



# Quick Facts

## — Sexual Abuse Offenders —

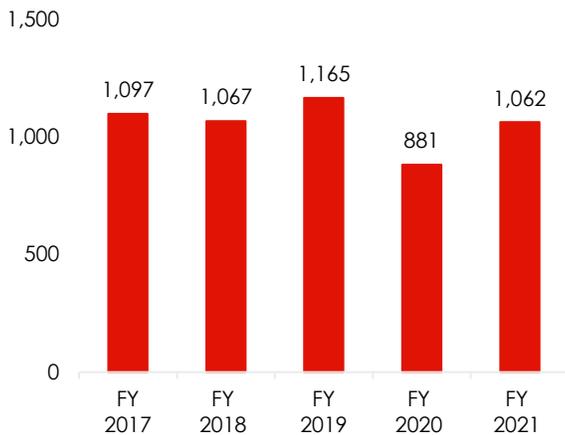
### Fiscal Year 2021

▶ IN FY 2021, 57,287 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.

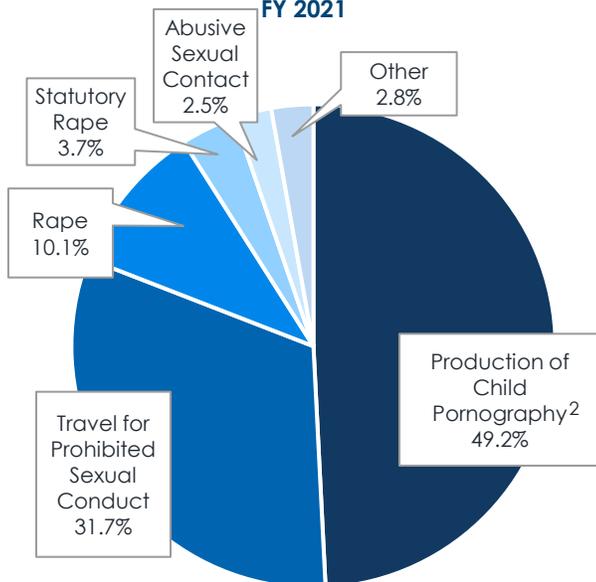
▶ 1,062 INVOLVED SEXUAL ABUSE OFFENSES.<sup>1</sup>

▶ SEXUAL ABUSE OFFENSES HAVE DECREASED BY 3.2% SINCE FY 2017.

Number of Sexual Abuse Offenders



Primary Sentencing Guideline for Sexual Abuse Offenders  
FY 2021



### Offender and Offense Characteristics<sup>3</sup>

- 93.6% of sexual abuse offenders were men.
- 57.5% were White, 16.1% were Black, 12.1% were Native American, 11.8% were Hispanic, and 2.5% were Other races.
  - ◆ 74.6% of offenders in cases involving production of child pornography were White.
  - ◆ 53.3% of offenders in cases involving travel for prohibited sexual contact were White and 27.4% were Black.
  - ◆ 61.3% of offenders in cases involving criminal sexual abuse (rape) were Native American.<sup>4</sup>
  - ◆ 65.4% of offenders in cases involving abusive sexual contact were Native American.
  - ◆ 84.6% of offenders in cases involving statutory rape were Native American.
- Their average age was 38 years.
- 95.4% were United States citizens.
- 63.8% had little or no prior criminal history (Criminal History Category I);
  - ◆ 10.0% were CHC II;
  - ◆ 10.2% were CHC III;
  - ◆ 5.2% were CHC IV;
  - ◆ 6.6% were CHC V;
  - ◆ 4.2% were CHC VI.
- 8.5% of sexual abuse offenders were convicted at trial, compared to 1.6% of all other federal offenders.
- The top five districts for sexual abuse offenders were:
  - ◆ Northern District of Texas (48);
  - ◆ Middle District of Florida (43);
  - ◆ District of Arizona (33);
  - ◆ District of South Dakota (32);
  - ◆ Central District of Illinois (27).

### Punishment

- 99.5% of sexual abuse offenders were sentenced to prison; their average sentence was 211 months.
- The average sentence for offenders convicted of production of child pornography was 277 months:
  - ◆ 85.7% of these offenders were convicted of an offense carrying a mandatory minimum penalty; their average sentence was 300 months. The average sentence without a mandatory minimum was 139 months.
- The average sentence for offenders convicted of travel to engage in prohibited sexual conduct with a minor was 152 months:
  - ◆ 70.0% of these offenders were convicted of an offense carrying a mandatory minimum penalty; their average sentence was 184 months. The average sentence without a mandatory minimum was 76 months.



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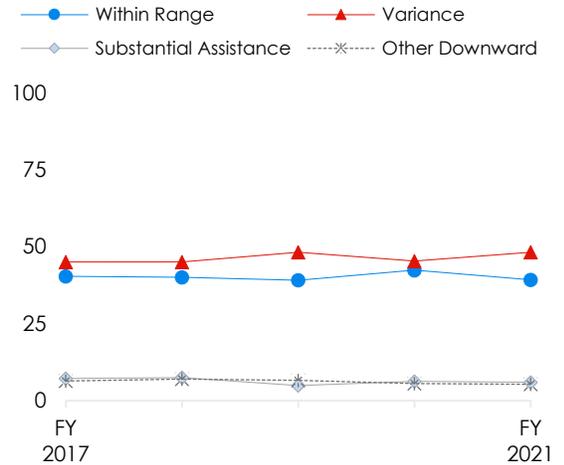
**Punishment (continued)**

- The average sentence for offenders convicted of criminal sexual abuse (rape) was 190 months:
  - 20.8% of these offenders were convicted of an offense carrying a mandatory minimum penalty; their average sentence was 297 months. The average sentence without a mandatory minimum was 162 months.
- The average sentence for offenders convicted of statutory rape was 45 months.
- The average sentence for offenders convicted of abusive sexual contact was 41 months.

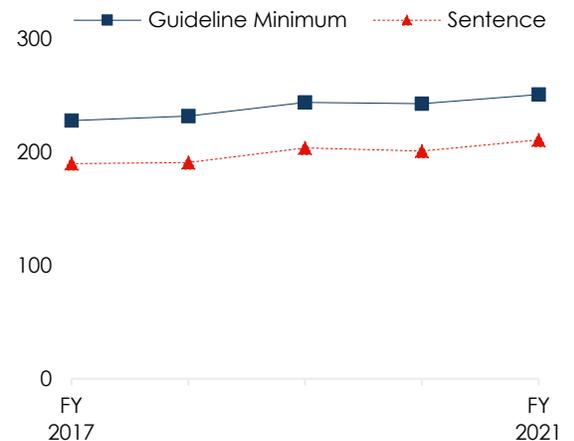
**Sentences Relative to the Guideline Range**

- 51.8% of sexual abuse offenders were sentenced under the *Guidelines Manual*:
  - 39.3% of all sexual abuse offenders were sentenced within the guideline range.
  - 6.0% of all sexual abuse offenders received a substantial assistance departure.
    - Their average sentence reduction was 46.9%.
  - 5.3% of all sexual abuse offenders received some other downward departure.
    - Their average sentence reduction was 36.4%.
- 48.2% of sexual abuse offenders received a variance:
  - 43.4% of all sexual abuse offenders received a downward variance.
    - Their average sentence reduction was 34.4%.
  - 4.8% of all sexual abuse offenders received an upward variance.
    - Their average sentence increase was 25.3%.

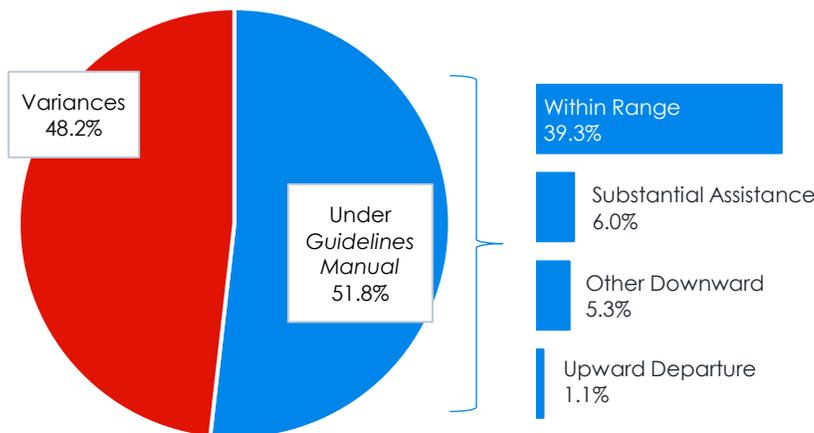
**Sentence Relative to the Guideline Range (%)**



**Average Guideline Minimum and Average Sentence (months)**



**Sentence Imposed Relative to the Guideline Range FY 2021**



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

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

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

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