Fiscal Year 2022

- In FY 2022, 64,142 cases were reported to the U.S. Sentencing Commission.
- 5,208 of these involved theft, property destruction, and fraud.
- 12.6% of theft, property destruction, and fraud offenses involved government benefits fraud.¹ ² ³
- Government benefits fraud has increased by 60.1% since FY 2018.

Offender and Offense Characteristics

- 61.2% of government benefits fraud offenders were men.
- 45.7% were Black, 35.9% were White, 13.9% were Hispanic, and 4.5% were Other races.
- Their average age was 43 years.
- 90.1% were United States citizens.
- 64.9% had little or no prior criminal history (Criminal History Category I).
- The median loss for these offenses was $142,487; 4️⃣ 3.5% involved loss amounts of $0; 27.0% involved loss amounts greater than $550,000.
- Sentences were increased for:
  - the number of victims or the extent of harm to victims (10.8%); ⁵
  - using sophisticated means to execute or conceal the offense (9.4%);
  - using an unauthorized means of identification (15.2%);
  - fraud or theft in connection with a major disaster or emergency (11.1%);
  - a leadership or supervisory role in the offense (8.4%);
  - abusing a public position of trust or using a special skill (3.6%);
  - obstructing or impeding the administration of justice (5.1%).
- Sentences were decreased for:
  - minor or minimal participation in the offense (4.5%).
- The top five districts for government benefits fraud offenders were:
  - Southern District of Florida (55);
  - Western District of Pennsylvania (38);
  - Eastern District of Virginia (33);
  - District of Massachusetts (27);
  - Western District of Virginia (25).

Punishment

- The average sentence for government benefits fraud offenders was 19 months.
- 73.4% were sentenced to prison.
- 7.3% were convicted of an offense carrying a mandatory minimum penalty; of those offenders, 12.8% were relieved of that penalty.
Sentences Relative to the Guideline Range

- Of the 54.9% of government benefits fraud offenders sentenced under the Guidelines Manual:
  - 72.1% were sentenced within the guideline range.
  - 22.5% received a substantial assistance departure. Their average sentence reduction was 60.0%.
  - 5.4% received some other downward departure. Their average sentence reduction was 51.8%.
- 45.1% received a variance; of those offenders:
  - 96.2% received a downward variance. Their average sentence reduction was 59.7%.
  - 3.8% received an upward variance. Their average sentence increase was 58.9%.
- The average guideline minimum increased while the average sentence imposed fluctuated over the past five years.
  - The average guideline minimum increased from 17 months in fiscal year 2018 to 26 months in fiscal year 2022.
  - The average sentence imposed increased and decreased throughout the fiscal years. The average sentence imposed was 12 months in fiscal year 2018 and 19 months in fiscal year 2022.

Source: United States Sentencing Commission, FY 2018 through FY 2022 Fraud Team Datafiles, USSCFYFT18-USSCFYFT22.