



The Criminal History of Federal Economic Crime Offenders

United States Sentencing Commission
February 2020





The Criminal History of Federal Economic Crime Offenders

CHARLES R. BREYER
Commissioner

DANNY C. REEVES
Commissioner

PATRICIA K. CUSHWA
Ex Officio

DAVID RYBICKI
Ex Officio

KENNETH P. COHEN
Staff Director

GLENN R. SCHMITT
Director, Office of Research and Data

FEBRUARY 2020

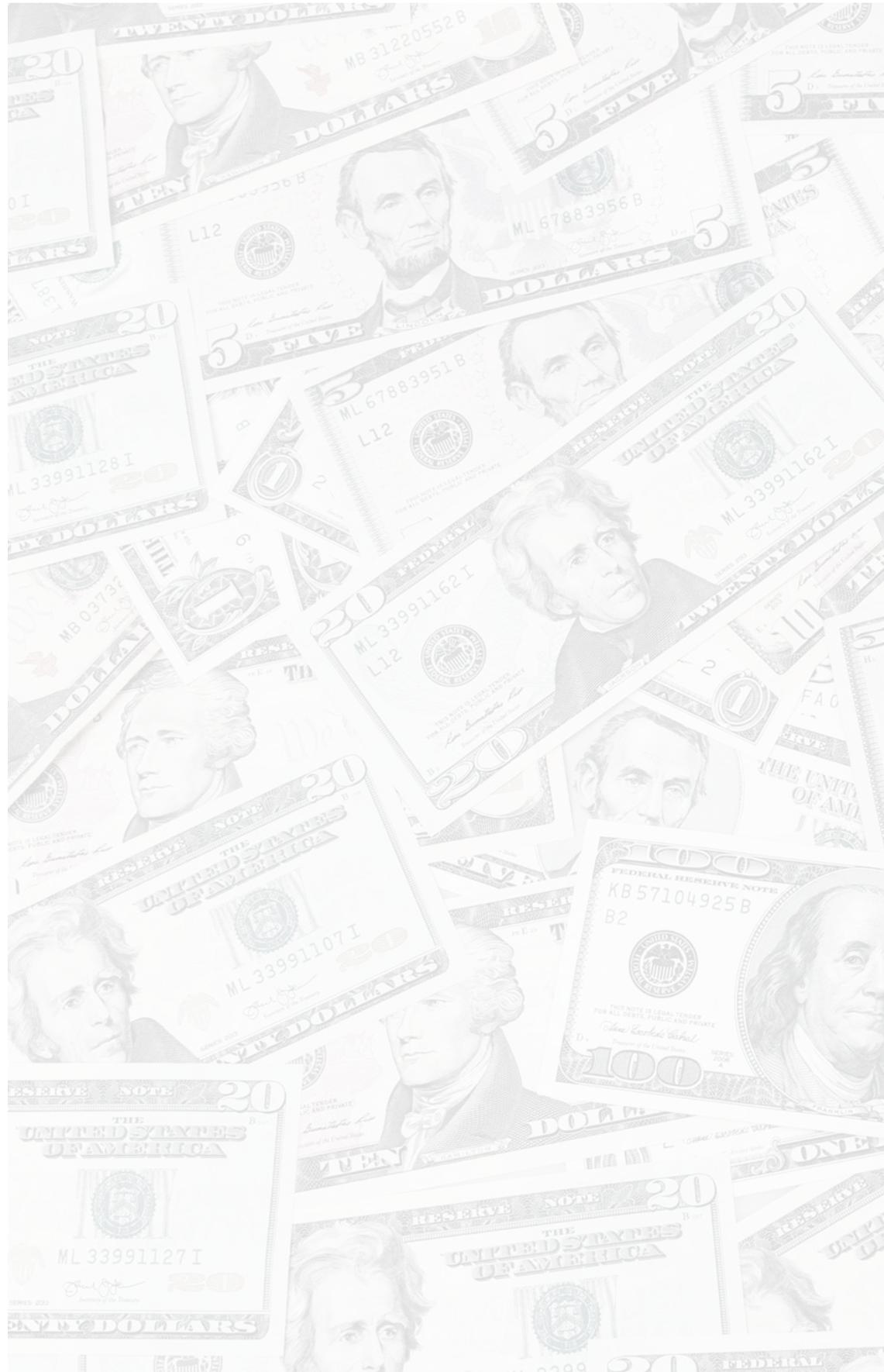


Table of Contents

Introduction	1
Key Findings.....	3
Previous Publications	4
Combining Approaches	6
Criminal History in the Sentencing Guidelines	8
Prevalence of Prior Convictions for Economic Crime Offenders	10
Criminal History Points for Economic Crime Offenders.....	13
Criminal History Category for Economic Crime Offenders	16
Federal Economic Crime Offenders Do Not Specialize in Economic Crime	18
Specialization Among Offenders with Criminal History Points.....	20
Types of Prior Convictions for Economic Crime Offenders.....	22
Types of Prior Convictions for Offenders with Criminal History Points.....	24
Economic Crime Offenders with Prior Convictions and Zero Criminal History Points	26
First Offenders	30
Conclusion.....	32
Endnotes.....	33
Appendix A	35
Appendix B	38
Appendix C	39



For the first time, this report provides in-depth criminal history information about federal economic crime offenders.

Introduction

This report provides in-depth criminal history information about federal economic crime offenders, combining the most recently available data from two United States Sentencing Commission projects. The Commission recently released two publications that provided new information about federal offenders. First, in May 2018, the Commission published *The Criminal History of Federal Offenders*.¹ Then, in January 2019, the Commission published *What Does Federal Economic Crime Really Look Like?*²

The Criminal History Report introduced an ongoing project that collects complete information on the number of convictions and the types of offenses in the criminal histories of federal offenders. The publication provided analyses of offenders' criminal histories by the type of instant federal offense. Specifically, the report provided information on the types of prior convictions, the criminal history points assigned to those convictions under the federal sentencing guidelines, and the types of offenses that did not receive criminal history points under the guidelines.

The Economic Crime Report introduced another ongoing project that classifies economic crime offenders sentenced under §2B1.1 of the *Guidelines Manual*³ into 29 specific types of economic crime. The publication provided offender, offense, and sentencing data comparing offenders in each specific type of economic crime.

This report combines the most recently available data (fiscal years 2016–2018) from these ongoing research projects and, for the first time, provides in-depth criminal history information about federal economic crime offenders. Specifically, this report examines, for offenders in specific types of economic crime, the extent and types of their prior convictions and the extent to which they specialize in economic crime.

Author

Courtney Semisch, Ph.D.

Senior Research Associate

Office of Research and Data



Federal economic crime offenders did not “specialize” in economic crime. The type, severity, and extent of their prior convictions varied.

Key Findings

- ***The application of guideline criminal history provisions differed among the different types of economic crime offenders.***
- ***The extent of prior convictions differed among the different types of economic crime offenders.***
 - About half of all federal economic crime offenders had at least one prior conviction in their criminal history.
 - Prior convictions were most common among counterfeit and forgery (71.1%), identity theft (70.4%), credit card fraud (68.7%), and financial institution fraud (68.6%) offenders.
 - Prior convictions were least common among computer-related (29.6%) and government procurement (25.4%) fraud offenders.
- ***Federal economic crime offenders did not “specialize” in economic crime.***
 - Convictions for prior economic offenses were not the predominant types of prior convictions.
 - Fourteen percent of federal economic crime offenders had convictions for prior economic offenses *only*, to the exclusion of other types of convictions.
 - Convictions for prior “other” offenses, such as DUI and public order, were the predominant types of prior convictions.
- ***The severity of criminal history differed for offenders in the specific types of economic crime.***
 - Financial institution fraud, credit card fraud, identity theft, mail-related fraud, and counterfeit and forgery offenders had relatively serious criminal histories compared to other economic crime offenders.
 - Government procurement and computer-related fraud offenders had comparatively less serious criminal histories compared to other economic crime offenders.
- ***Only about one-quarter of federal economic crime offenders with prior convictions were not assigned criminal history points under the guidelines.***

Previous Related Publications

This report analyzes data from the Commission's criminal history and economic crime data collection projects. This section summarizes findings from the Commission's publications on the two projects that are pertinent to this report.

The Criminal History Report

The number and nature of a federal offender's prior convictions are important considerations in deciding a federal sentence. Congress codified this approach with the passage of the Sentencing Reform Act of 1984 (SRA),⁴ which contains numerous provisions directing the Commission to account for an offender's criminal history in establishing the federal sentencing guidelines.⁵ Accordingly, Chapter Four of the *Guidelines Manual* provides detailed criminal history calculations to be used in determining an offender's sentencing guideline range.

The Commission previously collected only the criminal history points and Criminal History Category (CHC) as determined under the guidelines. The Commission is now able to utilize recent technological advancements to expand the scope of the information it collects. In 2016 it began collecting information on the number of convictions and the types of offenses in the criminal histories of federal offenders. The Criminal History Report analyzed criminal history information for offenders convicted of different instant offenses.

The report demonstrated substantial differences in the criminal histories of offenders sentenced for different offense types, both in the likelihood and nature of any prior convictions.

The Criminal History Report analyzed criminal history information for offenders sentenced in fiscal year 2016, the most current data available at that time. The report demonstrated that the criminal histories of fraud offenders differed from all federal offenders.⁶ Prior convictions were less prevalent and less serious for fraud offenders than for federal offenders overall. Approximately half (52.4%) of fraud offenders were convicted of a prior offense compared to almost three-quarters (72.8%) of all federal offenders.

For fraud offenders, traffic offenses were the most common prior conviction at 44.0 percent. Prior convictions for larceny and fraud also were common among fraud offenders; 41.7 percent and 36.8 percent had at least one conviction for a larceny and fraud offense, respectively. About one-quarter (26.2%) had a prior conviction for a violent offense.⁷

In contrast, for federal offenders overall, public order offenses were the most common type of prior conviction at 43.7 percent. Almost the same share (39.5%) of federal offenders had one or more prior convictions for a violent offense. While about one-third (32.6%) had at least one conviction for a larceny offense, only 15.1 percent had a prior conviction for a fraud offense.

The Economic Crime Report

The economic crime guideline (§2B1.1) consistently accounts for approximately ten percent of the federal caseload and encompasses a wide variety of conduct. The guideline covers larceny, embezzlement, and other forms of theft; offenses involving stolen property; property damage or destruction; fraud and deceit; forgery; and offenses involving altered or counterfeit instruments other than counterfeit bearer obligations of the United States. The Economic Crime Report described in detail the Commission's recent project that used both the statute of conviction and offense conduct to identify and assign a specific type of economic crime for all offenders sentenced under §2B1.1.⁸ The Commission assigned each offender sentenced under §2B1.1 to one of 29 specific types of economic crime (see Appendix A). The report demonstrated substantial differences in offender and offense characteristics as well as sentencing outcomes for offenders in different specific types of economic crime.

The Economic Crime Report analyzed data for §2B1.1 offenders sentenced in fiscal year 2017, the most current data available at that time. Offenders sentenced under

§2B1.1 committed offenses that ranged from simple false statements to complex investment fraud schemes. The most common offenses were embezzlement and theft. Offender and offense severity, as measured by several guideline enhancements, varied considerably across the 17 specific types of economic crime that were the focus of that report.⁹

The Economic Crime Report demonstrated less serious criminal histories, as measured by CHC, for economic crime offenders compared to all federal offenders. More than two-thirds (69.9%) of economic crime offenders were assigned to CHC I, the lowest CHC. The next largest groups were in Criminal History Categories III (9.7%) and II (9.1%), with less than five percent in each of the higher categories (VI, 4.6%; IV, 3.8%; V, 2.9%). In contrast, fewer than half (43.3%) of all federal offenders sentenced in fiscal year 2017 were assigned to CHC I. The next largest groups also were in Criminal History Categories III (17.3%) and II (14.2%), but with *more than* five percent in each of the higher categories (IV, 10.1%; VI, 9.3%; V, 5.9%).

Overall, there was a similar general CHC pattern for economic crime offenders for every specific type of economic crime, but the distribution of CHCs differed among the specific types. More than half of the offenders in each specific offense type were in CHC I, but computer-related fraud offenders had the highest proportion in CHC I at 95.1 percent, compared to credit card fraud offenders with the lowest proportion at 51.5 percent.

Combining Approaches

Seventeen of the 29 specific economic crime types accounted for 96.9% of offenders sentenced under §2B1.1.

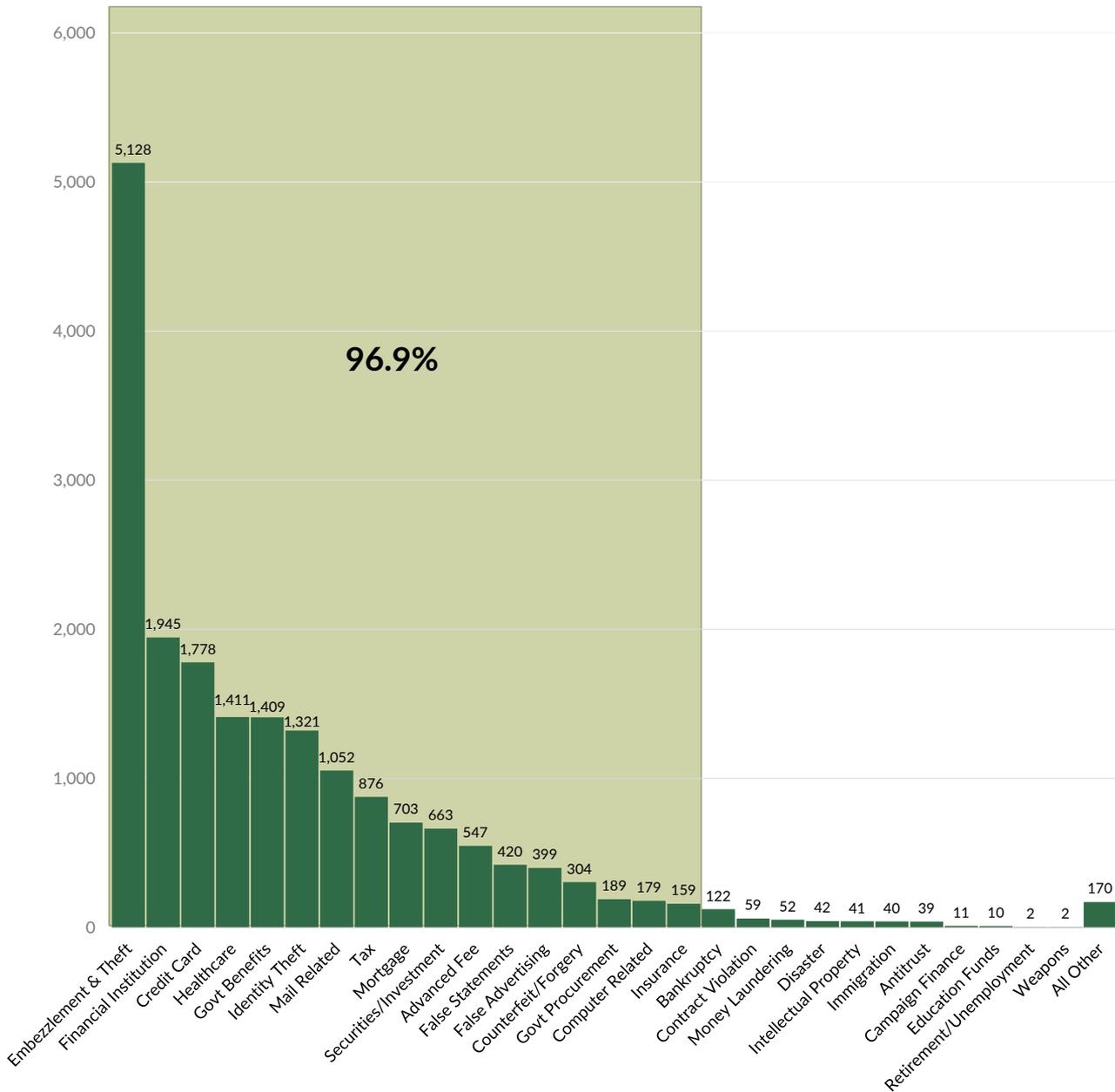
This report provides an in-depth examination of the criminal histories of federal economic crime offenders. The analysis combines three years of data from each of the two Commission projects (fiscal years 2016–2018). The purpose of this analysis is to examine in more detail the criminal history of offenders in specific types of economic crime and determine whether they specialize in economic crime.

As shown in Figure 1, offenders sentenced under §2B1.1 were highly concentrated within certain specific types of economic crime. Seventeen of the 29 specific types of economic crime accounted for 96.9 percent of offenders sentenced under §2B1.1.¹⁰ Because these categories account for the overwhelming number of offenders sentenced under §2B1.1 and the remaining specific types of economic crime lack a sufficient number of offenders to conduct meaningful and robust analysis for each group, the remainder of this report focuses on these 17 specific types of economic crime.¹¹ This narrowed focus is consistent with the Economic Crime Report.

Although the remaining 12 specific offense types are not discussed in the body of this report, the appendices provide the corresponding data for them.

For each of the offenders in the 17 specific types of economic crime, prior convictions are identified and categorized into one of five categories: economic, violent, drug, weapon, and other (see Appendix B). In the time period studied, 19,073 offenders were sentenced under §2B1.1 with sufficient information for analysis. Using the 17 specific economic crime types and the five prior conviction categories, this report examines the prevalence and types of prior convictions for economic crime offenders in each of the specific types of economic crime and whether such offenders “specialize” in economic crime.

Figure 1. Number of Economic Crime Offenders in Each Specific Offense Type
Fiscal Years 2016-2018



Criminal History in the Sentencing Guidelines

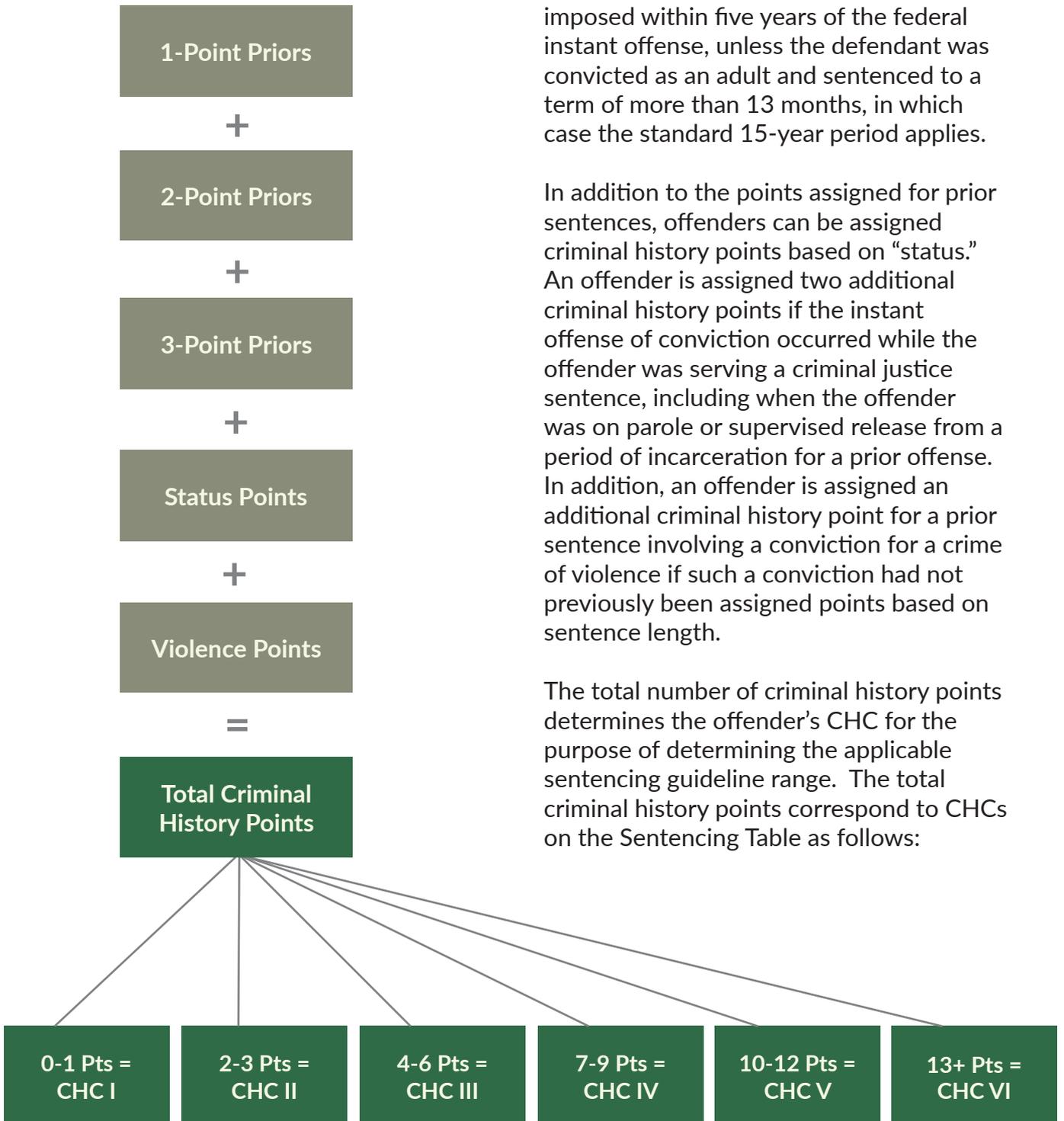
The following section describes how the federal sentencing guidelines account for an offender's prior criminal record.

As discussed in detail in the Criminal History Report, the federal sentencing guidelines establish a method of evaluating an offender's criminal history by assigning points to some prior criminal convictions based on the length of the sentence imposed for those offenses.¹² Through this process the court calculates an offender's "criminal history score," which is then assigned to one of six Criminal History Categories. The combination of the "offense level" of an offender's instant offense and the offender's CHC determines a range of confinement, expressed in months, for the offense. This section summarizes the guideline provisions used to calculate offenders' CHC.

An offender's past convictions are assigned one, two, or three points based on the nature of the offense and the type and length of the sentence imposed. These point assignments are designed to reflect the seriousness of the offense of conviction. In general, three-point convictions almost always represent a state or federal felony conviction¹³ and are generally more serious than two-point offenses, which are likewise more serious than one-point offenses.

Points are not assigned to all prior convictions. The guidelines exclude some prior convictions from points because of sentence length, jurisdiction, disposition, age of the conviction, or age of the offender. Some petty and other minor convictions are never assigned points under the guidelines, while other such convictions are not assigned points unless the sentence was a term of probation of more than one year or a term of imprisonment of at least 30 days. Sentences imposed by foreign courts or tribal courts, and sentences imposed for military offenses by non-judicial officers also are not counted. Sentences imposed for expunged convictions are not counted.

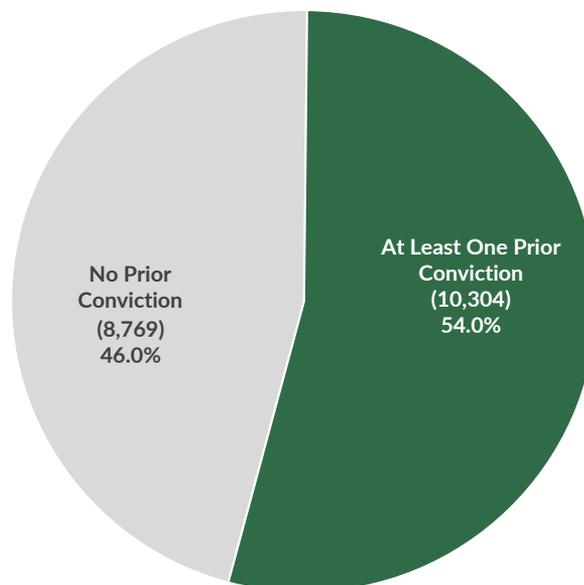
Additionally, some prior sentences are deemed "stale" and are not counted. For example, prior sentences of greater than thirteen months are assigned criminal history points only if the sentence was imposed or served within fifteen years of the instant offense. Sentences of thirteen months or less are assigned criminal history points only if the sentence was imposed within ten years of the instant offense. Finally, offenses committed prior to age 18 are counted only if the sentence was



Prevalence of Prior Convictions for Economic Crime Offenders

The following section focuses specifically on economic crime offenders with prior convictions. The analyses compare offenders in the specific economic crime types in terms of the extent of prior convictions and the application of guideline criminal history provisions.

Figure 2. Prior Convictions for Economic Crime Offenders
Fiscal Years 2016-2018



Slightly more than half (54.0%) of federal economic crime offenders had at least one prior conviction (Figure 2). The extent of prior convictions differed depending on the specific type of economic crime. Several categories of economic crime offenders were notably more likely to have a prior conviction. More than two-thirds of counterfeit and forgery (71.1%), identity theft (70.4%), credit card

fraud (68.7%), financial institution fraud (68.6%), and mail-related fraud (67.1%) offenders had at least one prior conviction (Figure 3). In contrast, some specific types of economic crime were more likely to be comprised of first-time offenders. About one-quarter of government procurement (25.4%) and computer-related (29.6%) fraud offenders had at least one prior conviction.

Figure 3. Prevalence of Prior Convictions for Economic Crime Offenders
Fiscal Years 2016-2018

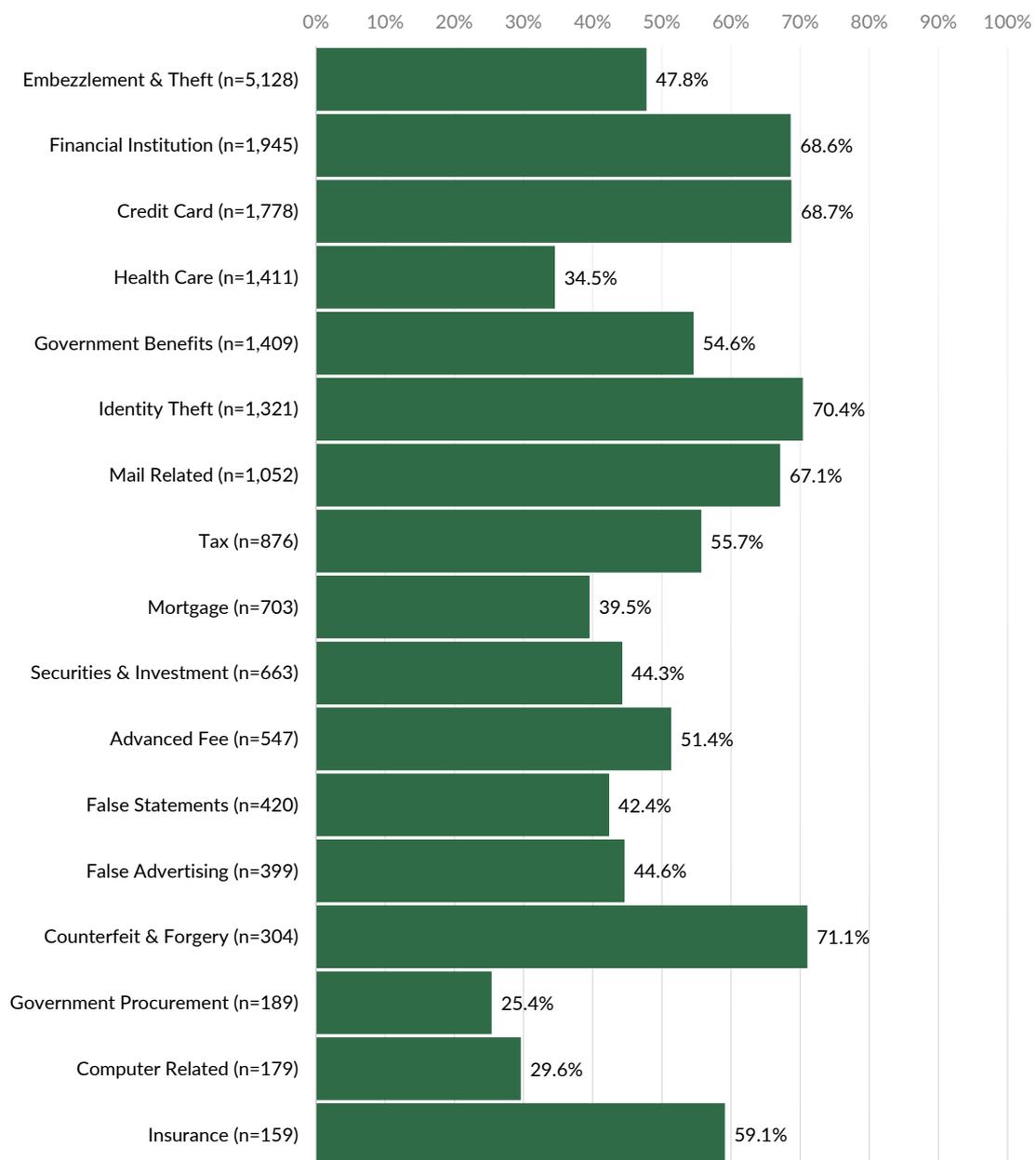


Table 1. Average Number of Prior Convictions for Economic Crime Offenders
Fiscal Years 2016-2018

Economic Crime Type	Number of Offenders	Average Number of Prior Convictions
Embezzlement & Theft	2,450	4.9
Financial Institution	1,335	7.2
Credit Card	1,222	6.0
Health Care	487	3.7
Government Benefits	769	4.9
Identity Theft	930	7.0
Mail Related	706	6.6
Tax	488	5.4
Mortgage	278	3.5
Securities & Investment	294	3.6
Advanced Fee	281	5.3
False Statements	178	4.5
False Advertising	178	4.6
Counterfeiting & Forgery	216	6.5
Government Procurement	48	3.0
Computer Related	53	3.1
Insurance	94	5.0

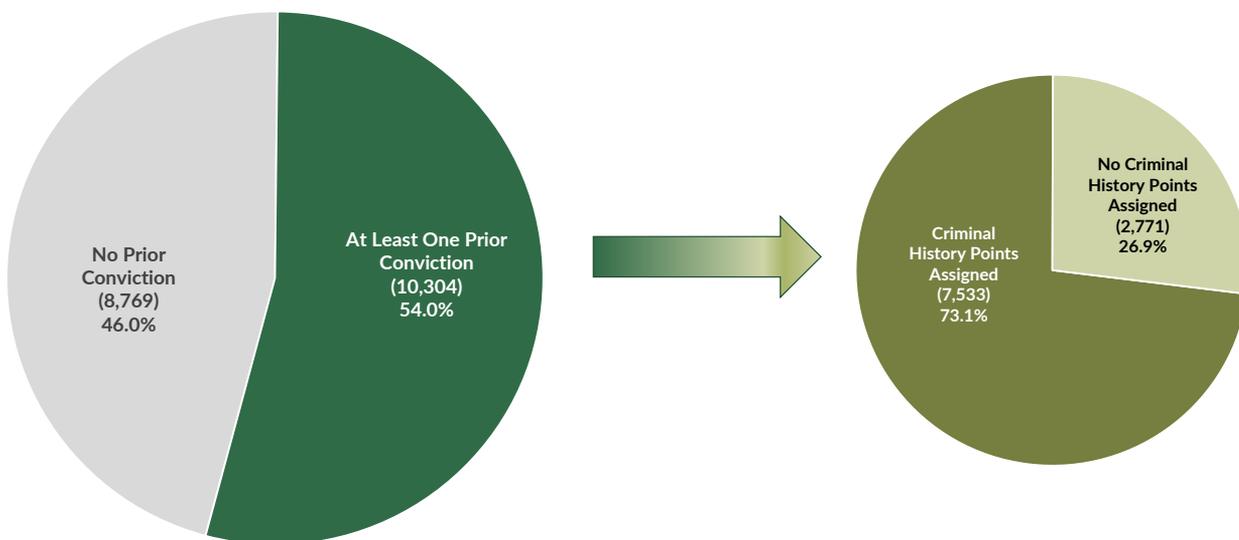
Of those economic crime offenders with a prior conviction, the majority (74.0%) had more than one conviction. The same is true for many of the specific types of economic crime; the number of prior convictions ranged from one to 75. Additionally, the average number of prior convictions was generally consistent with the prevalence for having a prior conviction. That is, the specific types of economic crime with the highest rates of prior convictions also tended to have more total prior convictions. Offenders sentenced for financial institution fraud (7.2), identity theft (7.0), mail-related fraud (6.6), counterfeit and forgery (6.5), and credit card fraud (6.0) had the highest

average number of prior convictions (Table 1). In contrast, offenders sentenced for government procurement (3.0) and computer-related (3.1) fraud had the lowest average number of prior convictions. By comparison, all federal economic crime offenders with prior convictions had an average of 5.6. These differences introduce what the following analyses will show as a repeating pattern in which offenders in certain specific economic crime types consistently had more serious criminal histories compared to others.

Criminal History Points for Economic Crime Offenders

The following section focuses on economic crime offenders who were assigned criminal history points for their prior convictions.

Figure 4. Prior Convictions and Criminal History Points Assigned for Economic Crime Offenders
Fiscal Years 2016-2018



As described above, slightly more than half (54.0%) of 19,073 federal economic crime offenders in the time period studied had at least one prior conviction. The majority (73.1%) of those offenders were assigned criminal history points. Because of the guideline provisions, not all offenders with prior convictions were assigned criminal history points.¹⁴ As shown in Figure 4, these zero-point offenders accounted for slightly more than one-quarter (26.9%) of economic crime offenders with prior convictions.

Although the majority of economic crime offenders with prior convictions were assigned criminal history points under the guidelines, the application of criminal history points differed for offenders in the specific economic crime types. These differences demonstrate the continuing pattern of more extensive criminal histories for some offenders.

Figure 5. Prevalence of Criminal History Points for Economic Crime Offenders with Prior Convictions

Fiscal Years 2016-2018

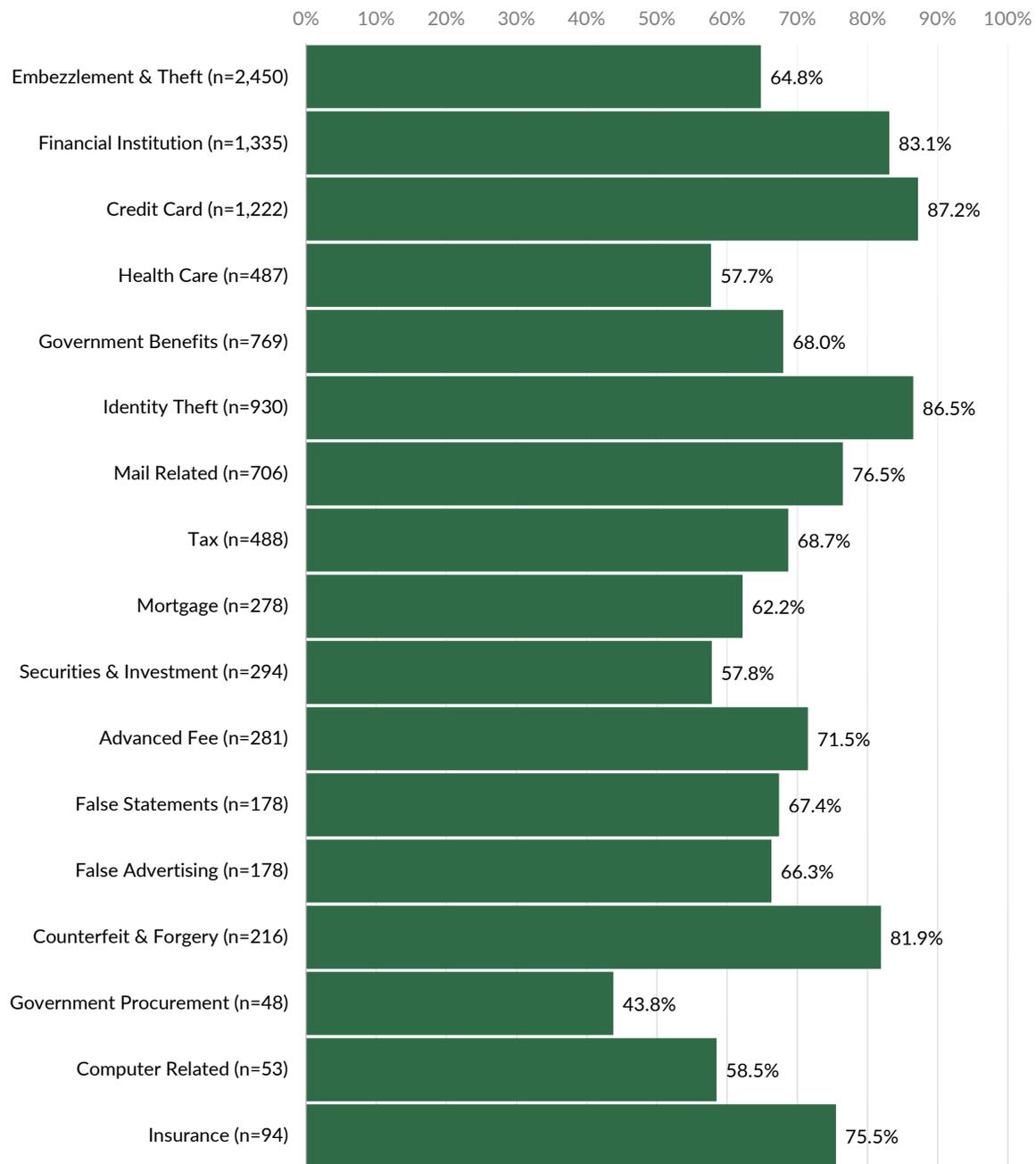


Table 2. Average Number of Criminal History Points for Economic Crime Offenders
Fiscal Years 2016-2018

Economic Crime Type	Number of Offenders	Average Number of Criminal History Points
Embezzlement & Theft	1,587	5.3
Financial Institution	1,109	7.3
Credit Card	1,066	7.0
Health Care	281	4.1
Government Benefits	523	4.4
Identity Theft	804	6.6
Mail Related	540	8.4
Tax	335	5.8
Mortgage	173	3.4
Securities & Investment	170	3.7
Advanced Fee	201	5.1
False Statements	120	4.8
False Advertising	118	4.7
Counterfeiting & Forgery	177	7.4
Government Procurement	21	2.7
Computer Related	31	3.3
Insurance	71	3.9

The overwhelming majority of credit card fraud (87.2%), identity theft (86.5%), financial institution fraud (83.1%), and counterfeit and forgery (81.9%) offenders with at least one prior conviction had criminal history points assigned. In contrast, less than 60 percent each of computer-related (58.5%), securities and investment (57.8%), health care (57.7%), and government procurement (43.8%) fraud offenders with at least one prior conviction had criminal history points (Figure 5).

The criminal history points for those offenders ranged from one to 68, with an average of six (which corresponds to CHC III). Paralleling the rates of points assigned, the economic crime offenders with higher rates of criminal history points also generally had a higher average number of criminal history points. That is, mail-related fraud (8.4), counterfeit and forgery (7.4), financial institution fraud (7.3), and credit card fraud (7.0) offenders had the highest average number of criminal history points assigned (which corresponds to CHC VI) (Table 2). On average, about half as many criminal history points were assigned to insurance (3.9), securities and investment (3.7), mortgage (3.4), computer-related (3.3), and government procurement (2.7) fraud offenders (which corresponds to CHC II).

Criminal History Category for Economic Crime Offenders

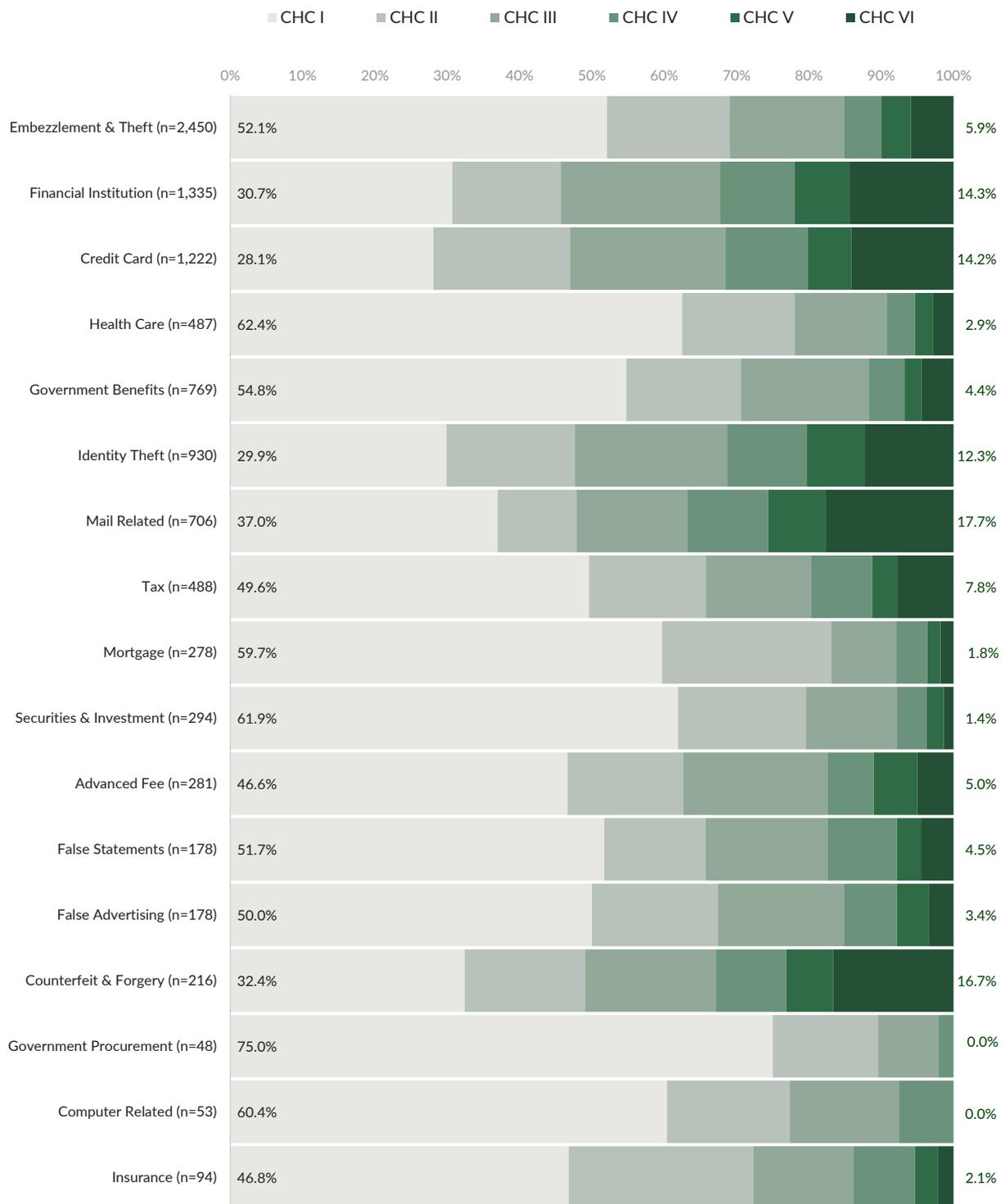
Most economic crime offenders, overall and for each specific crime type, were assigned to the lowest Criminal History Category (CHC I).

As discussed previously, the criminal history points determine the CHC assigned under the guidelines. As such, the distribution of CHCs reflects the assignment of points shown above. the lowest Criminal History Category for offenders with zero or one criminal history point, followed by CHC III (17.7%), CHC II (16.5%), CHC VI (9.0%), CHC IV (7.9%), and CHC V (5.1%).

Consistent with economic crime offenders overall, the largest portion of economic crime offenders in each specific type of economic crime also was in CHC I (Figure 6). However, the proportions in CHC I ranged from more than 60 percent of offenders for government procurement (75.0%), health care (62.4%), securities and investment (61.9%), and computer-related (60.4%) fraud to less than one-third for counterfeit and forgery (32.4%), financial institution fraud (30.7%), identity theft (29.9%), and credit card fraud (28.1%) offenders.

In general, smaller proportions of economic crime offenders were in CHC VI. However, offenders in the specific economic crime types that had the highest average number of criminal history points also had the largest portion of offenders in CHC VI. More than 14 percent of credit card fraud (14.2%), financial institution fraud (14.3%), counterfeit and forgery (16.7%), and mail-related fraud (17.7%) offenders were in the highest CHC category.

Figure 6. Criminal History Category for Economic Crime Offenders with Prior Convictions
Fiscal Years 2016-2018



Federal Economic Crime Offenders Do Not Specialize in Economic Crime

The following sections provide more in-depth analyses of the criminal histories of economic crime offenders than can be shown by criminal history points and Criminal History Category alone. Specifically, the following analyses provide detailed information on the extent and types of prior convictions that comprise the criminal histories of economic crime offenders.

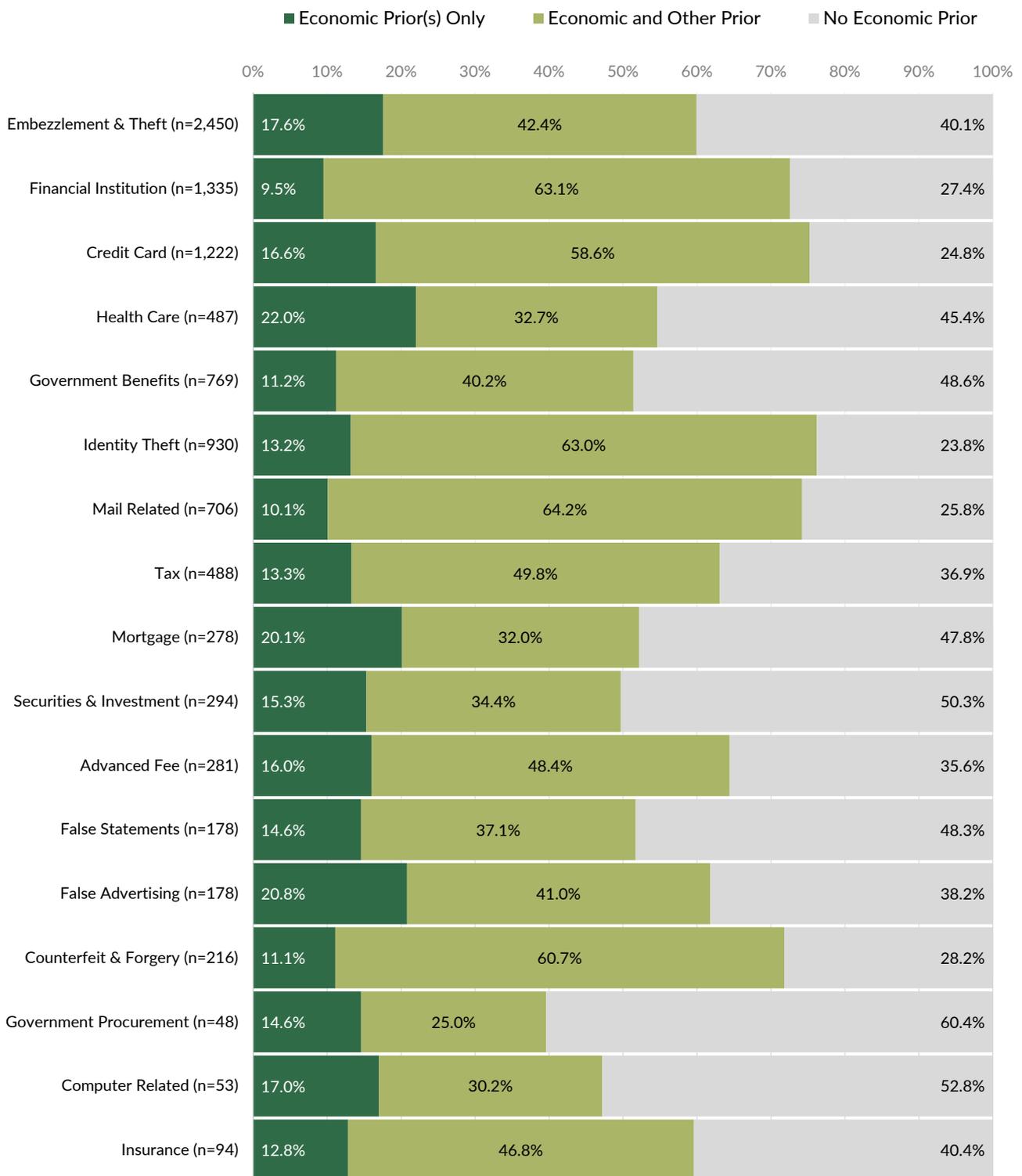
In general, economic crime offenders did not have prior convictions for economic offenses to the exclusion of other types of offenses, meaning that they did not tend to specialize in economic crime. Only 14.6 percent of economic crime offenders with at least one prior conviction had convictions *only* for a prior economic offense. The lack of specialization is also seen comparing the specific types of economic crime.

As shown in Figure 7, even the highest rates of convictions *only* for a prior economic offense were still less than one quarter of any of the specific economic crime types, with the highest rates seen for health care fraud (22.0%), false advertising and product substitution (20.8%), and mortgage fraud (20.1%) offenders. In contrast, the lowest rates of specialization were among financial institution (9.5%) and mail-related (10.1%) fraud offenders.

Figure 7 also shows the rates of conviction for prior economic offenses in addition to at least one other type of offense, indicating more diverse criminal histories. The highest rates of these mixed prior convictions were among those same economic crime offenders that had the greatest likelihood of prior convictions overall: mail-related fraud (64.2%), financial institution fraud (63.1%), identity theft (63.0%), and counterfeit and forgery (60.7%). Similarly, offenders with the least diverse criminal histories were government procurement (25.0%) and computer-related (30.2%) fraud offenders.

Finally, of all economic crime offenders with at least one prior conviction, about one-third (35.3%) did not have any convictions for a prior economic offense. More than half of government procurement (60.4%), computer-related (52.8%), and securities and investment (50.3%) fraud offenders had prior convictions consisting only of non-economic offenses.

Figure 7. Prior Convictions for Economic Offenses for Economic Crime Offenders
Fiscal Years 2016-2018



Specialization Among Offenders with Criminal History Points

There is even less specialization in economic crime among offenders with criminal history points assigned to their prior convictions.

Among the 7,533 economic crime offenders with criminal history points, there is even less specialization in economic crime. Overall, only 12.9 percent of economic crime offenders with criminal history points had convictions for prior economic offenses *only*. A similar lack of specialization continues to be seen comparing the specific types of economic crime for offenders with criminal history points. Health care fraud offenders with criminal history points were the most specialized with almost one-quarter—24.2 percent—having convictions for a prior economic offense *only*. Computer-related fraud offenders with criminal history points were the least specialized; only 6.5 percent had convictions for a prior economic offense only (Figure 8).

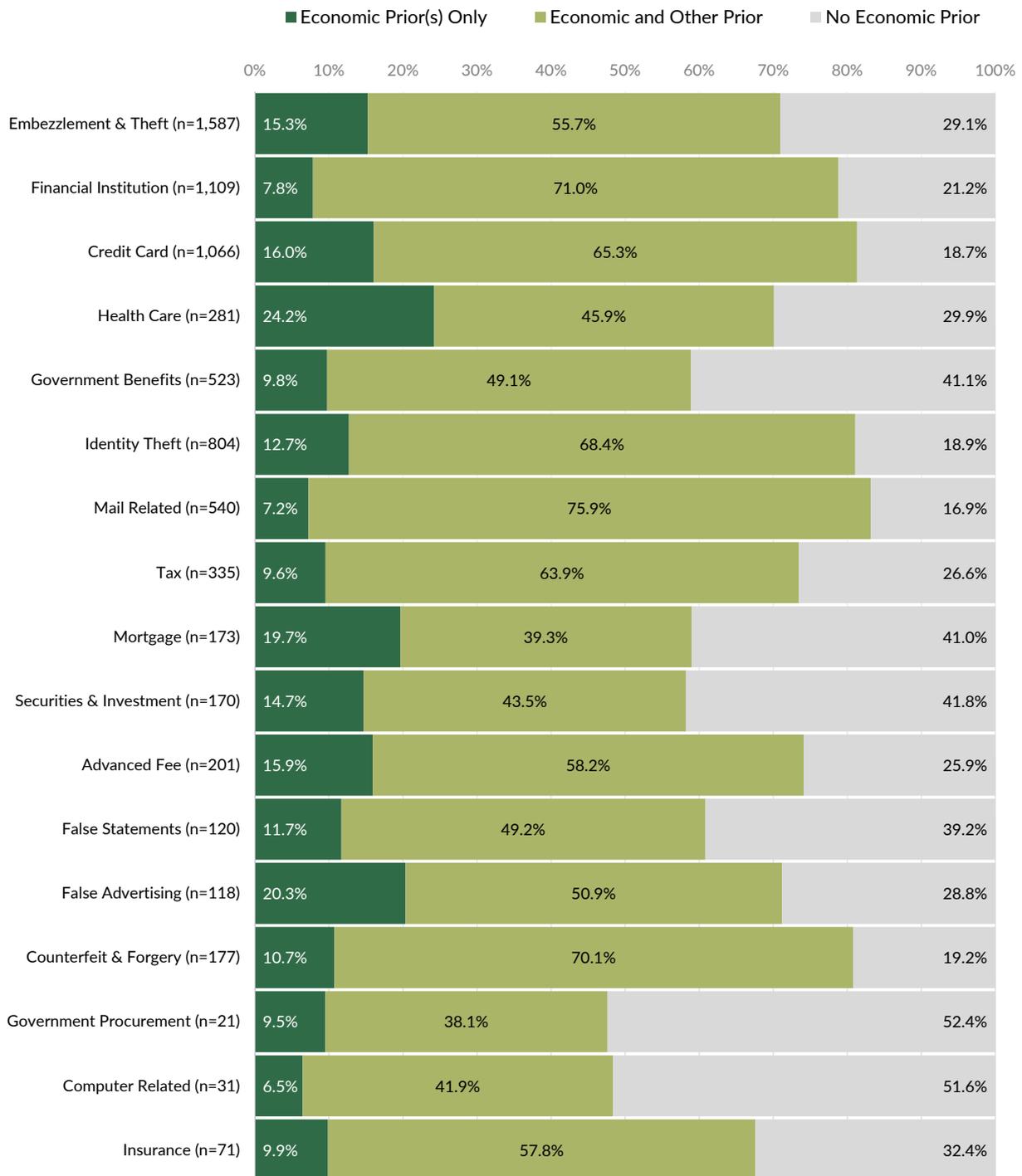
Figure 8 also shows increased diversity in criminal history for offenders with criminal history points than was seen for economic crime offenders overall. The rates of conviction for prior economic

offenses in addition to at least one other type of offense were highest for mail-related fraud (75.9%), financial institution fraud (71.0%), and counterfeit and forgery (70.1%) offenders with criminal history points. Similarly, offenders with the least diverse criminal histories were government procurement (38.1%) and mortgage (39.3%) fraud offenders with criminal history points.

Finally, of economic crime offenders with criminal history points, about one-quarter (25.9%) did not have any convictions for a prior economic offense. About half of government procurement (52.4%) and computer-related (51.6%) fraud offenders with criminal history points had prior convictions consisting only of non-economic offenses.

Figure 8. Prior Convictions for Economic Offenses for Economic Crime Offenders with Criminal History Points

Fiscal Years 2016-2018



Types of Prior Convictions for Economic Crime Offenders

Given that economic crime offenders do not tend to specialize in economic crime, this section examines in more detail the different types of prior convictions that do comprise their criminal histories.

As shown above, although economic crime offenders' prior convictions were not exclusively for economic offenses, those convictions were prevalent. Overall, nearly two-thirds (64.7%) of the 10,304 economic crime offenders with prior convictions had at least one prior conviction for an economic offense. As shown in Table 3, the prevalence of convictions for prior economic offenses ranged from 76.2 percent for identity theft offenders to 39.6 percent for government procurement fraud offenders.

Despite the prevalence of prior convictions for economic offenses, they were not the predominant offense type. Nearly three-quarters (72.3%) of economic crime offenders overall had at least one conviction for a prior "other" offense such as public order, traffic, and DUI.¹⁵ And, the majority of offenders with a prior conviction in each of the specific economic crime types had at least one conviction for a prior "other" offense. In fact, such convictions were the predominant type of prior conviction for all

but three of the specific economic crime types. Convictions for prior *economic* offenses constituted the predominant type of prior convictions only for identity theft (76.2%), credit card fraud (75.2%), and mail-related fraud (74.2%) offenders.

Convictions for more serious prior offenses (drug, violent, and weapon) were less common, but their prevalence follows the pattern of greater severity of criminal history among certain specific types of economic crime. Overall, of economic crime offenders with at least one prior conviction, one-third (33.5%) had a prior conviction for a drug offense and about one-quarter (26.3%) had a prior conviction for a violent offense. A smaller portion, 9.8 percent, had a conviction for a prior weapon offense.

Table 3. Prevalence of Prior Convictions for Economic Crime Offenders
Fiscal Years 2016-2018

Economic Crime Type	Number	Percent with At Least One Prior Conviction				
		Economic	Violent	Drug	Weapon	Other
Embezzlement & Theft	2,450	59.9	24.6	26.0	8.0	70.2
Financial Institution	1,335	72.6	32.5	44.2	13.5	77.2
Credit Card	1,222	75.2	27.8	43.0	13.7	67.6
Health Care	487	54.6	16.6	19.9	3.7	66.1
Government Benefits	769	51.4	27.6	25.8	6.1	75.8
Identity Theft	930	76.2	30.0	42.8	11.6	73.2
Mail Related	706	74.2	27.2	49.6	13.7	71.3
Tax	488	63.1	29.3	29.9	12.7	76.2
Mortgage	278	52.2	17.3	13.7	5.4	70.5
Securities & Investment	294	49.7	14.3	19.4	3.7	74.5
Advanced Fee	281	64.4	23.1	32.0	7.1	73.7
False Statements	178	51.7	21.9	28.1	8.4	71.4
False Advertising	178	61.8	17.4	23.0	6.2	70.2
Counterfeiting & Forgery	216	71.8	31.5	47.2	13.9	74.5
Government Procurement	48	39.6	16.7	22.9	4.2	68.8
Computer Related	53	47.2	22.6	20.8	3.8	69.8
Insurance	94	59.6	26.6	27.7	4.3	77.7

The prevalence of convictions for prior drug offenses ranged widely among the specific types of economic crime. Of economic crime offenders with at least one prior conviction, more than 40 percent of mail-related fraud (49.6%), counterfeit and forgery (47.2%), financial institution fraud (44.2%), credit card fraud (43.0%), and identity theft (42.8%) offenders had a prior conviction for a drug offense, compared 13.7 percent for mortgage fraud offenders.

Convictions for prior violent offenses also ranged widely among the specific types of economic crime but were slightly less prevalent. Of offenders with at least one prior conviction, nearly one-third of financial institution fraud (32.5%), counterfeit and forgery (31.5%),

and identity theft (30.0%) offenders had a prior conviction for a violent offense, compared to 14.3 percent for securities and investment fraud offenders.

Finally, convictions for prior weapon offenses were comparatively rare. Of economic crime offenders with at least one prior conviction, in most of the 17 types of economic crime less than ten percent had a conviction for a prior weapon offense, ranging from a high of 13.9 percent for counterfeit and forgery offenders to less than four percent for computer-related (3.8%), securities and investment (3.7%), and health care (3.7%) fraud offenders.

Types of Prior Convictions for Offenders with Criminal History Points

This section examines the types of prior convictions for the 7,533 economic crime offenders with criminal history points.

As discussed above, economic crime offenders with criminal history points tended to specialize in economic crime less than economic crime offenders overall. However, of economic crime offenders with criminal history points, prior convictions for economic offenses were more prevalent compared to economic crime offenders overall. Nearly three-quarters (74.1%) of economic crime offenders with criminal history points had at least one conviction for a prior economic offense compared to nearly two-thirds (64.7%) of economic crime offenders overall. In addition, as shown in Table 4, economic offenses were the predominant type of prior conviction for nine of the 17 specific types of economic crime. More than 80 percent of mail-related fraud (83.2%), credit card fraud (81.3%), identity theft (81.1%), and counterfeit and forgery (80.8%) offenders with criminal history points had a prior conviction for an economic offense. In contrast, less than half of government procurement (47.6%) and computer-related (48.4%) fraud offenders

with criminal history points had at least one conviction for a prior economic offense; their most prevalent type of prior conviction was for “other” types of offenses.

Convictions for prior “other” offenses¹⁶ were about as prevalent as for prior economic offenses. In every specific type of economic crime, more than 60 percent of offenders with criminal history points had a prior conviction for an “other” offense.

Overall, fewer than half of economic crime offenders with criminal history points had at least one conviction for a prior violent (32.5%) or prior drug (42.4%) offense. The same types of economic crime continued to rank among those with relatively more serious criminal histories. More than half of mail-related fraud (62.0%), counterfeit and forgery (52.5%), and financial institution fraud (51.1%) offenders with criminal history points had a conviction

Table 4. Prevalence of Prior Convictions for Economic Crime Offenders with Criminal History Points

Fiscal Years 2016-2018

Economic Crime Type	Number	Percent with At Least One Prior Conviction				
		Economic	Violent	Drug	Weapon	Other
Embezzlement & Theft	1,587	71.0	32.4	35.9	10.7	70.6
Financial Institution	1,109	78.8	37.3	51.1	15.5	77.8
Credit Card	1,066	81.3	30.8	48.5	15.5	67.1
Health Care	281	70.1	23.8	27.8	4.6	63.7
Government Benefits	523	58.9	34.6	33.5	7.5	75.9
Identity Theft	804	81.1	32.8	47.3	13.2	73.5
Mail Related	540	83.2	32.6	62.0	16.9	70.9
Tax	335	73.4	40.0	39.7	17.0	77.3
Mortgage	173	59.0	24.3	17.3	8.1	69.4
Securities & Investment	170	58.2	18.2	26.5	4.1	74.1
Advanced Fee	201	74.1	27.4	38.8	8.5	72.1
False Statements	120	60.8	30.8	35.0	11.7	71.7
False Advertising	118	71.2	22.9	30.5	7.6	69.5
Counterfeiting & Forgery	177	80.8	37.3	52.5	16.4	74.6
Government Procurement	21	47.6	33.3	33.3	9.5	71.4
Computer Related	31	48.4	29.0	29.0	6.5	74.2
Insurance	71	67.6	33.8	33.8	5.6	80.3

for a prior drug offense compared to 17.3 percent of mortgage fraud offenders. More than one-third of tax fraud (40.0%), financial institution fraud (37.3%), counterfeit and forgery (37.3%), government benefits fraud (34.6%), insurance fraud (33.8%), and government procurement fraud (33.3%) offenders with criminal history points had a conviction for a prior violent offense, compared to 18.2 percent of securities and investment fraud offenders with criminal history points.

Convictions for prior weapon offenses were least common; 12.4 percent of all economic crime offenders with criminal history points had at least one such prior conviction. More than 15 percent of tax fraud (17.0%), mail-related fraud (16.9%), counterfeit and forgery (16.4%), financial institution fraud (15.5%), and credit card fraud (15.5%) offenders with criminal history points had a conviction for a prior weapon offense, compared to much lower rates for securities and investment (4.1%) and health care (4.6%) fraud offenders with criminal history points.

Economic Crime Offenders with Prior Convictions and Zero Criminal History Points

This section of the report examines the criminal histories of these 2,771 zero-point offenders, focusing on petty and minor offenses and stale offenses.

As discussed previously, not all prior convictions are counted toward an offender's criminal history score under the sentencing guidelines. Most petty and other minor offenses are not assigned points under the guidelines due to their nature.¹⁷ In addition, convictions may be excluded due to the time that has elapsed from the sentence for that conviction and the instant federal offense.¹⁸ Because of those rules, federal offenders may have prior convictions in their criminal history but zero criminal history points. More than one-quarter (26.9%) of economic crime offenders with a prior conviction did not receive criminal history points.

Petty and Other Minor Offenses

Of the economic crime offenders with prior convictions but zero criminal history points, more than half (58.2%) had at least one conviction for a minor offense not counted under the guidelines. Those

offenders had on average 2.3 petty prior convictions. More than half (53.9%) had only one petty prior conviction, but one offender had 33 prior convictions for petty offenses.

The prevalence of prior convictions for petty offenses differed somewhat for zero-point offenders depending on the specific type of economic crime. Reflecting the general pattern of more extensive criminal histories, insurance fraud (78.3%), credit card fraud (66.7%), counterfeit and forgery (66.7%), mail-related fraud (66.3%), and tax fraud (66.0%) offenders with zero criminal history points had relatively high rates of prior convictions for petty offenses. In contrast, fewer than half of zero-point securities and investment (45.2%) and government procurement (48.2%) fraud offenders had at least one prior conviction for a petty offense (Table 5).

Table 5. Prevalence of Excluded Prior Petty and Minor Convictions for Economic Crime Offenders with Zero Criminal History Points

Fiscal Years 2016-2018

Economic Crime Type	Number	Offenders with at Least One Conviction for a Petty or Minor Offense (%)					
		Any Prior Petty or Minor Conviction	Economic	Violent	Drug	Weapon	Other
Embezzlement & Theft	863	54.2	8.3	0.2	0.4	0.0	49.1
Financial Institution	226	64.2	11.1	0.4	0.9	0.0	58.4
Credit Card	156	66.7	9.0	0.6	1.9	0.0	62.2
Health Care	206	59.7	4.9	0.5	0.0	0.0	56.3
Government Benefits	246	64.2	8.5	0.4	0.0	0.0	60.6
Identity Theft	126	56.4	7.9	0.0	0.0	0.0	53.2
Mail Related	166	66.3	19.9	0.6	1.2	0.0	56.6
Tax	153	66.0	10.5	0.0	1.3	0.0	60.8
Mortgage	105	55.2	7.6	0.0	0.0	0.0	53.3
Securities & Investment	124	45.2	6.5	0.0	0.0	0.0	42.7
Advanced Fee	80	53.8	3.8	1.3	2.5	0.0	52.5
False Statements	58	51.7	8.6	0.0	0.0	0.0	44.8
False Advertising	60	61.7	10.0	0.0	0.0	0.0	56.7
Counterfeiting & Forgery	39	66.7	7.7	0.0	5.1	0.0	59.0
Government Procurement	27	48.2	3.7	0.0	0.0	0.0	44.4
Computer Related	22	54.6	0.0	0.0	4.6	0.0	54.6
Insurance	23	78.3	13.0	0.0	0.0	0.0	69.6

As would be expected, the most common types of prior petty offenses that did not receive criminal history points were “other” offenses, such as public order and traffic offenses. More than half (53.5%) of economic crime offenders with zero criminal history points had at least one conviction for an “other” offense. And, more than half of offenders in 13 of the 17 specific economic crime types had a prior conviction for an “other” offense. Insurance fraud offenders with zero criminal history points had the highest rate of conviction for a petty “other” offense at 69.6 percent.

Overall, 8.9 percent of zero-point economic crime offenders had a conviction for a prior petty economic offense and

such convictions consistently were the second most prevalent. Nearly one-fifth (19.9%) of mail-related fraud offenders with zero criminal history points had at least one conviction for a prior petty economic offense, the highest rate for any of the specific types of economic crime. Advanced fee (3.8%) and government procurement (3.7%) fraud offenders had the lowest rates of a conviction for a prior petty economic offense, aside from computer-related fraud offenders with none.

Less than one percent of zero-point economic crime offenders had a conviction for a prior petty drug (0.6%) or violent (0.3%) offense. There were no convictions for prior petty weapon offenses.¹⁹

Stale Offenses

Zero-point offenders also can have “stale” prior convictions that were excluded from their criminal history score because of the length of time that had elapsed from the conviction for the crime. Of economic crime offenders with zero criminal history points, approximately half (51.5%) had stale prior convictions.²⁰ These offenders had, on average, two stale prior convictions, but most (60.7%) had only one. One offender, however, did have 24 stale prior convictions.

The prevalence of stale prior convictions differed among zero-point economic crime offenders in specific types of economic crime. At least 60 percent of government procurement (66.7%), securities and investment (62.9%), and advanced fee (60.0%) fraud offenders with zero criminal history points had at least one prior stale conviction. In contrast, about one-quarter of insurance (26.1%) and credit card (26.9%) fraud offenders with zero criminal history points had at least one prior stale conviction. The prevalence of stale convictions for these specific types of economic crime appears inconsistent with the extent of their criminal histories shown thus far. The lower rates of stale offenses for credit card and insurance fraud offenders are explained, in part, by the age of these offenders at the time of their federal sentencing. On average, credit card fraud offenders with at least one prior conviction were the youngest

group of economic crime offenders, with an average age of 34 years. The average age for insurance fraud offenders was slightly higher, at 38 years. In comparison, securities and investment and government procurement fraud offenders were among the oldest on average (51 and 53, respectively) and were among those with the highest prevalence of stale prior convictions. The guidelines’ 5-, 10-, and 15-year exclusion rules for stale convictions, by their nature, establish the opportunity for any prior convictions for older offenders to grow stale.

Compared to the previous analyses, stale prior *economic* convictions were less common overall, but more predominant for zero-point economic crime offenders. More than one-quarter (27.6%) of zero-point economic crime offenders had at least one conviction for a prior stale economic offense. Those convictions ranged from close to one-half (45.5%) of computer-related fraud offenders to 10.9 percent of credit card fraud offenders. In fact, convictions for prior stale economic offenses were the predominant type of prior conviction for zero-point offenders in 14 of the 17 specific types of economic crime. On the other hand, stale prior convictions for an “other” offense were predominant for securities and investment fraud (38.7%), advanced fee fraud (35.0%), and false statements (29.3%) offenders with zero criminal history points (Table 6).

Table 6. Prevalence of Excluded Prior State Convictions for Economic Crime Offenders with Zero Criminal History Points

Fiscal Years 2016-2018

Offenders with at Least One Conviction for a State Offense (%)							
Economic Crime Type	Number	Any Prior State Conviction	Economic	Violent	Drug	Weapon	Other
Embezzlement & Theft	863	57.2	30.5	9.4	7.1	2.8	25.1
Financial Institution	226	39.8	22.6	8.0	8.9	3.1	19.9
Credit Card	156	26.9	10.9	6.4	4.5	0.6	9.6
Health Care	206	48.5	27.2	4.9	8.7	2.4	17.5
Government Benefits	246	50.8	25.2	12.2	8.5	3.3	22.8
Identity Theft	126	49.2	32.5	11.1	11.1	1.6	19.1
Mail Related	166	46.4	28.3	8.4	7.2	3.6	19.9
Tax	153	47.7	28.8	5.9	6.5	3.3	15.7
Mortgage	105	56.2	31.4	5.7	6.7	1.0	28.6
Securities & Investment	124	62.9	29.8	6.5	9.7	3.2	38.7
Advanced Fee	80	60.0	31.3	11.3	12.5	3.8	35.0
False Statements	58	56.9	24.1	3.5	8.6	1.7	29.3
False Advertising	60	50.0	28.3	6.7	8.3	3.3	23.3
Counterfeiting & Forgery	39	43.6	20.5	5.1	15.4	2.6	18.0
Government Procurement	27	66.7	33.3	3.7	14.8	0.0	29.6
Computer Related	22	59.1	45.5	9.1	4.6	0.0	18.2
Insurance	23	26.1	17.4	4.4	4.4	0.0	0.0

Similar proportions of zero-point economic crime offenders had at least one state prior conviction for a violent (8.4%) or drug (8.1%) offense. Only 2.5 percent had at least one state prior conviction for a weapon offense. Consistent with their overall low rates of prior convictions for state offenses, credit card fraud offenders with zero criminal history points also had the lowest (non-zero) rates of prior state convictions for weapon (0.6%) and other (9.6%) offenses. They were also among offenders with the lowest rates of prior

state convictions for a drug offense at 4.5 percent (compared to insurance fraud offenders at 4.4% and computer-related fraud offenders at 4.6%).

First Offenders

A substantial portion of economic crime offenders had no prior convictions (46.0%). This section provides a comparison of first offenders in each specific type of economic crime.

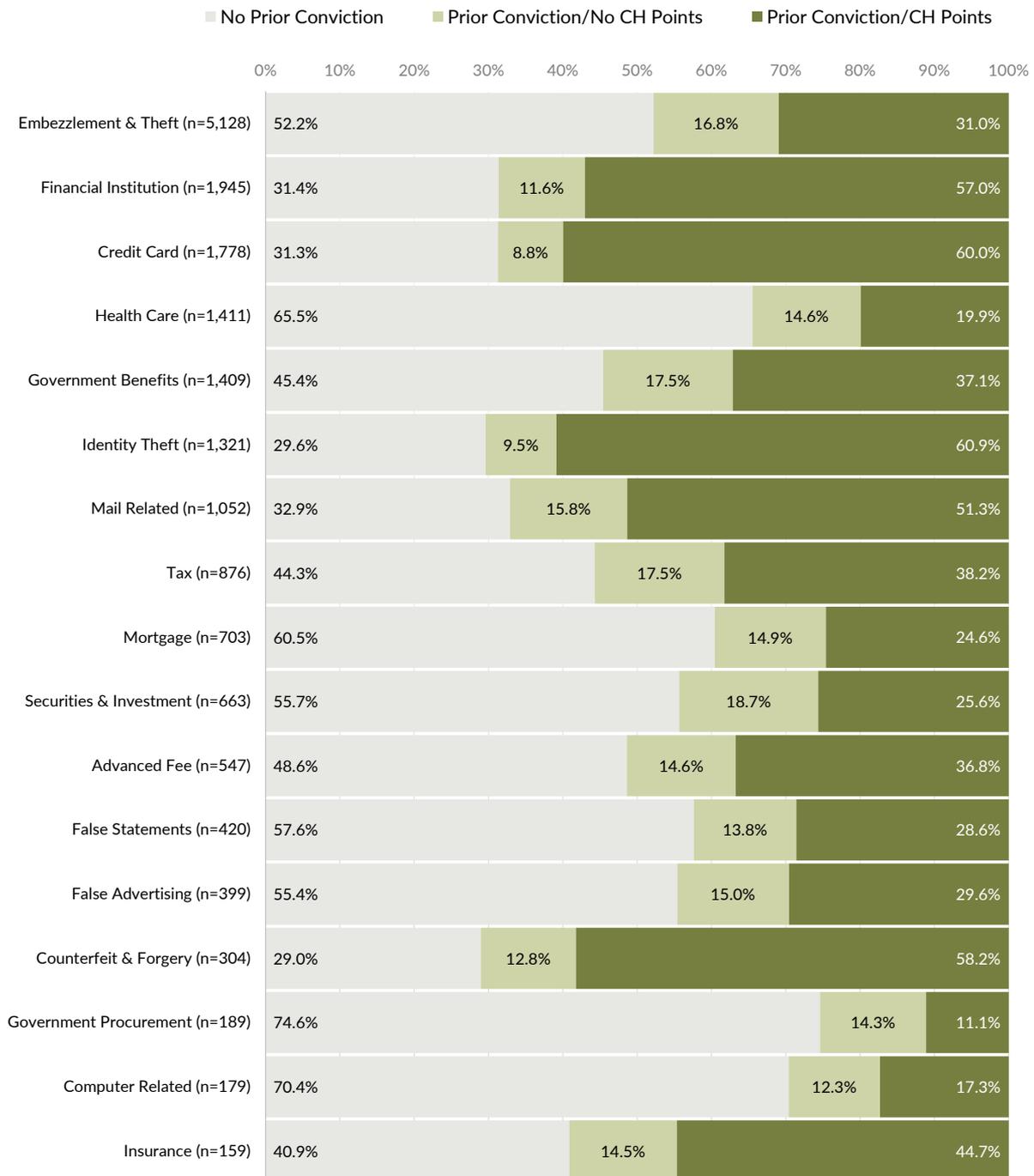
Economic crime offenders could have zero criminal history points because they had no prior convictions at all. In fact, such offenders comprised a substantial portion of economic crime offenders, with 46.0 percent of the 19,073 offenders in the study being true first offenders in terms of both measures of criminal history used in this report. Due to their lack of prior convictions, there is no criminal history data to make comparisons between the specific types of economic crimes. Instead, this section provides a comparison of the proportion of first offenders comprising each of the specific types of economic crime.

The largest proportion of first offenders were among those specific types of economic crime demonstrated to have less extensive and diverse criminal history. More than 60 percent of government procurement (74.6%), computer-related (70.4%), health care (65.5%), and mortgage

(60.5%) fraud offenders had no prior convictions (Figure 9). In contrast, and following the demonstrated patterns, less than one-third of mail-related fraud (32.9%), financial institution fraud (31.4%), credit card fraud (31.2%), identity theft (29.6%), and counterfeit and forgery (29.0%) offenders did not have prior convictions.

Also shown in Figure 9 are the other previously analyzed categories of offenders: offenders with prior convictions and no criminal history points assigned, and offenders with prior convictions and criminal history points assigned.

Figure 9. Prevalence of Prior Convictions and Criminal History Points Assigned for Economic Crime Offenders
Fiscal Years 2016-2018



Conclusion

Federal economic crime offenders collectively have less extensive criminal histories than federal offenders overall, but with a wide spectrum of criminal history in terms of both extent and nature.

This report combined, for the first time, data from two of the Commission's ongoing research projects on criminal history and economic crime. Although federal economic crime offenders collectively have less extensive criminal histories than federal offenders overall, they have a wide spectrum of criminal history in terms of both extent and nature.

Half of all federal economic crime offenders had at least one prior conviction in their criminal history. Prior convictions were most common among financial institution fraud, credit card fraud, identity theft, and counterfeit and forgery offenders. Prior convictions were least common among health care, government procurement, mortgage, and computer-related fraud offenders.

Additionally, federal economic crime offenders did not specialize in economic crime. Convictions for prior economic offenses were not the predominant types of prior convictions. Only fourteen percent of federal economic crime offenders had convictions for prior economic offenses *only*, to the exclusion of other types of convictions. Generally, convictions for prior "other" offenses, such as DUI and public order, were the predominant types of prior convictions. These findings provide more complete data for policy makers and researchers about the offending patterns for specific types of federal economic crime offenders.

Endnotes

- 1 TRACEY KYCKELHAHN & EMILY HERBST, U.S. SENTENCING COMM'N, THE CRIMINAL HISTORY OF FEDERAL OFFENDERS (2018), https://www.ussc.gov/sites/default/files/pdf/research-and-publications/research-publications/2018/20180517_criminal-history.pdf [hereinafter CRIMINAL HISTORY REPORT].
- 2 COURTNEY R. SEMISCH, U.S. SENTENCING COMM'N, WHAT DOES FEDERAL ECONOMIC CRIME REALLY LOOK LIKE? (2019), https://www.ussc.gov/sites/default/files/pdf/research-and-publications/research-publications/2019/20190130_Econ-Crime.pdf [hereinafter ECONOMIC CRIME REPORT].
- 3 U.S. SENTENCING COMM'N, *Guidelines Manual* (Nov. 2018) [hereinafter USSG].
- 4 Title II, Comprehensive Crime Control Act of 1984, Pub. L No. 98-473 (1984).
- 5 28 U.S.C. §§ 991(b)(1)(B), 994(d)(10), 994(h), 994(i), and 994(j).
- 6 See U.S. SENTENCING COMM'N, 2017 SOURCEBOOK OF FEDERAL SENTENCING STATISTICS, APPENDIX A (2018) for descriptions of offense types for instant offenses used in the Criminal History Report. In general, fraud offenses were defined as those for which a fraud conviction constituted the most serious count of conviction. This definition is different than the definition of “economic crime offenders” in this report and the Economic Crime Report. <https://www.ussc.gov/sites/default/files/pdf/research-and-publications/annual-reports-and-sourcebooks/2017/AppendixA.pdf>.
- 7 See CRIMINAL HISTORY REPORT, *supra* note 1, at 14.
- 8 See ECONOMIC CRIME REPORT, *supra* note 2, at 4–6.
- 9 Of the 29 specific economic crime types, 17 offense types consisted of a sufficient number of offenders to be included in the analyses in the report.
- 10 In fiscal years 2016-2018, the Commission's criminal history datafile included 188,081 cases with complete guideline application information. Of those, 168,994 cases were excluded that were not sentenced under USSG §2B1.1 (168,946) or were missing information on Chapter 2 guideline applied (48). One additional case was excluded that was sentenced using a *Guidelines Manual* in effect prior to November 1, 2001. Of the remaining 19,086 cases, seven were excluded for insufficient documentation to determine specific type of economic crime. An additional six cases were excluded due to insufficient criminal history documentation. Additional cases were excluded from the analyses in this report as necessary due to missing information for the variables required for those analyses.
- 11 Despite its relatively large number of offenders (numerically the 17th most common offense type), the “all other” category is not included in the 17 analysis categories for the report. This is a catch-all category for individual offense types too small in number to report as stand-alone categories. Because of its heterogeneric nature (including such offenses as failure to provide child support and property destruction) the “all other” category is excluded from the main analyses.
- 12 This section provides a simplified summary of the criminal history calculation for those sentences which resulted in points and for those that were excluded, for purposes of understanding the data set forth in this report. Several criminal history rules, including those that apply to revocation sentences, are not discussed here. For a complete understanding of the rules that govern criminal history, see USSG, *supra* note 3, at Ch.4.
- 13 Criminal history points are assigned as follows: “(a) Add 3 points for each prior sentence of imprisonment exceeding one year and one month. (b) Add 2 points for each prior sentence of imprisonment of at least sixty days not counted in (a). (c) Add 1 point for each prior sentence not counted in (a) or (b), up to a total of 4 points for this subsection. (d) Add 2 points if the defendant committed the instant offense while under any criminal justice sentence, including probation, parole, supervised release, imprisonment, work release, or escape status. (e) Add 1 point for each prior sentence resulting from a conviction of a crime of violence that did not receive any points under (a), (b), or (c) above because such sentence was treated as a single sentence, up to a total of 3 points for this subsection.” USSG, *supra* note 3, at Ch.4 §4A1.1.
- 14 USSG, *supra* note 3, at Ch.4.
- 15 See CRIMINAL HISTORY REPORT, *supra* note 1, at 14.
- 16 *Id.*

17 USSG, *supra* note 3, at Ch.4.

18 *Id.*

19 There were too few zero-point offenders with prior convictions for petty drug (17), violent (8), or weapon (0) offenses to make comparisons.

20 Some zero-point offenders (16.0%) had at least one state prior conviction and at least one petty prior conviction.

Appendix A: Economic Crime Offense Type Hierarchy, Descriptions, and Specific Statutes²²

Offense Type	Description	Specific Statutes (if applicable)
Securities and Investment Fraud	Schemes involving the deception of investors or the manipulation of financial markets. Includes insider trading, "pump-and-dump," and Ponzi schemes.	7 U.S.C. § 13, 15 U.S.C. §§ 77a, et seq., 78a, et seq., 80, 18 U.S.C. §§ 1348, 1350
Health Care Fraud	Defrauding of a government or private health care entity. Includes frauds involving prescription drugs.	18 U.S.C. §§ 669, 1035, 1347, 1518
Mortgage Fraud	Misrepresentations involving the home loan process.	12 U.S.C. § 2607
Credit Card Fraud	Fraudulent activity involving credit cards including theft, fraudulent charges, skimming/re-encoding, and fraudulent applications.	15 U.S.C. § 1644
Financial Institution Fraud	Fraud schemes targeting banks, usually involving checks and/or debit (ATM) cards and non-mortgage related loans.	18 U.S.C. §§ 1027, 1033, 45 U.S.C. § 231
Government Procurement Fraud	Offenses interfering with federal, state, or local government contracts and conduct that affects the contracting process.	15 U.S.C. §§ 645(a), (d), 714m(a), 18 U.S.C. §§ 494, 1002, 1003, 1012, 41 U.S.C. §§ 2102, 2105
Government Benefits Fraud	Defrauding of government agencies providing assistance programs such as Social Security, disaster assistance, unemployment and retirement benefits, and educational loans.	7 U.S.C. § 2024, 12 U.S.C. § 1715z-19, 18 U.S.C. §§ 1010, 1040, 1919, 1920, 38 U.S.C. § 6102, 42 U.S.C. §§ 408, 1307, 1383 and (a), 1490s, 1760, 45 U.S.C. § 359
Identity Theft	Includes creation of or trafficking in fake identification documents.	18 U.S.C. §§ 1028, 1028A, 1543, 1546
Counterfeiting and Forgery	Fabricating documents or counterfeit Federal Reserve Notes.	18 U.S.C. §§ 471, 472, 485, 491, 493, 495, 498, 499, 500, 501, 505, 506, 510, 513, 514
Mail Related Fraud	Theft, destruction, or diversion of mail.	18 U.S.C. §§ 1700, 1702, 1703, 1704, 1705, 1707, 1708, 1709, 1710
Computer Related Fraud	Unauthorized access to a computer or computer system. False or deceptive transmission of multiple e-mails.	18 U.S.C. §§ 1030, 1037, 2701

Appendix A: Economic Crime Offense Type Hierarchy, Descriptions, and Specific Statutes (cont'd)

Intellectual Property Fraud	Copyright and/or trademark infringement. Also includes economic espionage and theft of trade secrets.	17 U.S.C. §§ 506 (a), (b), (c), (d), (f), 18 U.S.C. §§ 1831, 1832, 2319, 2320
Embezzlement and Theft	Conversion of funds or goods otherwise entrusted to an individual; larceny.	15 U.S.C. §§ 645(b) and (c), 714m(b) and (c), 18 U.S.C. §§ 153, 553, 641, 643, 645, 654, 656, 658, 659, 660, 661, 662, 664, 665, 666(a)(1)(A) and (b), 1163, 1167, 1168, 1711, 1712, 1721, 2113, 2312, 2313, 2314, 2315, 2316, 29 U.S.C. § 501, 38 U.S.C. § 6101
Tax Fraud	Includes misstatements on filings, failure to report legitimate or illegitimate earnings, and misuse of personal identifying information to file returns.	26 U.S.C. §§ 7201, 7202, 7203, 7206, 7212
Insurance Fraud	Fraud related to private, non-health care insurance claims such as life, property, or other insurance.	
Disaster Fraud	Defrauding non-government entities of disaster recovery funds.	
Advanced Fee Fraud	Scams typically using mass-marketing techniques to solicit small upfront payments or fees promising unusual or outrageous returns or payouts.	
False Advertising/Product Substitution	Misrepresentation of a promised good or service, substitution of inferior or counterfeit products, or adulteration of legitimate products.	18 U.S.C. § 1159, 21 U.S.C. §§ 331, 610, 611, 676
Immigration Related Fraud	Fraudulent Misrepresentation of citizenship status or attempt to fraudulently achieve legal status.	8 U.S.C. § 1326, 18 U.S.C. §§ 911, 1015, 1426
Bankruptcy Fraud	Concealing assets, lying in bankruptcy filings or to bankruptcy court.	18 U.S.C. §§ 152, 157
Retirement and Unemployment Fraud	Fraudulent activity related to non-government funded retirement and unemployment funds.	
Antitrust Violation	Non-government related market monopolization, price fixing, or	

Appendix A: Economic Crime Offense Type Hierarchy, Descriptions, and Specific Statutes (cont'd)

	other conduct that restrains free trade.	
Campaign Finance Fraud	Misuse of funds intended for campaign expenditures or fraudulently raising campaign funds. Includes illegal contributions and improper solicitations.	
False Statements	Lying or false personation involving no other fraudulent conduct.	18 U.S.C. §§ 38, 709, 912, 1018, 2073, 29 U.S.C. §§ 431, 439
Contract Violation	Violations of legitimate, non-government business agreements.	49 U.S.C. § 14915
Educational Funds	Fraud related to non-government related educational funding.	
Weapons Violation	Acquisition of weapon by an unqualified or prohibited individual.	
Money Laundering	Concealing illegally derived assets, including promotional money laundering.	
All Other	Any other offense not accounted for in the above categories. Examples include property destruction, failure to pay child support, and bribery.	18 U.S.C. §§ 43, 228, 1361, 1366, 1960, 31 U.S.C. §§ 5316, 5332

Appendix B: Types of Prior Convictions

Types of Prior Convictions Used in This Report	Types of Prior Convictions Used in The Criminal History Report
Economic	Burglary, larceny, fraud, other property
Violent	Homicide, rape, robbery, assault, other violent offense
Drug	Drug trafficking, drug possession, other drug offense
Weapon	Weapon
Other	DUI, immigration, public order, traffic, all other offenses

Appendix C: Data Tables

**Prevalence and Average Number of Prior Convictions for Economic Crime Offenders
Fiscal Years 2016 - 2018**

	Number	No Prior Conviction (%)	Prior Conviction (%)	Average Number of Prior Convictions
Total	19,073	46.0	54.0	5.6
Embezzlement and Theft	5,128	52.2	47.8	4.9
Financial Institution	1,945	31.4	68.6	7.2
Credit Card	1,778	31.3	68.7	6.0
Health Care	1,411	65.5	34.5	3.7
Government Benefits	1,409	45.4	54.6	4.9
Identity Theft	1,321	29.6	70.4	7.0
Mail Related	1,052	32.9	67.1	6.6
Tax	876	44.3	55.7	5.4
Mortgage	703	60.5	39.5	3.5
Securities and Investment	663	55.7	44.3	3.6
Advanced Fee	547	48.6	51.4	5.3
False Statements	420	57.6	42.4	4.5
False Advertising	399	55.4	44.6	4.6
Counterfeit and Forgery	304	28.9	71.1	6.5
Government Procurement	189	74.6	25.4	3.0
Computer Related	179	70.4	29.6	3.1
All Other	170	31.2	68.8	7.8
Insurance	159	40.9	59.1	5.0
Bankruptcy	122	50.8	49.2	3.9
Contract Violation	59	54.2	45.8	3.3
Money Laundering	52	65.4	34.6	7.6
Disaster	42	42.9	57.1	5.0
Intellectual Property	41	75.6	24.4	2.3
Immigration	40	65.0	35.0	3.5
Antitrust	39	59.0	41.0	1.9
Campaign Finance	11	72.7	27.3	1.0
Educational Funds	10	30.0	70.0	9.3
Retirement and Unemployment	2	50.0	50.0	--
Weapons	2	100.0	0.0	--

SOURCE: U.S. Sentencing Commission 2016 through 2018 Criminal History/Economic Crime Datafiles, USSCCH16-USSCCH18. Of the 204,030 cases, 15,949 were excluded due to incomplete guideline application information. Of the remaining 188,081 cases, 168,994 were excluded that were not sentenced under USSG §2B1.1 (168,946) or were missing information on Chapter 2 guideline applied (48). An additional case was excluded that was sentenced using a *Guidelines Manual* in effect prior to November 1, 2001. Of the remaining 19,086 cases, seven were excluded for insufficient documentation to determine offense type. An additional six cases were excluded due to insufficient criminal history documentation. Calculation of the average number of prior convictions includes only cases with prior convictions. Percentages may not sum to 100.0 due to rounding.

Appendix C: Data Tables (cont'd)

**Prevalence of and Average Criminal History Points
for Economic Crime Offenders with Prior Convictions
Fiscal Years 2016 - 2018**

	Number	No CHC Points Assigned (%)	CHC Points Assigned (%)	Average Number of CHC Points Assigned
Total	10,304	26.9	73.1	6.0
Embezzlement and Theft	2,450	35.2	64.8	5.3
Financial Institution	1,335	16.9	83.1	7.3
Credit Card	1,222	12.8	87.2	7.0
Health Care	487	42.3	57.7	4.1
Government Benefits	769	32.0	68.0	4.4
Identity Theft	930	13.5	86.5	6.6
Mail Related	706	23.5	76.5	8.4
Tax	488	31.3	68.7	5.8
Mortgage	278	37.8	62.2	3.4
Securities and Investment	294	42.2	57.8	3.7
Advanced Fee	281	28.5	71.5	5.1
False Statements	178	32.6	67.4	4.8
False Advertising	178	33.7	66.3	4.7
Counterfeit and Forgery	216	18.1	81.9	7.4
Government Procurement	48	56.3	43.8	2.7
Computer Related	53	41.5	58.5	3.3
All Other	117	17.1	82.9	7.1
Insurance	94	24.5	75.5	3.9
Bankruptcy	60	40.0	60.0	3.3
Contract Violation	27	44.4	55.6	6.3
Money Laundering	18	11.1	88.9	6.5
Disaster	24	20.8	79.2	3.8
Intellectual Property	10	50.0	50.0	5.0
Immigration	14	50.0	50.0	6.1
Antitrust	16	68.8	31.3	1.2
Campaign Finance	3	100.0	0.0	--
Educational Funds	7	14.3	85.7	8.3
Retirement and Unemployment	1	100.0	0.0	--
Weapons	0	--	--	--

SOURCE: U.S. Sentencing Commission 2016 through 2018 Criminal History/Economic Crime Datafiles, USSCCHEC16-USSCCHEC18. Of the 204,030 cases, 15,949 were excluded due to incomplete guideline application information. Of the remaining 188,081 cases, 168,994 were excluded that were not sentenced under USSG §2B1.1 (168,946) or were missing information on Chapter 2 guideline applied (48). An additional case was excluded that was sentenced using a *Guidelines Manual* in effect prior to November 1, 2001. Of the remaining 19,086 cases, seven were excluded for insufficient documentation to determine offense type. An additional six cases were excluded due to insufficient criminal history documentation. Cases without any prior conviction were excluded. Calculation of the average number of criminal history points includes only cases with criminal history points. Percentages may not sum to 100.0 due to rounding.

Appendix C: Data Tables (cont'd)

Criminal History Category for Economic Crime Offenders with Prior Convictions
Fiscal Years 2016 - 2018

	Number	CHC (%)					
		I	II	III	IV	V	VI
Total	10,304	43.8	16.5	17.7	7.9	5.1	9.0
Embezzlement and Theft	2,450	52.1	17.0	15.8	5.2	4.0	5.9
Financial Institution	1,335	30.7	15.0	22.0	10.3	7.6	14.3
Credit Card	1,222	28.1	18.8	21.5	11.5	6.0	14.2
Health Care	487	62.4	15.6	12.7	3.9	2.5	2.9
Government Benefits	769	54.8	15.9	17.7	4.9	2.3	4.4
Identity Theft	930	29.9	17.7	21.1	11.0	8.1	12.3
Mail Related	706	37.0	10.9	15.3	11.2	7.9	17.7
Tax	488	49.6	16.2	14.6	8.4	3.5	7.8
Mortgage	278	59.7	23.4	9.0	4.3	1.8	1.8
Securities and Investment	294	61.9	17.7	12.6	4.1	2.4	1.4
Advanced Fee	281	46.6	16.0	19.9	6.4	6.1	5.0
False Statements	178	51.7	14.0	16.9	9.6	3.4	4.5
False Advertising	178	50.0	17.4	17.4	7.3	4.5	3.4
Counterfeit and Forgery	216	32.4	16.7	18.1	9.7	6.5	16.7
Government Procurement	48	75.0	14.6	8.3	2.1	0.0	0.0
Computer Related	53	60.4	17.0	15.1	7.6	0.0	0.0
All Other	117	29.9	9.4	29.1	9.4	10.3	12.0
Insurance	94	46.8	25.5	13.8	8.5	3.2	2.1
Bankruptcy	60	60.0	16.7	18.3	1.7	3.3	0.0
Contract Violation	27	59.3	18.5	14.8	0.0	0.0	7.4
Money Laundering	18	38.9	22.2	5.6	11.1	5.6	16.7
Disaster	24	50.0	16.7	20.8	4.2	8.3	0.0
Intellectual Property	10	60.0	10.0	0.0	30.0	0.0	0.0
Immigration	14	57.1	14.3	7.1	7.1	7.1	7.1
Antitrust	16	93.8	6.3	0.0	0.0	0.0	0.0
Campaign Finance	3	100.0	0.0	0.0	0.0	0.0	0.0
Educational Funds	7	14.3	14.3	42.9	14.3	0.0	14.3
Retirement and Unemployment	1	100.0	0.0	0.0	0.0	0.0	0.0
Weapons	0	--	--	--	--	--	--

SOURCE: U.S. Sentencing Commission 2016 through 2018 Criminal History/Economic Crime Datafiles, USSCCH16-USSCCH18. Of the 204,030 cases, 15,949 were excluded due to incomplete guideline application information. Of the remaining 188,081 cases, 168,994 were excluded that were not sentenced under USSG §2B1.1 (168,946) or were missing information on Chapter 2 guideline applied (48). An additional case was excluded that was sentenced using a *Guidelines Manual* in effect prior to November 1, 2001. Of the remaining 19,086 cases, seven were excluded for insufficient documentation to determine offense type. An additional six cases were excluded due to insufficient criminal history documentation. Cases without any prior conviction were excluded. Percentages may not sum to 100.0 due to rounding.

Appendix C: Data Tables (cont'd)

Prior Convictions for Economic Offenses for Economic Crime Offenders Fiscal Years 2016 - 2018

Total	Number	Prior Conviction -		
		Economic Crime Only (%)	Economic Crime and Another Crime Type (%)	No Prior Conviction for Economic Crime (%)
Total	10,304	14.7	50.0	35.3
Embezzlement and Theft	2,450	17.6	42.4	40.1
Financial Institution	1,335	9.5	63.1	27.4
Credit Card	1,222	16.6	58.6	24.8
Health Care	487	22.0	32.7	45.4
Government Benefits	769	11.2	40.2	48.6
Identity Theft	930	13.2	63.0	23.8
Mail Related	706	10.1	64.2	25.8
Tax	488	13.3	49.8	36.9
Mortgage	278	20.1	32.0	47.8
Securities and Investment	294	15.3	34.4	50.3
Advanced Fee	281	16.0	48.4	35.6
False Statements	178	14.6	37.1	48.3
False Advertising	178	20.8	41.0	38.2
Counterfeit and Forgery	216	11.1	60.7	28.2
Government Procurement	48	14.6	25.0	60.4
Computer Related	53	17.0	30.2	52.8
All Other	117	6.8	61.5	31.6
Insurance	94	12.8	46.8	40.4
Bankruptcy	60	16.7	35.0	48.3
Contract Violation	27	25.9	29.6	44.4
Money Laundering	18	11.1	55.6	33.3
Disaster	24	12.5	45.8	41.7
Intellectual Property	10	10.0	60.0	30.0
Immigration	14	7.1	50.0	42.9
Antitrust	16	6.3	18.8	75.0
Campaign Finance	3	0.0	0.0	100.0
Educational Funds	7	28.6	28.6	42.9
Retirement and Unemployment	1	100.0	0.0	0.0
Weapons	0	--	--	--

SOURCE: U.S. Sentencing Commission 2016 through 2018 Criminal History/Economic Crime Datafiles, USSCCH16-USSCCH18. Of the 204,030 cases, 15,949 were excluded due to incomplete guideline application information. Of the remaining 188,081 cases, 168,994 were excluded that were not sentenced under USSG §2B1.1 (168,946) or were missing information on Chapter 2 guideline applied (48). An additional case was excluded that was sentenced using a *Guidelines Manual* in effect prior to November 1, 2001. Of the remaining 19,086 cases, seven were excluded for insufficient documentation to determine offense type. An additional six cases were excluded due to insufficient criminal history documentation. Cases without any prior conviction were excluded. Percentages may not sum to 100.0 due to rounding.

Appendix C: Data Tables (cont'd)

**Prevalence of Prior Convictions
for Economic Crime Offenders with Criminal History Points
Fiscal Years 2016 - 2018**

	Number	Prior Conviction - Economic Crime Only (%)	Prior Conviction - Economic Crime and Another Crime Type (%)	No Prior Conviction for Economic Crime (%)
Total	7,533	12.9	61.2	25.9
Embezzlement and Theft	1,587	15.3	55.7	29.1
Financial Institution	1,109	7.8	71.0	21.2
Credit Card	1,066	16.0	65.3	18.7
Health Care	281	24.2	45.9	29.9
Government Benefits	523	9.8	49.1	41.1
Identity Theft	804	12.7	68.4	18.9
Mail Related	540	7.2	75.9	16.9
Tax	335	9.6	63.9	26.6
Mortgage	173	19.7	39.3	41.0
Securities and Investment	170	14.7	43.5	41.8
Advanced Fee	201	15.9	58.2	25.9
False Statements	120	11.7	49.2	39.2
False Advertising	118	20.3	50.9	28.8
Counterfeit and Forgery	177	10.7	70.1	19.2
Government Procurement	21	9.5	38.1	52.4
Computer Related	31	6.5	41.9	51.6
All Other	97	4.1	69.1	26.8
Insurance	71	9.9	57.8	32.4
Bankruptcy	36	16.7	52.8	30.6
Contract Violation	15	33.3	33.3	33.3
Money Laundering	16	12.5	50.0	37.5
Disaster	19	15.8	47.4	36.8
Intellectual Property	5	20.0	80.0	0.0
Immigration	7	0.0	71.4	28.6
Antitrust	5	0.0	20.0	80.0
Campaign Finance	0	--	--	--
Educational Funds	6	33.3	33.3	33.3
Retirement and Unemployment	0	--	--	--
Weapons	0	--	--	--

SOURCE: U.S. Sentencing Commission 2016 through 2018 Criminal History/Economic Crime Datafiles, USSCCEC16-USSCCEC18. Of the 204,030 cases, 15,949 were excluded due to incomplete guideline application information. Of the remaining 188,081 cases, 168,994 were excluded that were not sentenced under USSG §2B1.1 (168,946) or were missing information on Chapter 2 guideline applied (48). An additional case was excluded that was sentenced using a *Guidelines Manual* in effect prior to November 1, 2001. Of the remaining 19,086 cases, seven were excluded for insufficient documentation to determine offense type. An additional six cases were excluded due to insufficient criminal history documentation. Cases without any prior conviction or criminal history points were excluded.

Appendix C: Data Tables (cont'd)**Prevalence of Prior Convictions for Economic Crime Offenders
Fiscal Years 2016 - 2018**

	Percent with At Least One Prior Conviction					
	Number	Economic	Violent	Drug	Weapon	Other
Total	10,304	64.7	26.3	33.5	9.8	72.2
Embezzlement and Theft	2,450	59.9	24.6	26.0	8.0	70.2
Financial Institution	1,335	72.6	32.5	44.2	13.5	77.2
Credit Card	1,222	75.2	27.8	43.0	13.7	67.6
Health Care	487	54.6	16.6	19.9	3.7	66.1
Government Benefits	769	51.4	27.6	25.8	6.1	75.8
Identity Theft	930	76.2	30.0	42.8	11.6	73.2
Mail Related	706	74.2	27.2	49.6	13.7	71.3
Tax	488	63.1	29.3	29.9	12.7	76.2
Mortgage	278	52.2	17.3	13.7	5.4	70.5
Securities and Investment	294	49.7	14.3	19.4	3.7	74.5
Advanced Fee	281	64.4	23.1	32.0	7.1	73.7
False Statements	178	51.7	21.9	28.1	8.4	71.4
False Advertising	178	61.8	17.4	23.0	6.2	70.2
Counterfeit and Forgery	216	71.8	31.5	47.2	13.9	74.5
Government Procurement	48	39.6	16.7	22.9	4.2	68.8
Computer Related	53	47.2	22.6	20.8	3.8	69.8
All Other	117	68.4	46.2	34.2	12.0	86.3
Insurance	94	59.6	26.6	27.7	4.3	77.7
Bankruptcy	60	51.7	15.0	10.0	3.3	76.7
Contract Violation	27	55.6	3.7	3.7	0.0	66.7
Money Laundering	18	66.7	27.8	38.9	5.6	83.3
Disaster	24	58.3	33.3	62.5	12.5	41.7
Intellectual Property	10	70.0	30.0	20.0	0.0	60.0
Immigration	14	57.1	28.6	28.6	0.0	85.7
Antitrust	16	25.0	0.0	18.8	0.0	81.3
Campaign Finance	3	0.0	0.0	0.0	0.0	100.0
Educational Funds	7	57.1	28.6	57.1	28.6	57.1
Retirement and Unemployment	1	100.0	0.00	0.00	0.00	0.00
Weapons	0	--	--	--	--	--

SOURCE: U.S. Sentencing Commission 2016 through 2018 Criminal History/Economic Crime Datafiles, USSCCH16-USSCCH18. Of the 204,030 cases, 15,949 were excluded due to incomplete guideline application information. Of the remaining 188,081 cases, 168,994 were excluded that were not sentenced under USSG §2B1.1 (168,946) or were missing information on Chapter 2 guideline applied (48). An additional case was excluded that was sentenced using a *Guidelines Manual* in effect prior to November 1, 2001. Of the remaining 19,086 cases, seven were excluded for insufficient documentation to determine offense type. An additional six cases were excluded due to insufficient criminal history documentation. Cases without any prior conviction were excluded.

Appendix C: Data Tables (cont'd)

Prevalence of Prior Convictions for Economic Crime Offenders with Criminal History Points
Fiscal Years 2016 - 2018

	Percent with At Least One Prior Conviction					
	Number	Economic	Violent	Drug	Weapon	Other
Total	7,533	74.1	32.5	42.4	12.4	72.4
Embezzlement and Theft	1,587	71.0	32.4	35.9	10.7	70.6
Financial Institution	1,109	78.8	37.3	51.1	15.5	77.8
Credit Card	1,066	81.3	30.8	48.5	15.5	67.1
Health Care	281	70.1	23.8	27.8	4.6	63.7
Government Benefits	523	58.9	34.6	33.5	7.5	75.9
Identity Theft	804	81.1	32.8	47.3	13.2	73.5
Mail Related	540	83.2	32.6	62.0	16.9	70.9
Tax	335	73.4	40.0	39.7	17.0	77.3
Mortgage	173	59.0	24.3	17.3	8.1	69.4
Securities and Investment	170	58.2	18.2	26.5	4.1	74.1
Advanced Fee	201	74.1	27.4	38.8	8.5	72.1
False Statements	120	60.8	30.8	35.0	11.7	71.7
False Advertising	118	71.2	22.9	30.5	7.6	69.5
Counterfeit and Forgery	177	80.8	37.3	52.5	16.4	74.6
Government Procurement	21	47.6	33.3	33.3	9.5	71.4
Computer Related	31	48.4	29.0	29.0	6.5	74.2
All Other	97	73.2	52.6	39.2	14.4	88.7
Insurance	71	67.6	33.8	33.8	5.6	80.3
Bankruptcy	36	69.4	16.7	16.7	5.6	75.0
Contract Violation	15	66.7	0.0	0.0	0.0	66.7
Money Laundering	16	62.5	25.0	37.5	6.3	81.3
Disaster	19	63.2	31.6	68.4	15.8	36.8
Intellectual Property	5	100.0	40.0	20.0	0.0	60.0
Immigration	7	71.4	28.6	28.6	0.0	85.7
Antitrust	5	20.0	0.0	40.0	0.0	80.0
Campaign Finance	0	--	--	--	--	--
Educational Funds	6	66.7	33.3	66.7	33.3	50.0
Retirement and Unemployment	0	--	--	--	--	--
Weapons	0	--	--	--	--	--

SOURCE: U.S. Sentencing Commission 2016 through 2018 Criminal History/Economic Crime Datafiles, USSCCHEC16-USSCCHEC18. Of the 204,030 cases, 15,949 were excluded due to incomplete guideline application information. Of the remaining 188,081 cases, 168,994 were excluded that were not sentenced under USSG §2B1.1 (168,946) or were missing information on Chapter 2 guideline applied (48). An additional case was excluded that was sentenced using a *Guidelines Manual* in effect prior to November 1, 2001. Of the remaining 19,086 cases, seven were excluded for insufficient documentation to determine offense type. An additional six cases were excluded due to insufficient criminal history documentation. Cases without any prior conviction were excluded.

Appendix C: Data Tables (cont'd)

Prevalence of Excluded Prior Petty and Minor Convictions for Economic Crime Offenders with Zero Criminal History Points Fiscal Years 2016 - 2018

	Percent with At Least One Prior Conviction						
	Number	Any Prior Petty or Minor Offense	Economic	Violent	Drug	Weapon	Other
Total	2,771	58.2	8.9	0.3	0.6	0.0	53.5
Embezzlement & Theft	863	54.2	8.3	0.2	0.4	0.0	49.1
Financial Institution	226	64.2	11.1	0.4	0.9	0.0	58.4
Credit Card	156	66.7	9.0	0.6	1.9	0.0	62.2
Health Care	206	59.7	4.9	0.5	0.0	0.0	56.3
Government Benefits	246	64.2	8.5	0.4	0.0	0.0	60.6
Identity Theft	126	56.4	7.9	0.0	0.0	0.0	53.2
Mail Related	166	66.3	19.9	0.6	1.2	0.0	56.6
Tax	153	66.0	10.5	0.0	1.3	0.0	60.8
Mortgage	105	55.2	7.6	0.0	0.0	0.0	53.3
Securities & Investment	124	45.2	6.5	0.0	0.0	0.0	42.7
Advanced Fee	80	53.8	3.8	1.3	2.5	0.0	52.5
False Statements	58	51.7	8.6	0.0	0.0	0.0	44.8
False Advertising	60	61.7	10.0	0.0	0.0	0.0	56.7
Counterfeit & Forgery	39	66.7	7.7	0.0	5.1	0.0	59.0
Government Procurement	27	48.2	3.7	0.0	0.0	0.0	44.4
Computer Related	22	54.6	0.0	0.0	4.6	0.0	54.6
All Other	20	60.0	20.0	0.0	0.0	0.0	45.0
Insurance	23	78.3	13.0	0.0	0.0	0.0	69.6
Bankruptcy	24	50.0	12.5	0.0	0.0	0.0	45.8
Contract Violation	12	41.7	0.0	0.0	0.0	0.0	41.7
Money Laundering	2	100.0	50.0	0.0	0.0	0.0	100.0
Disaster	5	40.0	0.0	0.0	0.0	0.0	40.0
Intellectual Property	5	20.0	0.0	0.0	0.0	0.0	20.0
Immigration	7	14.3	0.0	0.0	0.0	0.0	14.3
Antitrust	11	9.1	0.0	0.0	0.0	0.0	9.1
Campaign Finance	3	100.0	0.0	0.0	0.0	0.0	100.0
Educational Funds	1	100.0	0.0	0.0	0.0	0.0	100.0
Retirement & Unemployment	1	0.0	0.0	0.0	0.0	0.0	0.0
Weapons	0	--	--	--	--	--	--

SOURCE: U.S. Sentencing Commission 2016 through 2018 Criminal History/Economic Crime Datafiles, USSCCEC16-USSCCEC18. Of the 204,030 cases, 15,949 were excluded due to incomplete guideline application information. Of the remaining 188,081 cases, 168,994 were excluded that were not sentenced under USSG §2B1.1 (168,946) or were missing information on Chapter 2 guideline applied (48). An additional case was excluded that was sentenced using a *Guidelines Manual* in effect prior to November 1, 2001. Of the remaining 19,086 cases, seven were excluded for insufficient documentation to determine offense type. An additional six cases were excluded due to insufficient criminal history documentation. Cases without prior convictions were excluded. Cases with criminal history points were excluded.

Appendix C: Data Tables (cont'd)

Average Age of Economic Crime Offenders with Prior Convictions Fiscal Years 2016 -2018

	Number	Average Age
Total	10,304	41
Embezzlement & Theft	2,450	44
Financial Institution	1,335	37
Credit Card	1,222	34
Health Care	487	48
Government Benefits	769	43
Identity Theft	930	37
Mail Related	706	35
Tax	488	42
Mortgage	278	46
Securities & Investment	294	51
Advanced Fee	281	43
False Statements	178	40
False Advertising	178	46
Counterfeit & Forgery	216	37
Government Procurement	48	53
Computer Related	53	37
All Other	117	41
Insurance	94	38
Bankruptcy	60	50
Contract Violation	27	49
Money Laundering	18	43
Disaster	24	44
Intellectual Property	10	50
Immigration	14	42
Antitrust	16	51
Campaign Finance	3	61
Education Funds	7	44
Retirement & Unemployment	1	--
Weapons	0	--

SOURCE: U.S. Sentencing Commission 2016 through 2018 Criminal History/Economic Crime Datafiles, USSCCH16-USSCCH18. Of the 204,030 cases, 15,949 were excluded due to incomplete guideline application information. Of the remaining 188,081 cases, 168,994 were excluded that were not sentenced under USSC §2B1.1 (168,946) or were missing information on Chapter 2 guideline applied (48). An additional case was excluded that was sentenced using a *Guidelines Manual* in effect prior to November 1, 2001. Of the remaining 19,086 cases, seven were excluded for insufficient documentation to determine offense type. An additional six cases were excluded due to insufficient criminal history documentation. Cases without prior convictions were excluded.

Appendix C: Data Tables (cont'd)

Prevalence of Excluded Prior State Convictions for Economic Crime Offenders with Zero Criminal History Points Fiscal Years 2016 - 2018

	Percent with At Least One Conviction						
	Any Prior State						
	Number	Conviction	Economic	Violent	Drug	Weapon	Other
Total	2,771	51.5	27.6	8.4	8.1	2.5	23.2
Embezzlement & Theft	863	57.2	30.5	9.4	7.1	2.8	25.1
Financial Institution	226	39.8	22.6	8.0	8.9	3.1	19.9
Credit Card	156	26.9	10.9	6.4	4.5	0.6	9.6
Health Care	206	48.5	27.2	4.9	8.7	2.4	17.5
Government Benefits	246	50.8	25.2	12.2	8.5	3.3	22.8
Identity Theft	126	49.2	32.5	11.1	11.1	1.6	19.1
Mail Related	166	46.4	28.3	8.4	7.2	3.6	19.9
Tax	153	47.7	28.8	5.9	6.5	3.3	15.7
Mortgage	105	56.2	31.4	5.7	6.7	1.0	28.6
Securities & Investment	124	62.9	29.8	6.5	9.7	3.2	38.7
Advanced Fee	80	60.0	31.3	11.3	12.5	3.8	35.0
False Statements	58	56.9	24.1	3.5	8.6	1.7	29.3
False Advertising	60	50.0	28.3	6.7	8.3	3.3	23.3
Counterfeit & Forgery	39	43.6	20.5	5.1	15.4	2.6	18.0
Government Procurement	27	66.7	33.3	3.7	14.8	0.0	29.6
Computer Related	22	59.1	45.5	9.1	4.6	0.0	18.2
All Other	20	60.0	35.0	15.0	10.0	0.0	45.0
Insurance	23	26.1	17.4	4.4	4.4	0.0	0.0
Bankruptcy	24	58.3	16.7	12.5	0.0	0.0	37.5
Contract Violation	12	75.0	33.3	8.3	8.3	0.0	33.3
Money Laundering	2	50.0	50.0	50.0	50.0	0.0	50.0
Disaster	5	80.0	40.0	40.0	40.0	0.0	20.0
Intellectual Property	5	80.0	40.0	20.0	20.0	0.0	20.0
Immigration	7	85.7	28.6	28.6	28.6	0.0	71.4
Antitrust	11	90.9	27.3	0.0	9.1	0.0	72.7
Campaign Finance	3	0.0	0.0	0.0	0.0	0.0	0.0
Educational Funds	1	0.0	0.0	0.0	0.0	0.0	0.0
Retirement & Unemployment	1	100.0	100.0	0.0	0.0	0.0	0.0
Weapons	0	--	--	--	--	--	--

SOURCE: U.S. Sentencing Commission 2016 through 2018 Criminal History/Economic Crime Datafiles, USSCCEC16-USSCCEC18. Of the 204,030 cases, 15,949 were excluded due to incomplete guideline application information. Of the remaining 188,081 cases, 168,994 were excluded that were not sentenced under USSG §2B1.1 (168,946) or were missing information on Chapter 2 guideline applied (48). An additional case was excluded that was sentenced using a *Guidelines Manual* in effect prior to November 1, 2001. Of the remaining 19,086 cases, seven were excluded for insufficient documentation to determine offense type. An additional six cases were excluded due to insufficient criminal history documentation. Cases without prior convictions were excluded. Cases with criminal history points were excluded.

Appendix C: Data Tables (cont'd)

Prevalence of Prior Convictions and Criminal History Points Assigned for Economic Crime Offenders
Fiscal Years 2016 - 2018

	Number	No Prior Conviction (%)	Prior Conviction/ No CH Points (%)	Prior Conviction/ CH Points (%)
Total	19,073	46.0	14.5	39.5
Embezzlement and Theft	5,128	52.2	16.8	31.0
Financial Institution	1,945	31.4	11.6	57.0
Credit Card	1,778	31.3	8.8	60.0
Health Care	1,411	65.5	14.6	19.9
Government Benefits	1,409	45.4	17.5	37.1
Identity Theft	1,321	29.6	9.5	60.9
Mail Related	1,052	32.9	15.8	51.3
Tax	876	44.3	17.5	38.2
Mortgage	703	60.5	14.9	24.6
Securities and Investment	663	55.7	18.7	25.6
Advanced Fee	547	48.6	14.6	36.8
False Statements	420	57.6	13.8	28.6
False Advertising	399	55.4	15.0	29.6
Counterfeit and Forgery	304	29.0	12.8	58.2
Government Procurement	189	74.6	14.3	11.1
Computer Related	179	70.4	12.3	17.3
All Other	170	31.2	11.8	57.1
Insurance	159	40.9	14.5	44.7
Bankruptcy	122	50.8	19.7	29.5
Contract Violation	59	54.2	20.3	25.4
Money Laundering	52	65.4	3.9	30.8
Disaster	42	42.9	11.9	45.2
Intellectual Property	41	75.6	12.2	12.2
Immigration	40	65.0	17.5	17.5
Antitrust	39	59.0	28.2	12.8
Campaign Finance	11	72.7	27.3	0.0
Educational Funds	10	30.0	10.0	60.0
Retirement and Unemployment	2	50.0	50.0	0.0
Weapons	2	100.0	0.0	0.0

SOURCE: U.S. Sentencing Commission 2016 through 2018 Criminal History/Economic Crime Datafiles, USSCCH16-USSCCH18. Of the 204,030 cases, 15,949 were excluded due to incomplete guideline application information. Of the remaining 188,081 cases, 168,994 were excluded that were not sentenced under USSG §2B1.1 (168,946) or were missing information on Chapter 2 guideline applied (48). An additional case was excluded that was sentenced using a *Guidelines Manual* in effect prior to November 1, 2001. Of the remaining 19,086 cases, seven were excluded for insufficient documentation to determine offense type. An additional six cases were excluded due to insufficient criminal history documentation. Percentages may not sum to 100.0 due to rounding.



United States Sentencing Commission

www.ussc.gov

THURGOOD MARSHALL FEDERAL JUDICIARY BUILDING
ONE COLUMBUS CIRCLE N.E.
SUITE 2-500, SOUTH LOBBY
WASHINGTON, DC 20002-8002