

**Table 50**

**SENTENCE LENGTH OF OFFENDERS SENTENCED UNDER IMMIGRATION GUIDELINES  
BY SENTENCE RELATIVE TO THE GUIDELINE RANGE<sup>1</sup>  
Fiscal Year 2016**

SENTENCING GUIDELINE	TOTAL			WITHIN GUIDELINE RANGE			UPWARD DEPARTURE <sup>2</sup>			UPWARD DEPARTURE W/ <i>BOOKER</i> <sup>2</sup>			ABOVE RANGE W/ <i>BOOKER</i> <sup>2</sup>			REMAINING ABOVE RANGE		
	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median
<b>TOTAL<sup>4</sup></b>	<b>66,539</b>	<b>44</b>	<b>21</b>	<b>32,131</b>	<b>44</b>	<b>18</b>	<b>317</b>	<b>81</b>	<b>57</b>	<b>102</b>	<b>78</b>	<b>56</b>	<b>1,131</b>	<b>75</b>	<b>48</b>	<b>67</b>	<b>69</b>	<b>37</b>
<b>TOTAL IMMIGRATION</b>	<b>19,119</b>	<b>14</b>	<b>9</b>	<b>11,009</b>	<b>13</b>	<b>7</b>	<b>58</b>	<b>39</b>	<b>30</b>	<b>20</b>	<b>31</b>	<b>24</b>	<b>225</b>	<b>28</b>	<b>24</b>	<b>12</b>	<b>22</b>	<b>11</b>
<b>§2L1.1</b>	<b>2,422</b>	<b>15</b>	<b>12</b>	1,042	18	15	12	56	33	3	22	18	13	45	36	4	22	11
<b>§2L1.2</b>	<b>15,808</b>	<b>14</b>	<b>9</b>	9,351	12	6	46	34	30	16	32	24	199	27	24	7	23	18
<b>§2L2.1</b>	<b>130</b>	<b>8</b>	<b>4</b>	62	10	6	0	--	--	0	--	--	0	--	--	0	--	--
<b>§2L2.2</b>	<b>759</b>	<b>5</b>	<b>3</b>	554	5	2	0	--	--	1	--	--	13	25	18	1	--	--

**Table 50 (cont.)**

SENTENCING GUIDELINE	§5K1.1 SUBSTANTIAL ASSISTANCE			§5K3.1 EARLY DISPOSITION			OTHER GOV'T SPONSORED			DOWNWARD DEPARTURE <sup>3</sup>			DOWNWARD DEPARTURE W/ BOOKER <sup>3</sup>			BELOW RANGE W/ BOOKER <sup>3</sup>			REMAINING BELOW RANGE		
	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median
<b>TOTAL<sup>4</sup></b>	<b>7,435</b>	<b>48</b>	<b>36</b>	<b>5,960</b>	<b>16</b>	<b>12</b>	<b>5,468</b>	<b>55</b>	<b>30</b>	<b>1,320</b>	<b>36</b>	<b>21</b>	<b>547</b>	<b>47</b>	<b>24</b>	<b>11,670</b>	<b>47</b>	<b>24</b>	<b>391</b>	<b>52</b>	<b>7</b>
<b>TOTAL IMMIGRATION</b>	<b>222</b>	<b>15</b>	<b>12</b>	<b>4,435</b>	<b>13</b>	<b>9</b>	<b>442</b>	<b>16</b>	<b>12</b>	<b>606</b>	<b>21</b>	<b>18</b>	<b>72</b>	<b>20</b>	<b>18</b>	<b>1,910</b>	<b>18</b>	<b>15</b>	<b>108</b>	<b>5</b>	<b>0</b>
<b>§2L1.1</b>	142	13	9	817	12	10	103	14	7	39	15	9	4	5	4	230	10	8	13	3	0
<b>§2L1.2</b>	62	21	18	3,573	13	8	311	18	15	547	22	18	62	22	20	1,552	20	18	82	5	0
<b>§2L2.1</b>	13	4	0	1	--	--	12	5	1	3	1	0	2	--	--	36	6	2	1	--	--
<b>§2L2.2</b>	5	5	0	44	8	6	16	7	6	17	5	4	4	6	4	92	6	4	12	2	0

<sup>1</sup> 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.

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

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

<sup>4</sup> Of the 67,742 cases, 1,203 were excluded due to one or both of the following reasons: missing information from the submitted documents that prevented the comparison of the sentence and the guideline range (781), or missing sentencing information (505). Of these 1,203 cases, 16 were sentenced under one of the four immigration guidelines listed in this table.

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