Quick Facts

In fiscal year 2017, there were 477 government benefits fraud offenders, who accounted for 0.8% of all offenders sentenced under the guidelines. The number of government benefits fraud offenders decreased by 28.7% from fiscal years 2013 to 2017.

Offender and Offense Characteristics

- In fiscal year 2017, nearly two-thirds of government benefits fraud offenders were men (59.7%).
- Over one-third were Black (36.8%), followed by White (34.7%), Hispanic (22.5%), and Other Races (6.1%).
- The average age of these offenders at sentencing was 44 years.
- Over three-quarters of government benefits fraud offenders were United States citizens (79.7%).
- The majority of government benefits fraud offenders had little or no prior criminal history (74.4% of these offenders were assigned to Criminal History Category I).
- The median loss for these offenses was $68,060.
  - 28.3% of government benefits fraud offenses involved loss amounts of $15,000 or less.4
  - 17.8% of government benefits fraud offenses involved loss amounts greater than $550,000.

- Sentences for government benefits fraud offenders were increased for:
  - The number of victims or the extent of harm to victims (8.2%);
  - Use of sophisticated means to execute or conceal the offense (4.0%);5
  - Use of an unauthorized means of identification (10.3%);
  - Leadership or supervisory role in the offense (6.7%);
  - Abusing a public position of trust or using a special skill (9.4%); and
  - Obstructing or impeding the administration of justice (2.3%).

- Sentences for government benefits fraud offenders were decreased for:
  - Minor or minimal participation in the offense (2.7%).
Punishment

- The majority of government benefits fraud offenders were sentenced to imprisonment (62.5%).
- The average sentence length for government benefits fraud offenders was 13 months.

Sentences Relative to the Guideline Range

- During the past five years, the rate of within range sentences for government benefits fraud offenders has decreased from 54.4% in fiscal year 2013 to 50.1% in fiscal year 2017.
- In each of the past five 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 nine percent of government benefits fraud cases in each of the past five years.
    - These offenders received an average reduction of 67.3% in their sentence during the five-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 five years.
    - These offenders received an average reduction of 71.6% in their sentence during the five-year time period.
- Approximately one-third of government benefits fraud offenders received a non-government sponsored below range sentence during the past five years.
  - These offenders received an average reduction of 63.6% in their sentence during the five year-time period.
- The average sentence and the average guideline minimum for government benefits fraud offenders varied slightly during the past five 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 during this time period.

3 Of the 66,873 offenders sentenced in fiscal year 2017, 4,956 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.