

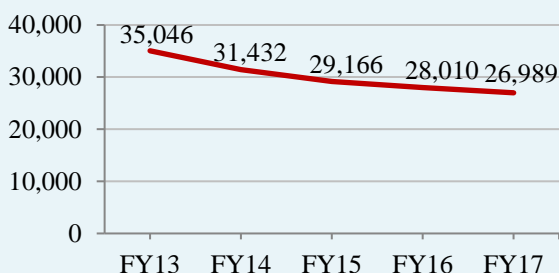


Quick Facts

- ▶ THERE WERE 66,873 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2017.
- ▶ OF THESE CASES, 26,989 INVOLVED NON-U.S. CITIZENS.
- ▶ NON-U.S. CITIZENS ACCOUNTED FOR 40.7% OF ALL OFFENDERS IN FISCAL YEAR 2017.

Non-U.S. Citizen Federal Offenders

Number of Non-U.S. Citizen Federal Offenders



Overall, the number of non-U.S. citizen offenders has decreased over the last five years, from 35,046 offenders in fiscal year 2013 to 26,989 in fiscal year 2017. Non-U.S. citizen offenders were mostly Hispanic, citizens of Mexico, and sentenced in the districts along on the Southwest Border.

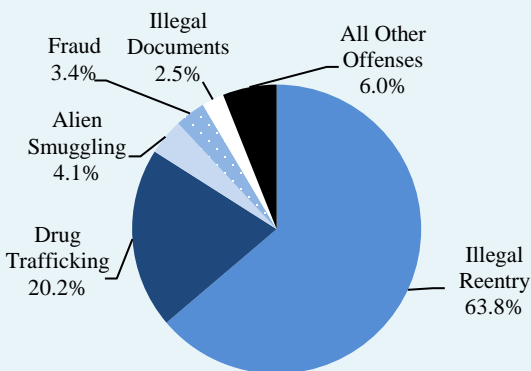
Top Five Districts Non-U.S. Citizen Offenders FY 2017

Southern District of Texas (N=4,720)
Western District of Texas (N=4,460)
District of Arizona (N=3,955)
District of New Mexico (N=3,067)
Southern District of California (N=1,591)

Offender and Offense Characteristics

- Hispanic offenders were the majority of non-U.S. citizens (93.8%), followed by Black (2.6%), White (2.2%), and Other Race (1.5%) offenders.
- Most non-U.S. citizen offenders were men (93.8%).
- The average age of these offenders at sentencing was 36 years.
- Most non-U.S. citizen offenders did not complete high school (76.3%), followed by high school graduates (14.4%), offenders with some college (6.2%), and college graduates (3.1%).
- Just under one-half (46.7%) of non-U.S. citizen offenders had little or no prior criminal history (*i.e.*, assigned to Criminal History Category I). The proportion of non-U.S. citizen offenders in other Criminal History Categories was as follows:
 - ◆ 18.2% of these offenders were in Category II;
 - ◆ 18.8% were in Category III;
 - ◆ 9.2% were in Category IV;
 - ◆ 4.3% were in Category V; and,
 - ◆ 2.8% were in Category VI.
- Districts with the highest proportion of their overall caseload comprising non-U.S. citizen offenders were District of New Mexico (80.9%) followed by District of Arizona (73.0%), Southern District of Texas (71.2%), Western District of Texas (67.9%), and Southern District of California (55.3%)—all of which are districts on the Southwest Border.
- The immigration status for non-U.S. citizen offenders was illegal alien (86.6%), legal alien (9.8%), extradited alien (1.5%), and 2.1% who were non-U.S. citizens but their status was unknown.
- The majority of non-U.S. citizen offenders were citizens of Mexico (71.5%). The next most common countries of origin were Honduras (5.8%), Guatemala (4.7%), El Salvador (3.7%), and the Dominican Republic (2.6%).

Most Common Guidelines¹ Non-U.S. Citizen Offenders FY 2017



¹ The most common guideline under which U.S. citizen offenders were sentenced include Drug Trafficking (§2D1.1; 37.5%), Firearms Possession (§2K2.1; 16.0%), Fraud (§2B1.1; 14.5%), Alien Smuggling (§2L1.1; 4.7%), and Robbery (§2B3.1; 4.0%).

Quick Facts

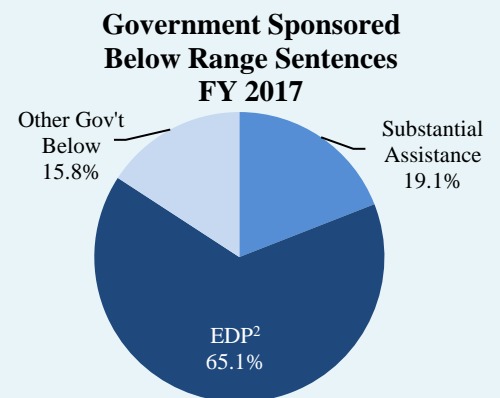
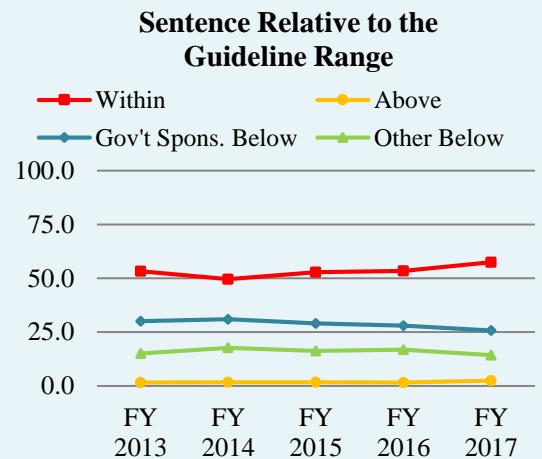
Non-U.S. Citizen Offenders

Punishment

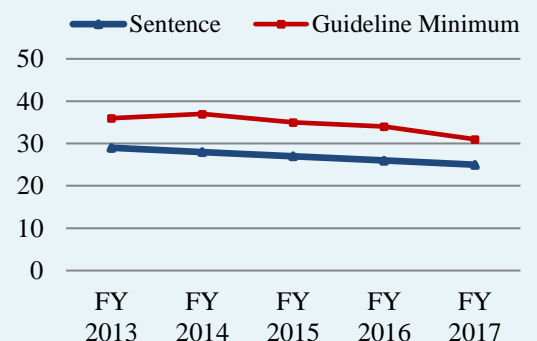
- Most non-U.S. citizen offenders were sentenced to imprisonment (96.5%).
- The average sentence length for non-U.S. citizen offenders was 24 months.
- Most non-U.S. citizen offenders were convicted of an offense that did not carry a mandatory minimum penalty (88.9%).

Sentences Relative to the Guideline Range

- The percentage of non-U.S. citizen offenders sentenced within the guideline range has increased over the past five years, growing from 53.3% in fiscal year 2013 to 57.5% in fiscal year 2017.
- In 25.7% of cases involving non-U.S. citizen cases in fiscal year 2017, offenders received a sentence below the applicable guideline range because the government sponsored the below range sentence.
 - ◆ Substantial assistance departures were granted in 4.9% of cases involving non-U.S. citizens.
 - ◇ These offenders received an average reduction of about half off their sentence (47.7%).
 - ◆ Early Disposition Program (EDP) departures² applied in 16.8% of non-U.S. citizen offenders.
 - ◇ These offenders received an average reduction of 43.2% in their sentence.
- The rate of non-government sponsored below range sentences for non-U.S. citizen offenders remained relatively stable over the past five years, from 15.1% in fiscal year 2013 to 14.3% in fiscal year 2017.
 - ◆ These offenders received an average reduction of (37.1%) in their sentence.
- The average sentence and the average guideline minimum for non-U.S. citizen offenders decreased slightly over the last five years.
 - ◆ The average sentence has decreased from 29 months in fiscal year 2013 to 25 months in fiscal year 2017;
 - ◆ The average guideline minimum has decreased from 36 months in fiscal year 2013 to 31 months in fiscal year 2017.



Average Sentence and Average Guideline Minimum (in months)



²Early Disposition Program (or EDP) departures² 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.

