Fiscal Year 2019

- IN FY 2019, 76,538 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.
- 18,819 INVOLVED AN OFFENSE CARRYING A MANDATORY MINIMUM PENALTY.
- 14.1% OF ALL OFFENDERS REMAINED SUBJECT TO MANDATORY MINIMUMS AT SENTENCING.

Offenders Convicted of Offenses Carrying Mandatory Minimum Penalties

- Overview
  - 26.1% of all cases carried a mandatory minimum penalty.
  - Of all cases carrying a mandatory minimum penalty:
    - 72.7% were drug trafficking;
    - 5.4% were firearms;
    - 4.8% were child pornography;
    - 4.6% were fraud;
    - 4.4% were sexual abuse.
  - 44.3% of offenders convicted of an offense carrying a mandatory minimum were relieved of the penalty because:
    - 21.8% received relief through the safety valve provision;
    - 15.9% provided the government with substantial assistance;
    - 6.6% received relief through both.
  - Of offenders convicted of an offense carrying a mandatory minimum:
    - 40.2% of male offenders received relief;
    - 70.3% of female offenders received relief;
    - 37.8% of U.S. citizen offenders received relief;
    - 68.8% of non-U.S. citizen offenders received relief.
  - 55.7% of offenders convicted of an offense carrying a mandatory minimum penalty did not receive relief.
  - 41.8% of offenders convicted of a mandatory minimum penalty were Hispanic, 27.6% were White, 27.6% were Black, and 3.0% were Other races.

Offenders and Sentencing

- The average sentence length was:
  - 141 months for those subject to the mandatory minimum;
  - 61 months for those receiving relief;
  - 24 months for offenders who were not convicted of an offense carrying a mandatory minimum.
- Districts with the highest proportion of cases involving a mandatory minimum penalty were:
  - District of Hawaii (61.8%);
  - District of Virgin Islands (53.3%);
  - Southern District of Iowa (52.4%);
  - District of Puerto Rico (50.5%);
  - Central District of Illinois (50.0%).

Offense Categories

Identity Theft Offenders

- 82.9% of the 999 identity theft offenders were subject to a mandatory minimum penalty at sentencing.
- Their average sentence was 50 months, 30 with relief.

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1 Cases with incomplete sentencing information were excluded from the analysis.
3 See 18 U.S.C. § 3553(e).
4 Convicted of an offense under 18 U.S.C. § 1028A.
5 Supra note 1.

For more Quick Facts, visit https://www.ussc.gov/research/quick-facts.
Mandatory Minimum Penalties

Offense Categories (continued)

Drug Offenders

• 68.1% of drug offenders were convicted of an offense carrying a mandatory minimum penalty;
  ♦ 44.7% remained subject to that penalty at sentencing.
  ♦ Their average sentence was 133 months, 58 months with relief.

• 82.4% of methamphetamine offenders were convicted of an offense carrying a mandatory minimum penalty, compared to 42.6% of marijuana offenders.

• 73.2% of crack cocaine offenders remained subject to a mandatory minimum penalty at sentencing, compared to 36.0% of marijuana offenders.

Firearm Offenders

• 3,486 offenders were convicted of a firearms offense carrying a mandatory minimum penalty.
  ♦ 3,109 were convicted under 18 U.S.C. § 924(c);
    ◆ 80.7% remained subject to the mandatory minimum at sentencing.
    ◆ Their average sentence was 148 months, 97 months with relief.

  ♦ 312 qualified as an Armed Career Criminal under 18 U.S.C. § 924(e);
    ◆ 80.1% remained subject to mandatory minimum penalties at sentencing.
    ◆ Their average sentence was 206 months, 116 months with relief.

Sex Offenders

• 68.2% of the 2,500 sex offenders—sexual abuse or child pornography offenders—were convicted of an offense carrying a mandatory minimum penalty.
  ♦ 70.6% of the 1,148 sexual abuse offenders were convicted of an offense carrying a mandatory minimum;
    ◆ 94.8% remained subject to the mandatory minimum at sentencing.
    ◆ Their average sentence was 257 months, 172 months with relief.

  ♦ 66.2% of the 1,352 child pornography offenders were convicted of an offense carrying a mandatory minimum;
    ◆ 97.3% remained subject to the mandatory minimum at sentencing.
    ◆ Their average sentence was 130 months, 93 with relief.