THERE WERE 71,003 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2015.

OF THESE CASES, 7,724 INVOLVED THEFT, PROPERTY DESTRUCTION, OR FRAUD.¹

2.8% OF THEFT, PROPERTY DESTRUCTION, AND FRAUD OFFENSES INVOLVED SECURITIES AND INVESTMENT FRAUD.²

THERE WERE 71,003 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2015.

Top Five Districts
Securities and Investment Fraud Offenders FY 2015

<table>
<thead>
<tr>
<th>District</th>
<th>Offenders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Southern District of New York</td>
<td>(N=35)</td>
</tr>
<tr>
<td>Southern District of Florida</td>
<td>(N=19)</td>
</tr>
<tr>
<td>Central District of California</td>
<td>(N=14)</td>
</tr>
<tr>
<td>Northern District of California</td>
<td>(N=11)</td>
</tr>
<tr>
<td>Middle District of Florida</td>
<td>(N=11)</td>
</tr>
</tbody>
</table>

Median Loss for Securities and Investment Fraud Offenses

<table>
<thead>
<tr>
<th>Loss Amount</th>
<th>FY 2013</th>
<th>FY 2014</th>
<th>FY 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0</td>
<td>$1,000</td>
<td>$2,000</td>
<td>$3,000</td>
</tr>
<tr>
<td>$2,000</td>
<td>$3,000</td>
<td>$3,000</td>
<td>$3,000</td>
</tr>
<tr>
<td>$3,000</td>
<td>$4,000</td>
<td>$4,000</td>
<td>$4,000</td>
</tr>
<tr>
<td>$4,000</td>
<td>$5,000</td>
<td>$5,000</td>
<td>$5,000</td>
</tr>
</tbody>
</table>

1 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. See www.ussc.gov/research/quick-facts for the Quick Facts on §2B1.1 offenders.

2 Securities and investment fraud includes cases where the offense conduct as described in the Presentence Report involved the deception of investors or the manipulation of financial markets.

Securities and Investment Fraud Offenses²

In fiscal year 2015, there were 218 securities and investment fraud offenders, who accounted for 0.3%³ of all offenders sentenced under the guidelines. The number of securities and investment fraud offenders decreased by 22.7% from fiscal years 2013 to 2015.

Offender and Offense Characteristics

- In fiscal year 2015, almost all securities and investment fraud offenders were male (93.6%).
- Over three-quarters were White (77.1%) followed by Other Races (9.2%), Black (8.3%), and Hispanic (5.5%).
- The average age of these offenders at sentencing was 51 years.
- Almost all securities and investment fraud offenders were United States citizens (93.6%).
- The majority of securities and investment fraud offenders had little or no prior criminal history (83.9% of these offenders were assigned to Criminal History Category I).
- The median loss for these offenses was $3,454,756.
  - 32.6% of securities and investment fraud offenses involved loss amounts greater than $7 million.⁴
  - 21.1% of securities and investment fraud offenses involved loss amounts of $400,000 or less.⁴
- Nearly three-quarters (70.6%) of securities and investment fraud sentences were increased because of the number of victims involved in the offense.⁴
  - 30.3% of these offenses involved 10 or more victims or mass-marketing;
  - 23.4% of these offenses involved 50 or more victims; and
  - 17.0% of these offenses involved 250 or more victims.
- Sentences for securities and investment fraud offenders were also increased for:
  - Use of sophisticated means to execute or conceal the offense (36.7%).
  - Violation of securities or commodities law by an officer or director of a publicly traded company, broker, dealer, or investment adviser (28.0%).
  - Leadership or supervisory role in the offense (19.7%).
  - Abusing a public position of trust or using a special skill (13.8%).
  - Obstructing or impeding the administration of justice (10.1%).
- Sentences for securities and investment fraud offenders were decreased for:
  - Minor or minimal participation in the offense (4.1%).
Punishment

- The majority of securities and investment fraud offenders were sentenced to imprisonment (88.1%).

- The average sentence length for securities and investment fraud offenders was 57 months.

Sentences Relative to the Guideline Range

- During the past three years, the rate of within range sentences for securities and investment fraud offenders has decreased from 44.0% in fiscal year 2013 to 31.7% in fiscal year 2015.

- In each of the past three years, approximately one-fourth to one-third of securities and investment fraud offenders received a sentence below the applicable guideline range because the government sponsored the below range sentence.

  - Substantial assistance departures were granted in approximately 16 to 28 percent of securities and investment fraud cases in each of the past three years.

  - These offenders received an average reduction of 64.7% in their sentence during the three year time period.

  - Other government sponsored departures were granted in approximately seven to nine percent of securities and investment fraud cases in each of the past three years.

  - These offenders received an average reduction of 43.2% in their sentence during the three year time period.

- The rate of non-government sponsored below range sentences increased during the past three years from 29.8% of securities and investment fraud cases in fiscal year 2013 to 36.7% in fiscal year 2015.

  - The average reduction for these offenders was 41.9% during the three year time period.

- During the past three years, the average sentence for securities and investment fraud offenders decreased while the average guideline minimum for these offenders increased slightly.

  - The average sentence imposed decreased from 77 months to 57 months during that time period.

  - The average guideline minimum increased from 96 months to 107 months during that time period.

3 Of the 71,003 offenders sentenced in fiscal year 2015, 7,543 were excluded from this analysis due to incomplete guideline application information.

4 The Loss Table and Victims Table were amended effective November 1, 2015.