



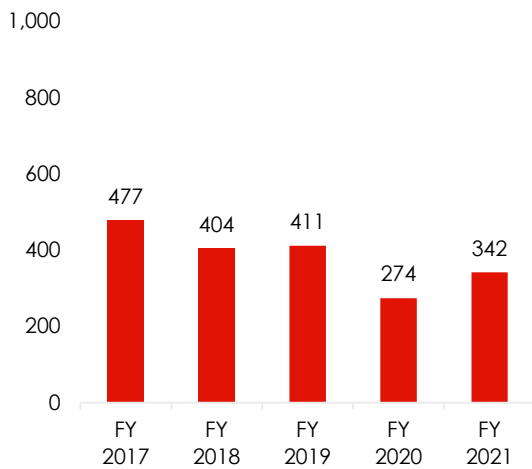
Quick Facts

— Government Benefits Fraud Offenses —

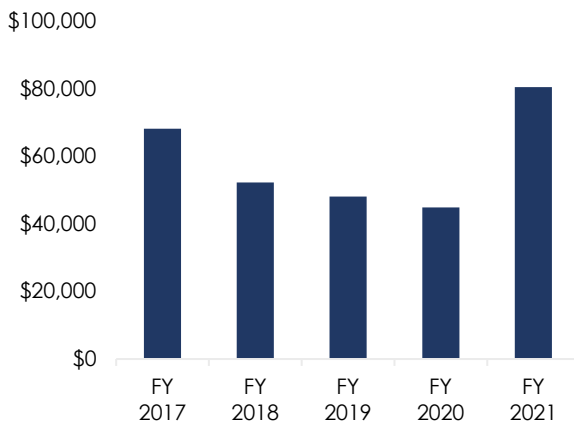
Fiscal Year 2021

- ▶ IN FY 2021, 57,287 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.
- ▶ 4,235 OF THESE INVOLVED THEFT, PROPERTY DESTRUCTION, AND FRAUD.
- ▶ 8.2% OF THEFT, PROPERTY DESTRUCTION, AND FRAUD OFFENSES INVOLVED GOVERNMENT BENEFITS FRAUD.^{1, 2, 3}
- ▶ GOVERNMENT BENEFITS FRAUD HAS DECREASED BY 28.3% SINCE FY 2017.

Number of Government Benefits Fraud Offenders



Median Loss for Government Benefits Fraud Offenses



Offender and Offense Characteristics

- 66.7% of government benefits fraud offenders were men.
- 39.0% were White, 35.5% were Black, 19.9% were Hispanic, and 5.6% were Other races.
- Their average age was 46 years.
- 83.0% were United States citizens.
- 67.8% had little or no prior criminal history (Criminal History Category I).
- The median loss for these offenses was \$80,361;⁴
 - ◆ 8.8% involved loss amounts of \$0;
 - ◆ 17.5% involved loss amounts greater than \$550,000.
- Sentences were increased for:
 - ◆ the number of victims or the extent of harm to victims (7.9%);⁵
 - ◆ using sophisticated means to execute or conceal the offense (9.1%);
 - ◆ using an unauthorized means of identification (17.5%);
 - ◆ fraud or theft in connection with a major disaster or emergency (10.5%);
 - ◆ a leadership or supervisory role in the offense (6.7%);
 - ◆ abusing a public position of trust or using a special skill (3.8%);
 - ◆ obstructing or impeding the administration of justice (2.1%).
- Sentences were decreased for:
 - ◆ minor or minimal participation in the offense (2.1%).
- The top seven districts for government benefits fraud offenders were:
 - ◆ Southern District of Florida (22);
 - ◆ District of Nebraska (16);
 - ◆ Southern District of Ohio (12);
 - ◆ Western District of Virginia (12);
 - ◆ Central District of California (11);
 - ◆ Middle District of Florida (11);
 - ◆ District of Massachusetts (11).

Punishment

- The average sentence for government benefits fraud offenders was 13 months.
- 61.1% were sentenced to prison.
- 5.3% were convicted of an offense carrying a mandatory minimum penalty; of those offenders, none were relieved of that penalty.

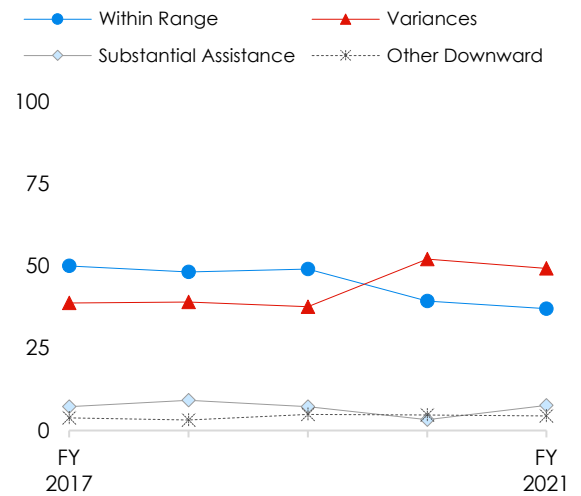


— Government Benefits Fraud Offenses —

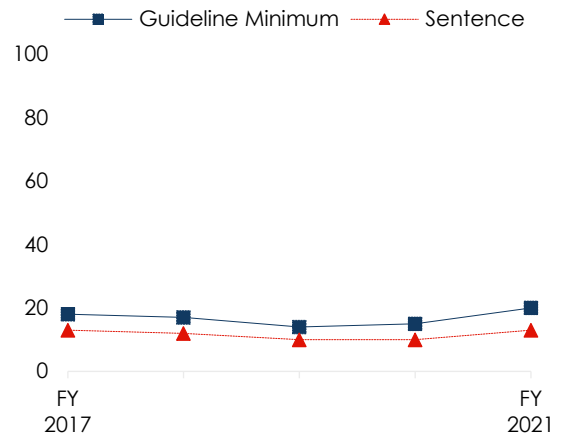
Sentences Relative to the Guideline Range

- Of the 50.6% of government benefits fraud offenders sentenced under the *Guidelines Manual*:
 - 73.4% were sentenced within the guideline range.
 - 15.0% received a substantial assistance departure.
 - Their average sentence reduction was 64.3%.
 - 8.7% received some other downward departure.
 - Their average sentence reduction was 70.2%.
- 49.4% received a variance; of those offenders:
 - 98.2% received a downward variance.
 - Their average sentence reduction was 67.0%.
 - 1.8% received an upward variance.
 - Their average sentence increase was 54.3%.
- The average guideline minimum fluctuated while the average sentence imposed remained steady over the past five years.
 - The average guideline minimum increased from 18 months in fiscal year 2017 to 20 months in fiscal year 2021.
 - The average sentence imposed was 13 months in fiscal year 2017 and fiscal year 2021.

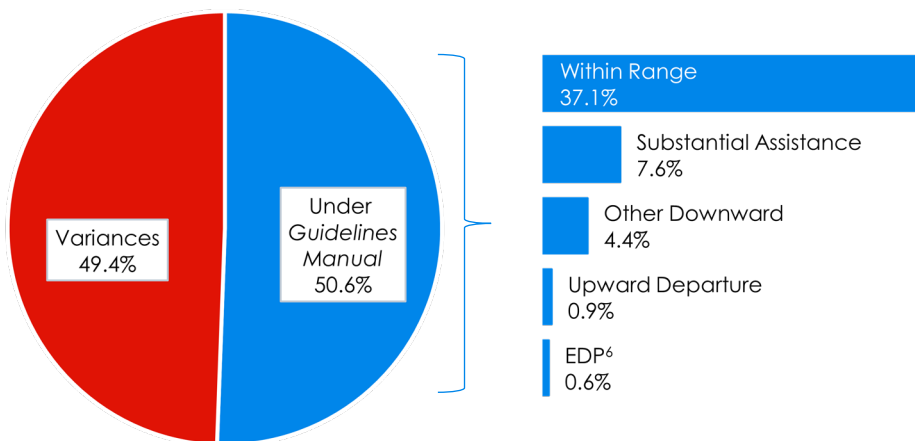
Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



Sentence Imposed Relative to the Guideline Range FY 2021



¹ Cases with incomplete sentencing information were excluded from the analysis.

² 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.uscc.gov/research/quick-facts for the Quick Facts on §2B1.1 offenders.

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 was amended effective November 1, 2001 and November 1, 2015.

⁵ The Victims Table and Sophisticated Means adjustment were 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 USSC §5K3.1.