

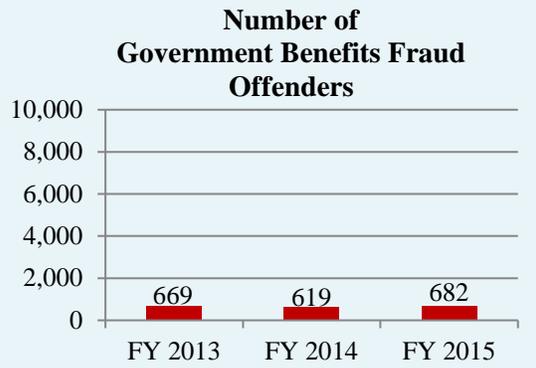


# Quick Facts

- ▶ THERE WERE 71,003 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2015.
- ▶ OF THESE CASES, 7,724 INVOLVED THEFT, PROPERTY DESTRUCTION, OR FRAUD.<sup>1</sup>
- ▶ 8.8% OF THEFT, PROPERTY DESTRUCTION, AND FRAUD OFFENSES INVOLVED GOVERNMENT BENEFITS FRAUD.<sup>2</sup>

## Government Benefits Fraud Offenses<sup>2</sup>

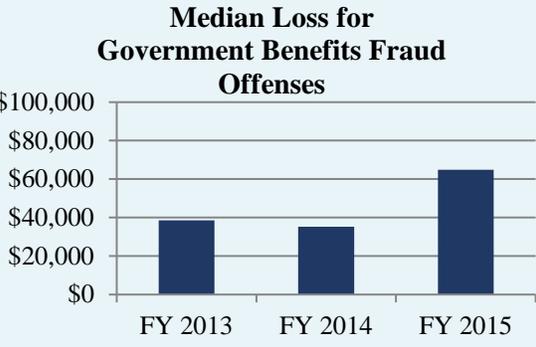
In fiscal year 2015, there were 682 government benefits fraud offenders, who accounted for 1.1%<sup>3</sup> of all offenders sentenced under the guidelines. The number of government benefits fraud offenders increased by 1.9% from fiscal years 2013 to 2015.



| Top Five Districts Government Benefits Fraud Offenders FY 2015 |
|--|
| Southern District of Georgia (N=52)                            |
| District of Nebraska (N=37)                                    |
| Southern District of Florida (N=35)                            |
| Eastern District of Louisiana (N=22)                           |
| Eastern District of Texas (N=21)                               |

### Offender and Offense Characteristics

- In fiscal year 2015, two-thirds of government benefits fraud offenders were male (66.0%).
- Over one-third were White (35.7%) followed by Black (33.5%), Hispanic (24.5%), and Other Races (6.3%).
- The average age of these offenders at sentencing was 43 years.
- Over three-quarters of government benefits fraud offenders were United States citizens (78.5%).
- The majority of government benefits fraud offenders had little or no prior criminal history (73.5% of these offenders were assigned to Criminal History Category I).
- The median loss for these offenses was \$64,857.
  - ◆ 40.6% of government benefits fraud offenses involved loss amounts of \$30,000 or less.<sup>4</sup>
  - ◆ 16.0% of government benefits fraud offenses involved loss amounts greater than \$1 million.<sup>4</sup>
- Sentences for government benefits fraud offenders were increased for:
  - ◆ Use of sophisticated means to execute or conceal the offense (13.6%).
  - ◆ Use of an unauthorized means of identification (15.7%).
  - ◆ Leadership or supervisory role in the offense (8.8%).
  - ◆ Abusing a public position of trust or using a special skill (4.8%).
  - ◆ Obstructing or impeding the administration of justice (2.6%).
- Sentences for government benefits fraud offenders were decreased for:
  - ◆ Minor or minimal participation in the offense (6.9%).



<sup>1</sup>Theft, property destruction, and fraud offenses include cases with complete guideline application information in which the offender was sentenced under §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit Bearer Obligations of the United States) using a *Guidelines Manual* in effect on November 1, 2001 or later. See [www.ussc.gov/research/quick-facts](http://www.ussc.gov/research/quick-facts) for the *Quick Facts* on §2B1.1 offenders.

<sup>2</sup>Government benefits fraud includes cases where the offense conduct as described in the Presentence Report involved a false claim to the federal or state government involving assistance programs from federal agencies.

# Quick Facts

## Government Benefits Fraud Offenses

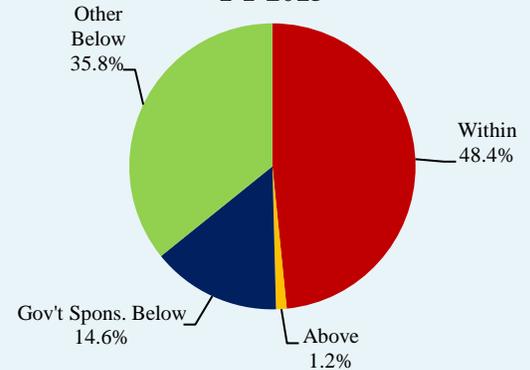
### Punishment

- The majority of government benefits fraud offenders were sentenced to imprisonment (61.9%).
- The average sentence length for government benefits fraud offenders was 15 months.

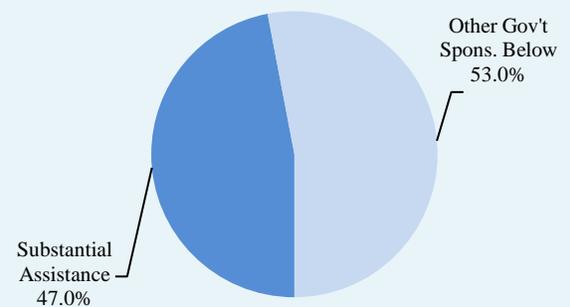
### Sentences Relative to the Guideline Range

- During the past three years, the rate of within range sentences for government benefits fraud offenders has decreased from 54.4% in fiscal year 2013 to 48.4% in fiscal year 2015.
- In each of the past three years, approximately 13 to 17 percent of government benefits fraud offenders received a sentence below the applicable guideline range because the government sponsored the below range sentence.
  - ◆ Substantial assistance departures were granted in approximately seven to nine percent of government benefits fraud cases in each of the past three years.
    - ◇ These offenders received an average reduction of 70.3% in their sentence during the three year time period.
  - ◆ Other government sponsored departures were granted in approximately five to eight percent of government benefits fraud cases in each of the past three years.
    - ◇ These offenders received an average reduction of 70.3% in their sentence during the three year time period.
- The rate of non-government sponsored below range sentences increased slightly during the past three years from 30.8% of government benefits fraud cases in fiscal year 2013 to 35.8% in fiscal year 2015.
  - ◆ These offenders received an average reduction of 63.8% in their sentence during the three year time period.
- Both the average sentence and the average guideline minimum for government benefits fraud offenders increased during the past three years.
  - ◆ The average sentence imposed increased from 11 months to 15 months during that time period.
  - ◆ The average guideline minimum increased from 15 months to 22 months during that time period.

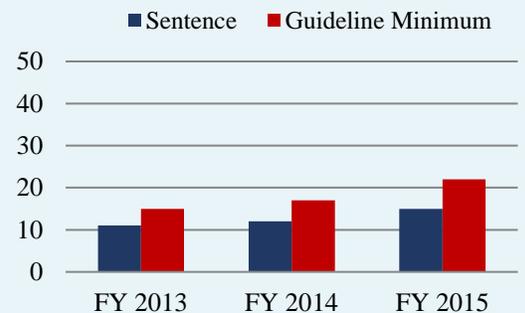
**Sentence Relative to the Guideline Range FY 2015**



**Government Sponsored Below Range Sentences FY 2015**



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



<sup>3</sup> Of the 71,003 offenders sentenced in fiscal year 2015, 7,543 were excluded from this analysis due to incomplete guideline application information.

<sup>4</sup> The Loss Table was amended effective November 1, 2015.

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