

Table 49

**CRIMINAL HISTORY CATEGORY AND CITIZENSHIP OF OFFENDERS
SENTENCED UNDER IMMIGRATION GUIDELINES¹
Fiscal Year 2016**

	TOTAL (ALL CASES) ²		TOTAL (\$2L CASES)		§2L1.1		§2L1.2		§2L2.1		§2L2.2	
	N	%	N	%	N	%	N	%	N	%	N	%
TOTAL	66,413	100.0	19,130	100.0	2,421	12.7	15,813	82.7	130	0.7	766	4.0

U.S. CITIZEN**Criminal History Category**

Total	38,787	100.0	1,686	100.0	1,566	100.0	0	--	57	100.0	63	100.0
Category I	17,447	45.0	814	48.3	735	46.9	0	--	44	77.2	35	55.6
Category II	4,301	11.1	255	15.1	241	15.4	0	--	6	10.5	8	12.7
Category III	5,792	14.9	298	17.7	286	18.3	0	--	3	5.3	9	14.3
Category IV	3,704	9.5	153	9.1	146	9.3	0	--	3	5.3	4	6.3
Category V	2,371	6.1	75	4.4	72	4.6	0	--	0	0.0	3	4.8
Category VI	5,172	13.3	91	5.4	86	5.5	0	--	1	1.8	4	6.3

NON-U.S. CITIZEN**Criminal History Category**

Total	27,626	100.0	17,444	100.0	855	100.0	15,813	100.0	73	100.0	703	100.0
Category I	13,736	49.7	5,743	32.9	613	71.7	4,521	28.6	68	93.2	541	77.0
Category II	4,666	16.9	3,682	21.1	106	12.4	3,510	22.2	2	2.7	64	9.1
Category III	4,776	17.3	4,042	23.2	80	9.4	3,900	24.7	3	4.1	59	8.4
Category IV	2,470	8.9	2,233	12.8	33	3.9	2,175	13.8	0	0.0	25	3.6
Category V	1,144	4.1	1,040	6.0	17	2.0	1,015	6.4	0	0.0	8	1.1
Category VI	834	3.0	704	4.0	6	0.7	692	4.4	0	0.0	6	0.9

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), or 2L2.2 (Acquiring Fraudulent Immigration Documents). Descriptions of variables used in this table are provided in Appendix A.

² Of the 67,742 cases, 1,329 were excluded due to one or both of the following reasons: missing information on the offender's citizenship status (540) or missing criminal history category (888). Of these 1,329 cases, five were sentenced under one of the four immigration guidelines listed in this table.

SOURCE: U.S. Sentencing Commission, 2016 Datafile, USSCFY16.