



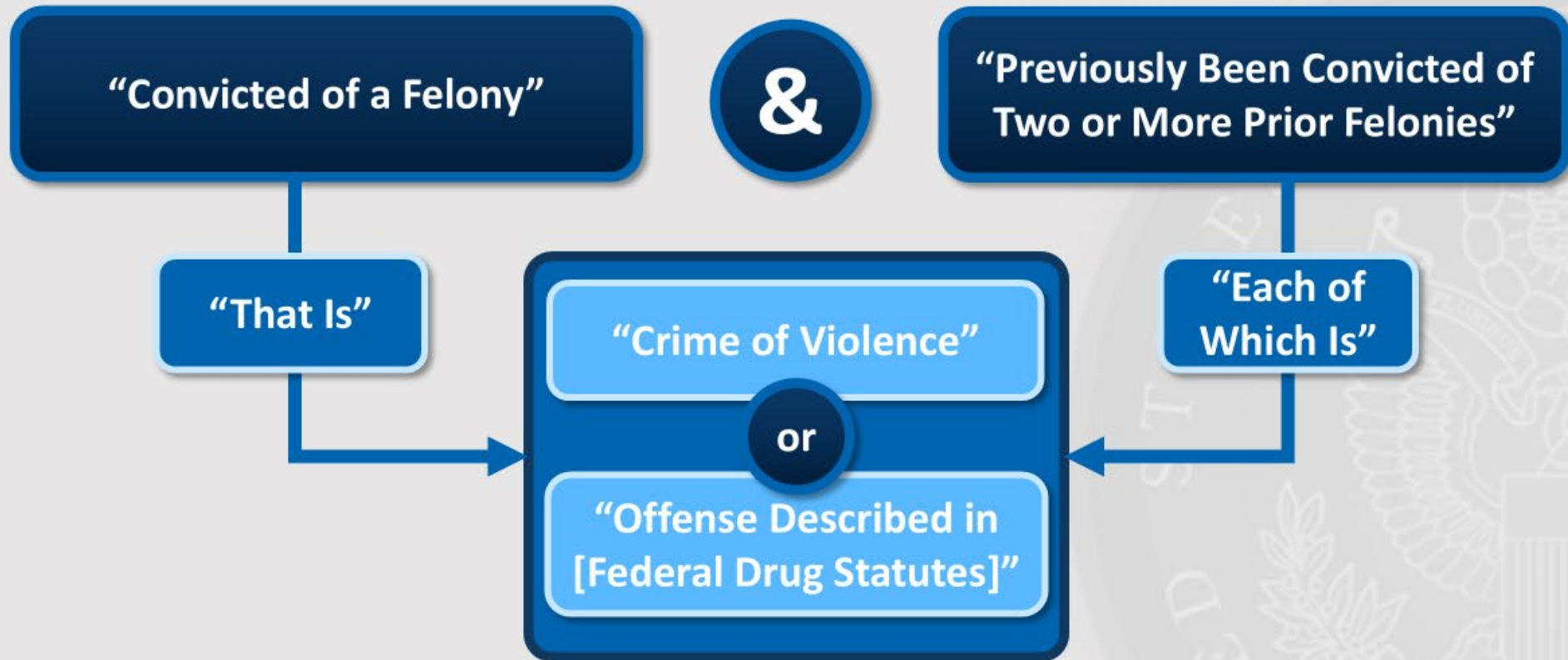
Proposed Amendment on Individuals Sentenced under §4B1.1 Career Offender

Public Data Briefing

Career Offender Directive

28 U.S.C. § 994(h)

“The Commission shall assure that the guidelines specify a sentence . . . at or near the [statutory] maximum” when an adult is:



Career Offender Guideline

U.S.S.G. §4B1.1(a)

An enhancement under §4B1.1 applies if:

- 1 the defendant was at least eighteen years old at the time the defendant committed the instant offense of conviction;
- 2 the instant offense of conviction is a felony that is either a crime of violence or a controlled substance offense; and
- 3 the defendant has at least two prior felony convictions of either a crime of violence or a controlled substance offense.

Career Offender Guideline

U.S.S.G. §4B1.1(b)

Offense Statutory Maximum	Offense Level
Life	37
25 years or more	34
20 years or more, but less than 25 years	32
15 years or more, but less than 20 years	29
10 years or more, but less than 15 years	24
5 years or more, but less than 10 years	17
More than 1 year, but less than 5 years	12

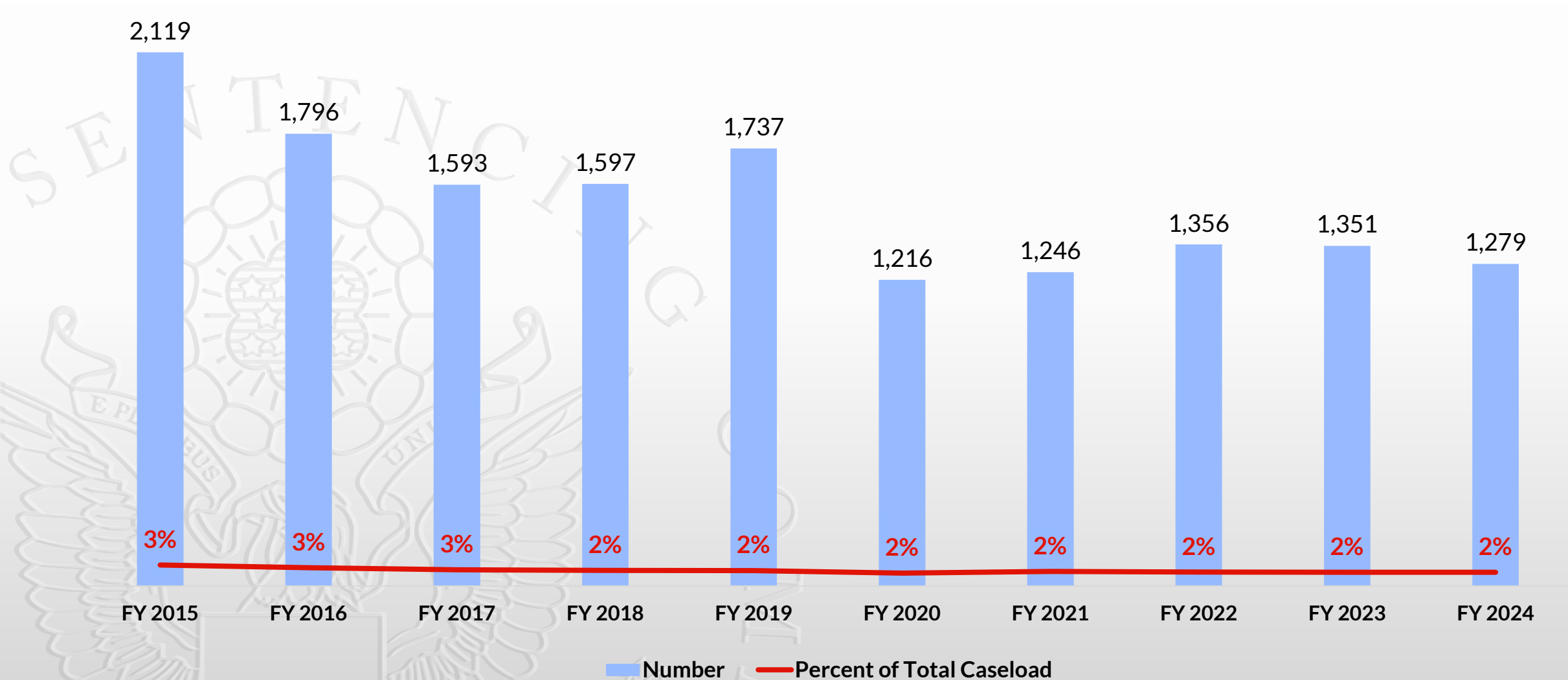
If §4B1.1 applies, the criminal history category shall be Category VI.

Background Data – Fiscal Year 2024



Individuals Sentenced under §4B1.1 Career Offender

Fiscal Years 2015 - 2024



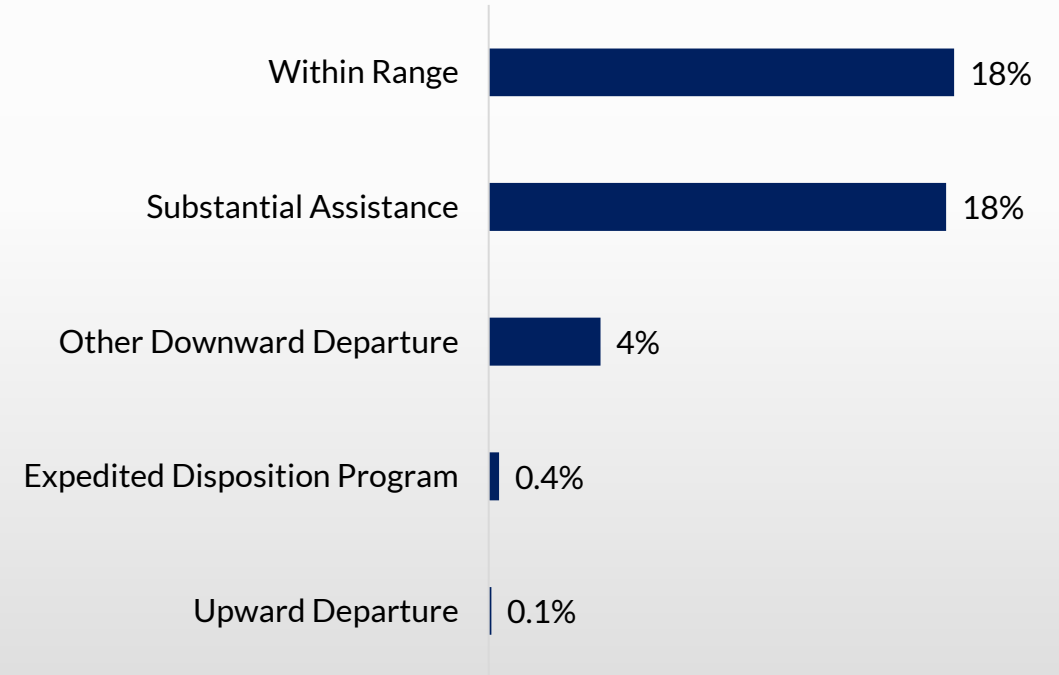
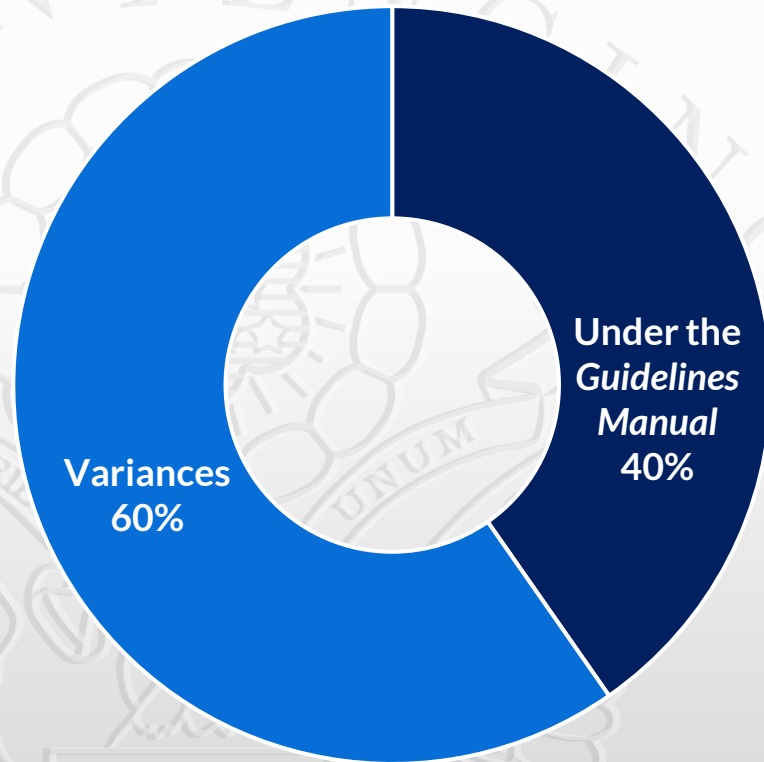
SOURCE: U.S. Sentencing Commission 2015 - 2024 Datafiles, USSCFY15 - USSCFY24.

Demographics of Individuals Sentenced in Fiscal Year 2024

Individual Characteristics	§4B1.1 Career Offender	All Cases
Race		
White	23%	21%
Black	59%	24%
Hispanic	16%	50%
Other	2%	5%
Gender		
Male	96%	87%
Citizenship		
U.S. Citizen	99%	65%

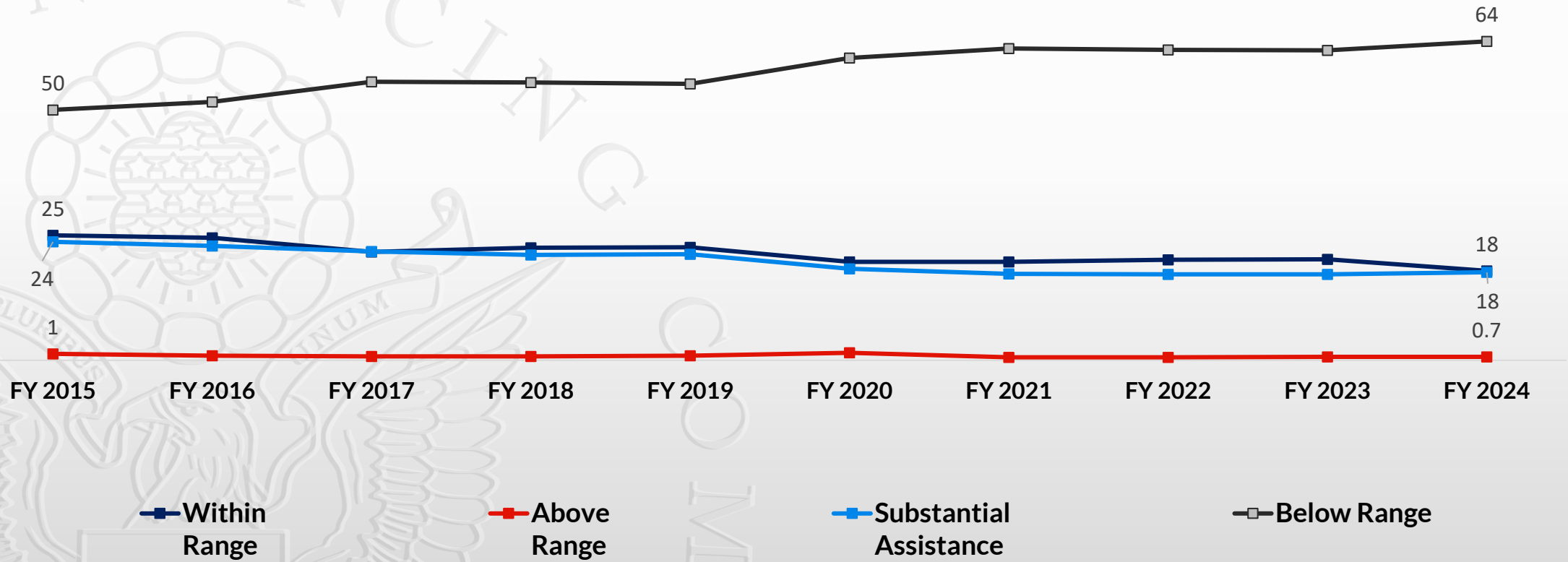


Sentence Imposed Relative to the Guideline Range for Individuals Sentenced under §4B1.1 Career Offender Fiscal Year 2024

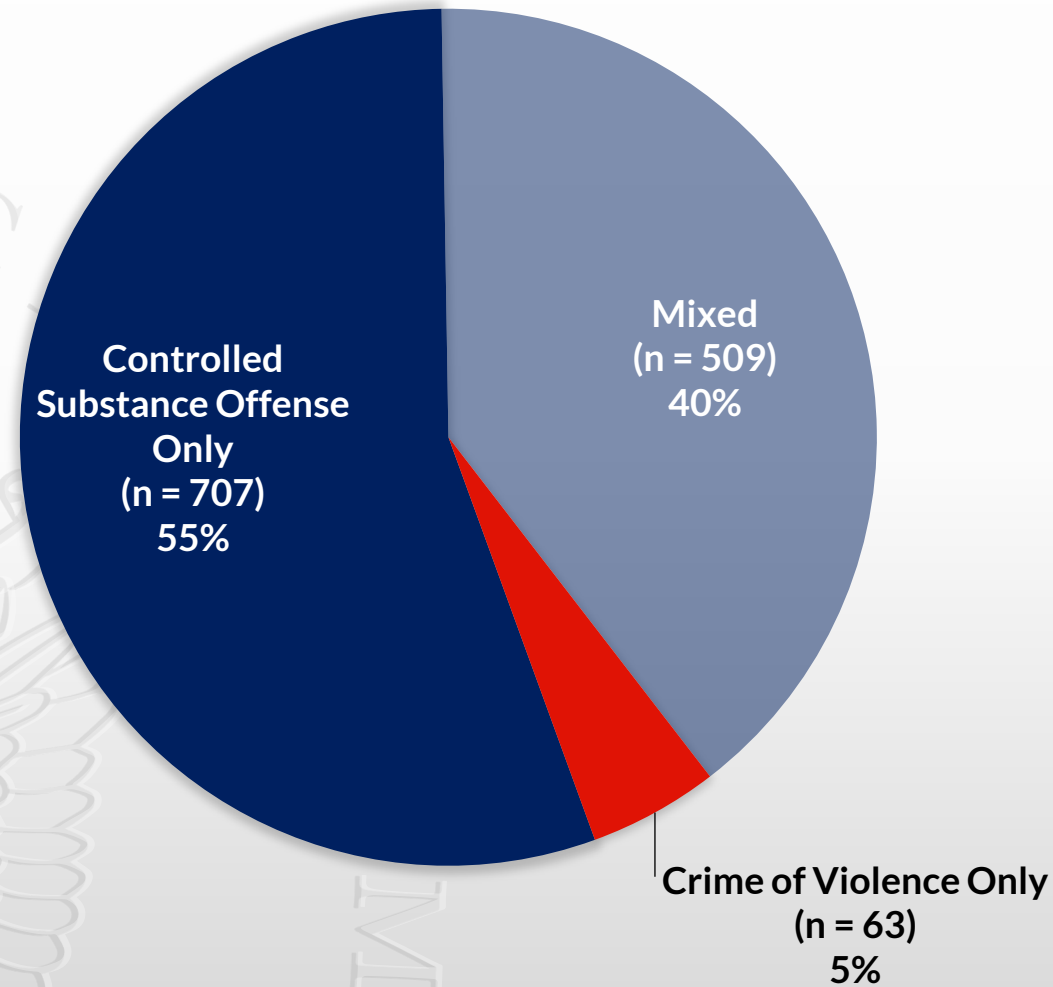


Sentence Imposed Relative to the Guideline Range for Individuals Sentenced under §4B1.1 Career Offender

Fiscal Years 2015 - 2024



Pathway to §4B1.1 Career Offender Fiscal Year 2024



Recidivism Analysis

Individuals Sentenced under §4B1.1 Career Offender Released in 2015

	Rearrest Rate	Time to Rearrest	Most Common and Serious Substantive Offense
§4B1.1 Pathway			
Controlled Substance	49%	20 months	Drug Trafficking
Violent	57%	10 months	Robbery
Mixed	53%	22 months	Assault
Mixed (Controlled Substance Instant)	50%	23 months	Assault
Mixed (Violent Instant)	69%	21 months	Assault

Proposed Amendment

1

Crime of Violence Definition

2

Controlled Substance Offense Definition

Proposed Amendment

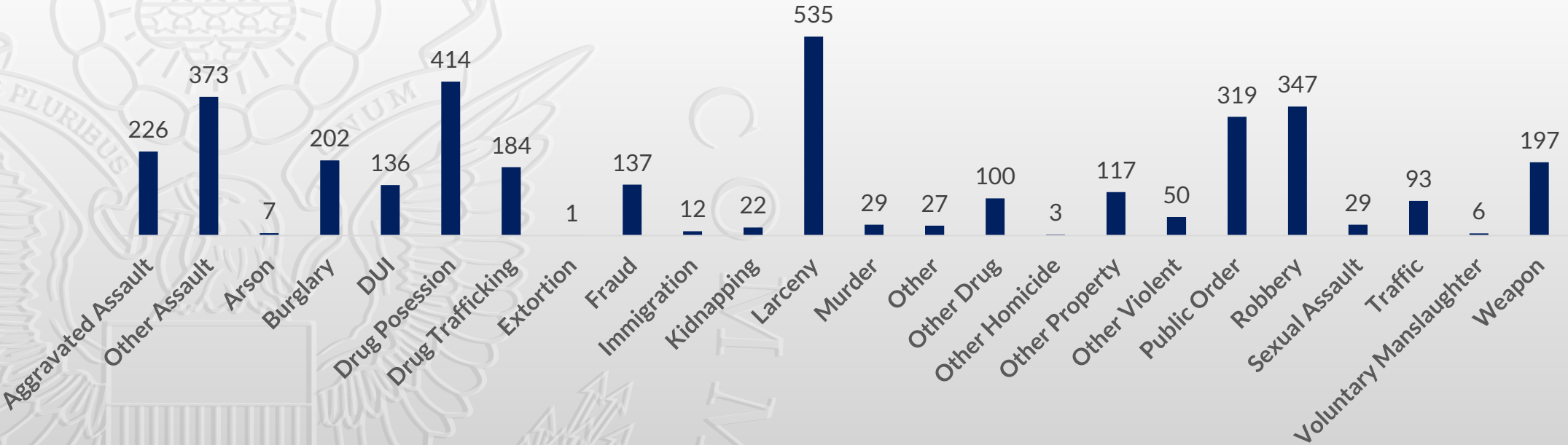
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Crime of Violence Definition

Individuals with Instant Convictions for Listed Federal Statutes in Proposed Crime of Violence Amendment Fiscal Year 2024

Individuals Sentenced in Fiscal Year 2024	61,678
Total Individuals with Instant Conviction for at Least One Crime of Violence Statute	1,650

Distribution of Prior Offenses Scored under §4A1.1

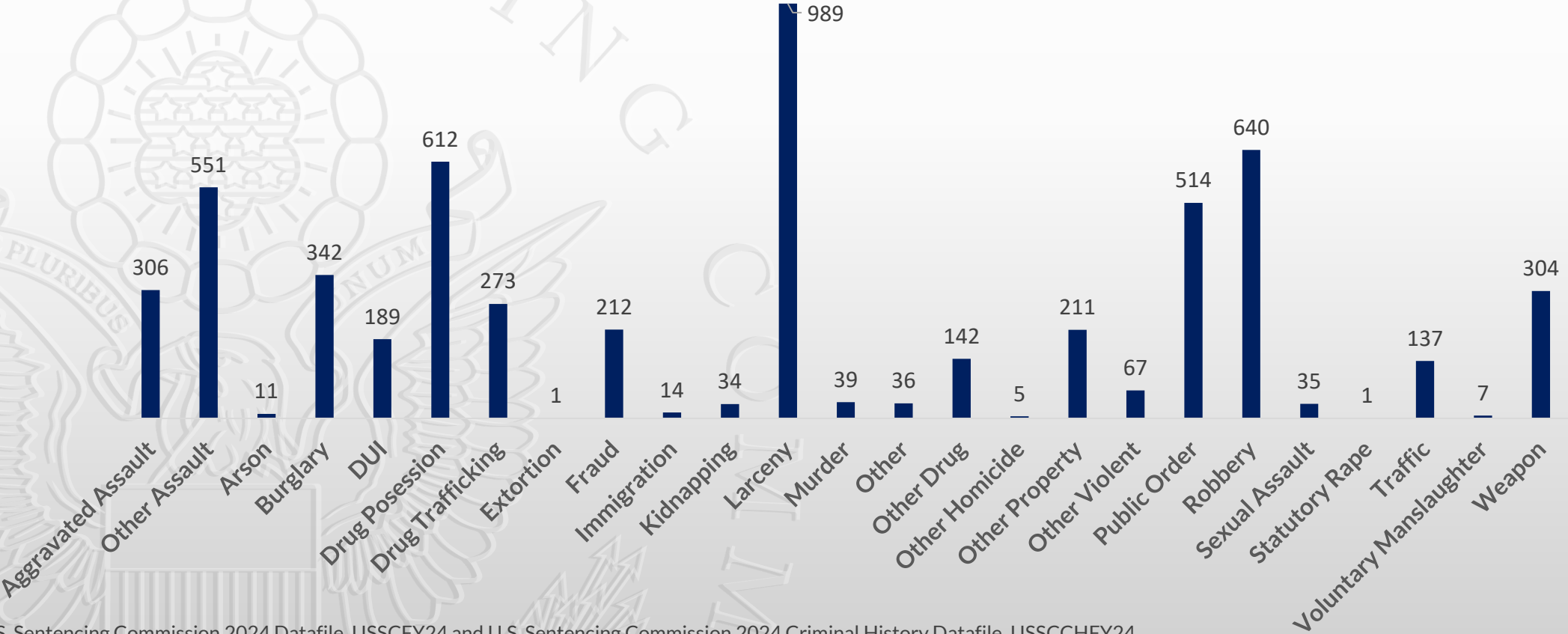


SOURCE: U.S. Sentencing Commission 2024 Datafile, USSCFY24 and U.S. Sentencing Commission 2024 Criminal History Datafile, USSCCHFY24

Individuals With Instant Convictions for Expanded List of Federal Statutes in Proposed Crime of Violence Amendment Fiscal Year 2024

Individuals Sentenced in Fiscal Year 2024	61,678
Total Individuals with Instant Conviction for at Least One Crime of Violence Statute	2,342

Distribution of Prior Offenses Scored under §4A1.1



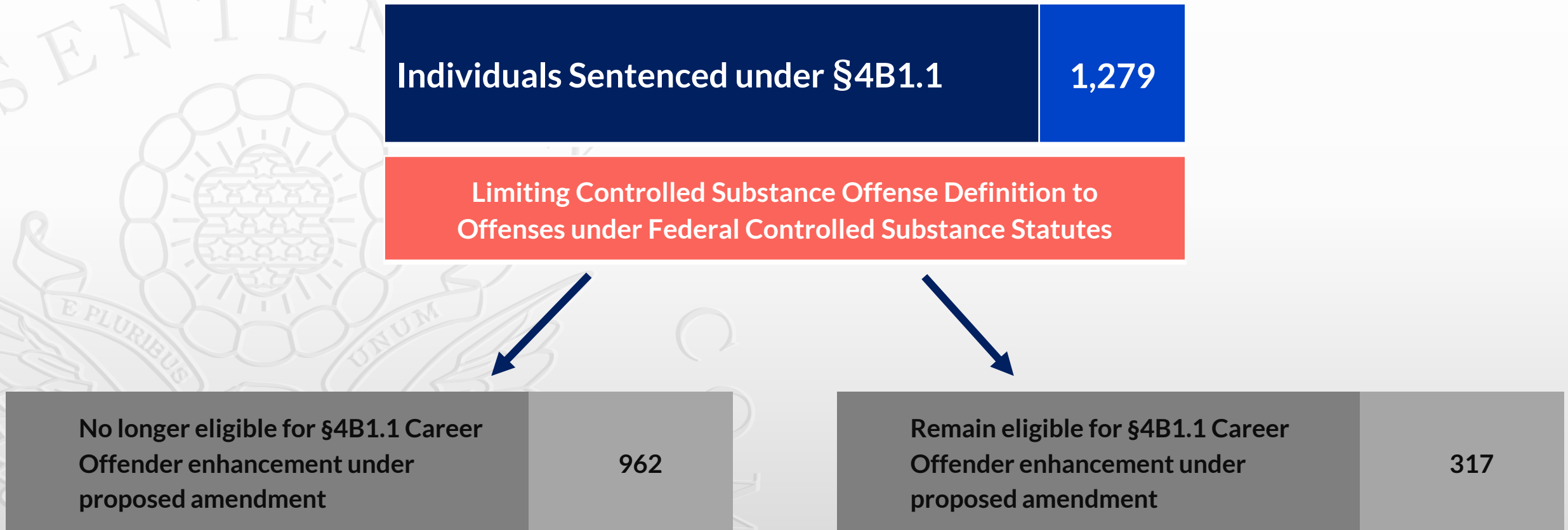
SOURCE: U.S. Sentencing Commission 2024 Datafile, USSCFY24 and U.S. Sentencing Commission 2024 Criminal History Datafile, USSCCHFY24

Proposed Amendment

2

Controlled Substance Offense Definition

Impact of Proposed Controlled Substance Offense Amendment Option 1 on Individuals Sentenced under §4B1.1 Fiscal Year 2024



Impact of Proposed Controlled Substance Offense Amendment Option 2 on Individuals Sentenced under §4B1.1 Fiscal Year 2024

Individuals Sentenced under §4B1.1

1,279

Limiting Controlled Substance Offense Definition to
Offenses Counted Separately under §4A1.1(a)

No longer eligible for §4B1.1 Career
Offender enhancement under
proposed amendment

471

Remain eligible for §4B1.1 Career
Offender enhancement under
proposed amendment

808

Other Resources



ussc.gov

1

Report to Congress (2016)

2

Quick Facts

3

Categorical Approach Primer



The Commission is accepting public comment on this proposal through March 18, 2026.

comment.ussc.gov

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