



Quick Facts

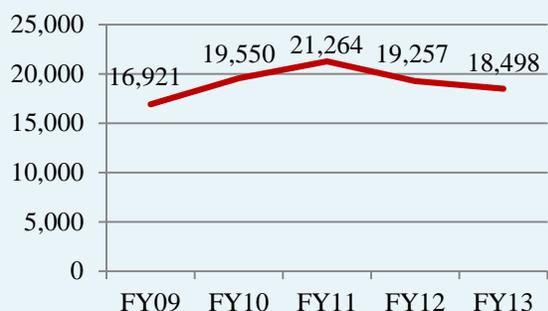
▶ THERE WERE 80,035 CASES REPORTED TO THE UNITED STATES SENTENCING COMMISSION IN FISCAL YEAR 2013.

▶ OF THESE CASES, 22,209 INVOLVED IMMIGRATION OFFENSES.¹

▶ 83.3% OF IMMIGRATION CASES INVOLVED ILLEGAL REENTRY.

Illegal Reentry Offenses

Number of Illegal Reentry Offenders



Offender and Offense Characteristics

- In fiscal year 2013, most illegal reentry offenders were male (96.8%).
- The majority were Hispanic (98.1%), followed by White (1.0%), Black (0.8%) and Other Races (0.0%).
- The average age of these offenders at sentencing was 36 years.
- The most common Criminal History Category for these offenders was Category III (28.6%). The proportion of illegal reentry offenders in other Criminal History Categories were as follows:
 - ◆ 20.4% of these offenders were in Category I;
 - ◆ 22.4% were in Category II;
 - ◆ 15.5% were in Category IV;
 - ◆ 7.9% were in Category V;
 - ◆ and 5.2% were in Category VI.
- Illegal reentry sentences were increased in 74.5% of all cases because of the offender's criminal history pursuant to section 2L1.2 of the sentencing guidelines. The increases were:
 - ◆ four levels in 32.8% of these offenses;
 - ◆ eight levels in 9.9% of these offenses;
 - ◆ 12 levels in 8.2% of these offenses;
 - ◆ and 16 levels in 23.5% of these offenses.

Top Five Districts Illegal Reentry Offenders FY 2013

Southern District of Texas (N=3,853)
Western District of Texas (N=3,200)
District of New Mexico (N=2,837)
District of Arizona (N=2,387)
Southern District of California (N=1,460)

Punishment

- The majority of illegal reentry offenders were sentenced to imprisonment (98.2%).
- The average sentence length for illegal reentry offenders was 18 months.

¹ Immigration cases include cases with complete guideline application information sentenced under USSG §§2L1.1 (Smuggling, Transporting or Harboring and 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).

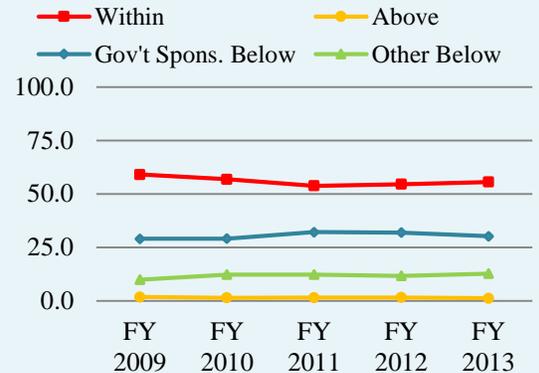
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Sentences Relative to the Guideline Range

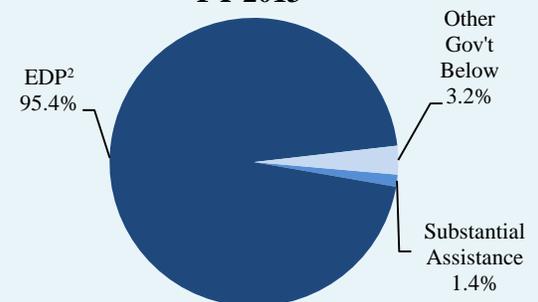
- For each of the past five years, more than half of illegal reentry offenders were sentenced within the guideline range.
- Nearly one-third (30.3%) of illegal reentry offenders received a sentence below the applicable guideline range because the government sponsored the below range sentence in fiscal year 2012.
 - Early Disposition Program (EDP) departures were granted in 28.9% of illegal reentry cases.
 - These offenders received an average reduction of 39.9% in their sentence.
 - Other government sponsored below range sentences were imposed in 1.0% of illegal reentry cases.
 - These offenders received an average reduction of 34.7% in their sentence.
- The rate of non-government sponsored below range sentences increased from 10.0% of illegal reentry cases in fiscal year 2009 to 12.8% in fiscal year 2013.
 - The average reduction for these offenders in fiscal year 2013 was 39.6%.
- The average sentence and the average guideline minimum for illegal reentry offenders have decreased over the last five years.
 - The average sentence decreased from 21 months in fiscal year 2009 to 18 months in fiscal year 2013;
 - The average guideline minimum decreased from 23 months in fiscal year 2009 to 21 months in fiscal year 2013.
 - Over the last five years, fewer illegal reentry offenders received a 16-level increase in their offense level based on criminal history (from 28.8% of all illegal reentry offenders in fiscal year 2009 to 23.5% in fiscal year 2013).
 - A greater percentage of illegal reentry offenders received the 4-level increase in their offense level (from 27.1% in fiscal year 2009 to 32.8% in fiscal year 2013).
 - Fewer illegal reentry offenders were also assigned to the highest Criminal History Category (from 8.9% in fiscal year 2009 to 5.2% in fiscal year 2013).
 - This corresponds with an increase in offenders assigned to the lowest Criminal History Category (from 17.5% in fiscal year 2009 to 20.4% in fiscal year 2013).

Illegal Reentry Offenses

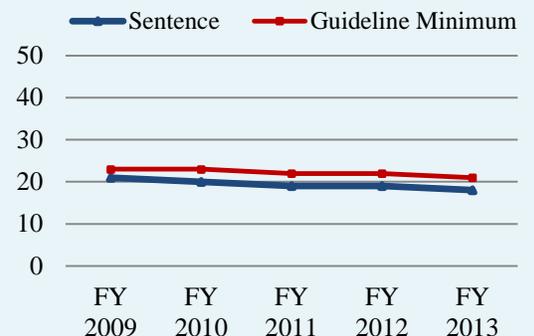
Sentence Relative to the Guideline Range



Government Sponsored Below Range Sentences FY 2013



Average Sentence and Average Guideline Minimum (in months)



² "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.

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