



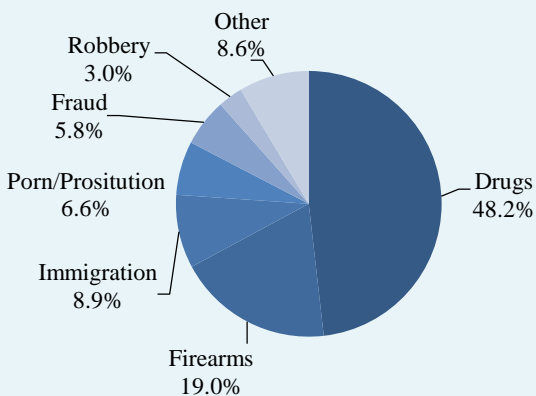
Quick Facts

▶ THERE ARE 195,676 OFFENDERS CURRENTLY INCARCERATED IN THE BUREAU OF PRISONS.¹

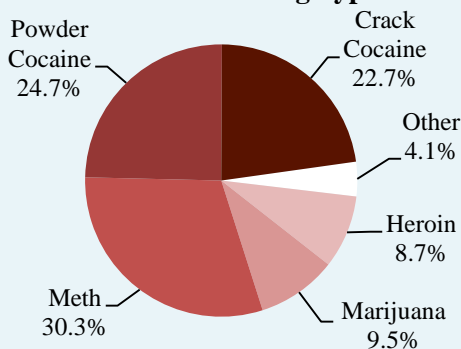
▶ OF THESE OFFENDERS, 172,018 ARE SERVING SENTENCES FOR A FEDERAL CONVICTION.²

Federal Offenders in Prison – March 2016

Federal Offenders in Prison Most Common Offenses



Federal Drug Offenders in Prison Distribution of Drug Types



Offender Characteristics

- A large majority of offenders in the federal prison population are male (93.3%).
- Hispanic offenders make up the largest group of the federal prison population (35.2%), followed by Black offenders (34.4%), White offenders (27.0%), and Other Races (3.5%).
- More than three-quarters (77.9%) of these offenders are United States citizens.
- The average age of incarcerated offenders is 40 years. One in five offenders (20.0%) is 50 or older and 5.9% of all offenders are 60 or older.
- Almost one-third of these offenders (31.5%) have little or no prior criminal history (i.e., are assigned to Criminal History Category I). The proportion of these offenders in other Criminal History Categories is as follows:
 - ◆ 10.5% of these offenders are in Category II;
 - ◆ 15.2% are in Category III;
 - ◆ 10.9% are in Category IV;
 - ◆ 7.7% are in Category V; and
 - ◆ 24.2% are in Category VI.

Offense Characteristics and Sentencing Issues

- The large majority of offenders in the federal prison population were sentenced after the decision in *United States v. Booker*,³ holding that the sentencing guidelines were advisory and not mandatory (92.6%).
- The majority of offenders pleaded guilty (88.5%).
- Nearly one-quarter (23.9%) of all offenders serving a sentence for a federal conviction possessed a firearm or other weapon in connection with their offenses.
 - ◆ 9.6% of offenders were convicted of possessing, brandishing, or discharging a firearm under 18 U.S.C. § 924(c);
 - ◆ 12.7% of offenders received a weapon enhancement under the guidelines;⁴ and
 - ◆ another 1.5% of offenders were convicted under section 924(c) and also received a weapon enhancement under the guidelines.
- The median loss in fraud offenses committed by offenders in the federal prison population was \$750,280.

¹ Offenders in the custody of the Federal Bureau of Prisons on March 27, 2016.

² Commission records could be matched to 168,586 of these offenders and were used for this analysis. Another 23,658 offenders in BOP custody are pre-trial offenders, offenders sentenced in the courts of the District of Columbia, or military offenders.

³ *United States v. Booker*, 543 U.S. 220 (2005), was decided on January 12, 2005.

⁴ 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.

Quick Facts

Federal Offenders in Prison – March 2016

Offense Characteristics and Sentencing Issues (cont.)

- Sentences were increased for:
 - ◆ 16.4% of offenders because they qualified as a career offender or armed career criminal;
 - ◆ 11.9% of offenders for having a leadership or supervisory role in the offense.
- Sentences were decreased for:
 - ◆ 3.9% of offenders because they were a minor or minimal participant in the offense;
 - ◆ 84.8% of offenders because they accepted responsibility for the offense.

Punishment

- Half of all offenders (50.2%) in the federal prison population were sentenced to more than ten years in prison, while 5.2% were sentenced to 30 years or longer, and 2.7% were sentenced to life in prison.
- Approximately 17,000 offenders (9.9% of all incarcerated offenders) have served more than 10 years in prison.
- More than half (56.8%) of offenders in the federal prison population were convicted of an offense carrying a mandatory minimum penalty.
 - ◆ However, slightly less than one-quarter (23.2%) of those offenders were not subject to any mandatory minimum penalty at sentencing because:
 - ◇ 15.2% provided the government with substantial assistance in the investigation or prosecution of another offender, 6.5% were eligible for relief through the statutory safety valve provision, and 1.6% received both forms of relief.
- After they were sentenced, 1.8% of offenders in the federal prison population provided substantial assistance in the investigation or prosecution of another offender resulting in a reduction in their sentence under Rule 35(b).
- Most offenders (95.8%) were also sentenced to serve a period of supervised release after they are released from prison.

Sentences Relative to the Guideline Range

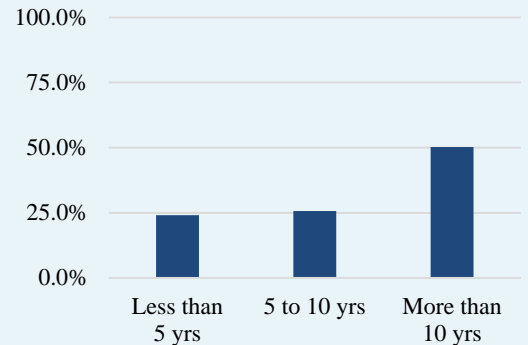
- More than half (51.1%) of offenders in the federal prison population were sentenced within the recommended guidelines range.
- About one-quarter (24.6%) of these offenders were sentenced below the applicable guideline range because the government sponsored the below range sentence.
- One-fifth (20.6%) of these offenders received a non-government sponsored below range sentence.
- Few offenders (3.7%) in the federal prison population were sentenced above the applicable guideline range.

⁵ “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.

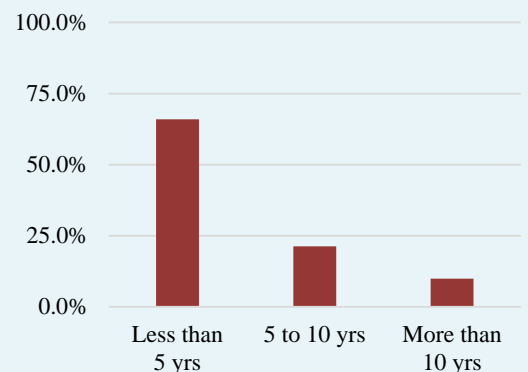
SOURCE: U.S. Sentencing Commission, 1992-2015 Datafiles, USSCFY92-USSCFY15, and Preliminary Data from USSCFY16.

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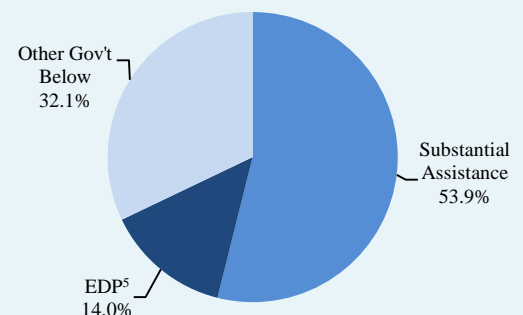
Federal Offenders in Prison Length of Sentence Imposed



Federal Offenders in Prison Length of Time Served



Government Sponsored Below Range Sentences



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