



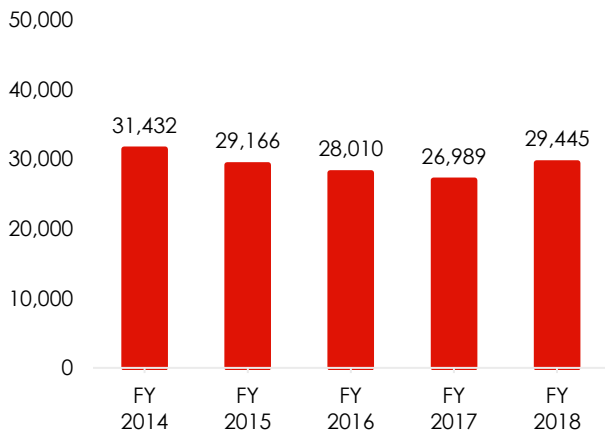
Quick Facts

— Non-U.S. Citizen Federal Offenders —

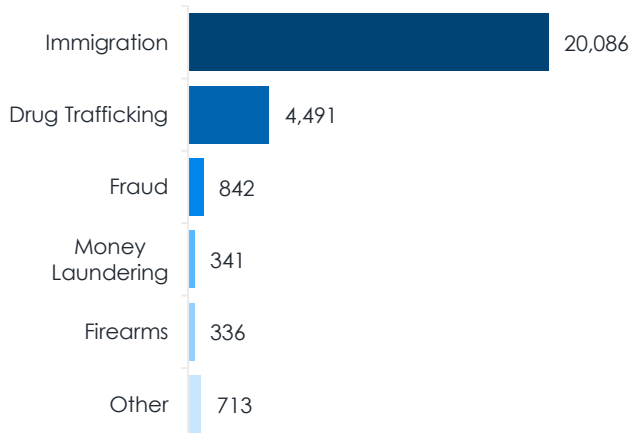
Fiscal Year 2018

- ▶ IN FY 2018, 69,425 CASES WERE REPORTED TO THE U.S. SENTENCING COMMISSION.
- ▶ 29,445 OF THESE INVOLVED NON-U.S. CITIZENS.
- ▶ NON-U.S. CITIZENS ACCOUNTED FOR 42.7% OF ALL FEDERAL OFFENDERS IN FY 2018.

Number of Non-U.S. Citizen Federal Offenders



Most Common Guidelines for Non-U.S. Citizen Offenders



Offender and Offense Characteristics¹

- 93.5% of non-U.S. citizen offenders were men.
- 94.4% of non-U.S. citizen offenders were Hispanic, 2.4% were White, 2.0% were Black, and 1.2% were Other races.
- Their average age was 36 years.
- 88.4% were illegal aliens, 9.1% were legal aliens, 1.4% were extradited aliens, 1.1% were of unknown status.
- 71.0% were from Mexico, 7.6% from Guatemala, 5.9% from Honduras, 3.4% from El Salvador, and 2.0% from the Dominican Republic.
- The most common guidelines under which non-U.S. Citizen offenders were sentenced include: Immigration (74.5%); Drug Trafficking (16.8%); Fraud (3.1%); and Money Laundering (1.3%).²
- 50.7% had little or no prior criminal history (Criminal History Category I);
 - ◆ 18.3% were CHC II;
 - ◆ 16.7% were CHC III;
 - ◆ 8.1% were CHC IV;
 - ◆ 3.7% were CHC V;
 - ◆ 2.5% were CHC VI.
- The top five districts for non-U.S. citizen offenders were:
 - ◆ Western District of Texas (6,066);
 - ◆ Southern District of Texas (4,049);
 - ◆ District of New Mexico (3,356);
 - ◆ District of Arizona (2,728);
 - ◆ Southern District of California (1,443).
- Districts with the highest proportion of overall caseload comprised of non-U.S. citizen offenders were:
 - ◆ District of New Mexico (85.9%);
 - ◆ Western District of Texas (77.2%);
 - ◆ Southern District of Texas (68.9%);
 - ◆ District of Arizona (68.2%);
 - ◆ District of Northern Mariana Islands (64.3%).

Punishment

- The average sentence for non-U.S. citizen offenders was 23 months.³
- 96.1% were sentenced to prison.
- 13.4% were convicted of an offense carrying a mandatory minimum penalty.



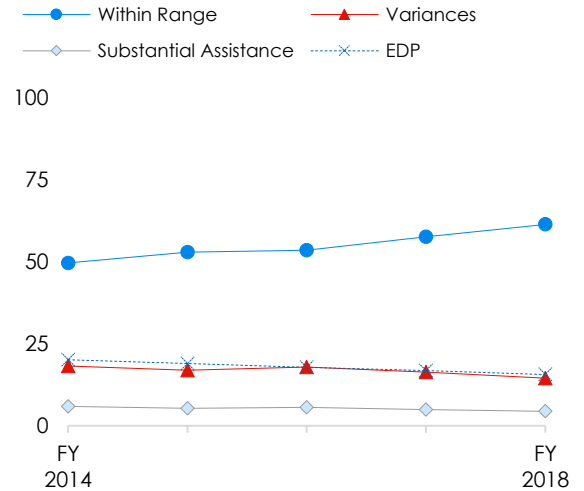
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— Non-U.S. Citizen Federal Offenders —

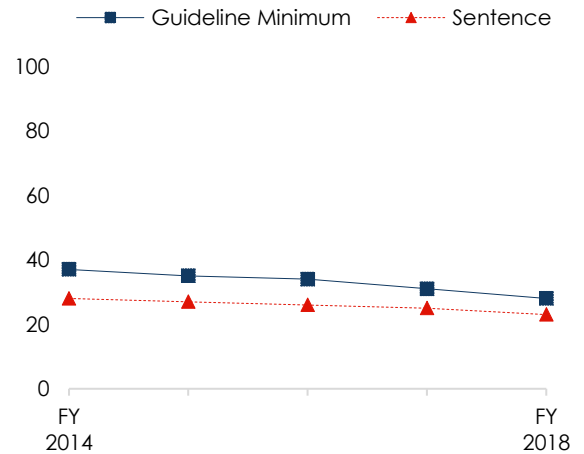
Sentences Relative to the Guideline Range

- Of the 85.5% of non-U.S. citizen offenders sentenced under the *Guidelines Manual*:
 - 71.7% were sentenced within the guideline range.
 - 18.2% received an Early Disposition Program (EDP) departure.⁴
 - Their average sentence reduction was 42.2%.
 - 5.1% received a substantial assistance departure.
 - Their average sentence reduction was 47.1%.
 - 4.4% received some other downward departure.
 - Their average sentence reduction was 39.5%.
- 14.5% received a variance; of those offenders:
 - 90.0% received a below range variance.
 - Their average sentence reduction was 39.5%.
 - 10.0% received an above range variance.
 - Their average sentence increase was 76.4%.
- The average guideline minimum and average sentence imposed has declined over the past five years.
 - The average guideline minimum decreased from 37 months in fiscal year 2014 to 28 months in fiscal year 2018.
 - The average sentence imposed decreased from 28 months in fiscal year 2014 to 23 months in fiscal year 2018.

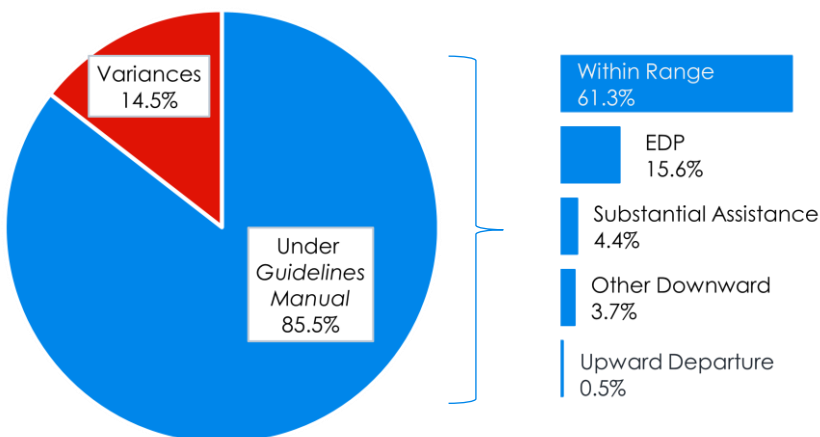
Sentence Relative to the Guideline Range (%)



Average Guideline Minimum and Average Sentence (months)



Sentence Imposed Relative to the Guideline Range FY 2018



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

² The most common guidelines under which U.S. citizen offenders were sentenced include: Drug Trafficking (37.2%); Firearms (18.0%); Fraud (13.6%); Immigration (5.1%); Robbery (4.4%); and Child Pornography (3.7%).

³ The average sentence for U.S. citizen offenders was 63 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.