

Table 50

**SENTENCE LENGTH OF OFFENDERS SENTENCED UNDER IMMIGRATION GUIDELINES
BY SENTENCE RELATIVE TO THE GUIDELINE RANGE¹
Fiscal Year 2013**

SENTENCING GUIDELINE	TOTAL			WITHIN GUIDELINE RANGE			UPWARD DEPARTURE ²			UPWARD DEPARTURE W/ <i>BOOKER</i> ²			ABOVE RANGE W/ <i>BOOKER</i> ²			REMAINING ABOVE RANGE		
	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median
TOTAL⁴	78,099	45	24	39,730	46	21	399	86	55	132	88	60	1,065	82	56	85	59	46
TOTAL IMMIGRATION	22,409	17	12	12,436	16	10	114	29	24	34	46	36	193	29	24	17	27	30
§2L1.1	2,253	17	12	984	21	16	63	30	24	5	52	36	12	39	30	1	--	--
§2L1.2	18,650	18	12	10,323	16	10	42	27	24	28	42	36	169	28	24	14	29	33
§2L2.1	295	13	9	148	16	12	3	66	72	0	--	--	0	--	--	1	--	--
§2L2.2	1,211	5	3	981	5	2	6	15	15	1	--	--	12	24	18	1	--	--

Table 50 (cont.)

SENTENCING GUIDELINE	§5K1.1 SUBSTANTIAL ASSISTANCE			§5K3.1 EARLY DISPOSITION			OTHER GOV'T SPONSORED			DOWNWARD DEPARTURE ³			DOWNWARD DEPARTURE W/ <i>BOOKER</i> ³			BELOW RANGE W/ <i>BOOKER</i> ³			REMAINING BELOW RANGE		
	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median
TOTAL⁴	9,518	51	36	8,352	18	12	4,086	61	37	2,025	36	24	694	49	24	11,514	49	24	499	50	4
TOTAL IMMIGRATION	307	15	11	6,219	17	12	263	22	18	848	24	24	84	23	19	1,752	20	18	142	4	0
§2L1.1	169	15	12	737	12	10	59	25	12	32	18	12	8	18	9	169	9	6	14	1	0
§2L1.2	76	23	24	5,425	18	12	182	23	18	798	25	24	66	26	24	1,415	23	21	112	4	0
§2L2.1	55	4	0	0	--	--	13	11	6	6	4	3	2	--	--	65	10	6	2	--	--
§2L2.2	7	8	5	57	7	6	9	5	1	12	5	5	8	8	3	103	6	4	14	2	0

¹ This 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.

² See Tables 24-24B for a list of departure reasons comprising these categories.

³ See Tables 25-25B for a list of departure reasons comprising these categories.

⁴ Of the 80,035 cases, 1,936 were excluded due to one or more of the following reasons: missing information from the submitted documents that prevented the comparison of the sentence and the guideline range (1,407), or missing sentencing information (642). Of these 1,936 cases, 13 were sentenced under one of the four immigration guidelines listed in this table.

SOURCE: U.S. Sentencing Commission, 2013 Datafile, USSCFY13.