

▶ THERE WERE 75,836 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2014.

▶ IN 23.6% OF THESE CASES,<sup>1</sup> THE OFFENDER WAS CONVICTED OF AN OFFENSE CARRYING A MANDATORY MINIMUM PENALTY.

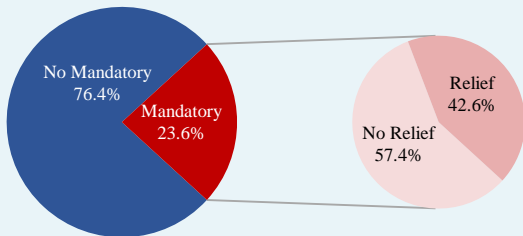
▶ AT SENTENCING, 13.6% OF ALL OFFENDERS REMAINED SUBJECT TO A MANDATORY MINIMUM PENALTY.

# Quick Facts



## Mandatory Minimum Penalties

**Offenders Convicted of Offenses Carrying Mandatory Minimum Penalties FY 2014**

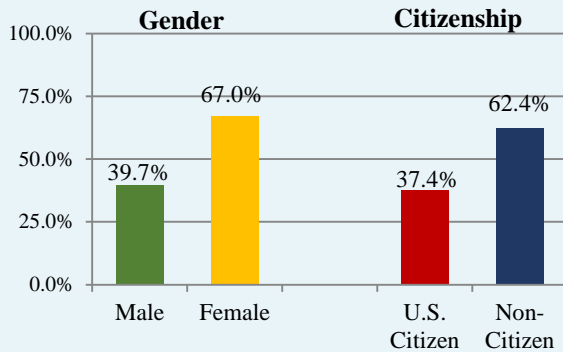


In fiscal year 2014, there were 16,048 offenders convicted of an offense carrying a mandatory minimum penalty. Of these offenders, 9,212 (57.4%) remained subject to a mandatory minimum penalty at sentencing.

### Overview

- In 23.6% of all cases, the offender was convicted of an offense carrying a mandatory minimum penalty.
- Drug trafficking offenses accounted for over two-thirds (67.8%) of the offenses carrying a mandatory minimum penalty, followed by firearms (15.2%) and child pornography offenses (7.9%).
- Over 40 percent (42.6%) of offenders convicted of an offense carrying a mandatory minimum were relieved of the mandatory minimum penalty because:
  - ◆ 7.2% received relief through both the statutory safety valve provision<sup>2</sup> and by providing substantial assistance to the government;<sup>3</sup>
  - ◆ 14.5% received relief solely through the statutory safety valve provision; and
  - ◆ 20.9% received relief solely by providing the government with substantial assistance.
- As a result, 13.6% of all federal offenders remained subject to a mandatory minimum penalty at sentencing.

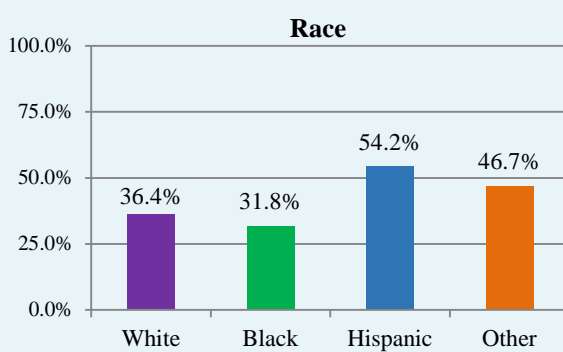
**Relief from Mandatory Minimum Penalties by Offender Characteristic FY 2014**



### Offenders and Sentencing

- Hispanic offenders accounted for the largest group (40.6%) of offenders convicted of an offense carrying a mandatory minimum penalty, followed by Black (29.9%), White (26.8%), and Other races (2.8%).
- The average sentence length of offenders who remained subject to a mandatory minimum penalty at sentencing was 140 months, over twice the average sentence of offenders receiving relief from such a penalty (67 months). The average sentence for offenders not convicted of any offense carrying a mandatory minimum penalty was 28 months.
- Districts with the highest proportion of the overall caseload comprising convictions of an offense carrying a mandatory minimum penalty:
  - ◆ District of Puerto Rico (56.6% of overall caseload);
  - ◆ Central District of Illinois (55.7%);
  - ◆ District of the Virgin Islands (43.1%);
  - ◆ Northern District of Iowa (42.2%); and
  - ◆ District of Guam (41.9%).

**Relief from Mandatory Minimum Penalties by Offender Characteristic FY 2014**



<sup>1</sup> The Commission excluded cases from the analyses performed in the report that lacked the necessary documentation. As a result, the numbers reported differ from the Commission's 2014 Sourcebook of Federal Sentencing Statistics.

<sup>2</sup> See 18 U.S.C. § 3553(f).

<sup>3</sup> See 18 U.S.C. § 3553(e).

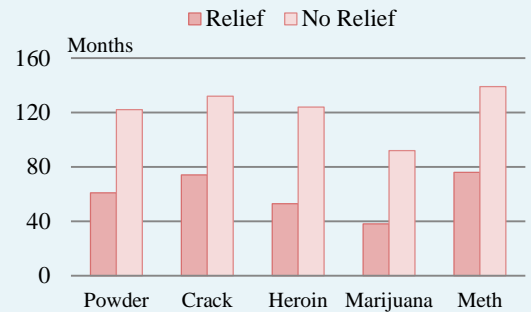
# Quick Facts

## Mandatory Minimum Penalties

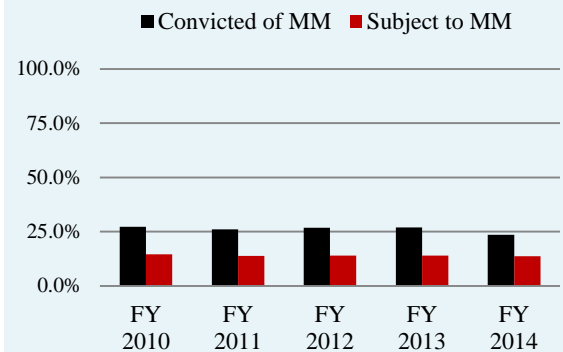
### Offense Categories

- Of the 21,475 *drug offenders* in fiscal year 2014, over one-half (52.2%) were convicted of an offense carrying a mandatory minimum penalty.
  - ◆ Less than half (46.4%) of drug offenders convicted of an offense carrying a mandatory minimum penalty remained subject to that penalty at sentencing.
    - ◇ The average sentence for drug offenders subject to a mandatory minimum penalty at sentencing was 127 months (with relief, 63 months) compared to 40 months for drug offenders not convicted of an offense carrying a mandatory minimum penalty.
  - ◆ Drug offenders were convicted of an offense carrying a mandatory minimum penalty most often in powder cocaine cases (68.7%). In contrast, such a penalty applied least often in marijuana cases (35.7%).
  - ◆ Crack cocaine offenders remained subject to mandatory minimum penalties at sentencing most often (in 35.9% of crack cocaine cases involving a conviction for an offense carrying a mandatory minimum penalty). In contrast, 12.6% of marijuana offenders remained subject to a mandatory minimum penalty at sentencing.
- There were 2,794 offenders convicted of a *firearms offense* carrying a mandatory minimum penalty (2,219 of whom were convicted under 18 U.S.C. § 924(c) and 551 of whom qualified as an Armed Career Criminal under 18 U.S.C. § 924(e)).
  - ◆ 77.5% of section 924(c) offenders remained subject to the mandatory minimum at sentencing.
    - ◇ The average sentence for section 924(c) offenders subject to the mandatory minimum penalty was 171 months (with relief, 107 months).
  - ◆ Almost 80 percent (78.0%) of Armed Career Criminals remained subject to the mandatory minimum penalty at sentencing.
    - ◇ The average sentence for Armed Career Criminals subject to the mandatory minimum penalty was 206 months (with relief, 115 months).
- Of the 2,652 *sex offenders* (cases involving sexual abuse or child pornography), 60.4% were convicted of an offense carrying a mandatory minimum penalty.
  - ◆ Of the 1,060 *sexual abuse offenders*, 59.2% were convicted of an offense carrying a mandatory minimum penalty.
    - ◇ The average sentence for sexual abuse offenders subject to the mandatory minimum penalty was 238 months (with relief, 159 months).
  - ◆ Of the 1,592 *child pornography offenders*, 61.2% were convicted of an offense carrying a mandatory minimum penalty.
    - ◇ The average sentence for child pornography offenders subject to the mandatory minimum penalty was 131 months (with relief, 94 months).
- Of the 1,144 *identity theft offenders* convicted of an offense under 18 U.S.C. § 1028A, 63.4% were subject to the mandatory minimum penalty at sentencing.
  - ◆ The average sentence for identity theft offenders subject to the mandatory minimum penalty was 66 months (with relief, 38 months).

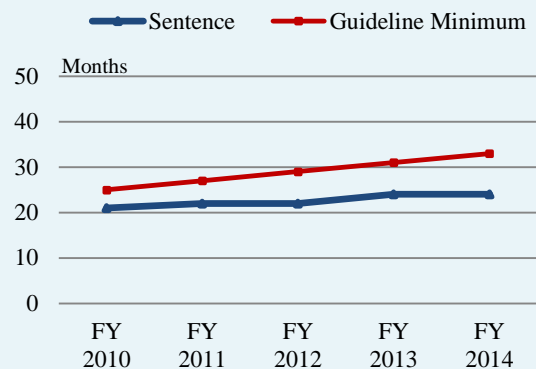
Average Sentence by Drug Type and Relief Status FY 2014



Offenders Convicted of and Remaining Subject to Mandatory Minimum Penalties



Average Sentence and Guideline Minimum for Offenders Convicted of an Offense Carrying Mandatory Minimum Penalty



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