

Table I-7

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE FOR IMMIGRATION OFFENDERS¹
Fiscal Year 2022

GUIDELINE	TOTAL	WITHIN GUIDELINE RANGE		DEPARTURE								VARIANCE	
		N	%	UPWARD		§5K1.1		§5K3.1		DOWNWARD		N	%
				N	%	N	%	N	%	N	%		
TOTAL	16,759	8,758	52.3	23	0.1	203	1.2	4,763	28.4	876	5.2	2,136	12.7
§2L1.1	4,052	1,559	38.5	1	0.0	126	3.1	1,634	40.3	106	2.6	626	15.4
§2L1.2	11,963	6,631	55.4	22	0.2	34	0.3	3,123	26.1	747	6.2	1,406	11.8
§2L2.1	84	22	26.2	0	0.0	41	48.8	0	0.0	0	0.0	21	25.0
§2L2.2	660	546	82.7	0	0.0	2	0.3	6	0.9	23	3.5	83	12.6

¹ Of the 64,142 cases, 16,779 offenders were sentenced under §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). Of these 16,779 offenders, 20 were excluded because information was missing from the submitted documents that prevented the comparison of the sentence and the guideline range. Descriptions of variables used in this table are provided in Appendix A.

SOURCE: U.S. Sentencing Commission, 2022 Datafile, USSCFY22.