



Quick Facts



— Alien Smuggling Offenses —

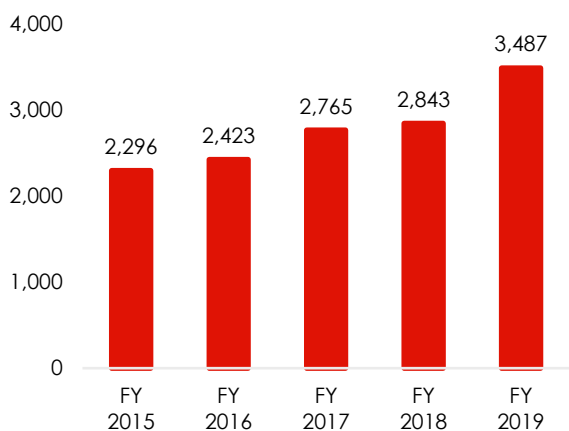
Fiscal Year 2019

▶ In FY 2019, 76,538 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.

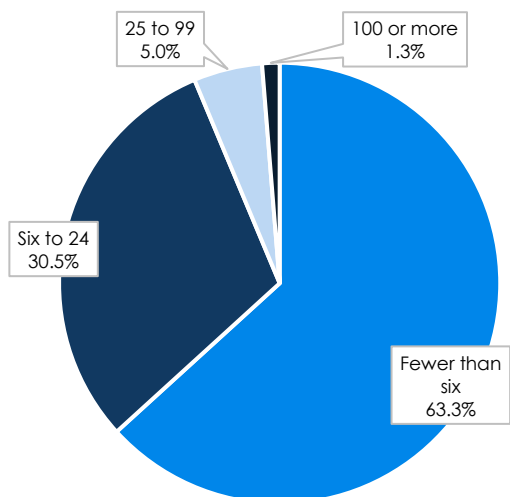
▶ 26,630 INVOLVED IMMIGRATION OFFENSES.¹

▶ 13.1% OF IMMIGRATION CASES INVOLVED ALIEN SMUGGLING.²

Number of Alien Smuggling Federal Offenders



Number of Aliens Smuggled in an Offense



Offender and Offense Characteristics³

- 74.4% of alien smuggling offenders were men.
- 68.3% were United States citizens.
- Their average age was 32 years.
- 58.2% had little or no prior criminal history (Criminal History Category I);
 - ◆ 12.8% were CHC II;
 - ◆ 14.7% were CHC III;
 - ◆ 6.8% were CHC IV;
 - ◆ 3.9% were CHC V;
 - ◆ 3.7% were CHC VI.
- 15.5% of alien smuggling cases involved an unaccompanied minor.
- 63.3% of alien smuggling offenses involved smuggling, transporting, or harboring fewer than six people.
- 0.8% of alien smuggling cases involved an alien who was involuntarily detained through coercion, threat, or in demand for payment.
- 97.5% of cases did not involve the use of weapons.
- 97.4% of cases did not involve physical injury, but 33.5% involved the risk of injury.
- A death occurred in 0.9% of alien smuggling cases.
- The top five districts for alien smuggling offenses were:
 - ◆ Southern District of Texas (1,365);
 - ◆ Western District of Texas (656);
 - ◆ Southern District of California (555);
 - ◆ District of Arizona (517);
 - ◆ District of New Mexico (180).

Punishment

- The average sentence for all alien smuggling offenders was 14 months.
- 87.3% of alien smuggling offenders were sentenced to prison.
- 1.4% were convicted of an offense carrying a mandatory minimum penalty.

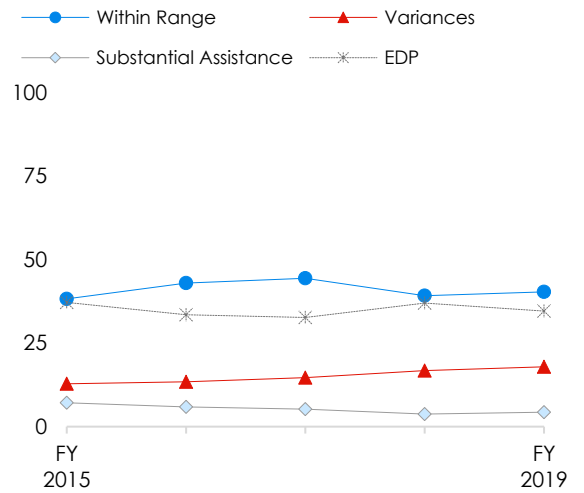


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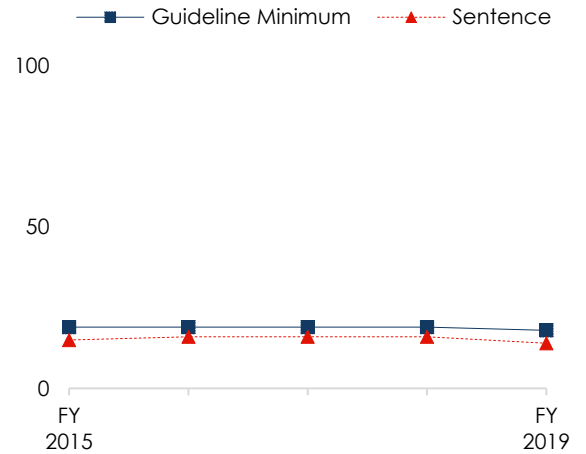
Sentences Relative to the Guideline Range

- Of the 82.1% of alien smuggling offenders sentenced under the *Guidelines Manual*:
 - ◆ 49.2% were sentenced within the guideline range.
 - ◆ 5.3% received a substantial assistance departure.
 - ◇ Their average sentence reduction was 52.7%.
 - ◆ 42.2% received an Early Disposition Program (EDP) departure.⁴
 - ◇ Their average sentence reduction was 46.0%.
- 17.9% received a variance; of those offenders:
 - ◆ 94.3% received a downward variance.
 - ◇ Their average sentence reduction was 45.8%.
 - ◆ 5.7% received an upward variance.
 - ◇ Their average sentence increase was 34.4%.
- The average guideline minimum and average sentence imposed for alien smuggling offenses has been stable over the past five years.
 - ◆ The average guideline minimum was 18 months in fiscal year 2019, down one month from fiscal year 2015.
 - ◆ The average sentence was 14 months in fiscal year 2019, down one month from fiscal year 2015.

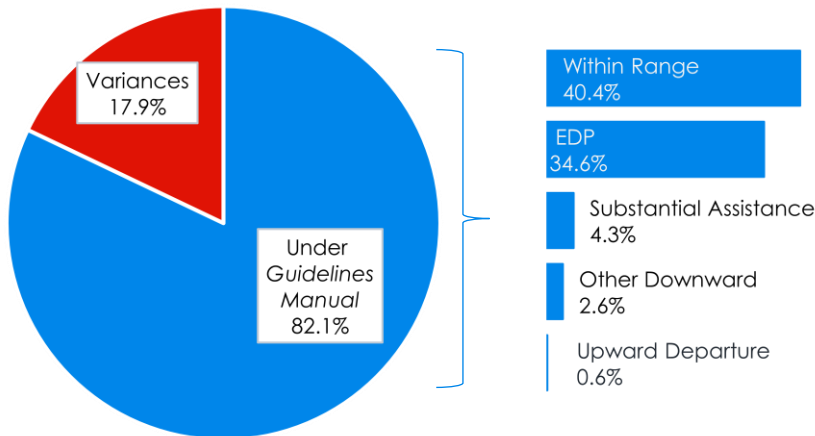
Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



Sentence Imposed Relative to the Guideline Range FY 2019



1 Immigration cases include cases sentenced under USSG §§2L1.1 (Smuggling, Transporting or Harboring an 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.

3 Cases with incomplete sentencing information were excluded from the analysis.

4 "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.