

Table I-7

SENTENCE IMPOSED RELATIVE TO THE GUIDELINE RANGE FOR IMMIGRATION OFFENDERS¹
Fiscal Year 2020

GUIDELINE	TOTAL	WITHIN GUIDELINE RANGE		DEPARTURE								VARIANCE	
		N	%	UPWARD		\$5K1.1		\$5K3.1		DOWNWARD		N	%
				N	%	N	%	N	%	N	%		
TOTAL	23,747	14,928	62.9	49	0.2	169	0.7	5,090	21.4	821	3.5	2,690	11.3
§2L1.1	3,391	1,405	41.4	15	0.4	109	3.2	1,109	32.7	113	3.3	640	18.9
§2L1.2	19,643	13,017	66.3	32	0.2	38	0.2	3,952	20.1	690	3.5	1,914	9.7
§2L2.1	71	28	39.4	1	1.4	17	23.9	0	0.0	1	1.4	24	33.8
§2L2.2	642	478	74.5	1	0.2	5	0.8	29	4.5	17	2.6	112	17.4

¹ Of the 64,565 cases, 23,759 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 23,759 offenders, 12 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, 2020 Datafile, USSCFY20.