



**REPORT TO THE CONGRESS:  
CAREER OFFENDER SENTENCING ENHANCEMENTS**

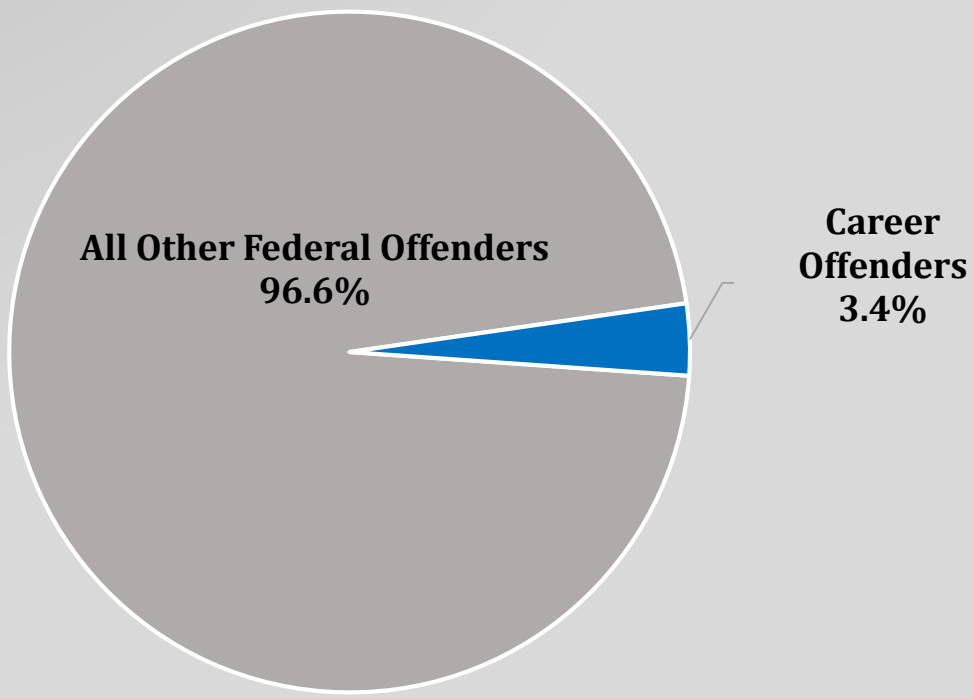
# Career Offender Report Findings

- Career offenders are sentenced to long terms of incarceration, receiving an average sentence of more than 12 years (147 months).
- Career offenders now account for more than 11 percent of the total BOP population.

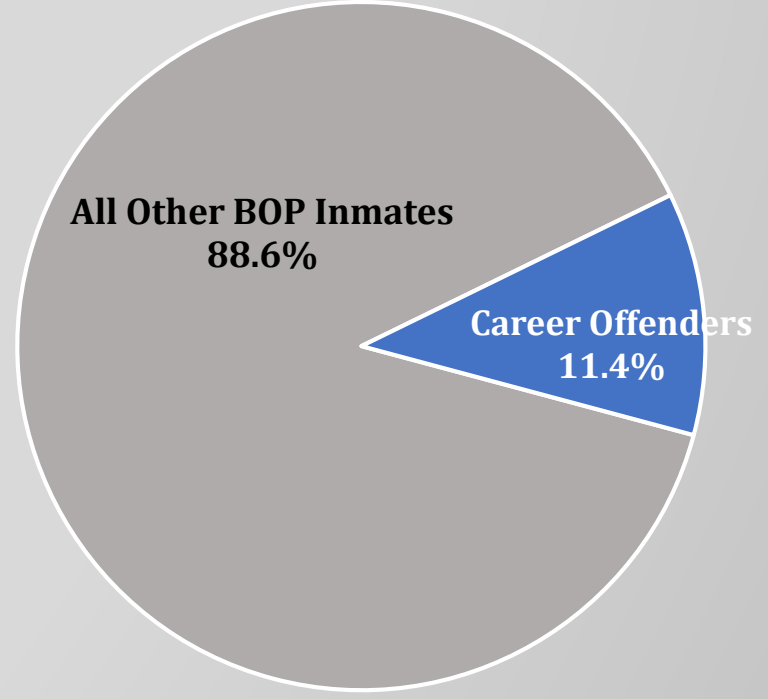


# Comparison of Career Offenders Sentenced Annually to Career Offenders in Federal BOP Population

Career Offenders Sentenced in FY14



Career Offenders in the Bureau of Prisons (as of Dec. 27, 2014)

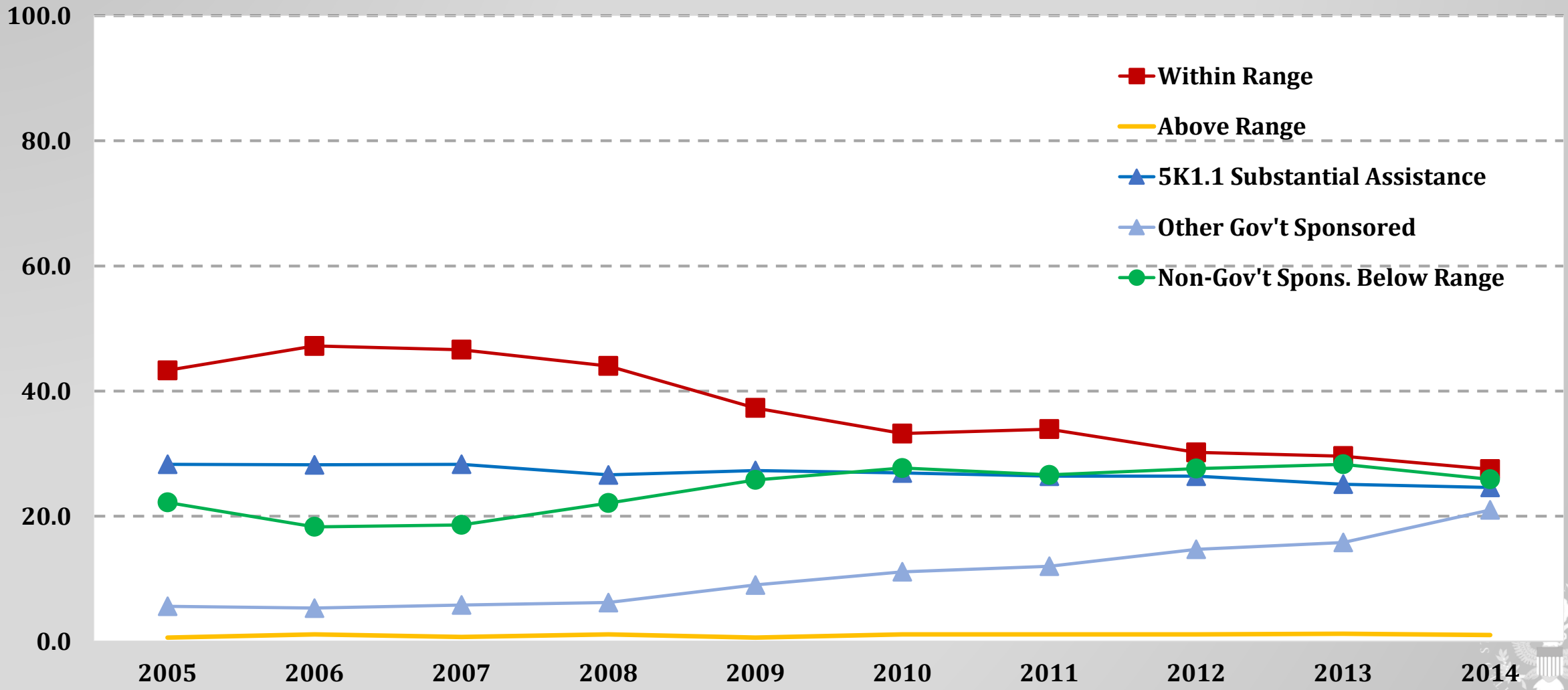


# Career Offender Report Findings

- Career offenders are increasingly receiving sentences below the guideline range, often at the request of the government.
- During the past ten years, the proportion of career offenders sentenced within the applicable guideline range has decreased from 43.3 percent in fiscal year 2005 to 27.5 percent in fiscal year 2014.
- Government sponsored departures have steadily increased from 33.9 percent to 45.6 percent.



# Sentences Relative to the Guideline Range for Career Offenders

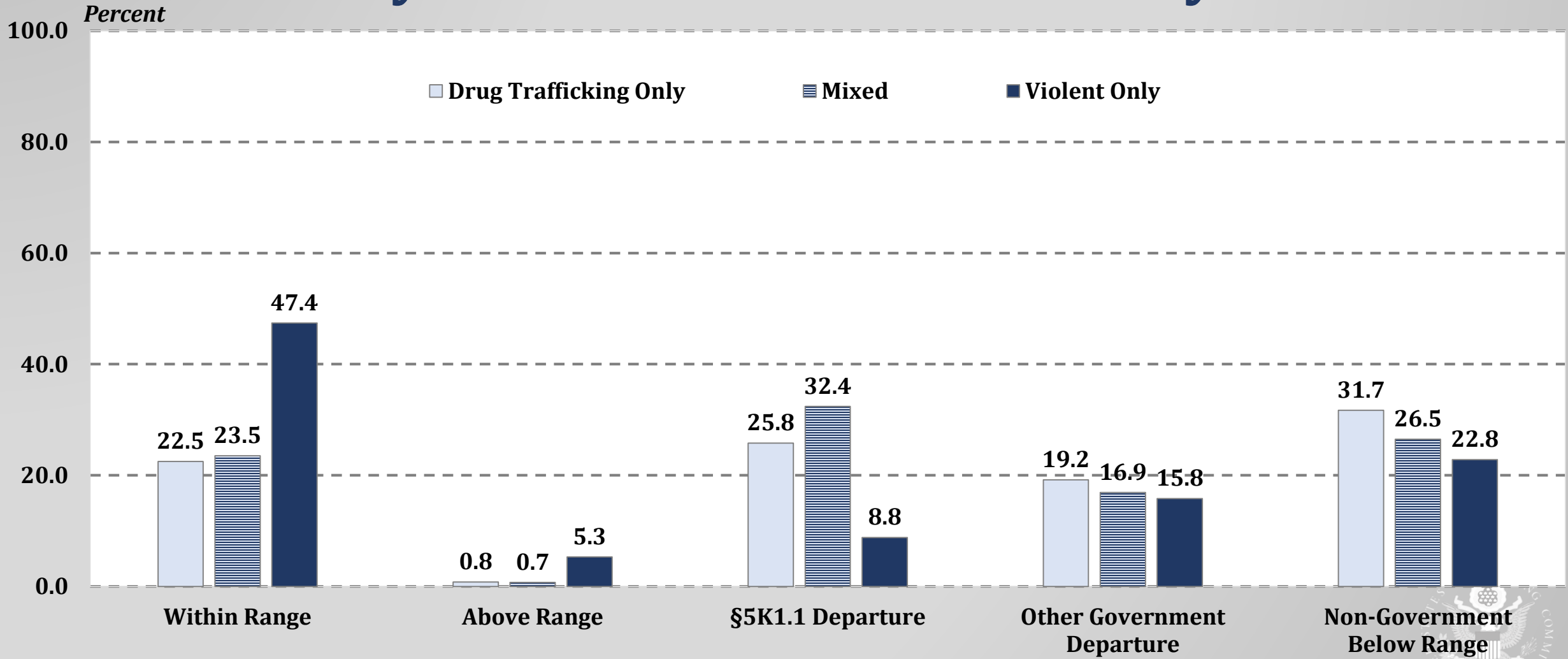


# Career Offender Report Findings

- Career offenders primarily are convicted of drug trafficking offenses offenders (74.1% of career offenders in FY14).
- Career offenders whose qualifying criminal conduct is limited to drug trafficking (“drug trafficking only career offenders”) were most likely to receive a sentence below the guideline range.
  - Their average sentence (134 months) is nearly identical to the average guideline minimum (131 months) that would have applied to those offenders through the normal operation of the drug trafficking guideline.



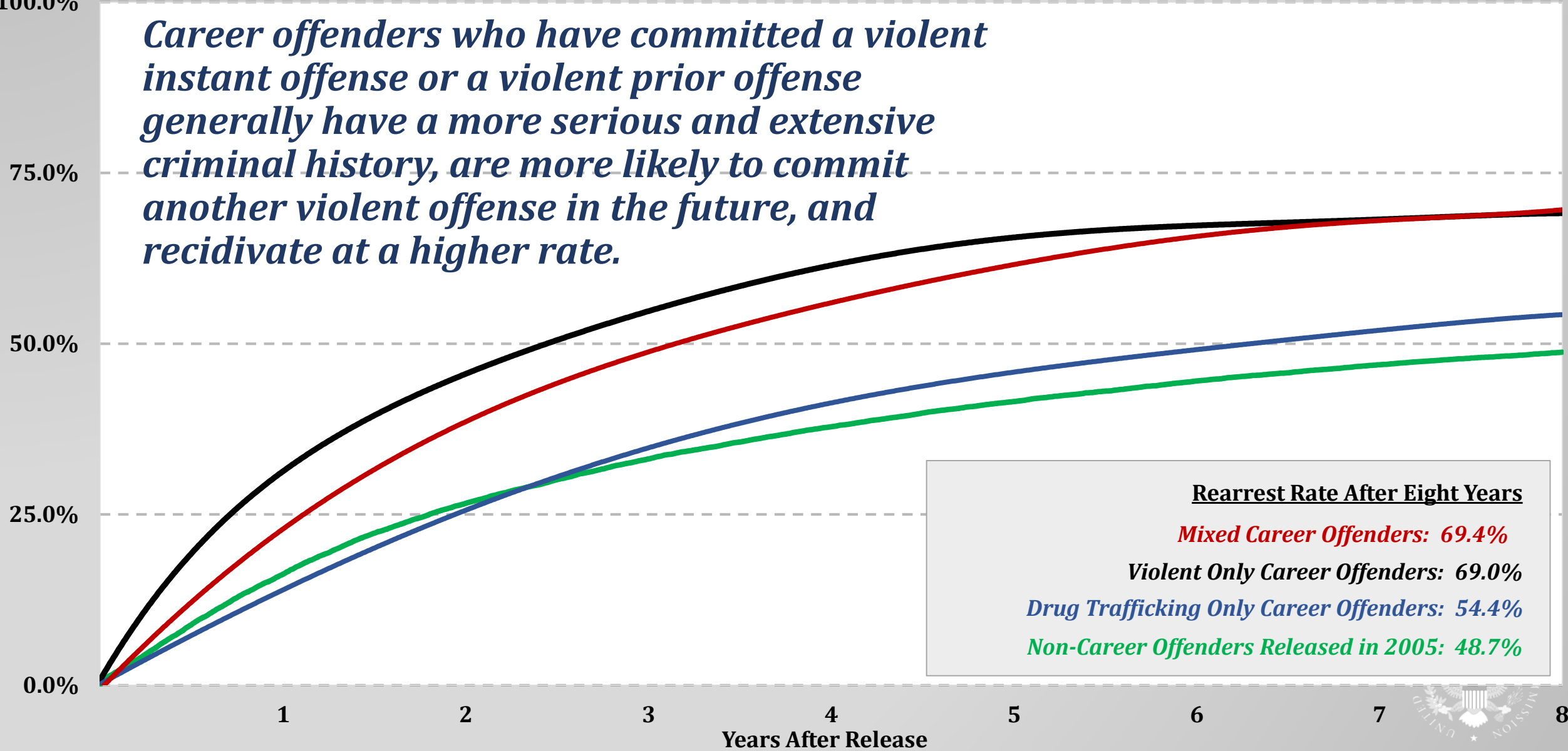
# Sentences Relative to the Guideline Range by Career Offender Pathway



# Projection of Time to First Rearrest by Career Offender Pathway<sup>8</sup>

Recidivism Rate  
100.0%

*Career offenders who have committed a violent instant offense or a violent prior offense generally have a more serious and extensive criminal history, are more likely to commit another violent offense in the future, and recidivate at a higher rate.*



**Rearrest Rate After Eight Years**

**Mixed Career Offenders: 69.4%**

**Violent Only Career Offenders: 69.0%**

**Drug Trafficking Only Career Offenders: 54.4%**

**Non-Career Offenders Released in 2005: 48.7%**





# Report Recommendations

- The career offender directive at 28 U.S.C. § 994(h) should be amended to differentiate between career offenders with different types of criminal records.
  - Drug trafficking only offenders should not be subject to the significant penalty increases mandated by 28 U.S.C. § 994(h) because they are not meaningfully different than other federal drug trafficking offenders.
- Congress should adopt a single, uniform definition of “crime of violence” that is consistent with the Commission’s amended career offender definition.





# Commission Resources

*More details and the full report are available on the Commission's website:*



**[www.ussc.gov](http://www.ussc.gov)**