



# QuickFacts

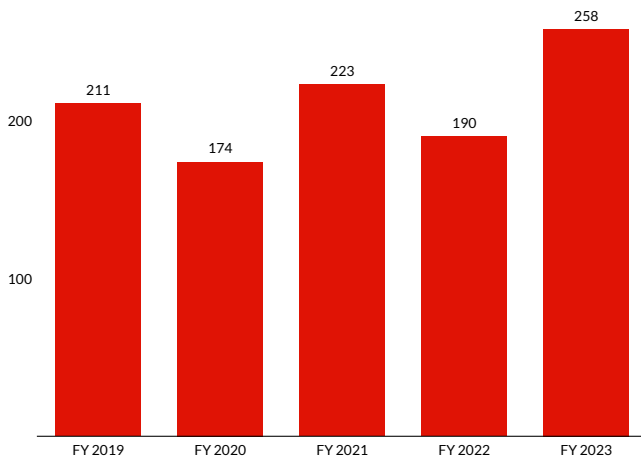
## National Defense Offenses

### Population Snapshot

**64,124 cases were reported in FY23;**  
**258 involved national defense offenses.<sup>1</sup>**

National defense offenses  
 have increased by **22.3%**  
 since FY 2019.

### Number of National Defense Offenses



### Most Common Guidelines for Individuals Sentenced for National Defense Offenses<sup>2</sup>

- No §3A1.4 Terrorism Adjustment
- §3A1.4 Terrorism Adjustment

#### Unauthorized Exportation of Arms



#### Support to Terrorism



#### Export Controls and Financial Transactions Terrorism



#### Other



### Individual and Offense Characteristics

85.3% of individuals sentenced for national defense offenses were men.

59.8% were Hispanic, 22.3% were White, 13.3% were Black, and 4.7% were Other races.

- 84.5% of individuals in cases involving the **unauthorized exportation of arms** were Hispanic.
- 52.4% of individuals in cases involving **support to terrorism** were White.
- 64.3% of individuals in cases involving **export controls and financial transactions** were White.

Their average age was 36 years.

71.9% were United States citizens.

70.9% had little or no prior criminal history (Criminal History Category I);

- 17.1% received a terrorism adjustment under USSG §3A1.4 and were assigned to Criminal History Category VI.

The top five districts for individuals sentenced for national defense offenses were:

- District of Arizona (57);
- Southern District of Texas (46);
- Western District of Texas (35);
- Northern District of Alabama (13);
- Eastern District of New York (10, tie);
- District of Maryland (10, tie).

### USSG §3A1.4 Sentencing Adjustment for Terrorism

Over the past five years, 148 individuals received an enhanced sentence through application of the terrorism adjustment at USSG §3A1.4:

- 85.1% were men.
- 56.5% were White, 19.0% were Other races, 15.6% were Black, and 8.8% were Hispanic.
- Their average age was 35 years.
- 71.6% were United States citizens.
- 23.8% of non-U.S. citizens were from the Middle East; 21.4% were from Europe; 19.0% were from Central Asia; 11.9% were from South Asia; 9.5% were from Latin America; and 7.1% were from Africa.



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## National Defense Offenses

### Punishment

85.3% of individuals sentenced for national defense offenses were sentenced to prison.

The average sentence was 51 months.

- The average sentence for individuals who **received a terrorism adjustment** under USSG §3A1.4 was 172 months.
- The average sentence for individuals convicted of **unauthorized exportation of arms** was 27 months.
- The average sentence for individuals convicted of **support to terrorism** was 141 months.
- The average sentence for individuals convicted of **export controls and financial transactions terrorism** was 20 months.

### Sentences Relative to the Guideline Range

Of the 57.5% of individuals sentenced for national defense offenses sentenced under the *Guidelines Manual*:

- 63.4% were sentenced within the guideline range.
- 22.1% received a substantial assistance departure.
  - Their average sentence reduction was 52.8%.
- 2.1% received an Early Disposition Program (EDP)<sup>3</sup> departure.
  - Their average sentence reduction was 66.4%.
- 12.4% received some other downward departure.
  - Their average sentence reduction was 44.0%.

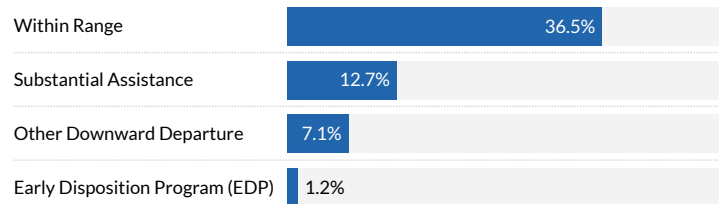
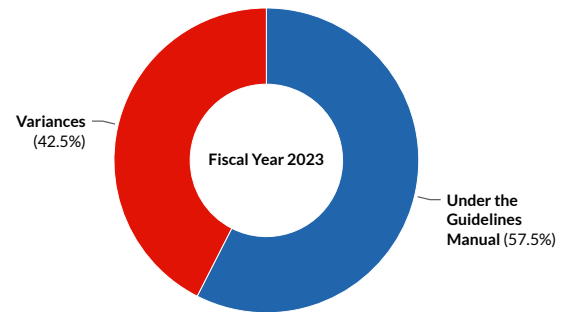
42.5% received a variance; of those individuals:

- 99.1% received a downward variance.
  - Their average sentence reduction was 56.5%.
- 0.9% received an upward variance.<sup>4</sup>

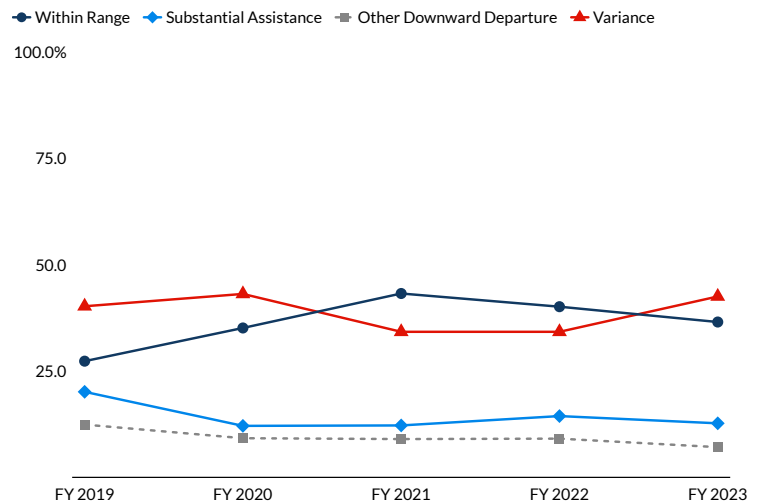
The average guideline minimum and the average sentence imposed fluctuated over the past five years.

- The average guideline minimum was 94 months in fiscal year 2019 and 80 months in fiscal year 2023.
- The average sentence was 54 months in fiscal year 2019 and 51 months in fiscal year 2023.

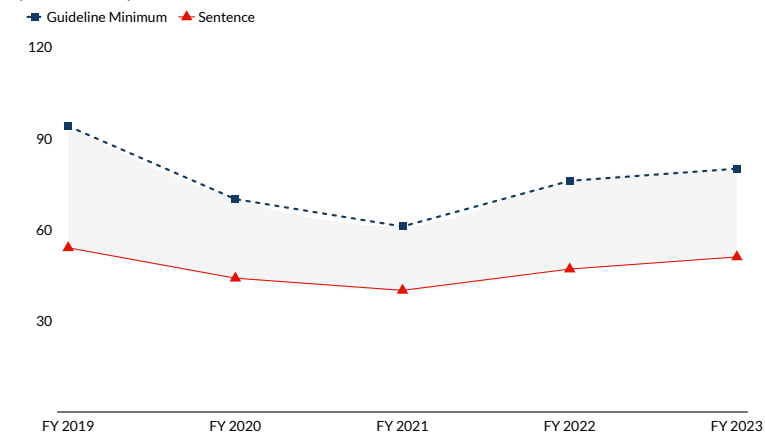
### Sentences Relative to the Guideline Range



### Sentences Relative to the Guideline Range



### Average Guideline Minimum and Average Sentence (months)



<sup>1</sup> National defense cases include cases in which the individual was sentenced under USSG Chapter Two, Part M (Offenses Involving National Defense and Weapons of Mass Destruction) or under other guidelines which involve criminal conduct threatening to national defense. National defense cases also include cases in which the individual received a sentencing enhancement under USSG §3A1.4 (Terrorism).

<sup>2</sup> Cases with incomplete sentencing information were excluded from the analysis.

<sup>3</sup> "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.

<sup>4</sup> The Commission does not report the average for categories with fewer than three cases.