

Sentencing Classification and Default Federal Criminal Fines by Authorized Prison Term

Instead of explicitly providing a fine amount, many federal criminal statutes authorize fines by stating that violators shall be fined under, or in accordance with, Title 18 of the United States Code. Such language triggers 18 U.S.C. § 3571, a default statute that sets the maximum authorized fine based on the classification of the underlying offense, which itself depends on the maximum authorized prison term. This infographic depicts the sentencing classification and default fine that typically corresponds to a particular statute based on the maximum prison term authorized. For example, for offenses punishable by a maximum of one year of imprisonment (Class A misdemeanors), the maximum authorized fine for individuals is generally \$100,000.



PRISON TERM AUTHORIZED BY UNDERLYING STATUTE	CORRESPONDING SENTENCING CLASSIFICATION	CORRESPONDING MAXIMUM FINE FOR INDIVIDUALS IF NOT OTHERWISE SPECIFIED ^a	CORRESPONDING MAXIMUM FINE FOR ORGANIZATIONS IF NOT OTHERWISE SPECIFIED ^a
"Five days or less, or if no imprisonment is authorized"	Infraction	\$5,000 ^b	\$10,000 ^b
"Thirty days or less but more than five days"	Class C misdemeanor	\$5,000; or \$250,000 if offense results in death ^b	\$10,000; or \$500,000 if offense results in death ^b
"Six months or less but more than thirty days"	Class B misdemeanor	\$5,000; or \$250,000 if offense results in death ^b	\$10,000; or \$500,000 if offense results in death ^b
"One year or less but more than six months"	Class A misdemeanor	\$100,000; or \$250,000 if offense results in death ^b	\$200,000; or \$500,000 if offense results in death ^b
"Less than five years but more than one year"	Class E felony	\$250,000 ^b	\$500,000 ^b
"Less than ten years but five or more years"	Class D felony	\$250,000 ^b	\$500,000 ^b
"Less than twenty-five years but ten or more years"	Class C felony	\$250,000 ^b	\$500,000 ^b
"Twenty-five years or more"	Class B felony	\$250,000 ^b	\$500,000 ^b
"Life imprisonment, or if the maximum penalty is death"	Class A felony	\$250,000 ^b	\$500,000 ^b

^a If the underlying statute specifies a fine greater than that specified in 18 U.S.C. § 3571, then the maximum is the amount authorized by the underlying statute. 18 U.S.C. § 3571(b)(1). If, however, "a law setting forth an offense specifies no fine or a fine that is lower than the fine otherwise applicable under [§ 3571]," then the higher fine under § 3571 is the maximum unless the other law "by specific reference, exempts the offense from the applicability of the fine otherwise applicable under [§ 3571]." *Id.* § 3571(e).

^b If "any person derives pecuniary gain from the offense, or if the offense results in pecuniary loss to a person other than the defendant," then the maximum fine level is the greater of the amount specified or twice the gain or loss associated with the offense. 18 U.S.C. § 3571(d).

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