

Table 49

**CRIMINAL HISTORY CATEGORY AND CITIZENSHIP OF OFFENDERS
SENTENCED UNDER IMMIGRATION GUIDELINES¹
Fiscal Year 2004, Post-Blakely (June 25, 2004, through September 30, 2004)**

| | TOTAL (ALL CASES) ² | | TOTAL (\$2L CASES) ³ | | §2L1.1 | | §2L1.2 | | §2L2.1 | | §2L2.2 | |
|--------------|-----------------------------------|--------------|------------------------------------|--------------|------------|-------------|--------------|-------------|-----------|------------|------------|------------|
| | n | % | n | % | n | % | n | % | n | % | n | % |
| TOTAL | 16,451 | 100.0 | 3,613 | 100.0 | 718 | 19.9 | 2,573 | 71.2 | 71 | 2.0 | 251 | 6.9 |

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

| | | | | | | | | | | | | |
|---------------------|---------------|--------------|------------|--------------|------------|--------------|-----------|--------------|-----------|--------------|-----------|--------------|
| Total | 10,428 | 100.0 | 473 | 100.0 | 328 | 100.0 | 92 | 100.0 | 29 | 100.0 | 24 | 100.0 |
| Category I | 4,704 | 45.1 | 241 | 51.0 | 194 | 59.1 | 10 | 10.9 | 23 | 79.3 | 14 | 58.3 |
| Category II | 1,211 | 11.6 | 66 | 14.0 | 46 | 14.0 | 13 | 14.1 | 2 | 6.9 | 5 | 20.8 |
| Category III | 1,634 | 15.7 | 74 | 15.6 | 42 | 12.8 | 26 | 28.3 | 4 | 13.8 | 2 | 8.3 |
| Category IV | 984 | 9.4 | 54 | 11.4 | 31 | 9.5 | 23 | 25.0 | 0 | 0.0 | 0 | 0.0 |
| Category V | 586 | 5.6 | 14 | 3.0 | 1 | 0.3 | 12 | 13.0 | 0 | 0.0 | 1 | 4.2 |
| Category VI | 1,309 | 12.6 | 24 | 5.1 | 14 | 4.3 | 8 | 8.7 | 0 | 0.0 | 2 | 8.3 |

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

| | | | | | | | | | | | | |
|---------------------|--------------|--------------|--------------|--------------|------------|--------------|--------------|--------------|-----------|--------------|------------|--------------|
| Total | 6,023 | 100.0 | 3,140 | 100.0 | 390 | 100.0 | 2,481 | 100.0 | 42 | 100.0 | 227 | 100.0 |
| Category I | 2,773 | 46.0 | 789 | 25.1 | 326 | 83.6 | 247 | 10.0 | 36 | 85.7 | 180 | 79.3 |
| Category II | 787 | 13.1 | 515 | 16.4 | 29 | 7.4 | 469 | 18.9 | 2 | 4.8 | 15 | 6.6 |
| Category III | 1,114 | 18.5 | 806 | 25.7 | 21 | 5.4 | 767 | 30.9 | 4 | 9.5 | 14 | 6.2 |
| Category IV | 635 | 10.5 | 486 | 15.5 | 5 | 1.3 | 473 | 19.1 | 0 | 0.0 | 8 | 3.5 |
| Category V | 357 | 5.9 | 288 | 9.2 | 5 | 1.3 | 277 | 11.2 | 0 | 0.0 | 6 | 2.6 |
| Category VI | 357 | 5.9 | 256 | 8.2 | 4 | 1.0 | 248 | 10.0 | 0 | 0.0 | 4 | 1.8 |

¹Immigration/Naturalization guidelines are found in USSG Chapter Two, Part L. Descriptions of variables used in this table are provided in Appendix A.

²Of the 18,203 cases, 1,752 were excluded due to one or both of the following reasons: missing citizenship information (1,235) or missing criminal history category (1,123).

³The following number of immigration cases were excluded due to missing citizenship or criminal history category information: three cases under §2L1.1; 20 cases under §2L1.2; one case under §2L2.1; and 17 cases under §2L2.2.