



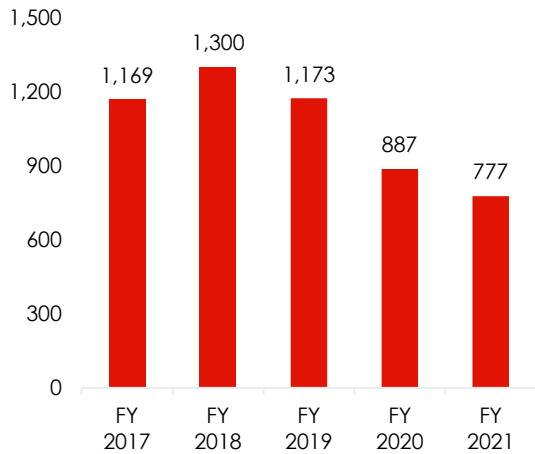
# Quick Facts

## — Credit Card & Other Financial Instrument Fraud Offenses —

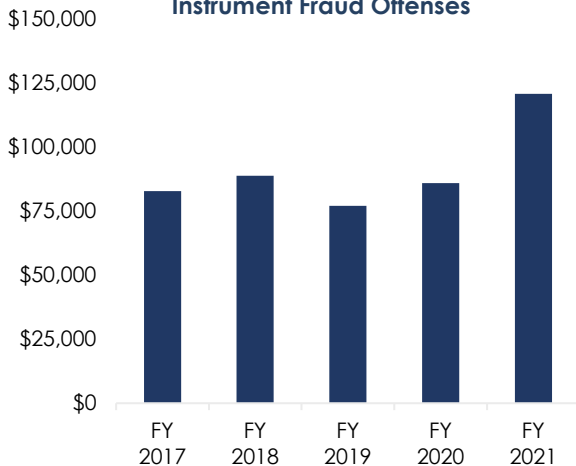
### Fiscal Year 2021

- ▶ IN FY 2021, 57,287 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.
- ▶ 4,235 OF THESE INVOLVED THEFT, PROPERTY DESTRUCTION, AND FRAUD.
- ▶ 18.6% OF THEFT, PROPERTY DESTRUCTION, AND FRAUD OFFENSES INVOLVED CREDIT CARD AND OTHER FINANCIAL INSTRUMENT FRAUD.<sup>1, 2, 3</sup>
- ▶ CREDIT CARD AND OTHER FINANCIAL INSTRUMENT FRAUD HAS DECREASED BY 33.5% SINCE FY 2017.

**Number of Credit Card and Other Financial Instrument Fraud Offenders**



**Median Loss for Credit Card and Other Financial Instrument Fraud Offenses**



### Offender and Offense Characteristics

- 77.5% of credit card and other financial instrument offenders were men.
- 42.2% were Black, 32.6% were White, 17.9% were Hispanic, and 7.3% were Other races.
- Their average age was 38 years.
- 81.2% were United States citizens.
- 49.9% had little or no prior criminal history (Criminal History Category I).
- The median loss for these offenses was \$120,689;<sup>4</sup>
  - ◆ 12.6% involved loss amounts of \$15,000 or less;
  - ◆ 19.8% involved loss amounts greater than \$550,000.
- Sentences were increased for:
  - ◆ the number of victims or the extent of harm to victims (47.9%);<sup>5</sup>
  - ◆ using sophisticated means to execute or conceal the offense (20.6%);
  - ◆ using an unauthorized means of identification (41.6%);
  - ◆ deriving more than \$1 million in gross receipts from or substantially jeopardizing the safety and soundness of a financial institution (2.2%);
  - ◆ a leadership or supervisory role in the offense (13.6%);
  - ◆ abusing a public position of trust or using a special skill (5.4%);
  - ◆ obstructing or impeding the administration of justice (3.5%).
- Sentences were decreased for:
  - ◆ minor or minimal participation in the offense (6.3%).
- The top five districts for credit card and other financial instrument fraud offenders were:
  - ◆ Central District of California (64);
  - ◆ Southern District of New York (49);
  - ◆ District of New Jersey (40);
  - ◆ Middle District of Florida (33);
  - ◆ Eastern District of Pennsylvania (32).

### Punishment

- The average sentence for credit card and other financial instrument fraud offenders was 27 months.
- 92.2% were sentenced to prison.
- 23.0% were convicted of an offense carrying a mandatory minimum penalty; of those offenders, 24.6% were relieved of that penalty.

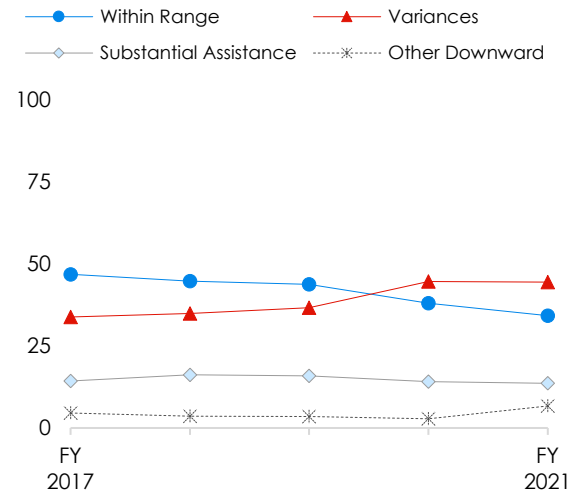


— Credit Card & Other Financial Instrument Fraud Offenses —

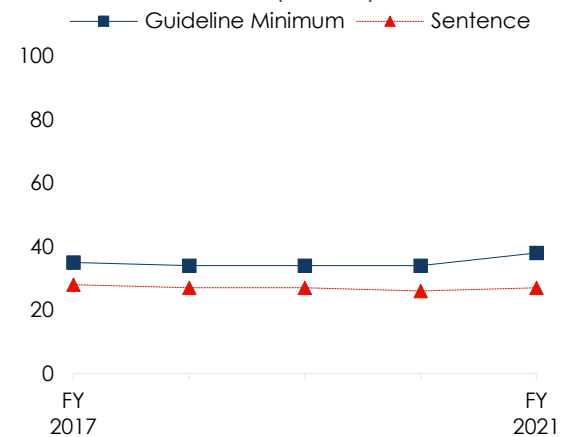
**Sentences Relative to the Guideline Range**

- Of the 55.6% of credit card and other financial instrument fraud offenders sentenced under the *Guidelines Manual*:
  - ◆ 61.6% were sentenced within the guideline range.
  - ◆ 24.5% received a substantial assistance departure.
    - ◇ Their average sentence reduction was 61.8%.
  - ◆ 12.0% received some other downward departure.
    - ◇ Their average sentence reduction was 51.0%.
- 44.4% received a variance; of those offenders:
  - ◆ 95.4% received a downward variance.
    - ◇ Their average sentence reduction was 53.2%.
  - ◆ 4.6% received an upward variance.
    - ◇ Their average sentence increase was 69.9%.
- The average guideline minimum and average sentence imposed remained steady over the past five years.
  - ◆ The average guideline minimum increased from 35 months in fiscal year 2017 to 38 months in fiscal year 2021.
  - ◆ The average sentence imposed decreased from 28 months in fiscal year 2017 to 27 months in fiscal year 2021.

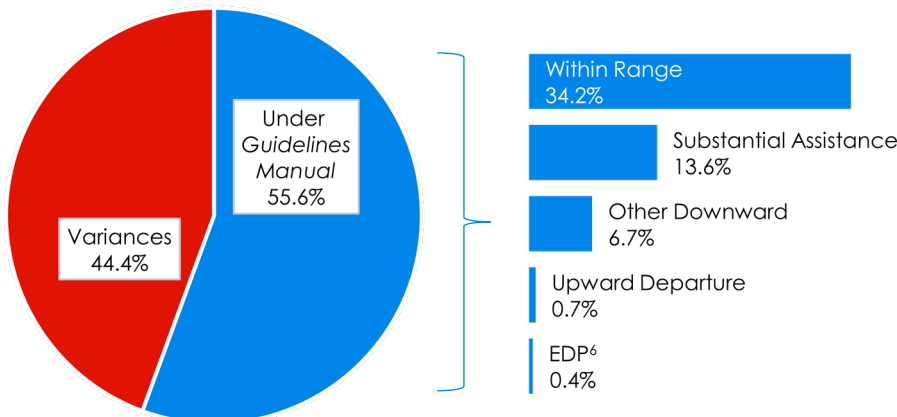
**Sentence Relative to the Guideline Range (%)**



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



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



<sup>1</sup> Cases with incomplete sentencing information were excluded from the analysis.

<sup>2</sup> Theft, property destruction, and fraud offenses include cases with complete guideline application information in which the offender was sentenced under §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit Bearer Obligations of the United States) using a *Guidelines Manual* in effect on November 1, 2001 or later. See [www.ussc.gov/research/quick-facts](http://www.ussc.gov/research/quick-facts) for the *Quick Facts* on §2B1.1 offenders.

<sup>3</sup> Credit card and other financial instrument fraud includes cases where the offense conduct as described in the Presentence Report involved fraudulent activity involving credit cards, debit cards, checks, bank accounts, or non-mortgage loans. Prior to fiscal year 2020, credit card fraud was a stand-alone category. Beginning in FY2020, credit card fraud is combined with other offenses involving financial instruments, resulting in a larger category of offenses. Therefore, previous *Quick Facts* for credit card offenses are not comparable to the category of offenses reported in this publication.

<sup>4</sup> The Loss Table was amended effective November 1, 2001 and November 1, 2015.

<sup>5</sup> The Victims Table and Sophisticated Means adjustment were amended effective November 1, 2015.

<sup>6</sup> "Early Disposition Program (or EDP) departures" are departures where the government sought a sentence below the guideline range because the defendant participated in the government's Early Disposition Program, through which cases are resolved in an expedited manner. See USSG §5K3.1.