

## **The Drug Kingpin statute in a nutshell**

The **Continuing Criminal Enterprise Statute** (commonly referred to as **CCE Statute** or **The Kingpin Statute**) is a Federal law that targets large-scale drug traffickers who are responsible for long-term and elaborate drug conspiracies. Unlike the RICO Act, which covers a wide range of organized crime enterprises, the CCE statute covers only major narcotics organizations. CCE is codified as Chapter 13 of Title 21 of the United States Code, 21 U.S.C. § 848. The statute makes it a federal crime to commit or conspire to commit a continuing series of felony violations of the 1970 Drug Abuse and Prevention Act when such acts are taken in concert with 5 or more other persons. For conviction under this statute, the offender must have been an organizer, manager, or supervisor of the continuing operation and have obtained substantial income or resources from the drug violations.

The sentence for a first CCE conviction is a mandatory minimum 20 years' imprisonment (with a maximum of life imprisonment), a fine of not more than \$2 million, and forfeiture of profits and any interest in the enterprise. Under the so-called "super kingpin" provision added as subsection (b) to the CCE statute in 1984, a person convicted of being a "principal" administrator, organizer, or leader of a criminal enterprise that either involves a large amount of narcotics (at least 300 times the quantity that would trigger a 5-year mandatory-minimum sentence for possession), or generates a large amount of money (at least \$10 million in gross receipts during a single year), must serve a mandatory life sentence without possibility of parole (sometimes referred to as a "living death" or "pine box" sentence, since the offender is strictly ineligible for release while alive). Anyone engaging in a continuing criminal enterprise who intentionally kills a person or causes an intentional killing may be sentenced to death. Probation, parole, and suspension of the sentence are prohibited.