



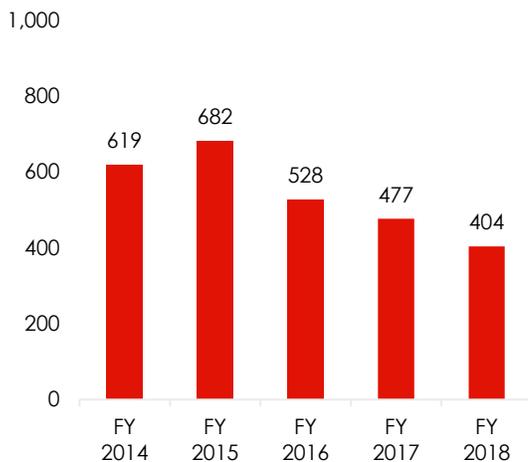
Quick Facts

— Government Benefits Fraud Offenses —

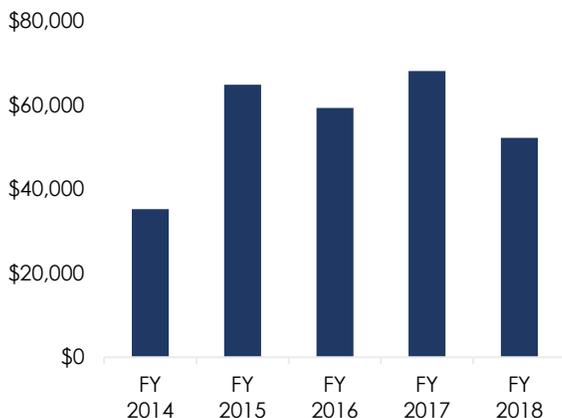
Fiscal Year 2018

- ▶ IN FY 2018, 69,425 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.
- ▶ 5,948 OF THESE INVOLVED THEFT, PROPERTY DESTRUCTION, AND FRAUD.¹
- ▶ 6.9% OF THEFT, PROPERTY DESTRUCTION, AND FRAUD OFFENSES INVOLVED GOVERNMENT BENEFITS FRAUD.^{2,3}
- ▶ GOVERNMENT BENEFITS FRAUD HAS DECREASED BY 34.7% SINCE FY 2014.

Number of Government Benefits Fraud Offenders



Median Loss for Government Benefits Fraud Offenses



Offender and Offense Characteristics

- 61.6% of government benefits fraud offenders were men.
- 35.7% were White, 30.0% were Hispanic, 28.3% were Black, and 6.0% were Other races.
- Their average age was 45 years.
- 74.0% were United States citizens.
- 76.2% had little or no prior criminal history (Criminal History Category I).
- The median loss for these offenses was \$52,206.⁴
 - ◆ 22.4% involved loss amounts of \$0.
 - ◆ 12.2% involved loss amounts greater than \$95,000.
- Sentences were increased for:
 - ◆ the number of victims or the extent of harm to victims (6.7%);
 - ◆ using sophisticated means to execute or conceal the offense (3.7%);⁵
 - ◆ using an unauthorized means of identification (19.8%);
 - ◆ leadership or supervisory role in the offense (9.1%);
 - ◆ abusing a public position of trust or using a special skill (5.0%);
 - ◆ obstructing or impeding the administration of justice (3.2%).
- Sentences were decreased for:
 - ◆ minor or minimal participation in the offense (5.7%).
- The top five districts for government benefits fraud offenders were:
 - ◆ Eastern District of Texas (26);
 - ◆ Eastern District of Michigan (21);
 - ◆ Southern District of Florida (17);
 - ◆ District of Nebraska (16);
 - ◆ Middle District of Florida (15).

Punishment

- The average sentence length for government benefits fraud offenders was 12 months.
- 64.9% were sentenced to prison.
- 7.2% were convicted of an offense carrying a mandatory minimum penalty; of those offenders, 17.2% were relieved of that penalty.

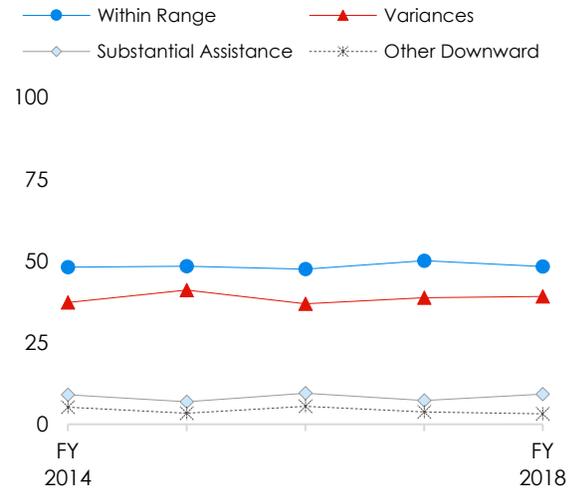


— Government Benefits Fraud Offenses —

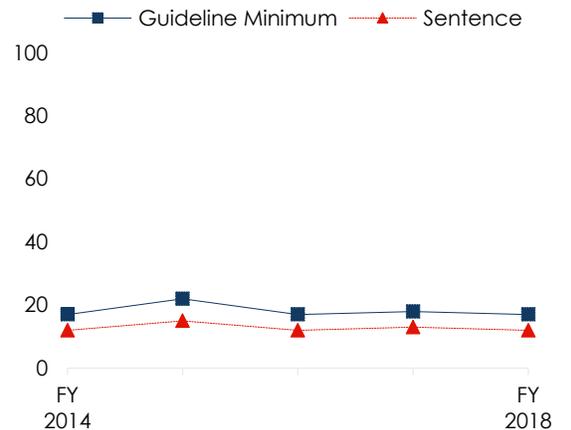
Sentences Relative to the Guideline Range

- Of the 60.9% of government benefits fraud offenders sentenced under the *Guidelines Manual*:
 - ◆ 79.3% were sentenced within the guideline range.
 - ◆ 15.0% received a substantial assistance departure.
 - ◇ Their average sentence reduction was 61.9%.
 - ◆ 5.3% received some other downward departure.
 - ◇ Their average sentence reduction was 62.0%.
- 39.1% received a variance; of those offenders:
 - ◆ 98.7% received a downward variance.
 - ◇ Their average sentence reduction was 67.2%.
 - ◆ 1.3% received an upward variance.
- The average guideline minimum and average sentence imposed has remained stable over the past five years.
 - ◆ The average guideline minimum remained steady at 17 months from fiscal year 2014 to fiscal year 2018.
 - ◆ The average sentence imposed remained steady at 12 months from fiscal year 2014 to fiscal year 2018.

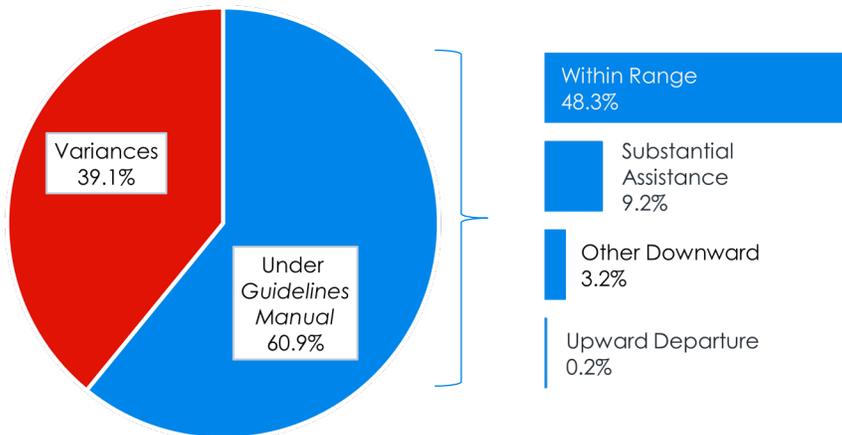
Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



Sentence Imposed Relative to the Guideline Range FY 2018



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 Cases with incomplete sentencing information were excluded from the analysis.

³ 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.

⁴ The Loss Table and Victims Table were amended effective November 1, 2015.

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