



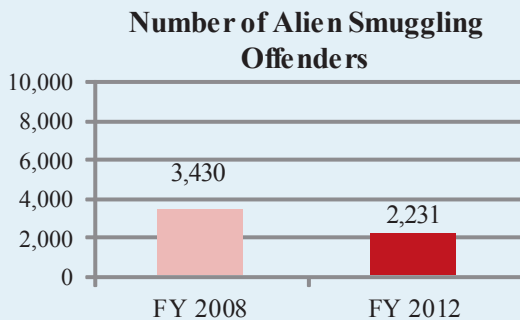
Quick Facts

▶ THERE WERE 84,173 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2012.

▶ OF THESE CASES, 22,971 INVOLVED IMMIGRATION OFFENSES.¹

▶ 9.7% OF IMMIGRATION OFFENSES INVOLVED ALIEN SMUGGLING.²

Alien Smuggling Offenses



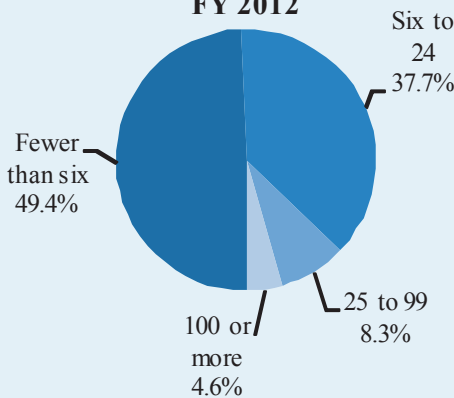
Top Five Districts Alien Smuggling Offenders FY 2012

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| Southern District of Texas (N=689) |
| Southern District of California (N=492) |
| District of Arizona (N=423) |
| Western District of Texas (N=298) |
| District of New Mexico (N=43) |

Offender and Offense Characteristics

- In fiscal year 2012, half of alien smuggling offenders were U.S. citizens (50.3%).
- Most alien smuggling offenders were male (75.6%).
- The majority were Hispanic (69.9%), followed by White (25.5%), Other Races (3.0%), and Black (1.7%).
- The average age of these offenders at sentencing was 34 years.
- The majority of alien smuggling offenders were in Criminal History Category I (65.7%). The proportion of alien smuggling offenders in other Criminal History Categories was as follows:
 - ◆ 12.8% of these offenders are in Category II;
 - ◆ 10.6% were in Category III;
 - ◆ 5.0% were in Category IV;
 - ◆ 3.1% were in Category V;
 - ◆ and 2.9% were in Category VI.
- Almost half (49.4%) of alien smuggling offenses involved the smuggling, transporting, or harboring of fewer than six persons.
- An alien was involuntarily detained through coercion or threat, or in connection with a demand for payment, in 3.1% of alien smuggling cases.
- Most alien smuggling cases did not involve the use of weapons (97.0%).
- Although the majority of alien smuggling cases did not involve physical injury (96.2%), 22.8% of all alien smuggling cases involved the risk of injury.
- One or more aliens died in 1.6% of alien smuggling cases.

Number of Aliens Smuggled in the Offense FY 2012



Punishment

- The majority of alien smuggling offenders were sentenced to imprisonment (81.8%).
- The average sentence length for alien smuggling offenders was 17 months.
- Although some alien smuggling offenses do carry mandatory minimum penalties, most alien smuggling offenders were not convicted of an offense carrying a mandatory minimum penalty (95.3%).

¹ Immigration cases include cases with complete guideline application information sentenced under USSG §§2L1.1 (Smuggling, Transporting or Harboring and Unlawful Alien), 2L1.2 (Illegal Reentry), 2L2.1 (Trafficking in Documents Relating to Citizenship), 2L2.2 (Fraudulently Acquiring Documents Relating to Citizenship), and 2L2.5 (Failure to Surrender Canceled Naturalization Certificate).

² Alien smuggling involves cases in which the court applied USSG §2L1.1 as the primary sentencing guideline. Only cases for which the Commission received complete sentencing information are included in this analysis.

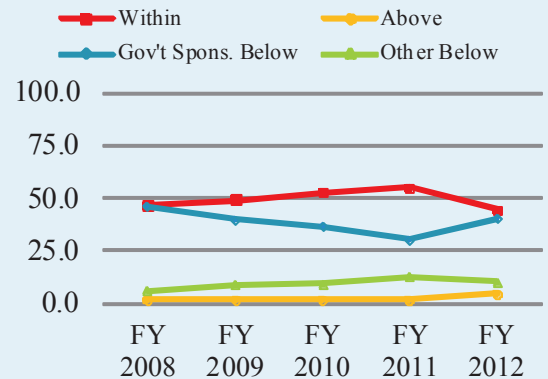
Quick Facts

Alien Smuggling Offenses

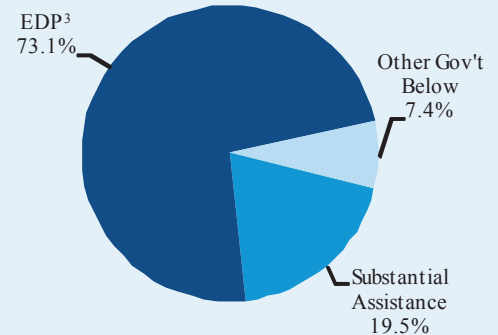
Sentences Relative to the Guideline Range

- Over the past five years, the percentage of alien smuggling offenders sentenced within the guideline range has fluctuated between 46.4% in fiscal year 2008, 55.1% in fiscal year 2011, and 44.6% in fiscal year 2012.
- In 40.5% of alien smuggling cases in fiscal year 2012, offenders received a sentence below the applicable guideline range because the government sponsored the below range sentence.
 - Substantial assistance departures were granted in 7.9% of cases.
 - The average reduction in sentence for these offenders was 53.6%.
 - Early Disposition Program (EDP) departures were granted in 29.6% of cases.
 - The average reduction in sentence for these offenders was 41.4%.
- Non-government sponsored below range sentences for alien smuggling offenders increased from 6.1% of the cases in fiscal year 2008 to 12.6% in 2011, but decreased to 10.4% in fiscal year 2012.
 - The average reduction in sentence for these offenders was 45.7%.
- The average sentence for alien smuggling offenders has remained constant over the last five years, at 17 months.
- The average guideline minimum for alien smuggling offenders has remained steady over the last five years, at 19 months in fiscal year 2008 and 20 months in fiscal year 2012.

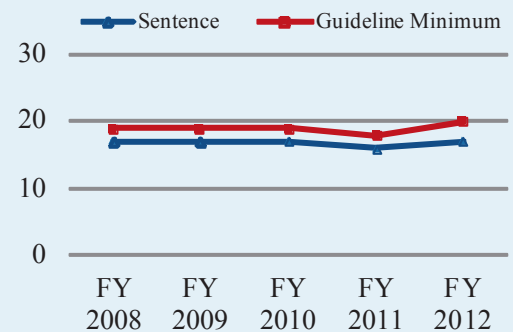
Sentence Relative to the Guideline Range



Government Sponsored Below Range Rates FY 2012



Average Sentence and Average Guideline Minimum (in months)



³ "Early Disposition Program (or EDP) departures" are departures where the government sought a sentence below the guideline range because the defendant participated in the government's Early Disposition Program, through which cases are resolved in an expedited manner. See USSG §5K3.1.

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