

Table 50

**MEAN AND MEDIAN SENTENCES OF OFFENDERS SENTENCED UNDER IMMIGRATION GUIDELINES
BY SENTENCES RELATIVE TO THE GUIDELINE RANGE¹
Fiscal Year 2007**

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		
	n	Mean	Med	n	Mean	Med	n	Mean	Med	n	Mean	Med	n	Mean	Med	n	Mean	Med
TOTAL⁴	69,398	53.4	30.0	42,083	57.9	30.0	323	76.5	48.0	143	114.7	72.0	488	69.2	36.0	102	60.4	33.0
TOTAL IMMIGRATION	15,788	21.8	15.0	9,239	21.0	14.0	110	35.8	21.0	23	63.3	60.0	198	30.2	18.0	23	29.9	26.0
§2L1.1	3,352	16.1	13.0	1,702	18.4	15.0	45	36.4	15.0	7	71.1	36.0	12	79.8	73.5	6	29.3	15.0
§2L1.2	10,873	25.6	21.0	6,284	24.5	18.0	47	42.4	30.0	14	65.9	60.5	103	38.2	30.0	14	33.9	34.0
§2L2.1	427	11.2	10.0	265	13.3	10.0	1	--	--	0	--	--	6	34.0	27.0	1	--	--
§2L2.2	1,136	6.1	4.0	988	5.5	4.0	17	16.4	12.0	2	--	--	77	11.6	12.0	2	--	--

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		
	n	Mean	Med	n	Mean	Med	n	Mean	Med	n	Mean	Med	n	Mean	Med	n	Mean	Med	n	Mean	Med
TOTAL⁴	10,027	53.3	37.0	5,222	23.6	18.0	2,599	44.4	23.5	1,752	44.0	24.0	1,010	49.3	24.0	4,948	52.9	27.0	701	42.8	12.0
TOTAL IMMIGRATION	344	13.2	10.0	3,788	23.4	19.0	803	17.2	12.0	442	27.1	24.0	114	22.5	21.5	606	24.4	24.0	98	15.8	12.0
§2L1.1	203	12.5	9.0	949	12.9	13.0	249	12.8	12.0	53	10.4	12.0	17	8.0	7.0	81	8.0	6.0	28	8.0	4.8
§2L1.2	63	25.1	24.0	2,832	27.0	27.0	532	19.6	14.8	380	30.0	30.0	86	27.1	25.3	464	29.7	30.0	54	23.1	24.0
§2L2.1	70	5.7	0.0	1	--	--	11	10.9	10.2	8	3.3	1.4	9	7.3	0.0	49	7.0	1.0	6	8.2	0.5
§2L2.2	8	2.8	0.0	6	3.3	0.0	11	6.6	4.0	1	-	-	2	--	--	12	2.5	2.9	10	3.6	0.0

¹This table only includes USSG Chapter Two, Part L (Immigration) cases sentenced under the following guidelines: §§2L1.1 (Alien Smuggling), 2L1.2 (Unlawful Entering or Remaining in the United States), 2L2.1 (Trafficking In Immigration Documents, or Making False or Fraudulent Immigration Statements), 2L2.2 (Acquiring Fraudulent Immigration Documents). Descriptions of variables used in this table are provided in Appendix A.

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

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

⁴Of the 72,865 cases, 3,467 were excluded due to one or more of the following reasons: missing information from the submitted documents that prevented the comparison of the sentence and the guideline range (2,972), or missing sentencing information (801). Of these 3,467, 128 were sentenced under one of the four immigration guidelines listed in this table.

SOURCE: U.S. Sentencing Commission, 2007 Datafile, USSCFY07.