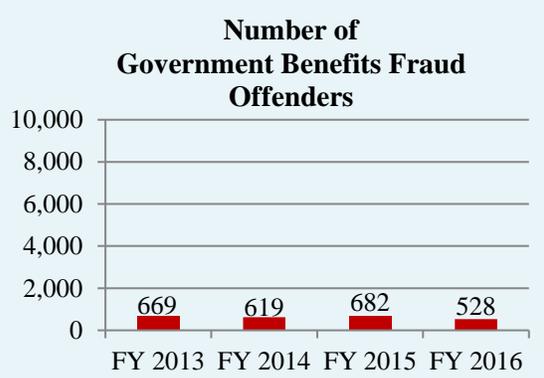




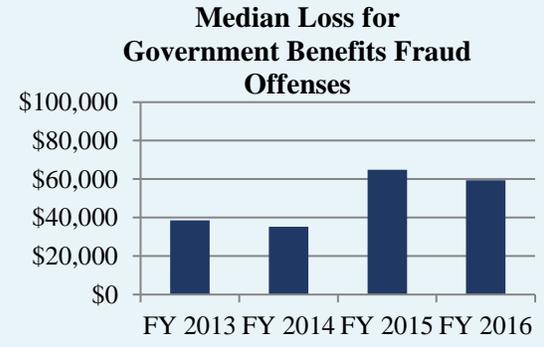
Quick Facts

- ▶ THERE WERE 67,742 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2016.
- ▶ OF THESE CASES, 6,986 INVOLVED THEFT, PROPERTY DESTRUCTION, OR FRAUD.¹
- ▶ 7.6% OF THEFT, PROPERTY DESTRUCTION, AND FRAUD OFFENSES INVOLVED GOVERNMENT BENEFITS FRAUD.²

Government Benefits Fraud Offenses²



Northern District of Ohio (N=24)
Eastern District of Pennsylvania (N=24)
Southern District of Florida (N=23)
District of Kansas (N=20)
Southern District of New York (N=20)



In fiscal year 2016, there were 528 government benefits fraud offenders, who accounted for 0.9%³ of all offenders sentenced under the guidelines. The number of government benefits fraud offenders decreased by 21.1% from fiscal years 2013 to 2016.

Offender and Offense Characteristics

- In fiscal year 2016, nearly two-thirds of government benefits fraud offenders were male (61.4%).
- Over one-third were White (36.1%) followed by Black (30.4%), Hispanic (25.9%), and Other Races (7.6%).
- The average age of these offenders at sentencing was 44 years.
- Over three-quarters of government benefits fraud offenders were United States citizens (79.1%).
- The majority of government benefits fraud offenders had little or no prior criminal history (75.4% of these offenders were assigned to Criminal History Category I).
- The median loss for these offenses was \$59,320.
 - ◆ 30.8% of government benefits fraud offenses involved loss amounts of \$15,000 or less.⁴
 - ◆ 14.5% of government benefits fraud offenses involved loss amounts greater than \$550,000.
- Sentences for government benefits fraud offenders were increased for:
 - ◆ Use of sophisticated means to execute or conceal the offense (4.0%).⁵
 - ◆ Use of an unauthorized means of identification (18.0%).
 - ◆ Leadership or supervisory role in the offense (7.2%).
 - ◆ Abusing a public position of trust or using a special skill (7.0%).
 - ◆ Obstructing or impeding the administration of justice (2.7%).
- Sentences for government benefits fraud offenders were decreased for:
 - ◆ Minor or minimal participation in the offense (3.2%).

¹ 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 for the *Quick Facts* on §2B1.1 offenders.

² 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

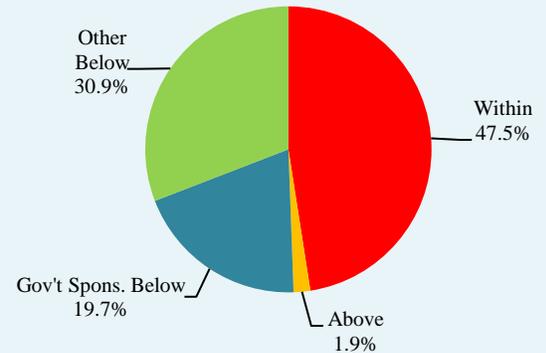
Punishment

- The majority of government benefits fraud offenders were sentenced to imprisonment (59.1%).
- The average sentence length for government benefits fraud offenders was 12 months.

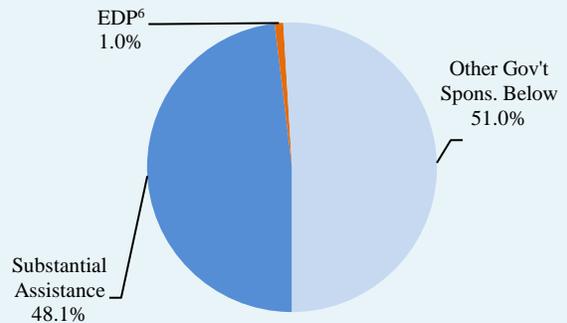
Sentences Relative to the Guideline Range

- During the past four years, the rate of within range sentences for government benefits fraud offenders has decreased from 54.4% in fiscal year 2013 to 47.5% in fiscal year 2016.
- In each of the past four years, approximately 13 to 20 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 ten percent of government benefits fraud cases in each of the past four years.
 - ◇ These offenders received an average reduction of 67.9% in their sentence during the four year time period.
 - ◆ Other government sponsored departures were granted in approximately five to ten percent of government benefits fraud cases in each of the past four years.
 - ◇ These offenders received an average reduction of 71.1% in their sentence during the four year time period.
- Approximately one-third of government benefits fraud offenders received a non-government sponsored below range sentence during the past four years.
 - ◆ These offenders received an average reduction of 64.4% in their sentence during the four year time period.
- The average sentence and the average guideline minimum for government benefits fraud offenders varied slightly during the past four years.
 - ◆ The average sentence imposed ranged from 11 months to 15 months during this time period.
 - ◆ The average guideline minimum ranged from 15 months to 22 months in during this time period.

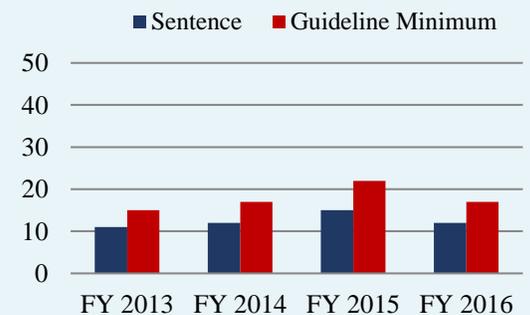
Sentence Relative to the Guideline Range FY 2016



Government Sponsored Below Range Sentences FY 2016



Average Sentence and Average Guideline Minimum (in months)



³ Of the 67,742 offenders sentenced in fiscal year 2016, 5,784 were excluded from this analysis due to incomplete guideline application information.

⁴ The Loss Table was amended effective November 1, 2015.

⁵ The Sophisticated Means adjustment was amended effective November 1, 2015.

⁶ "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.

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