

**Table 50**

**MEAN AND MEDIAN SENTENCES OF OFFENDERS SENTENCED UNDER IMMIGRATION GUIDELINES  
BY DEPARTURE STATUS<sup>1</sup>  
Fiscal Year 2004, Pre-Blakely (October 1, 2003, through June 24, 2004)**

SENTENCING GUIDELINE	TOTAL			DEPARTURE STATUS														
				Within Range			Substantial Assistance Departure			Gov't Sponsored Downward Departure <sup>2</sup>			Other Downward Departure <sup>3</sup>			Upward Departure <sup>4</sup>		
	n	Mean	Med	n	Mean	Med	n	Mean	Med	n	Mean	Med	n	Mean	Med	n	Mean	Med
<b>TOTAL<sup>5</sup></b>	<b>47,858</b>	<b>52.4</b>	<b>30.0</b>	<b>34,488</b>	<b>55.6</b>	<b>30.0</b>	<b>7,441</b>	<b>49.2</b>	<b>31.0</b>	<b>3,065</b>	<b>27.9</b>	<b>21.0</b>	<b>2,484</b>	<b>39.4</b>	<b>21.0</b>	<b>380</b>	<b>111.1</b>	<b>70.0</b>
<b>TOTAL IMMIGRATION<sup>6</sup></b>	<b>9,430</b>	<b>25.1</b>	<b>21.0</b>	<b>6,713</b>	<b>25.0</b>	<b>18.0</b>	<b>263</b>	<b>15.7</b>	<b>12.0</b>	<b>1,884</b>	<b>25.9</b>	<b>24.0</b>	<b>533</b>	<b>26.6</b>	<b>24.0</b>	<b>37</b>	<b>44.2</b>	<b>37.0</b>
<b>§2L1.1</b>	<b>1,566</b>	<b>16.3</b>	<b>12.7</b>	995	18.4	18.0	148	13.1	10.1	301	11.7	12.0	109	12.1	12.0	13	32.2	15.0
<b>§2L1.2</b>	<b>6,988</b>	<b>29.2</b>	<b>24.0</b>	4,924	29.2	24.0	65	27.4	27.0	1,578	28.6	27.0	401	31.5	30.0	20	47.1	52.0
<b>§2L2.1</b>	<b>232</b>	<b>14.9</b>	<b>12.0</b>	164	16.4	12.0	49	8.7	5.7	1	--	--	15	11.0	6.0	3	51.7	48.0
<b>§2L2.2</b>	<b>644</b>	<b>4.8</b>	<b>3.3</b>	630	4.6	3.2	1	--	--	4	8.0	9.0	8	9.4	7.8	1	--	--

<sup>1</sup>Immigration/Naturalization guidelines are found in USSG Chapter Two, Part L. Descriptions of variables used in this table are provided in Appendix A.

<sup>2</sup>See description of the government sponsored category in Appendix A.

<sup>3</sup>See Table 25 for a list of departure reasons comprising this category.

<sup>4</sup>See Table 24 for a list of departure reasons comprising this category.

<sup>5</sup>Of the 51,865 cases, 4,007 were excluded due to one or more of the following reasons: no analogous guidelines (94), missing departure information (3,520), or missing sentencing information (846).

<sup>6</sup>The following number of immigration cases were excluded due to missing departure and/or sentencing information: 51 cases under §2L1.1; 138 cases under §2L1.2; five cases under §2L2.1; and 12 cases under §2L2.2.

SOURCE: U.S. Sentencing Commission, 2004 Datafile, USSCFY04, Pre-Blakely Only Cases (October 1, 2003, through June 24, 2004).