



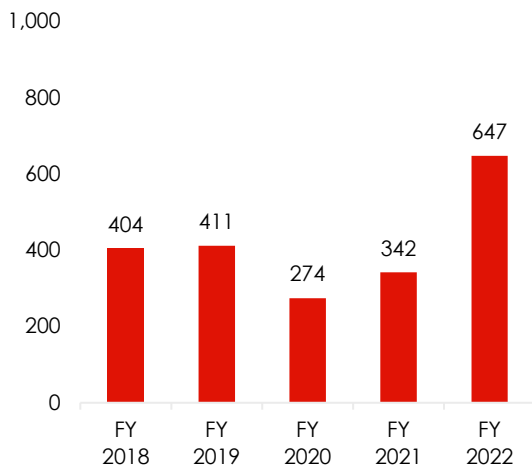
Quick Facts

— Government Benefits Fraud Offenses —

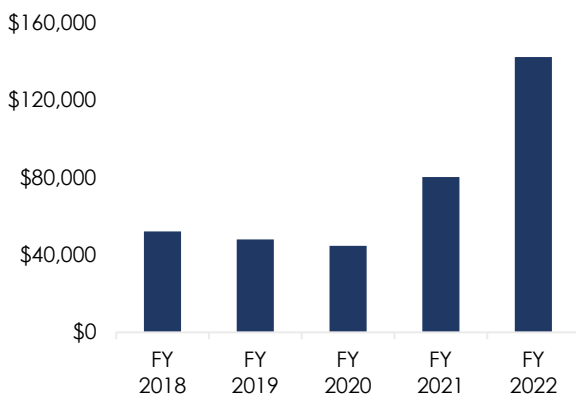
Fiscal Year 2022

- ▶ IN FY 2022, 64,142 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.
- ▶ 5,208 OF THESE INVOLVED THEFT, PROPERTY DESTRUCTION, AND FRAUD.
- ▶ 12.6% OF THEFT, PROPERTY DESTRUCTION, AND FRAUD OFFENSES INVOLVED GOVERNMENT BENEFITS FRAUD.^{1, 2, 3}
- ▶ GOVERNMENT BENEFITS FRAUD HAS INCREASED BY 60.1% SINCE FY 2018.

Number of Government Benefits Fraud Offenders



Median Loss for Government Benefits Fraud Offenses



Offender and Offense Characteristics

- 61.2% of government benefits fraud offenders were men.
- 45.7% were Black, 35.9% were White, 13.9% were Hispanic, and 4.5% were Other races.
- Their average age was 43 years.
- 90.1% were United States citizens.
- 64.9% had little or no prior criminal history (Criminal History Category I).
- The median loss for these offenses was \$142,487;⁴
 - ◆ 3.5% involved loss amounts of \$0;
 - ◆ 27.0% involved loss amounts greater than \$550,000.
- Sentences were increased for:
 - ◆ the number of victims or the extent of harm to victims (10.8%);⁵
 - ◆ using sophisticated means to execute or conceal the offense (9.4%);
 - ◆ using an unauthorized means of identification (15.2%);
 - ◆ fraud or theft in connection with a major disaster or emergency (11.1%);
 - ◆ a leadership or supervisory role in the offense (8.4%);
 - ◆ abusing a public position of trust or using a special skill (3.6%);
 - ◆ obstructing or impeding the administration of justice (5.1%).
- Sentences were decreased for:
 - ◆ minor or minimal participation in the offense (4.5%).
- The top five districts for government benefits fraud offenders were:
 - ◆ Southern District of Florida (55);
 - ◆ Western District of Pennsylvania (38);
 - ◆ Eastern District of Virginia (33);
 - ◆ District of Massachusetts (27);
 - ◆ Western District of Virginia (25).

Punishment

- The average sentence for government benefits fraud offenders was 19 months.
- 73.4% were sentenced to prison.
- 7.3% were convicted of an offense carrying a mandatory minimum penalty; of those offenders, 12.8% were relieved of that penalty.

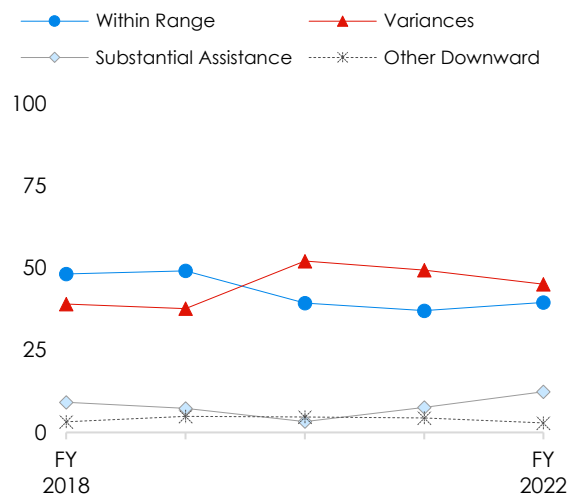


— Government Benefits Fraud Offenses —

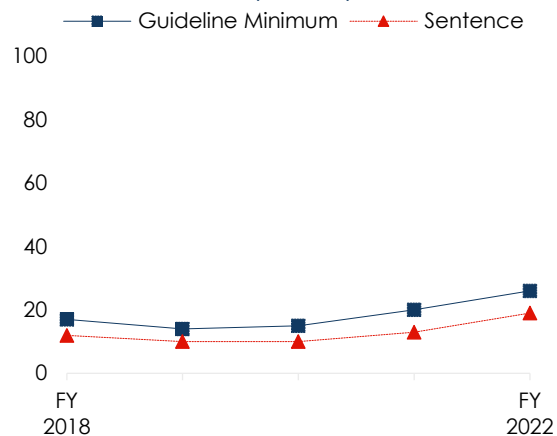
Sentences Relative to the Guideline Range

- Of the 54.9% of government benefits fraud offenders sentenced under the *Guidelines Manual*:
 - ◆ 72.1% were sentenced within the guideline range.
 - ◆ 22.5% received a substantial assistance departure.
 - ◇ Their average sentence reduction was 60.0%.
 - ◆ 5.4% received some other downward departure.
 - ◇ Their average sentence reduction was 51.8%.
- 45.1% received a variance; of those offenders:
 - ◆ 96.2% received a downward variance.
 - ◇ Their average sentence reduction was 59.7%.
 - ◆ 3.8% received an upward variance.
 - ◇ Their average sentence increase was 58.9%.
- The average guideline minimum increased while the average sentence imposed fluctuated over the past five years.
 - ◆ The average guideline minimum increased from 17 months in fiscal year 2018 to 26 months in fiscal year 2022.
 - ◆ The average sentence imposed increased and decreased throughout the fiscal years. The average sentence imposed was 12 months in fiscal year 2018 and 19 months in fiscal year 2022.

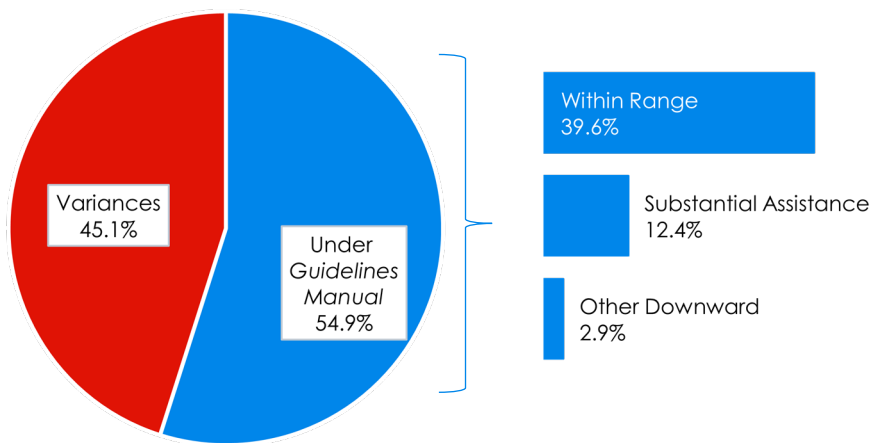
Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



Sentence Imposed Relative to the Guideline Range FY 2022



¹ Cases with incomplete sentencing information were excluded from the analysis.

² 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 for the Quick Facts on §2B1.1 offenders.

³ Government benefits fraud includes cases where the offense conduct as described in the Presentence Report involved a false claim to the federal or state government involving assistance programs from federal agencies.

⁴ The Loss Table was amended effective November 1, 2001 and November 1, 2015.

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