

Drug Briefing Attachment: Explanation of Figures, Data, and Methodology

Figure 1: The number of federal powder and crack cocaine offenders sentenced under guideline 2D1.1 between fiscal years (FY) 1992 and 2000.

Figure 2: The average prison sentence for federal powder and crack cocaine offenders sentenced under guideline 2D1.1 between FY1992 and FY2000.

Figure 3: The percentage difference between prison sentences for crack and powder cocaine offenders. The percentage was calculated by dividing the average crack cocaine sentence by the average powder cocaine sentence (*e.g.*, in FY1992, crack cocaine sentences were 24.8% greater than powder cocaine sentences, in FY2000 crack cocaine sentences were 55.8% greater).

Figure 4: Crack and powder cocaine prevalence data from the Monitoring the Future survey of self-reported drug use by high school seniors (<http://monitoringthefuture.org/index.html>).

Figure 5: Illicit drug use prevalence data from the Monitoring the Future survey of self-reported drug use by high school seniors (<http://monitoringthefuture.org/index.html>).

Figure 6: Self-reported illicit drug use by 18 to 25 year olds from the National Household Survey on Drug Abuse (<http://www.samhsa.gov/oas/nhsda/1999/Titlepage.html>).

Figure 7: Number of emergency room mentions reported by the Drug Abuse Warning Network in the Year-End 2000 Emergency Department Data from the Drug Abuse Warning Network.

Figure 8: Number of drug treatment admissions reported by the Treatment Episodes Data Set (TEDS), Office of Applied Studies, Substance Abuse and Mental Health Administration.

Figure 9: Change in trends for drug treatment admissions. Data calculated by subtracting the number of treatment admissions in 1999 from those in 1992 in the Treatment Episodes Data Set (TEDS), Office of Applied Studies, Substance Abuse and Mental Health Services Administration (see Figure 8).

Figures 10 through 25 (except Figures 20 and 21) present information derived from data coding projects conducted by the Commission using cases sentenced in FY1995 and FY2000 to collect information not typically collected for the Commission's Monitoring Datafile.

U.S. Sentencing Commission Monitoring Datafiles

The U.S. Sentencing Commission datafiles contain information collected from Court documents (*i.e.*, Presentence Investigation Reports, Judgement and Conviction Orders, and Statements of Reasons) for criminal felony cases sentenced under the Federal Sentencing Guidelines. Information collected each fiscal year includes defendant demographics, statute(s) of conviction, sentencing guideline application and sentence

outcome. In FY2000 there were 5,241 powder cocaine and 4,806 crack cocaine cases sentenced under the primary drug trafficking guideline (§2D1.1).

1995 Drug Sample

The FY1995 Drug Sample is a combination of two datafiles created by the U.S. Sentencing Commission, the Intensive Study Sample (ISS) and Drug Supplemental Sample (DSS). These datafiles were created to supplement data in the Commission’s FY1995 datafile. The ISS consists of a five percent random sample of cases from the Commission’s FY1995 datafile. Detailed information on criminal history, personal defendant characteristics, weapon involvement, victimization, conspiracy organization, and defendant function in the offense were collected. The DSS is a stratified random sample of drug cases, not included in ISS, from FY1995. The DSS sampled 10 percent of powder cocaine cases, 20 percent each of crack cocaine, heroin, and marijuana cases, and 50 percent of methamphetamine cases. Information on drug amount, weapon involvement, and defendant function in the offense were collected for the cases selected for the DSS. The FY1995 drug sample consists of 639 powder and 851 crack cocaine cases.

FY2000 Drug Sample

The FY2000 drug sample consists of a 20% random sample (n=1,595) of crack cocaine (n=802) and powder cocaine (n=793) cases sentenced in FY2000. Detailed information was collected duplicating data collected in 1995.

Figure 10: Distribution of offender function for powder cocaine cases in FY1995 and FY2000.

Offender Function

Both the FY1995 and FY2000 Drug Samples contain information on the most serious function performed by the offender in the drug offense as described in the case documents. The function categories and definitions are listed in the following table in descending order of severity. To facilitate analysis, some functions were grouped together.

Function	Definition
Importer/High-level supplier	Imports or otherwise supplies large quantities of drugs; is near the top of the distribution chain; has ownership interest in drugs (not merely transporting drugs for another individual); usually supplies drugs to other drug distributors and does not deal in retail amounts, may employ no or very few subordinates.

Function	Definition
Organizer/Leader	Organizes, leads, directs, or otherwise runs a drug distribution organization; has the largest share of the profits and the most decision-making authority.
Grower/Manufacturer	Grows, cultivates, or manufactures a controlled substance, and is the principal owner of the drugs.
Financier/Money launderer	Provides money for purchase ,importation, manufacture, cultivation, transportation, or distribution of drugs; launders proceeds of drug sales or purchases.
Aircraft Pilot/Vessel captain	Pilots vessel or aircraft; requires special skill; does not include offender who is only participant directing a small boat (e.g., a go-fast boat) onto which drugs had been loaded from a “mother ship” (such person is a courier).
Wholesaler	Sells more than retail/user-level quantities in a single transaction.
Manager	Serves as a lieutenant to assist one of the above; manages all or a significant portion of a drug manufacturing, importation, or distribution operation; takes instructions from one of the above and conveys to subordinates; supervises directly at least one other co-participant in an organization of at least five co-participants.
Bodyguard/Strongman/Debt collector	Provides physical and personal security for another co-participant in the offense; collects debts owed, or punishes recalcitrant persons.
Chemists/Cooks/Chemical supplier	Produces LSD, methamphetamine, crack or other illegal drugs, but does not qualify as a Grower/Manufacturer because is not the principal owner of the drugs. Chemical supplier does not handle drugs themselves but engages in the unlawful diversion, sale, or furnishing of listed chemicals or equipment used in the synthesis or manufacturing of controlled substances.
Supervisor	Supervises at least one other co-participant; however, has limited authority and does not qualify as a Manager.
Street level dealer	Distributes retail quantities directly to the user.
Broker/Steerer/Go-between	Arranges for two parties to buy/sell drugs, or directs potential buyer to a potential seller.

Function	Definition
Courier	Transports or carries drugs with the assistance of a vehicle or other equipment. Includes situations where the offender, who is otherwise considered to be a crew member, is the only participant directing a vessel (e.g., a go-fast boat) onto which drugs had been loaded from a “mother-ship.”
Mule	Transports or carries drugs internally or on their person, often by airplane, or by walking across a border. Also, includes an offender who only transports or carries drugs in baggage, souvenirs, clothing, otherwise.
Renter/Storer	Provides (for profit/compensation) own residence, structures (barns, storage bins, buildings), land, or equipment for use to further the offense. This offender is distinguished from the enabler because he is paid (in some way) for his services.
Money runner	Transports/carries money and/or drugs to and from the street-level dealer.
Off-loader/Loader	Performs the physical labor required to put large quantities of drugs into storage, hiding, or onto some mode of transportation.
Gopher/Lookout/Deckhand/Worker/Employee	Performs very limited, low-level function in the offense (whether or not ongoing); includes running errands, answering the telephone, receiving packages, packaging the drugs, manual labor, acting as a lookout to provide early warnings during meetings, exchanges, or off-loading, or acting as a deckhand/crew member on vessel or aircraft used to transport large quantities of drugs.
Enabler (Passive)	Plays no more than passive role in the offense, knowingly permitting certain unlawful criminal activity to take place without affirmatively acting in any way to further such activity; may be coerced or unduly influenced to play such a function (e.g., a parent or grandparent threatened with displacement from a home unless they permit the activity to take place), or may do so as a “favor” (without compensation).
User Only	Possessed small amount of drugs apparently for personal use only; no apparent function in any conspiratorial criminal activity.
Other	If none of the above adequately describe the function of the offender.

Figure 11: Distribution of offender function for crack cocaine cases in FY1995 and FY2000. The text for Figure 10 above contains definitions of the functions.

Figure 12: Distribution of offender function for both powder and crack cocaine cases in FY2000. The text for Figure 10 above contains definitions of the functions.

Figure 13: Data on the geographic scope of activity for powder cocaine cases in FY1995 and FY2000. Categories of geographic activity include neighborhood (or section of a city), local (within a city or suburb), regional (within a contiguous multi-state or multi-city area), section of the country (*e.g.*, Midwest, New England), national (more than one section of the country, New York to Florida, for example), and international.

Figure 14: Data on the geographic scope of activity for crack cocaine cases in FY1995 and FY2000. Geographic scope of activity is defined in the text for Figure 13 above.

Figure 15: Data on the geographic scope of activity for both powder and crack cocaine cases in FY2000. Geographic scope of activity is defined in the text for Figure 13 above.

Figure 16: Rate of application of aggravating (§3B1.1) and mitigating (§3B1.2) role adjustments by defendant function in powder cocaine cases in FY2000.¹ For example, 51% of offenders classified as couriers/mules received a mitigating role adjustment. None of the offenders in the courier/mule category received an aggravating role adjustment.

Figure 17: Rate of application of aggravating (§3B1.1) and mitigating (§3B1.2) role adjustments by defendant function in crack cocaine cases in FY2000.

Figure 18: For both powder and crack cocaine, the median drug quantity associated with each offender function for FY1995 and FY2000. The median is a statistic identifying the midpoint in the distribution. It is the point in the distribution at which half of the cases have greater values and half have lesser values. For example, the first row of the table in Figure 18 provides median drug quantity for offenders in the Importer/High-Level Supplier category. In FY1995, the median quantity of powder cocaine for offenders in the Importer/High-Level Supplier category was 30,000 grams. Half of the powder cocaine offenders in this category had more than 30,000 grams, and the other half had less than 30,000 grams of the drug. In FY2000, half of the powder cocaine offenders in this category had more than 16,000 grams of powder cocaine and half had less than 16,000 grams of the drug. For crack cocaine offenders in the same Importer/High-Level Supplier category, half had more than 1,590 grams and half had less than 1,590 grams in FY1995; in FY2000, half had more than 2,962 grams of crack cocaine and half had less than 2,962 grams of crack cocaine.

¹For additional information regarding these sentencing adjustments refer to the United States Sentencing Commission Guidelines Manual.

Figure 19: The percent of cases in which a variety of offense characteristics were identified for powder and crack cocaine in FY1995 and FY2000. Data for “sale to <18”, “sale to pregnant woman”, and “protected location” are available only for FY2000. The definitions for each of these appear in the table below.

Offense Characteristic	Explanation
Co-participant under 18	Indicates whether any of the participants in the drug conspiracy (including participants who were not indicted or convicted) were under the age of 18 at the time of the offense.
Sale to under 18 (FY200 only)	Indicates whether any member of the drug conspiracy distributed drugs to a person under the age of 18.
Sale to pregnant woman (FY200 only)	Indicates whether the offense involved the distribution of drugs to a pregnant woman.
Protected Location (FY200 only)	Indicates whether any part of the offense involved distribution of drugs within 1,000 feet of a school, playground, youth center, or public housing authority.
Weapon Involved	Indicates whether any of the participants in the drug offense used or possessed a weapon at any time during the offense.
Violence involved	Indicates whether any injury, or credible threat of injury was perpetrated by any participant at any time during the offense.

Figure 20: The rate of weapon involvement among all federal drug trafficking offenders in FY2000 (from the Commission’s FY2000 Monitoring Datafile, see explanation of datafile in text for Figures 10-25). For this Figure, the definition of weapon involvement is either a conviction under 18 U.S.C. § 924(c) or receipt of the guideline sentence enhancement §2D1.1(b)(1) for possession of a dangerous weapon.

Figure 21:

The trend in rates of weapon involvement for powder cocaine and crack cocaine offenders (from the Commission’s FY2000 Monitoring Datafile, see explanation of datafile in text for Figures 10-25). Bars indicate, for each drug type, the percent of cases either convicted under 18 U.S.C. § 924(c) or receiving the guideline sentence enhancement under guideline 2D1.1(b)(1) for possession of a dangerous weapon. The value of each point in the line is the sum of the statutory percent and the guideline percent. For example, the bars indicate that in FY1992, 7.6 percent of powder cocaine offenders had a conviction under 18 U.S.C. § 924(c) and 7.9% of powder cocaine offenders received an enhancement under §2D1.1(b)(1). The sum of these two weapon

enhancements (15.5%) is indicated on the line that appears above the bars.

Figure 22: Detailed data from the drug coding projects on weapon involvement in powder cocaine cases in FY1995 and FY2000. This figure depicts the most serious weapon involvement by the offender. Categories include none (no weapon involvement), access (defined as having a weapon at or near the general location of the offense, but out of reach), possession (involving a weapon within immediate reach or on one's person), and brandish/use/discharge (including open carrying of a weapon, discharge, or other use (*e.g.*, stabbing, striking)).

Figure 23: Detailed data from the drug coding projects on weapon involvement in crack cocaine cases in FY1995 and 2000. Definitions are in the text for Figure 22.

Figure 24: Detailed data from the drug coding projects on weapon involvement in powder and crack cocaine cases in FY2000. Definitions are in the text for Figure 22.

Figure 25: Detailed data from the drug coding projects on bodily injury in powder and crack cocaine cases in FY2000. Injury was determined to have occurred if any injury, or credible threat of injury was perpetrated by any participant at any time during the offense.