

Table 50

**SENTENCE LENGTH OF OFFENDERS SENTENCED UNDER IMMIGRATION GUIDELINES
BY SENTENCE RELATIVE TO THE GUIDELINE RANGE¹
Fiscal Year 2015**

SENTENCING GUIDELINE	TOTAL			WITHIN GUIDELINE RANGE			UPWARD DEPARTURE ²			UPWARD DEPARTURE W/ <i>BOOKER</i> ²			ABOVE RANGE W/ <i>BOOKER</i> ²			REMAINING ABOVE RANGE		
	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median	N	Mean	Median
TOTAL⁴	67,787	45	24	31,795	47	21	349	79	51	95	92	60	1,002	91	60	60	61	35
TOTAL IMMIGRATION	19,298	15	10	10,875	14	8	85	31	26	24	29	30	215	26	20	16	42	30
§2L1.1	2,293	15	12	875	19	15	27	28	21	2	--	--	7	50	42	8	39	33
§2L1.2	15,811	16	10	9,186	14	8	50	32	30	20	30	30	198	25	20	5	62	18
§2L2.1	211	12	6	97	14	10	5	28	28	0	--	--	3	68	60	0	--	--
§2L2.2	983	5	3	717	5	3	3	40	36	2	--	--	7	29	20	3	18	9

Table 50 (cont.)

SENTENCING GUIDELINE	§5K1.1 SUBSTANTIAL ASSISTANCE			§5K3.1 EARLY DISPOSITION			OTHER GOV'T SPONSORED			DOWNWARD DEPARTURE ³			DOWNWARD DEPARTURE W/ <i>BOOKER</i> ³			BELOW RANGE W/ <i>BOOKER</i> 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
TOTAL⁴	8,465	46	33	6,293	17	12	5,217	57	36	1,521	35	24	583	45	24	12,029	47	24	378	36	5
TOTAL IMMIGRATION	260	17	12	4,703	15	10	448	19	15	711	24	22	79	21	19	1,797	19	16	85	8	0
§2L1.1	167	15	12	855	12	10	97	11	11	26	15	8	6	6	0	211	9	6	12	6	0
§2L1.2	63	26	24	3,765	15	10	307	24	24	652	26	24	68	23	24	1,435	22	20	62	10	0
§2L2.1	26	4	0	0	--	--	24	5	2	1	--	--	1	--	--	51	10	6	3	0	0
§2L2.2	4	0	0	83	8	6	20	7	4	32	6	4	4	4	4	100	4	3	8	2	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 71,003 cases, 3,216 were excluded due to one or more of the following reasons: missing information from the submitted documents that prevented the comparison of the sentence and the guideline range (2,733), or missing sentencing information (570). Of these 3,216 cases, 13 were sentenced under one of the four immigration guidelines listed in this table.

SOURCE: U.S. Sentencing Commission, 2015 Datafile, USSCFY15.