



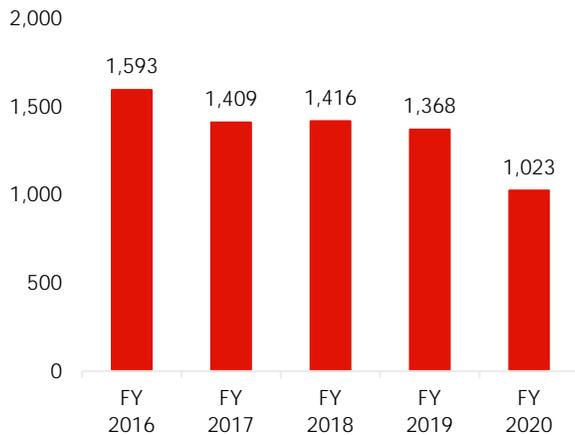
# Quick Facts

— Child Pornography Offenders —

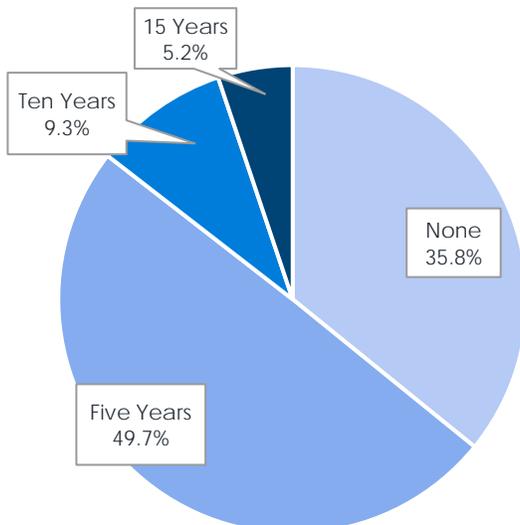
## Fiscal Year 2020

- ▶ IN FY 2020, 64,565 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.
- ▶ 1,023 OF THESE INVOLVED CHILD PORNOGRAPHY.<sup>1</sup>
- ▶ CHILD PORNOGRAPHY OFFENSES HAVE DECREASED BY 35.8% SINCE FY 2016.

Number of Child Pornography Offenders



Length of Mandatory Minimum Penalties for Child Pornography Offenders FY 2020



## Offender and Offense Characteristics<sup>2</sup>

- 45.1% of child pornography offenders were sentenced for possessing child pornography; 41.9% were sentenced for trafficking child pornography; 13.0% were sentenced for receiving child pornography.
- 99.7% of child pornography offenders were men.
- 81.3% were White, 12.2% were Hispanic, 4.0% were Black, and 2.5% were Other races.
- Their average age was 42 years.
- 96.8% were United States citizens.
- 72.9% had little or no prior criminal history (Criminal History Category I);
  - ◆ 9.0% were CHC II;
  - ◆ 11.5% were CHC III;
  - ◆ 3.9% were CHC IV;
  - ◆ 1.8% were CHC V;
  - ◆ 0.9% were CHC VI.
- The top six districts for child pornography offenders were:
  - ◆ Western District of Missouri (42);
  - ◆ Western District of New York (33);
  - ◆ Middle District of Florida (31);
  - ◆ Southern District of Texas (31);
  - ◆ Western District of Texas (30);
  - ◆ Eastern District of Virginia (30).

## Punishment

- 99.3% of child pornography offenders were sentenced to prison; their average sentence was 102 months.
- The average sentence for offenders convicted of trafficking in child pornography was 133 months<sup>3</sup>:
  - ◆ 90.5% of these offenders were convicted of an offense carrying a five-year mandatory minimum penalty; their average sentence was 121 months.
  - ◆ 9.5% had a prior sexual abuse or child pornography conviction and were subject to a 15-year mandatory minimum penalty; their average sentence was 250 months.
- The average sentence for offenders convicted of receiving child pornography was 95 months:
  - ◆ 90.1% of offenders sentenced for receiving child pornography were convicted of an offense carrying a five-year mandatory minimum penalty; their average sentence was 83 months.
  - ◆ 9.9% had a prior sexual abuse or child pornography conviction and were subject to a 15-year mandatory minimum penalty; their average sentence was 202 months.



— Child Pornography Offenders —

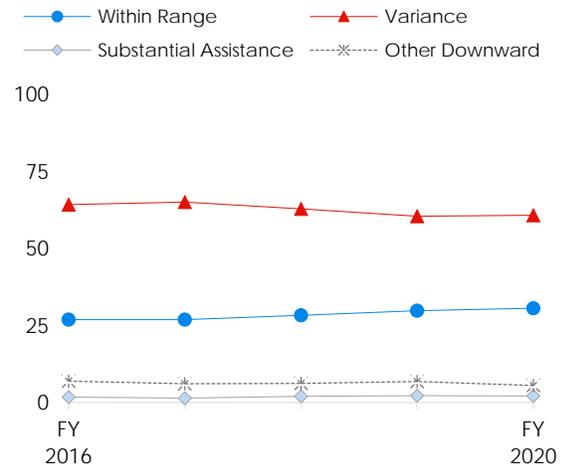
**Punishment (continued)**

- The average sentence for offenders convicted of possessing child pornography was 74 months<sup>4</sup>:
  - 79.5% of offenders were convicted of an offense not carrying a mandatory minimum penalty; their average sentence was 61 months.
  - 20.5% had a prior sexual abuse or child pornography conviction and were subject to a ten-year mandatory minimum penalty; their average sentence was 125 months.

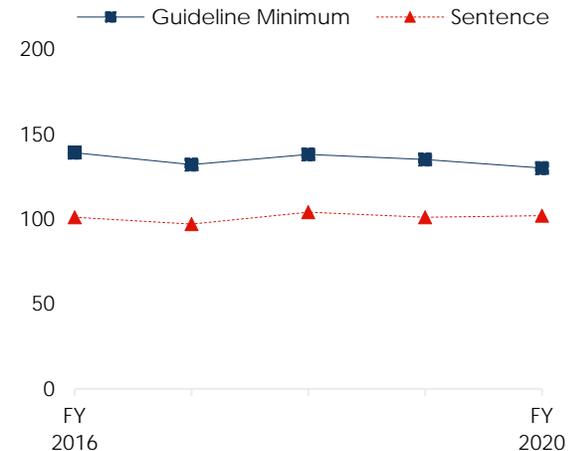
**Sentences Relative to the Guideline Range**

- 39.2% of child pornography offenders were sentenced under the *Guidelines Manual*:
  - 30.6% of all child pornography offenders were sentenced within the guideline range.
  - 5.5% of all child pornography offenders received some other downward departure.
    - Their average sentence reduction was 41.6%.
  - 2.1% of all child pornography offenders received a substantial assistance departure.
    - Their average sentence reduction was 41.4%.
- 60.8% received a variance:
  - 58.5% of all child pornography offenders received a downward variance.
    - Their average sentence reduction was 38.5%.
  - 2.3% of all child pornography offenders received an upward variance.
    - Their average sentence increase was 57.3%.

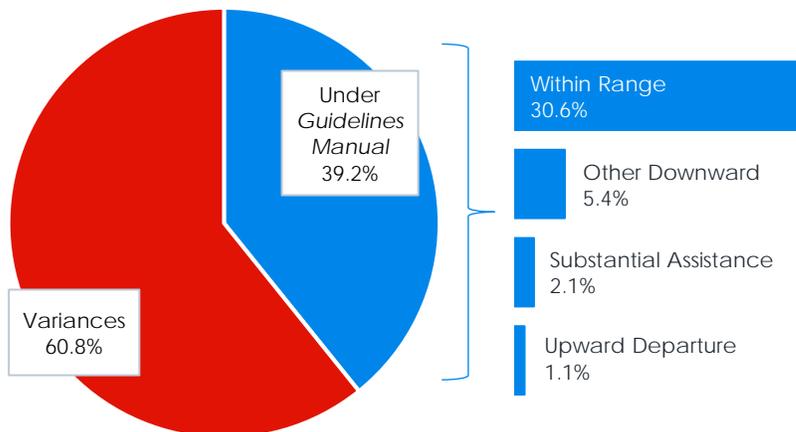
**Sentence Relative to the Guideline Range (%)**



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



**Sentence Imposed Relative to the Guideline Range FY 2020**



<sup>1</sup> Child pornography offenders are those convicted of Trafficking in Material Involving the Sexual Exploitation of a Minor; Receiving, Transporting, Shipping, or Advertising Material Involving the Sexual Exploitation of a Minor; Possessing Material Involving the Sexual Exploitation of a Minor with Intent to Traffic; Possessing Material Involving the Sexual Exploitation of a Minor (§2G2.2). It does not include cases where offenders are convicted of Production of Child Pornography (§2G2.1).

<sup>2</sup> Cases with incomplete sentencing information were excluded from the analysis. Cases that do not meet logical criteria were also excluded.

<sup>3</sup> Offenders convicted of Trafficking in Material Involving the Sexual Exploitation of a Minor and Receiving, Transporting, Shipping, or Advertising Material Involving the Sexual Exploitation of a Minor are subject to a five-year mandatory minimum penalty, or 15 years with a prior conviction for sexual abuse or child pornography.

<sup>4</sup> Offenders convicted of Possessing Material Involving the Sexual Exploitation of a Minor (§2G2.2) are subject to a 10-year mandatory minimum penalty with a prior conviction for sexual abuse or child pornography.