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NEWS RELEASE

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COMMISSION RELEASES NEW PUBLICATION ON FEDERAL MANDATORY MINIMUM PENALTIES

WASHINGTON, D.C. — The United States Sentencing Commission today released a new publication—*An Overview of Mandatory Minimum Penalties in the Federal Criminal Justice System* (2017 Overview)—that examines the use of federal mandatory minimum penalties and the impact of those penalties on the federal prison population. The new publication updates much of the data contained in its 2011 *Report to the Congress: Mandatory Minimum Penalties in the Federal Criminal Justice System* and compiles data through 2016, the most recent full fiscal year for which federal sentencing data is available.

Judge William H. Pryor, Jr., Acting Chair of the Commission stated, "This publication examines the latest data about the use of mandatory minimum sentences in the federal criminal justice system. When Congress created the Commission, Congress empowered it to serve 'as a clearinghouse and information center' about federal sentencing and to assist Congress, the federal courts, and federal departments in the development of sound sentencing policies. See 28 U.S.C. § 995(a)(12)(A). The Commission has published this report to fulfill that Congressional mandate."

Among the key data findings in the publication are:
- The average sentence length for federal offenders convicted of an offense carrying a mandatory minimum penalty in fiscal year 2016 was 110 months of prison, nearly four times the average sentence (28 months) for offenders whose offense did not carry a mandatory minimum.
- Slightly more than half (55.7%) of federal inmates in custody as of September 30, 2016 were convicted of an offense carrying a mandatory minimum.
- Over one-third (38.7%) of federal offenders convicted of an offense carrying a mandatory minimum penalty in fiscal year 2016 received relief from the mandatory minimum at sentencing, which is a decrease from 46.7 percent in fiscal year 2010.
- Hispanic offenders continued to represent the largest group of federal offenders (40.4%) convicted of an offense carrying a mandatory minimum penalty in fiscal year 2016.
- White offenders had the longest average sentence (127 months) among federal offenders convicted of an offense carrying a mandatory minimum penalty in fiscal year 2016, which is a shift from fiscal year 2010 when Black offenders convicted of an offense carrying a mandatory minimum penalty had the longest average sentence (127 months).
- While Black offenders convicted of an offense carrying a mandatory minimum penalty continued to receive relief from the mandatory minimum penalty least often, the gap between Black offenders and White offenders has narrowed from a difference of 11.6 percent in fiscal year 2010 to 3.2 percent in fiscal year 2016.

The 2017 Overview is part of a multi-year study included in the Commission's policy priorities over the past several amendment cycles and is intended to be the first in a series of reports on mandatory minimum penalties. Continuation of the study is listed as a tentative policy priority for the amendment year ending May 1, 2018. The Commission will accept public comment on proposed priorities through July 31, 2017.

The full report is available on the Commission's website: www.ussc.gov/research/research-reports/2017-overview-mandatory-minimum-penalties-federal-criminal-justice-system

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The United States Sentencing Commission, an independent agency in the judicial branch of the federal government, was organized in 1985 to develop a national sentencing policy for the federal courts. The resulting sentencing guidelines provide structure for the courts' sentencing discretion to help ensure that similar offenders who commit similar offenses receive similar sentences.