



# Quick Facts

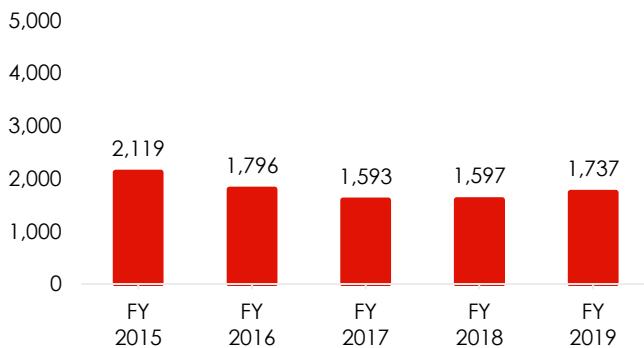


## — Career Offenders —

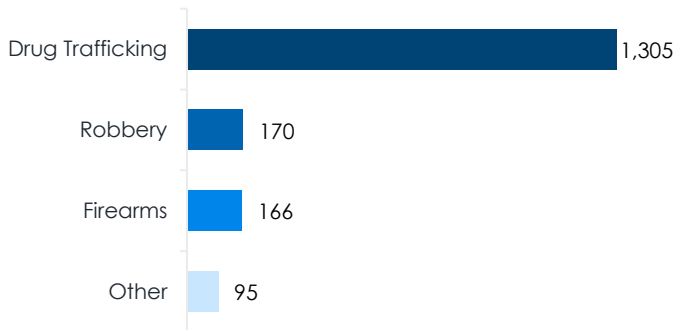
### Fiscal Year 2019

- ▶ IN FY 2019, 76,538 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.
- ▶ 1,737 INVOLVED CAREER OFFENDERS.<sup>1</sup>
- ▶ IN 91.7% OF CASES, THE CAREER OFFENDER STATUS INCREASED THE GUIDELINE RANGE.

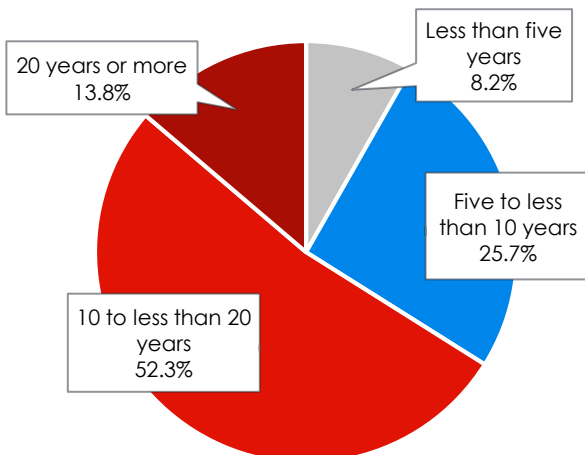
Number of Career Offenders



Most Common Guidelines for Career Offenders



Sentence Length of Career Offenders



### What is a Career Offender?

A career offender is someone who commits a crime of violence or a controlled substance offense after two prior felony convictions for those crimes. The sentencing guidelines assign all career offenders to Criminal History Category (CHC) VI and to offense levels at or near the statutory maximum penalty of the offense of conviction.<sup>2</sup>

### Offender and Offense Characteristics

- 96.7% of career offenders were men.
- 61.4% of career offenders were Black, 22.4% were White, 13.8% were Hispanic, and 2.3% were Other races.
- Their average age was 39 years.
- 97.9% were United States citizens.
- 41.4% would not change from CHC VI if the career offender provision had not been applied;
  - ◆ 0.2% would have been CHC II;
  - ◆ 10.6% would have been CHC III;
  - ◆ 23.3% would have been CHC IV;
  - ◆ 24.5% would have been CHC V.
- The top five districts for career offenders were:
  - ◆ Southern District of New York (82);
  - ◆ District of Maryland (81);
  - ◆ Middle District of Florida (57);
  - ◆ Southern District of Iowa (53);
  - ◆ Southern District of Florida (51).

### Punishment

- The average sentence for career offenders was 152 months.
- 99.7% were sentenced to prison.
- 59.0% were convicted of an offense carrying a mandatory minimum penalty.

### Impact of Career Offender Status<sup>3</sup>

- 47.6% of career offenders had an increase in both Final Offense Level (FOL) and CHC.
  - ◆ Their average FOL increased from 23 to 31 and the average CHC increased from IV to VI.
- 33.9% of career offenders had an increase in just the FOL.
  - ◆ Their average FOL increased from 23 to 31.
- 10.2% of career offenders had an increase in just the CHC.
  - ◆ Their average CHC increased from IV to VI.
- 8.3% of career offenders had no increase in FOL or CHC.

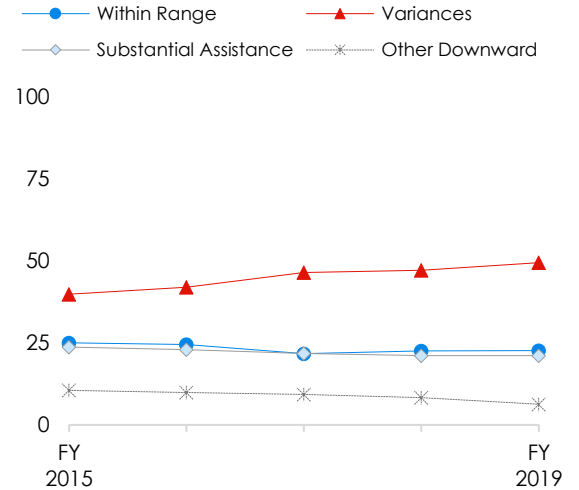


— Career Offenders —

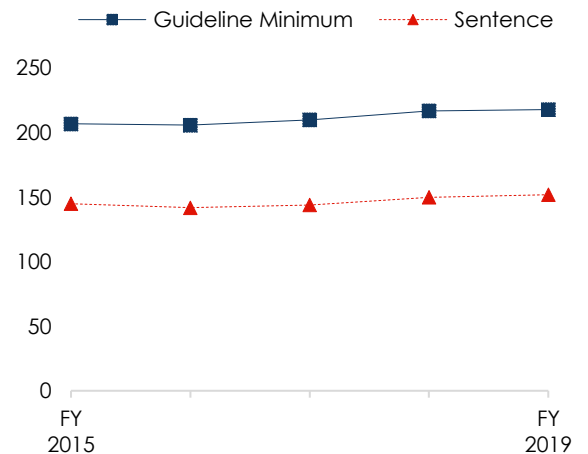
**Sentences Relative to the Guideline Range**

- Of the 50.6% of career offenders sentenced under the *Guidelines Manual*:
  - 44.7% were sentenced within the guideline range.
  - 41.8% received a substantial assistance departure.
    - Their average sentence reduction was 47.7%.
  - 12.4% received some other downward departure.
    - Their average sentence reduction was 45.4%.
  - 0.8% received an Early Disposition Program (EDP) departure.<sup>4</sup>
    - Their average sentence reduction was 52.0%.
- 49.4% received a variance; of those offenders:
  - 98.6% received a below range variance.
    - Their average sentence reduction was 38.0%.
  - 1.4% received an above range variance.
    - Their average sentence increase was 15.7%.
- The average guideline minimum and average sentence imposed has increased over the past five years.
  - The average guideline minimum increased from 207 months in fiscal year 2015 to 218 months in fiscal year 2019.
  - The average sentence imposed increased from 145 months in fiscal year 2015 to 152 months in fiscal year 2019.

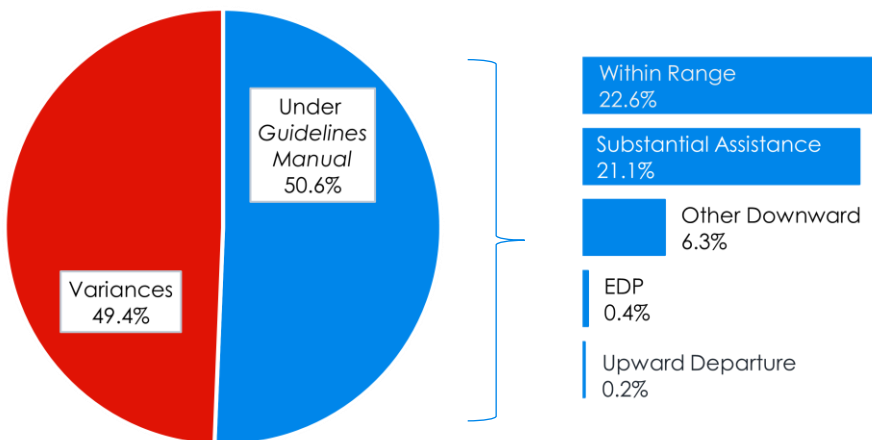
**Sentence Relative to the Guideline Range (%)**



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



**Sentence Imposed Relative to the Guideline Range FY 2019**



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

2 In some cases, a state offense classified under state law as a misdemeanor (e.g., in Iowa, Massachusetts, and Michigan) is considered a felony in determining career offender status. For more information, see USSG §4B1.1.

3 Cases missing Ch. 2 guideline data and cases in which §4B1.1(c) applied were excluded for this part of the analysis. Cases where both §4B1.1 and §4B1.4 (Armed Career Criminal) applied were assigned to the provision with the higher offense level.

4 "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.