

Sentencing Disparities

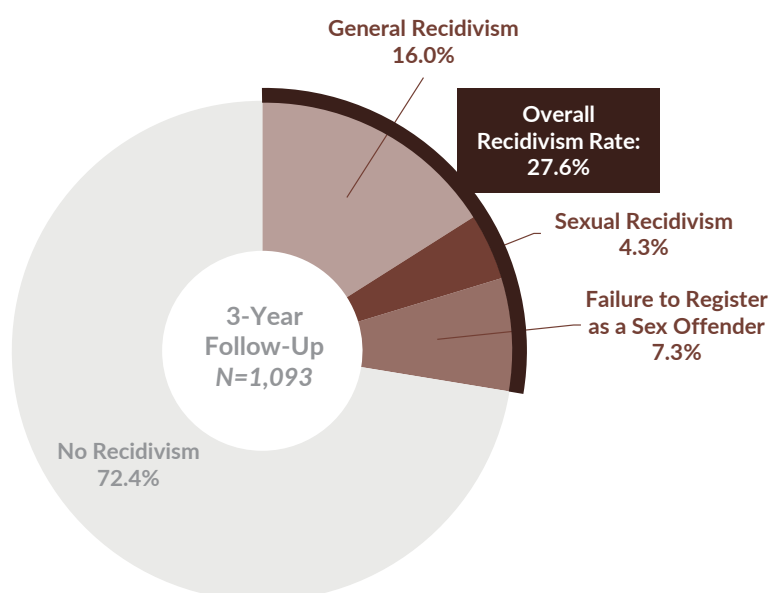
As courts contend with the outdated statutory and guideline structure, sentencing disparities among similarly situated offenders have become increasingly pervasive:

POSSESSION OFFENDERS
Probation - 228 months

RECEIPT OFFENDERS
37 - 180 months

DISTRIBUTION OFFENDERS
<1 - 240 months

Recidivism

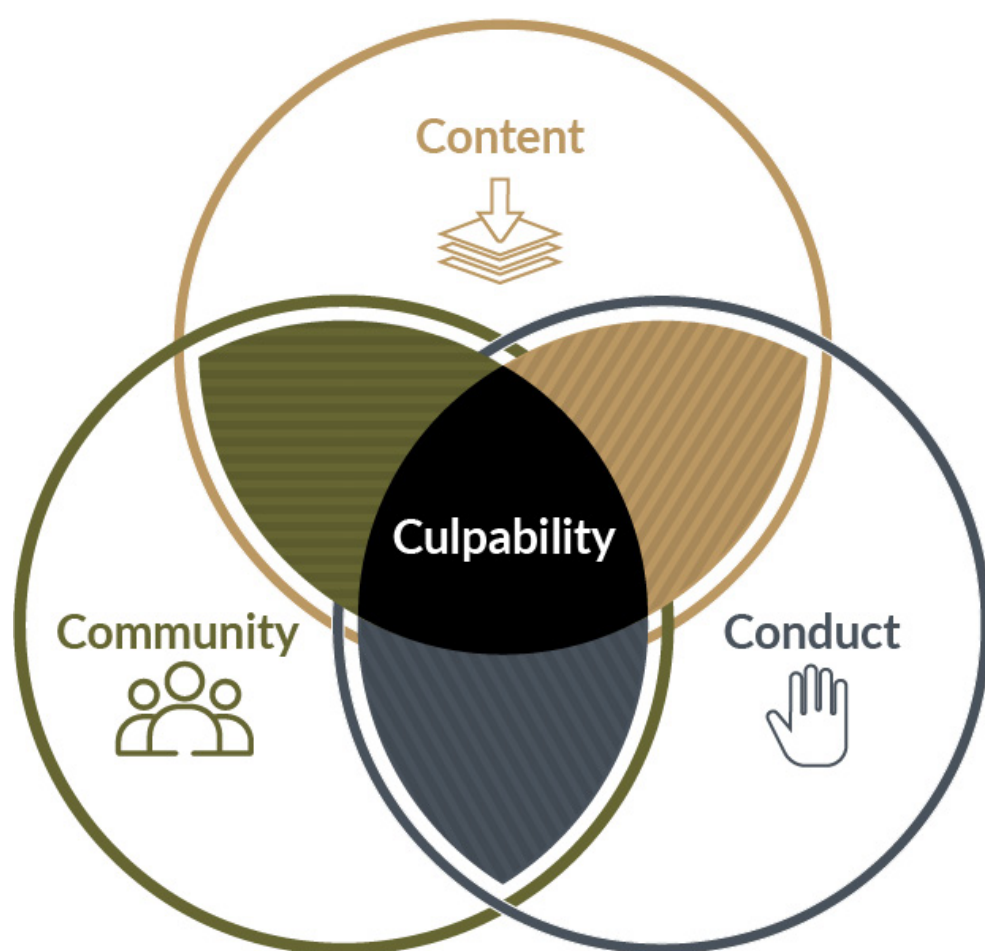


When tracking 1,093 non-production offenders released from incarceration or placed on probation in 2015, **27.6% were rearrested within three years.**

Of the 1,093 offenders, 4.3 percent (47 offenders) were rearrested for a sex offense within three years.

Eighty-eight offenders (8.1% of the 1,093) failed to register as a sex offender during the three-year period.

USSC recommends that three factors be considered when imposing sentences in non-production child pornography cases:



Content of the offenders' collection

Over half (52%) of non-production child pornography offenses included **images or videos of infants and toddlers.**

Some offenders possessed and distributed **millions of images and videos.**



Community degree of involvement with other offenders, particularly online

More than **40%** of non-production offenders participated in an **online child pornography community.**



Conduct engagement in sexually abusive or exploitative conduct in addition to pornography offense

Nearly half (48%) of non-production child pornography offenders engaged in **aggravating sexual conduct** prior to, or concurrently with, the instant non-production child pornography offense.

Read the Commission's reports on Federal Sentencing of Child Pornography Non-Production and Production Offenses at ussc.gov.

