

Table 50

**MEAN AND MEDIAN SENTENCES OF OFFENDERS SENTENCED UNDER IMMIGRATION GUIDELINES
BY SENTENCES RELATIVE TO THE GUIDELINE RANGE¹
Fiscal Year 2006**

SENTENCING GUIDELINE	TOTAL			WITHIN GUIDELINE RANGE			UPWARD DEPARTURE ²			UPWARD DEPARTURE W/ <i>BOOKER</i> ²			ABOVE RANGE WITH W/ <i>BOOKER</i> ²			REMAINING ABOVE RANGE ²		
	n	Mean	Med	n	Mean	Med	n	Mean	Med	n	Mean	Med	n	Mean	Med	n	Mean	Med
TOTAL⁴	69,729	53.0	30.0	42,928	56.8	30.0	409	77.7	53.0	177	99.1	60.0	454	85.0	55.5	84	49.3	24.0
TOTAL IMMIGRATION⁵	16,085	22.7	18.0	9,988	22.1	15.0	114	34.5	18.0	26	57.4	25.5	106	27.9	16.5	19	24.8	17.0
§2L1.1	3,433	15.9	12.0	1,911	18.0	15.0	52	34.6	18.0	10	69.8	17.0	16	41.7	28.5	1	--	--
§2L1.2	11,296	26.7	24.0	6,937	25.8	18.0	41	38.9	30.0	11	65.0	62.0	63	30.5	20.0	11	32.4	30.0
§2L2.1	355	12.4	9.1	224	13.9	10.0	8	40.6	24.0	2	--	--	2	--	--	0	--	--
§2L2.2	1,001	4.6	3.0	916	4.1	3.0	13	16.2	13.0	3	14.0	12.0	25	13.4	13.0	7	14.3	13.0

Table 50 (cont.)

SENTENCING GUIDELINE	§5K1.1 SUBSTANTIAL ASSISTANCE			§5K3.1 EARLY DISPOSITION			OTHER GOV'T SPONSORED			DOWNWARD DEPARTURE ³			DOWNWARD DEPARTURE W/ BOOKER ³			BELOW RANGE W/ BOOKER ³			REMAINING BELOW RANGE ³		
	n	Mean	Med	n	Mean	Med	n	Mean	Med	n	Mean	Med	n	Mean	Med	n	Mean	Med	n	Mean	Med
TOTAL⁴	10,112	53.5	37.0	5,152	23.7	18.0	1,928	45.5	24.0	1,898	41.5	24.0	1,431	45.5	24.0	4,232	52.9	24.0	924	47.4	18.0
TOTAL IMMIGRATION⁵	346	14.5	12.0	3,641	24.8	21.0	472	15.4	12.0	470	26.7	24.0	159	27.3	24.0	618	23.8	24.0	126	17.7	13.0
§2L1.1	195	11.2	10.0	891	12.6	12.0	122	9.4	8.0	72	10.6	11.0	21	9.4	10.0	107	10.8	12.0	35	10.3	10.5
§2L1.2	92	26.0	26.0	2,748	28.8	30.0	340	17.8	12.0	387	30.2	30.0	127	31.8	32.0	471	28.3	29.0	68	25.9	24.0
§2L2.1	58	7.7	5.5	0	--	--	6	10.2	8.0	6	12.0	13.5	6	16.2	11.5	26	4.7	0.0	17	6.0	0.0
§2L2.2	1	--	--	2	--	--	4	8.3	3.0	5	2.1	0.3	5	0.8	0.0	14	6.6	2.8	6	2.2	2.0

¹Immigration/Naturalization guidelines are found in USSG Chapter Two, Part L. Descriptions of variables used in this table are provided in Appendix A.

²See Tables 24-24C for a list of departure reasons comprising these categories.

³See Tables 25-25C for a list of departure reasons comprising these categories.

⁴Of the 72,585 cases, 2,856 were excluded due to one or more of the following reasons: missing information needed to determine the relationship between the sentence imposed and the guideline range (2,398), or missing sentencing information (751).

⁵The following number of immigration cases were excluded due to missing information needed to determine the relationship between the sentence imposed and the guideline range and/or sentencing information: 29 cases under §2L1.1; 67 cases under §2L1.2; nine cases under §2L2.1; and nine cases under §2L2.2. Also, zero immigration cases not sentenced under §2L1.1, §2L1.2, §2L2.1, or §2L2.2 were excluded.

SOURCE: U.S. Sentencing Commission, 2006 Datafile, USSCFY06.