

Table 49

**CRIMINAL HISTORY CATEGORY AND CITIZENSHIP OF OFFENDERS
SENTENCED UNDER IMMIGRATION GUIDELINES¹
Fiscal Year 2009**

	TOTAL (ALL CASES) ²		TOTAL (\$2L CASES)		§2L1.1		§2L1.2		§2L2.1		§2L2.2	
	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	76,705	100.0	22,620	100.0	3,274	14.5	17,310	76.5	381	1.7	1,655	7.3

U.S. CITIZEN

Criminal History Category

Total	43,097	100.0	1,791	100.0	1,570	100.0	1	100.0	158	100.0	62	100.0
Category I	19,787	45.9	976	54.5	825	52.5	1	100.0	121	76.6	29	46.8
Category II	4,619	10.7	208	11.6	187	11.9	0	0.0	14	8.9	7	11.3
Category III	6,052	14.0	273	15.2	250	15.9	0	0.0	14	8.9	9	14.5
Category IV	3,959	9.2	152	8.5	138	8.8	0	0.0	5	3.2	9	14.5
Category V	2,568	6.0	79	4.4	76	4.8	0	0.0	1	0.6	2	3.2
Category VI	6,112	14.2	103	5.8	94	6.0	0	0.0	3	1.9	6	9.7

NON-U.S. CITIZEN

Criminal History Category

Total	33,608	100.0	20,829	100.0	1,704	100.0	17,309	100.0	223	100.0	1,593	100.0
Category I	15,491	46.1	5,867	28.2	1,372	80.5	3,005	17.4	195	87.4	1,295	81.3
Category II	4,537	13.5	3,324	16.0	137	8.0	3,047	17.6	17	7.6	123	7.7
Category III	5,979	17.8	4,918	23.6	119	7.0	4,702	27.2	6	2.7	91	5.7
Category IV	3,754	11.2	3,339	16.0	45	2.6	3,232	18.7	5	2.2	57	3.6
Category V	2,020	6.0	1,819	8.7	19	1.1	1,784	10.3	0	0.0	16	1.0
Category VI	1,827	5.4	1,562	7.5	12	0.7	1,539	8.9	0	0.0	11	0.7

¹This table only includes USSG Chapter Two, Part L (Immigration) cases sentenced under the following guidelines: §2L1.1 (Alien Smuggling), 2L1.2 (Unlawful Entering or Remaining in the United States), 2L2.1 (Trafficking In Immigration Documents, or Making False or Fraudulent Immigration Statements), 2L2.2 (Acquiring Fraudulent Immigration Documents). Descriptions of variables used in this table are provided in Appendix A.

²Of the 81,372 cases, 4,667 were excluded due to one or both of the following reasons: missing citizenship information (2,822) or missing criminal history category (3,031). Of these 4,667 cases, one was sentenced under one of the four immigration guidelines listed in this table.