



QuickFacts

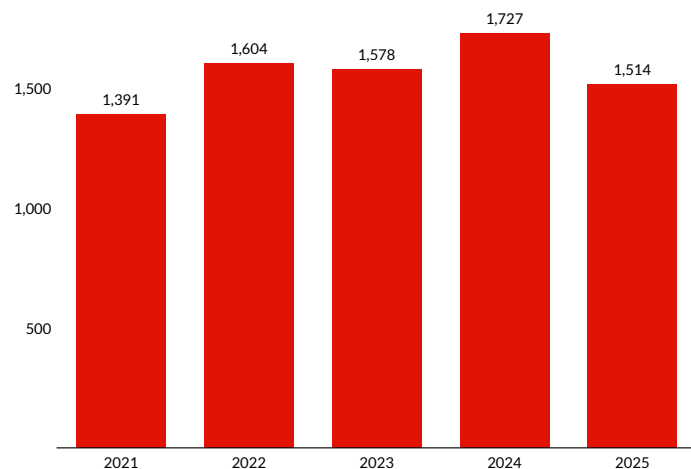
Federally Sentenced Native Americans

Population Snapshot

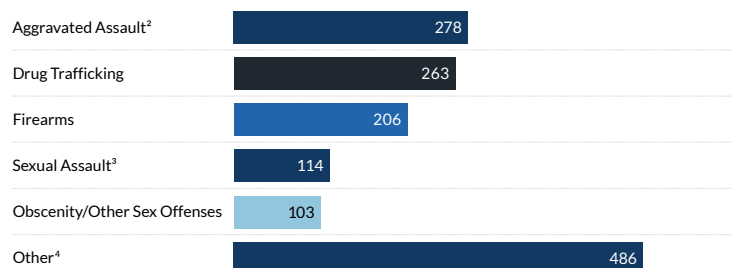
66,662 cases were reported in FY25;
1,514 involved sentenced Native Americans.

2% of all sentenced individuals and 4% of sentenced U.S. citizens were Native American.

Number of Federally Sentenced Native Americans



Most Common Offense Types for Native Americans¹



Individual and Offense Characteristics

82% of Native American sentenced individuals were men.

Their average age was 36 years.

Almost 100% were United States citizens.

41% had little or no prior criminal history (Criminal History Category I);⁵

- 17% were CHC II;
- 13% were CHC III;
- 9% were CHC IV;
- 8% were CHC V;
- 11% were CHC VI.

The top five districts for Native American sentenced individuals were:

- District of South Dakota (271);
- District of Arizona (153);
- District of North Dakota (119);
- District of Montana (114);
- Northern District of Oklahoma (112).

The top five districts where Native Americans comprised the highest proportion of the overall caseload were:

- District of South Dakota (54%);
- Eastern District of Oklahoma (45%);
- District of North Dakota (37%);
- District of Montana (28%);
- District of Alaska (22%).

25% of offenses committed by Native Americans involved weapons, compared to 13% for all individuals in fiscal year 2025.

Punishment

The average sentence for Native Americans was 73 months.

94% were sentenced to prison.

20% were convicted of an offense carrying a mandatory minimum penalty.

- The average sentence was 159 months for Native Americans convicted of an offense carrying a mandatory minimum penalty.
- The average sentence was 51 months for Native Americans convicted of an offense not carrying a mandatory minimum penalty.



QuickFacts

Native American Sentenced Individuals

Sentences Relative to the Guideline Range

60% of sentences for Native Americans were under the *Guidelines Manual*.

- 42% were within the guideline range.
- 8% were substantial assistance departures.
 - *The average sentence reduction was 57%.*
- 2% received an Early Disposition Program (EDP) departure.⁶
 - *The average sentence reduction was 65%.*
- 5% were some other downward departure.
 - *The average sentence reduction was 42%.*
- 3% were upward departures.
 - *The average sentence increase was 86%.*

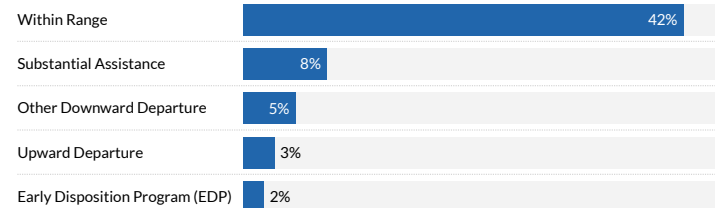
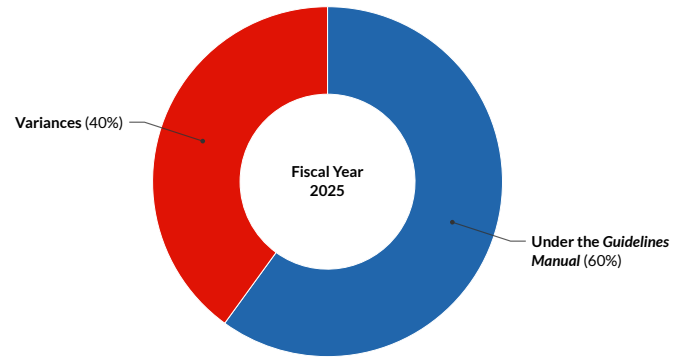
40% of sentences for Native Americans were variances.

- 34% were downward variances.
 - *The average sentence reduction was 45%.*
- 6% were upward variances.
 - *The average sentence increase was 79%.*

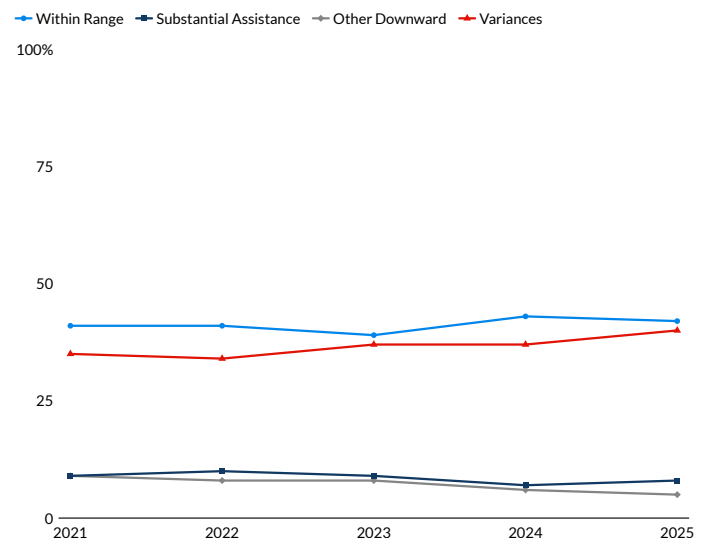
The average guideline minimum and average sentence imposed have increased over the past five years.

- The average guideline minimum increased from 67 months in fiscal year 2021 to 81 months in fiscal year 2025.
- The average sentence imposed increased from 56 months in fiscal year 2021 to 73 months in fiscal year 2025.

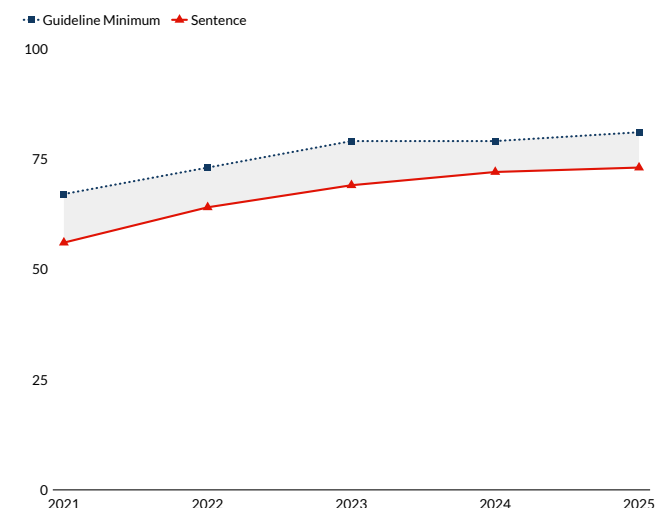
Sentences Relative to the Guideline Range



Sentences Relative to the Guideline Range by Fiscal Year



Average Guideline Minimum and Average Sentence (months)



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

² Aggravated assault includes cases where the court applied §2A2.2 as the primary sentencing guideline.

³ Sexual assault includes cases where the court applied §§2A3.1, 2A3.2, 2A3.3, or 2A3.4 as the primary sentencing guideline.

⁴ "Other" guidelines include Manslaughter (72) and Murder (64). No other guideline had a value greater than 50.

⁵ Tribal offenses are not counted in determining the criminal history score under the sentencing guidelines. See §4A1.2(i).

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.