► THERE WERE 80,035 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2013.

• OF THESE CASES, 9,400 INVOLVED FEMALE OFFENDERS.

► FEMALE OFFENDERS ACCOUNTED FOR 13.3% OF OFFENDERS IN FISCAL YEAR 2013.









<sup>1</sup> In comparison, male offenders are more likely to be Hispanic (53.8%), non-citizens (44.9%), and have a more extensive criminal history (only 40.4% of male offenders were assigned to Criminal History Category I).

## Women in the Federal Offender Population

While women continue to make up a small percentage of federal offenders, the proportion of federal offenders who were women rose slightly from 12.1% in fiscal year 2009 to 13.3% in fiscal year 2013.

### Offender and Offense Characteristics<sup>1</sup>

- In fiscal year 2013, more than two-thirds of female offenders were sentenced for drug trafficking (33.7%), fraud (23.9%), or immigration (14.3%) offenses.
- In only one offense, embezzlement, were female offenders in the majority (57.2%).
- More than one-third were Hispanic (37.5%) followed by White (34.5%), Black (21.8%), and Other Races (6.2%).
  - The largest racial group of female drug trafficking offenders was Hispanic (43.6%) followed by White (35.6%), Black (16.3%), and Other Races (4.5%).
  - The largest racial group of female fraud offenders was White (42.5%) followed by Black (35.8%), Hispanic (15.5%), and Other Races (6.2%).
  - Most female immigration offenders were Hispanic (86.4%), followed by White (5.4%), Other Races (4.9%), and Black (3.3%).
- The average age of these offenders at sentencing was 38 years.
- The majority of female offenders were United States citizens (79.5%).
- Most female offenders (70.8%) had little or no prior criminal history (i.e., assigned to Criminal History Category I). The proportion of female offenders in other Criminal History Categories was as follows:
  - 10.2% of these offenders were in Category II;
  - ◆ 10.5% were in Category III;
  - ♦ 3.6% were in Category IV;
  - ◆ 2.0% were in Category V; and,
  - 2.9% were in Category VI.
- Districts with the highest proportion of their overall caseload comprising female offenders were:
  - Middle District of Alabama (26.2% of overall caseload);
  - Northern District of West Virginia (25.4%);
  - District of Alaska (24.3%);
  - Western District of Virginia (22.6%);
  - Southern District of Illinois (22.4%); and,
  - District of Hawaii (22.4%).
- Weapons were involved less frequently (4.1%) in cases involving females than in cases involving males (8.6%).



# Women in the Federal Offender Population

#### Punishment

- Three-quarters (75.6%) of female offenders were sentenced to imprisonment, which is less than the rate for male offenders in fiscal year 2013 (93.5%).
  - Female drug trafficking offenders were often sentenced to imprisonment (90.3%), although at a lower rate than male drug trafficking offenders in fiscal year 2013 (97.3%).
  - Female fraud offenders were sentenced to imprisonment at a lower rate (61.1%) than were male fraud offenders (74.1%).
  - Female immigration offenders were sentenced to imprisonment at a lower rate (85.0%) than were male immigration offenders (97.5%).
- Female offenders were convicted of a statute carrying a mandatory minimum penalty at a lower rate (24.0%) than were male offenders (26.9%).
  - The average sentence length for females convicted of a statute carrying a mandatory minimum penalty was 60 months.
  - The average sentence length for females not convicted of a statute carrying a mandatory minimum penalty was 17 months.

#### Sentences Relative to the Guideline Range

- For each of the past five years, female offenders were sentenced within the guideline range in less than half of all cases (49.7% in fiscal year 2009 and 40.2% in fiscal year 2013), compared to 55.3% and 49.8% for male offenders.
- The rate of government sponsored below range sentences increased from 28.0% in fiscal year 2009 to 32.9% in fiscal year 2013, compared to 26.3% and 28.7% for male offenders.
  - Substantial assistance departures were granted in 20.9% of cases involving female offenders in fiscal year 2013. This represents 63.6% of all government sponsored below range sentences for female offenders.
  - Early Disposition Program (EDP) departures<sup>2</sup> were granted in 18.9% of cases involving female offenders.
  - Other government sponsored below range sentences were granted in 17.6% of cases involving female offenders.
- The percentage of female offenders that received a non-government sponsored below range sentence increased over the last five years (from 21.1% of cases in fiscal year 2009 to 25.8% in fiscal year 2013), compared to 16.3% and 19.2% for male offenders.
- The average guideline minimum for female offenders has increased over the last five years from 36 months in fiscal year 2009 to 41 months in fiscal year 2013.
- The average sentence imposed slightly increased over the last five years, from 25 months in fiscal year 2009 to 27 months in fiscal year 2013.

<sup>2</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 §SK3.1.

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Average Sentence and Average Guideline Minimum (in months)





One Columbus Circle, N.E. Suite 2-500, South Lobby Washington, DC 20002-8002 T: (202) 502-4500 F: (202) 502-4699 www.ussc.gov