



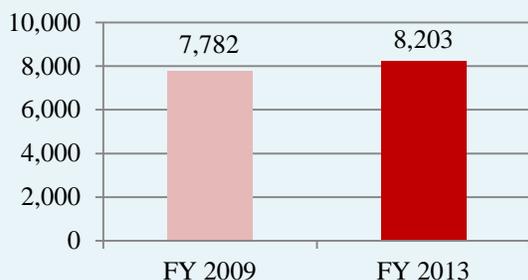
# Quick Facts

- ▶ THERE WERE 80,035 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2013.
- ▶ THEFT, PROPERTY DESTRUCTION, AND FRAUD OFFENSES<sup>1</sup> ACCOUNT FOR 11.6% OF THE FEDERAL CASELOAD DURING THIS PERIOD.<sup>2</sup>
- ▶ THESE OFFENDERS ARE SENTENCED UNDER SECTION 2B1.1 OF THE U.S. SENTENCING COMMISSION'S *GUIDELINES MANUAL*.

## Theft, Property Destruction, and Fraud Offenses<sup>1</sup>

In fiscal year 2013, there were 8,203 §2B1.1 offenders accounting for 11.6% of all offenders sentenced under the guidelines. The number of §2B1.1 offenders has remained relatively stable for the last five years.

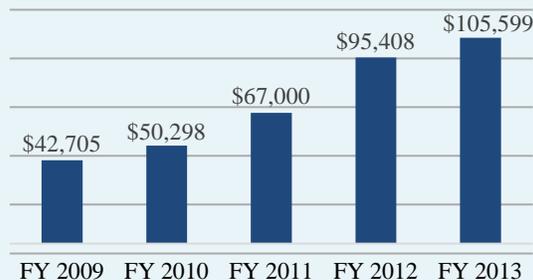
**Number of §2B1.1 Offenders**



**Top Five Districts §2B1.1 Offenders FY 2013**

Southern District of Florida (N=540)
Southern District of New York (N=356)
Central District of California (N=299)
Middle District of Florida (N=263)
Northern District of Illinois (N=246)

**Median Loss for §2B1.1 Offenders**



### Offender and Offense Characteristics

- In fiscal year 2013, most offenders sentenced under §2B1.1<sup>1</sup> were male (65.5%).
- Nearly half were White (46.6%), followed by Black (31.3%), Hispanic (15.8%), and Other Races (6.3%).
- The average age of these offenders at sentencing was 42 years.
- These offenses were committed mostly by U.S. citizens (87.7%) compared to non-citizens (12.3%).
- The majority of §2B1.1 offenders had little or no prior criminal history (71.6% of these offenders were assigned to Criminal History Category I).
- The median loss in these cases was \$105,599.
  - ◆ 82.0% of §2B1.1 offenses involved loss amounts of \$1 million or less.
  - ◆ 53.9% of §2B1.1 offenses involved loss amounts of \$120,000 or less.
- Sentences under §2B1.1 were increased for:
  - ◆ 23.3% of offenders because of the number of victims:
    - ◇ 13.3% of cases involved 10 or more victims or mass-marketing;
    - ◇ 7.0% of cases involved 50 or more victims;
    - ◇ 3.0% of cases involved 250 or more victims.
  - ◆ 14.3% of offenders because the offender used sophisticated means to execute or conceal the offense.
  - ◆ 11.7% of offenders for using an unauthorized means of identification.
  - ◆ 10.7% of offenders for having a leadership or supervisory role in the offense.
  - ◆ 15.7% of offenders for abusing a public position of trust or using a special skill.
  - ◆ 4.1% of offenders for obstructing or impeding the administration of justice.
- Sentences under §2B1.1 were decreased for:
  - ◆ 6.0% of offenders because they were a minor or minimal participant in the offense.

### Punishment

- More than two-thirds of offenders under §2B1.1 were sentenced to imprisonment (69.9%).
- The average sentence length for offenders under §2B1.1 was 24 months.

<sup>1</sup> Theft, Property Destruction, and Fraud Offenses include cases with complete guideline application information in which the offender was sentenced under §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit Bearer Obligations of the United States) using a *Guidelines Manual* in effect on November 1, 2001 or later.

<sup>2</sup> Of the 80,035 offenders sentenced in fiscal year 2013, 9,031 were excluded from this analysis due to incomplete guideline application information.

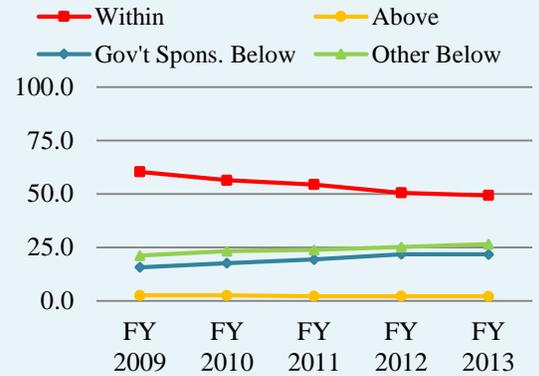
# Quick Facts

## Theft, Property Destruction, and Fraud Offenses

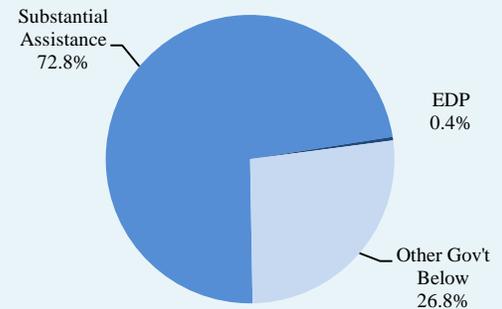
### Sentences Relative to the Guideline Range

- For each of the past five years, the rate of within range sentences for §2B1.1 offenses has steadily decreased (60.4% in fiscal year 2009 to 49.4% in fiscal year 2013).
- In each of the past five years, approximately one-fifth of §2B1.1 offenders received a sentence below the applicable guideline range because the government sponsored the below range sentence.
  - ◆ Substantial assistance departures were granted in approximately 13 to 16 percent of §2B1.1 offenses in each of the past five years.
    - ◇ These offenders received an average reduction of 60.4% in their sentence during the five year time period (which corresponds to an average reduction of 21 months).
  - ◆ Other government sponsored departures were granted in approximately three to six percent of §2B1.1 offenses in each of the past five years.
    - ◇ These offenders received an average reduction of 59.1% in their sentence during the five year time period (which corresponds to an average reduction of 16 months).
- The rate of non-government sponsored below range sentences steadily increased over the past five years (from 21.2% of §2B1.1 offenses in fiscal year 2009 to 26.6% in fiscal year 2013).
  - ◆ Reductions for non-government sponsored below range sentences were smaller than in cases in which the government sponsored a below range sentence, with an average reduction of 54.6% over the five year time period (which corresponds to an average reduction of 13 months).
- Both the average sentence and the average guideline minimum for offenders sentenced under §2B1.1 have increased over the past five years.
  - ◆ The average guideline minimum increased from 23 months to 31 months during that period;
  - ◆ The average sentence imposed increased from 20 months to 24 months.

### Sentence Relative to the Guideline Range



### Government Sponsored Below Range Sentences FY 2013



### Average Sentence and Average Guideline Minimum (in months)

