



# QuickFacts

## Federal Offenders in Prison<sup>1</sup>

### Population Snapshot

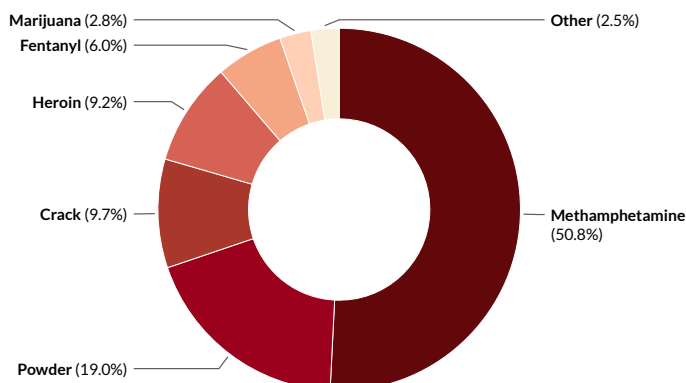
**158,949 offenders**  
incarcerated in the Federal BOP  
as of January 2023

**139,803**  
serving a sentence for  
a federal conviction<sup>2</sup>

### Most Common Crime Type<sup>3</sup>

Crime Type	Number of Offenders
Drug Trafficking	65,975
Firearms	20,863
Robbery	9,253
Sexual Abuse	8,832
Child Pornography	7,815
Immigration	7,018
Fraud	5,162
Murder	4,101
Money Laundering	2,960
Other	6,677

### Most Common Drug Type Trafficked<sup>4</sup>



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### Offender and Offense Characteristics

88.8% of offenders in federal prison were sentenced within the past ten years; 68.2% were sentenced within the past five years.

92.9% are men.

34.6% are Black, 31.8% are Hispanic, 29.5% are White, and 4.1% are Other races.

Their average age is 41 years;

- 21.8% are 50 years or older;
- 6.8% are 60 years or older.

84.4% are United States citizens.

30.0% have little or no prior criminal history (Criminal History Category I);

- 9.6% are CHC II;
- 15.3% are CHC III;
- 12.0% are CHC IV;
- 9.2% are CHC V;
- 23.9% are CHC VI.

90.3% pleaded guilty.

Among fraud offenders in federal prison the median loss amount is \$988,462.

29.7% are serving a sentence for an offense involving a weapon:

- 12.7% were convicted of possessing, brandishing, or discharging a firearm under 18 U.S.C. § 924(c);
- 15.0% received a weapon enhancement under the guidelines;<sup>5</sup>
- 2.0% were convicted under 18 U.S.C. § 924(c) and received a weapon enhancement under the guidelines.

Sentences were increased for:

- qualifying as a career offender or armed career criminal (12.3%);
- a leadership or supervisory role in the offense (10.9%).

Sentences were decreased for:

- acceptance of responsibility (87.6%);
- minor or minimal participation in the offense (4.0%).



# QuickFacts

## Federal Offenders in Prison

### Punishment

The average guideline minimum for offenders in federal prison was 165 months. The average length of imprisonment imposed was 145 months.

97.8% were also sentenced to serve a period of supervision after release from prison.

61.9% were convicted of an offense carrying a mandatory minimum penalty; of those offenders, 23.3% were relieved of that penalty.

1.3% received a sentence reduction under Rule 35(b)—providing substantial assistance after sentencing.

### Sentences Relative to the Guideline Range

97.8% of offenders in federal prison were sentenced after the *United States v. Booker* decision, which changed the sentencing guidelines from mandatory to advisory.<sup>6</sup>

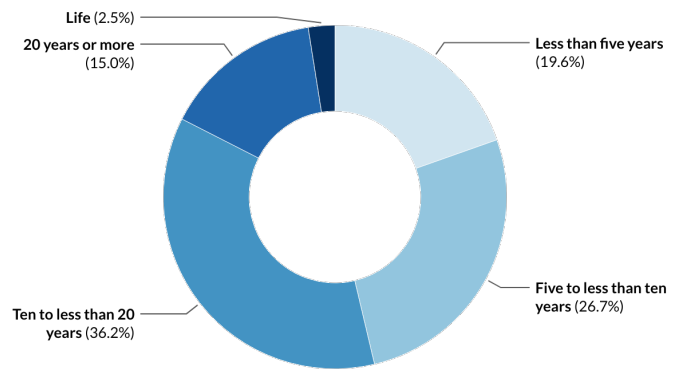
Of the 65.9% of offenders sentenced under the *Guidelines Manual*:

- 70.3% were sentenced within the guideline range.
- 17.4% received a substantial assistance departure.
  - Their average sentence reduction was 36.6%.
- 6.6% received some other downward departure.
  - Their average sentence reduction was 28.6%.
- 4.0% received an Early Disposition Program (EDP) departure.<sup>7</sup>
  - Their average sentence reduction was 43.0%.

34.1% received a variance; of those offenders:

- 89.4% received a downward variance.
  - Their average sentence reduction was 26.4%.
- 10.6% received an upward variance.
  - Their average sentence increase was 60.5%.

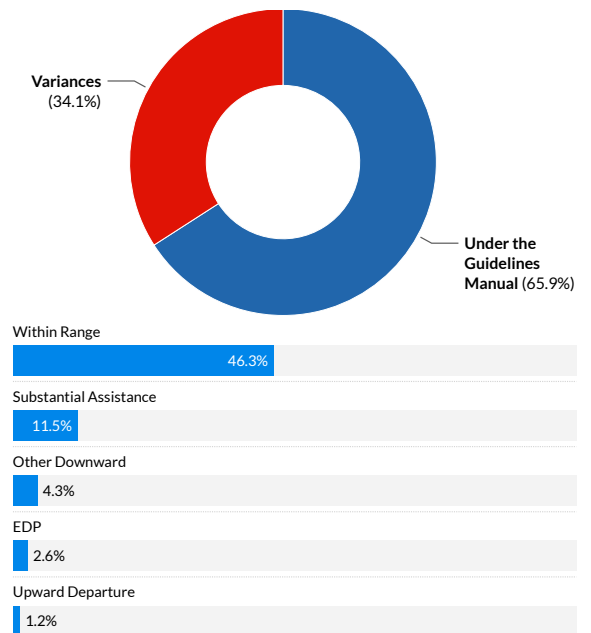
### Length of Imprisonment



### Types of Relief from the Mandatory Minimum Penalty

Type of Relief	Percent
Substantial Assistance	12.1%
Safety Valve	9.0%
Both	2.2%

### Sentences Imposed Relative to the Guideline Range



SOURCE: U.S. Sentencing Commission, FY 1991 through FY 2022 Datafiles, USSCFY91-USSCFY22, and Preliminary Data from FY 2023, USSCFY23.

<sup>1</sup> Offenders in the custody of the Federal Bureau of Prisons as of January 28, 2023.

<sup>2</sup> Commission records could be matched to 138,702 of these offenders and were used for this analysis. Another 19,146 offenders in BOP custody are pre-trial offenders, offenders sentenced in the courts of the District of Columbia, or military offenders.

<sup>3</sup> Cases with incomplete sentencing information were excluded from the analysis.

<sup>4</sup> The 'Fentanyl' category includes both Fentanyl (N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyll] Propanamide) and Fentanyl Analogue.

<sup>5</sup> See e.g., USSG §2D1.1(b)(1). This enhancement applies if the weapon is present, unless it is clearly improbable that the weapon was connected to the offense. The government is not required to prove that the offender personally possessed the weapon.

<sup>6</sup> *United States v. Booker*, 543 U.S. 220 (2005) was decided on January 12, 2005.

<sup>7</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.