

▶ THERE WERE 71,003 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2015.

▶ OF THESE CASES, 1,265 INVOLVED NATIVE AMERICAN OFFENDERS.

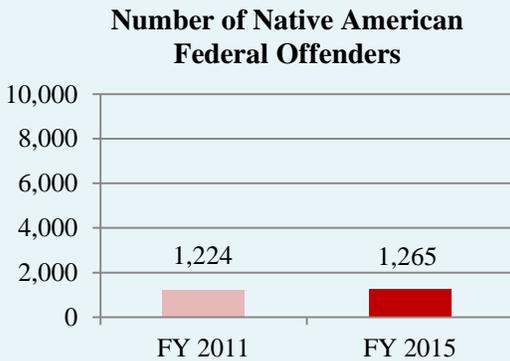
▶ NATIVE AMERICANS ACCOUNTED FOR 2.0% OF ALL OFFENDERS AND 3.3% OF UNITED STATES CITIZEN OFFENDERS.

Quick Facts



Native Americans in the Federal Offender Population

Native American offenders account for a small portion of federal offenders. The number of Native American offenders has decreased by 10.8% over the last three years.



Offender and Offense Characteristics

- In fiscal year 2015, most Native American offenders were male (80.2%).
- Almost all Native American offenders (99.6%) were United States citizens.
- The average age of these offenders at sentencing was 35 years.
- Over 40 percent of Native American offenders (43.6%) had little or no prior criminal history (i.e., assigned to Criminal History Category I)¹. The proportion of Native American offenders in other Criminal History Categories was as follows:
 - ◆ 15.4% of these offenders were in Category II;
 - ◆ 17.2% were in Category III;
 - ◆ 10.6% were in Category IV;
 - ◆ 5.9% were in Category V; and
 - ◆ 7.4% were in Category VI.
- Districts with the highest proportion of their overall caseload comprising Native American offenders were:
 - ◆ District of South Dakota (55.3% of overall caseload);
 - ◆ Eastern District of Oklahoma (34.3%);
 - ◆ District of Montana (30.3%);
 - ◆ District of North Dakota (22.1%); and
 - ◆ District of Alaska (12.7%).
- Weapons were involved in 16.9% of offenses involving Native American offenders, compared to 9.2% of all cases in fiscal year 2015.

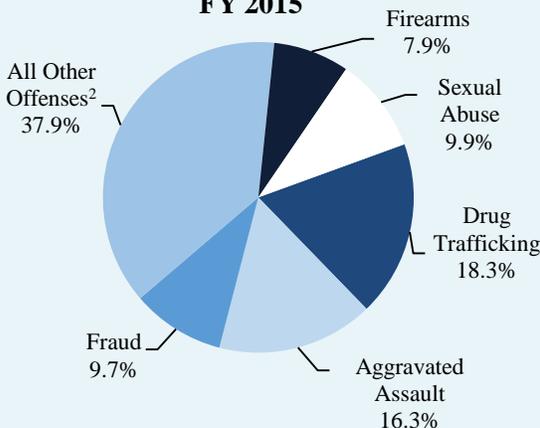
Punishment

- The majority of Native American offenders were sentenced to imprisonment (88.2%), which is slightly lower than the rate for all offenders in fiscal year 2015 (90.7%).
- Native American offenders were convicted of an offense carrying a mandatory minimum penalty at a third of the rate (7.4%) of offenders as a whole (22.2%).
- The average sentence length for Native American offenders was the same as offenders generally (46 months), and less than the average sentence for all United States citizens (59 months)
 - ◆ The average sentence length for Native Americans convicted of an offense carrying a mandatory minimum penalty was 125 months.
 - ◆ The average sentence length for Native Americans not convicted of an offense carrying a mandatory minimum penalty was 39 months.

Top Five Districts Native American Federal Offenders FY 2015

District of Arizona (N=279)
District of South Dakota (N=238)
District of Montana (N=108)
District of New Mexico (N=94)
District of North Dakota (N=90)

Most Common Offenses Native American Federal Offenders FY 2015



¹ Tribal offenses are not counted in determining the criminal history score under the sentencing guidelines. See USSG §4A1.2(i).

² No other type of offense accounted for more than 5% of all offenses.

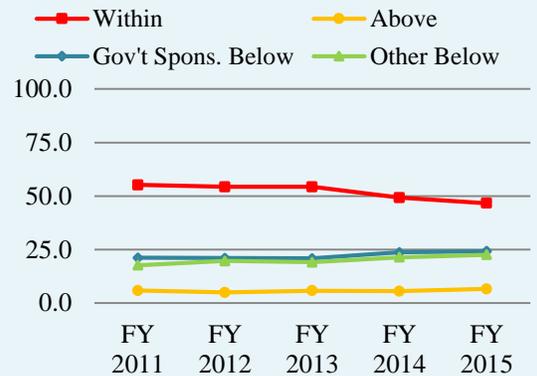
Quick Facts

Native Americans in the Federal Offender Population

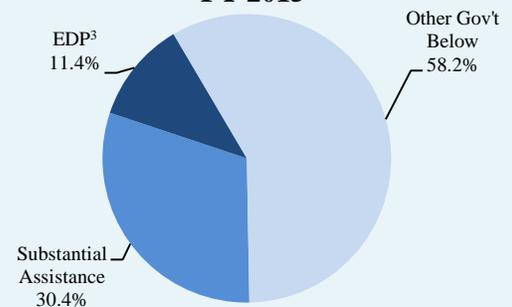
Sentences Relative to the Guideline Range

- The rate of within range sentences for Native American offenders has steadily decreased over the last five years (55.2% in fiscal year 2011 decreasing to 46.7% in fiscal year 2015).
- The rate of government sponsored below range sentences has increased over the last five years (from 21.2% in fiscal year 2011 to 24.2% in fiscal year 2015).
 - ◆ Substantial assistance departures were granted in 7.4% of cases involving Native American offenders in fiscal year 2015. This represents 30.4% of all government sponsored below range sentences for these offenders.
 - In fiscal year 2015, these offenders received an average reduction in their sentence of 57.1%.
 - ◆ Native American offenders received a below range sentence sponsored by the government for reasons other than substantial assistance or participation in an Early Disposition Program³ in 14.1% of cases in fiscal year 2015.
 - In fiscal year 2015 these offenders received an average reduction in their sentence of 52.4%.
- The percentage of Native American offenders that received a non-government sponsored below range sentence increased over the last five years (from 17.3% of these cases in fiscal year 2011 to 22.6% in fiscal year 2015).
 - ◆ In fiscal year 2015, these offenders received an average reduction in their sentence of 45.8%.
- The average guideline minimum for offenses involving Native American offenders has decreased over the last five years, from 55 months in fiscal year 2011 to 53 months in fiscal year 2015.
- The average sentence imposed on Native American offenders has slightly decreased over the last five years, from 51 months in fiscal year 2011 to 46 months in fiscal year 2015.

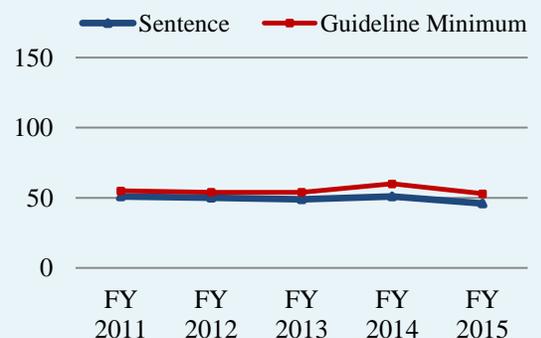
Sentence Relative to the Guideline Range



Government Sponsored Below Range Sentences FY 2015



Average Sentence and Average Guideline Minimum (in months)



³“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.

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