32.2 | 308 | 1.8 | 8,344 | 48.6 | 2,984 | 17.4 |
| Powder Cocaine | 4,471 | 1,045 | 23.4 | 80 | 1.8 | 2,282 | 51.0 | 1064 | 23.8 |
| Crack Cocaine | 4,603 | 883 | 19.2 | 41 | 0.9 | 3,176 | 69.0 | 503 | 10.9 |
| Heroin | 1,766 | 488 | 27.6 | 101 | 5.7 | 669 | 37.9 | 508 | 28.8 |
| Marijuana | 4,249 | 2,393 | 56.3 | 45 | 1.1 | 1,211 | 28.5 | 600 | 14.1 |
| Methamphetamine² | 1,623 | 417 | 25.7 | 21 | 1.3 | 916 | 56.4 | 269 | 16.6 |
| LSD | 93 | 16 | 17.2 | 3 | 3.2 | 46 | 49.5 | 28 | 30.1 |
| Other | 361 | 288 | 79.8 | 17 | 4.7 | 44 | 12.2 | 12 | 3.3 |

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¹Of the 42,436 cases, 17,267 were sentenced under USSG Chapter Two, Part D (drugs), regardless of eligibility for the Safety Valve (§5C1.2). Of these, 17,170 were sentenced under §§2D1.1 (Drug Trafficking), 2D1.2 (Protected Locations), 2D1.5 (Continuing Criminal Enterprise), 2D1.8 (Rent/Manage Drug Establishment), or 2D2.1 (Simple Possession). Of these 17,170 cases, four were excluded due to missing information on drug type. Note that only cases with complete guideline application information were included in the categories which received a safety valve.

²In FY96, the category methamphetamine includes methamphetamine mixture, methamphetamine actual, ICE, and methamphetamine precursors. Prior to FY96, the category methamphetamine did not include ICE. The number of ICE cases (which were eligible for inclusion in this table) for each year are as follows: 130 (1996), 48 (1995), 1 (1994), 9 (1993), and 1 (1992). Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 1996 Datafile, MONFY96.