Table 50

SENTENCE LENGTH OF OFFENDERS SENTENCED UNDER IMMIGRATION GUIDELINES
BY SENTENCE RELATIVE TO THE GUIDELINE RANGE[1]
Fiscal Year 2017

SENTENCING GUIDELINE	TOTAL			WITHIN GUIDELINE RANGE			UPWARD DEPARTURE[2]			UPWARD DEPARTURE W/ *BOOKER*[2]			ABOVE RANGE W/ *BOOKER*[2]			REMAINING ABOVE RANGE		
	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median
TOTAL[4]	65,917	45	21	32,215	44	18	352	72	48	104	92	60	1,411	71	48	83	69	34
TOTAL IMMIGRATION	19,498	12	9	12,151	12	8	119	23	21	24	54	30	417	25	24	21	24	21
§2L1.1	2,761	15	12	1,226	18	15	7	40	36	4	126	91	29	41	40	10	26	23
§2L1.2	15,894	12	8	10,335	11	8	110	23	21	17	30	28	373	24	21	10	22	21
§2L2.1	153	11	6	77	16	12	0	--	--	0	--	--	2	--	--	1	--	--
§2L2.2	690	6	4	513	5	3	2	--	--	3	90	72	13	17	12	0	--	--

Table 50 (cont.)

SENTENCING GUIDELINE	§5K1.1 SUBSTANTIAL ASSISTANCE			§5K3.1 EARLY DISPOSITION			OTHER GOV'T SPONSORED			DOWNWARD DEPARTURE[3]			DOWNWARD DEPARTURE W/ *BOOKER*[3]			BELOW RANGE W/ *BOOKER*[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
TOTAL[4]	7,126	52	36	5,826	15	10	5,457	56	33	1,142	35	18	421	49	27	11,453	50	24	327	43	6
TOTAL IMMIGRATION	207	12	10	4,134	11	8	325	13	12	508	17	15	41	15	12	1,462	14	12	89	6	0
§2L1.1	147	13	12	903	11	10	88	10	6	37	11	6	1	--	--	296	13	12	13	9	0
§2L1.2	31	15	15	3,189	11	8	211	15	12	450	18	15	38	15	12	1,064	14	12	66	6	1
§2L2.1	27	1	0	0	--	--	13	5	0	1	--	--	0	--	--	32	8	5	0	--	--
§2L2.2	2	--	--	42	8	7	13	5	1	20	6	4	2	--	--	70	6	4	10	3	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), or 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 66,873 cases, 956 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 (607), or missing sentencing information (437). Of these 956 cases, six were sentenced under one of the four immigration guidelines listed in this table.

SOURCE: U.S. Sentencing Commission, 2017 Datafile, USSCFY17.