



Quick Facts

— Alien Smuggling Offenses —

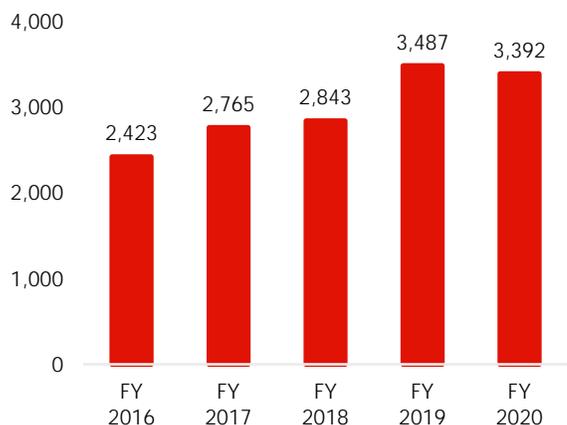
Fiscal Year 2020

▶ In FY 2020, 64,565 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.

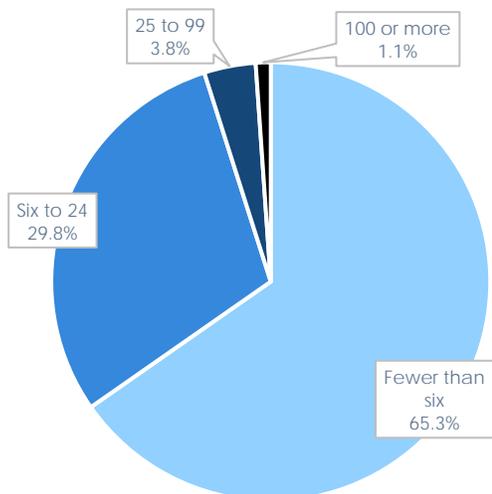
▶ 23,759 OF THESE INVOLVED IMMIGRATION OFFENSES.¹

▶ 14.3% OF IMMIGRATION CASES INVOLVED ALIEN SMUGGLING.²

Number of Alien Smuggling Offenders



Number of Aliens Smuggled in an Offense



Offender and Offense Characteristics³

- 73.8% of alien smuggling offenders were men.
- Their average age was 32 years.
- 71.3% were United States citizens.
- 60.8% had little or no prior criminal history (Criminal History Category I);
 - ◆ 12.7% were CHC II;
 - ◆ 12.6% were CHC III;
 - ◆ 6.8% were CHC IV;
 - ◆ 3.3% were CHC V;
 - ◆ 3.8% were CHC VI.
- 12.8% of alien smuggling offenses involved an unaccompanied minor.
- 65.3% of alien smuggling offenses involved smuggling, transporting, or harboring fewer than six people.
- 1.1% of alien smuggling offenses involved an alien who was involuntarily detained through coercion, threat, or in demand for payment.
- 96.3% of alien smuggling offenses did not involve the use of a weapon.
- 98.8% of alien smuggling offenses did not involve physical injury, but 29.9% involved the risk of injury.
- A death occurred in 0.1% of alien smuggling offenses.
- The top five districts for alien smuggling offenses were:
 - ◆ Southern District of Texas (1,246);
 - ◆ Western District of Texas (833);
 - ◆ District of Arizona (462);
 - ◆ Southern District of California (429);
 - ◆ District of New Mexico (240).

Punishment

- The average sentence for all alien smuggling offenders was 13 months.
- 84.1% of alien smuggling offenders were sentenced to prison.
- 1.6% were convicted of an offense carrying a mandatory minimum penalty.

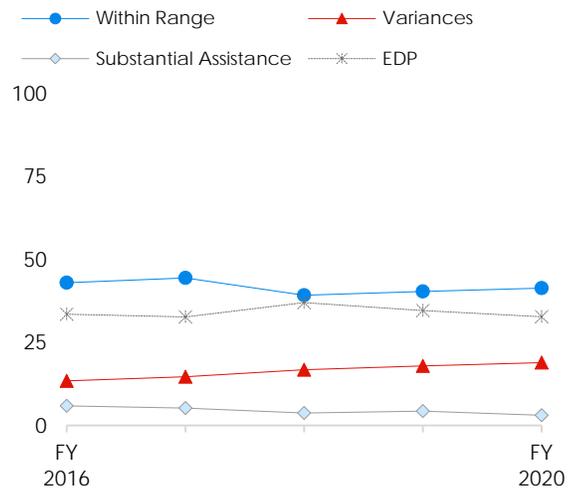


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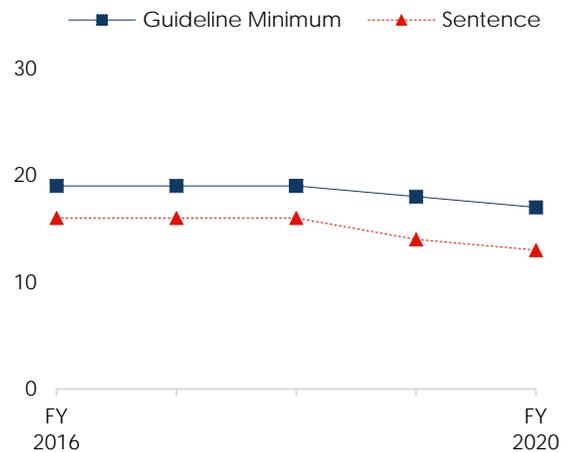
Sentences Relative to the Guideline Range

- Of the 81.1% of alien smuggling offenders sentenced under the *Guidelines Manual*:
 - ◆ 51.1% were sentenced within the guideline range.
 - ◆ 40.4% received an Early Disposition Program (EDP) departure.⁴
 - ◇ Their average sentence reduction was 50.7%.
 - ◆ 3.8% received a substantial assistance departure.
 - ◇ Their average sentence reduction was 57.0%.
- 18.9% received a variance; of those offenders:
 - ◆ 96.1% received a downward variance.
 - ◇ Their average sentence reduction was 50.8%.
 - ◆ 3.9% received an upward variance.
 - ◇ Their average sentence increase was 32.3%.
- The average guideline minimum and average sentence imposed for alien smuggling offenses remained steady over the past five years.
 - ◆ The average guideline minimum decreased from 19 months in fiscal year 2016 to 17 months in fiscal year 2020.
 - ◆ The average sentence imposed decreased from 16 months in fiscal year 2016 to 13 months in fiscal year 2020.

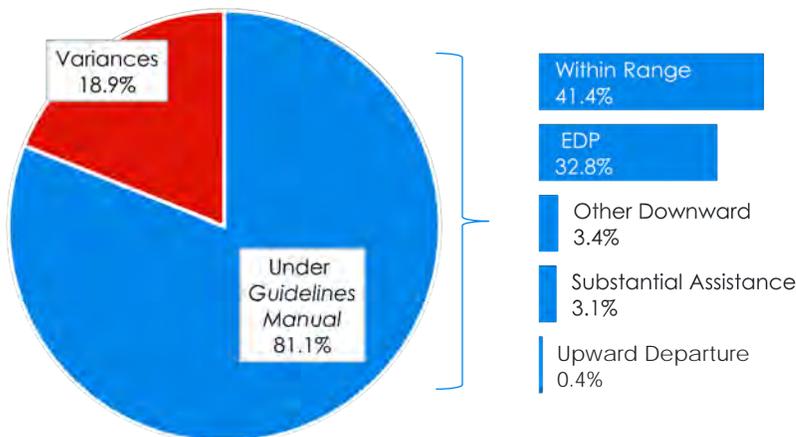
Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



Sentence Imposed Relative to the Guideline Range FY 2020



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.