



Quick Facts

▶ THERE WERE 67,742 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2016.

▶ OF THESE CASES, 272 INVOLVED COUNTERFEITING BEARER OBLIGATIONS OF THE UNITED STATES.¹

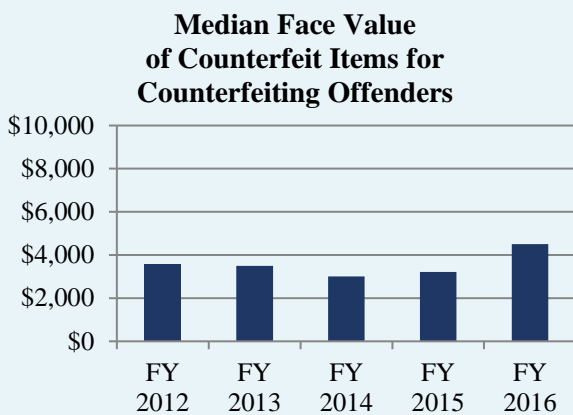
▶ THESE OFFENDERS WERE SENTENCED UNDER SECTION 2B5.1 OF THE U.S. SENTENCING COMMISSION'S *GUIDELINES MANUAL*.

Counterfeiting Offenses¹



Top Five Districts Counterfeiting Offenders FY 2016

Middle District of Florida (N=33)
District of South Carolina (N=26)
Southern District of Florida (N=17)
Eastern District of Texas (N=12)
Eastern District of Tennessee (N=10)



In fiscal year 2016, there were 272 counterfeiting offenders, who accounted for 0.4%² of all offenders sentenced under the guidelines. The number of counterfeiting offenders has decreased during the last five years.

Offender and Offense Characteristics

- In fiscal year 2016, the majority of counterfeiting offenders were male (72.1%).
- White offenders accounted for the largest group (44.9%) of counterfeiting offenders followed by Black (38.6%), Hispanic (14.0%), and Other Races (2.6%).
- The average age of these offenders at sentencing was 35 years.
- Nearly all counterfeiting offenders were United States citizens (92.3%).
- The most common Criminal History Category for counterfeiting offenders was Category I (27.6%). The proportion of these offenders in other Criminal History Categories was as follows:
 - ◆ 9.6% were in Category II;
 - ◆ 16.2% were in Category III;
 - ◆ 15.4% were in Category IV;
 - ◆ 9.9% were in Category V; and
 - ◆ 21.3% were in Category VI.
- The median face value of counterfeit items for these offenses was \$4,500.³
 - ◆ 84.9% of counterfeiting offenses involved items with a face value of \$40,000 or less.
 - ◆ 57.6% of counterfeiting offenses involved items with a face value of \$6,500 or less.
- Sentences for counterfeiting offenders were increased for:
 - ◆ 52.9% of offenders for manufacturing or producing counterfeit obligations or possessing counterfeiting paper, altered currency paper, or a counterfeit deterrent.
 - ◆ 3.3% of offenders for possessing a firearm or other dangerous weapon in connection with the offense.
 - ◆ 7.0% of offenders for committing any part of the offense outside of the United States.
 - ◆ 7.4% of offenders for having a leadership or supervisory role in the offense.
 - ◆ 1.8% of offenders for obstructing or impeding the administration of justice.
- Sentences for counterfeiting offenders were decreased for:
 - ◆ 3.0% of offenders because they were a minor or minimal participant in the offense.

¹ Counterfeiting offenses include cases with complete guideline application information in which the offender was sentenced under USSG §2B5.1 (Offenses Involving Counterfeit Bearer Obligations of the United States) using a *Guidelines Manual* in effect on November 1, 2001 or later.

² Of the 67,742 offenders sentenced in fiscal year 2016, 5,784 were excluded from this analysis due to incomplete guideline application information.

³ The Loss Table was amended effective November 1, 2015.

Quick Facts

Counterfeiting Offenses¹

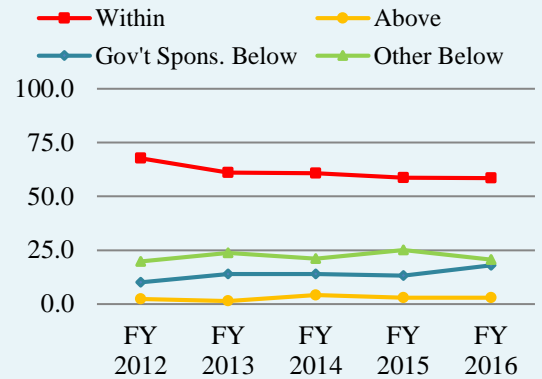
Punishment

- The majority of counterfeiting offenders were sentenced to imprisonment (83.5%).
- The average sentence length for counterfeiting offenders was 18 months.

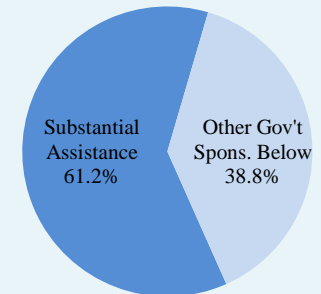
Sentences Relative to the Guideline Range

- In each of the past five years, more than half of counterfeiting offenders were sentenced within the guideline range. In fiscal year 2016, 58.5% of counterfeiting offenders were sentenced within the guideline range.
- In each of the past five years, approximately ten to 18 percent of counterfeiting offenders received a sentence below the applicable guideline range because the government sponsored the below range sentence.
 - ◆ Substantial assistance departures were granted in approximately six to 11 percent of counterfeiting cases in each of the past five years.
 - ◇ The average reduction for these offenders was 57.2% during the five year time period (which corresponds to an average reduction of ten months).
 - ◆ Other government sponsored departures were granted in approximately three to seven percent of counterfeiting cases in each of the past five years.
 - ◇ The average reduction for these offenders was 52.9% during the five year time period (which corresponds to an average reduction of 11 months).
- The rate of non-government sponsored below range sentences were granted in approximately 20 to 25 percent in each of the past five years.
 - ◆ The average reduction for these offenders was 54.5% during the five year time period (which corresponds to an average reduction of ten months).
- Both the average sentence and the average guideline minimum for counterfeiting offenders have increased slightly during the last five years.
 - ◆ The average guideline minimum increased from 17 to 21 months during that time period;
 - ◆ The average sentence imposed increased from 15 to 18 months during that time period.

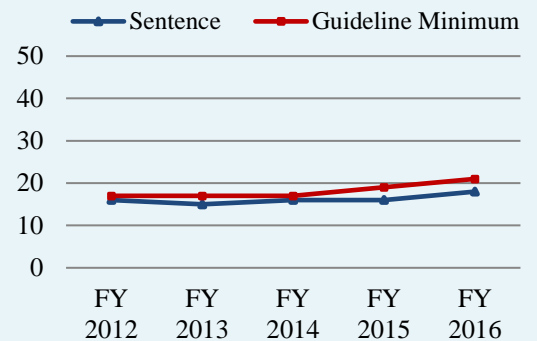
Sentence Relative to the Guideline Range



Government Sponsored Below Range Sentences FY 2016



Average Sentence and Average Guideline Minimum (in months)



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SOURCE: United States Sentencing Commission Datafiles, 2012 through 2016, USSCFY12-USSCFY16.



One Columbus Circle, N.E.
Suite 2-500, South Lobby
Washington, DC 20002-8002
T: (202) 502-4500
F: (202) 502-4699
www.uscc.gov
[@theusccgov](https://twitter.com/theusccgov)