PRESENTED AT

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Key Criminal Statutes Implicated by Immigration

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Transporting, Harboring, or Inducing an Alien – 8 U.S.C. §1324

TRANSPORTING ALIENS INTO THE UNITED STATES:

Elements

- 1. Knowing that a person is an alien
- 2. Bringing or attempting to bring the alien
- 3. To the United States
- 4. At a place other than a port of entry or other authorized place

Criminal Penalty

- Imprisonment:
 - o Maximum of 10 years
 - Maximum of 20 years if involving serious bodily injury or placing any person's life in jeopardy
 - o Maximum of life in prison if violation results in death of any person.
- Fine:
 - Maximum of twice the gross pecuniary gain to the defendant or loss to another person
 - o \$250,000 maximum for an individual
 - o \$500,000 maximum for an organization

TRANSPORTATION WITHIN THE UNITED STATES:

Elements

- 1. Defendant transported an alien in the United States
- 2. Alien was in United States in violation of law
- 3. The Defendant knew this fact
- 4. Defendant knew or had reason to know that the alien's last entry into the United States was in the last three years
- 5. Defendant acted willfully in furtherance of the alien's violation of the law





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