Fiscal Year 2019

In FY 2019, 76,538 cases were reported to the U.S. Sentencing Commission.

1,165 involved sexual abuse offenses.\(^1\)

Sexual abuse offenses have increased 16.6% since 2015.

### Number of Sexual Abuse Offenders

<table>
<thead>
<tr>
<th>Year</th>
<th>Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY 2015</td>
<td>999</td>
</tr>
<tr>
<td>FY 2016</td>
<td>1,090</td>
</tr>
<tr>
<td>FY 2017</td>
<td>1,097</td>
</tr>
<tr>
<td>FY 2018</td>
<td>1,067</td>
</tr>
<tr>
<td>FY 2019</td>
<td>1,165</td>
</tr>
</tbody>
</table>

### Primary Sentencing Guideline for Sexual Abuse Offenders FY 2019

- **Rape**: 11.7%
- **Abusive Sexual Contact**: 3.8%
- **Statutory Rape**: 3.5%
- **Other**: 4.1%
- **Production of Child Pornography**: 44.7%
- **Travel for Prohibited Sexual Conduct**: 32.3%

### Offender and Offense Characteristics\(^3\)

- 94.2% of sexual abuse offenders were men.
- 53.6% were White, 17.3% were Black, 13.5% were Hispanic, 13.6% were Native American, and 2.1% were Other races.
  - 75.2% of offenders in cases involving production of child pornography were White.
  - 47.2% of offenders in cases involving travel for prohibited sexual contact were White and 30.7% were Black.
  - 58.2% of offenders in cases involving criminal sexual abuse (rape) were Native American.
  - 79.6% of offenders in cases involving abusive sexual contact were Native American.
  - 80.0% of offenders in cases involving statutory rape were Native American.
- Their average age was 38 years.
- 94.8% were United States citizens.
- 64.4% had little or no prior criminal history (Criminal History Category I).
  - 11.0% were CHC II;
  - 9.9% were CHC III;
  - 5.1% were CHC IV;
  - 5.5% were CHC V;
  - 4.2% were CHC VI.
- 9.1% of sexual abuse offenders were convicted at trial, compared to 2.5% of all other federal offenders.
- The top five districts for sexual abuse offenders were:
  - District of Arizona (50);
  - Northern District of Texas (40);
  - Eastern District of Michigan (36);
  - District of South Dakota (35);
  - Western District of Missouri (32).

### Punishment

- 99.4% of sexual abuse offenders were sentenced to prison; their average sentence was 204 months.
- The average sentence for offenders convicted of production of child pornography was 275 months:
  - 86.0% of these offenders were convicted of an offense carrying a mandatory minimum penalty; their average sentence was 298 months. The average sentence without a mandatory minimum was 137 months.
- The average sentence for offenders convicted of travel to engage in prohibited sexual conduct with a minor was 148 months:
  - 67.9% of these offenders were convicted of an offense carrying a mandatory minimum penalty; their average sentence was 180 months. The average sentence without a mandatory minimum was 80 months.

For more Quick Facts, visit [https://www.ussc.gov/research/quick-facts](https://www.ussc.gov/research/quick-facts).
Punishment (continued)

- The average sentence for offenders convicted of rape was 177 months:
  - 18.7% of these offenders were convicted of an offense carrying a mandatory minimum penalty; their average sentence was 359 months. The average sentence without a mandatory minimum was 136 months.

- The average sentence for offenders convicted of abusive sexual contact was 25 months.

- The average sentence for offenders convicted of statutory rape was 51 months.

Sentences Relative to the Guideline Range

- 51.8% of sexual abuse offenders were sentenced under the Guidelines Manual:
  - 39.1% of all sexual abuse offenders were sentenced within the guideline range.
  - 4.9% of all sexual abuse offenders received a substantial assistance departure.
    - Their average sentence reduction was 46.3%.
  - 6.6% of all sexual abuse offenders received some other downward departure.
    - Their average sentence reduction was 34.1%.

- 48.2% of sexual abuse offenders received a variance:
  - 45.0% of all sexual abuse offenders received a below range variance.
    - Their average sentence reduction was 32.6%.
  - 3.2% of all sexual abuse offenders received an above range variance.
    - Their average sentence increase was 31.7%.

1. Sexual abuse offenders are those convicted of Criminal Sexual Abuse – Rape (§2A3.1), Statutory Rape (§2A3.2), Criminal Sexual Abuse of a Ward (§2A3.3), Abusive Sexual Contact (§2A3.4), Promoting a Commercial Sex Act (§2G1.1), Travel to Engage in Prohibited Sexual Conduct with a Minor (§2G1.3), Production of Child Pornography (§2G2.1), or Child Exploitation Enterprises (§2G2.6).

2. Production of Child Pornography does not include cases where offenders were convicted of Trafficking in Material Involving the Sexual Exploitation of a Minor; Receiving, Transporting, Shipping, or Advertising Material Involving the Sexual Exploitation of a Minor; Possessing Material Involving the Sexual Exploitation of a Minor with Intent to Traffic; Possessing Material Involving the Sexual Exploitation of a Minor (§2G2.2).

3. Cases with incomplete sentencing information were excluded from the analysis.