



Quick Facts

— Sexual Abuse Offenders —

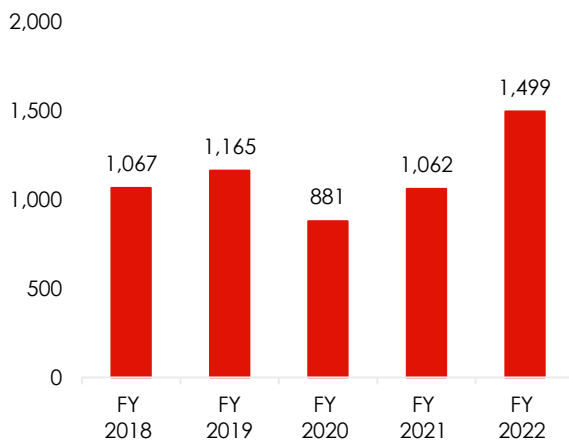
Fiscal Year 2022

▶ IN FY 2022, 64,142 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.

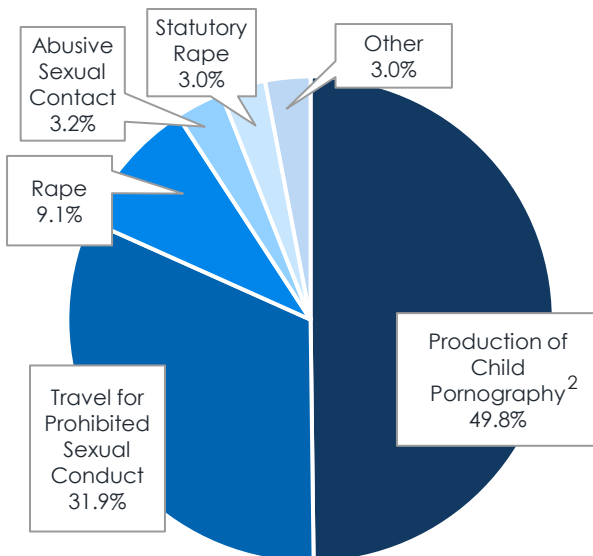
▶ 1,499 INVOLVED SEXUAL ABUSE OFFENSES.¹

▶ SEXUAL ABUSE OFFENSES HAVE INCREASED BY 40.5% SINCE FY 2018.

Number of Sexual Abuse Offenders



**Primary Sentencing Guideline for Sexual Abuse Offenders
FY 2022**



Offender and Offense Characteristics³

- 93.7% of sexual abuse offenders were men.
- 53.8% were White, 18.9% were Black, 14.4% were Hispanic, 10.5% were Native American, and 2.4% were Other races.
 - ◆ 66.4% of offenders in cases involving production of child pornography were White.
 - ◆ 52.5% of offenders in cases involving travel for prohibited sexual contact were White and 27.3% were Black.
 - ◆ 55.6% of offenders in cases involving criminal sexual abuse (rape) were Native American.⁴
 - ◆ 62.5% of offenders in cases involving abusive sexual contact were Native American.
 - ◆ 73.3% of offenders in cases involving statutory rape were Native American.
- Their average age was 39 years.
- 94.9% were United States citizens.
- 67.2% had little or no prior criminal history (Criminal History Category I);
 - ◆ 10.1% were CHC II;
 - ◆ 9.3% were CHC III;
 - ◆ 4.9% were CHC IV;
 - ◆ 5.1% were CHC V;
 - ◆ 3.4% were CHC VI.
- 10.2% of sexual abuse offenders were convicted at trial, compared to 2.4% of all other federal offenders.
- The top five districts for sexual abuse offenders were:
 - ◆ Northern District of Texas (57);
 - ◆ Southern District of Florida (50);
 - ◆ Central District of Illinois (39);
 - ◆ District of South Dakota (38);
 - ◆ District of New Mexico (37).

Punishment

- 99.5% of sexual abuse offenders were sentenced to prison; their average sentence was 207 months.
- The average sentence for offenders convicted of production of child pornography was 265 months:
 - ◆ 81.8% of these offenders were convicted of an offense carrying a mandatory minimum penalty; their average sentence was 290 months. The average sentence without a mandatory minimum was 146 months.
- The average sentence for offenders convicted of travel to engage in prohibited sexual conduct with a minor was 153 months:
 - ◆ 75.6% of these offenders were convicted of an offense carrying a mandatory minimum penalty; their average sentence was 174 months. The average sentence without a mandatory minimum was 90 months.



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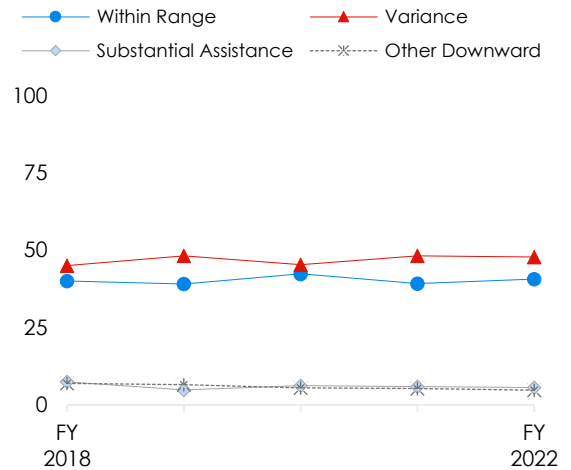
Punishment (continued)

- The average sentence for offenders convicted of criminal sexual abuse (rape) was 211 months:
 - 26.7% of these offenders were convicted of an offense carrying a mandatory minimum penalty; their average sentence was 336 months. The average sentence without a mandatory minimum was 165 months.
- The average sentence for offenders convicted of statutory rape was 54 months.
- The average sentence for offenders convicted of abusive sexual contact was 36 months.

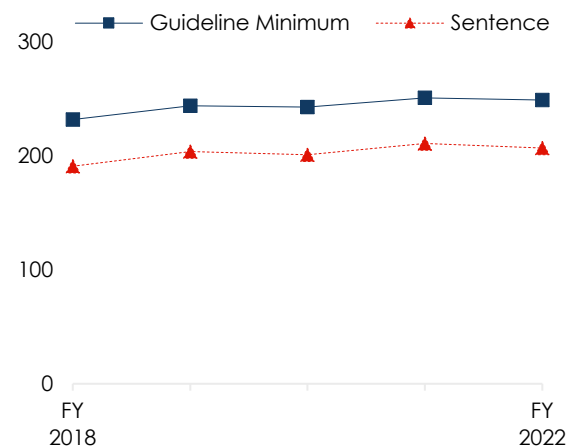
Sentences Relative to the Guideline Range

- 52.2% of sexual abuse offenders were sentenced under the *Guidelines Manual*:
 - 40.7% of all sexual abuse offenders were sentenced within the guideline range.
 - 5.7% of all sexual abuse offenders received a substantial assistance departure.
 - Their average sentence reduction was 45.5%.
 - 4.8% of all sexual abuse offenders received some other downward departure.
 - Their average sentence reduction was 38.3%.
- 47.8% of sexual abuse offenders received a variance:
 - 44.3% of all sexual abuse offenders received a downward variance.
 - Their average sentence reduction was 30.8%.
 - 3.5% of all sexual abuse offenders received an upward variance.
 - Their average sentence increase was 46.9%.

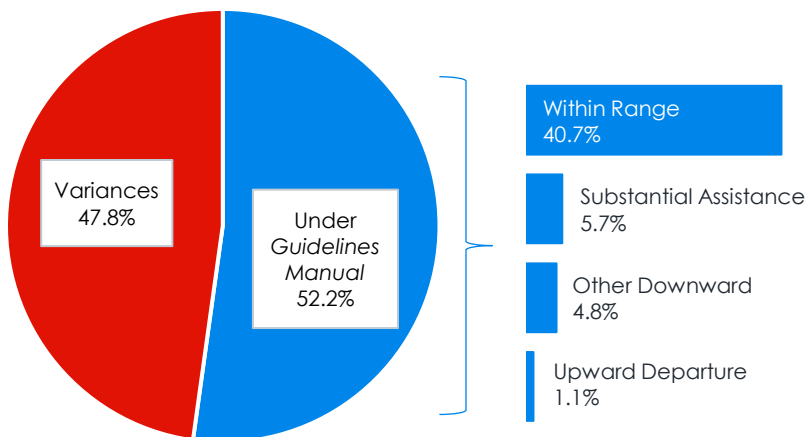
Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



Sentence Imposed Relative to the Guideline Range FY 2022



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.

4 Under the Major Crimes Act (18 U.S.C. § 1153), the federal government has jurisdiction over sexual assault crimes committed by Native Americans in Indian Country.