



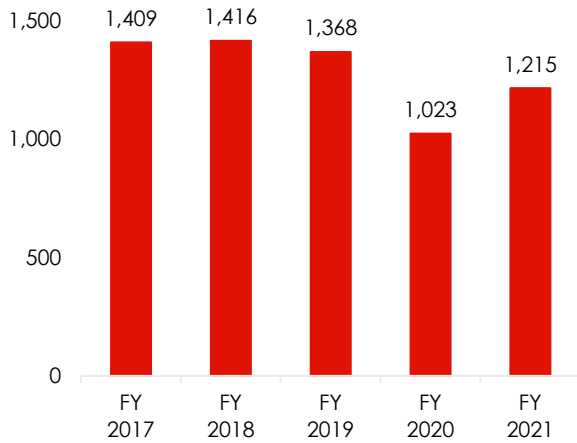
# Quick Facts

## — Child Pornography Offenders —

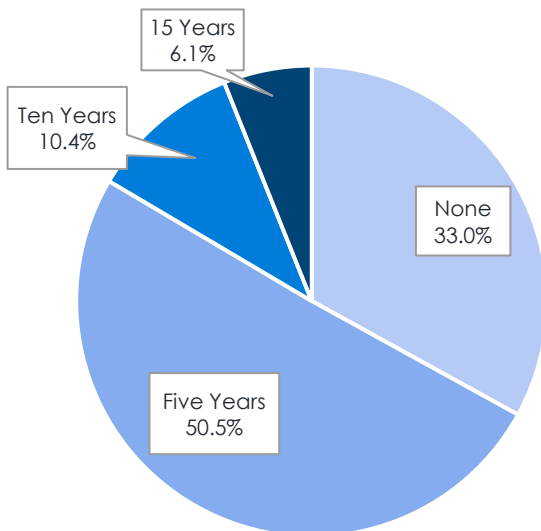
### Fiscal Year 2021

- ▶ IN FY 2021, 57,287 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.
- ▶ 1,215 OF THESE INVOLVED CHILD PORNOGRAPHY.<sup>1</sup>
- ▶ CHILD PORNOGRAPHY OFFENSES HAVE DECREASED BY 13.8% SINCE FY 2017.

Number of Child Pornography Offenders



Length of Mandatory Minimum Penalties for Child Pornography Offenders FY 2021



### Offender and Offense Characteristics<sup>2</sup>

- 45.5% of child pornography offenders were sentenced for trafficking child pornography; 43.5% were sentenced for possessing child pornography; and 11.0% were sentenced for receiving child pornography.
- 98.9% of child pornography offenders were men.
- 80.2% were White, 12.1% were Hispanic, 4.2% were Black, and 3.5% were Other races.
- Their average age was 41 years.
- 97.1% were United States citizens.
- 72.0% had little or no prior criminal history (Criminal History Category I);
  - ◆ 8.5% were CHC II;
  - ◆ 11.7% were CHC III;
  - ◆ 4.6% were CHC IV;
  - ◆ 2.2% were CHC V;
  - ◆ 1.0% were CHC VI.
- The top five districts for child pornography offenders were:
  - ◆ Northern District of Texas (53);
  - ◆ Southern District of Texas (40);
  - ◆ Eastern District of Virginia (40);
  - ◆ Middle District of Florida (38);
  - ◆ Southern District of Iowa (36).

### Punishment

- 98.7% of child pornography offenders were sentenced to prison; their average sentence was 107 months.
- The average sentence for offenders convicted of trafficking child pornography was 138 months:<sup>3</sup>
  - ◆ 89.1% of these offenders were convicted of an offense carrying a five-year mandatory minimum penalty; their average sentence was 126 months.
  - ◆ 10.9% had a prior sexual abuse or child pornography conviction and were subject to a 15-year mandatory minimum penalty; their average sentence was 236 months.
- The average sentence for offenders convicted of receiving child pornography was 99 months:
  - ◆ 90.1% of these offenders were convicted of an offense carrying a five-year mandatory minimum penalty; their average sentence was 89 months.
  - ◆ 9.9% had a prior sexual abuse or child pornography conviction and were subject to a 15-year mandatory minimum penalty; their average sentence was 199 months.



— Child Pornography Offenders —

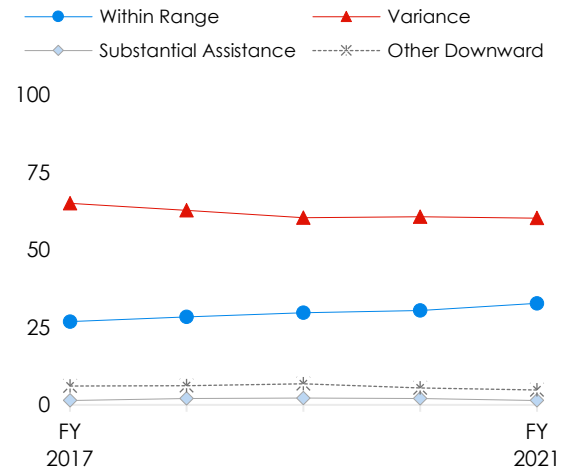
**Punishment (continued)**

- The average sentence for offenders convicted of possessing child pornography was 76 months:<sup>4</sup>
  - 76.0% of offenders were not convicted of an offense carrying a mandatory minimum penalty; their average sentence was 58 months.
  - 24.0% had a prior sexual abuse or child pornography conviction and were subject to a ten-year mandatory minimum penalty; their average sentence was 133 months.

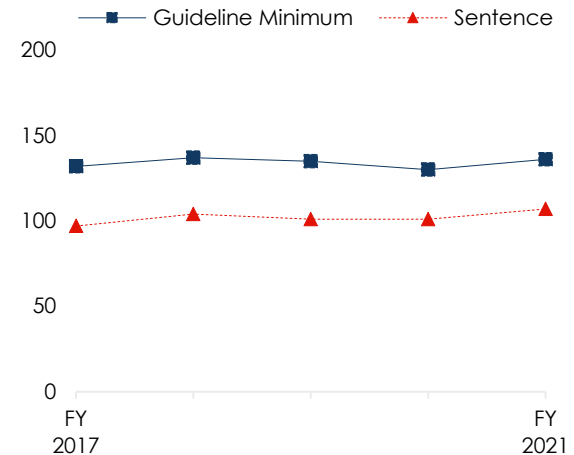
**Sentences Relative to the Guideline Range**

- 39.7% of child pornography offenders were sentenced under the *Guidelines Manual*:
  - 32.8% of all child pornography offenders were sentenced within the guideline range.
  - 4.8% of all child pornography offenders received some other downward departure.
    - Their average sentence reduction was 36.2%.
  - 1.4% of all child pornography offenders received a substantial assistance departure.
    - Their average sentence reduction was 35.9%.
- 60.3% received a variance:
  - 57.3% of all child pornography offenders received a downward variance.
    - Their average sentence reduction was 40.8%.
  - 3.0% of all child pornography offenders received an upward variance.
    - Their average sentence increase was 26.3%.

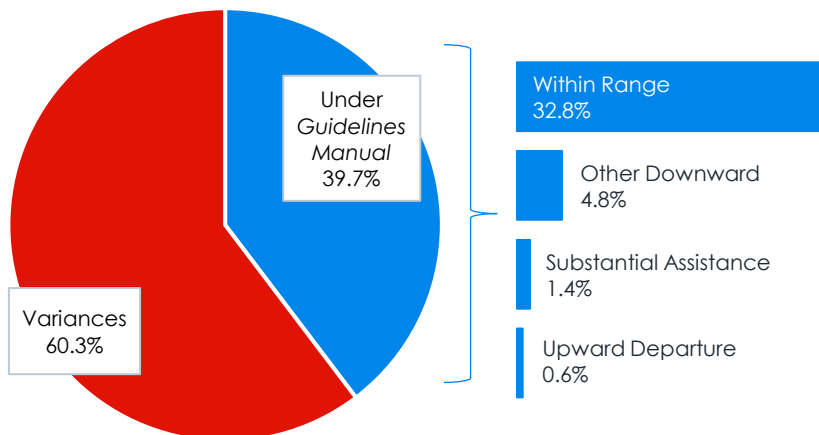
**Sentence Relative to the Guideline Range (%)**



**Average Guideline Minimum and Average Sentence (months)**



**Sentence Imposed Relative to the Guideline Range FY 2021**



<sup>1</sup> Child pornography offenders are those convicted of Trafficking in Material Involving the Sexual Exploitation of a Minor; Receiving, Transporting, Shipping, or Advertising Material Involving the Sexual Exploitation of a Minor; Possessing Material Involving the Sexual Exploitation of a Minor with Intent to Traffic; Possessing Material Involving the Sexual Exploitation of a Minor (§2G2.2). It does not include cases where offenders are convicted of Production of Child Pornography (§2G2.1).

<sup>2</sup> Cases with incomplete sentencing information were excluded from the analysis. Cases that do not meet logical criteria were also excluded.

<sup>3</sup> Offenders convicted of Trafficking in Material Involving the Sexual Exploitation of a Minor and Receiving, Transporting, Shipping, or Advertising Material Involving the Sexual Exploitation of a Minor are subject to a five-year mandatory minimum penalty, or 15 years with a prior conviction for sexual abuse or child pornography.

<sup>4</sup> Offenders convicted of Possessing Material Involving the Sexual Exploitation of a Minor (§2G2.2) are subject to a ten-year mandatory minimum penalty with a prior conviction for sexual abuse or child pornography.