



QuickFacts

Federally Sentenced Non-U.S. Citizens

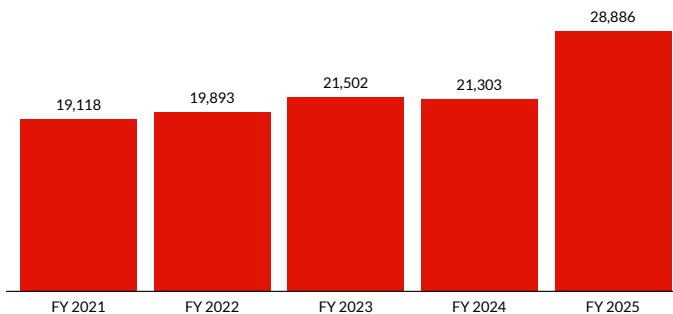
Population Snapshot

66,662 cases were reported in FY24;

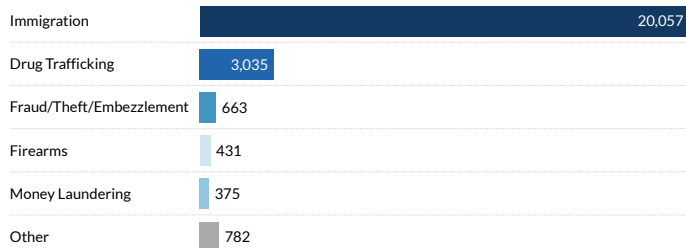
28,886 of these involved non-U.S. citizens.¹

Non-U.S. citizens accounted for 44% of all individuals sentenced in FY25.

Number of Federally Sentenced Non-U.S. Citizens



Most Common Offense Types for Non-U.S. Citizens



Individual and Offense Characteristics

94% of non-U.S. citizens sentenced in the federal system were men.

95% were Hispanic, 2% were Black, 2% were White, and 2% were Other races.

Their average age was 37 years.

92% were illegal aliens, 6% were legal aliens, 1% were extradited aliens, and 1% were unknown status.

66% were from Mexico, 10% from Honduras, 8% from Guatemala, 3% from El Salvador, 3% the Dominican Republic, and 11% originated from other countries.

The most common guidelines under which non-U.S. citizens were sentenced include: Immigration (79%); Drug Trafficking (12%); Fraud (3%); Firearms (2%); Money Laundering (1%); and Administration of Justice (1%).²

59% had little or no prior criminal history (Criminal History Category I);

- 21% were CHC II;
- 13% were CHC III;
- 4% were CHC IV;
- 2% were CHC V;
- 1% were CHC VI.

The top five districts for sentenced non-U.S. citizens were:

- Western District of Texas (7,346);
- Southern District of Texas (4,814);
- District of Arizona (2,576);
- District of New Mexico (2,150);
- Southern District of California (747).

The top five districts where sentenced non-U.S. citizens comprised the highest proportion of the overall caseloads were:

- District of Northern Mariana Islands (82%);
- Western District of Texas (80%);
- District of New Mexico (80%);
- Southern District of Texas (72%);
- District of Arizona (66%).



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Punishment

The average sentence for non-U.S. citizens was 21 months.³

97% were sentenced to prison.

9% were convicted of an offense carrying a mandatory minimum penalty.

Sentences Relative to the Guideline Range

79% of sentences for non-U.S. citizens were under the *Guidelines Manual*:

- 63% were within the guideline range.
- 10% were Early Disposition Program (EDP) departures.⁴
 - *The average sentence reduction was 44%.*
- 3% were substantial assistance departures.
 - *The average sentence reduction was 51%.*
- 2% were some other downward departure.
 - *The average sentence reduction was 42%.*
- Less than 1% were upward departures.
 - *The average sentence increase was 106%.*

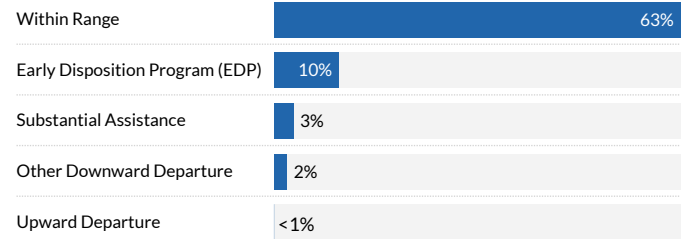
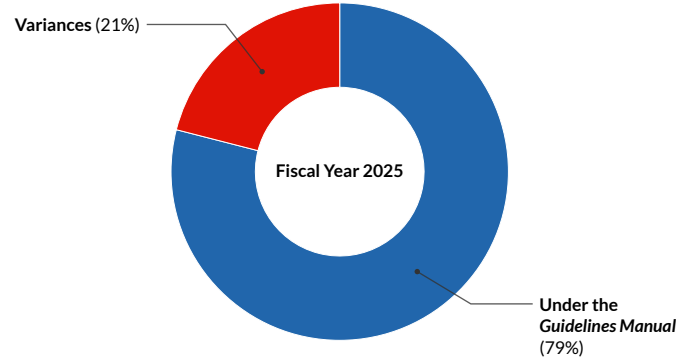
21% of sentences for non-U.S. citizens were variances.

- 15% were downward variances.
 - *The average sentence reduction was 39%.*
- 6% were upward variances.
 - *The average sentence increase was 65%.*

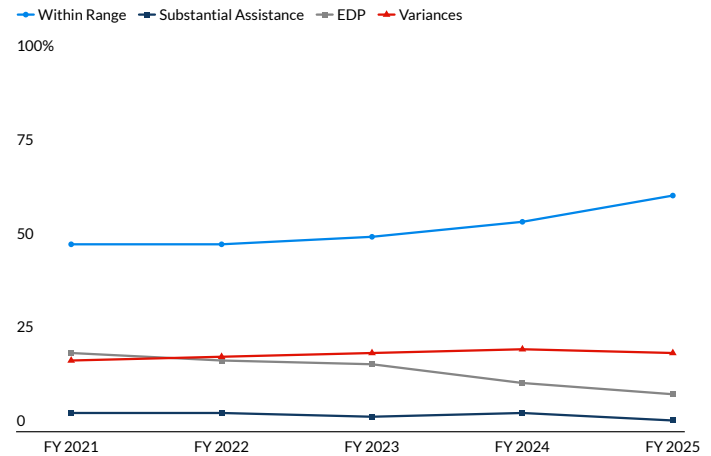
The average guideline minimum and average sentence imposed have fluctuated over the past five years.

- The average guideline minimum was 33 months in fiscal year 2021 and 25 months in fiscal year 2025.
- The average sentence imposed was 25 months in fiscal year 2021 and 21 months in fiscal year 2025.

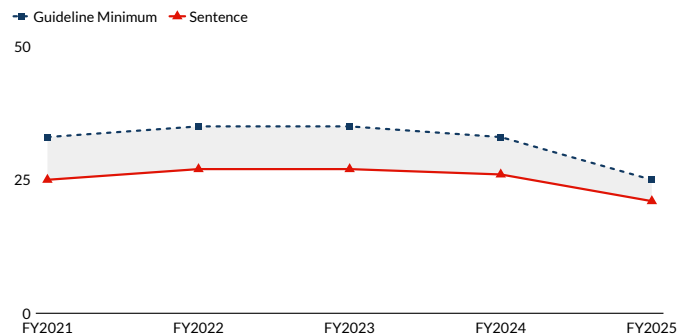
Sentences Relative to the Guideline Range



Sentences Relative to the Guideline Range by Fiscal Year



Average Guideline Minimum and Average Sentence (months)



¹ Cases with incomplete sentencing information were excluded from the analysis.

² The most common guidelines under which U.S. citizens were sentenced include: Drug Trafficking (36%); Firearms (21%); Fraud (12%); Immigration (7%); Child Pornography (4%); Sexual Abuse (4%); and Robbery (3%).

³ The average sentence for U.S. citizens was 71 months.

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.