



Quick Facts

— Child Pornography Offenders —

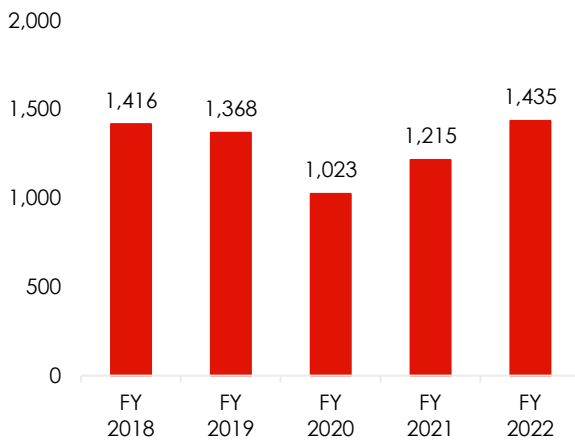
Fiscal Year 2022

▶ IN FY 2022, 64,142 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.

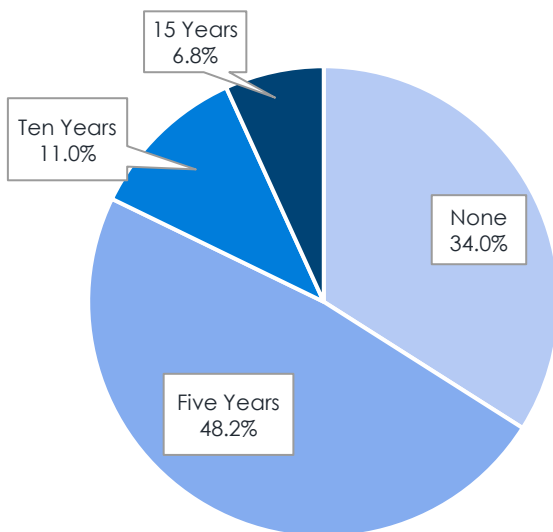
▶ 1,435 OF THESE INVOLVED CHILD PORNOGRAPHY.¹

▶ CHILD PORNOGRAPHY OFFENSES HAVE INCREASED BY 1.3% SINCE FY 2018.

Number of Child Pornography Offenders



Length of Mandatory Minimum Penalties for Child Pornography Offenders FY 2022



Offender and Offense Characteristics²

- 45.0% of child pornography offenders were sentenced for possessing child pornography; 43.9% were sentenced for trafficking child pornography; and 11.1% were sentenced for receiving child pornography.
- 98.9% of child pornography offenders were men.
- 78.1% were White, 12.4% were Hispanic, 6.5% were Black, and 3.0% were Other races.
- Their average age was 41 years.
- 97.5% were United States citizens.
- 71.3% had little or no prior criminal history (Criminal History Category I);
 - ◆ 8.6% were CHC II;
 - ◆ 12.9% were CHC III;
 - ◆ 3.6% were CHC IV;
 - ◆ 1.9% were CHC V;
 - ◆ 1.7% were CHC VI.
- The top five districts for child pornography offenders were:
 - ◆ Eastern District of Missouri (51);
 - ◆ Southern District of Texas (42);
 - ◆ Northern District of Texas (41);
 - ◆ Southern District of Florida (38);
 - ◆ Western District of Missouri (37).

Punishment

- 98.7% of child pornography offenders were sentenced to prison; their average sentence was 110 months.
- The average sentence for offenders convicted of trafficking child pornography was 145 months:³
 - ◆ 88.0% of these offenders were convicted of an offense carrying a five-year mandatory minimum penalty; their average sentence was 135 months.
 - ◆ 12.0% had a prior sexual abuse or child pornography conviction and were subject to a 15-year mandatory minimum penalty; their average sentence was 215 months.
- The average sentence for offenders convicted of receiving child pornography was 101 months:
 - ◆ 86.5% of these offenders were convicted of an offense carrying a five-year mandatory minimum penalty; their average sentence was 89 months.
 - ◆ 13.5% had a prior sexual abuse or child pornography conviction and were subject to a 15-year mandatory minimum penalty; their average sentence was 181 months.



— **Child Pornography Offenders** —

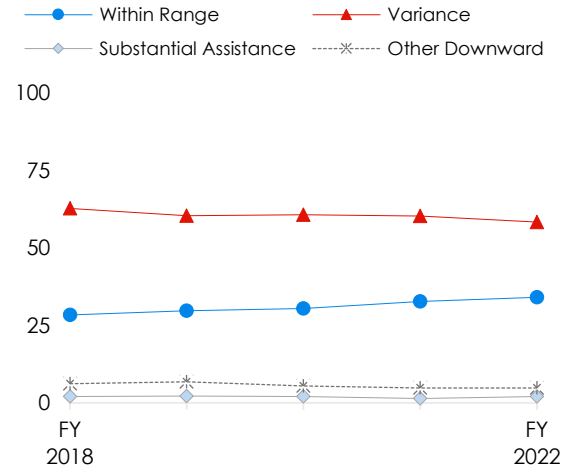
Punishment (continued)

- The average sentence for offenders convicted of possessing child pornography was 78 months:⁴
 - 75.6% of offenders were not convicted of an offense carrying a mandatory minimum penalty; their average sentence was 62 months.
 - 24.4% had a prior sexual abuse or child pornography conviction and were subject to a ten-year mandatory minimum penalty; their average sentence was 130 months.

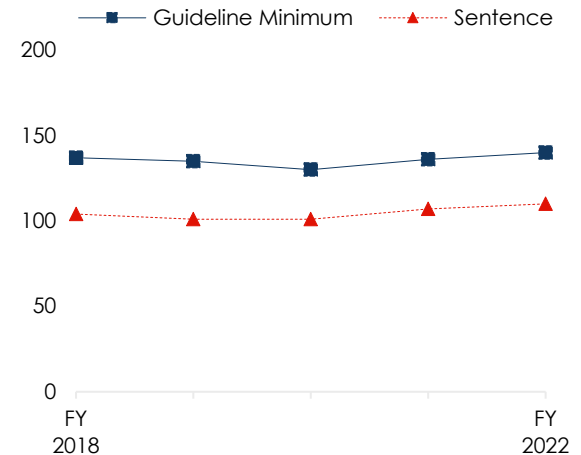
Sentences Relative to the Guideline Range

- 41.6% of child pornography offenders were sentenced under the *Guidelines Manual*:
 - 34.1% of all child pornography offenders were sentenced within the guideline range.
 - 4.8% of all child pornography offenders received some other downward departure.
 - Their average sentence reduction was 40.3%.
 - 2.0% of all child pornography offenders received a substantial assistance departure.
 - Their average sentence reduction was 40.6%.
- 58.4% received a variance:
 - 55.6% of all child pornography offenders received a downward variance.
 - Their average sentence reduction was 40.2%.
 - 2.8% of all child pornography offenders received an upward variance.
 - Their average sentence increase was 34.4%.

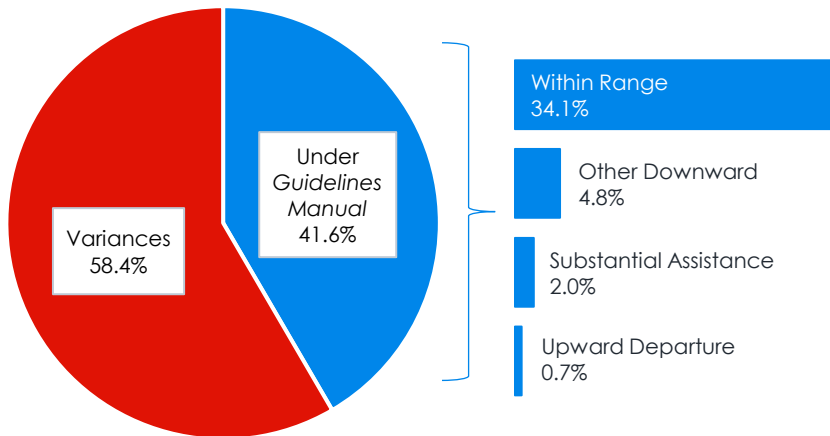
Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



Sentence Imposed Relative to the Guideline Range FY 2022



¹ 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).

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

³ 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.

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