



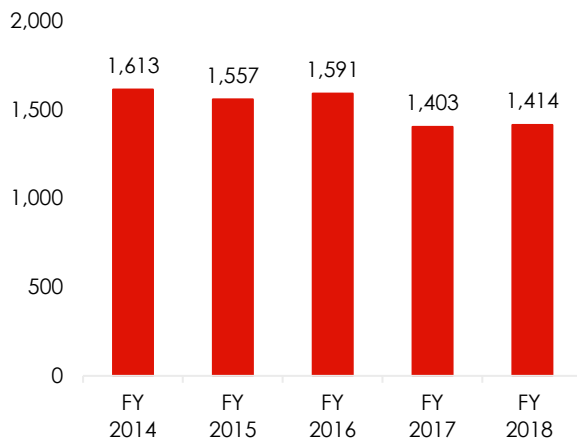
Quick Facts

— Child Pornography Offenders —

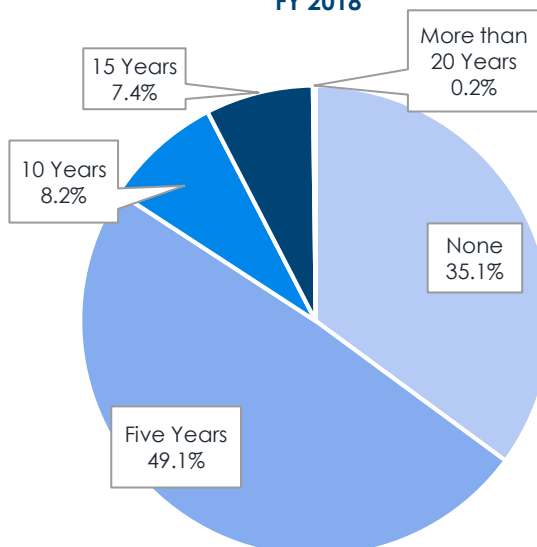
Fiscal Year 2018

- ▶ In FY 2018, 69,425 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.
- ▶ 1,414 OF THESE INVOLVED CHILD PORNOGRAPHY.¹
- ▶ CHILD PORNOGRAPHY OFFENDERS HAVE DECREASED 12.4% SINCE FY 2014.

**Number of
Child Pornography Offenders**



**Length of Mandatory Minimum Penalties for
Child Pornography Offenders
FY 2018**



Offender and Offense Characteristics²

- 45.5% of child pornography offenders were sentenced for trafficking child pornography; 43.3% were sentenced for possessing child pornography; and 11.2% were sentenced for receiving child pornography.
- 99.3% of child pornography offenders were men.
- 83.3% were White, 9.5% were Hispanic, 4.2 % were Black, and 3.0% were Other races.
- Their average age was 41 years.
- 97.8% were United States citizens.
- 76.5% had little or no prior criminal history (Criminal History Category I).
 - ◆ 9.5% were CHC II;
 - ◆ 8.0% were CHC III;
 - ◆ 3.2% were CHC IV;
 - ◆ 1.8% were CHC V;
 - ◆ 1.0% were CHC VI.
- The top six districts for child pornography offenders were:
 - ◆ Southern District of Texas (54);
 - ◆ Eastern District of Virginia (51);
 - ◆ Western District of Missouri (50);
 - ◆ Eastern District of Missouri (38);
 - ◆ Middle District of Florida (38);
 - ◆ Western District of Texas (35).

Punishment

- 99.1% of child pornography offenders were sentenced to prison; their average sentence was 104 months.
- The average sentence for offenders convicted of trafficking in child pornography was 136 months³:
 - ◆ 86.6% of these offenders were convicted of an offense carrying a five-year mandatory minimum penalty; their average sentence was 116 months.
 - ◆ 13.4% had a prior sexual abuse or child pornography conviction and were subject to a 15-year mandatory minimum penalty; their average sentence was 269 months.
- The average sentence for offenders convicted of receiving child pornography was 105 months:
 - ◆ 87.1% of offenders sentenced for receiving child pornography were convicted of an offense carrying a five-year mandatory minimum penalty; their average sentence was 85 months.
 - ◆ 2.9% had a prior sexual abuse or child pornography conviction and were subject to a 15-year mandatory minimum penalty; their average sentence was 241 months.



— Child Pornography Offenders —

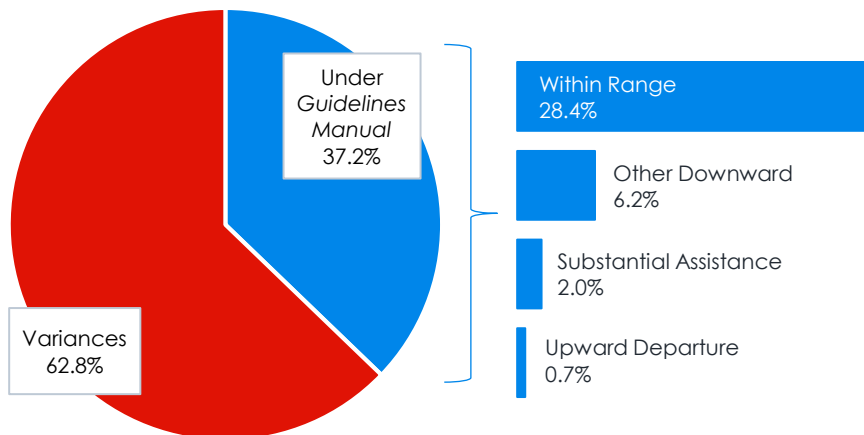
Punishment (continued)

- The average sentence for offenders convicted of possessing child pornography was 70 months⁴:
 - 81.0% of offenders were convicted of an offense not carrying a mandatory minimum penalty; their average sentence was 54 months.
 - Another 19.0% had a prior sexual abuse or child pornography conviction and were subject to a 10-year mandatory minimum penalty; their average sentence was 138 months.

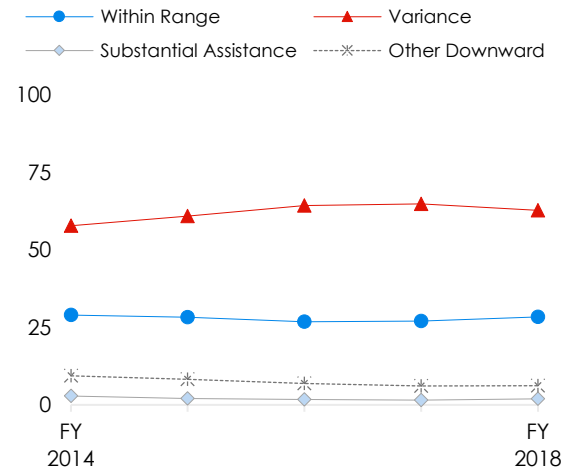
Sentences Relative to the Guideline Range

- 37.2% of child pornography offenders were sentenced under the *Guidelines Manual*:
 - 28.4% of all child pornography offenders were sentenced within the guideline range.
 - 2.0% of all child pornography offenders received a substantial assistance departure.
 - Their average sentence reduction was 42.7%.
 - 6.2% of all child pornography offenders received some other downward departure.
 - Their average sentence reduction was 43.6%.
- 62.8% of all child pornography offenders received a variance:
 - 61.2% of all child pornography offenders received a below range variance.
 - Their average sentence reduction was 40.1%.
 - 1.7% of all child pornography offenders received an above range variance.
 - Their average sentence increase was 43.9%.

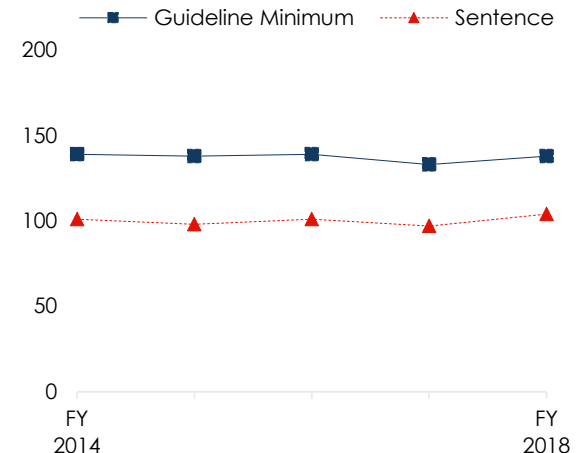
Sentence Imposed Relative to the Guideline Range FY 2018



Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



¹ Child pornography offenders are those 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). It does not include cases where offenders are convicted of Production of Child Pornography (§2G2.1).

² Cases with incomplete sentencing information were excluded from the analysis.

³ Offenders convicted of Trafficking in Material Involving the Sexual Exploitation of a Minor and Receiving, Transporting, Shipping, or Advertising Material Involving the Sexual Exploitation of a Minor are subject to a five-year mandatory minimum penalty, 15 years with a prior conviction for sexual abuse or child pornography.

⁴ Offenders convicted of Possessing Material Involving the Sexual Exploitation of a Minor (§2G2.2) are subject to 10-year mandatory minimum penalty with a prior conviction for sexual abuse or child pornography.