

▶ THERE WERE 75,836 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2014.

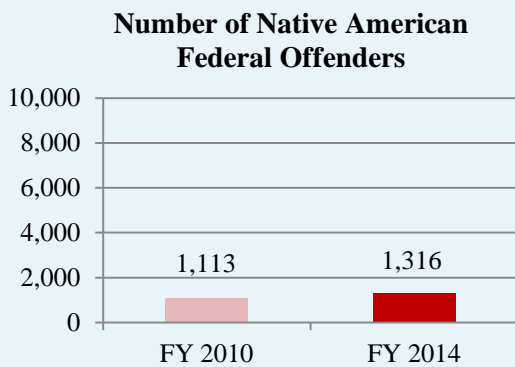
▶ OF THESE CASES, 1,316 INVOLVED NATIVE AMERICAN OFFENDERS.

▶ NATIVE AMERICANS ACCOUNTED FOR 1.9% OF ALL OFFENDERS AND 4.9% OF UNITED STATES CITIZEN OFFENDERS.

# Quick Facts



## Native Americans in the Federal Offender Population



Native American offenders account for a small, but increasing portion of federal offenders. The number of Native American offenders has increased by 18.2% over the last five years.

### Offender and Offense Characteristics

- In fiscal year 2014, most Native American offenders were male (78.6%).
- Almost all Native American offenders (99.6%) were United States citizens.
- The average age of these offenders at sentencing was 35 years.
- Almost half of Native American offenders (45.7%) had little or no prior criminal history (i.e., assigned to Criminal History Category I)<sup>1</sup>. The proportion of Native American offenders in other Criminal History Categories was as follows:
  - ◆ 14.9% of these offenders were in Category II;
  - ◆ 17.6% were in Category III;
  - ◆ 8.2% were in Category IV;
  - ◆ 5.2% were in Category V; and,
  - ◆ 8.4% were in Category VI.
- Districts with the highest proportion of their overall caseload comprising Native American offenders were:
  - ◆ District of South Dakota (56.5% of overall caseload);
  - ◆ District of Montana (32.9%);
  - ◆ Eastern District of Oklahoma (26.1%);
  - ◆ District of North Dakota (18.0%); and,
  - ◆ Northern District of Oklahoma (12.6%).
- Weapons were involved in 19.3% of offenses involving Native American offenders, compared to 8.4% of all cases in fiscal year 2014.

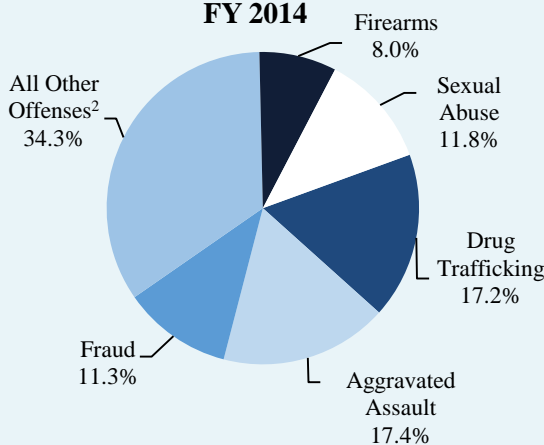
### Punishment

- The majority of Native American offenders were sentenced to imprisonment (88.1%), which is slightly lower than the rate for all offenders in fiscal year 2013 (89.2%).
- Native American offenders were convicted of an offense carrying a mandatory minimum penalty at almost half the rate (11.2%) of offenders as a whole (21.9%).
- The average sentence length for Native American offenders was 51 months, compared to 47 months for offenders generally, and 60 months for all United States citizens.
  - ◆ The average sentence length for Native Americans convicted of an offense carrying a mandatory minimum penalty was 132 months.
  - ◆ The average sentence length for Native Americans not convicted of an offense carrying a mandatory minimum penalty was 41 months.

**Top Five Districts Native American Federal Offenders FY 2014**

District of South Dakota (N=293)
District of Arizona (N=272)
District of New Mexico (N=105)
District of Montana (N=99)
District of North Dakota (N=60)

### Most Common Offenses Native American Federal Offenders FY 2014



<sup>1</sup> Tribal offenses are not counted in determining the criminal history score under the sentencing guidelines. See USSG §4A1.2(i).

<sup>2</sup> No other type of offense accounted for more than 3% of all offenses.

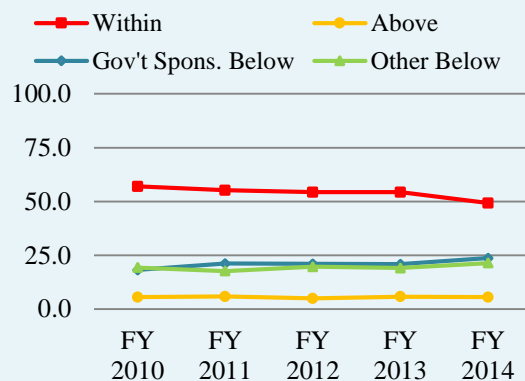
# Quick Facts

## Native Americans in the Federal Offender Population

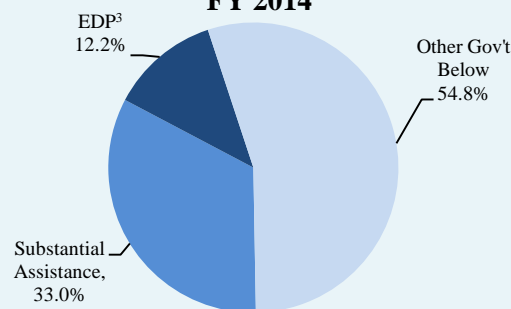
### Sentences Relative to the Guideline Range

- The rate of within range sentences for Native American offenders has steadily decreased over the last five years (57.0% in fiscal year 2010 decreasing to 49.3% in fiscal year 2014).
- The rate of government sponsored below range sentences has increased over the last five years (from 18.2% in fiscal year 2010 to 23.7% in fiscal year 2014).
  - ◆ Substantial assistance departures were granted in 7.8% of cases involving Native American offenders in fiscal year 2014. This represents 33.0% of all government sponsored below range sentences for these offenders.
    - In fiscal year 2014, these offenders received an average reduction in their sentence of 54.2%.
  - ◆ Native American offenders received a below range sentence sponsored by the government for reasons other than substantial assistance or participation in an Early Disposition Program<sup>3</sup> in 13.0% of cases in fiscal year 2014.
    - In fiscal year 2014, these offenders received an average reduction in their sentence of 47.7%.
- The percentage of Native American offenders that received a non-government sponsored below range sentence increased over the last five years (from 19.3% of these cases in fiscal year 2010 to 21.4% in fiscal year 2014).
  - ◆ In fiscal year 2014, these offenders received an average reduction in their sentence of 44.8%.
- The average guideline minimum for offenses involving Native American offenders has increased over the last five years, from 58 months in fiscal year 2010 to 60 months in fiscal year 2014.
- The average sentence imposed on Native American offenders has slightly decreased over the last five years, from 54 months in fiscal year 2010 to 51 months in fiscal year 2014.

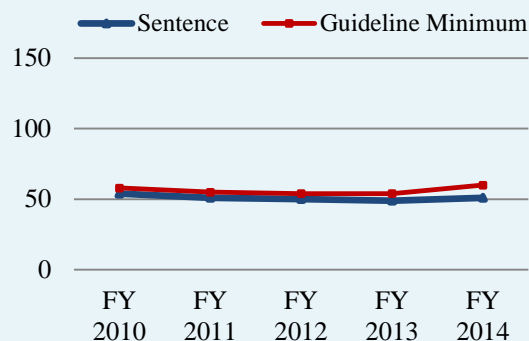
### Sentence Relative to the Guideline Range



### Government Sponsored Below Range Sentences FY 2014



### Average Sentence and Average Guideline Minimum (in months)



<sup>3</sup>“Early Disposition Program (or EDP) departures” are departures where the government sought a sentence below the guideline range because the defendant participated in the government’s Early Disposition Program, through which cases are resolved in an expedited manner. See USSG §5K3.1.

For other Quick Facts publications, visit our website at [www.uscg.gov/Quick\\_Facts](http://www.uscg.gov/Quick_Facts).

