



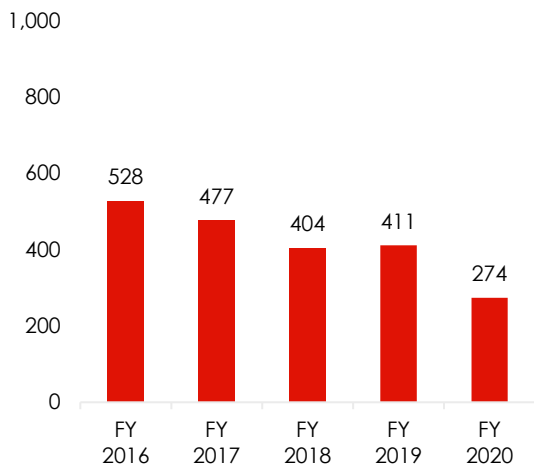
Quick Facts

— Government Benefits Fraud Offenses —

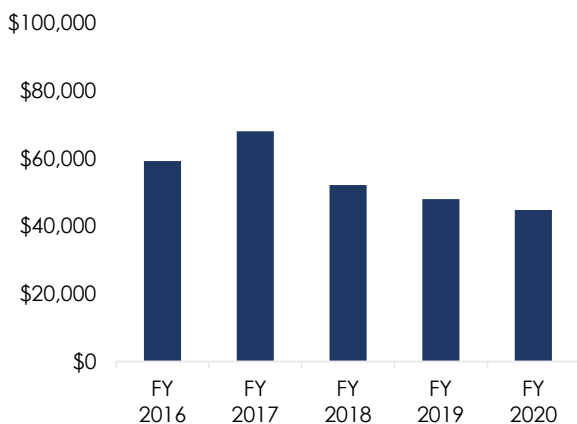
Fiscal Year 2020

- ▶ IN FY 2020, 64,565 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.
- ▶ 4,356 OF THESE INVOLVED THEFT, PROPERTY DESTRUCTION, AND FRAUD.
- ▶ 6.4% OF THEFT, PROPERTY DESTRUCTION, AND FRAUD OFFENSES INVOLVED GOVERNMENT BENEFITS FRAUD.^{1, 2, 3}
- ▶ GOVERNMENT BENEFITS FRAUD HAS DECREASED BY 48.1% SINCE FY 2016.

Number of Government Benefits Fraud Offenders



Median Loss for Government Benefits Fraud Offenses



Offender and Offense Characteristics

- 59.1% of government benefits fraud offenders were men.
- 40.5% were White, 31.6% were Hispanic, 22.4% were Black, and 5.5% were Other races.
- Their average age was 46 years.
- 72.4% were United States citizens.
- 70.4% had little or no prior criminal history (Criminal History Category I).
- The median loss for these offenses was \$44,792;⁴
 - ◆ 22.2% involved loss amounts of \$0;
 - ◆ 14.9% involved loss amounts greater than \$250,000.
- Sentences were increased for:
 - ◆ the number of victims or the extent of harm to victims (6.2%);⁵
 - ◆ using sophisticated means to execute or conceal the offense (2.9%);
 - ◆ using an unauthorized means of identification (16.8%);
 - ◆ fraud or theft in connection with a major disaster or emergency (6.2%);
 - ◆ a leadership or supervisory role in the offense (3.6%);
 - ◆ abusing a public position of trust or using a special skill (8.0%);
 - ◆ obstructing or impeding the administration of justice (3.7%).
- Sentences were decreased for:
 - ◆ minor or minimal participation in the offense (2.6%).
- The top five districts for government benefits fraud offenders were:
 - ◆ District of Massachusetts (24);
 - ◆ Southern District of Ohio (18);
 - ◆ District of Nebraska (16);
 - ◆ Central District of California (12);
 - ◆ Middle District of Florida (10).

Punishment

- The average sentence for government benefits fraud offenders was 10 months.
- 61.3% were sentenced to prison.
- 7.3% were convicted of an offense carrying a mandatory minimum penalty; of those offenders, 10.0% were relieved of that penalty.

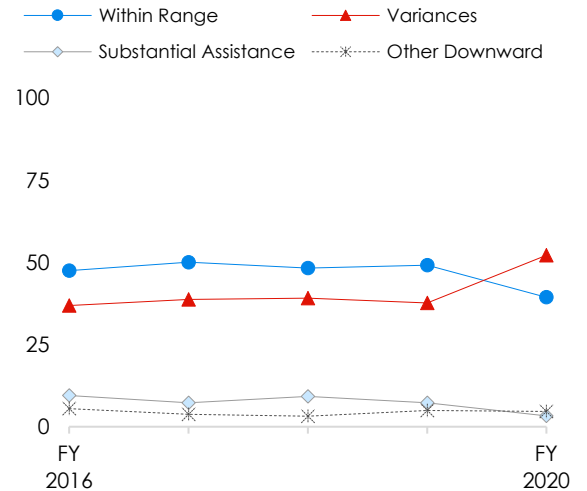


— Government Benefits Fraud Offenses —

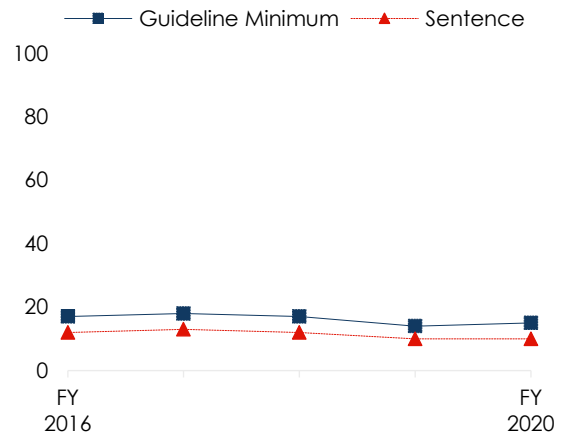
Sentences Relative to the Guideline Range

- Of the 47.8% of government benefits fraud offenders sentenced under the *Guidelines Manual*:
 - ◆ 82.4% were sentenced within the guideline range.
 - ◆ 6.9% received a substantial assistance departure.
 - ◇ Their average sentence reduction was 58.4%.
 - ◆ 9.9% received some other downward departure.
 - ◇ Their average sentence reduction was 84.7%.
- 52.2% received a variance; of those offenders:
 - ◆ 97.9% received a downward variance.
 - ◇ Their average sentence reduction was 71.1%.
 - ◆ 2.1% received an upward variance.
 - ◇ Their average sentence increase was 52.8%.
- The average guideline minimum and the average sentence imposed remained steady over the past five years.
 - ◆ The average guideline minimum decreased from 17 months in fiscal year 2016 to 15 months in fiscal year 2020.
 - ◆ The average sentence imposed decreased from 12 months in fiscal year 2016 to 10 months in fiscal year 2020.

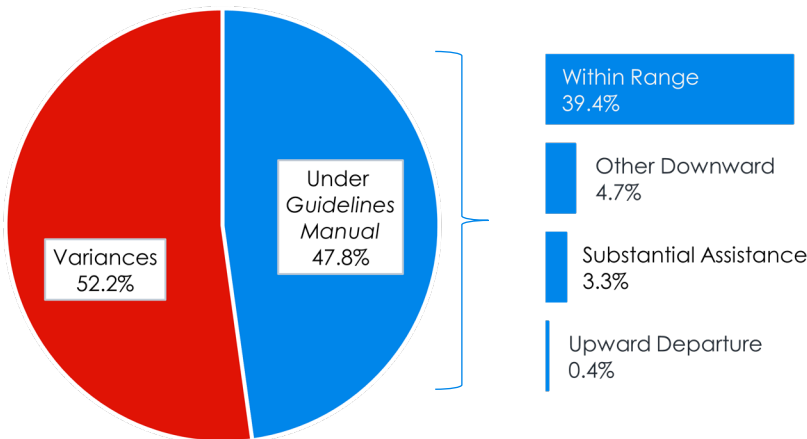
Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



Sentence Imposed Relative to the Guideline Range FY 2020



¹ Cases with incomplete sentencing information were excluded from the analysis.

² Theft, property destruction, and fraud offenses include cases with complete guideline application information in which the offender was sentenced under §2B1.1 (Larceny, Embezzlement, and Other Forms of Theft; Offenses Involving Stolen Property; Property Damage or Destruction; Fraud and Deceit; Forgery; Offenses Involving Altered or Counterfeit Instruments Other than Counterfeit Bearer Obligations of the United States) using a *Guidelines Manual* in effect on November 1, 2001 or later. See www.ussc.gov/research/quick-facts for the Quick Facts on §2B1.1 offenders.

³ Government benefits fraud includes cases where the offense conduct as described in the Presentence Report involved a false claim to the federal or state government involving assistance programs from federal agencies.

⁴ The Loss Table was amended effective November 1, 2001 and November 1, 2015.

⁵ The Victims Table and Sophisticated Means adjustment were amended effective November 1, 2015.